

116TH CONGRESS
1ST SESSION

H. R. 3494

AN ACT

To authorize appropriations for fiscal years 2018, 2019, and 2020 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.**

4 This Act may be cited as the “Damon Paul Nelson
 5 and Matthew Young Pollard Intelligence Authorization
 6 Act for Fiscal Years 2018, 2019, and 2020”.

7 **SEC. 2. DIVISIONS AND TABLE OF CONTENTS.**

8 (a) DIVISIONS.—This Act is organized into two divi-
 9 sions as follows:

10 (1) Division A—Intelligence Authorizations for
 11 Fiscal Year 2020.

12 (2) Division B—Intelligence Authorizations for
 13 Fiscal Years 2018 and 2019.

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

Sec. 1. Short title.

Sec. 2. Divisions and table of contents.

Sec. 3. Definitions.

DIVISION A—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR
 2020

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Intelligence community management account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
 DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.

Sec. 303. Paid parental leave.

Sec. 304. Unfunded requirements of the intelligence community.

- Sec. 305. Extending the Intelligence Identities Protection Act of 1982.
- Sec. 306. Intelligence community public-private talent exchange.
- Sec. 307. Assessment of contracting practices to identify certain security and counterintelligence concerns.
- Sec. 308. Required counterintelligence briefings and notifications.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

- Sec. 401. Establishment of Climate Security Advisory Council.
- Sec. 402. Transfer of National Intelligence University to the Office of the Director of National Intelligence.
- Sec. 403. Death benefits for survivors of Central Intelligence Agency personnel.
- Sec. 404. Foreign Threat Response Center.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 501. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.
- Sec. 502. Report on repression of ethnic Muslim minorities in the Xinjiang region of the People's Republic of China.
- Sec. 503. Report on efforts by People's Republic of China to influence election in Taiwan.
- Sec. 504. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.
- Sec. 505. Assessments of intentions of political leadership of the Russian Federation.
- Sec. 506. Report on death of Jamal Khashoggi.
- Sec. 507. Assessments regarding the Northern Triangle and Mexico.
- Sec. 508. Sense of Congress and report on Iranian efforts in Syria.
- Sec. 509. Annual reports on influence operations and campaigns in the United States by the Russian Federation.

TITLE VI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

- Sec. 601. Definitions.
- Sec. 602. Annual strategic intelligence assessment of and comprehensive report on domestic terrorism.
- Sec. 603. Report characterizing domestic terrorism activity within the United States.

TITLE VII—REPORTS AND OTHER MATTERS

- Sec. 701. Modification of requirements for submission to Congress of certain reports.
- Sec. 702. Increased transparency regarding counterterrorism budget of the United States.
- Sec. 703. Task force on illicit financing of espionage and foreign influence operations.
- Sec. 704. Study on role of retired and former personnel of intelligence community with respect to certain foreign intelligence operations.
- Sec. 705. Report by Director of National Intelligence on fifth-generation wireless network technology.
- Sec. 706. Establishment of 5G prize competition.
- Sec. 707. Establishment of deepfakes prize competition.
- Sec. 708. Removal and neutralization of IMSI catchers.
- Sec. 709. Plan for strengthening the supply chain intelligence function.

- Sec. 710. Securing energy infrastructure.
- Sec. 711. Collection, analysis, and dissemination of workforce data.
- Sec. 712. Report on best practices to protect privacy and civil liberties of Chinese Americans.
- Sec. 713. Intelligence assessment of relationship between women and violent extremism.
- Sec. 714. Report on use by intelligence community of facial recognition technology.
- Sec. 715. Report on deepfake technology, foreign weaponization of deepfakes, and related notifications.
- Sec. 716. Rule of construction with respect to certain crimes relating to terrorism.
- Sec. 717. Report on international mobile subscriber identity-catchers and United States national security.
- Sec. 718. Whistleblower disclosures to Congress and committees of Congress.
- Sec. 719. Report containing threat assessment on terrorist use of conventional and advanced conventional weapons.
- Sec. 720. Assessment of homeland security vulnerabilities associated with certain retired and former personnel of the intelligence community.
- Sec. 721. Expansion of availability of financial assets of Iran to victims of terrorism.
- Sec. 722. Report on terrorist screening database.
- Sec. 723. Sense of Congress on Americans and foreign individuals who contribute to the national security of the United States who are held captive.

DIVISION B—INTELLIGENCE AUTHORIZATIONS FOR FISCAL
YEARS 2018 AND 2019

TITLE XXI—INTELLIGENCE ACTIVITIES

- Sec. 2101. Authorization of appropriations.
- Sec. 2102. Classified Schedule of Authorizations.
- Sec. 2103. Intelligence Community Management Account.

TITLE XXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM

- Sec. 2201. Authorization of appropriations.
- Sec. 2202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE XXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 2301. Restriction on conduct of intelligence activities.
- Sec. 2302. Increase in employee compensation and benefits authorized by law.
- Sec. 2303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
- Sec. 2304. Modification of appointment of Chief Information Officer of the Intelligence Community.
- Sec. 2305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
- Sec. 2306. Supply Chain and Counterintelligence Risk Management Task Force.

- Sec. 2307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
- Sec. 2308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
- Sec. 2309. Elimination of sunset of authority relating to management of supply-chain risk.
- Sec. 2310. Limitations on determinations regarding certain security classifications.
- Sec. 2311. Joint Intelligence Community Council.
- Sec. 2312. Intelligence community information technology environment.
- Sec. 2313. Report on development of secure mobile voice solution for intelligence community.
- Sec. 2314. Policy on minimum insider threat standards.
- Sec. 2315. Submission of intelligence community policies.
- Sec. 2316. Expansion of intelligence community recruitment efforts.

TITLE XXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 2401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.
- Sec. 2402. Designation of the program manager-information sharing environment.
- Sec. 2403. Technical modification to the executive schedule.
- Sec. 2404. Chief Financial Officer of the Intelligence Community.
- Sec. 2405. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

- Sec. 2411. Central Intelligence Agency subsistence for personnel assigned to austere locations.
- Sec. 2412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.
- Sec. 2413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.
- Sec. 2414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

- Sec. 2421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.
- Sec. 2422. Establishment of Energy Infrastructure Security Center.
- Sec. 2423. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

- Sec. 2431. Plan for designation of counterintelligence component of Defense Security Service as an element of intelligence community.
- Sec. 2432. Notice not required for private entities.
- Sec. 2433. Establishment of advisory board for National Reconnaissance Office.

Sec. 2434. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE XXV—ELECTION MATTERS

- Sec. 2501. Report on cyber attacks by foreign governments against United States election infrastructure.
- Sec. 2502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.
- Sec. 2503. Assessment of foreign intelligence threats to Federal elections.
- Sec. 2504. Strategy for countering Russian cyber threats to United States elections.
- Sec. 2505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.
- Sec. 2506. Information sharing with State election officials.
- Sec. 2507. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.
- Sec. 2508. Designation of counterintelligence officer to lead election security matters.

TITLE XXVI—SECURITY CLEARANCES

- Sec. 2601. Definitions.
- Sec. 2602. Reports and plans relating to security clearances and background investigations.
- Sec. 2603. Improving the process for security clearances.
- Sec. 2604. Goals for promptness of determinations regarding security clearances.
- Sec. 2605. Security Executive Agent.
- Sec. 2606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.
- Sec. 2607. Report on clearance in person concept.
- Sec. 2608. Reports on reciprocity for security clearances inside of departments and agencies.
- Sec. 2609. Intelligence community reports on security clearances.
- Sec. 2610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.
- Sec. 2611. Information sharing program for positions of trust and security clearances.
- Sec. 2612. Report on protections for confidentiality of whistleblower-related communications.

TITLE XXVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

- Sec. 2701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.
- Sec. 2702. Report on returning Russian compounds.
- Sec. 2703. Assessment of threat finance relating to Russia.
- Sec. 2704. Notification of an active measures campaign.
- Sec. 2705. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.
- Sec. 2706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.
- Sec. 2707. Report on Iranian support of proxy forces in Syria and Lebanon.

- Sec. 2708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.
- Sec. 2709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

- Sec. 2711. Technical correction to Inspector General study.
- Sec. 2712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.
- Sec. 2713. Review of intelligence community whistleblower matters.
- Sec. 2714. Report on role of Director of National Intelligence with respect to certain foreign investments.
- Sec. 2715. Report on surveillance by foreign governments against United States telecommunications networks.
- Sec. 2716. Biennial report on foreign investment risks.
- Sec. 2717. Modification of certain reporting requirement on travel of foreign diplomats.
- Sec. 2718. Semiannual reports on investigations of unauthorized disclosures of classified information.
- Sec. 2719. Congressional notification of designation of covered intelligence officer as persona non grata.
- Sec. 2720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.
- Sec. 2721. Inspectors General reports on classification.
- Sec. 2722. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.
- Sec. 2723. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.
- Sec. 2724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.
- Sec. 2725. Modification of requirement for annual report on hiring and retention of minority employees.
- Sec. 2726. Reports on intelligence community loan repayment and related programs.
- Sec. 2727. Repeal of certain reporting requirements.
- Sec. 2728. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.
- Sec. 2729. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.
- Sec. 2730. Intelligence assessment of North Korea revenue sources.
- Sec. 2731. Report on possible exploitation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

- Sec. 2741. Public Interest Declassification Board.
- Sec. 2742. Technical and clerical amendments to the National Security Act of 1947.
- Sec. 2743. Technical amendments related to the Department of Energy.
- Sec. 2744. Sense of Congress on notification of certain disclosures of classified information.

Sec. 2745. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—The term “congressional intelligence com-
5 mittees” has the meaning given such term in section
6 3 of the National Security Act of 1947 (50 U.S.C.
7 3003).

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

12 **DIVISION A—INTELLIGENCE AU-**
13 **THORIZATIONS FOR FISCAL**
14 **YEAR 2020**
15 **TITLE I—INTELLIGENCE**
16 **ACTIVITIES**

17 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2020 for the conduct of the intelligence and
20 intelligence-related activities of the following elements of
21 the United States Government:

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

1 (2) The Central Intelligence Agency.

2 (3) The Department of Defense.

3 (4) The Defense Intelligence Agency.

4 (5) The National Security Agency.

5 (6) The Department of the Army, the Depart-
6 ment of the Navy, and the Department of the Air
7 Force.

8 (7) The Coast Guard.

9 (8) The Department of State.

10 (9) The Department of the Treasury.

11 (10) The Department of Energy.

12 (11) The Department of Justice.

13 (12) The Federal Bureau of Investigation.

14 (13) The Drug Enforcement Administration.

15 (14) The National Reconnaissance Office.

16 (15) The National Geospatial-Intelligence Agen-
17 cy.

18 (16) The Department of Homeland Security.

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

20 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
21 authorized to be appropriated under section 101 for the
22 conduct of the intelligence activities of the elements listed
23 in paragraphs (1) through (16) of section 101, are those
24 specified in the classified Schedule of Authorizations pre-
25 pared to accompany this Act.

1 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
2 THORIZATIONS.—

3 (1) AVAILABILITY.—The classified Schedule of
4 Authorizations referred to in subsection (a) shall be
5 made available to the Committee on Appropriations
6 of the Senate, the Committee on Appropriations of
7 the House of Representatives, and to the President.

8 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
9 ject to paragraph (3), the President shall provide for
10 suitable distribution of the classified Schedule of Au-
11 thorizations referred to in subsection (a), or of ap-
12 propriate portions of such Schedule, within the exec-
13 utive branch.

14 (3) LIMITS ON DISCLOSURE.—The President
15 shall not publicly disclose the classified Schedule of
16 Authorizations or any portion of such Schedule ex-
17 cept—

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

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

23 (C) as otherwise required by law.

1 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
2 **COUNT.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated for the Intelligence Commu-
5 nity Management Account of the Director of National In-
6 telligence for fiscal year 2020 the sum of \$565,637,000.

7 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
8 TIONS.—In addition to amounts authorized to be appro-
9 priated for the Intelligence Community Management Ac-
10 count by subsection (a), there are authorized to be appro-
11 priated for the Intelligence Community Management Ac-
12 count for fiscal year 2020 such additional amounts as are
13 specified in the classified Schedule of Authorizations re-
14 ferred to in section 102(a).

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

19 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated for the Cen-
21 tral Intelligence Agency Retirement and Disability fund
22 \$514,000,000 for fiscal year 2020.

1 **TITLE III—GENERAL INTEL-**
2 **LIGENCE COMMUNITY MAT-**
3 **TERS**

4 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
5 **ACTIVITIES.**

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

10 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
11 **BENEFITS AUTHORIZED BY LAW.**

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

17 **SEC. 303. PAID PARENTAL LEAVE.**

18 (a) PURPOSE.—The purpose of this section is to—

19 (1) help the intelligence community recruit and
20 retain a dynamic, multi-talented, and diverse work-
21 force capable of meeting the security goals of the
22 United States; and

23 (2) establish best practices and processes for
24 other elements of the Federal Government seeking to
25 pursue similar policies.

1 (b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR
2 INTELLIGENCE COMMUNITY EMPLOYEES.—

3 (1) IN GENERAL.—Title III of the National Se-
4 curity Act of 1947 (50 U.S.C. 3071 et seq.) is
5 amended by inserting after section 304 the fol-
6 lowing:

7 **“SEC. 305. PAID PARENTAL LEAVE.**

8 “(a) PAID PARENTAL LEAVE.—Notwithstanding any
9 other provision of law, a civilian employee of an element
10 of the intelligence community shall have available a total
11 of 12 administrative workweeks of paid parental leave in
12 the event of the birth of a child of the employee, or place-
13 ment of a child with the employee for adoption or foster
14 care in order to care for such son or daughter. Such paid
15 parental leave shall be used during the 12-month period
16 beginning on the date of the birth or placement. Nothing
17 in this section shall be construed to modify or otherwise
18 affect the eligibility of an employee of an element of the
19 intelligence community for benefits relating to leave under
20 any other provision of law.

21 “(b) TREATMENT OF PARENTAL LEAVE REQUEST.—
22 Notwithstanding any other provision of law—

23 “(1) an element of the intelligence community
24 shall accommodate an employee’s leave request
25 under subsection (a), including a request to use such

1 leave intermittently or to create a reduced work
2 schedule, to the extent that the requested leave
3 schedule does not unduly disrupt operations; and

4 “(2) to the extent that an employee’s requested
5 leave described in paragraph (1) arises out of med-
6 ical necessity related to a serious health condition
7 connected to the birth of a child, the employing ele-
8 ment shall handle the scheduling consistent with the
9 treatment of employees who are using leave under
10 subparagraph (C) or (D) of section 6382(a)(1) of
11 title 5, United States Code.

12 “(c) RULES RELATING TO PAID LEAVE.—Notwith-
13 standing any other provision of law—

14 “(1) an employee may not be required to first
15 use all or any portion of any unpaid leave available
16 to the employee before being allowed to use the paid
17 parental leave described in subsection (a); and

18 “(2) paid parental leave under subsection (a)—

19 “(A) shall be payable from any appropria-
20 tion or fund available for salaries or expenses
21 for positions within the employing element;

22 “(B) may not be considered to be annual
23 or vacation leave for purposes of section 5551
24 or 5552 of title 5, United States Code, or for
25 any other purpose;

1 “(C) if not used by the employee before the
2 end of the 12-month period described in sub-
3 section (a) to which the leave relates, may not
4 be available for any subsequent use and may
5 not be converted into a cash payment;

6 “(D) may be granted only to the extent
7 that the employee does not receive a total of
8 more than 12 weeks of paid parental leave in
9 any 12-month period beginning on the date of
10 a birth or placement;

11 “(E) may not be granted—

12 “(i) in excess of a lifetime aggregate
13 total of 30 administrative workweeks based
14 on placements of a foster child for any in-
15 dividual employee; or

16 “(ii) in connection with temporary fos-
17 ter care placements expected to last less
18 than 1 year;

19 “(F) may not be granted for a child being
20 placed for foster care or adoption if such leave
21 was previously granted to the same employee
22 when the same child was placed with the em-
23 ployee for foster care in the past;

24 “(G) shall be used in increments of hours
25 (or fractions thereof), with 12 administrative

1 workweeks equal to 480 hours for employees
2 with a regular full-time work schedule and con-
3 verted to a proportional number of hours for
4 employees with part-time, seasonal, or uncom-
5 mon tours of duty; and

6 “(H) may not be used during off-season
7 (nonpay status) periods for employees with sea-
8 sonal work schedules.

9 “(d) IMPLEMENTATION PLAN.—Not later than 1
10 year after the date of the enactment of this section, the
11 Director of National Intelligence shall submit to the con-
12 gressional intelligence committees an implementation plan
13 that includes—

14 “(1) processes and procedures for implementing
15 the paid parental leave policies under subsections (a)
16 through (c);

17 “(2) an explanation of how the implementation
18 of subsections (a) through (c) will be reconciled with
19 policies of other elements of the Federal Govern-
20 ment, including the impact on elements funded by
21 the National Intelligence Program that are housed
22 within agencies outside the intelligence community;
23 and

1 “(3) all costs or operational expenses associated
2 with the implementation of subsections (a) through
3 (c).

4 “(e) DIRECTIVE.—Not later than 180 days after the
5 Director of National Intelligence submits the implementa-
6 tion plan under subsection (d), the Director of National
7 Intelligence shall issue a written directive to implement
8 this section, which directive shall take effect on the date
9 of issuance.

10 “(f) ANNUAL REPORT.—The Director of National In-
11 telligence shall submit to the congressional intelligence
12 committees an annual report that—

13 “(1) details the number of employees of each
14 element of the intelligence community who applied
15 for and took paid parental leave under subsection
16 (a) during the year covered by the report;

17 “(2) details the number of—

18 “(A) employees of each element of the in-
19 telligence community stationed abroad who ap-
20 plied for and took paid parental leave under
21 subsection (a) during the year covered by the
22 report; and

23 “(B) employees of each element of the in-
24 telligence community stationed abroad who ap-
25 plied for paid parental leave but such applica-

1 tion was not granted because of an undue im-
2 pact on operations as specified in subsection
3 (b)(1); and

4 “(3) includes updates on major implementation
5 challenges or costs associated with paid parental
6 leave.

7 “(g) DEFINITION OF CHILD.—For purposes of this
8 section, the term ‘child’ means a biological, adopted, or
9 foster child, a stepchild, a legal ward, or a child of a per-
10 son standing in loco parentis, who is—

11 “(1) under 18 years of age; or

12 “(2) 18 years of age or older and incapable of
13 self-care because of a mental or physical disability.”.

14 (2) CLERICAL AMENDMENT.—The table of con-
15 tents in the matter preceding section 2 of the Na-
16 tional Security Act of 1947 (50 U.S.C. 3002) is
17 amended by inserting after the item relating to sec-
18 tion 304 the following:

“Sec. 305. Paid parental leave.”.

19 (c) APPLICABILITY.—Section 305 of the National Se-
20 curity Act of 1947, as added by subsection (b), shall apply
21 with respect to leave taken in connection with the birth
22 or placement of a child that occurs on or after the date
23 on which the Director of National Intelligence issues the
24 written directive under subsection (e) of such section 305.

1 **SEC. 304. UNFUNDED REQUIREMENTS OF THE INTEL-**
2 **LIGENCE COMMUNITY.**

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

6 **“SEC. 512. UNFUNDED PRIORITIES OF THE INTELLIGENCE**
7 **COMMUNITY.**

8 “(a) BRIEFINGS.—Upon the request of an appro-
9 priate congressional committee, the Director of National
10 Intelligence shall provide to the committee a briefing on
11 the unfunded priorities of an element of the intelligence
12 community.

13 “(b) DEFINITIONS.—In this section:

14 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term ‘appropriate congressional com-
16 mittees’ means—

17 “(A) the congressional intelligence commit-
18 tees; and

19 “(B) the Committees on Appropriations of
20 the House of Representatives and the Senate.

21 “(2) UNFUNDED PRIORITY.—The term ‘un-
22 funded priority’, in the case of a fiscal year, means
23 a program, activity, or other initiative of an element
24 of the intelligence community that—

25 “(A) was submitted by the head of the ele-
26 ment to the Director of National Intelligence in

1 the budget proposal for the element for that fis-
2 cal year, but was not included by the Director
3 in the consolidated budget proposal submitted
4 to the President for that fiscal year; or

5 “(B) was submitted by the Director in the
6 consolidated budget proposal submitted to the
7 President for that fiscal year, but was not in-
8 cluded in the budget of the President submitted
9 to Congress for that fiscal year pursuant to sec-
10 tion 1105 of title 31, United States Code.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 in the first section of such Act is amended by inserting
13 after the item relating to section 511 the following new
14 item:

“Sec. 512. Unfunded priorities of the intelligence community.”.

15 **SEC. 305. EXTENDING THE INTELLIGENCE IDENTITIES PRO-**
16 **TECTION ACT OF 1982.**

17 Section 605(4) of the National Security Act of 1947
18 (50 U.S.C. 3126(4)) is amended—

19 (1) in subparagraph (A)—

20 (A) by striking clause (ii);

21 (B) in clause (i), by striking “, and” and
22 inserting “;”; and

23 (C) by striking “agency—” and all that
24 follows through “whose identity” and inserting
25 “agency whose identity”; and

1 (2) in subparagraph (B)(i), by striking “resides
2 and acts outside the United States” and inserting
3 “acts”.

4 **SEC. 306. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE**
5 **TALENT EXCHANGE.**

6 (a) **POLICIES, PROCESSES, AND PROCEDURES RE-**
7 **QUIRED.**—Not later than 270 days after the date of the
8 enactment of this Act, the Director of National Intel-
9 ligence shall develop policies, processes, and procedures to
10 facilitate the rotation of personnel of the intelligence com-
11 munity to the private sector, and personnel from the pri-
12 vate sector to the intelligence community.

13 (b) **DETAIL AUTHORITY.**—Under policies developed
14 by the Director pursuant to subsection (a), pursuant to
15 a written agreement with a private-sector organization,
16 and with the consent of the employee, a head of an ele-
17 ment of the intelligence community may arrange for the
18 temporary detail of an employee of such element to such
19 private-sector organization, or from such private-sector or-
20 ganization to such element under this section.

21 (c) **AGREEMENTS.**—

22 (1) **IN GENERAL.**—A head of an element of the
23 intelligence community exercising the authority of
24 the head under subsection (a) shall provide for a
25 written agreement among the element of the intel-

1 ligence community, the private-sector organization,
2 and the employee concerned regarding the terms and
3 conditions of the employee's detail under this sec-
4 tion. The agreement—

5 (A) shall require that the employee of the
6 element, upon completion of the detail, serve in
7 the element, or elsewhere in the civil service if
8 approved by the head of the element, for a pe-
9 riod that is at least equal to the length of the
10 detail;

11 (B) shall provide that if the employee of
12 the element fails to carry out the agreement,
13 such employee shall be liable to the United
14 States for payment of all non-salary and benefit
15 expenses of the detail, unless that failure was
16 for good and sufficient reason, as determined
17 by the head of the element;

18 (C) shall contain language informing such
19 employee of the prohibition on sharing, using,
20 or otherwise improperly handling classified or
21 unclassified non-public information for the ben-
22 efit or advantage of the private-sector organiza-
23 tion;

1 (D) shall contain language governing the
2 handling of classified information by such em-
3 ployee during the detail; and

4 (E) shall contain language requiring the
5 employee to acknowledge the obligations of the
6 employee under section 1905 of title 18, United
7 States Code.

8 (2) AMOUNT OF LIABILITY.—An amount for
9 which an employee is liable under paragraph (1)
10 shall be treated as a debt due the United States.

11 (3) WAIVER.—The head of an element of the
12 intelligence community may waive, in whole or in
13 part, collection of a debt described in paragraph (2)
14 based on a determination that the collection would
15 be against equity and good conscience and not in the
16 best interests of the United States, after taking into
17 account any indication of fraud, misrepresentation,
18 fault, or lack of good faith on the part of the em-
19 ployee.

20 (d) TERMINATION.—A detail under this section may,
21 at any time and for any reason, be terminated by the head
22 of the element of the intelligence community concerned or
23 the private-sector organization concerned.

24 (e) DURATION.—

1 (1) IN GENERAL.—A detail under this section
2 shall be for a period of not less than 3 months and
3 not more than 2 years, renewable up to a total of
4 3 years.

5 (2) LONGER PERIODS.—A detail under this sec-
6 tion may be for a period in excess of 2 years, but
7 not more than 3 years, if the head of the element
8 making the detail determines that such detail is nec-
9 essary to meet critical mission or program require-
10 ments.

11 (3) LIMITATION.—No employee of an element
12 of the intelligence community may be detailed under
13 this section for more than a total of 5 years, inclu-
14 sive of all such details.

15 (f) STATUS OF FEDERAL EMPLOYEES DETAILED TO
16 PRIVATE-SECTOR ORGANIZATIONS.—

17 (1) IN GENERAL.—An employee of an element
18 of the intelligence community who is detailed to a
19 private-sector organization under this section shall
20 be considered, during the period of detail, to be on
21 a regular work assignment in the element. The writ-
22 ten agreement established under subsection (c)(1)
23 shall address the specific terms and conditions re-
24 lated to the employee's continued status as a Fed-
25 eral employee.

1 (2) REQUIREMENTS.—In establishing a tem-
2 porary detail of an employee of an element of the in-
3 telligence community to a private-sector organiza-
4 tion, the head of the element shall—

5 (A) certify that the temporary detail of
6 such employee shall not have an adverse or neg-
7 ative impact on mission attainment or organiza-
8 tional capabilities associated with the detail;
9 and

10 (B) in the case of an element of the intel-
11 ligence community in the Department of De-
12 fense, ensure that the normal duties and func-
13 tions of such employees are not, as a result of
14 and during the course of such temporary detail,
15 performed or augmented by contractor per-
16 sonnel in violation of the provisions of section
17 2461 of title 10, United States Code.

18 (g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR
19 EMPLOYEES.—An employee of a private-sector organiza-
20 tion who is detailed to an element of the intelligence com-
21 munity under this section—

22 (1) shall continue to receive pay and benefits
23 from the private-sector organization from which such
24 employee is detailed and shall not receive pay or

1 benefits from the element, except as provided in
2 paragraph (2);

3 (2) is deemed to be an employee of the element
4 for the purposes of—

5 (A) chapters 73 and 81 of title 5, United
6 States Code;

7 (B) sections 201, 203, 205, 207, 208, 209,
8 603, 606, 607, 643, 654, 1905, and 1913 of
9 title 18, United States Code;

10 (C) sections 1343, 1344, and 1349(b) of
11 title 31, United States Code;

12 (D) chapter 171 of title 28, United States
13 Code (commonly known as the “Federal Tort
14 Claims Act”) and any other Federal tort liabil-
15 ity statute;

16 (E) the Ethics in Government Act of 1978
17 (5 U.S.C. App.); and

18 (F) chapter 21 of title 41, United States
19 Code;

20 (3) may perform work that is considered inher-
21 ently governmental in nature only when requested in
22 writing by the head of the element;

23 (4) may not be used to circumvent any limita-
24 tion or restriction on the size of the workforce of the
25 element;

1 (5) shall be subject to the same requirements
2 applicable to an employee performing the same func-
3 tions and duties proposed for performance by the
4 private sector employee; and

5 (6) in the case of an element of the intelligence
6 community in the Department of Defense, may not
7 be used to circumvent the provisions of section 2461
8 of title 10, United States Code.

9 (h) PROHIBITION AGAINST CHARGING CERTAIN
10 COSTS TO THE FEDERAL GOVERNMENT.—A private-sec-
11 tor organization may not charge an element of the intel-
12 ligence community or any other agency of the Federal
13 Government, as direct costs under a Federal contract, the
14 costs of pay or benefits paid by the organization to an
15 employee detailed to an element of the intelligence commu-
16 nity under this section for the period of the detail and
17 any subsequent renewal periods.

18 (i) ADDITIONAL ADMINISTRATIVE MATTERS.—In
19 carrying out this section, the Director, pursuant to proce-
20 dures developed under subsection (a)—

21 (1) shall, to the degree practicable, ensure that
22 small business concerns are represented with respect
23 to details authorized by this section;

24 (2) may, notwithstanding any other provision of
25 law, establish criteria for elements of the intelligence

1 community to use appropriated funds to reimburse
2 small business concerns for the salaries and benefits
3 of its employees during the periods when the small
4 business concern agrees to detail its employees to
5 the intelligence community under this section;

6 (3) shall take into consideration the question of
7 how details under this section might best be used to
8 help meet the needs of the intelligence community,
9 including with respect to the training of employees;

10 (4) shall take into consideration areas of pri-
11 vate-sector expertise that are critical to the intel-
12 ligence community; and

13 (5) shall establish oversight mechanisms to de-
14 termine whether the public-private exchange author-
15 ized by this section improves the efficiency and effec-
16 tiveness of the intelligence community.

17 (j) DEFINITIONS.—In this section:

18 (1) DETAIL.—The term “detail” means, as ap-
19 propriate in the context in which such term is
20 used—

21 (A) the assignment or loan of an employee
22 of an element of the intelligence community to
23 a private-sector organization without a change
24 of position from the intelligence community ele-
25 ment that employs the individual; or

1 (B) the assignment or loan of an employee
2 of a private-sector organization to an element of
3 the intelligence community without a change of
4 position from the private-sector organization
5 that employs the individual.

6 (2) PRIVATE-SECTOR ORGANIZATION.—The
7 term “private-sector organization” means—

8 (A) a for-profit organization; or

9 (B) a not-for-profit organization.

10 (3) SMALL BUSINESS CONCERN.—The term
11 “small business concern” has the meaning given
12 such term in section 3703(e)(2) of title 5, United
13 States Code.

14 **SEC. 307. ASSESSMENT OF CONTRACTING PRACTICES TO**
15 **IDENTIFY CERTAIN SECURITY AND COUNTER-**
16 **INTELLIGENCE CONCERNS.**

17 (a) ASSESSMENT.—

18 (1) CONTRACTING PRACTICES.—The Director of
19 National Intelligence shall conduct an assessment of
20 the authorities, policies, processes, and standards
21 used by the elements of the intelligence community
22 to ensure that the elements appropriately weigh se-
23 curity and counterintelligence risks in awarding a
24 contract to a contractor that—

1 (A) carries out any joint research and de-
2 velopment activities with a covered foreign
3 country; or

4 (B) performs any contract or other agree-
5 ment entered into with a covered foreign coun-
6 try.

7 (2) ELEMENTS.—The assessment under para-
8 graph (1) shall include the following:

9 (A) An assessment of whether the authori-
10 ties, policies, processes, and standards specified
11 in paragraph (1) sufficiently identify security
12 and counterintelligence concerns.

13 (B) Identification of any authority gaps in
14 such authorities, policies, processes, and stand-
15 ards that prevent the intelligence community
16 from considering the activities specified in sub-
17 paragraphs (A) and (B) of paragraph (1) when
18 evaluating offers for a contract.

19 (3) CONSULTATION.—In carrying out para-
20 graph (1), the Director shall consult with each head
21 of an element of the intelligence community.

22 (b) REPORT.—

23 (1) REQUIREMENT.—Not later than 180 days
24 after the date of the enactment of this Act, the Di-
25 rector shall submit to the congressional intelligence

1 committees a report on the assessment under sub-
2 section (a)(1).

3 (2) MATTERS INCLUDED.—The report under
4 paragraph (1) shall include the following:

5 (A) The assessment under subsection
6 (a)(1).

7 (B) An identification of any known con-
8 tractors that have—

9 (i) carried out activities specified in
10 subparagraphs (A) and (B) of subsection
11 (a)(1); and

12 (ii) submitted an offer for a contract
13 with an element of the intelligence commu-
14 nity.

15 (C) A description of the steps that the Di-
16 rector and the heads of the elements of the in-
17 telligence community took to identify contrac-
18 tors under subparagraph (B).

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

22 (c) COVERED FOREIGN COUNTRY DEFINED.—In this
23 section, the term “covered foreign country” means the
24 government, or any entity affiliated with the military or
25 intelligence services of, the following foreign countries:

- 1 (1) The People’s Republic of China.
- 2 (2) The Russian Federation.
- 3 (3) The Democratic People’s Republic of Korea.
- 4 (4) The Islamic Republic of Iran.

5 **SEC. 308. REQUIRED COUNTERINTELLIGENCE BRIEFINGS**
6 **AND NOTIFICATIONS.**

7 (a) FOREIGN COUNTERINTELLIGENCE AND CYBER-
8 SECURITY THREATS TO FEDERAL ELECTION CAM-
9 PAIGNS.—

10 (1) REPORTS REQUIRED.—

11 (A) IN GENERAL.—As provided in sub-
12 paragraph (B), for each Federal election, the
13 Director of National Intelligence, in coordina-
14 tion with the Under Secretary of Homeland Se-
15 curity for Intelligence and Analysis and the Di-
16 rector of the Federal Bureau of Investigation,
17 shall make publicly available on an Internet
18 website an advisory report on foreign counter-
19 intelligence and cybersecurity threats to election
20 campaigns for Federal offices. Each such report
21 shall include, consistent with the protection of
22 sources and methods, each of the following:

23 (i) A description of foreign counter-
24 intelligence and cybersecurity threats to
25 election campaigns for Federal offices.

1 (ii) A summary of best practices that
2 election campaigns for Federal offices can
3 employ in seeking to counter such threats.

4 (iii) An identification of any publicly
5 available resources, including United
6 States Government resources, for coun-
7 tering such threats.

8 (B) SCHEDULE FOR SUBMITTAL.—A re-
9 port under this subsection shall be made avail-
10 able as follows:

11 (i) In the case of a report regarding
12 an election held for the office of Senator or
13 Member of the House of Representatives
14 during 2018, not later than the date that
15 is 60 days after the date of the enactment
16 of this Act.

17 (ii) In the case of a report regarding
18 an election for a Federal office during any
19 subsequent year, not later than the date
20 that is 1 year before the date of the elec-
21 tion.

22 (C) INFORMATION TO BE INCLUDED.—A
23 report under this subsection shall reflect the
24 most current information available to the Direc-

1 and currently informed of the intelligence and counter-
2 intelligence activities of the United States, not less fre-
3 quently than once each quarter, the Director of the Fed-
4 eral Bureau of Investigation shall provide to the congres-
5 sional intelligence committees a briefing on the counter-
6 intelligence activities of the Federal Bureau of Investiga-
7 tion. Such briefings shall include, at a minimum, an over-
8 view and update of—

9 “(1) the counterintelligence posture of the Bu-
10 reau;

11 “(2) counterintelligence investigations; and

12 “(3) any other information relating to the coun-
13 terintelligence activities of the Bureau that the Di-
14 rector determines necessary.

15 “(b) NOTIFICATIONS.—In addition to the quarterly
16 briefings under subsection (a), the Director of the Federal
17 Bureau of Investigation shall promptly notify the congres-
18 sional intelligence committees of any counterintelligence
19 investigation carried out by the Bureau with respect to
20 any counterintelligence risk or threat that is related to an
21 election or campaign for Federal office.

22 “(c) GUIDELINES.—

23 “(1) DEVELOPMENT AND CONSULTATION.—The
24 Director shall develop guidelines governing the scope
25 of the briefings provided under subsection (a), the

1 notifications provided under subsection (b), and the
2 information required by section 308(a)(2) of the
3 Damon Paul Nelson and Matthew Young Pollard In-
4 telligence Authorization Act for Fiscal Years 2018,
5 2019, and 2020. The Director shall consult the con-
6 gressional intelligence committees during such devel-
7 opment.

8 “(2) SUBMISSION.—The Director shall submit
9 to the congressional intelligence committees—

10 “(A) the guidelines under paragraph (1)
11 upon issuance; and

12 “(B) any updates to such guidelines by not
13 later than 15 days after making such update.”.

14 (2) CLERICAL AMENDMENT.—The table of con-
15 tents at the beginning of such Act, as amended by
16 section 304, is further amended by inserting after
17 the item relating to section 512 the following new
18 item:

“Sec. 513. Briefings and notifications on counterintelligence activities of the
Federal Bureau of Investigation.”.

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

4 **SEC. 401. ESTABLISHMENT OF CLIMATE SECURITY ADVI-**
5 **SORY COUNCIL.**

6 (a) ESTABLISHMENT.—Title I of the National Secu-
7 rity Act of 1947 (50 U.S.C. 3021 et seq.) is amended by
8 adding at the end the following new section:

9 **“SEC. 120. CLIMATE SECURITY ADVISORY COUNCIL.**

10 “(a) ESTABLISHMENT.—The Director of National In-
11 telligence shall establish a Climate Security Advisory
12 Council for the purpose of—

13 “(1) assisting intelligence analysts of various
14 elements of the intelligence community with respect
15 to analysis of climate security and its impact on the
16 areas of focus of such analysts;

17 “(2) facilitating coordination between the ele-
18 ments of the intelligence community and elements of
19 the Federal Government that are not elements of the
20 intelligence community in collecting data on, and
21 conducting analysis of, climate change and climate
22 security; and

23 “(3) ensuring that the intelligence community is
24 adequately prioritizing climate change in carrying
25 out its activities.

1 “(b) COMPOSITION OF COUNCIL.—

2 “(1) MEMBERS.—The Council shall be com-
3 posed of the following individuals appointed by the
4 Director of National Intelligence:

5 “(A) An appropriate official from the Na-
6 tional Intelligence Council, who shall chair the
7 Council.

8 “(B) The lead official with respect to cli-
9 mate and environmental security analysis
10 from—

11 “(i) the Central Intelligence Agency;

12 “(ii) the Bureau of Intelligence and
13 Research of the Department of State;

14 “(iii) the National Geospatial-Intel-
15 ligence Agency;

16 “(iv) the Office of Intelligence and
17 Counterintelligence of the Department of
18 Energy;

19 “(v) the Office of the Under Secretary
20 of Defense for Intelligence; and

21 “(vi) the Defense Intelligence Agency.

22 “(C) Three appropriate officials from ele-
23 ments of the Federal Government that are not
24 elements of the intelligence community that are
25 responsible for—

1 “(i) providing decision-makers with a
2 predictive understanding of the climate;

3 “(ii) making observations of our
4 Earth system that can be used by the pub-
5 lic, policymakers, and to support strategic
6 decisions; or

7 “(iii) coordinating Federal research
8 and investments in understanding the
9 forces shaping the global environment,
10 both human and natural, and their impacts
11 on society.

12 “(D) Any other officials as the Director of
13 National Intelligence or the chair of the Council
14 may determine appropriate.

15 “(2) RESPONSIBILITIES OF CHAIR.—The chair
16 of the Council shall have responsibility for—

17 “(A) identifying agencies to supply individ-
18 uals from elements of the Federal Government
19 that are not elements of the intelligence com-
20 munity;

21 “(B) securing the permission of the rel-
22 evant agency heads for the participation of such
23 individuals on the Council; and

24 “(C) any other duties that the Director of
25 National Intelligence may direct.

1 “(c) DUTIES AND RESPONSIBILITIES OF COUNCIL.—

2 The Council shall carry out the following duties and re-
3 sponsibilities:

4 “(1) To meet at least quarterly to—

5 “(A) exchange appropriate data between
6 elements of the intelligence community and ele-
7 ments of the Federal Government that are not
8 elements of the intelligence community;

9 “(B) discuss processes for the routine ex-
10 change of such data and implementation of
11 such processes; and

12 “(C) prepare summaries of the business
13 conducted at each meeting.

14 “(2) To assess and determine best practices
15 with respect to the analysis of climate security, in-
16 cluding identifying publicly available information
17 and intelligence acquired through clandestine means
18 that enables such analysis.

19 “(3) To assess and identify best practices with
20 respect to prior efforts of the intelligence community
21 to analyze climate security.

22 “(4) To assess and describe best practices for
23 identifying and disseminating climate security indi-
24 cators and warnings.

1 “(5) To recommend methods of incorporating
2 analysis of climate security and the best practices
3 identified under paragraphs (2) through (4) into ex-
4 isting analytic training programs.

5 “(6) To consult, as appropriate, with other ele-
6 ments of the intelligence community that conduct
7 analysis of climate change or climate security and
8 elements of the Federal Government that are not
9 elements of the intelligence community that conduct
10 analysis of climate change or climate security, for
11 the purpose of sharing information about ongoing ef-
12 forts and avoiding duplication of existing efforts.

13 “(7) To work with elements of the intelligence
14 community that conduct analysis of climate change
15 or climate security and elements of the Federal Gov-
16 ernment that are not elements of the intelligence
17 community that conduct analysis of climate change
18 or climate security—

19 “(A) to exchange appropriate data between
20 such elements, establish processes, procedures
21 and practices for the routine exchange of such
22 data, discuss the implementation of such proc-
23 esses; and

24 “(B) to enable and facilitate the sharing of
25 findings and analysis between such elements.

1 “(8) To assess whether the elements of the in-
2 telligence community that conduct analysis of cli-
3 mate change or climate security may inform the re-
4 search direction of academic work and the sponsored
5 work of the United States Government.

6 “(9) At the discretion of the chair of the Coun-
7 cil, to convene conferences of analysts and non-intel-
8 ligence community personnel working on climate
9 change or climate security on subjects that the chair
10 shall direct.

11 “(d) SUNSET.—The Council shall terminate on the
12 date that is 4 years after the date of the enactment of
13 this section.

14 “(e) DEFINITIONS.—In this section:

15 “(1) CLIMATE SECURITY.—The term ‘climate
16 security’ means the effects of climate change on the
17 following:

18 “(A) The national security of the United
19 States, including national security infrastruc-
20 ture.

21 “(B) Subnational, national, and regional
22 political stability.

23 “(C) The security of allies and partners of
24 the United States.

1 “(D) Ongoing or potential political vio-
2 lence, including unrest, rioting, guerrilla war-
3 fare, insurgency, terrorism, rebellion, revolution,
4 civil war, and interstate war.

5 “(2) CLIMATE INTELLIGENCE INDICATIONS AND
6 WARNINGS.—The term ‘climate intelligence indica-
7 tions and warnings’ means developments relating to
8 climate security with the potential to—

9 “(A) imminently and substantially alter
10 the political stability or degree of human secu-
11 rity in a country or region; or

12 “(B) imminently and substantially threat-
13 en—

14 “(i) the national security of the
15 United States;

16 “(ii) the military, political, or eco-
17 nomic interests of allies and partners of
18 the United States; or

19 “(iii) citizens of the United States
20 abroad.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in the first section of the National Security Act of 1947
23 is amended by inserting after the item relating to section
24 119B the following new item:

“Sec. 120. Climate Security Advisory Council.”.

1 (c) INITIAL APPOINTMENTS.—Not later than 90 days
2 after the date of the enactment of this Act, the Director
3 of National Intelligence shall appoint the members of the
4 Council under section 120 of the National Security Act
5 of 1947, as added by subsection (a).

6 **SEC. 402. TRANSFER OF NATIONAL INTELLIGENCE UNIVER-**
7 **SITY TO THE OFFICE OF THE DIRECTOR OF**
8 **NATIONAL INTELLIGENCE.**

9 (a) TRANSFER.—Not later than 90 days after the
10 date of the enactment of this Act, the Director of the De-
11 fense Intelligence Agency shall transfer to the Director of
12 National Intelligence the National Intelligence University,
13 including the functions, personnel, assets, and liabilities
14 of the University.

15 (b) DEGREE-GRANTING AUTHORITY.—

16 (1) REGULATIONS.—Under regulations pre-
17 scribed by the Director of National Intelligence, the
18 President of the National Intelligence University
19 may, upon the recommendation of the faculty of the
20 University, confer appropriate degrees upon grad-
21 uates who meet the degree requirements.

22 (2) LIMITATION.—A degree may not be con-
23 ferred under this section unless—

24 (A) the appropriate head of a Department
25 of the Federal Government has recommended

1 approval of the degree in accordance with any
2 Federal policy applicable to the granting of aca-
3 demic degrees by departments and agencies of
4 the Federal Government; and

5 (B) the University is accredited by the ap-
6 propriate civilian academic accrediting agency
7 or organization to award the degree, as deter-
8 mined by such appropriate head of a Depart-
9 ment.

10 (c) CONGRESSIONAL NOTIFICATION REQUIRE-
11 MENTS.—

12 (1) NOTIFICATION.—When seeking to establish
13 degree-granting authority under this section, the Di-
14 rector shall submit to the congressional intelligence
15 committees—

16 (A) a copy of the self-assessment question-
17 naire required by the Federal policy specified in
18 subsection (b)(2)(A); and

19 (B) any subsequent recommendations and
20 rationale of the appropriate head of a Depart-
21 ment specified in such subsection regarding es-
22 tablishing such degree-granting authority.

23 (2) MODIFICATION.—Upon any modification or
24 redesignation of existing degree-granting authority,
25 the Director shall submit to the congressional intel-

1 ligence committees a report containing the rationale
2 for the proposed modification or redesignation and
3 any subsequent recommendation described in para-
4 graph (1)(B) with respect to the proposed modifica-
5 tion or redesignation.

6 (3) ACTIONS ON NONACCREDITATION.—The Di-
7 rector shall submit to the congressional intelligence
8 committees a report containing an explanation of
9 any action by the appropriate academic accrediting
10 agency or organization not to accredit the University
11 to award any new or existing degree.

12 (d) CONFORMING REPEAL.—Effective 90 days after
13 the date of the enactment of this Act, section 2161 of title
14 10, United States Code, is repealed, and the table of sec-
15 tions at the beginning of chapter 108 of such title is
16 amended by striking the item relating to such section
17 2161.

18 **SEC. 403. DEATH BENEFITS FOR SURVIVORS OF CENTRAL**
19 **INTELLIGENCE AGENCY PERSONNEL.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) officers of the Central Intelligence Agency
23 who die during a period of assignment to a duty sta-
24 tion in a foreign country should receive death bene-
25 fits, regardless of whether the officers—

1 (A) were killed on or off duty;

2 (B) were killed due to an act of terrorism;

3 or

4 (C) have surviving dependents;

5 (2) section 8 of the Central Intelligence Agency
6 Act of 1949 (50 U.S.C. 3510) has provided the
7 Agency an appropriate authority for compensating
8 officers who die abroad who fall into any gaps in ex-
9 isting death benefit regulations of the Agency, even
10 before the clarifying amendments made by this Act;

11 (3) notwithstanding that the improved authority
12 provided by section 11(e) of such Act (50 U.S.C.
13 3511(e)), as added by subsection (c) of this section,
14 is permissive, the Director of the Agency should
15 promptly use such authority to modify the regula-
16 tions on death benefits of the Agency to implement
17 such section 11(e);

18 (4) the Director should not modify such regula-
19 tions in a manner that limits or reduces the individ-
20 uals covered by such regulations as in effect on the
21 day before the date of the enactment of this Act;
22 and

23 (5) upon modifying such regulations, the Direc-
24 tor should submit such regulations to the congres-

1 sional intelligence committees pursuant to section
2 11(b) of such Act.

3 (b) CLARIFICATION OF CURRENT AUTHORITY.—Sec-
4 tion 8 of the Central Intelligence Agency Act of 1949 (50
5 U.S.C. 3510) is amended by inserting before “rental of”
6 the following: “payment of death benefits in cases in which
7 the circumstances of the death of an employee of the
8 Agency is not covered by section 11, other similar provi-
9 sions of Federal law, or any regulation issued by the Di-
10 rector providing death benefits, but that the Director de-
11 termines such payment appropriate;”.

12 (c) IMPROVEMENTS TO BENEFITS.—

13 (1) REQUIREMENTS.—Section 11 of such Act
14 (50 U.S.C. 3511) is amended by adding at the end
15 the following new subsections:

16 “(c) PAYMENTS.—(1) In carrying out subsection (a),
17 the Director may pay to the survivor of a deceased covered
18 individual an amount equal to 1 year’s salary at level II
19 of the Executive Schedule under section 5313 of title 5,
20 United States Code.

21 “(2) A covered individual may designate one or more
22 persons to receive all or a portion of the amount payable
23 to a survivor under paragraph (1). The designation of a
24 person to receive a portion of the amount shall indicate
25 the percentage of the amount, to be specified only in 10

1 percent increments, that the designated person may re-
2 ceive. The balance of the amount, if any, shall be paid
3 in accordance with subsection (f)(2)(B).

4 “(d) EXCEPTION.—The Director may not make a
5 payment under subsection (a) if the Director determines
6 that the death was by reason of willful misconduct by the
7 decedent.

8 “(e) FINALITY.—Any determination made by the Di-
9 rector under this section is final and may not be reviewed.

10 “(f) DEFINITIONS.—In this section:

11 “(1) The term ‘covered individual’ means any of
12 the following individuals who die during a period of
13 assignment to a duty station in a foreign country,
14 regardless of whether the death is the result of inju-
15 ries sustained while in the performance of duty:

16 “(A) An employee of the Agency.

17 “(B) An employee of an element of the
18 Federal Government other than the Agency who
19 is detailed or assigned to the Agency at the
20 time of death.

21 “(C) An individual affiliated with the
22 Agency, as determined by the Director.

23 “(2) The term ‘State’ means each of the several
24 States, the District of Columbia, the Commonwealth
25 of Puerto Rico, the Commonwealth of the Northern

1 Mariana Islands, and any territory or possession of
2 the United States.

3 “(3) The term ‘survivor’ means, with respect to
4 the death of a covered individual—

5 “(A) a person designated by the covered
6 individual under subsection (c)(2); or

7 “(B) if a covered individual does not make
8 such a designation—

9 “(i) the surviving spouse of the cov-
10 ered individual, if any;

11 “(ii) if there is no surviving spouse,
12 any surviving children of the covered indi-
13 vidual and the descendants of any deceased
14 children by representation;

15 “(iii) if there is none of the above, the
16 surviving parents of the covered individual
17 or the survivor of the parents.

18 “(iv) if there is none of the above, the
19 duly-appointed executor or administrator
20 of the estate of the covered individual; or

21 “(v) if there is none of the above,
22 other next of kin of the covered individual
23 entitled under the laws of the last State in
24 which the covered individual was domiciled
25 before the covered individual’s death.”.

1 (2) APPLICATION.—Section 11 of such Act, as
2 amended by paragraph (1), shall apply with respect
3 to the following:

4 (A) Deaths occurring during the period be-
5 ginning on September 11, 2001, and ending on
6 the day before the date of the enactment of this
7 Act for which the Director of the Central Intel-
8 ligence Agency has not paid a death benefit to
9 the survivors of the decedent equal to or greater
10 than the amount specified in subsection (c)(1)
11 of such section 11, except that the total of any
12 such death benefits may not exceed such
13 amount specified in subsection (c)(1) of such
14 section 11.

15 (B) Deaths occurring on or after the date
16 of the enactment of this Act.

17 (3) DESIGNATIONS.—If the Director carries out
18 subsection (c) of section 11 of such Act, as added
19 by paragraph (1), the Director shall—

20 (A) request all covered individuals (as de-
21 fined in such section 11) to make a designation
22 under paragraph (2) of such subsection (c); and

23 (B) ensure that any new covered individual
24 may make such a designation at the time at

1 which the individual becomes a covered indi-
2 vidual.

3 (d) BRIEFING ON PROVISION OF VA AND DOD
4 HEALTH CARE SERVICES TO CIA OFFICERS.—

5 (1) FINDINGS.—Congress finds that officers of
6 the Central Intelligence Agency—

7 (A) serve, and have served, overseas in
8 dangerous areas or austere environments;

9 (B) may be wounded, incur brain or psy-
10 chological trauma, or suffer from other chronic
11 injuries as a result of such service; and

12 (C) face challenges in getting the expert
13 medical and psychological care the officers need
14 when the officers return to the United States.

15 (2) REQUIREMENT.—Not later than 180 days
16 after the date of the enactment of this Act, the Gen-
17 eral Counsel of the Central Intelligence Agency and
18 the Deputy Director of the Agency for Operations,
19 in coordination with the Under Secretary of Vet-
20 erans Affairs for Health and the Director of the De-
21 fense Health Agency of the Department of Defense,
22 shall jointly provide to the appropriate congressional
23 committees a briefing on—

24 (A) the extent to which the Director of the
25 Agency believes that the officers of the Agency

1 could benefit from health care services provided
2 by the Secretary of Veterans Affairs, the Sec-
3 retary of Defense, or both;

4 (B) the legal and policy constraints with
5 respect to providing such services to such offi-
6 cers; and

7 (C) recommendations with respect to the
8 legislative or regulatory actions that Congress,
9 the Secretary of Veterans Affairs, and the Sec-
10 retary of Defense could implement to facilitate
11 the provision of such services.

12 (3) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES DEFINED.—In this subsection, the term “ap-
14 propriate congressional committees” means—

15 (A) the congressional intelligence commit-
16 tees;

17 (B) the Committee on Armed Services and
18 the Committee on Veterans’ Affairs of the
19 House of Representatives; and

20 (C) the Committee on Armed Services and
21 the Committee on Veterans’ Affairs of the Sen-
22 ate.

1 **SEC. 404. FOREIGN THREAT RESPONSE CENTER.**

2 (a) ESTABLISHMENT.—The National Security Act of
3 1947 (50 U.S.C. 3001 et seq.) is amended by inserting
4 after section 119B the following new section:

5 **“SEC. 119C. FOREIGN THREAT RESPONSE CENTER.**

6 “(a) ESTABLISHMENT.—There is within the Office of
7 the Director of National Intelligence a Foreign Threat Re-
8 sponse Center (in this section referred to as the ‘Center’).

9 “(b) MISSION.—The primary missions of the Center
10 shall be as follows:

11 “(1) To serve as the primary organization in
12 the United States Government for analyzing and in-
13 tegrating all intelligence possessed or acquired by
14 the United States Government pertaining to foreign
15 threats.

16 “(2) To synchronize the efforts of the intel-
17 ligence community with respect to countering foreign
18 efforts to undermine the national security, political
19 sovereignty, and economic activity of the United
20 States and the allies of the United States, including
21 by—

22 “(A) ensuring that each such element is
23 aware of and coordinating on such efforts; and

24 “(B) overseeing the development and im-
25 plementation of comprehensive and integrated
26 policy responses to such efforts.

1 “(3) In coordination with the relevant elements
2 of the Department of State, the Department of De-
3 fense, the Federal Bureau of Investigation, the intel-
4 ligence community, and other departments and
5 agencies of the United States—

6 “(A) to develop policy recommendations for
7 the President to detect, deter, and respond to
8 foreign threats, including with respect to covert
9 activities pursuant to section 503; and

10 “(B) to monitor and assess foreign efforts
11 to carry out such threats.

12 “(4) In coordination with the head of the Glob-
13 al Engagement Center established by section 1287
14 of the National Defense Authorization Act for Fiscal
15 Year 2017 (Public Law 114–328), to examine cur-
16 rent and emerging foreign efforts to use propaganda
17 and information operations relating to the threats
18 described in paragraph (1).

19 “(5) To identify and close gaps across the de-
20 partments and agencies of the Federal Government
21 with respect to expertise, readiness, and planning to
22 address foreign threats.

23 “(c) DIRECTOR.—

24 “(1) APPOINTMENT.—There is a Director of
25 the Center, who shall be the head of the Center, and

1 who shall be appointed by the Director of National
2 Intelligence, with the concurrence of the Secretary of
3 State. The Director may not simultaneously serve in
4 any other capacity in the executive branch.

5 “(2) REPORTING.—The Director of the Center
6 shall directly report to the Director of National In-
7 telligence.

8 “(3) RESPONSIBILITIES.—The Director of the
9 Center shall—

10 “(A) ensure that the relevant departments
11 and agencies of the Federal Government par-
12 ticipate in the mission of the Center, including
13 by recruiting detailees from such departments
14 and agencies in accordance with subsection
15 (e)(1); and

16 “(B) have primary responsibility within the
17 United States Government, in coordination with
18 the Director of National Intelligence, for estab-
19 lishing requirements for the collection of intel-
20 ligence related to, or regarding, foreign threats,
21 in accordance with applicable provisions of law
22 and Executive orders.

23 “(d) ANNUAL REPORTS.—

24 “(1) IN GENERAL.—At the direction of the Di-
25 rector of National Intelligence, but not less than

1 once each year, the Director of the Center shall sub-
2 mit to the appropriate congressional committees a
3 report on foreign threats.

4 “(2) MATTERS INCLUDED.—Each report under
5 paragraph (1) shall include, with respect to the pe-
6 riod covered by the report, a discussion of the fol-
7 lowing:

8 “(A) The nature of the foreign threats.

9 “(B) The ability of the United States Gov-
10 ernment to address such threats.

11 “(C) The progress of the Center in achiev-
12 ing its missions.

13 “(D) Recommendations the Director deter-
14 mines necessary for legislative actions to im-
15 prove the ability of the Center to achieve its
16 missions.

17 “(3) FORM.—Each report under paragraph (1)
18 shall be submitted in unclassified form, but may in-
19 clude a classified annex.

20 “(e) EMPLOYEES.—

21 “(1) DETAILEES.—Any Federal Government
22 employee may be detailed to the Center on a reim-
23 bursable or nonreimbursable basis, and such detail
24 shall be without interruption or loss of civil service

1 status or privilege for a period of not more than 8
2 years.

3 “(2) PERSONAL SERVICE CONTRACTORS.—The
4 Director of National Intelligence, in consultation
5 with the Secretary of State, may hire United States
6 citizens or aliens as personal services contractors for
7 purposes of personnel resources of the Center, if—

8 “(A) the Director of National Intelligence
9 determines that existing personnel resources are
10 insufficient;

11 “(B) the period in which services are pro-
12 vided by a personal services contractor, includ-
13 ing options, does not exceed 3 years, unless the
14 Director of National Intelligence determines
15 that exceptional circumstances justify an exten-
16 sion of up to 1 additional year;

17 “(C) not more than 10 United States citi-
18 zens or aliens are employed as personal services
19 contractors under the authority of this para-
20 graph at any time; and

21 “(D) the authority of this paragraph is
22 only used to obtain specialized skills or experi-
23 ence or to respond to urgent needs.

24 “(3) SECURITY CLEARANCES.—Each employee
25 detailed to the Center and contractor of the Center

1 shall have the security clearance appropriate for the
2 assigned duties of the employee or contractor.

3 “(f) BOARD.—

4 “(1) ESTABLISHMENT.—There is established a
5 Board of the Foreign Threat Response Center (in
6 this section referred to as the ‘Board’).

7 “(2) FUNCTIONS.—The Board shall conduct
8 oversight of the Center to ensure the Center is
9 achieving the missions of the Center. In conducting
10 such oversight, upon a majority vote of the members
11 of the Board, the Board may recommend to the Di-
12 rector of National Intelligence that the Director of
13 the Center should be removed for failing to achieve
14 such missions.

15 “(3) MEMBERSHIP.—

16 “(A) APPOINTMENT.—The Board shall
17 consist of seven members. The head of each de-
18 partment or agency of the Federal Government
19 specified in subparagraph (B) shall appoint a
20 senior official from that department or agency,
21 who shall be a member of the Senior Executive
22 Service, as a member.

23 “(B) DEPARTMENTS AND AGENCIES REP-
24 RESENTED.—The department or agency of the

1 Federal Government specified in this subpara-
2 graph are the following:

3 “(i) The Department of State.

4 “(ii) The Department of Defense.

5 “(iii) The Department of Justice.

6 “(iv) The Department of the Treas-
7 ury.

8 “(v) The Department of Homeland
9 Security.

10 “(vi) The Central Intelligence Agency.

11 “(vii) The Federal Bureau of Inves-
12 tigation.

13 “(4) MEETINGS.—The Board shall meet not
14 less than biannually and shall be convened by the
15 member appointed by the Secretary of State.

16 “(g) INTERNATIONAL ENGAGEMENT.—The Director
17 of the Center may convene biannual conferences to coordi-
18 nate international efforts against foreign threats.

19 “(h) TERMINATION.—The Center shall terminate on
20 the date that is 8 years after the date of the enactment
21 of this section.

22 “(i) DEFINITIONS.—In this section:

23 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—the term ‘appropriate congressional commit-
25 tees’ means—

1 “(A) the congressional intelligence commit-
2 tees;

3 “(B) the Committee on Foreign Affairs
4 and the Committee on Armed Services of the
5 House of Representatives; and

6 “(C) the Committee on Foreign Relations
7 and the Committee on Armed Services of the
8 Senate.

9 “(2) FOREIGN THREATS.—The term ‘foreign
10 threats’ means efforts to influence, through overt or
11 covert malign activities, the national security, polit-
12 ical sovereignty, or economic activity of the United
13 States or the allies of the United States, made by
14 the government of any of the following foreign coun-
15 tries:

16 “(A) Russia.

17 “(B) Iran.

18 “(C) North Korea.

19 “(D) China.

20 “(E) Any other foreign country that the
21 Director determines appropriate for purposes of
22 this section.”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 at the beginning of such Act is amended by inserting after
25 the item relating to section 119B the following new item:

“Sec. 119C. Foreign Threat Response Center.”.

1 (c) CONFORMING AMENDMENT.—Section 507(a) of
2 such Act (50 U.S.C. 3106) is amended by adding at the
3 end the following new paragraph:

4 “(6) An annual report submitted under section
5 119C(d)(1).”.

6 **TITLE V—MATTERS RELATING**
7 **TO FOREIGN COUNTRIES**

8 **SEC. 501. ANNUAL REPORTS ON INFLUENCE OPERATIONS**
9 **AND CAMPAIGNS IN THE UNITED STATES BY**
10 **THE COMMUNIST PARTY OF CHINA.**

11 (a) REPORTS.—Title XI of the National Security Act
12 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
13 2718, is further amended by adding at the end the fol-
14 lowing new section:

15 **“SEC. 1106. ANNUAL REPORTS ON INFLUENCE OPERATIONS**
16 **AND CAMPAIGNS IN THE UNITED STATES BY**
17 **THE COMMUNIST PARTY OF CHINA.**

18 “(a) REQUIREMENT.—On an annual basis, consistent
19 with the protection of intelligence sources and methods,
20 the Director of the National Counterintelligence and Secu-
21 rity Center shall submit to the congressional intelligence
22 committees, the Committee on Foreign Affairs of the
23 House of Representatives, and the Committee on Foreign
24 Relations of the Senate a report on the influence oper-

1 ations and campaigns in the United States conducted by
2 the Communist Party of China.

3 “(b) CONTENTS.—Each report under subsection (a)
4 shall include the following:

5 “(1) A description of the organization of the
6 United Front Work Department of the People’s Re-
7 public of China, or the successors of the United
8 Front Work Department, and the links between the
9 United Front Work Department and the Central
10 Committee of the Communist Party of China.

11 “(2) An assessment of the degree to which or-
12 ganizations that are associated with or receive fund-
13 ing from the United Front Work Department, par-
14 ticularly such entities operating in the United
15 States, are formally tasked by the Chinese Com-
16 munist Party or the Government of China.

17 “(3) A description of the efforts by the United
18 Front Work Department and subsidiary organiza-
19 tions of the United Front Work Department to tar-
20 get, coerce, and influence foreign populations, par-
21 ticularly those of ethnic Chinese descent.

22 “(4) An assessment of attempts by the Chinese
23 Embassy, consulates, and organizations affiliated
24 with the Chinese Communist Party (including, at a
25 minimum, the United Front Work Department) to

1 influence the United States-based Chinese Student
2 Scholar Associations.

3 “(5) A description of the evolution of the role
4 of the United Front Work Department under the
5 leadership of the President of China.

6 “(6) An assessment of the activities of the
7 United Front Work Department designed to influ-
8 ence the opinions of elected leaders of the United
9 States, or candidates for elections in the United
10 States, with respect to issues of importance to the
11 Chinese Communist Party.

12 “(7) A listing of all known organizations affili-
13 ated with the United Front Work Department that
14 are operating in the United States as of the date of
15 the report.

16 “(8) With respect to reports submitted after the
17 first report, an assessment of the change in goals,
18 tactics, techniques, and procedures of the influence
19 operations and campaigns conducted by the Chinese
20 Communist Party.

21 “(c) COORDINATION.—In carrying out subsection (a),
22 the Director shall coordinate with the Director of the Fed-
23 eral Bureau of Investigation, the Director of the Central
24 Intelligence Agency, the Director of the National Security

1 Agency, and any other relevant head of an element of the
2 intelligence community.

3 “(d) FORM.—Each report submitted under sub-
4 section (a) shall be submitted in unclassified form, but
5 may include a classified annex.”

6 (b) CLERICAL AMENDMENT.—The table of contents
7 in the first section of the National Security Act of 1947,
8 as amended by section 2718, is further amended by insert-
9 ing after the item relating to section 1105 the following
10 new item:

“Sec. 1106. Annual reports on influence operations and campaigns in the
United States by the Communist Party of China.”

11 (c) INITIAL REPORT.—The Director of the National
12 Counterintelligence and Security Center shall submit to
13 the congressional intelligence committees, the Committee
14 on Foreign Affairs of the House of Representatives, and
15 the Committee on Foreign Relations of the Senate the
16 first report under section 1106 of the National Security
17 Act of 1947, as added by subsection (a), by not later than
18 180 days after the date of the enactment of this Act.

19 **SEC. 502. REPORT ON REPRESSION OF ETHNIC MUSLIM MI-**
20 **NORITIES IN THE XINJIANG REGION OF THE**
21 **PEOPLE’S REPUBLIC OF CHINA.**

22 (a) REPORT.—Not later than 150 days after the date
23 of the enactment of this Act, consistent with the protection
24 of intelligence sources and methods, the Director of Na-

1 tional Intelligence shall submit to the congressional intel-
2 ligence committees, the Committee on Foreign Affairs of
3 the House of Representatives, and the Committee on For-
4 eign Relations of the Senate a report on activity by the
5 People’s Republic of China to repress ethnic Muslim mi-
6 norities in the Xinjiang region of China.

7 (b) CONTENTS.—The report under subsection (a)
8 shall include the following:

9 (1) An assessment of the number of individuals
10 detained in “political reeducation camps”, and the
11 conditions in such camps for detainees, in the
12 Xinjiang region of China, including whether detain-
13 ees endure torture, forced renunciation of faith, or
14 other mistreatment.

15 (2) A description, as possible, of the geographic
16 location of such camps.

17 (3) A description, as possible, of the methods
18 used by China to “reeducate” detainees and the ele-
19 ments of China responsible for such “reeducation”.

20 (4) A description of any forced labor in such
21 camps, and any labor performed in regional factories
22 for low wages under the threat of being sent back
23 to “political reeducation camps”.

24 (5) An assessment of the level of access China
25 grants to foreign persons observing the situation in

1 Xinjiang and a description of measures used to im-
2 pede efforts to monitor the conditions in Xinjiang.

3 (6) An assessment of the surveillance, detection,
4 and control methods used by China to target ethnic
5 minorities, including new “high-tech” policing mod-
6 els and a description of any civil liberties or privacy
7 protections provided under such models.

8 (7) An assessment and identification of the
9 technological and financial support provided by
10 United States-based companies, including techno-
11 logical support for the development of facial recogni-
12 tion capabilities or technologies for digital surveil-
13 lance, social control, or censorship, and financial
14 support, including from financial institutions, invest-
15 ment vehicles, and pension funds, to China-based
16 companies or Chinese government entities providing
17 material support to the digital surveillance or repres-
18 sion of Uyghur and other ethnic minorities in
19 Xinjiang by the Xinjiang authorities.

20 (c) COORDINATION.—The Director of National Intel-
21 ligence shall carry out subsection (a) in coordination with
22 the Director of the Central Intelligence Agency, the Direc-
23 tor of the National Security Agency, the Director of the
24 National Geospatial-Intelligence Agency, and the head of

1 any other agency of the Federal Government that the Di-
2 rector of National Intelligence determines appropriate.

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

6 **SEC. 503. REPORT ON EFFORTS BY PEOPLE'S REPUBLIC OF**
7 **CHINA TO INFLUENCE ELECTION IN TAIWAN.**

8 (a) REPORT.—Consistent with section 3(c) of the
9 Taiwan Relations Act (Public Law 96–8; 22 U.S.C.
10 3302(c)), and consistent with the protection of intelligence
11 sources and methods, not later than 45 days after the date
12 of the election for the President and Vice President of Tai-
13 wan in 2020, the Director of National Intelligence shall
14 submit to the congressional intelligence committees, the
15 Committee on Foreign Affairs of the House of Representa-
16 tives, and the Committee on Foreign Relations of the Sen-
17 ate a report on any—

18 (1) influence operations conducted by China to
19 interfere in or undermine such election; and

20 (2) efforts by the United States to disrupt such
21 operations.

22 (b) ELEMENTS.—The report under subsection (a)
23 shall include the following:

24 (1) A description of any significant efforts by
25 the intelligence community to coordinate technical

1 and material support for Taiwan to identify, disrupt,
2 and combat influence operations specified in sub-
3 section (a)(1).

4 (2) A description of any efforts by the United
5 States Government to build the capacity of Taiwan
6 to disrupt external efforts that degrade a free and
7 fair election process.

8 (3) An assessment of whether and to what ex-
9 tent China conducted influence operations specified
10 in subsection (a)(1), and, if such operations oc-
11 curred—

12 (A) a comprehensive list of specific govern-
13 mental and nongovernmental entities of China
14 that were involved in supporting such oper-
15 ations and a description of the role of each such
16 entity; and

17 (B) an identification of any tactics, tech-
18 niques, and procedures used in such operations.

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

1 **SEC. 504. ASSESSMENT OF LEGITIMATE AND ILLEGITIMATE**
2 **FINANCIAL AND OTHER ASSETS OF VLADIMIR**
3 **PUTIN.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States should do more to expose the
6 corruption of Vladimir Putin, whose ill-gotten wealth is
7 perhaps the most powerful global symbol of his dishonesty
8 and his persistent efforts to undermine the rule of law and
9 democracy in the Russian Federation.

10 (b) ASSESSMENT.—Not later than 180 days after the
11 date of the enactment of this Act, consistent with the pro-
12 tection of intelligence sources and methods, the Director
13 of National Intelligence shall submit to the appropriate
14 congressional committees an assessment, based on all
15 sources of intelligence, on the net worth and financial and
16 other assets, legitimate as well as illegitimate, of Russian
17 President Vladimir Putin and his family members, includ-
18 ing—

19 (1) the estimated net worth of Vladimir Putin
20 and his family members;

21 (2) a description of their legitimately and ille-
22 gitimately obtained assets, including all real, per-
23 sonal, and intellectual property, bank or investment
24 or similar accounts, and any other financial or busi-
25 ness interests or holdings, including those outside of
26 Russia;

1 (3) the details of the legitimately and illegit-
2 imately obtained assets, including real, personal, and
3 intellectual property, bank or investment or similar
4 accounts, and any other financial or business inter-
5 ests or holdings, including those outside of Russia,
6 that are owned or controlled by, accessible to, or
7 otherwise maintained for the benefit of Vladimir
8 Putin, including their nature, location, manner of
9 acquisition, value, and publicly named owner (if
10 other than Vladimir Putin);

11 (4) the methods used by Vladimir Putin or oth-
12 ers acting at his direction, with his knowledge, or for
13 his benefit, to conceal Putin’s interest in his ac-
14 counts, holdings, or other assets, including the es-
15 tablishment of “front” or shell companies and the
16 use of intermediaries; and

17 (5) an identification of the most significant sen-
18 ior Russian political figures, oligarchs, and any other
19 persons who have engaged in activity intended to
20 conceal the true financial condition of Vladimir
21 Putin.

22 (c) FORM.—The assessment required under sub-
23 section (b) shall be submitted either—

1 (1) in unclassified form to the extent consistent
2 with the protection of intelligence sources and meth-
3 ods, and may include a classified annex; or

4 (2) simultaneously as both an unclassified
5 version and a classified version.

6 (d) **APPROPRIATE CONGRESSIONAL COMMITTEES**
7 **DEFINED.**—In this section, the term “appropriate con-
8 gressional committees” means—

9 (1) the Select Committee on Intelligence, the
10 Committee on Foreign Relations, the Committee on
11 Banking, Housing, and Urban Affairs, and the Com-
12 mittee on Finance of the Senate; and

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

17 **SEC. 505. ASSESSMENTS OF INTENTIONS OF POLITICAL**
18 **LEADERSHIP OF THE RUSSIAN FEDERATION.**

19 (a) **IN GENERAL.**—Not later than 90 days after the
20 date of the enactment of this Act, consistent with the pro-
21 tection of intelligence sources and methods, the Director
22 of National Intelligence, and the head of any element of
23 the intelligence community that the Director determines
24 appropriate, shall submit to the appropriate congressional

1 committees each of the assessments described in sub-
2 section (b).

3 (b) ASSESSMENTS DESCRIBED.—The assessments
4 described in this subsection are assessments based on in-
5 telligence obtained from all sources that assess the current
6 intentions of the political leadership of the Russian Fed-
7 eration with respect to the following:

8 (1) Potential military action against members
9 of the North Atlantic Treaty Organization (NATO).

10 (2) Potential responses to an enlarged United
11 States or NATO military presence in eastern Europe
12 or to increased United States military support for
13 allies and partners in the region, such as the provi-
14 sion of additional lethal military equipment to
15 Ukraine or Georgia.

16 (3) Potential actions taken for the purpose of
17 exploiting perceived divisions among the govern-
18 ments of Russia’s Western adversaries.

19 (c) FORM.—Each assessment required under sub-
20 section (a) may be submitted in classified form but shall
21 also include an unclassified executive summary, consistent
22 with the protection of intelligence sources and methods.

23 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
24 In this section, the term “appropriate congressional com-
25 mittees” means—

1 (1) the Permanent Select Committee on Intel-
2 ligence, the Committee on Foreign Affairs, and the
3 Committee on Armed Services of the House of Rep-
4 resentatives; and

5 (2) the Select Committee on Intelligence, the
6 Committee on Foreign Relations, and the Committee
7 on Armed Services of the Senate.

8 **SEC. 506. REPORT ON DEATH OF JAMAL KHASHOGGI.**

9 (a) IN GENERAL.—Not later than 30 days after the
10 date of the enactment of this Act, consistent with the pro-
11 tection of intelligence sources and methods, the Director
12 of National Intelligence shall submit to the congressional
13 intelligence committees, the Committee on Foreign Affairs
14 of the House of Representatives, and the Committee on
15 Foreign Relations of the Senate a report on the death of
16 Jamal Khashoggi. Such report shall include identification
17 of those who carried out, participated in, ordered, or were
18 otherwise complicit in or responsible for the death of
19 Jamal Khashoggi, to the extent consistent with the protec-
20 tion of sources and methods.

21 (b) FORM.—The report submitted under subsection
22 (a) shall be submitted in unclassified form.

1 **SEC. 507. ASSESSMENTS REGARDING THE NORTHERN TRI-**
2 **ANGLE AND MEXICO.**

3 (a) ASSESSMENTS OF ACTIVITIES BY DRUG TRAF-
4 FICKING ORGANIZATIONS IN THE NORTHERN TRIANGLE
5 AND MEXICO.—

6 (1) REPORT.—Not later than 90 days after the
7 date of the enactment of this Act, the Director of
8 National Intelligence, in coordination with the Chief
9 of Intelligence of the Drug Enforcement Administra-
10 tion and the Assistant Secretary of State for Intel-
11 ligence and Research, shall submit to the appro-
12 priate congressional committees a report containing
13 an analytical assessment of the activities of drug
14 trafficking organizations in the Northern Triangle
15 and Mexico. Such assessment shall include, at a
16 minimum—

17 (A) an assessment of the effect of drug
18 trafficking organizations on the security and
19 economic situation in the Northern Triangle;

20 (B) an assessment of the effect of the ac-
21 tivities of drug trafficking organizations on the
22 migration of persons from the Northern Tri-
23 angle to the United States-Mexico border;

24 (C) a summary of any relevant activities
25 by elements of the intelligence community in re-

1 lation to drug trafficking organizations in the
2 Northern Triangle and Mexico;

3 (D) a summary of key methods and routes
4 used by drug trafficking organizations in the
5 Northern Triangle and Mexico to the United
6 States;

7 (E) an assessment of the intersection be-
8 tween the activities of drug trafficking organi-
9 zations, human traffickers and human smug-
10 glers, and other organized criminal groups in
11 the Northern Triangle and Mexico; and

12 (F) an assessment of the illicit funds and
13 financial transactions that support the activities
14 of drug trafficking organizations and connected
15 criminal enterprises in the Northern Triangle
16 and Mexico.

17 (2) FORM.—The report required by paragraph
18 (2) may be submitted in classified form, but if so
19 submitted, shall contain an unclassified summary.

20 (3) AVAILABILITY.—The report under para-
21 graph (1), or the unclassified summary of the report
22 described in paragraph (2), shall be made publicly
23 available.

1 (b) ASSESSMENT OF HUMAN TRAFFICKING AND
2 SMUGGLING FROM THE NORTHERN TRIANGLE TO THE
3 UNITED STATES-MEXICO BORDER.—

4 (1) REPORT REQUIRED.—Not later than 90
5 days after the date of the enactment of this Act, the
6 Director of National Intelligence, in coordination
7 with the Under Secretary of Homeland Security for
8 Intelligence and Analysis and the Assistant Sec-
9 retary of State for Intelligence and Research, shall
10 submit to the appropriate congressional committees
11 a report containing an analytical assessment of
12 human trafficking and human smuggling by individ-
13 uals and organizations in the Northern Triangle and
14 Mexico. Such assessment shall include, at a min-
15 imum—

16 (A) an assessment of the effect of human
17 trafficking and human smuggling on the secu-
18 rity and economic situation in the Northern
19 Triangle;

20 (B) a summary of any relevant activities
21 by elements of the intelligence community in re-
22 lation to human trafficking and human smug-
23 gling in the Northern Triangle and Mexico;

24 (C) an assessment of the methods and
25 routes used by human traffickers and human

1 smuggler organizations to move persons from
2 the Northern Triangle to the United States-
3 Mexico border;

4 (D) an assessment of the intersection be-
5 tween the activities of human traffickers and
6 human smugglers, drug trafficking organiza-
7 tions, and other organized criminal groups in
8 the Northern Triangle and Mexico; and

9 (E) an assessment of the illicit funds and
10 financial transactions that support the activities
11 of human traffickers and human smugglers and
12 connected criminal enterprises in the Northern
13 Triangle and Mexico.

14 (2) FORM.—The report required by paragraph
15 (1) may be submitted in classified form, but if so
16 submitted, shall contain an unclassified summary.

17 (3) AVAILABILITY.—The report under para-
18 graph (1), or the unclassified summary of the report
19 described in paragraph (2), shall be made publicly
20 available.

21 (c) PRIORITIZATION OF INTELLIGENCE RESOURCES
22 FOR THE NORTHERN TRIANGLE AND MEXICO.—

23 (1) REVIEW OF INTELLIGENCE COMMUNITY EF-
24 FORTS IN NORTHERN TRIANGLE AND MEXICO.—The
25 Director of National Intelligence, in coordination

1 with the Under Secretary of Homeland Security for
2 Intelligence and Analysis, the Assistant Secretary of
3 State for Intelligence and Research, the Chief of In-
4 telligence of the Drug Enforcement Administration,
5 and other appropriate officials in the intelligence
6 community, shall carry out a comprehensive review
7 of the current intelligence collection priorities of the
8 intelligence community for the Northern Triangle
9 and Mexico in order to identify whether such prior-
10 ities are appropriate and sufficient in light of the
11 threat posed by the activities of drug trafficking or-
12 ganizations and human traffickers and human
13 smugglers to the security of the United States and
14 the Western Hemisphere.

15 (2) REPORT AND BRIEFINGS.—

16 (A) REPORT ON INITIAL REVIEW.—Not
17 later than 120 days after the date of the enact-
18 ment of this Act, the Director of National Intel-
19 ligence shall submit to the congressional intel-
20 ligence committees a comprehensive description
21 of the results of the review required by para-
22 graph (1), including whether the priorities de-
23 scribed in that paragraph are appropriate and
24 sufficient in light of the threat posed by the ac-
25 tivities of drug trafficking organizations and

1 human traffickers and human smugglers to the
2 security of the United States and the Western
3 Hemisphere. If the report concludes that such
4 priorities are not so appropriate and sufficient,
5 the report shall also include a description of the
6 actions to be taken to modify such priorities in
7 order to assure that such priorities are so ap-
8 propriate and sufficient.

9 (B) QUARTERLY BRIEFINGS.—Not later
10 than 90 days after the date on which the report
11 under subparagraph (A) is submitted, and every
12 90 days thereafter for a 5-year period, the Di-
13 rector of National Intelligence shall provide to
14 the congressional intelligence committees a
15 briefing on the intelligence community’s collec-
16 tion priorities and activities in the Northern
17 Triangle and Mexico with a focus on the threat
18 posed by the activities of drug trafficking orga-
19 nizations and human traffickers and human
20 smugglers to the security of the United States
21 and the Western Hemisphere. The first briefing
22 under this subparagraph shall also include a de-
23 scription of the amount of funds expended by
24 the intelligence community to the efforts de-

1 scribed in paragraph (1) during each of fiscal
2 years 2018 and 2019.

3 (3) FORM.—The report and briefings required
4 by paragraph (2) may be submitted or provided in
5 classified form, but if so submitted or provided, shall
6 include an unclassified summary.

7 (d) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Foreign Affairs, the
12 Committee on Homeland Security, and the Per-
13 manent Select Committee on Intelligence of the
14 House of Representatives; and

15 (B) the Committee on Foreign Relations,
16 the Committee on Homeland Security and Gov-
17 ernmental Affairs, and the Select Committee on
18 Intelligence of the Senate.

19 (2) HUMAN TRAFFICKING.—The term “human
20 trafficking” has the meaning given the term “severe
21 forms of trafficking in persons” by section 103 of
22 the Victims of Trafficking and Violence Protection
23 Act of 2000 (22 U.S.C. 7102).

1 (3) NORTHERN TRIANGLE.—The term “North-
2 ern Triangle” means El Salvador, Guatemala, and
3 Honduras.

4 **SEC. 508. SENSE OF CONGRESS AND REPORT ON IRANIAN**
5 **EFFORTS IN SYRIA.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that, regardless of the ultimate number of United
8 States military personnel deployed to Syria, it is a vital
9 interest of the United States to prevent the Islamic Re-
10 public of Iran, Hizbollah, and other Iranian-backed forces
11 from establishing a strong and enduring presence in Syria
12 that can be used to project power in the region and threat-
13 en the United States and its allies, including Israel.

14 (b) REPORT.—

15 (1) REPORT REQUIRED.—Not later than 180
16 days after the date of enactment of this Act, the Di-
17 rector of National Intelligence, in coordination with
18 the Secretary of State and the Secretary of Defense,
19 shall submit to the appropriate congressional com-
20 mittees a report that assesses—

21 (A) efforts by Iran to establish long-term
22 influence in Syria through military, political,
23 economic, social, and cultural means; and

24 (B) the threat posed by such efforts to
25 United States interests and allies.

1 (2) ELEMENTS.—The report under paragraph
2 (1) shall include each of the following:

3 (A) An assessment of—

4 (i) how Iran and Iranian-backed
5 forces, including the Islamic Revolutionary
6 Guard Corps and Hizbollah, have provided
7 or are currently providing manpower,
8 training, weapons, equipment, and funding
9 to the Syrian government led by President
10 Bashar al-Assad;

11 (ii) the support provided by Iran and
12 Hizbollah to Shia militias operating in
13 Syria that are composed of domestic fight-
14 ers from Syria and foreign fighters from
15 countries like Afghanistan, Iraq, Lebanon,
16 and Pakistan;

17 (iii) the threat posed by Iran and Ira-
18 nian-backed forces to the al-Tanf garrison
19 and to areas of northeast Syria that are
20 currently controlled by local partner forces
21 of the United States;

22 (iv) the degree to which efforts of the
23 United States to sustain and strengthen
24 Kurdish forces in Syria may undermine the

1 influence of Iran and Iranian-backed forces
2 in Syria;

3 (v) how Iran and Iranian-backed
4 forces seek to enhance the long-term influ-
5 ence of such entities in Syria through non-
6 military means such as purchasing stra-
7 tegic real estate in Syria, constructing Shia
8 religious centers and schools, securing loy-
9 alty from Sunni tribes in exchange for ma-
10 terial assistance, and inducing the Assad
11 government to open Farsi-language depart-
12 ments at Syrian universities; and

13 (vi) whether the prominent role of
14 Iran in Syria, including the influence of
15 Iran over government institutions, may in-
16 crease the likelihood of the reconstitution
17 of the Islamic State of Iraq and Syria in
18 Syria.

19 (B) An analysis of—

20 (i) how Iran is working with the Rus-
21 sian Federation, Turkey, and other coun-
22 tries to increase the influence of Iran in
23 Syria; and

24 (ii) the goals of Iran in Syria, includ-
25 ing, but not limited to, protecting the

1 Assad government, increasing the regional
2 influence of Iran, threatening Israel from a
3 more proximate location, building weapon-
4 production facilities and other military in-
5 frastructure, and securing a land bridge to
6 connect Iran through Iraq and Syria to the
7 stronghold of Hizbollah in southern Leb-
8 anon.

9 (C) A description of—

10 (i) how the efforts of Iran to transfer
11 advanced weapons to Hizbollah and to es-
12 tablish a military presence in Syria has led
13 to direct and repeated confrontations with
14 Israel; and

15 (ii) the intelligence and military sup-
16 port that the United States provides to
17 Israel to help Israel identify and appro-
18 priately address specific threats to Israel
19 from Iran and Iranian-backed forces in
20 Syria.

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

1 (4) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this section, the term “appro-
3 priate congressional committees” means—

4 (A) the Committee on Armed Services, the
5 Committee on Foreign Relations, and the Select
6 Committee on Intelligence of the Senate; and

7 (B) the Committee on Armed Services, the
8 Committee on Foreign Affairs, and the Perma-
9 nent Select Committee on Intelligence of the
10 House of Representatives.

11 **SEC. 509. ANNUAL REPORTS ON INFLUENCE OPERATIONS**
12 **AND CAMPAIGNS IN THE UNITED STATES BY**
13 **THE RUSSIAN FEDERATION.**

14 (a) REPORTS.—Title XI of the National Security Act
15 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
16 501, is further amended by adding at the end the following
17 new section:

18 **“SEC. 1107. ANNUAL REPORTS ON INFLUENCE OPERATIONS**
19 **AND CAMPAIGNS IN THE UNITED STATES BY**
20 **THE RUSSIAN FEDERATION.**

21 “(a) REQUIREMENT.—On an annual basis, the Direc-
22 tor of the National Counterintelligence and Security Cen-
23 ter shall submit to the congressional intelligence commit-
24 tees a report on the influence operations and campaigns
25 in the United States conducted by the Russian Federation.

1 “(b) CONTENTS.—Each report under subsection (a)
2 shall include the following:

3 “(1) A description and listing of the Russian
4 organizations and persons involved in influence oper-
5 ations and campaigns operating in the United States
6 as of the date of the report.

7 “(2) An assessment of organizations that are
8 associated with or receive funding from organiza-
9 tions and persons identified in paragraph (1), par-
10 ticularly such entities operating in the United
11 States.

12 “(3) A description of the efforts by the organi-
13 zations and persons identified in paragraph (1) to
14 target, coerce, and influence populations within the
15 United States.

16 “(4) An assessment of the activities of the orga-
17 nizations and persons identified in paragraph (1) de-
18 signed to influence the opinions of elected leaders of
19 the United States or candidates for election in the
20 United States.

21 “(5) With respect to reports submitted after the
22 first report, an assessment of the change in goals,
23 tactics, techniques, and procedures of the influence
24 operations and campaigns conducted by the organi-
25 zations and persons identified in paragraph (1).

1 “(c) COORDINATION.—In carrying out subsection (a),
2 the Director shall coordinate with the Director of the Fed-
3 eral Bureau of Investigation, the Director of the Central
4 Intelligence Agency, the Director of the National Security
5 Agency, and any other relevant head of an element of the
6 intelligence community.

7 “(d) FORM.—Each report submitted under sub-
8 section (a) shall be submitted in unclassified form, but
9 may include a classified annex.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in the first section of the National Security Act of 1947,
12 as amended by section 501, is further amended by insert-
13 ing after the item relating to section 1106 the following
14 new item:

“Sec. 1107. Annual reports on influence operations and campaigns in the
United States by the Russian Federation.”.

15 (c) INITIAL REPORT.—The Director of the National
16 Counterintelligence and Security Center shall submit to
17 the congressional intelligence committees the first report
18 under section 1107 of the National Security Act of 1947,
19 as added by subsection (a), by not later than 180 days
20 after the date of the enactment of this Act.

21 **TITLE VI—FEDERAL EFFORTS**
22 **AGAINST DOMESTIC TERRORISM**

23 **SEC. 601. DEFINITIONS.**

24 In this title:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Permanent Select Committee on
5 Intelligence, the Committee on Homeland Secu-
6 rity, and the Committee on the Judiciary of the
7 House of Representatives; and

8 (B) the Select Committee on Intelligence,
9 the Committee on Homeland Security and Gov-
10 ernmental Affairs, and the Committee on the
11 Judiciary of the Senate.

12 (2) DOMESTIC TERRORISM.—The term “domes-
13 tic terrorism” has the meaning given that term in
14 section 2331 of title 18, United States Code.

15 (3) HATE CRIME.—The term “hate crime”
16 means a criminal offense under—

17 (A) sections 241, 245, 247, and 249 of
18 title 18, United States Code; and

19 (B) section 3631 of title 42, United States
20 Code.

21 (4) INTERNATIONAL TERRORISM.—The term
22 “international terrorism” has the meaning given
23 that term in section 2331 of title 18, United States
24 Code.

1 (5) TERMS IN ATTORNEY GENERAL’S GUIDE-
2 LINES FOR DOMESTIC FBI OPERATIONS.—The terms
3 “assessments”, “full investigations”, “enterprise in-
4 vestigations”, “predicated investigations”, and “pre-
5 liminary investigations” have the meanings given
6 those terms in the most recent, approved version of
7 the Attorney General’s Guidelines for Domestic FBI
8 Operations (or successor).

9 (6) TERMS IN FBI BUDGET MATERIALS.—The
10 terms “Consolidated Strategy Guide”, “Field Office
11 Strategic Plan”, “Integrated Program Management
12 Process”, and “Threat Review and Prioritization”
13 have the meanings given those terms in the mate-
14 rials submitted to Congress by the Attorney General
15 in support of the Federal Bureau of Investigation
16 budget for fiscal year 2020.

17 (7) TERRORISM.—The term “terrorism” in-
18 cludes domestic terrorism and international ter-
19 rorism.

20 (8) TERRORISM INFORMATION.—The term “ter-
21 rorism information” has the meaning given that
22 term in section 1016(a) of the Intelligence Reform
23 and Terrorism Prevention Act of 2004 (6 U.S.C.
24 485).

1 (9) TIME UTILIZATION AND RECORDKEEPING
2 DATA.—The term “time utilization and record-
3 keeping data” means data collected on resource utili-
4 zation and workload activity of personnel of the Fed-
5 eral Bureau of Investigation in accordance with Fed-
6 eral law.

7 **SEC. 602. ANNUAL STRATEGIC INTELLIGENCE ASSESSMENT**
8 **OF AND COMPREHENSIVE REPORT ON DO-**
9 **MESTIC TERRORISM.**

10 (a) REPORT REQUIRED.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, and an-
13 nually thereafter through 2025, the Director of Na-
14 tional Intelligence, the Director of the Federal Bu-
15 reau of Investigation, and the Under Secretary of
16 Homeland Security for Intelligence and Analysis
17 shall jointly submit to the appropriate congressional
18 committees a report on domestic terrorism con-
19 taining the following:

20 (A) Strategic intelligence assessment under
21 subsection (b).

22 (B) Discussion of activities under sub-
23 section (c).

24 (C) Data on domestic terrorism under sub-
25 section (d).

1 (2) RESPONSIBILITIES.—

2 (A) COORDINATION OF REPORTS AND IN-
3 TEGRATION OF INFORMATION.—The Director of
4 National Intelligence, acting through the Direc-
5 tor of the National Counterterrorism Center,
6 shall be the lead official for coordinating the
7 production of and integrating terrorism infor-
8 mation into—

9 (i) each report under paragraph (1);

10 and

11 (ii) each strategic intelligence assess-
12 ment under subsection (b).

13 (B) INFORMATION SHARING.—The Direc-
14 tor of the Federal Bureau of Investigation and
15 the Under Secretary of Homeland Security for
16 Intelligence and Analysis shall provide to the
17 Director of the National Counterterrorism Cen-
18 ter all appropriate information requested by the
19 Director of the National Counterterrorism Cen-
20 ter to carry out this section.

21 (b) STRATEGIC INTELLIGENCE ASSESSMENT.—The
22 Director of National Intelligence, the Director of the Fed-
23 eral Bureau of Investigation, and the Under Secretary of
24 Homeland Security for Intelligence and Analysis shall in-
25 clude—

1 (1) in the first report under subsection (a)(1),
2 a strategic intelligence assessment of domestic ter-
3 rorism in the United States during fiscal years
4 2017, 2018, and 2019; and

5 (2) in each subsequent report under such sub-
6 section, a strategic intelligence assessment of domes-
7 tic terrorism in the United States during the prior
8 fiscal year.

9 (c) DISCUSSION OF ACTIVITIES.—Each report under
10 subsection (a)(1) shall discuss and compare the following:

11 (1) The criteria for opening, managing, and
12 closing domestic and international terrorism inves-
13 tigations by the Federal Government.

14 (2) Standards and procedures for the Federal
15 Bureau of Investigation, the Office of Intelligence
16 and Analysis of the Department of Homeland Secu-
17 rity, and the National Counterterrorism Center, with
18 respect to the review, prioritization, and mitigation
19 of domestic and international terrorism threats in
20 the United States.

21 (3) The planning, development, production,
22 analysis, and evaluation by the United States Gov-
23 ernment of intelligence products relating to ter-
24 rorism, including both raw and finished intelligence.

1 (4) The sharing of information relating to do-
2 mestic and international terrorism by and between—

3 (A) the Federal Government;

4 (B) State, local, Tribal, territorial, and for-
5 eign governments;

6 (C) the appropriate congressional commit-
7 tees;

8 (D) non-governmental organizations; and

9 (E) the private sector.

10 (5) The criteria and methodology used by the
11 Federal Bureau of Investigation, the Office of Intel-
12 ligence and Analysis of the Department of Home-
13 land Security, and the National Counterterrorism
14 Center, to identify or assign terrorism classifications
15 to incidents of terrorism or investigations of ter-
16 rorism, including—

17 (A) a comparison of the criteria and meth-
18 odology used with respect to domestic terrorism
19 and international terrorism;

20 (B) the identification of any changes made
21 to investigative classifications; and

22 (C) a discussion of the rationale for any
23 changes identified under subparagraph (B).

24 (6) Applicable Federal requirements and com-
25 pliance by the Federal Government with privacy,

1 civil rights, and civil liberties policies and protections
2 with respect to the production of the report, includ-
3 ing protections against the public release of names
4 or other personally identifiable information of indi-
5 viduals involved in incidents, investigations, indict-
6 ments, prosecutions, or convictions for which data is
7 reported under this section.

8 (7) Information regarding any training or re-
9 sources provided by the Federal Bureau of Inves-
10 tigation, the Department of Homeland Security, or
11 the National Counterterrorism Center, to assist Fed-
12 eral, State, local, and Tribal law enforcement agen-
13 cies in understanding, detecting, deterring, and in-
14 vestigating acts of domestic terrorism, including the
15 date, type, subject, and recipient agencies of such
16 training or resources.

17 (d) DATA ON DOMESTIC TERRORISM.—

18 (1) DATA REQUIRED.—The Director of Na-
19 tional Intelligence, the Director of the Federal Bu-
20 reau of Investigation, and the Under Secretary of
21 Homeland Security for Intelligence and Analysis
22 shall include in each report under subsection (a)(1)
23 the following data:

24 (A) For each completed or attempted inci-
25 dent of domestic terrorism that has occurred in

1 the United States during the applicable pe-
2 riod—

3 (i) a description of such incident;

4 (ii) the date and location of such inci-
5 dent;

6 (iii) the number and type of completed
7 and attempted Federal non-violent crimes
8 committed during such incident;

9 (iv) the number and type of completed
10 and attempted Federal and State property
11 crimes committed during such incident, in-
12 cluding an estimate of economic damages
13 resulting from such crimes; and

14 (v) the number and type of completed
15 and attempted Federal violent crimes com-
16 mitted during such incident, including the
17 number of people injured or killed as a re-
18 sult of such crimes.

19 (B) For the applicable period—

20 (i) an identification of each assess-
21 ment, preliminary investigation, full inves-
22 tigation, and enterprise investigation with
23 a nexus to domestic terrorism opened,
24 pending, or closed by the Federal Bureau
25 of Investigation;

1 (ii) the number of assessments or in-
2 vestigations identified under clause (i) as-
3 sociated with each domestic terrorism in-
4 vestigative classification (including subcat-
5 egories);

6 (iii) the number and domestic ter-
7 rorism investigative classification (includ-
8 ing subcategories) with respect to such in-
9 vestigations initiated as a result of a refer-
10 ral or investigation by a State, local, Trib-
11 al, territorial, or foreign government of a
12 hate crime;

13 (iv) the number of Federal criminal
14 charges with a nexus to domestic ter-
15 rorism, including the number of indict-
16 ments and complaints associated with each
17 domestic terrorism investigative classifica-
18 tion (including subcategories), a summary
19 of the allegations contained in each such
20 indictment, the disposition of the prosecu-
21 tion, and, if applicable, the sentence im-
22 posed as a result of a conviction on such
23 charges;

24 (v) referrals of incidents of domestic
25 terrorism by State, local, Tribal, or terri-

1 torial governments to departments or agen-
2 cies of the Federal Government for inves-
3 tigation or prosecution, including the num-
4 ber of such referrals associated with each
5 domestic terrorism investigation classifica-
6 tion (including any subcategories), and a
7 summary of each such referral that in-
8 cludes the rationale for such referral and
9 the disposition of the applicable Federal in-
10 vestigation or prosecution;

11 (vi) intelligence products produced by
12 the intelligence community relating to do-
13 mestic terrorism, including—

14 (I) the number of such products
15 associated with each domestic ter-
16 rorism investigative classification (in-
17 cluding any subcategories); and

18 (II) with respect to the Federal
19 Bureau of Investigation, at a min-
20 imum, all relevant data available
21 through the Integrated Program Man-
22 agement Process;

23 (vii) with respect to the National
24 Counterterrorism Center, the number of
25 staff (expressed in terms of full-time

1 equivalents and positions) working on mat-
2 ters relating to domestic terrorism de-
3 scribed in clauses (i) through (vi);

4 (viii) with respect to the Federal Bu-
5 reau of Investigation—

6 (I) the number of staff (ex-
7 pressed in terms of full-time equiva-
8 lents and positions) working on mat-
9 ters relating to domestic terrorism de-
10 scribed in clauses (i) through (vi); and

11 (II) a summary of time utiliza-
12 tion and recordkeeping data for per-
13 sonnel working on such matters, in-
14 cluding the number or percentage of
15 such personnel associated with each
16 domestic terrorism investigative classi-
17 fication (including any subcategories)
18 in the FBI Headquarters Operational
19 Divisions and Field Divisions; and

20 (ix) with respect to the Office of Intel-
21 ligence and Analysis of the Department of
22 Homeland Security, the number of staff
23 (expressed in terms of full-time equivalents
24 and positions) working on matters relating

1 to domestic terrorism described in clauses
2 (i) through (vi).

3 (2) APPLICABLE PERIOD.—For purposes of this
4 subsection, the applicable period is the following:

5 (A) For the first report required under
6 subsection (a)(1)—

7 (i) with respect to the data described
8 in paragraph (1)(A) of this subsection, the
9 period on or after April 19, 1995; and

10 (ii) with respect to the data described
11 in paragraph (1)(B) of this subsection,
12 each of fiscal years 2017, 2018, and 2019.

13 (B) For each subsequent report required
14 under subsection (a)(1), the prior fiscal year.

15 (e) PROVISION OF OTHER DOCUMENTS AND MATE-
16 RIALS.—

17 (1) IN GENERAL.—Together with each report
18 under subsection (a)(1), the Director of National In-
19 telligence, the Director of the Federal Bureau of In-
20 vestigation, and the Under Secretary of Homeland
21 Security for Intelligence and Analysis shall also sub-
22 mit to the appropriate congressional committees the
23 following documents and materials:

1 (A) With respect to the Federal Bureau of
2 Investigation, at a minimum, the most recent,
3 approved versions of—

4 (i) the Attorney General’s Guidelines
5 for Domestic FBI Operations (or any suc-
6 cessor);

7 (ii) the FBI Domestic Investigations
8 and Operations Guide (or any successor);

9 (iii) the FBI Counterterrorism Policy
10 Guide (or any successor);

11 (iv) materials relating to terrorism
12 within the Threat Review and
13 Prioritization process for the headquarters
14 and field divisions of the Federal Bureau
15 of Investigation;

16 (v) the Consolidated Strategy Guide
17 (or any successor); and

18 (vi) the Field Office Strategic Plans
19 (or any successor).

20 (B) With respect to the intelligence com-
21 munity, each finished intelligence product de-
22 scribed in subsection (d)(1)(B)(vi).

23 (2) NONDUPLICATION.—If any documents or
24 materials required under paragraph (1) have been
25 previously submitted to the appropriate congres-

1 sional committees under such paragraph and have
2 not been modified since such submission, the Direc-
3 tor of National Intelligence, the Director of the Fed-
4 eral Bureau of Investigation, and the Under Sec-
5 retary of Homeland Security for Intelligence and
6 Analysis may provide a list of such documents or
7 materials in lieu of making the submission under
8 paragraph (1) for those documents or materials.

9 (f) **FORMAT.**—The information required under sub-
10 section (d) may be provided in a format that uses the
11 marking associated with the Central Records System (or
12 any successor system) of the Federal Bureau of Investiga-
13 tion.

14 (g) **CLASSIFICATION AND PUBLIC RELEASE.**—Each
15 report under subsection (a) shall be—

16 (1) unclassified, but may contain a classified
17 annex;

18 (2) with respect to the unclassified portion of
19 the report, made available on the public internet
20 websites of the National Counterterrorism Center,
21 Federal Bureau of Investigation, and Department of
22 Homeland Security—

23 (A) not later than 30 days after submis-
24 sion to the appropriate congressional commit-
25 tees; and

1 (B) in an electronic format that is fully in-
2 dexed and searchable; and

3 (3) with respect to a classified annex, submitted
4 to the appropriate congressional committees in an
5 electronic format that is fully indexed and search-
6 able.

7 (h) INFORMATION QUALITY.—Each report submitted
8 under subsection (a), to the extent applicable, shall comply
9 with the guidelines issued by the Director of the Office
10 of Management and Budget pursuant to section 515 of
11 title V of the Consolidated Appropriations Act, 2001 (Pub-
12 lic Law 106–554; 114 Stat. 2763A–154).

13 **SEC. 603. REPORT CHARACTERIZING DOMESTIC TER-**
14 **RORISM ACTIVITY WITHIN THE UNITED**
15 **STATES.**

16 (a) REPORT.—Not later than 150 days after the date
17 of the enactment of this Act, the Director of the Federal
18 Bureau of Investigation, in coordination with the Under
19 Secretary of Homeland Security for Intelligence and Anal-
20 ysis, shall submit to the congressional intelligence commit-
21 tees a report on domestic terrorism activity within the
22 United States.

23 (b) CONTENTS.—The report under subsection (a)
24 shall include the following:

1 (1) Activities conducted by domestic terrorist
2 groups to restrict free speech using violence or in-
3 timidation.

4 (2) Activities conducted by domestic terrorist
5 groups that are dangerous to human life and are a
6 violation of the criminal laws of the United States
7 or of any State.

8 (3) The prevalence of any domestic terrorist
9 group's activities within the United States and
10 abroad.

11 (c) COORDINATION.—The Director shall carry out
12 subsection (a) in coordination with the head of any other
13 agency of the Federal Government that the Director deter-
14 mines appropriate.

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

18 **TITLE VII—REPORTS AND** 19 **OTHER MATTERS**

20 **SEC. 701. MODIFICATION OF REQUIREMENTS FOR SUBMIS-** 21 **SION TO CONGRESS OF CERTAIN REPORTS.**

22 (a) MODIFICATION OF REPORTS RELATING TO
23 GUANTANAMO BAY.—

24 (1) MODIFICATION.—Section 506I(b) of the
25 National Security Act of 1947 (50 U.S.C. 3105(b))

1 is amended by striking “once every 6 months” and
2 inserting “annually”.

3 (2) MODIFICATION.—Section 319(a) of the
4 Supplemental Appropriations Act, 2009 (10 U.S.C.
5 801 note) is amended by striking “every 90 days”
6 and inserting “annually”.

7 (3) REPEAL.—Section 601 of the Intelligence
8 Authorization Act for Fiscal Year 2017 (division N
9 of Public Law 115–31; 131 Stat. 827) is repealed.

10 (b) MODIFICATION TO REPORTS ON ANALYTIC IN-
11 TEGRITY.—Subsection (c) of section 1019 of the Intel-
12 ligence Reform and Terrorism Prevention Act of 2004 (50
13 U.S.C. 3364) is amended—

14 (1) in the heading, by striking “REPORTS” and
15 inserting “BRIEFINGS”; and

16 (2) by striking “submit to the congressional in-
17 telligence committees, the heads of the relevant ele-
18 ments of the intelligence community, and the heads
19 of analytic training departments a report con-
20 taining” and inserting “provide to the congressional
21 intelligence committees, the heads of the relevant
22 elements of the intelligence community, and the
23 heads of analytic training departments a briefing
24 with”.

1 (c) REPEAL OF REPORTS RELATING TO INTEL-
2 LIGENCE FUNCTIONS.—Section 506J of the National Se-
3 curity Act of 1947 (50 U.S.C. 3105a) is repealed and the
4 table of contents in the first section of such Act is amend-
5 ed by striking the item relating to section 506J.

6 (d) REPEAL OF REPORTS RELATING TO CUBA.—Sec-
7 tion 108 of the Cuban Liberty and Democratic Solidarity
8 (LIBERTAD) Act of 1996 (22 U.S.C. 6038) is repealed.

9 (e) REPEAL OF REPORTS RELATING TO ENTERTAIN-
10 MENT INDUSTRY.—Section 308 of the Intelligence Au-
11 thorization Act for Fiscal Year 2017 (50 U.S.C. 3332)
12 is amended—

13 (1) in subsection (b)(2)—

14 (A) by striking “paragraph (1) shall—”
15 and all that follows through “permit an ele-
16 ment” and insert “paragraph (1) shall permit
17 an element”;

18 (B) by striking “approval; and” and insert-
19 ing “approval.”; and

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

21 (2) by striking subsection (c).

22 **SEC. 702. INCREASED TRANSPARENCY REGARDING**
23 **COUNTERTERRORISM BUDGET OF THE**
24 **UNITED STATES.**

25 (a) FINDINGS.—Congress finds the following:

1 (1) Consistent with section 601(a) of the Imple-
2 menting Recommendations of the 9/11 Commission
3 Act of 2007 (50 U.S.C. 3306(a)), the recent practice
4 of the intelligence community has been to release to
5 the public—

6 (A) around the date on which the Presi-
7 dent submits to Congress a budget for a fiscal
8 year pursuant to section 1105 of title 31,
9 United States Code, the “top-line” amount of
10 total funding requested for the National Intel-
11 ligence Program for such fiscal year; and

12 (B) the amount of requested and appro-
13 priated funds for the National Intelligence Pro-
14 gram and Military Intelligence Program for cer-
15 tain prior fiscal years, consistent with the pro-
16 tection of intelligence sources and methods.

17 (2) The Directorate of Strategic Operational
18 Planning of the National Counterterrorism Center is
19 responsible for producing an annual National
20 Counterterrorism Budget report, which examines the
21 alignment of intelligence and other resources in the
22 applicable fiscal year budget with the counterter-
23 rorism goals and areas of focus in the National
24 Strategy for Counterterrorism.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) despite the difficulty of compiling and re-
4 leasing to the public comprehensive information on
5 the resource commitments of the United States to
6 counterterrorism activities and programs, including
7 with respect to such activities and programs of the
8 intelligence community, the United States Govern-
9 ment could take additional steps to enhance the un-
10 derstanding of the public with respect to such re-
11 source commitments, in a manner consistent with
12 the protection of intelligence sources and methods
13 and other national security interests; and

14 (2) the United States Government should re-
15 lease to the public as much information as possible
16 regarding the funding of counterterrorism activities
17 and programs, including activities and programs of
18 the intelligence community, in a manner consistent
19 with the protection of intelligence sources and meth-
20 ods and other national security interests.

21 (c) BRIEFING ON PUBLIC RELEASE OF INFORMA-
22 TION.—

23 (1) REQUIREMENT.—Not later than 90 days
24 after the date of the enactment of this Act, and not
25 later than 90 days after the beginning of each fiscal

1 year thereafter, the President shall ensure that the
2 congressional intelligence committees receive a brief-
3 ing from appropriate personnel of the United States
4 Government on the feasibility of releasing to the
5 public additional information relating to counterter-
6 rorism efforts of the intelligence community.

7 (2) ELEMENTS.—Each briefing required by
8 paragraph (1) shall include a discussion of the feasi-
9 bility of—

10 (A) subject to paragraph (3), releasing to
11 the public the National Counterterrorism Budg-
12 et report described in subsection (a)(2) for the
13 prior fiscal year; and

14 (B) declassifying other reports, documents,
15 or activities of the intelligence community relat-
16 ing to counterterrorism and releasing such in-
17 formation to the public in a manner consistent
18 with the protection of intelligence sources and
19 methods and other national security interests.

20 (3) RELEASE OF NATIONAL COUNTERTER-
21 RORISM BUDGET REPORT.—The President may sat-
22 isfy the requirement under paragraph (2)(A) during
23 a fiscal year by, not later than 90 days after the be-
24 ginning of the fiscal year, releasing to the public the
25 National Counterterrorism Budget report (with any

1 redactions the Director determines necessary to pro-
2 tect intelligence sources and methods and other na-
3 tional security interests) for the prior fiscal year.

4 **SEC. 703. TASK FORCE ON ILLICIT FINANCING OF ESPIO-**
5 **NAGE AND FOREIGN INFLUENCE OPER-**
6 **ATIONS.**

7 (a) ESTABLISHMENT.—Not later than 30 days after
8 the date of the enactment of this Act, the Director of Na-
9 tional Intelligence shall establish a task force to study and
10 assess the illicit financing of espionage and foreign influ-
11 ence operations directed at the United States.

12 (b) MEMBERSHIP.—The task force shall be composed
13 of the following individuals (or designees of the indi-
14 vidual):

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

17 (2) The Director of the Federal Bureau of In-
18 vestigation.

19 (3) The Assistant Secretary of the Treasury for
20 Intelligence and Analysis.

21 (4) The Assistant Secretary of State for Intel-
22 ligence and Research.

23 (5) Such other heads of the elements of the in-
24 telligence community that the Director of National
25 Intelligence determines appropriate.

1 (c) CHAIRPERSON; MEETINGS.—

2 (1) CHAIRPERSON.—The Director of National
3 Intelligence shall appoint a senior official within the
4 Office of the Director of National Intelligence to
5 serve as the chairperson of the task force.

6 (2) MEETINGS.—The task force shall meet reg-
7 ularly but not less frequently than on a quarterly
8 basis.

9 (d) REPORTS.—

10 (1) INITIAL REPORT.—Not later than 180 days
11 after the date of the enactment of this Act, the task
12 force shall submit to the appropriate congressional
13 committees a report on the illicit financing of espio-
14 nage and foreign influence operations directed at the
15 United States. The report shall address the fol-
16 lowing:

17 (A) The extent of the collection by the in-
18 telligence community, from all sources (includ-
19 ing the governments of foreign countries), of in-
20 telligence and information relating to illicit fi-
21 nancing of espionage and foreign influence op-
22 erations directed at the United States, and any
23 gaps in such collection.

24 (B) Any specific legal, regulatory, policy,
25 or other prohibitions, or financial, human, tech-

1 nical, or other resource limitations or con-
2 straints, that have affected the ability of the
3 Director of National Intelligence or other heads
4 of relevant elements of the intelligence commu-
5 nity in collecting or analyzing intelligence or in-
6 formation relating to illicit financing of espio-
7 nage and foreign influence operations directed
8 at the United States.

9 (C) The methods, as of the date of the re-
10 port, by which hostile governments of foreign
11 countries or foreign organizations, and any
12 groups or persons acting on behalf of or with
13 the support of such governments or organiza-
14 tions, seek to disguise or obscure relationships
15 between such governments, organizations,
16 groups, or persons and United States persons,
17 for the purpose of conducting espionage or for-
18 eign influence operations directed at the United
19 States, including by exploiting financial laws,
20 systems, or instruments, of the United States.

21 (D) The existing practices of the intel-
22 ligence community for ensuring that intelligence
23 and information relating to the illicit financing
24 of espionage and foreign influence operations is
25 analyzed and shared with other elements of the

1 intelligence community, and any recommenda-
2 tions for improving such analysis and sharing.

3 (2) ANNUAL UPDATE.—Not later than Novem-
4 ber 1, 2020, and each year thereafter through the
5 date specified in subsection (e), the task force shall
6 submit to the appropriate congressional committees
7 an update on the report under paragraph (1).

8 (3) FORM.—Each report submitted under this
9 subsection may be submitted in classified form, but
10 if submitted in such form, shall include an unclassi-
11 fied summary.

12 (e) TERMINATION.—The task force shall terminate
13 on January 1, 2025.

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

17 (1) The congressional intelligence committees.

18 (2) The Committee on Foreign Affairs and the
19 Committee on Financial Services of the House of
20 Representatives.

21 (3) The Committee on Foreign Relations and
22 the Committee on Banking, Housing, and Urban Af-
23 fairs of the Senate.

1 **SEC. 704. STUDY ON ROLE OF RETIRED AND FORMER PER-**
2 **SONNEL OF INTELLIGENCE COMMUNITY**
3 **WITH RESPECT TO CERTAIN FOREIGN INTEL-**
4 **LIGENCE OPERATIONS.**

5 (a) **STUDY.**—The Director of National Intelligence
6 shall conduct a study on former intelligence personnel pro-
7 viding covered intelligence assistance.

8 (b) **ELEMENTS.**—The study under subsection (a)
9 shall include the following:

10 (1) An identification of, and discussion of the
11 effectiveness of, existing laws, policies, procedures,
12 and other measures relevant to the ability of ele-
13 ments of the intelligence community to prevent
14 former intelligence personnel from providing covered
15 intelligence assistance—

16 (A) without proper authorization; or

17 (B) in a manner that would violate legal or
18 policy controls if the personnel performed such
19 assistance while working for the United States
20 Government; and

21 (2) Make recommendations for such legislative,
22 regulatory, policy, or other changes as may be nec-
23 essary to ensure that the United States consistently
24 meets the objectives described in paragraph (1).

25 (c) **REPORT AND PLAN.**—Not later than 90 days
26 after the date of the enactment of this Act, the Director

1 shall submit to the congressional intelligence committees,
2 the Committee on Homeland Security and Governmental
3 Affairs of the Senate, and the Committee on Homeland
4 Security of the House of Representatives—

5 (1) a report on the findings of the Director with
6 respect to each element of the study under sub-
7 section (a); and

8 (2) a plan to implement any recommendations
9 made by the Director that the Director may imple-
10 ment without changes to Federal law.

11 (d) FORM.—The report and plan under subsection (c)
12 may be submitted in classified form.

13 (e) DEFINITIONS.—In this section:

14 (1) COVERED INTELLIGENCE ASSISTANCE.—
15 The term “covered intelligence assistance” means
16 assistance—

17 (A) provided by former intelligence per-
18 sonnel directly to, or for the benefit of, the gov-
19 ernment of a foreign country or indirectly to, or
20 for the benefit of, such a government through
21 a company or other entity; and

22 (B) that relates to intelligence or law en-
23 forcement activities of a foreign country, includ-
24 ing with respect to operations that involve
25 abuses of human rights, violations of the laws

1 of the United States, or infringements on the
2 privacy rights of United States persons.

3 (2) FORMER INTELLIGENCE PERSONNEL.—The
4 term “former intelligence personnel” means retired
5 or former personnel of the intelligence community,
6 including civilian employees of elements of the intel-
7 ligence community, members of the Armed Forces,
8 and contractors of elements of the intelligence com-
9 munity.

10 **SEC. 705. REPORT BY DIRECTOR OF NATIONAL INTEL-**
11 **LIGENCE ON FIFTH-GENERATION WIRELESS**
12 **NETWORK TECHNOLOGY.**

13 (a) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Director of National In-
15 telligence shall submit to the congressional intelligence
16 committees a report on—

17 (1) the threat to the national security of the
18 United States posed by the global and regional adop-
19 tion of fifth-generation wireless network (in this sec-
20 tion referred to as “5G wireless network”) tech-
21 nology built by foreign companies;

22 (2) the threat to the national security of the
23 United States posed by telecommunications compa-
24 nies that are subject to the jurisdiction of a foreign
25 adversary; and

1 (3) possible efforts to mitigate the threat.

2 (b) CONTENTS.—The report under subsection (a)
3 shall include—

4 (1) the timeline and scale of global and regional
5 adoption of foreign 5G wireless network technology;

6 (2) the implications of such global and regional
7 adoption on the cyber and espionage threat to the
8 United States, the interests of the United States,
9 and the cyber and collection capabilities of the
10 United States;

11 (3) the threat to the national security of the
12 United States from acquisition, importation, trans-
13 fer, installation, or use of any communications tech-
14 nology by any person subject to the jurisdiction of
15 the United States that involves communications
16 technology designed, developed, manufactured or
17 supplied by, controlled by, or subject to, the jurisdic-
18 tion of a foreign adversary; and

19 (4) the effect of possible mitigation efforts, in-
20 cluding with respect to—

21 (A) a policy of the United States Govern-
22 ment promoting the use of strong, end-to-end
23 encryption for data transmitted over 5G wire-
24 less networks;

1 (B) a policy of the United States Govern-
2 ment promoting or funding free, open-source
3 implementation of 5G wireless network tech-
4 nology;

5 (C) subsidies or incentives provided by the
6 United States Government that could be used
7 to promote the adoption of secure 5G wireless
8 network technology developed by companies of
9 the United States or companies of allies of the
10 United States; and

11 (D) a strategy by the United States Gov-
12 ernment to reduce foreign influence and polit-
13 ical pressure in international standard-setting
14 bodies.

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

18 **SEC. 706. ESTABLISHMENT OF 5G PRIZE COMPETITION.**

19 (a) PRIZE COMPETITION.—Pursuant to section 24 of
20 the Stevenson-Wydler Technology Innovation Act of 1980
21 (15 U.S.C. 3719), the Director of National Intelligence,
22 acting through the Director of the Intelligence Advanced
23 Research Projects Agency, shall carry out a program to
24 award prizes competitively to stimulate research and de-
25 velopment relevant to 5G technology.

1 (b) PRIZE AMOUNT.—In carrying out the program
2 under subsection (a), the Director may award not more
3 than a total of \$5,000,000 to one or more winners of the
4 prize competition.

5 (c) CONSULTATION.—In carrying out the program
6 under subsection (a), the Director may consult with the
7 heads of relevant departments and agencies of the Federal
8 Government.

9 (d) 5G TECHNOLOGY DEFINED.—In this section, the
10 term “5G technology” means hardware, software, or other
11 technologies relating to fifth-generation wireless networks.

12 **SEC. 707. ESTABLISHMENT OF DEEPPAKES PRIZE COMPETI-**
13 **TION.**

14 (a) PRIZE COMPETITION.—Pursuant to section 24 of
15 the Stevenson-Wydler Technology Innovation Act of 1980
16 (15 U.S.C. 3719), the Director of National Intelligence,
17 acting through the Director of the Intelligence Advanced
18 Research Projects Agency, shall carry out a program to
19 award prizes competitively to stimulate the research, de-
20 velopment, or commercialization of technologies to auto-
21 matically detect machine-manipulated media.

22 (b) PRIZE AMOUNT.—In carrying out the program
23 under subsection (a), the Director may award not more
24 than a total of \$5,000,000 to one or more winners of the
25 prize competition.

1 (c) CONSULTATION.—In carrying out the program
2 under subsection (a), the Director may consult with the
3 heads of relevant departments and agencies of the Federal
4 Government.

5 (d) MACHINE-MANIPULATED MEDIA DEFINED.—In
6 this section, the term “machine-manipulated media”
7 means video, image, or audio recordings generated or sub-
8 stantially modified using machine-learning techniques in
9 order to falsely depict events, to falsely depict the speech
10 or conduct of an individual, or to depict individuals who
11 do not exist.

12 **SEC. 708. REMOVAL AND NEUTRALIZATION OF IMSI CATCH-**
13 **ERS.**

14 (a) IN GENERAL.—The Secretary of Homeland Secu-
15 rity, in collaboration with the Director of National Intel-
16 ligence, the Chairman of the Federal Communications
17 Commission, and the heads of such other Federal agencies
18 as the Secretary determines appropriate, and following
19 consultation with appropriate private entities, shall—

20 (1) undertake an effort to remove or neutralize
21 unauthorized IMSI catchers installed by foreign en-
22 tities or that have an unknown attribution, with
23 prioritization given to IMSI catchers identified in
24 the National Capital Region; and

1 (3) The appropriate governance structure with-
2 in the intelligence community and with interagency
3 partners.

4 (4) The authorities necessary to implement the
5 plan.

6 **SEC. 710. SECURING ENERGY INFRASTRUCTURE.**

7 (a) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-
12 tees;

13 (B) the Committee on Homeland Security
14 and Governmental Affairs and the Committee
15 on Energy and Natural Resources of the Sen-
16 ate; and

17 (C) the Committee on Homeland Security
18 and the Committee on Energy and Commerce
19 of the House of Representatives.

20 (2) COVERED ENTITY.—The term “covered en-
21 tity” means an entity identified pursuant to section
22 9(a) of Executive Order No. 13636 of February 12,
23 2013 (78 Fed. Reg. 11742), relating to identifica-
24 tion of critical infrastructure where a cybersecurity
25 incident could reasonably result in catastrophic re-

1 regional or national effects on public health or safety,
2 economic security, or national security.

3 (3) EXPLOIT.—The term “exploit” means a
4 software tool designed to take advantage of a secu-
5 rity vulnerability.

6 (4) INDUSTRIAL CONTROL SYSTEM.—The term
7 “industrial control system” means an operational
8 technology used to measure, control, or manage in-
9 dustrial functions, and includes supervisory control
10 and data acquisition systems, distributed control
11 systems, and programmable logic or embedded con-
12 trollers.

13 (5) NATIONAL LABORATORY.—The term “Na-
14 tional Laboratory” has the meaning given the term
15 in section 2 of the Energy Policy Act of 2005 (42
16 U.S.C. 15801).

17 (6) PROGRAM.—The term “Program” means
18 the pilot program established under subsection (b).

19 (7) SECRETARY.—Except as otherwise specifi-
20 cally provided, the term “Secretary” means the Sec-
21 retary of Energy.

22 (8) SECURITY VULNERABILITY.—The term “se-
23 curity vulnerability” means any attribute of hard-
24 ware, software, process, or procedure that could en-
25 able or facilitate the defeat of a security control.

1 (b) PILOT PROGRAM FOR SECURING ENERGY INFRA-
2 STRUCTURE.—Not later than 180 days after the date of
3 the enactment of this Act, the Secretary shall establish
4 a 2-year control systems implementation pilot program
5 within the National Laboratories for the purposes of—

6 (1) partnering with covered entities in the en-
7 ergy sector (including critical component manufac-
8 turers in the supply chain) that voluntarily partici-
9 pate in the Program to identify new classes of secu-
10 rity vulnerabilities of the covered entities; and

11 (2) evaluating technology and standards, in
12 partnership with covered entities, to isolate and de-
13 fend industrial control systems of covered entities
14 from security vulnerabilities and exploits in the most
15 critical systems of the covered entities, including—

16 (A) analog and nondigital control systems;

17 (B) purpose-built control systems; and

18 (C) physical controls.

19 (c) WORKING GROUP TO EVALUATE PROGRAM
20 STANDARDS AND DEVELOP STRATEGY.—

21 (1) ESTABLISHMENT.—The Secretary shall es-
22 tablish a working group—

23 (A) to evaluate the technology and stand-
24 ards used in the Program under subsection

25 (b)(2); and

1 (B) to develop a national cyber-informed
2 engineering strategy to isolate and defend cov-
3 ered entities from security vulnerabilities and
4 exploits in the most critical systems of the cov-
5 ered entities.

6 (2) MEMBERSHIP.—The working group estab-
7 lished under paragraph (1) shall be composed of not
8 fewer than 10 members, to be appointed by the Sec-
9 retary, at least 1 member of which shall represent
10 each of the following:

11 (A) The Department of Energy.

12 (B) The energy industry, including electric
13 utilities and manufacturers recommended by
14 the Energy Sector coordinating councils.

15 (C)(i) The Department of Homeland Secu-
16 rity; or

17 (ii) the Industrial Control Systems Cyber
18 Emergency Response Team.

19 (D) The North American Electric Reli-
20 ability Corporation.

21 (E) The Nuclear Regulatory Commission.

22 (F)(i) The Office of the Director of Na-
23 tional Intelligence; or

1 (ii) the intelligence community (as defined
2 in section 3 of the National Security Act of
3 1947 (50 U.S.C. 3003)).

4 (G)(i) The Department of Defense; or
5 (ii) the Assistant Secretary of Defense for
6 Homeland Security and America's Security Af-
7 fairs.

8 (H) A State or regional energy agency.

9 (I) A national research body or academic
10 institution.

11 (J) The National Laboratories.

12 (d) REPORTS ON THE PROGRAM.—

13 (1) INTERIM REPORT.—Not later than 180
14 days after the date on which funds are first dis-
15 bursed under the Program, the Secretary shall sub-
16 mit to the appropriate congressional committees an
17 interim report that—

18 (A) describes the results of the Program;

19 (B) includes an analysis of the feasibility
20 of each method studied under the Program; and

21 (C) describes the results of the evaluations
22 conducted by the working group established
23 under subsection (c)(1).

24 (2) FINAL REPORT.—Not later than 2 years
25 after the date on which funds are first disbursed

1 under the Program, the Secretary shall submit to
2 the appropriate congressional committees a final re-
3 port that—

4 (A) describes the results of the Program;

5 (B) includes an analysis of the feasibility
6 of each method studied under the Program; and

7 (C) describes the results of the evaluations
8 conducted by the working group established
9 under subsection (c)(1).

10 (e) EXEMPTION FROM DISCLOSURE.—Information
11 shared by or with the Federal Government or a State,
12 Tribal, or local government under this section—

13 (1) shall be deemed to be voluntarily shared in-
14 formation;

15 (2) shall be exempt from disclosure under sec-
16 tion 552 of title 5, United States Code, or any provi-
17 sion of any State, Tribal, or local freedom of infor-
18 mation law, open government law, open meetings
19 law, open records law, sunshine law, or similar law
20 requiring the disclosure of information or records;
21 and

22 (3) shall be withheld from the public, without
23 discretion, under section 552(b)(3) of title 5, United
24 States Code, and any provision of any State, Tribal,

1 or local law requiring the disclosure of information
2 or records.

3 (f) PROTECTION FROM LIABILITY.—

4 (1) IN GENERAL.—A cause of action against a
5 covered entity for engaging in the voluntary activi-
6 ties authorized under subsection (b)—

7 (A) shall not lie or be maintained in any
8 court; and

9 (B) shall be promptly dismissed by the ap-
10 plicable court.

11 (2) VOLUNTARY ACTIVITIES.—Nothing in this
12 section subjects any covered entity to liability for not
13 engaging in the voluntary activities authorized under
14 subsection (b).

15 (g) NO NEW REGULATORY AUTHORITY FOR FED-
16 ERAL AGENCIES.—Nothing in this section authorizes the
17 Secretary or the head of any other department or agency
18 of the Federal Government to issue new regulations.

19 (h) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) PILOT PROGRAM.—There is authorized to
21 be appropriated \$10,000,000 to carry out subsection
22 (b).

23 (2) WORKING GROUP AND REPORT.—There is
24 authorized to be appropriated \$1,500,000 to carry
25 out subsections (c) and (d).

1 (3) AVAILABILITY.—Amounts made available
2 under paragraphs (1) and (2) shall remain available
3 until expended.

4 **SEC. 711. COLLECTION, ANALYSIS, AND DISSEMINATION OF**
5 **WORKFORCE DATA.**

6 (a) INITIAL REPORTING.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, and sub-
9 ject to paragraph (3), the Director of National Intel-
10 ligence shall make available to the public, the appro-
11 priate congressional committees, and the workforce
12 of the intelligence community a report which in-
13 cludes aggregate demographic data and other infor-
14 mation regarding the diversity and inclusion efforts
15 of the workforce of the intelligence community.

16 (2) CONTENTS.—A report made available under
17 paragraph (1)—

18 (A) shall include unclassified reports and
19 barrier analyses relating to diversity and inclu-
20 sion efforts;

21 (B) shall include aggregate demographic
22 data—

23 (i) by segment of the workforce of the
24 intelligence community and grade or rank;

1 (ii) relating to attrition and promotion
2 rates;

3 (iii) that addresses the compliance of
4 the intelligence community with validated
5 inclusion metrics, such as the New Inclu-
6 sion Quotient index score; and

7 (iv) that provides demographic com-
8 parisons to the relevant nongovernmental
9 labor force and the relevant civilian labor
10 force;

11 (C) shall include an analysis of applicant
12 flow data, including the percentage and level of
13 positions for which data are collected, and a
14 discussion of any resulting policy changes or
15 recommendations;

16 (D) shall include demographic data relat-
17 ing to participants in professional development
18 programs of the intelligence community and the
19 rate of placement into senior positions for par-
20 ticipants in such programs;

21 (E) shall include any voluntarily collected
22 demographic data relating to the membership of
23 any external advisory committee or board to
24 which individuals in senior positions in the in-
25 telligence community appoint members; and

1 (F) may include data in proportions or
2 percentages to account for concerns relating to
3 the protection of classified information.

4 (b) UPDATES.—After making available a report
5 under subsection (a), the Director of National Intelligence
6 shall annually provide a report (which may be provided
7 as part of an annual report required under another provi-
8 sion of law) to the workforce of the intelligence community
9 (including senior leadership), the public, and the appro-
10 priate congressional committees that includes—

11 (1) demographic data and information on the
12 status of diversity and inclusion efforts of the intel-
13 ligence community;

14 (2) an analysis of applicant flow data, including
15 the percentage and level of positions for which data
16 are collected, and a discussion of any resulting policy
17 changes or recommendations; and

18 (3) demographic data relating to participants in
19 professional development programs of the intel-
20 ligence community and the rate of placement into
21 senior positions for participants in such programs.

22 (c) EXPAND THE COLLECTION AND ANALYSIS OF
23 VOLUNTARY APPLICANT FLOW DATA.—

24 (1) IN GENERAL.—The Director of National In-
25 telligence shall develop a system to collect and ana-

1 lyze applicant flow data for as many positions within
2 the intelligence community as practicable, in order
3 to identify areas for improvement in attracting di-
4 verse talent, with particular attention to senior and
5 management positions.

6 (2) PHASED IMPLEMENTATION.—The collection
7 of applicant flow data may be implemented by the
8 Director of National Intelligence in a phased ap-
9 proach commensurate with the resources available to
10 the intelligence community.

11 (d) IDENTIFY ADDITIONAL CATEGORIES FOR VOL-
12 UNTARY DATA COLLECTION OF CURRENT EMPLOYEES.—

13 (1) IN GENERAL.—The Director of National In-
14 telligence may submit to the Office of Management
15 and Budget and to the appropriate congressional
16 committees a recommendation regarding whether the
17 intelligence community should voluntarily collect
18 more detailed data on demographic categories in ad-
19 dition to the race and ethnicity categories specified
20 in the statistical policy directive issued by the Office
21 of Management and Budget entitled “Standards for
22 Maintaining, Collecting, and Presenting Federal
23 Data on Race and Ethnicity”.

1 (2) PROCESS.—In making a recommendation
2 under paragraph (1), the Director of National Intel-
3 ligence shall—

4 (A) engage in close consultation with inter-
5 nal stakeholders, such as employee resource or
6 affinity groups;

7 (B) ensure that there is clear communica-
8 tion with the workforce of the intelligence com-
9 munity—

10 (i) to explain the purpose of the po-
11 tential collection of such data; and

12 (ii) regarding legal protections relat-
13 ing to any anticipated use of such data;
14 and

15 (C) ensure adherence to relevant standards
16 and guidance issued by the Federal Govern-
17 ment.

18 (e) DEFINITIONS.—In this section:

19 (1) APPLICANT FLOW DATA.—The term “appli-
20 cant flow data” means data that tracks the rate of
21 applications for job positions among demographic
22 categories.

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Foreign Relations,
2 the Committee on Armed Services, the Com-
3 mittee on Homeland Security and Govern-
4 mental Affairs, the Select Committee on Intel-
5 ligence, and the Committee on Appropriations
6 of the Senate; and

7 (B) the Committee on Foreign Affairs, the
8 Committee on Armed Services, the Committee
9 on Homeland Security, the Permanent Select
10 Committee on Intelligence, and the Committee
11 on Appropriations of the House of Representa-
12 tives.

13 (3) DIVERSITY.—The term “diversity” means
14 diversity of persons based on gender, race, ethnicity,
15 disability status, veteran status, sexual orientation,
16 gender identity, national origin, and other demo-
17 graphic categories.

18 **SEC. 712. REPORT ON BEST PRACTICES TO PROTECT PRI-**
19 **VACY AND CIVIL LIBERTIES OF CHINESE**
20 **AMERICANS.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the People’s Republic of China appears to
24 be specifically targeting the Chinese-American com-
25 munity for intelligence purposes;

1 (2) such targeting carries a substantial risk
2 that the loyalty of such Americans may be generally
3 questioned and lead to unacceptable stereotyping,
4 targeting and racial profiling;

5 (3) the United States Government has a duty
6 to warn and protect all Americans including those of
7 Chinese descent from these intelligence efforts by
8 the People's Republic of China;

9 (4) the broad stereotyping, targeting and racial
10 profiling of Americans of Chinese descent is contrary
11 to the values of the United States and reinforces the
12 flawed narrative perpetuated by the People's Repub-
13 lic of China that ethnically Chinese individuals
14 worldwide have a duty to support the People's Re-
15 public of China; and

16 (5) the United States efforts to combat the
17 People's Republic of China's intelligence activities
18 should actively safeguard and promote the constitu-
19 tional rights of all Chinese Americans.

20 (b) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Director of National In-
22 telligence, acting through the Office of Civil Liberties, Pri-
23 vacy, and Transparency, in coordination with the civil lib-
24 erties and privacy officers of the elements of the intel-

1 lligence community, shall submit a report to the congres-
2 sional intelligence committees containing—

3 (1) a review of how the policies, procedures,
4 and practices of the intelligence community that gov-
5 ern the intelligence activities and operations tar-
6 geting the People’s Republic of China affect policies,
7 procedures, and practices relating to the privacy and
8 civil liberties of Americans of Chinese descent who
9 may be targets of espionage and influence operations
10 by China; and

11 (2) recommendations to ensure that the privacy
12 and civil liberties of Americans of Chinese descent
13 are sufficiently protected.

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

17 **SEC. 713. INTELLIGENCE ASSESSMENT OF RELATIONSHIP**
18 **BETWEEN WOMEN AND VIOLENT EXTREMISM.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, and annually thereafter,
21 the Director of National Intelligence, in consultation with
22 the Secretary of Defense, the Secretary of State, and the
23 head of any element of the intelligence community the Di-
24 rector determines appropriate, shall submit to the appro-
25 priate congressional committees an intelligence assessment

1 on the relationship between women and violent extremism
2 and terrorism throughout the world, including an assess-
3 ment of—

4 (1) the historical trends and current state of
5 women’s varied roles worldwide in all aspects of vio-
6 lent extremism and terrorism, including as recruit-
7 ers, sympathizers, perpetrators, and combatants, as
8 well as peace-builders and preventers;

9 (2) how women’s roles in all aspects of violent
10 extremism and terrorism are likely to change in the
11 near- and medium-term;

12 (3) the extent to which the unequal status of
13 women affects the ability of armed combatants and
14 terrorist groups to enlist or conscript women as com-
15 batants and perpetrators of violence;

16 (4) how terrorist groups violate the rights of
17 women and girls, including child, early, and forced
18 marriage, abduction, sexual violence, and human
19 trafficking, and the extent to which such violations
20 contribute to the spread of conflict and terrorist ac-
21 tivities; and

22 (5) opportunities to address the security risk
23 posed by female extremists and leverage the roles of
24 women in counterterrorism efforts.

1 (b) FORM.—The assessment required under sub-
2 section (a) shall be submitted in unclassified form, but
3 may include a classified annex.

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

7 (1) the Select Committee on Intelligence, the
8 Committee on Foreign Relations, and the Committee
9 on Armed Services, of the Senate; and

10 (2) the Permanent Select Committee on Intel-
11 ligence, the Committee on Foreign Affairs, and the
12 Committee on Armed Services, of the House of Rep-
13 resentatives.

14 **SEC. 714. REPORT ON USE BY INTELLIGENCE COMMUNITY**
15 **OF FACIAL RECOGNITION TECHNOLOGY.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) the use of facial recognition technology for
19 the purpose of suppressing or burdening criticism or
20 dissent, or for disadvantaging persons based on their
21 ethnicity, race, gender, sexual orientation, or reli-
22 gion, is contrary to the values of the United States;

23 (2) the United States Government should not
24 engage in the sale or transfer of facial recognition

1 technology to any country that is using such tech-
2 nology for the suppression of human rights; and

3 (3) it is incumbent upon the intelligence com-
4 munity to develop clear policies and procedures that
5 prevent the abuse of facial recognition technology.

6 (b) REPORT REQUIRED.—Not later than 1 year after
7 the date of the enactment of this Act, the Director of Na-
8 tional Intelligence shall submit to the congressional intel-
9 ligence committees a report on the use of facial recognition
10 technology by the intelligence community. Such report
11 shall include each of the following:

12 (1) An analysis of the current use of facial rec-
13 ognition technology by the intelligence community.

14 (2) An analysis of the accuracy of facial rec-
15 ognition technology, including a discussion of the ap-
16 propriate threshold for use, and data disaggregated
17 by race, gender, ethnicity, and age.

18 (3) Whether the Government has adequate pro-
19 cedures in place to audit or test technology they pur-
20 chase to assess its accuracy, including on the basis
21 of race, gender, ethnicity, and age.

22 (4) The extent to which the intelligence commu-
23 nity has codified policies governing the use of facial
24 recognition technology that adequately prevent ad-

1 verse impacts on privacy, civil rights, and civil lib-
2 erties.

3 (5) An analysis of the ability of the intelligence
4 community to use facial recognition technology to
5 identify individuals in a way that respects constitu-
6 tional rights, civil rights, civil liberties, and privacy
7 of such individuals.

8 (6) Identification of risks and safeguards to up-
9 hold the constitutional rights, civil rights, civil lib-
10 erties, and privacy of individuals, including for com-
11 munities of color and religious minorities.

12 (7) Whether such technology is deployed in
13 public areas or on photos of public areas in a man-
14 ner that could raise First Amendment concerns.

15 (8) An identification of existing policies, proce-
16 dures, or practices that permit the sharing of facial
17 recognition data and technology with foreign govern-
18 ments or other non-United States Government enti-
19 ties.

20 (9) An identification of measures in place to
21 protect data security.

22 (10) An identification of any redress procedures
23 to address complaints in cases where the use of fa-
24 cial recognition resulted in harm to an individual.

1 shall submit to the congressional intelligence com-
2 mittees a report on—

3 (A) the potential national security impacts
4 of machine-manipulated media (commonly
5 known as “deepfakes”); and

6 (B) the actual or potential use of machine-
7 manipulated media by foreign governments to
8 spread disinformation or engage in other malign
9 activities.

10 (2) MATTERS TO BE INCLUDED.—The report
11 under subsection (a) shall include the following:

12 (A) An assessment of the technical capa-
13 bilities of foreign governments, including for-
14 eign intelligence services, foreign government-
15 affiliated entities, and foreign individuals, with
16 respect to machine-manipulated media, ma-
17 chine-generated text, generative adversarial net-
18 works, and related machine-learning tech-
19 nologies, including—

20 (i) an assessment of the technical ca-
21 pabilities of the People’s Republic of China
22 and the Russian Federation with respect to
23 the production and detection of machine-
24 manipulated media; and

1 (ii) an annex describing those govern-
2 mental elements within China and Russia
3 known to have supported or facilitated ma-
4 chine-manipulated media research, develop-
5 ment, or dissemination, as well as any
6 civil-military fusion, private-sector, aca-
7 demic, or non-governmental entities which
8 have meaningfully participated in such ac-
9 tivities.

10 (B) An updated assessment of how foreign
11 governments, including foreign intelligence serv-
12 ices, foreign government-affiliated entities, and
13 foreign individuals, could use or are using ma-
14 chine-manipulated media and machine-gen-
15 erated text to harm the national security inter-
16 ests of the United States, including an assess-
17 ment of the historic, current, or potential future
18 efforts of China and Russia to use machine-ma-
19 nipulated media, including with respect to—

20 (i) the overseas or domestic dissemi-
21 nation of misinformation;

22 (ii) the attempted discrediting of polit-
23 ical opponents or disfavored populations;
24 and

1 (iii) intelligence or influence oper-
2 ations directed against the United States,
3 allies or partners of the United States, or
4 other jurisdictions believed to be subject to
5 Chinese or Russian interference.

6 (C) An updated identification of the
7 counter-technologies that have been or could be
8 developed and deployed by the United States
9 Government, or by the private sector with Gov-
10 ernment support, to deter, detect, and attribute
11 the use of machine-manipulated media and ma-
12 chine-generated text by foreign governments,
13 foreign-government affiliates, or foreign individ-
14 uals, along with an analysis of the benefits, lim-
15 itations and drawbacks of such identified
16 counter-technologies, including any emerging
17 concerns related to privacy.

18 (D) An identification of the offices within
19 the elements of the intelligence community that
20 have, or should have, lead responsibility for
21 monitoring the development of, use of, and re-
22 sponse to machine-manipulated media and ma-
23 chine-generated text, including—

1 (i) a description of the coordination of
2 such efforts across the intelligence commu-
3 nity;

4 (ii) a detailed description of the exist-
5 ing capabilities, tools, and relevant exper-
6 tise of such elements to determine whether
7 a piece of media has been machine manip-
8 ulated or machine generated, including the
9 speed at which such determination can be
10 made, the confidence level of the element
11 in the ability to make such a determination
12 accurately, and how increasing volume and
13 improved quality of machine-manipulated
14 media or machine-generated text may neg-
15 atively impact such capabilities; and

16 (iii) a detailed description of planned
17 or ongoing research and development ef-
18 forts intended to improve the ability of the
19 intelligence community to detect machine-
20 manipulated media and machine-generated
21 text.

22 (E) A description of any research and de-
23 velopment activities carried out or under consid-
24 eration to be carried out by the intelligence
25 community, including the Intelligence Advanced

1 Research Projects Activity, relevant to machine-
2 manipulated media and machine-generated text
3 detection technologies.

4 (F) Updated recommendations regarding
5 whether the intelligence community requires ad-
6 ditional legal authorities, financial resources, or
7 specialized personnel to address the national se-
8 curity threat posed by machine-manipulated
9 media and machine generated text.

10 (G) Other additional information the Di-
11 rector determines appropriate.

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

15 (c) REQUIREMENT FOR NOTIFICATION.—The Direc-
16 tor of National Intelligence, in cooperation with the heads
17 of any other relevant departments or agencies of the Fed-
18 eral Government, shall notify the congressional intel-
19 ligence committees each time the Director of National In-
20 telligence determines—

21 (1) there is credible information or intelligence
22 that a foreign entity has attempted, is attempting,
23 or will attempt to deploy machine-manipulated
24 media or machine-generated text aimed at the elec-

1 tions or domestic political processes of the United
2 States; and

3 (2) that such intrusion or campaign can be at-
4 tributed to a foreign government, a foreign govern-
5 ment-affiliated entity, or a foreign individual.

6 (d) ANNUAL UPDATE.—Upon submission of the re-
7 port in subsection (a), on an annual basis, the Director
8 of National Intelligence, in consultation with the heads of
9 the elements of the intelligence community determined ap-
10 propriate by the Director, shall submit to the congress-
11 sional intelligence committees any significant updates with
12 respect to the matters described in subsection (a).

13 (e) DEFINITIONS.—

14 (1) MACHINE-GENERATED TEXT.—The term
15 “machine-generated text” means text generated
16 using machine-learning techniques in order to resem-
17 ble writing in natural language.

18 (2) MACHINE-MANIPULATED MEDIA.—The term
19 “machine-manipulated media” has the meaning
20 given that term in section 707.

21 **SEC. 716. RULE OF CONSTRUCTION WITH RESPECT TO CER-**
22 **TAIN CRIMES RELATING TO TERRORISM.**

23 Nothing in this Act, or the amendments made by this
24 Act, shall be construed to contradict chapter 113B of title
25 18, United States Code, including with respect to—

1 (1) section 2332b (relating to acts of terrorism
2 transcending national boundaries);

3 (2) section 2339 (relating to harboring or con-
4 cealing terrorists); and

5 (3) section 2339A (relating to providing mate-
6 rial support to terrorists).

7 **SEC. 717. REPORT ON INTERNATIONAL MOBILE SUB-**
8 **SCRIBER IDENTITY-CATCHERS AND UNITED**
9 **STATES NATIONAL SECURITY.**

10 (a) REPORT REQUIRED.—Not later than 180 days
11 after the date of the enactment of this Act, the Director
12 of National Intelligence, in consultation with the Secretary
13 of Homeland Security, the Director of the Federal Bureau
14 of Investigation, and the heads of other agencies the Di-
15 rector of National Intelligence determines appropriate,
16 shall submit to the congressional intelligence committees
17 a report describing—

18 (1) the threats that international mobile sub-
19 scriber identity-catchers pose to national security
20 and, specifically, the safety and security of Govern-
21 ment personnel;

22 (2) the prevalence of international mobile sub-
23 scriber identity-catchers used by both foreign actors
24 and domestic law enforcement within the United
25 States;

1 (3) actions taken by Federal agencies, as of the
2 date of the report, to remove or neutralize inter-
3 national mobile subscriber identity-catchers installed
4 by foreign entities, with a primary focus on the Na-
5 tional Capital Region (as defined in section 2674(f)
6 of title 10, United States Code);

7 (4) policy recommendations for Congress to
8 consider that would empower law enforcement and
9 the intelligence community to counter such foreign
10 intelligence operations while minimizing interference
11 with legitimate domestic law enforcement operations;

12 (5) the extent to which private entities, as well
13 as Federal entities not primarily responsible for na-
14 tional security or homeland security, are able to re-
15 move, neutralize, or otherwise render ineffective
16 international mobile subscriber identity-catchers; and

17 (6) recommendations for new software pro-
18 grams, or the hardening of existing software pro-
19 grams, to reduce mobile phone susceptibility to
20 international mobile subscriber identity-catchers.

21 (b) FORM.—To the extent practicable, the report
22 shall be submitted in an unclassified, law enforcement sen-
23 sitive form for the purposes of distribution to other con-
24 gressional committees, but may also include a classified
25 annex.

1 **SEC. 718. WHISTLEBLOWER DISCLOSURES TO CONGRESS**
2 **AND COMMITTEES OF CONGRESS.**

3 Section 2302 of title 5, United States Code, is
4 amended—

5 (1) in subsection (b)(8)(B), by inserting “Con-
6 gress (including any committee of Congress),” before
7 “the Special Counsel”; and

8 (2) in subsection (c)(2)(C)(iii)(III), by inserting
9 after “Congress” the following: “(including any com-
10 mittee of Congress)”.

11 **SEC. 719. REPORT CONTAINING THREAT ASSESSMENT ON**
12 **TERRORIST USE OF CONVENTIONAL AND AD-**
13 **VANCED CONVENTIONAL WEAPONS.**

14 (a) **REPORT REQUIRED.**—Not later than 180 days
15 after the date of the enactment of this Act, and annually
16 thereafter for a period of 4 years, the Under Secretary
17 of Homeland Security for Intelligence and Analysis, in co-
18 ordination with the Director of the Federal Bureau of In-
19 vestigation, shall develop and submit to the entities in ac-
20 cordance with subsection (b) a report containing a threat
21 assessment regarding the availability of conventional
22 weapons, including conventional weapons lacking serial
23 numbers, and advanced conventional weapons, for use in
24 furthering acts of terrorism, including the provision of ma-
25 terial support or resources to a foreign terrorist organiza-

1 tion and to individuals or groups supporting or engaging
2 in domestic terrorism.

3 (b) DISSEMINATION OF REPORT.—Consistent with
4 the protection of classified and confidential unclassified in-
5 formation, the Under Secretary shall—

6 (1) submit the initial report required under
7 subsection (a) to Federal, State, local, and Tribal
8 law enforcement officials, including officials who op-
9 erate within State, local, and regional fusion centers
10 under the Department of Homeland Security State,
11 Local, and Regional Fusion Center Initiative estab-
12 lished by section 210A of the Homeland Security
13 Act of 2002 (6 U.S.C. 124h); and

14 (2) submit each report required under sub-
15 section (a) to the appropriate congressional commit-
16 tees.

17 (c) DEFINITIONS.—In this section:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Permanent Select Committee on
22 Intelligence, the Committee on Homeland Secu-
23 rity, and the Committee on the Judiciary of the
24 House of Representatives; and

1 (B) the Select Committee on Intelligence,
2 the Committee on Homeland Security and Gov-
3 ernmental Affairs, and the Committee on the
4 Judiciary of the Senate.

5 (2) DOMESTIC TERRORISM.—The term “domes-
6 tic terrorism” has the meaning given that term in
7 section 2331 of title 18, United States Code.

8 (3) FOREIGN TERRORIST ORGANIZATION.—The
9 term “foreign terrorist organization” means an or-
10 ganization designated as a foreign terrorist organiza-
11 tion under section 219 of the Immigration and Na-
12 tionality Act (8 U.S.C. 1189).

13 **SEC. 720. ASSESSMENT OF HOMELAND SECURITY**
14 **VULNERABILITIES ASSOCIATED WITH CER-**
15 **TAIN RETIRED AND FORMER PERSONNEL OF**
16 **THE INTELLIGENCE COMMUNITY.**

17 (a) ASSESSMENT REQUIRED.—Not later than the
18 date that is 120 days after submission of the report re-
19 quired under section 704 of this Act, and annually there-
20 after, the Director of National Intelligence, in coordination
21 with the Under Secretary of Homeland Security for Intel-
22 ligence and Analysis, the Director of the Federal Bureau
23 of Investigation, the Director of the Central Intelligence
24 Agency, and the Director of the Defense Counterintel-
25 ligence and Security Agency, shall submit to the appro-

1 priate congressional committees an assessment of the
2 homeland security vulnerabilities associated with retired
3 and former personnel of intelligence community providing
4 covered intelligence assistance.

5 (b) FORM.—The assessment under subsection (a)
6 may be submitted in classified form.

7 (c) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-
12 tees;

13 (B) the Committee on Homeland Security
14 and Governmental Affairs of the Senate; and

15 (C) the Committee on Homeland Security
16 of the House of Representatives.

17 (2) COVERED INTELLIGENCE ASSISTANCE.—

18 The term “covered intelligence assistance” has the
19 meaning given that term in section 704 of this Act.

20 **SEC. 721. EXPANSION OF AVAILABILITY OF FINANCIAL AS-**
21 **SETS OF IRAN TO VICTIMS OF TERRORISM.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

24 (1) On October 23, 1983, terrorists sponsored
25 by the Government of Iran bombed the United

1 States Marine barracks in Beirut, Lebanon. The ter-
2 rorists killed 241 servicemen and injured scores
3 more.

4 (2) Those servicemen were killed or injured
5 while on a peacekeeping mission.

6 (3) Terrorism sponsored by the Government of
7 Iran threatens the national security of the United
8 States.

9 (4) The United States has a vital interest in en-
10 suring that members of the Armed Forces killed or
11 injured by such terrorism, and the family members
12 of such members, are able to seek justice.

13 (b) AMENDMENTS.—Section 502 of the Iran Threat
14 Reduction and Syria Human Rights Act of 2012 (22
15 U.S.C. 8772) is amended—

16 (1) in subsection (a)(1)—

17 (A) in subparagraph (A), by striking “in
18 the United States” the first place it appears
19 and inserting “by or”;

20 (B) in subparagraph (B), by inserting “,
21 or an asset that would be blocked if the asset
22 were located in the United States,” after
23 “unblocked”); and

24 (C) in the flush text at the end—

1 (i) by inserting after “in aid of execu-
2 tion” the following: “, or to an order di-
3 recting that the asset be brought to the
4 State in which the court is located and
5 subsequently to execution or attachment in
6 aid of execution,”; and

7 (ii) by inserting “, without regard to
8 concerns relating to international comity”
9 after “resources for such an act”; and

10 (2) in subsection (b)—

11 (A) by striking “that are identified” and
12 inserting the following: “that are—
13 “(1) identified”;

14 (B) by striking the period at the end and
15 inserting “; and”; and

16 (C) by adding at the end the following:

17 “(2) identified in and the subject of proceedings
18 in the United States District Court for the Southern
19 District of New York in Peterson et al. v. Islamic
20 Republic of Iran et al., Case No. 13 Civ. 9195
21 (LAP).”.

22 (c) REPORT.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Director
25 of National Intelligence shall submit to Congress a

1 report on threats against the United States military
2 and defense interests, personnel, and their families,
3 posed by organizations that are designated by the
4 Secretary of State as a foreign terrorist organization
5 pursuant to section 219 of the Immigration and Na-
6 tionality Act (8 U.S.C. 1189) with connections to
7 the Government of Iran, as determined by the Direc-
8 tor.

9 (2) FORM.—The report under paragraph (1)
10 shall be submitted in unclassified form, but may
11 contain a classified annex.

12 **SEC. 722. REPORT ON TERRORIST SCREENING DATABASE.**

13 (a) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Director of National In-
15 telligence and the Secretary of State shall jointly submit
16 to the congressional intelligence committees, the Com-
17 mittee on Foreign Affairs of the House of Representatives,
18 and the Committee on Foreign Relations of the Senate
19 a report on the terrorist screening database of the Federal
20 Bureau of Investigation.

21 (b) MATTERS INCLUDED.—The report under sub-
22 section (a) shall identify the following:

23 (1) Which foreign countries receive access to
24 the terrorist screening database.

1 (2) Which foreign countries have successfully
2 petitioned to add individuals to the terrorist screen-
3 ing database.

4 (3) What standards exist for determining which
5 countries get access to the terrorist screening data-
6 base.

7 (4) The extent to which the human rights
8 record of the government of a foreign country is con-
9 sidered in the determination to give the country ac-
10 cess to the terrorist screening database.

11 (5) What procedures, if any, exist to remove ac-
12 cess to the terrorist screening database from a for-
13 eign country.

14 (6) What procedures, if any, exist to inform an
15 individual, or the legal counsel of an individual, of
16 the placement of the individual on the terrorist
17 screening database.

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

1 **SEC. 723. SENSE OF CONGRESS ON AMERICANS AND FOR-**
2 **EIGN INDIVIDUALS WHO CONTRIBUTE TO**
3 **THE NATIONAL SECURITY OF THE UNITED**
4 **STATES WHO ARE HELD CAPTIVE.**

5 It is the sense of Congress that the United States
6 Government should—

- 7 (1) prioritize the safety and protection for all
8 Americans, including citizens of the United States
9 who are wrongfully detained by foreign governments;
10 (2) make every effort to bring these Americans
11 back home; and
12 (3) provide assistance to and, as appropriate,
13 advocate on behalf of foreign individuals detained
14 abroad who contributed directly to the national secu-
15 rity of the United States.

16 **DIVISION B—INTELLIGENCE AU-**
17 **THORIZATIONS FOR FISCAL**
18 **YEARS 2018 AND 2019**
19 **TITLE XXI—INTELLIGENCE**
20 **ACTIVITIES**

21 **SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) FISCAL YEAR 2019.—Funds are hereby author-
23 ized to be appropriated for fiscal year 2019 for the con-
24 duct of the intelligence and intelligence-related activities
25 of the following elements of the United States Govern-
26 ment:

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

3 (2) The Central Intelligence Agency.

4 (3) The Department of Defense.

5 (4) The Defense Intelligence Agency.

6 (5) The National Security Agency.

7 (6) The Department of the Army, the Depart-
8 ment of the Navy, and the Department of the Air
9 Force.

10 (7) The Coast Guard.

11 (8) The Department of State.

12 (9) The Department of the Treasury.

13 (10) The Department of Energy.

14 (11) The Department of Justice.

15 (12) The Federal Bureau of Investigation.

16 (13) The Drug Enforcement Administration.

17 (14) The National Reconnaissance Office.

18 (15) The National Geospatial-Intelligence Agen-
19 cy.

20 (16) The Department of Homeland Security.

21 (b) FISCAL YEAR 2018.—Funds that were appro-
22 priated for fiscal year 2018 for the conduct of the intel-
23 ligence and intelligence-related activities of the elements
24 of the United States set forth in subsection (a) are hereby
25 authorized.

1 **SEC. 2102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

2 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
3 authorized to be appropriated under section 2101 for the
4 conduct of the intelligence activities of the elements listed
5 in paragraphs (1) through (16) of section 2101, are those
6 specified in the classified Schedule of Authorizations pre-
7 pared to accompany this Act.

8 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
9 THORIZATIONS.—

10 (1) AVAILABILITY.—The classified Schedule of
11 Authorizations referred to in subsection (a) shall be
12 made available to the Committee on Appropriations
13 of the Senate, the Committee on Appropriations of
14 the House of Representatives, and to the President.

15 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
16 ject to paragraph (3), the President shall provide for
17 suitable distribution of the classified Schedule of Au-
18 thorizations referred to in subsection (a), or of ap-
19 propriate portions of such Schedule, within the exec-
20 utive branch.

21 (3) LIMITS ON DISCLOSURE.—The President
22 shall not publicly disclose the classified Schedule of
23 Authorizations or any portion of such Schedule ex-
24 cept—

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

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

6 (C) as otherwise required by law.

7 **SEC. 2103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
8 **COUNT.**

9 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
10 authorized to be appropriated for the Intelligence Commu-
11 nity Management Account of the Director of National In-
12 telligence for fiscal year 2019 the sum of \$522,424,000.

13 (b) **CLASSIFIED AUTHORIZATION OF APPROPRIA-**
14 **TIONS.**—In addition to amounts authorized to be appro-
15 priated for the Intelligence Community Management Ac-
16 count by subsection (a), there are authorized to be appro-
17 priated for the Intelligence Community Management Ac-
18 count for fiscal year 2019 such additional amounts as are
19 specified in the classified Schedule of Authorizations re-
20 ferred to in section 2102(a).

1 **TITLE XXII—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 \$514,000,000 for fiscal year 2019.

9 **SEC. 2202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
10 **OF THE CENTRAL INTELLIGENCE AGENCY.**

11 (a) COMPUTATION OF ANNUITIES.—

12 (1) IN GENERAL.—Section 221 of the Central
13 Intelligence Agency Retirement Act (50 U.S.C.
14 2031) is amended—

15 (A) in subsection (a)(3)(B), by striking the
16 period at the end and inserting “, as deter-
17 mined by using the annual rate of basic pay
18 that would be payable for full-time service in
19 that position.”;

20 (B) in subsection (b)(1)(C)(i), by striking
21 “12-month” and inserting “2-year”;

22 (C) in subsection (f)(2), by striking “one
23 year” and inserting “two years”;

1 (D) in subsection (g)(2), by striking “one
2 year” each place such term appears and insert-
3 ing “two years”;

4 (E) by redesignating subsections (h), (i),
5 (j), (k), and (l) as subsections (i), (j), (k), (l),
6 and (m), respectively; and

7 (F) by inserting after subsection (g) the
8 following:

9 “(h) CONDITIONAL ELECTION OF INSURABLE INTER-
10 EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT
11 THE TIME OF RETIREMENT.—

12 “(1) AUTHORITY TO MAKE DESIGNATION.—

13 Subject to the rights of former spouses under sub-
14 section (b) and section 222, at the time of retire-
15 ment a married participant found by the Director to
16 be in good health may elect to receive an annuity re-
17 duced in accordance with subsection (f)(1)(B) and
18 designate in writing an individual having an insur-
19 able interest in the participant to receive an annuity
20 under the system after the participant’s death, ex-
21 cept that any such election to provide an insurable
22 interest survivor annuity to the participant’s spouse
23 shall only be effective if the participant’s spouse
24 waives the spousal right to a survivor annuity under

1 this Act. The amount of the annuity shall be equal
2 to 55 percent of the participant's reduced annuity.

3 “(2) REDUCTION IN PARTICIPANT'S ANNUITY.—
4 The annuity payable to the participant making such
5 election shall be reduced by 10 percent of an annuity
6 computed under subsection (a) and by an additional
7 5 percent for each full 5 years the designated indi-
8 vidual is younger than the participant. The total re-
9 duction under this subparagraph may not exceed 40
10 percent.

11 “(3) COMMENCEMENT OF SURVIVOR ANNU-
12 ITY.—The annuity payable to the designated indi-
13 vidual shall begin on the day after the retired partici-
14 pant dies and terminate on the last day of the
15 month before the designated individual dies.

16 “(4) RECOMPUTATION OF PARTICIPANT'S AN-
17 NUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
18 annuity that is reduced under this subsection shall,
19 effective the first day of the month following the
20 death of the designated individual, be recomputed
21 and paid as if the annuity had not been so re-
22 duced.”.

23 (2) CONFORMING AMENDMENTS.—

24 (A) CENTRAL INTELLIGENCE AGENCY RE-
25 TIREMENT ACT.—The Central Intelligence

1 Agency Retirement Act (50 U.S.C. 2001 et
2 seq.) is amended—

3 (i) in section 232(b)(1) (50 U.S.C.
4 2052(b)(1)), by striking “221(h),” and in-
5 serting “221(i),”; and

6 (ii) in section 252(h)(4) (50 U.S.C.
7 2082(h)(4)), by striking “221(k)” and in-
8 serting “221(l)”.

9 (B) CENTRAL INTELLIGENCE AGENCY ACT
10 OF 1949.—Subsection (a) of section 14 of the
11 Central Intelligence Agency Act of 1949 (50
12 U.S.C. 3514(a)) is amended by striking
13 “221(h)(2), 221(i), 221(l),” and inserting
14 “221(i)(2), 221(j), 221(m),”.

15 (b) ANNUITIES FOR FORMER SPOUSES.—Subpara-
16 graph (B) of section 222(b)(5) of the Central Intelligence
17 Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is
18 amended by striking “one year” and inserting “two
19 years”.

20 (c) PRIOR SERVICE CREDIT.—Subparagraph (A) of
21 section 252(b)(3) of the Central Intelligence Agency Re-
22 tirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by
23 striking “October 1, 1990” both places that term appears
24 and inserting “March 31, 1991”.

1 (d) REEMPLOYMENT COMPENSATION.—Section 273
2 of the Central Intelligence Agency Retirement Act (50
3 U.S.C. 2113) is amended—

4 (1) by redesignating subsections (b) and (c) as
5 subsections (c) and (d), respectively; and

6 (2) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) PART-TIME REEMPLOYED ANNUITANTS.—The
9 Director shall have the authority to reemploy an annuitant
10 on a part-time basis in accordance with section 8344(l)
11 of title 5, United States Code.”.

12 (e) EFFECTIVE DATE AND APPLICATION.—The
13 amendments made by subsection (a)(1)(A) and subsection
14 (c) shall take effect as if enacted on October 28, 2009,
15 and shall apply to computations or participants, respec-
16 tively, as of such date.

17 **TITLE XXIII—GENERAL INTEL-**
18 **LIGENCE COMMUNITY MAT-**
19 **TERS**

20 **SEC. 2301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
21 **ACTIVITIES.**

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

1 **SEC. 2302. INCREASE IN EMPLOYEE COMPENSATION AND**
2 **BENEFITS AUTHORIZED BY LAW.**

3 Appropriations authorized by this division for salary,
4 pay, retirement, and other benefits for Federal employees
5 may be increased by such additional or supplemental
6 amounts as may be necessary for increases in such com-
7 pensation or benefits authorized by law.

8 **SEC. 2303. MODIFICATION OF SPECIAL PAY AUTHORITY**
9 **FOR SCIENCE, TECHNOLOGY, ENGINEERING,**
10 **OR MATHEMATICS POSITIONS AND ADDITION**
11 **OF SPECIAL PAY AUTHORITY FOR CYBER PO-**
12 **SITIONS.**

13 Section 113B of the National Security Act of 1947
14 (50 U.S.C. 3049a) is amended—

15 (1) by amending subsection (a) to read as fol-
16 lows:

17 “(a) SPECIAL RATES OF PAY FOR POSITIONS RE-
18 QUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGI-
19 NEERING, OR MATHEMATICS.—

20 “(1) IN GENERAL.—Notwithstanding part III
21 of title 5, United States Code, the head of each ele-
22 ment of the intelligence community may, for one or
23 more categories of positions in such element that re-
24 quire expertise in science, technology, engineering,
25 or mathematics—

1 “(A) establish higher minimum rates of
2 pay; and

3 “(B) make corresponding increases in all
4 rates of pay of the pay range for each grade or
5 level, subject to subsection (b) or (c), as appli-
6 cable.

7 “(2) TREATMENT.—The special rate supple-
8 ments resulting from the establishment of higher
9 rates under paragraph (1) shall be basic pay for the
10 same or similar purposes as those specified in sec-
11 tion 5305(j) of title 5, United States Code.”;

12 (2) by redesignating subsections (b) through (f)
13 as subsections (c) through (g), respectively;

14 (3) by inserting after subsection (a) the fol-
15 lowing:

16 “(b) SPECIAL RATES OF PAY FOR CYBER POSI-
17 TIONS.—

18 “(1) IN GENERAL.—Notwithstanding subsection
19 (c), the Director of the National Security Agency
20 may establish a special rate of pay—

21 “(A) not to exceed the rate of basic pay
22 payable for level II of the Executive Schedule
23 under section 5313 of title 5, United States
24 Code, if the Director certifies to the Under Sec-
25 retary of Defense for Intelligence, in consulta-

1 tion with the Under Secretary of Defense for
2 Personnel and Readiness, that the rate of pay
3 is for positions that perform functions that exe-
4 cute the cyber mission of the Agency; or

5 “(B) not to exceed the rate of basic pay
6 payable for the Vice President of the United
7 States under section 104 of title 3, United
8 States Code, if the Director certifies to the Sec-
9 retary of Defense, by name, individuals that
10 have advanced skills and competencies and that
11 perform critical functions that execute the cyber
12 mission of the Agency.

13 “(2) PAY LIMITATION.—Employees receiving a
14 special rate under paragraph (1) shall be subject to
15 an aggregate pay limitation that parallels the limita-
16 tion established in section 5307 of title 5, United
17 States Code, except that—

18 “(A) any allowance, differential, bonus,
19 award, or other similar cash payment in addi-
20 tion to basic pay that is authorized under title
21 10, United States Code, (or any other applica-
22 ble law in addition to title 5 of such Code, ex-
23 cluding the Fair Labor Standards Act of 1938
24 (29 U.S.C. 201 et seq.)) shall also be counted
25 as part of aggregate compensation; and

1 “(B) aggregate compensation may not ex-
2 ceed the rate established for the Vice President
3 of the United States under section 104 of title
4 3, United States Code.

5 “(3) LIMITATION ON NUMBER OF RECIPI-
6 ENTS.—The number of individuals who receive basic
7 pay established under paragraph (1)(B) may not ex-
8 ceed 100 at any time.

9 “(4) LIMITATION ON USE AS COMPARATIVE
10 REFERENCE.—Notwithstanding any other provision
11 of law, special rates of pay and the limitation estab-
12 lished under paragraph (1)(B) may not be used as
13 comparative references for the purpose of fixing the
14 rates of basic pay or maximum pay limitations of
15 qualified positions under section 1599f of title 10,
16 United States Code, or section 226 of the Homeland
17 Security Act of 2002 (6 U.S.C. 147).”;

18 (4) in subsection (c), as redesignated by para-
19 graph (2), by striking “A minimum” and inserting
20 “Except as provided in subsection (b), a minimum”;

21 (5) in subsection (d), as redesignated by para-
22 graph (2), by inserting “or (b)” after “by subsection
23 (a)”; and

24 (6) in subsection (g), as redesignated by para-
25 graph (2)—

1 (A) in paragraph (1), by striking “Not
2 later than 90 days after the date of the enact-
3 ment of the Intelligence Authorization Act for
4 Fiscal Year 2017” and inserting “Not later
5 than 90 days after the date of the enactment of
6 the Damon Paul Nelson and Matthew Young
7 Pollard Intelligence Authorization Act for Fis-
8 cal Years 2018 and 2019”; and

9 (B) in paragraph (2)(A), by inserting “or
10 (b)” after “subsection (a)”.

11 **SEC. 2304. MODIFICATION OF APPOINTMENT OF CHIEF IN-**
12 **FORMATION OFFICER OF THE INTELLIGENCE**
13 **COMMUNITY.**

14 Section 103G(a) of the National Security Act of 1947
15 (50 U.S.C. 3032(a)) is amended by striking “President”
16 and inserting “Director”.

17 **SEC. 2305. DIRECTOR OF NATIONAL INTELLIGENCE RE-**
18 **VIEW OF PLACEMENT OF POSITIONS WITHIN**
19 **THE INTELLIGENCE COMMUNITY ON THE EX-**
20 **ECUTIVE SCHEDULE.**

21 (a) REVIEW.—The Director of National Intelligence,
22 in coordination with the Director of the Office of Per-
23 sonnel Management, shall conduct a review of positions
24 within the intelligence community regarding the placement
25 of such positions on the Executive Schedule under sub-

1 chapter II of chapter 53 of title 5, United States Code.
2 In carrying out such review, the Director of National In-
3 telligence, in coordination with the Director of the Office
4 of Personnel Management, shall determine—

5 (1) the standards under which such review will
6 be conducted;

7 (2) which positions should or should not be on
8 the Executive Schedule; and

9 (3) for those positions that should be on the
10 Executive Schedule, the level of the Executive
11 Schedule at which such positions should be placed.

12 (b) REPORT.—Not later than 60 days after the date
13 on which the review under subsection (a) is completed, the
14 Director of National Intelligence shall submit to the con-
15 gressional intelligence committees, the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate, and the Committee on Oversight and Reform of the
18 House of Representatives an unredacted report describing
19 the standards by which the review was conducted and the
20 outcome of the review.

21 **SEC. 2306. SUPPLY CHAIN AND COUNTERINTELLIGENCE**

22 **RISK MANAGEMENT TASK FORCE.**

23 (a) 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 Committee on Armed Services and the
3 Committee on Homeland Security and Governmental
4 Affairs of the Senate.

5 (3) The Committee on Armed Services, the
6 Committee on Homeland Security, and the Com-
7 mittee on Oversight and Reform of the House of
8 Representatives.

9 (b) REQUIREMENT TO ESTABLISH.—The Director of
10 National Intelligence shall establish a Supply Chain and
11 Counterintelligence Risk Management Task Force to
12 standardize information sharing between the intelligence
13 community and the acquisition community of the United
14 States Government with respect to the supply chain and
15 counterintelligence risks.

16 (c) MEMBERS.—The Supply Chain and Counterintel-
17 ligence Risk Management Task Force established under
18 subsection (b) shall be composed of—

19 (1) a representative of the Defense Security
20 Service of the Department of Defense;

21 (2) a representative of the General Services Ad-
22 ministration;

23 (3) a representative of the Office of Federal
24 Procurement Policy of the Office of Management
25 and Budget;

1 (4) a representative of the Department of
2 Homeland Security;

3 (5) a representative of the Federal Bureau of
4 Investigation;

5 (6) the Director of the National Counterintel-
6 ligence and Security Center; and

7 (7) any other members the Director of National
8 Intelligence determines appropriate.

9 (d) SECURITY CLEARANCES.—Each member of the
10 Supply Chain and Counterintelligence Risk Management
11 Task Force established under subsection (b) shall have a
12 security clearance at the top secret level and be able to
13 access sensitive compartmented information.

14 (e) ANNUAL REPORT.—The Supply Chain and Coun-
15 terintelligence Risk Management Task Force established
16 under subsection (b) shall submit to the appropriate con-
17 gressional committees an annual report that describes the
18 activities of the Task Force during the previous year, in-
19 cluding identification of the supply chain and counterintel-
20 ligence risks shared with the acquisition community of the
21 United States Government by the intelligence community.

1 **SEC. 2307. CONSIDERATION OF ADVERSARIAL TELE-**
2 **COMMUNICATIONS AND CYBERSECURITY IN-**
3 **FRASTRUCTURE WHEN SHARING INTEL-**
4 **LIGENCE WITH FOREIGN GOVERNMENTS AND**
5 **ENTITIES.**

6 Whenever the head of an element of the intelligence
7 community enters into an intelligence sharing agreement
8 with a foreign government or any other foreign entity, the
9 head of the element shall consider the pervasiveness of
10 telecommunications and cybersecurity infrastructure,
11 equipment, and services provided by adversaries of the
12 United States, particularly China and Russia, or entities
13 of such adversaries in the country or region of the foreign
14 government or other foreign entity entering into the agree-
15 ment.

16 **SEC. 2308. CYBER PROTECTION SUPPORT FOR THE PER-**
17 **SONNEL OF THE INTELLIGENCE COMMUNITY**
18 **IN POSITIONS HIGHLY VULNERABLE TO**
19 **CYBER ATTACK.**

20 (a) DEFINITIONS.—In this section:

21 (1) PERSONAL ACCOUNTS.—The term “personal
22 accounts” means accounts for online and tele-
23 communications services, including telephone, resi-
24 dential Internet access, email, text and multimedia
25 messaging, cloud computing, social media, health
26 care, and financial services, used by personnel of the

1 intelligence community outside of the scope of their
2 employment with elements of the intelligence com-
3 munity.

4 (2) PERSONAL TECHNOLOGY DEVICES.—The
5 term “personal technology devices” means tech-
6 nology devices used by personnel of the intelligence
7 community outside of the scope of their employment
8 with elements of the intelligence community, includ-
9 ing networks to which such devices connect.

10 (b) AUTHORITY TO PROVIDE CYBER PROTECTION
11 SUPPORT.—

12 (1) IN GENERAL.—Subject to a determination
13 by the Director of National Intelligence, the Director
14 may provide cyber protection support for the per-
15 sonal technology devices and personal accounts of
16 the personnel described in paragraph (2).

17 (2) AT-RISK PERSONNEL.—The personnel de-
18 scribed in this paragraph are personnel of the intel-
19 ligence community—

20 (A) who the Director determines to be
21 highly vulnerable to cyber attacks and hostile
22 information collection activities because of the
23 positions occupied by such personnel in the in-
24 telligence community; and

1 (B) whose personal technology devices or
2 personal accounts are highly vulnerable to cyber
3 attacks and hostile information collection activi-
4 ties.

5 (c) NATURE OF CYBER PROTECTION SUPPORT.—
6 Subject to the availability of resources, the cyber protec-
7 tion support provided to personnel under subsection (b)
8 may include training, advice, assistance, and other services
9 relating to cyber attacks and hostile information collection
10 activities.

11 (d) LIMITATION ON SUPPORT.—Nothing in this sec-
12 tion shall be construed—

13 (1) to encourage personnel of the intelligence
14 community to use personal technology devices for of-
15 ficial business; or

16 (2) to authorize cyber protection support for
17 senior intelligence community personnel using per-
18 sonal devices, networks, and personal accounts in an
19 official capacity.

20 (e) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Director shall submit
22 to the congressional intelligence committees a report on
23 the provision of cyber protection support under subsection
24 (b). The report shall include—

1 (1) a description of the methodology used to
2 make the determination under subsection (b)(2); and

3 (2) guidance for the use of cyber protection
4 support and tracking of support requests for per-
5 sonnel receiving cyber protection support under sub-
6 section (b).

7 **SEC. 2309. ELIMINATION OF SUNSET OF AUTHORITY RELAT-**
8 **ING TO MANAGEMENT OF SUPPLY-CHAIN**
9 **RISK.**

10 Section 309 of the Intelligence Authorization Act for
11 Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329
12 note) is amended by striking subsection (g).

13 **SEC. 2310. LIMITATIONS ON DETERMINATIONS REGARDING**
14 **CERTAIN SECURITY CLASSIFICATIONS.**

15 (a) PROHIBITION.—An officer of an element of the
16 intelligence community who has been nominated by the
17 President for a position that requires the advice and con-
18 sent of the Senate may not make a classification decision
19 with respect to information related to such officer’s nomi-
20 nation.

21 (b) CLASSIFICATION DETERMINATIONS.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), in a case in which an officer described in
24 subsection (a) has been nominated as described in
25 such subsection and classification authority rests

1 with the officer or another officer who reports di-
2 rectly to such officer, a classification decision with
3 respect to information relating to the officer shall be
4 made by the Director of National Intelligence.

5 (2) **NOMINATIONS OF DIRECTOR OF NATIONAL**
6 **INTELLIGENCE.**—In a case described in paragraph
7 (1) in which the officer nominated is the Director of
8 National Intelligence, the classification decision shall
9 be made by the Principal Deputy Director of Na-
10 tional Intelligence.

11 (c) **REPORTS.**—Whenever the Director or the Prin-
12 cipal Deputy Director makes a decision under subsection
13 (b), the Director or the Principal Deputy Director, as the
14 case may be, shall submit to the congressional intelligence
15 committees a report detailing the reasons for the decision.

16 **SEC. 2311. JOINT INTELLIGENCE COMMUNITY COUNCIL.**

17 (a) **MEETINGS.**—Section 101A(d) of the National Se-
18 curity Act of 1947 (50 U.S.C. 3022(d)) is amended—

19 (1) by striking “regular”; and

20 (2) by inserting “as the Director considers ap-
21 propriate” after “Council”.

22 (b) **REPORT ON FUNCTION AND UTILITY OF THE**
23 **JOINT INTELLIGENCE COMMUNITY COUNCIL.**—

24 (1) **IN GENERAL.**—No later than 180 days after
25 the date of the enactment of this Act, the Director

1 of National Intelligence, in coordination with the Ex-
2 ecutive Office of the President and members of the
3 Joint Intelligence Community Council, shall submit
4 to the congressional intelligence committees a report
5 on the function and utility of the Joint Intelligence
6 Community Council.

7 (2) CONTENTS.—The report required by para-
8 graph (1) shall include the following:

9 (A) The number of physical or virtual
10 meetings held by the Council per year since the
11 Council's inception.

12 (B) A description of the effect and accom-
13 plishments of the Council.

14 (C) An explanation of the unique role of
15 the Council relative to other entities, including
16 with respect to the National Security Council
17 and the Executive Committee of the intelligence
18 community.

19 (D) Recommendations for the future role
20 and operation of the Council.

21 (E) Such other matters relating to the
22 function and utility of the Council as the Direc-
23 tor considers appropriate.

1 (3) FORM.—The report submitted under para-
2 graph (1) shall be submitted in unclassified form,
3 but may include a classified annex.

4 **SEC. 2312. INTELLIGENCE COMMUNITY INFORMATION**
5 **TECHNOLOGY ENVIRONMENT.**

6 (a) DEFINITIONS.—In this section:

7 (1) CORE SERVICE.—The term “core service”
8 means a capability that is available to multiple ele-
9 ments of the intelligence community and required
10 for consistent operation of the intelligence commu-
11 nity information technology environment.

12 (2) INTELLIGENCE COMMUNITY INFORMATION
13 TECHNOLOGY ENVIRONMENT.—The term “intel-
14 ligence community information technology environ-
15 ment” means all of the information technology serv-
16 ices across the intelligence community, including the
17 data sharing and protection environment across mul-
18 tiple classification domains.

19 (b) ROLES AND RESPONSIBILITIES.—

20 (1) DIRECTOR OF NATIONAL INTELLIGENCE.—
21 The Director of National Intelligence shall be re-
22 sponsible for coordinating the performance by ele-
23 ments of the intelligence community of the intel-
24 ligence community information technology environ-
25 ment, including each of the following:

1 (A) Ensuring compliance with all applica-
2 ble environment rules and regulations of such
3 environment.

4 (B) Ensuring measurable performance
5 goals exist for such environment.

6 (C) Documenting standards and practices
7 of such environment.

8 (D) Acting as an arbiter among elements
9 of the intelligence community related to any
10 disagreements arising out of the implementa-
11 tion of such environment.

12 (E) Delegating responsibilities to the ele-
13 ments of the intelligence community and car-
14 rying out such other responsibilities as are nec-
15 essary for the effective implementation of such
16 environment.

17 (2) CORE SERVICE PROVIDERS.—Providers of
18 core services shall be responsible for—

19 (A) providing core services, in coordination
20 with the Director of National Intelligence; and

21 (B) providing the Director with informa-
22 tion requested and required to fulfill the re-
23 sponsibilities of the Director under paragraph
24 (1).

25 (3) USE OF CORE SERVICES.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), each element of the intel-
3 ligence community shall use core services when
4 such services are available.

5 (B) EXCEPTION.—The Director of Na-
6 tional Intelligence may provide for a written ex-
7 ception to the requirement under subparagraph
8 (A) if the Director determines there is a com-
9 pelling financial or mission need for such excep-
10 tion.

11 (c) MANAGEMENT ACCOUNTABILITY.—Not later than
12 90 days after the date of the enactment of this Act, the
13 Director of National Intelligence shall designate and main-
14 tain one or more accountable executives of the intelligence
15 community information technology environment to be re-
16 sponsible for—

17 (1) management, financial control, and integra-
18 tion of such environment;

19 (2) overseeing the performance of each core
20 service, including establishing measurable service re-
21 quirements and schedules;

22 (3) to the degree feasible, ensuring testing of
23 each core service of such environment, including
24 testing by the intended users, to evaluate perform-

1 ance against measurable service requirements and to
2 ensure the capability meets user requirements; and

3 (4) coordinate transition or restructuring ef-
4 forts of such environment, including phaseout of leg-
5 acy systems.

6 (d) SECURITY PLAN.—Not later than 180 days after
7 the date of the enactment of this Act, the Director of Na-
8 tional Intelligence shall develop and maintain a security
9 plan for the intelligence community information tech-
10 nology environment.

11 (e) LONG-TERM ROADMAP.—Not later than 180 days
12 after the date of the enactment of this Act, and during
13 each of the second and fourth fiscal quarters thereafter,
14 the Director of National Intelligence shall submit to the
15 congressional intelligence committees a long-term road-
16 map that shall include each of the following:

17 (1) A description of the minimum required and
18 desired core service requirements, including—

19 (A) key performance parameters; and

20 (B) an assessment of current, measured
21 performance.

22 (2) implementation milestones for the intel-
23 ligence community information technology environ-
24 ment, including each of the following:

1 (A) A schedule for expected deliveries of
2 core service capabilities during each of the fol-
3 lowing phases:

4 (i) Concept refinement and technology
5 maturity demonstration.

6 (ii) Development, integration, and
7 demonstration.

8 (iii) Production, deployment, and
9 sustainment.

10 (iv) System retirement.

11 (B) Dependencies of such core service ca-
12 pabilities.

13 (C) Plans for the transition or restruc-
14 turing necessary to incorporate core service ca-
15 pabilities.

16 (D) A description of any legacy systems
17 and discontinued capabilities to be phased out.

18 (3) Such other matters as the Director deter-
19 mines appropriate.

20 (f) BUSINESS PLAN.—Not later than 180 days after
21 the date of the enactment of this Act, and during each
22 of the second and fourth fiscal quarters thereafter, the Di-
23 rector of National Intelligence shall submit to the congres-
24 sional intelligence committees a business plan that in-
25 cludes each of the following:

1 (1) A systematic approach to identify core serv-
2 ice funding requests for the intelligence community
3 information technology environment within the pro-
4 posed budget, including multiyear plans to imple-
5 ment the long-term roadmap required by subsection
6 (e).

7 (2) A uniform approach by which each element
8 of the intelligence community shall identify the cost
9 of legacy information technology or alternative capa-
10 bilities where services of the intelligence community
11 information technology environment will also be
12 available.

13 (3) A uniform effort by which each element of
14 the intelligence community shall identify transition
15 and restructuring costs for new, existing, and retir-
16 ing services of the intelligence community informa-
17 tion technology environment, as well as services of
18 such environment that have changed designations as
19 a core service.

20 (g) QUARTERLY PRESENTATIONS.—Beginning not
21 later than 180 days after the date of the enactment of
22 this Act, the Director of National Intelligence shall provide
23 to the congressional intelligence committees quarterly up-
24 dates regarding ongoing implementation of the intelligence
25 community information technology environment as com-

1 pared to the requirements in the most recently submitted
2 security plan required by subsection (d), long-term road-
3 map required by subsection (e), and business plan re-
4 quired by subsection (f).

5 (h) ADDITIONAL NOTIFICATIONS.—The Director of
6 National Intelligence shall provide timely notification to
7 the congressional intelligence committees regarding any
8 policy changes related to or affecting the intelligence com-
9 munity information technology environment, new initia-
10 tives or strategies related to or impacting such environ-
11 ment, and changes or deficiencies in the execution of the
12 security plan required by subsection (d), long-term road-
13 map required by subsection (e), and business plan re-
14 quired by subsection (f).

15 (i) SUNSET.—The section shall have no effect on or
16 after September 30, 2024.

17 **SEC. 2313. REPORT ON DEVELOPMENT OF SECURE MOBILE**
18 **VOICE SOLUTION FOR INTELLIGENCE COM-**
19 **MUNITY.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Director of National
22 Intelligence, in coordination with the Director of the Cen-
23 tral Intelligence Agency and the Director of the National
24 Security Agency, shall submit to the congressional intel-
25 ligence committees a classified report on the feasibility,

1 desirability, cost, and required schedule associated with
2 the implementation of a secure mobile voice solution for
3 the intelligence community.

4 (b) CONTENTS.—The report required by subsection
5 (a) shall include, at a minimum, the following:

6 (1) The benefits and disadvantages of a secure
7 mobile voice solution.

8 (2) Whether the intelligence community could
9 leverage commercially available technology for classi-
10 fied voice communications that operates on commer-
11 cial mobile networks in a secure manner and identi-
12 fying the accompanying security risks to such net-
13 works.

14 (3) A description of any policies or community
15 guidance that would be necessary to govern the po-
16 tential solution, such as a process for determining
17 the appropriate use of a secure mobile telephone and
18 any limitations associated with such use.

19 **SEC. 2314. POLICY ON MINIMUM INSIDER THREAT STAND-**
20 **ARDS.**

21 (a) POLICY REQUIRED.—Not later than 60 days after
22 the date of the enactment of this Act, the Director of Na-
23 tional Intelligence shall establish a policy for minimum in-
24 sider threat standards that is consistent with the National

1 Insider Threat Policy and Minimum Standards for Execu-
2 tive Branch Insider Threat Programs.

3 (b) IMPLEMENTATION.—Not later than 180 days
4 after the date of the enactment of this Act, the head of
5 each element of the intelligence community shall imple-
6 ment the policy established under subsection (a).

7 **SEC. 2315. SUBMISSION OF INTELLIGENCE COMMUNITY**
8 **POLICIES.**

9 (a) DEFINITIONS.—In this section:

10 (1) ELECTRONIC REPOSITORY.—The term
11 “electronic repository” means the electronic distribu-
12 tion mechanism, in use as of the date of the enact-
13 ment of this Act, or any successor electronic dis-
14 tribution mechanism, by which the Director of Na-
15 tional Intelligence submits to the congressional intel-
16 ligence committees information.

17 (2) POLICY.—The term “policy”, with respect
18 to the intelligence community, includes unclassified
19 or classified—

20 (A) directives, policy guidance, and policy
21 memoranda of the intelligence community;

22 (B) executive correspondence of the Direc-
23 tor of National Intelligence; and

24 (C) any equivalent successor policy instru-
25 ments.

1 (b) SUBMISSION OF POLICIES.—

2 (1) CURRENT POLICY.—Not later than 180
3 days after the date of the enactment of this Act, the
4 Director of National Intelligence shall submit to the
5 congressional intelligence committees using the elec-
6 tronic repository all nonpublicly available policies
7 issued by the Director of National Intelligence for
8 the intelligence community that are in effect as of
9 the date of the submission.

10 (2) CONTINUOUS UPDATES.—Not later than 15
11 days after the date on which the Director of Na-
12 tional Intelligence issues, modifies, or rescinds a pol-
13 icy of the intelligence community, the Director
14 shall—

15 (A) notify the congressional intelligence
16 committees of such addition, modification, or
17 removal; and

18 (B) update the electronic repository with
19 respect to such addition, modification, or re-
20 moval.

21 **SEC. 2316. EXPANSION OF INTELLIGENCE COMMUNITY RE-**
22 **CRUITMENT EFFORTS.**

23 In order to further increase the diversity of the intel-
24 ligence community workforce, not later than 90 days after
25 the date of the enactment of this Act, the Director of Na-

1 tional Intelligence, in consultation with heads of elements
2 of the Intelligence Community, shall create, implement,
3 and submit to the congressional intelligence committees a
4 written plan to ensure that rural and underrepresented re-
5 gions are more fully and consistently represented in such
6 elements' employment recruitment efforts. Upon receipt of
7 the plan, the congressional committees shall have 60 days
8 to submit comments to the Director of National Intel-
9 ligence before such plan shall be implemented.

10 **TITLE XXIV—MATTERS RELAT-**
11 **ING TO ELEMENTS OF THE IN-**
12 **TELLIGENCE COMMUNITY**

13 **Subtitle A—Office of the Director**
14 **of National Intelligence**

15 **SEC. 2401. AUTHORITY FOR PROTECTION OF CURRENT AND**
16 **FORMER EMPLOYEES OF THE OFFICE OF THE**
17 **DIRECTOR OF NATIONAL INTELLIGENCE.**

18 Section 5(a)(4) of the Central Intelligence Agency
19 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-
20 ing “such personnel of the Office of the Director of Na-
21 tional Intelligence as the Director of National Intelligence
22 may designate;” and inserting “current and former per-
23 sonnel of the Office of the Director of National Intel-
24 ligence and their immediate families as the Director of Na-
25 tional Intelligence may designate;”.

1 **SEC. 2402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
2 **FORMATION SHARING ENVIRONMENT.**

3 (a) INFORMATION SHARING ENVIRONMENT.—Sec-
4 tion 1016(b) of the Intelligence Reform and Terrorism
5 Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

6 (1) in paragraph (1), by striking “President”
7 and inserting “Director of National Intelligence”;
8 and

9 (2) in paragraph (2), by striking “President”
10 both places that term appears and inserting “Direc-
11 tor of National Intelligence”.

12 (b) PROGRAM MANAGER.—Section 1016(f)(1) of the
13 Intelligence Reform and Terrorism Prevention Act of
14 2004 (6 U.S.C. 485(f)(1)) is amended by striking “The
15 individual designated as the program manager shall serve
16 as program manager until removed from service or re-
17 placed by the President (at the President’s sole discre-
18 tion).” and inserting “Beginning on the date of the enact-
19 ment of the Damon Paul Nelson and Matthew Young Pol-
20 lard Intelligence Authorization Act for Fiscal Years 2018,
21 2019 and 2020, each individual designated as the program
22 manager shall be appointed by the Director of National
23 Intelligence.”.

1 **SEC. 2403. TECHNICAL MODIFICATION TO THE EXECUTIVE**
2 **SCHEDULE.**

3 Section 5315 of title 5, United States Code, is
4 amended by adding at the end the following:

5 “Director of the National Counterintelligence and Se-
6 curity Center.”.

7 **SEC. 2404. CHIEF FINANCIAL OFFICER OF THE INTEL-**
8 **LIGENCE COMMUNITY.**

9 Section 103I(a) of the National Security Act of 1947
10 (50 U.S.C. 3034(a)) is amended by adding at the end the
11 following new sentence: “The Chief Financial Officer shall
12 report directly to the Director of National Intelligence.”.

13 **SEC. 2405. CHIEF INFORMATION OFFICER OF THE INTEL-**
14 **LIGENCE COMMUNITY.**

15 Section 103G(a) of the National Security Act of 1947
16 (50 U.S.C. 3032(a)) is amended by adding at the end the
17 following new sentence: “The Chief Information Officer
18 shall report directly to the Director of National Intel-
19 ligence.”.

20 **Subtitle B—Central Intelligence**
21 **Agency**

22 **SEC. 2411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE**
23 **FOR PERSONNEL ASSIGNED TO AUSTERE LO-**
24 **CATIONS.**

25 Subsection (a) of section 5 of the Central Intelligence
26 Agency Act of 1949 (50 U.S.C. 3506) is amended—

1 (1) in paragraph (1), by striking “(50 U.S.C.
2 403–4a).,” and inserting “(50 U.S.C. 403–4a),”;

3 (2) in paragraph (6), by striking “and” at the
4 end;

5 (3) in paragraph (7), by striking the period at
6 the end and inserting “; and”; and

7 (4) by adding at the end the following new
8 paragraph:

9 “(8) Upon the approval of the Director, pro-
10 vide, during any fiscal year, with or without reim-
11 bursement, subsistence to any personnel assigned to
12 an overseas location designated by the Agency as an
13 austere location.”.

14 **SEC. 2412. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
15 **ERS’ COMPENSATION PAYMENTS AND OTHER**
16 **PAYMENTS FOR CENTRAL INTELLIGENCE**
17 **AGENCY PERSONNEL.**

18 (a) IN GENERAL.—The Central Intelligence Agency
19 Act of 1949 (50 U.S.C. 3501 et seq.) is amended by in-
20 serting after section 19 the following new section:

21 **“SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS IN-**
22 **JURED BY REASON OF WAR, INSURGENCY,**
23 **HOSTILE ACT, OR TERRORIST ACTIVITIES.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) COVERED DEPENDENT.—The term ‘cov-
2 ered dependent’ means a family member (as defined
3 by the Director) of a covered employee who, on or
4 after September 11, 2001—

5 “(A) accompanies the covered employee to
6 an assigned duty station in a foreign country;
7 and

8 “(B) becomes injured by reason of a quali-
9 fying injury.

10 “(2) COVERED EMPLOYEE.—The term ‘covered
11 employee’ means an officer or employee of the Cen-
12 tral Intelligence Agency who, on or after September
13 11, 2001, becomes injured by reason of a qualifying
14 injury.

15 “(3) COVERED INDIVIDUAL.—The term ‘cov-
16 ered individual’ means an individual who—

17 “(A)(i) is detailed to the Central Intel-
18 ligence Agency from other agencies of the
19 United States Government or from the Armed
20 Forces; or

21 “(ii) is affiliated with the Central Intel-
22 ligence Agency, as determined by the Director;
23 and

1 “(B) who, on or after September 11, 2001,
2 becomes injured by reason of a qualifying in-
3 jury.

4 “(4) QUALIFYING INJURY.—The term ‘quali-
5 fying injury’ means the following:

6 “(A) With respect to a covered dependent,
7 an injury incurred—

8 “(i) during a period in which the cov-
9 ered dependent is accompanying the cov-
10 ered employee to an assigned duty station
11 in a foreign country;

12 “(ii) in connection with war, insur-
13 gency, hostile act, terrorist activity, or
14 other incident designated by the Director;
15 and

16 “(iii) that was not the result of the
17 willful misconduct of the covered depend-
18 ent.

19 “(B) With respect to a covered employee
20 or a covered individual, an injury incurred—

21 “(i) during a period of assignment to
22 a duty station in a foreign country;

23 “(ii) in connection with a war, insur-
24 gency, hostile act, terrorist activity, or

1 other incident designated by the Director;

2 and

3 “(iii) that was not the result of the

4 willful misconduct of the covered employee

5 or the covered individual.

6 “(b) ADJUSTMENT OF COMPENSATION FOR CERTAIN

7 INJURIES.—

8 “(1) INCREASE.—The Director may increase

9 the amount of monthly compensation paid to a cov-

10 ered employee under section 8105 of title 5, United

11 States Code. Subject to paragraph (2), the Director

12 may determine the amount of each such increase by

13 taking into account—

14 “(A) the severity of the qualifying injury;

15 “(B) the circumstances by which the cov-

16 ered employee became injured; and

17 “(C) the seniority of the covered employee.

18 “(2) MAXIMUM.—Notwithstanding chapter 81

19 of title 5, United States Code, the total amount of

20 monthly compensation increased under paragraph

21 (1) may not exceed the monthly pay of the max-

22 imum rate of basic pay for GS-15 of the General

23 Schedule under section 5332 of such title.

24 “(c) COSTS FOR TREATING QUALIFYING INJURIES.—

25 The Director may pay the costs of treating a qualifying

1 injury of a covered employee, a covered individual, or a
2 covered dependent, or may reimburse a covered employee,
3 a covered individual, or a covered dependent for such
4 costs, that are not otherwise covered by chapter 81 of title
5 5, United States Code, or other provision of Federal law.

6 “(d) TREATMENT OF AMOUNTS.—For purposes of
7 section 104 of the Internal Revenue Code of 1986,
8 amounts paid pursuant to this section shall be treated as
9 amounts paid under chapter 81 of title 5, United States
10 Code.”

11 (b) REGULATIONS.—Not later than 120 days after
12 the date of the enactment of this Act, the Director of the
13 Central Intelligence Agency shall—

14 (1) prescribe regulations ensuring the fair and
15 equitable implementation of section 19A of the Cen-
16 tral Intelligence Agency Act of 1949, as added by
17 subsection (a); and

18 (2) submit to the congressional intelligence
19 committees such regulations.

20 (c) APPLICATION.—Section 19A of the Central Intel-
21 ligence Agency Act of 1949, as added by subsection (a),
22 shall apply with respect to—

23 (1) payments made to covered employees (as
24 defined in such section) under section 8105 of title

1 5, United States Code, beginning on or after the
2 date of the enactment of this Act; and

3 (2) treatment described in subsection (b) of
4 such section 19A occurring on or after the date of
5 the enactment of this Act.

6 **SEC. 2413. EXPANSION OF SECURITY PROTECTIVE SERVICE**
7 **JURISDICTION OF THE CENTRAL INTEL-**
8 **LIGENCE AGENCY.**

9 Subsection (a)(1) of section 15 of the Central Intel-
10 ligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amend-
11 ed—

12 (1) in subparagraph (B), by striking “500
13 feet;” and inserting “500 yards;”; and

14 (2) in subparagraph (D), by striking “500
15 feet.” and inserting “500 yards.”.

16 **SEC. 2414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
17 **REQUIREMENT FOR CERTAIN SENIOR LEVEL**
18 **POSITIONS IN THE CENTRAL INTELLIGENCE**
19 **AGENCY.**

20 (a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY
21 REQUIREMENT.—Section 104A of the National Security
22 Act of 1947 (50 U.S.C. 3036) is amended by striking sub-
23 section (g).

24 (b) CONFORMING REPEAL OF REPORT REQUIRE-
25 MENT.—Section 611 of the Intelligence Authorization Act

1 for Fiscal Year 2005 (Public Law 108–487) is amended
2 by striking subsection (c).

3 **Subtitle C—Office of Intelligence**
4 **and Counterintelligence of De-**
5 **partment of Energy**

6 **SEC. 2421. CONSOLIDATION OF DEPARTMENT OF ENERGY**
7 **OFFICES OF INTELLIGENCE AND COUNTER-**
8 **INTELLIGENCE.**

9 (a) IN GENERAL.—Section 215 of the Department of
10 Energy Organization Act (42 U.S.C. 7144b) is amended
11 to read as follows:

12 “OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

13 “SEC. 215. (a) DEFINITIONS.—In this section, the
14 terms ‘intelligence community’ and ‘National Intelligence
15 Program’ have the meanings given such terms in section
16 3 of the National Security Act of 1947 (50 U.S.C. 3003).

17 “(b) IN GENERAL.—There is in the Department an
18 Office of Intelligence and Counterintelligence. Such office
19 shall be under the National Intelligence Program.

20 “(c) DIRECTOR.—(1) The head of the Office shall be
21 the Director of the Office of Intelligence and Counterintel-
22 ligence, who shall be an employee in the Senior Executive
23 Service, the Senior Intelligence Service, the Senior Na-
24 tional Intelligence Service, or any other Service that the
25 Secretary, in coordination with the Director of National

1 Intelligence, considers appropriate. The Director of the
2 Office shall report directly to the Secretary.

3 “(2) The Secretary shall select an individual to serve
4 as the Director from among individuals who have substan-
5 tial expertise in matters relating to the intelligence com-
6 munity, including foreign intelligence and counterintel-
7 ligence.

8 “(d) DUTIES.—(1) Subject to the authority, direc-
9 tion, and control of the Secretary, the Director shall per-
10 form such duties and exercise such powers as the Sec-
11 retary may prescribe.

12 “(2) The Director shall be responsible for estab-
13 lishing policy for intelligence and counterintelligence pro-
14 grams and activities at the Department.”.

15 (b) CONFORMING REPEAL.—Section 216 of the De-
16 partment of Energy Organization Act (42 U.S.C. 7144c)
17 is hereby repealed.

18 (c) CLERICAL AMENDMENT.—The table of contents
19 at the beginning of the Department of Energy Organiza-
20 tion Act is amended by striking the items relating to sec-
21 tions 215 and 216 and inserting the following new item:

“Sec. 215. Office of Intelligence and Counterintelligence.”.

1 **SEC. 2422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE**
2 **SECURITY CENTER.**

3 Section 215 of the Department of Energy Organiza-
4 tion Act (42 U.S.C. 7144b), as amended by section 2421,
5 is further amended by adding at the end the following:

6 “(e) ENERGY INFRASTRUCTURE SECURITY CEN-
7 TER.—(1)(A) The President shall establish an Energy In-
8 frastructure Security Center, taking into account all ap-
9 propriate government tools to analyze and disseminate in-
10 telligence relating to the security of the energy infrastruc-
11 ture of the United States.

12 “(B) The Director of Intelligence and Counterintel-
13 ligence shall appoint the head of the Energy Infrastruc-
14 ture Security Center.

15 “(C) The Energy Infrastructure Security Center shall
16 be located within the Office of Intelligence and Counter-
17 intelligence.

18 “(2) In establishing the Energy Infrastructure Secu-
19 rity Center, the Director of the Office of Intelligence and
20 Counterintelligence shall address the following missions
21 and objectives to coordinate and disseminate intelligence
22 relating to the security of the energy infrastructure of the
23 United States:

24 “(A) Establishing a primary organization with-
25 in the United States Government for analyzing and
26 integrating all intelligence possessed or acquired by

1 the United States pertaining to the security of the
2 energy infrastructure of the United States.

3 “(B) Ensuring that appropriate departments
4 and agencies have full access to and receive intel-
5 ligence support needed to execute the plans or activi-
6 ties of the agencies, and perform independent, alter-
7 native analyses.

8 “(C) Establishing a central repository on known
9 and suspected foreign threats to the energy infra-
10 structure of the United States, including with re-
11 spect to any individuals, groups, or entities engaged
12 in activities targeting such infrastructure, and the
13 goals, strategies, capabilities, and networks of such
14 individuals, groups, or entities.

15 “(D) Disseminating intelligence information re-
16 lating to the security of the energy infrastructure of
17 the United States, including threats and analyses, to
18 the President, to the appropriate departments and
19 agencies, and to the appropriate committees of Con-
20 gress.

21 “(3) The President may waive the requirements of
22 this subsection, and any parts thereof, if the President de-
23 termines that such requirements do not materially improve
24 the ability of the United States Government to prevent
25 and halt attacks against the energy infrastructure of the

1 United States. Such waiver shall be made in writing to
 2 Congress and shall include a description of how the mis-
 3 sions and objectives in paragraph (2) are being met.

4 “(4) If the President decides not to exercise the waiv-
 5 er authority granted by paragraph (3), the President shall
 6 submit to Congress from time to time updates and plans
 7 regarding the establishment of an Energy Infrastructure
 8 Security Center.”.

9 **SEC. 2423. REPEAL OF DEPARTMENT OF ENERGY INTEL-**
 10 **LIGENCE EXECUTIVE COMMITTEE AND BUDG-**
 11 **ET REPORTING REQUIREMENT.**

12 Section 214 of the Department of Energy Organiza-
 13 tion Act (42 U.S.C. 7144a) is amended—

14 (1) by striking “(a)”; and

15 (2) by striking subsections (b) and (c).

16 **Subtitle D—Other Elements**

17 **SEC. 2431. PLAN FOR DESIGNATION OF COUNTERINTEL-**
 18 **LIGENCE COMPONENT OF DEFENSE SECU-**
 19 **RITY SERVICE AS AN ELEMENT OF INTEL-**
 20 **LIGENCE COMMUNITY.**

21 Not later than 90 days after the date of the enact-
 22 ment of this Act, the Director of National Intelligence and
 23 Under Secretary of Defense for Intelligence, in coordina-
 24 tion with the Director of the National Counterintelligence
 25 and Security Center, shall submit to the congressional in-

1 telligence committees, the Committee on Armed Services
2 of the Senate, and the Committee on Armed Services of
3 the House of Representatives a plan to designate the coun-
4 terintelligence component of the Defense Security Service
5 of the Department of Defense as an element of the intel-
6 ligence community by not later than January 1, 2021.

7 Such plan shall—

8 (1) address the implications of such designation
9 on the authorities, governance, personnel, resources,
10 information technology, collection, analytic products,
11 information sharing, and business processes of the
12 Defense Security Service and the intelligence com-
13 munity; and

14 (2) not address the personnel security functions
15 of the Defense Security Service.

16 **SEC. 2432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.**

17 Section 3553 of title 44, United States Code, is
18 amended—

19 (1) by redesignating subsection (j) as sub-
20 section (k); and

21 (2) by inserting after subsection (i) the fol-
22 lowing:

23 “(j) **RULE OF CONSTRUCTION.**—Nothing in this sec-
24 tion shall be construed to require the Secretary to provide

1 notice to any private entity before the Secretary issues a
2 binding operational directive under subsection (b)(2).”.

3 **SEC. 2433. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
4 **TIONAL RECONNAISSANCE OFFICE.**

5 (a) ESTABLISHMENT.—Section 106A of the National
6 Security Act of 1947 (50 U.S.C. 3041a) is amended by
7 adding at the end the following new subsection:

8 “(d) ADVISORY BOARD.—

9 “(1) ESTABLISHMENT.—There is established in
10 the National Reconnaissance Office an advisory
11 board (in this section referred to as the ‘Board’).

12 “(2) DUTIES.—The Board shall—

13 “(A) study matters relating to the mission
14 of the National Reconnaissance Office, includ-
15 ing with respect to promoting innovation, com-
16 petition, and resilience in space, overhead re-
17 connaissance, acquisition, and other matters;
18 and

19 “(B) advise and report directly to the Di-
20 rector with respect to such matters.

21 “(3) MEMBERS.—

22 “(A) NUMBER AND APPOINTMENT.—

23 “(i) IN GENERAL.—The Board shall
24 be composed of five members appointed by
25 the Director from among individuals with

1 demonstrated academic, government, busi-
2 ness, or other expertise relevant to the mis-
3 sion and functions of the National Recon-
4 naissance Office.

5 “(ii) NOTIFICATION.—Not later than
6 30 days after the date on which the Direc-
7 tor appoints a member to the Board, the
8 Director shall notify the congressional in-
9 telligence committees and the congressional
10 defense committees (as defined in section
11 101(a) of title 10, United States Code) of
12 such appointment.

13 “(B) TERMS.—Each member shall be ap-
14 pointed for a term of 2 years. Except as pro-
15 vided by subparagraph (C), a member may not
16 serve more than three terms.

17 “(C) VACANCY.—Any member appointed to
18 fill a vacancy occurring before the expiration of
19 the term for which the member’s predecessor
20 was appointed shall be appointed only for the
21 remainder of that term. A member may serve
22 after the expiration of that member’s term until
23 a successor has taken office.

1 “(D) CHAIR.—The Board shall have a
2 Chair, who shall be appointed by the Director
3 from among the members.

4 “(E) TRAVEL EXPENSES.—Each member
5 shall receive travel expenses, including per diem
6 in lieu of subsistence, in accordance with appli-
7 cable provisions under subchapter I of chapter
8 57 of title 5, United States Code.

9 “(F) EXECUTIVE SECRETARY.—The Direc-
10 tor may appoint an executive secretary, who
11 shall be an employee of the National Reconnaiss-
12 sance Office, to support the Board.

13 “(4) MEETINGS.—The Board shall meet not
14 less than quarterly, but may meet more frequently
15 at the call of the Director.

16 “(5) REPORTS.—Not later than March 31 of
17 each year, the Board shall submit to the Director
18 and to the congressional intelligence committees a
19 report on the activities and significant findings of
20 the Board during the preceding year.

21 “(6) NONAPPLICABILITY OF CERTAIN REQUIRE-
22 MENTS.—The Federal Advisory Committee Act (5
23 U.S.C. App.) shall not apply to the Board.

1 “(7) TERMINATION.—The Board shall termi-
2 nate on the date that is 3 years after the date of the
3 first meeting of the Board.”.

4 (b) INITIAL APPOINTMENTS.—Not later than 180
5 days after the date of the enactment of this Act, the Direc-
6 tor of the National Reconnaissance Office shall appoint
7 the initial five members to the advisory board under sub-
8 section (d) of section 106A of the National Security Act
9 of 1947 (50 U.S.C. 3041a), as added by subsection (a).

10 **SEC. 2434. COLLOCATION OF CERTAIN DEPARTMENT OF**
11 **HOMELAND SECURITY PERSONNEL AT FIELD**
12 **LOCATIONS.**

13 (a) IDENTIFICATION OF OPPORTUNITIES FOR COL-
14 LOCATION.—Not later than 60 days after the date of the
15 enactment of this Act, the Under Secretary of Homeland
16 Security for Intelligence and Analysis shall identify, in
17 consultation with the Commissioner of U.S. Customs and
18 Border Protection, the Administrator of the Transpor-
19 tation Security Administration, the Director of U.S. Immi-
20 gration and Customs Enforcement, and the heads of such
21 other elements of the Department of Homeland Security
22 as the Under Secretary considers appropriate, opportuni-
23 ties for collocation of officers of the Office of Intelligence
24 and Analysis in the field outside of the greater Wash-
25 ington, District of Columbia, area in order to support

1 operational units from U.S. Customs and Border Protec-
2 tion, the Transportation Security Administration, U.S.
3 Immigration and Customs Enforcement, and other ele-
4 ments of the Department of Homeland Security.

5 (b) PLAN FOR COLLOCATION.—Not later than 120
6 days after the date of the enactment of this Act, the Under
7 Secretary shall submit to the congressional intelligence
8 committees a report that includes a plan for collocation
9 as described in subsection (a).

10 **TITLE XXV—ELECTION MATTERS**

11 **SEC. 2501. REPORT ON CYBER ATTACKS BY FOREIGN GOV- 12 ERNMENTS AGAINST UNITED STATES ELEC- 13 TION INFRASTRUCTURE.**

14 (a) DEFINITIONS.—In this section:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the congressional intelligence commit-
19 tees;

20 (B) the Committee on Homeland Security
21 and Governmental Affairs of the Senate;

22 (C) the Committee on Homeland Security
23 of the House of Representatives;

24 (D) the Committee on Foreign Relations of
25 the Senate; and

1 (E) the Committee on Foreign Affairs of
2 the House of Representatives.

3 (2) CONGRESSIONAL LEADERSHIP.—The term
4 “congressional leadership” includes the following:

5 (A) The majority leader of the Senate.

6 (B) The minority leader of the Senate.

7 (C) The Speaker of the House of Rep-
8 resentatives.

9 (D) The minority leader of the House of
10 Representatives.

11 (3) STATE.—The term “State” means any
12 State of the United States, the District of Columbia,
13 the Commonwealth of Puerto Rico, and any territory
14 or possession of the United States.

15 (b) REPORT REQUIRED.—Not later than 60 days
16 after the date of the enactment of this Act, the Under
17 Secretary of Homeland Security for Intelligence and Anal-
18 ysis shall submit to congressional leadership and the ap-
19 propriate congressional committees a report on cyber at-
20 tacks and attempted cyber attacks by foreign governments
21 on United States election infrastructure in States and lo-
22 calities in connection with the 2016 Presidential election
23 in the United States and such cyber attacks or attempted
24 cyber attacks as the Under Secretary anticipates against
25 such infrastructure. Such report shall identify the States

1 and localities affected and shall include cyber attacks and
2 attempted cyber attacks against voter registration data-
3 bases, voting machines, voting-related computer networks,
4 and the networks of Secretaries of State and other election
5 officials of the various States.

6 (c) FORM.—The report submitted under subsection
7 (b) shall be submitted in unclassified form, but may in-
8 clude a classified annex.

9 **SEC. 2502. REVIEW OF INTELLIGENCE COMMUNITY'S POS-**
10 **TURE TO COLLECT AGAINST AND ANALYZE**
11 **RUSSIAN EFFORTS TO INFLUENCE THE PRES-**
12 **IDENTIAL ELECTION.**

13 (a) REVIEW REQUIRED.—Not later than 1 year after
14 the date of the enactment of this Act, the Director of Na-
15 tional Intelligence shall—

16 (1) complete an after action review of the pos-
17 ture of the intelligence community to collect against
18 and analyze efforts of the Government of Russia to
19 interfere in the 2016 Presidential election in the
20 United States; and

21 (2) submit to the congressional intelligence
22 committees a report on the findings of the Director
23 with respect to such review.

24 (b) ELEMENTS.—The review required by subsection
25 (a) shall include, with respect to the posture and efforts

1 described in paragraph (1) of such subsection, the fol-
2 lowing:

3 (1) An assessment of whether the resources of
4 the intelligence community were properly aligned to
5 detect and respond to the efforts described in sub-
6 section (a)(1).

7 (2) An assessment of the information sharing
8 that occurred within elements of the intelligence
9 community.

10 (3) An assessment of the information sharing
11 that occurred between elements of the intelligence
12 community.

13 (4) An assessment of applicable authorities nec-
14 essary to collect on any such efforts and any defi-
15 ciencies in those authorities.

16 (5) A review of the use of open source material
17 to inform analysis and warning of such efforts.

18 (6) A review of the use of alternative and pre-
19 dictive analysis.

20 (c) FORM OF REPORT.—The report required by sub-
21 section (a)(2) shall be submitted to the congressional intel-
22 ligence committees in a classified form.

23 **SEC. 2503. ASSESSMENT OF FOREIGN INTELLIGENCE**
24 **THREATS TO FEDERAL ELECTIONS.**

25 (a) DEFINITIONS.—In this section:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the congressional intelligence commit-
5 tees;

6 (B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate; and

8 (C) the Committee on Homeland Security
9 of the House of Representatives.

10 (2) CONGRESSIONAL LEADERSHIP.—The term
11 “congressional leadership” includes the following:

12 (A) The majority leader of the Senate.

13 (B) The minority leader of the Senate.

14 (C) The Speaker of the House of Rep-
15 resentatives.

16 (D) The minority leader of the House of
17 Representatives.

18 (3) SECURITY VULNERABILITY.—The term “se-
19 curity vulnerability” has the meaning given such
20 term in section 102 of the Cybersecurity Information
21 Sharing Act of 2015 (6 U.S.C. 1501).

22 (b) IN GENERAL.—The Director of National Intel-
23 ligence, in coordination with the Director of the Central
24 Intelligence Agency, the Director of the National Security
25 Agency, the Director of the Federal Bureau of Investiga-

1 tion, the Secretary of Homeland Security, and the heads
2 of other relevant elements of the intelligence community,
3 shall—

4 (1) commence not later than 1 year before any
5 regularly scheduled Federal election occurring after
6 December 31, 2018, and complete not later than
7 180 days before such election, an assessment of se-
8 curity vulnerabilities of State election systems; and

9 (2) not later than 180 days before any regularly
10 scheduled Federal election occurring after December
11 31, 2018, submit a report on such security
12 vulnerabilities and an assessment of foreign intel-
13 ligence threats to the election to—

14 (A) congressional leadership; and

15 (B) the appropriate congressional commit-
16 tees.

17 (c) UPDATE.—Not later than 90 days before any reg-
18 ularly scheduled Federal election occurring after Decem-
19 ber 31, 2018, the Director of National Intelligence shall—

20 (1) update the assessment of foreign intel-
21 ligence threats to that election; and

22 (2) submit the updated assessment to—

23 (A) congressional leadership; and

24 (B) the appropriate congressional commit-
25 tees.

1 **SEC. 2504. STRATEGY FOR COUNTERING RUSSIAN CYBER**
2 **THREATS TO UNITED STATES ELECTIONS.**

3 (a) **APPROPRIATE CONGRESSIONAL COMMITTEES**
4 **DEFINED.**—In this section, the term “appropriate con-
5 gressional committees” means the following:

6 (1) The congressional intelligence committees.

7 (2) The Committee on Armed Services and the
8 Committee on Homeland Security and Governmental
9 Affairs of the Senate.

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

13 (4) The Committee on Foreign Relations of the
14 Senate.

15 (5) The Committee on Foreign Affairs of the
16 House of Representatives.

17 (b) **REQUIREMENT FOR A STRATEGY.**—Not later
18 than 90 days after the date of the enactment of this Act,
19 the Director of National Intelligence, in coordination with
20 the Secretary of Homeland Security, the Director of the
21 Federal Bureau of Investigation, the Director of the Cen-
22 tral Intelligence Agency, the Secretary of State, the Sec-
23 retary of Defense, and the Secretary of the Treasury, shall
24 develop a whole-of-government strategy for countering the
25 threat of Russian cyber attacks and attempted cyber at-
26 tacks against electoral systems and processes in the

1 United States, including Federal, State, and local election
2 systems, voter registration databases, voting tabulation
3 equipment, and equipment and processes for the secure
4 transmission of election results.

5 (c) ELEMENTS OF THE STRATEGY.—The strategy re-
6 quired by subsection (b) shall include the following ele-
7 ments:

8 (1) A whole-of-government approach to pro-
9 tecting United States electoral systems and proc-
10 esses that includes the agencies and departments in-
11 dicated in subsection (b) as well as any other agen-
12 cies and departments of the United States, as deter-
13 mined appropriate by the Director of National Intel-
14 ligence and the Secretary of Homeland Security.

15 (2) Input solicited from Secretaries of State of
16 the various States and the chief election officials of
17 the States.

18 (3) Technical security measures, including
19 auditable paper trails for voting machines, securing
20 wireless and Internet connections, and other tech-
21 nical safeguards.

22 (4) Detection of cyber threats, including attacks
23 and attempted attacks by Russian government or
24 nongovernment cyber threat actors.

1 (5) Improvements in the identification and at-
2 tribution of Russian government or nongovernment
3 cyber threat actors.

4 (6) Deterrence, including actions and measures
5 that could or should be undertaken against or com-
6 municated to the Government of Russia or other en-
7 tities to deter attacks against, or interference with,
8 United States election systems and processes.

9 (7) Improvements in Federal Government com-
10 munications with State and local election officials.

11 (8) Public education and communication ef-
12 forts.

13 (9) Benchmarks and milestones to enable the
14 measurement of concrete steps taken and progress
15 made in the implementation of the strategy.

16 (d) CONGRESSIONAL BRIEFING.—Not later than 90
17 days after the date of the enactment of this Act, the Direc-
18 tor of National Intelligence and the Secretary of Home-
19 land Security shall jointly brief the appropriate congres-
20 sional committees on the strategy developed under sub-
21 section (b).

1 **SEC. 2505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
2 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
3 **ELECTIONS AND REFERENDA.**

4 (a) **RUSSIAN INFLUENCE CAMPAIGN DEFINED.**—In
5 this section, the term “Russian influence campaign”
6 means any effort, covert or overt, and by any means, at-
7 tributable to the Russian Federation directed at an elec-
8 tion, referendum, or similar process in a country other
9 than the Russian Federation or the United States.

10 (b) **ASSESSMENT REQUIRED.**—Not later than 60
11 days after the date of the enactment of this Act, the Direc-
12 tor of National Intelligence shall submit to the congres-
13 sional intelligence committees a report containing an ana-
14 lytical assessment of the most significant Russian influ-
15 ence campaigns, if any, conducted during the 3-year pe-
16 riod preceding the date of the enactment of this Act, as
17 well as the most significant current or planned such Rus-
18 sian influence campaigns, if any. Such assessment shall
19 include—

20 (1) a summary of such significant Russian in-
21 fluence campaigns, including, at a minimum, the
22 specific means by which such campaigns were con-
23 ducted, are being conducted, or likely will be con-
24 ducted, as appropriate, and the specific goal of each
25 such campaign;

1 Analysis, and any other official of the Department
2 of Homeland Security designated by the Secretary of
3 Homeland Security, in sponsoring a security clear-
4 ance up to the top secret level for each eligible chief
5 election official of a State or the District of Colum-
6 bia, and additional eligible designees of such election
7 official as appropriate, at the time that such election
8 official assumes such position.

9 (2) INTERIM CLEARANCES.—Consistent with
10 applicable policies and directives, the Director of Na-
11 tional Intelligence may issue interim clearances, for
12 a period to be determined by the Director, to a chief
13 election official as described in paragraph (1) and up
14 to one designee of such official under such para-
15 graph.

16 (c) INFORMATION SHARING.—

17 (1) IN GENERAL.—The Director of National In-
18 telligence shall assist the Under Secretary of Home-
19 land Security for Intelligence and Analysis and the
20 Under Secretary responsible for overseeing critical
21 infrastructure protection, cybersecurity, and other
22 related programs of the Department (as specified in
23 section 103(a)(1)(H) of the Homeland Security Act
24 of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any
25 appropriate classified information related to threats

1 to election systems and to the integrity of the elec-
2 tion process with chief election officials and such
3 designees who have received a security clearance
4 under subsection (b).

5 (2) COORDINATION.—The Under Secretary of
6 Homeland Security for Intelligence and Analysis
7 shall coordinate with the Director of National Intel-
8 ligence and the Under Secretary responsible for
9 overseeing critical infrastructure protection, cyberse-
10 curity, and other related programs of the Depart-
11 ment (as specified in section 103(a)(1)(H) of the
12 Homeland Security Act of 2002 (6 U.S.C.
13 113(a)(1)(H))) to facilitate the sharing of informa-
14 tion to the affected Secretaries of State or States.

15 **SEC. 2507. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER**
16 **INTRUSIONS AND ACTIVE MEASURES CAM-**
17 **PAIGNS DIRECTED AT ELECTIONS FOR FED-**
18 **ERAL OFFICES.**

19 (a) DEFINITIONS.—In this section:

20 (1) ACTIVE MEASURES CAMPAIGN.—The term
21 “active measures campaign” means a foreign semi-
22 covert or covert intelligence operation.

23 (2) CANDIDATE, ELECTION, AND POLITICAL
24 PARTY.—The terms “candidate”, “election”, and
25 “political party” have the meanings given those

1 terms in section 301 of the Federal Election Cam-
2 paign Act of 1971 (52 U.S.C. 30101).

3 (3) CONGRESSIONAL LEADERSHIP.—The term
4 “congressional leadership” includes the following:

5 (A) The majority leader of the Senate.

6 (B) The minority leader of the Senate.

7 (C) The Speaker of the House of Rep-
8 resentatives.

9 (D) The minority leader of the House of
10 Representatives.

11 (4) CYBER INTRUSION.—The term “cyber in-
12 trusion” means an electronic occurrence that actu-
13 ally or imminently jeopardizes, without lawful au-
14 thority, electronic election infrastructure, or the in-
15 tegrity, confidentiality, or availability of information
16 within such infrastructure.

17 (5) ELECTRONIC ELECTION INFRASTRUC-
18 TURE.—The term “electronic election infrastruc-
19 ture” means an electronic information system of any
20 of the following that is related to an election for
21 Federal office:

22 (A) The Federal Government.

23 (B) A State or local government.

24 (C) A political party.

25 (D) The election campaign of a candidate.

1 (6) FEDERAL OFFICE.—The term “Federal of-
2 fice” has the meaning given that term in section 301
3 of the Federal Election Campaign Act of 1971 (52
4 U.S.C. 30101).

5 (7) HIGH CONFIDENCE.—The term “high con-
6 fidence”, with respect to a determination, means
7 that the determination is based on high-quality in-
8 formation from multiple sources.

9 (8) MODERATE CONFIDENCE.—The term “mod-
10 erate confidence”, with respect to a determination,
11 means that a determination is credibly sourced and
12 plausible but not of sufficient quality or corrobo-
13 rated sufficiently to warrant a higher level of con-
14 fidence.

15 (9) OTHER APPROPRIATE CONGRESSIONAL COM-
16 MITTEES.—The term “other appropriate congres-
17 sional committees” means—

18 (A) the Committee on Armed Services, the
19 Committee on Homeland Security and Govern-
20 mental Affairs, and the Committee on Appro-
21 priations of the Senate; and

22 (B) the Committee on Armed Services, the
23 Committee on Homeland Security, and the
24 Committee on Appropriations of the House of
25 Representatives.

1 (b) DETERMINATIONS OF SIGNIFICANT FOREIGN
2 CYBER INTRUSIONS AND ACTIVE MEASURES CAM-
3 PAIGNS.—The Director of National Intelligence, the Di-
4 rector of the Federal Bureau of Investigation, and the
5 Secretary of Homeland Security shall jointly carry out
6 subsection (c) if such Directors and the Secretary jointly
7 determine—

8 (1) that on or after the date of the enactment
9 of this Act, a significant foreign cyber intrusion or
10 active measures campaign intended to influence an
11 upcoming election for any Federal office has oc-
12 curred or is occurring; and

13 (2) with moderate or high confidence, that such
14 intrusion or campaign can be attributed to a foreign
15 state or to a foreign nonstate person, group, or other
16 entity.

17 (c) BRIEFING.—

18 (1) IN GENERAL.—Not later than 14 days after
19 making a determination under subsection (b), the
20 Director of National Intelligence, the Director of the
21 Federal Bureau of Investigation, and the Secretary
22 of Homeland Security shall jointly provide a briefing
23 to the congressional leadership, the congressional in-
24 telligence committees and, consistent with the pro-
25 tection of sources and methods, the other appro-

1 appropriate congressional committees. The briefing shall
2 be classified and address, at a minimum, the fol-
3 lowing:

4 (A) A description of the significant foreign
5 cyber intrusion or active measures campaign, as
6 the case may be, covered by the determination.

7 (B) An identification of the foreign state
8 or foreign nonstate person, group, or other enti-
9 ty, to which such intrusion or campaign has
10 been attributed.

11 (C) The desirability and feasibility of the
12 public release of information about the cyber in-
13 trusion or active measures campaign.

14 (D) Any other information such Directors
15 and the Secretary jointly determine appropriate.

16 (2) ELECTRONIC ELECTION INFRASTRUCTURE
17 BRIEFINGS.—With respect to a significant foreign
18 cyber intrusion covered by a determination under
19 subsection (b), the Secretary of Homeland Security,
20 in consultation with the Director of National Intel-
21 ligence and the Director of the Federal Bureau of
22 Investigation, shall offer to the owner or operator of
23 any electronic election infrastructure directly af-
24 fected by such intrusion, a briefing on such intru-
25 sion, including steps that may be taken to mitigate

1 such intrusion. Such briefing may be classified and
2 made available only to individuals with appropriate
3 security clearances.

4 (3) PROTECTION OF SOURCES AND METH-
5 ODS.—This subsection shall be carried out in a man-
6 ner that is consistent with the protection of sources
7 and methods.

8 **SEC. 2508. DESIGNATION OF COUNTERINTELLIGENCE OFFI-**
9 **CER TO LEAD ELECTION SECURITY MATTERS.**

10 (a) IN GENERAL.—The Director of National Intel-
11 ligence shall designate a national counterintelligence offi-
12 cer within the National Counterintelligence and Security
13 Center to lead, manage, and coordinate counterintelligence
14 matters relating to election security.

15 (b) ADDITIONAL RESPONSIBILITIES.—The person
16 designated under subsection (a) shall also lead, manage,
17 and coordinate counterintelligence matters relating to
18 risks posed by interference from foreign powers (as de-
19 fined in section 101 of the Foreign Intelligence Surveil-
20 lance Act of 1978 (50 U.S.C. 1801)) to the following:

- 21 (1) The Federal Government election security
22 supply chain.
- 23 (2) Election voting systems and software.
- 24 (3) Voter registration databases.
- 25 (4) Critical infrastructure related to elections.

1 (5) Such other Government goods and services
2 as the Director of National Intelligence considers ap-
3 propriate.

4 **TITLE XXVI—SECURITY**
5 **CLEARANCES**

6 **SEC. 2601. DEFINITIONS.**

7 In this title:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-

12 tees;

13 (B) the Committee on Armed Services of
14 the Senate;

15 (C) the Committee on Appropriations of
16 the Senate;

17 (D) the Committee on Homeland Security
18 and Governmental Affairs of the Senate;

19 (E) the Committee on Armed Services of
20 the House of Representatives;

21 (F) the Committee on Appropriations of
22 the House of Representatives;

23 (G) the Committee on Homeland Security
24 of the House of Representatives; and

1 (H) the Committee on Oversight and Re-
2 form of the House of Representatives.

3 (2) APPROPRIATE INDUSTRY PARTNERS.—The
4 term “appropriate industry partner” means a con-
5 tractor, licensee, or grantee (as defined in section
6 101(a) of Executive Order No. 12829 (50 U.S.C.
7 3161 note; relating to National Industrial Security
8 Program)) that is participating in the National In-
9 dustrial Security Program established by such Exec-
10 utive order.

11 (3) CONTINUOUS VETTING.—The term “contin-
12 uous vetting” has the meaning given such term in
13 Executive Order No. 13467 (50 U.S.C. 3161 note;
14 relating to reforming processes related to suitability
15 for government employment, fitness for contractor
16 employees, and eligibility for access to classified na-
17 tional security information).

18 (4) COUNCIL.—The term “Council” means the
19 Security, Suitability, and Credentialing Performance
20 Accountability Council established pursuant to such
21 Executive order, or any successor entity.

22 (5) SECURITY EXECUTIVE AGENT.—The term
23 “Security Executive Agent” means the officer serv-
24 ing as the Security Executive Agent pursuant to sec-

1 tion 803 of the National Security Act of 1947, as
2 added by section 2605.

3 (6) SUITABILITY AND CREDENTIALING EXECU-
4 TIVE AGENT.—The term “Suitability and
5 Credentialing Executive Agent” means the Director
6 of the Office of Personnel Management acting as the
7 Suitability and Credentialing Executive Agent in ac-
8 cordance with Executive Order No. 13467 (50
9 U.S.C. 3161 note; relating to reforming processes
10 related to suitability for government employment,
11 fitness for contractor employees, and eligibility for
12 access to classified national security information), or
13 any successor entity.

14 **SEC. 2602. REPORTS AND PLANS RELATING TO SECURITY**

15 **CLEARANCES AND BACKGROUND INVESTIGA-**

16 **TIONS.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) ensuring the trustworthiness and security of
20 the workforce, facilities, and information of the Fed-
21 eral Government is of the highest priority to na-
22 tional security and public safety;

23 (2) the President and Congress should
24 prioritize the modernization of the personnel security

1 framework to improve its efficiency, effectiveness,
2 and accountability;

3 (3) the current system for security clearance,
4 suitability and fitness for employment, and
5 credentialing lacks efficiencies and capabilities to
6 meet the current threat environment, recruit and re-
7 tain a trusted workforce, and capitalize on modern
8 technologies; and

9 (4) changes to policies or processes to improve
10 this system should be vetted through the Council to
11 ensure standardization, portability, and reciprocity
12 in security clearances across the Federal Govern-
13 ment.

14 (b) ACCOUNTABILITY PLANS AND REPORTS.—

15 (1) PLANS.—Not later than 90 days after the
16 date of the enactment of this Act, the Council shall
17 submit to the appropriate congressional committees
18 and make available to appropriate industry partners
19 the following:

20 (A) A plan, with milestones, to reduce the
21 background investigation inventory to 200,000,
22 or an otherwise sustainable steady-level, by the
23 end of year 2020. Such plan shall include notes
24 of any required changes in investigative and ad-
25 judicative standards or resources.

1 (B) A plan to consolidate the conduct of
2 background investigations associated with the
3 processing for security clearances in the most
4 effective and efficient manner between the Na-
5 tional Background Investigation Bureau and
6 the Defense Security Service, or a successor or-
7 ganization. Such plan shall address required
8 funding, personnel, contracts, information tech-
9 nology, field office structure, policy, governance,
10 schedule, transition costs, and effects on stake-
11 holders.

12 (2) REPORT ON THE FUTURE OF PERSONNEL
13 SECURITY.—

14 (A) IN GENERAL.—Not later than 180
15 days after the date of the enactment of this
16 Act, the Chairman of the Council, in coordina-
17 tion with the members of the Council, shall sub-
18 mit to the appropriate congressional committees
19 and make available to appropriate industry
20 partners a report on the future of personnel se-
21 curity to reflect changes in threats, the work-
22 force, and technology.

23 (B) CONTENTS.—The report submitted
24 under subparagraph (A) shall include the fol-
25 lowing:

1 (i) A risk framework for granting and
2 renewing access to classified information.

3 (ii) A discussion of the use of tech-
4 nologies to prevent, detect, and monitor
5 threats.

6 (iii) A discussion of efforts to address
7 reciprocity and portability.

8 (iv) A discussion of the characteristics
9 of effective insider threat programs.

10 (v) An analysis of how to integrate
11 data from continuous evaluation, insider
12 threat programs, and human resources
13 data.

14 (vi) Recommendations on interagency
15 governance.

16 (3) PLAN FOR IMPLEMENTATION.—Not later
17 than 180 days after the date of the enactment of
18 this Act, the Chairman of the Council, in coordina-
19 tion with the members of the Council, shall submit
20 to the appropriate congressional committees and
21 make available to appropriate industry partners a
22 plan to implement the report's framework and rec-
23 ommendations submitted under paragraph (2)(A).

24 (4) CONGRESSIONAL NOTIFICATIONS.—Not less
25 frequently than quarterly, the Security Executive

1 Agent shall make available to the public a report re-
2 garding the status of the disposition of requests re-
3 ceived from departments and agencies of the Federal
4 Government for a change to, or approval under, the
5 Federal investigative standards, the national adju-
6 dicative guidelines, continuous evaluation, or other
7 national policy regarding personnel security.

8 **SEC. 2603. IMPROVING THE PROCESS FOR SECURITY**
9 **CLEARANCES.**

10 (a) **REVIEWS.**—Not later than 180 days after the
11 date of the enactment of this Act, the Security Executive
12 Agent, in coordination with the members of the Council,
13 shall submit to the appropriate congressional committees
14 and make available to appropriate industry partners a re-
15 port that includes the following:

16 (1) A review of whether the information re-
17 quested on the Questionnaire for National Security
18 Positions (Standard Form 86) and by the Federal
19 Investigative Standards prescribed by the Office of
20 Personnel Management and the Office of the Direc-
21 tor of National Intelligence appropriately supports
22 the adjudicative guidelines under Security Executive
23 Agent Directive 4 (known as the “National Security
24 Adjudicative Guidelines”). Such review shall include
25 identification of whether any such information cur-

1 rently collected is unnecessary to support the adju-
2 dicative guidelines.

3 (2) An assessment of whether such Question-
4 naire, Standards, and guidelines should be revised to
5 account for the prospect of a holder of a security
6 clearance becoming an insider threat.

7 (3) Recommendations to improve the back-
8 ground investigation process by—

9 (A) simplifying the Questionnaire for Na-
10 tional Security Positions (Standard Form 86)
11 and increasing customer support to applicants
12 completing such Questionnaire;

13 (B) using remote techniques and central-
14 ized locations to support or replace field inves-
15 tigation work;

16 (C) using secure and reliable digitization of
17 information obtained during the clearance proc-
18 ess;

19 (D) building the capacity of the back-
20 ground investigation labor sector; and

21 (E) replacing periodic reinvestigations with
22 continuous evaluation techniques in all appro-
23 priate circumstances.

24 (b) POLICY, STRATEGY, AND IMPLEMENTATION.—

25 Not later than 180 days after the date of the enactment

1 of this Act, the Security Executive Agent shall, in coordi-
2 nation with the members of the Council, establish the fol-
3 lowing:

4 (1) A policy and implementation plan for the
5 issuance of interim security clearances.

6 (2) A policy and implementation plan to ensure
7 contractors are treated consistently in the security
8 clearance process across agencies and departments
9 of the United States as compared to employees of
10 such agencies and departments. Such policy shall
11 address—

12 (A) prioritization of processing security
13 clearances based on the mission the contractors
14 will be performing;

15 (B) standardization in the forms that
16 agencies issue to initiate the process for a secu-
17 rity clearance;

18 (C) digitization of background investiga-
19 tion-related forms;

20 (D) use of the polygraph;

21 (E) the application of the adjudicative
22 guidelines under Security Executive Agent Di-
23 rective 4 (known as the “National Security Ad-
24 judicative Guidelines”);

1 (F) reciprocal recognition of clearances
2 across agencies and departments of the United
3 States, regardless of status of periodic reinves-
4 tigation;

5 (G) tracking of clearance files as individ-
6 uals move from employment with an agency or
7 department of the United States to employment
8 in the private sector;

9 (H) collection of timelines for movement of
10 contractors across agencies and departments;

11 (I) reporting on security incidents and job
12 performance, consistent with section 552a of
13 title 5, United States Code (commonly known
14 as the “Privacy Act of 1974”), that may affect
15 the ability to hold a security clearance;

16 (J) any recommended changes to the Fed-
17 eral Acquisition Regulations (FAR) necessary
18 to ensure that information affecting contractor
19 clearances or suitability is appropriately and ex-
20 peditiously shared between and among agencies
21 and contractors; and

22 (K) portability of contractor security clear-
23 ances between or among contracts at the same
24 agency and between or among contracts at dif-

1 ferent agencies that require the same level of
2 clearance.

3 (3) A strategy and implementation plan that—

4 (A) provides for periodic reinvestigations
5 as part of a security clearance determination
6 only on an as-needed, risk-based basis;

7 (B) includes actions to assess the extent to
8 which automated records checks and other con-
9 tinuous evaluation methods may be used to ex-
10 pedite or focus reinvestigations; and

11 (C) provides an exception for certain popu-
12 lations if the Security Executive Agent—

13 (i) determines such populations re-
14 quire reinvestigations at regular intervals;
15 and

16 (ii) provides written justification to
17 the appropriate congressional committees
18 for any such determination.

19 (4) A policy and implementation plan for agen-
20 cies and departments of the United States, as a part
21 of the security clearance process, to accept auto-
22 mated records checks generated pursuant to a secu-
23 rity clearance applicant's employment with a prior
24 employer.

1 (5) A policy for the use of certain background
2 materials on individuals collected by the private sec-
3 tor for background investigation purposes.

4 (6) Uniform standards for agency continuous
5 evaluation programs to ensure quality and reci-
6 procity in accepting enrollment in a continuous vet-
7 ting program as a substitute for a periodic investiga-
8 tion for continued access to classified information.

9 **SEC. 2604. GOALS FOR PROMPTNESS OF DETERMINATIONS**

10 **REGARDING SECURITY CLEARANCES.**

11 (a) **RECIPROCITY DEFINED.**—In this section, the
12 term “reciprocity” means reciprocal recognition by Fed-
13 eral departments and agencies of eligibility for access to
14 classified information.

15 (b) **IN GENERAL.**—The Council shall reform the se-
16 curity clearance process with the objective that, by Decem-
17 ber 31, 2021, 90 percent of all determinations, other than
18 determinations regarding populations identified under sec-
19 tion 2603(b)(3)(C), regarding—

20 (1) security clearances—

21 (A) at the secret level are issued in 30
22 days or fewer; and

23 (B) at the top secret level are issued in 90
24 days or fewer; and

1 (2) reciprocity of security clearances at the
2 same level are recognized in 2 weeks or fewer.

3 (c) CERTAIN REINVESTIGATIONS.—The Council shall
4 reform the security clearance process with the goal that
5 by December 31, 2021, reinvestigation on a set periodicity
6 is not required for more than 10 percent of the population
7 that holds a security clearance.

8 (d) EQUIVALENT METRICS.—

9 (1) IN GENERAL.—If the Council develops a set
10 of performance metrics that it certifies to the appro-
11 priate congressional committees should achieve sub-
12 stantially equivalent outcomes as those outlined in
13 subsections (b) and (c), the Council may use those
14 metrics for purposes of compliance within this provi-
15 sion.

16 (2) NOTICE.—If the Council uses the authority
17 provided by paragraph (1) to use metrics as de-
18 scribed in such paragraph, the Council shall, not
19 later than 30 days after communicating such metrics
20 to departments and agencies, notify the appropriate
21 congressional committees that it is using such au-
22 thority.

23 (e) PLAN.—Not later than 180 days after the date
24 of the enactment of this Act, the Council shall submit to
25 the appropriate congressional committees and make avail-

1 able to appropriate industry partners a plan to carry out
2 this section. Such plan shall include recommended interim
3 milestones for the goals set forth in subsections (b) and
4 (c) for 2019, 2020, and 2021.

5 **SEC. 2605. SECURITY EXECUTIVE AGENT.**

6 (a) IN GENERAL.—Title VIII of the National Secu-
7 rity Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

8 (1) by redesignating sections 803 and 804 as
9 sections 804 and 805, respectively; and

10 (2) by inserting after section 802 the following:

11 **“SEC. 803. SECURITY EXECUTIVE AGENT.**

12 “(a) IN GENERAL.—The Director of National Intel-
13 ligence, or such other officer of the United States as the
14 President may designate, shall serve as the Security Exec-
15 utive Agent for all departments and agencies of the United
16 States.

17 “(b) DUTIES.—The duties of the Security Executive
18 Agent are as follows:

19 “(1) To direct the oversight of investigations,
20 reinvestigations, adjudications, and, as applicable,
21 polygraphs for eligibility for access to classified in-
22 formation or eligibility to hold a sensitive position
23 made by any Federal agency.

24 “(2) To review the national security back-
25 ground investigation and adjudication programs of

1 Federal agencies to determine whether such pro-
2 grams are being implemented in accordance with
3 this section.

4 “(3) To develop and issue uniform and con-
5 sistent policies and procedures to ensure the effec-
6 tive, efficient, timely, and secure completion of inves-
7 tigations, polygraphs, and adjudications relating to
8 determinations of eligibility for access to classified
9 information or eligibility to hold a sensitive position.

10 “(4) Unless otherwise designated by law, to
11 serve as the final authority to designate a Federal
12 agency or agencies to conduct investigations of per-
13 sons who are proposed for access to classified infor-
14 mation or for eligibility to hold a sensitive position
15 to ascertain whether such persons satisfy the criteria
16 for obtaining and retaining access to classified infor-
17 mation or eligibility to hold a sensitive position, as
18 applicable.

19 “(5) Unless otherwise designated by law, to
20 serve as the final authority to designate a Federal
21 agency or agencies to determine eligibility for access
22 to classified information or eligibility to hold a sen-
23 sitive position in accordance with Executive Order
24 No. 12968 (50 U.S.C. 3161 note; relating to access
25 to classified information).

1 “(6) To ensure reciprocal recognition of eligi-
2 bility for access to classified information or eligibility
3 to hold a sensitive position among Federal agencies,
4 including acting as the final authority to arbitrate
5 and resolve disputes among such agencies involving
6 the reciprocity of investigations and adjudications of
7 eligibility.

8 “(7) To execute all other duties assigned to the
9 Security Executive Agent by law.

10 “(c) AUTHORITIES.—The Security Executive Agent
11 shall—

12 “(1) issue guidelines and instructions to the
13 heads of Federal agencies to ensure appropriate uni-
14 formity, centralization, efficiency, effectiveness, time-
15 liness, and security in processes relating to deter-
16 minations by such agencies of eligibility for access to
17 classified information or eligibility to hold a sensitive
18 position, including such matters as investigations,
19 polygraphs, adjudications, and reciprocity;

20 “(2) have the authority to grant exceptions to,
21 or waivers of, national security investigative require-
22 ments, including issuing implementing or clarifying
23 guidance, as necessary;

24 “(3) have the authority to assign, in whole or
25 in part, to the head of any Federal agency (solely or

1 jointly) any of the duties of the Security Executive
2 Agent described in subsection (b) or the authorities
3 described in paragraphs (1) and (2), provided that
4 the exercise of such assigned duties or authorities is
5 subject to the oversight of the Security Executive
6 Agent, including such terms and conditions (includ-
7 ing approval by the Security Executive Agent) as the
8 Security Executive Agent determines appropriate;
9 and

10 “(4) define and set standards for continuous
11 evaluation for continued access to classified informa-
12 tion and for eligibility to hold a sensitive position.”.

13 (b) REPORT ON RECOMMENDATIONS FOR REVISING
14 AUTHORITIES.—Not later than 30 days after the date on
15 which the Chairman of the Council submits to the appro-
16 priate congressional committees the report required by
17 section 2602(b)(2)(A), the Chairman shall submit to the
18 appropriate congressional committees such recommenda-
19 tions as the Chairman may have for revising the authori-
20 ties of the Security Executive Agent.

21 (c) CONFORMING AMENDMENT.—Section
22 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is
23 amended by striking “in section 804” and inserting “in
24 section 805”.

1 (d) CLERICAL AMENDMENT.—The table of contents
2 in the matter preceding section 2 of such Act (50 U.S.C.
3 3002) is amended by striking the items relating to sections
4 803 and 804 and inserting the following:

“Sec. 803. Security Executive Agent.

“Sec. 804. Exceptions.

“Sec. 805. Definitions.”.

5 **SEC. 2606. REPORT ON UNIFIED, SIMPLIFIED, GOVERN-**
6 **MENTWIDE STANDARDS FOR POSITIONS OF**
7 **TRUST AND SECURITY CLEARANCES.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Security Executive Agent and the
10 Suitability and Credentialing Executive Agent, in coordi-
11 nation with the other members of the Council, shall jointly
12 submit to the appropriate congressional committees and
13 make available to appropriate industry partners a report
14 regarding the advisability and the risks, benefits, and
15 costs to the Government and to industry of consolidating
16 to not more than three tiers for positions of trust and se-
17 curity clearances.

18 **SEC. 2607. REPORT ON CLEARANCE IN PERSON CONCEPT.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that to reflect the greater mobility of the modern
21 workforce, alternative methodologies merit analysis to
22 allow greater flexibility for individuals moving in and out
23 of positions that require access to classified information,
24 while still preserving security.

1 (b) REPORT REQUIRED.—Not later than 90 days
2 after the date of the enactment of this Act, the Security
3 Executive Agent shall submit to the appropriate congress-
4 sional committees and make available to appropriate in-
5 dustry partners a report that describes the requirements,
6 feasibility, and advisability of implementing a clearance in
7 person concept described in subsection (c).

8 (c) CLEARANCE IN PERSON CONCEPT.—The clear-
9 ance in person concept—

10 (1) permits an individual who once held a secu-
11 rity clearance to maintain his or her eligibility for
12 access to classified information, networks, and facili-
13 ties for up to 3 years after the individual’s eligibility
14 for access to classified information would otherwise
15 lapse; and

16 (2) recognizes, unless otherwise directed by the
17 Security Executive Agent, an individual’s security
18 clearance and background investigation as current,
19 regardless of employment status, contingent on en-
20 rollment in a continuous vetting program.

21 (d) CONTENTS.—The report required under sub-
22 section (b) shall address—

23 (1) requirements for an individual to voluntarily
24 remain in a continuous evaluation program validated
25 by the Security Executive Agent even if the indi-

1 vidual is not in a position requiring access to classi-
2 fied information;

3 (2) appropriate safeguards for privacy;

4 (3) advantages to government and industry;

5 (4) the costs and savings associated with imple-
6 mentation;

7 (5) the risks of such implementation, including
8 security and counterintelligence risks;

9 (6) an appropriate funding model; and

10 (7) fairness to small companies and inde-
11 pendent contractors.

12 **SEC. 2608. REPORTS ON RECIPROCITY FOR SECURITY**
13 **CLEARANCES INSIDE OF DEPARTMENTS AND**
14 **AGENCIES.**

15 (a) **RECIPROCALLY RECOGNIZED DEFINED.**—In this
16 section, the term “reciprocally recognized” means recip-
17 rocal recognition by Federal departments and agencies of
18 eligibility for access to classified information.

19 (b) **REPORTS TO SECURITY EXECUTIVE AGENT.**—
20 The head of each Federal department or agency shall sub-
21 mit an annual report to the Security Executive Agent
22 that—

23 (1) identifies the number of individuals whose
24 security clearances take more than 2 weeks to be re-

1 ciproccally recognized after such individuals move to
2 another part of such department or agency; and

3 (2) breaks out the information described in
4 paragraph (1) by type of clearance and the reasons
5 for any delays.

6 (c) ANNUAL REPORT.—Not less frequently than once
7 each year, the Security Executive Agent shall submit to
8 the appropriate congressional committees and make avail-
9 able to industry partners an annual report that summa-
10 rizes the information received pursuant to subsection (b)
11 during the period covered by such report.

12 **SEC. 2609. INTELLIGENCE COMMUNITY REPORTS ON SECUR-**
13 **RITY CLEARANCES.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) despite sustained efforts by Congress and
17 the executive branch, an unacceptable backlog in
18 processing and adjudicating security clearances per-
19 sists, both within elements of the intelligence com-
20 munity and in other departments of the Federal
21 Government, with some processing times exceeding a
22 year or even more;

23 (2) the protracted clearance timetable threatens
24 the ability of elements of the intelligence community

1 to hire and retain highly qualified individuals, and
2 thus to fulfill the missions of such elements;

3 (3) the prospect of a lengthy clearance process
4 deters some such individuals from seeking employ-
5 ment with the intelligence community in the first
6 place, and, when faced with a long wait time, those
7 with conditional offers of employment may opt to
8 discontinue the security clearance process and pur-
9 sue different opportunities;

10 (4) now more than ever, therefore, the broken
11 security clearance process badly needs fundamental
12 reform; and

13 (5) in the meantime, to ensure the ability of
14 elements of the intelligence community to hire and
15 retain highly qualified personnel, elements should
16 consider, to the extent possible and consistent with
17 national security, permitting new employees to enter
18 on duty immediately or nearly so, and to perform,
19 on a temporary basis pending final adjudication of
20 their security clearances, work that either does not
21 require a security clearance or requires only a low-
22 level interim clearance.

23 (b) IN GENERAL.—Section 506H of the National Se-
24 curity Act of 1947 (50 U.S.C. 3104) is amended—

25 (1) in subsection (a)(1)—

1 (A) in subparagraph (A)(ii), by inserting
2 “and” after the semicolon;

3 (B) in subparagraph (B)(ii), by striking “;
4 and” and inserting a period; and

5 (C) by striking subparagraph (C);

6 (2) by redesignating subsection (b) as sub-
7 section (c);

8 (3) by inserting after subsection (a) the fol-
9 lowing new subsection (b):

10 “(b) INTELLIGENCE COMMUNITY REPORTS.—(1)

11 Not later than March 1 of each year, the Director of Na-
12 tional Intelligence shall submit to the congressional intel-
13 ligence committees, the Committee on Homeland Security
14 and Governmental Affairs of the Senate, and the Com-
15 mittee on Homeland Security of the House of Representa-
16 tives a report on the security clearances processed by each
17 element of the intelligence community during the pre-
18 ceding fiscal year. Each such report shall separately iden-
19 tify security clearances processed for Federal employees
20 and contractor employees sponsored by each such element.

21 “(2) Each report submitted under paragraph (1)
22 shall include each of the following for each element of the
23 intelligence community for the fiscal year covered by the
24 report:

1 “(A) The total number of initial security clear-
2 ance background investigations sponsored for new
3 applicants.

4 “(B) The total number of security clearance
5 periodic reinvestigations sponsored for existing em-
6 ployees.

7 “(C) The total number of initial security clear-
8 ance background investigations for new applicants
9 that were adjudicated with notice of a determination
10 provided to the prospective applicant, including—

11 “(i) the total number that were adju-
12 dicated favorably and granted access to classi-
13 fied information; and

14 “(ii) the total number that were adju-
15 dicated unfavorably and resulted in a denial or
16 revocation of a security clearance.

17 “(D) The total number of security clearance
18 periodic background investigations that were adju-
19 dicated with notice of a determination provided to
20 the existing employee, including—

21 “(i) the total number that were adju-
22 dicated favorably; and

23 “(ii) the total number that were adju-
24 dicated unfavorably and resulted in a denial or
25 revocation of a security clearance.

1 “(E) The total number of pending security
2 clearance background investigations, including initial
3 applicant investigations and periodic reinvestiga-
4 tions, that were not adjudicated as of the last day
5 of such year and that remained pending as follows:

6 “(i) For 180 days or less.

7 “(ii) For 180 days or longer, but less than
8 12 months.

9 “(iii) For 12 months or longer, but less
10 than 18 months.

11 “(iv) For 18 months or longer, but less
12 than 24 months.

13 “(v) For 24 months or longer.

14 “(F) In the case of security clearance deter-
15 minations completed or pending during the year pre-
16 ceding the year for which the report is submitted
17 that have taken longer than 12 months to com-
18 plete—

19 “(i) an explanation of the causes for the
20 delays incurred during the period covered by
21 the report; and

22 “(ii) the number of such delays involving a
23 polygraph requirement.

24 “(G) The percentage of security clearance in-
25 vestigations, including initial and periodic reinves-

1 formation, networks, or facilities, or may only require a
2 security clearance at the secret level.

3 **SEC. 2611. INFORMATION SHARING PROGRAM FOR POSI-**
4 **TIONS OF TRUST AND SECURITY CLEAR-**
5 **ANCES.**

6 (a) PROGRAM REQUIRED.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Security
9 Executive Agent and the Suitability and
10 Credentialing Executive Agent shall establish and
11 implement a program to share between and among
12 agencies of the Federal Government and industry
13 partners of the Federal Government relevant back-
14 ground information regarding individuals applying
15 for and currently occupying national security posi-
16 tions and positions of trust, in order to ensure the
17 Federal Government maintains a trusted workforce.

18 (2) DESIGNATION.—The program established
19 under paragraph (1) shall be known as the “Trusted
20 Information Provider Program” (in this section re-
21 ferred to as the “Program”).

22 (b) PRIVACY SAFEGUARDS.—The Security Executive
23 Agent and the Suitability and Credentialing Executive
24 Agent shall ensure that the Program includes such safe-
25 guards for privacy as the Security Executive Agent and

1 the Suitability and Credentialing Executive Agent consider
2 appropriate.

3 (c) PROVISION OF INFORMATION TO THE FEDERAL
4 GOVERNMENT.—The Program shall include requirements
5 that enable investigative service providers and agencies of
6 the Federal Government to leverage certain pre-employ-
7 ment information gathered during the employment or mili-
8 tary recruiting process, and other relevant security or
9 human resources information obtained during employment
10 with or for the Federal Government, that satisfy Federal
11 investigative standards, while safeguarding personnel pri-
12 vacy.

13 (d) INFORMATION AND RECORDS.—The information
14 and records considered under the Program shall include
15 the following:

- 16 (1) Date and place of birth.
- 17 (2) Citizenship or immigration and naturaliza-
18 tion information.
- 19 (3) Education records.
- 20 (4) Employment records.
- 21 (5) Employment or social references.
- 22 (6) Military service records.
- 23 (7) State and local law enforcement checks.
- 24 (8) Criminal history checks.
- 25 (9) Financial records or information.

1 (10) Foreign travel, relatives, or associations.

2 (11) Social media checks.

3 (12) Such other information or records as may
4 be relevant to obtaining or maintaining national se-
5 curity, suitability, fitness, or credentialing eligibility.

6 (e) IMPLEMENTATION PLAN.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Security
9 Executive Agent and the Suitability and
10 Credentialing Executive Agent shall jointly submit to
11 the appropriate congressional committees and make
12 available to appropriate industry partners a plan for
13 the implementation of the Program.

14 (2) ELEMENTS.—The plan required by para-
15 graph (1) shall include the following:

16 (A) Mechanisms that address privacy, na-
17 tional security, suitability or fitness,
18 credentialing, and human resources or military
19 recruitment processes.

20 (B) Such recommendations for legislative
21 or administrative action as the Security Execu-
22 tive Agent and the Suitability and Credentialing
23 Executive Agent consider appropriate to carry
24 out or improve the Program.

1 (f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFOR-
2 MATION SHARING.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, the Se-
5 curity Executive Agent and the Suitability and
6 Credentialing Executive Agent shall jointly submit to
7 the appropriate congressional committees and make
8 available to appropriate industry partners a plan for
9 the implementation of a pilot program to assess the
10 feasibility and advisability of expanding the Program
11 to include the sharing of information held by the
12 Federal Government related to contract personnel
13 with the security office of the employers of those
14 contractor personnel.

15 (2) ELEMENTS.—The plan required by para-
16 graph (1) shall include the following:

17 (A) Mechanisms that address privacy, na-
18 tional security, suitability or fitness,
19 credentialing, and human resources or military
20 recruitment processes.

21 (B) Such recommendations for legislative
22 or administrative action as the Security Execu-
23 tive Agent and the Suitability and Credentialing
24 Executive Agent consider appropriate to carry
25 out or improve the pilot program.

1 (g) REVIEW.—Not later than 1 year after the date
2 of the enactment of this Act, the Security Executive Agent
3 and the Suitability and Credentialing Executive Agent
4 shall jointly submit to the appropriate congressional com-
5 mittees and make available to appropriate industry part-
6 ners a review of the plans submitted under subsections
7 (e)(1) and (f)(1) and utility and effectiveness of the pro-
8 grams described in such plans.

9 **SEC. 2612. REPORT ON PROTECTIONS FOR CONFIDEN-**
10 **TIALITY OF WHISTLEBLOWER-RELATED COM-**
11 **MUNICATIONS.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, the Security Executive Agent shall, in
14 coordination with the Inspector General of the Intelligence
15 Community, submit to the appropriate congressional com-
16 mittees a report detailing the controls employed by the in-
17 telligence community to ensure that continuous vetting
18 programs, including those involving user activity moni-
19 toring, protect the confidentiality of whistleblower-related
20 communications.

1 **TITLE XXVII—REPORTS AND**
2 **OTHER MATTERS**
3 **Subtitle A—Matters Relating to**
4 **Russia and Other Foreign Powers**

5 **SEC. 2701. LIMITATION RELATING TO ESTABLISHMENT OR**
6 **SUPPORT OF CYBERSECURITY UNIT WITH**
7 **THE RUSSIAN FEDERATION.**

8 (a) **APPROPRIATE CONGRESSIONAL COMMITTEES**
9 **DEFINED.**—In this section, the term “appropriate con-
10 gressional committees” means—

- 11 (1) the congressional intelligence committees;
12 (2) the Committee on Armed Services of the
13 Senate and the Committee on Armed Services of the
14 House of Representatives; and
15 (3) the Committee on Foreign Relations of the
16 Senate and the Committee on Foreign Affairs of the
17 House of Representatives.

18 (b) **LIMITATION.**—

- 19 (1) **IN GENERAL.**—No amount may be ex-
20 pended by the Federal Government, other than the
21 Department of Defense, to enter into or implement
22 any bilateral agreement between the United States
23 and the Russian Federation regarding cybersecurity,
24 including the establishment or support of any cyber-
25 security unit, unless, at least 30 days prior to the

1 conclusion of any such agreement, the Director of
2 National Intelligence submits to the appropriate con-
3 gressional committees a report on such agreement
4 that includes the elements required by subsection
5 (c).

6 (2) DEPARTMENT OF DEFENSE AGREE-
7 MENTS.—Any agreement between the Department of
8 Defense and the Russian Federation regarding cy-
9 bersecurity shall be conducted in accordance with
10 section 1232 of the National Defense Authorization
11 Act for Fiscal Year 2017 (Public Law 114–328), as
12 amended by section 1231 of the National Defense
13 Authorization Act for Fiscal Year 2018 (Public Law
14 115–91).

15 (c) ELEMENTS.—If the Director submits a report
16 under subsection (b) with respect to an agreement, such
17 report shall include a description of each of the following:

18 (1) The purpose of the agreement.

19 (2) The nature of any intelligence to be shared
20 pursuant to the agreement.

21 (3) The expected value to national security re-
22 sulting from the implementation of the agreement.

23 (4) Such counterintelligence concerns associated
24 with the agreement as the Director may have and

1 such measures as the Director expects to be taken
2 to mitigate such concerns.

3 (d) **RULE OF CONSTRUCTION.**—This section shall not
4 be construed to affect any existing authority of the Direc-
5 tor of National Intelligence, the Director of the Central
6 Intelligence Agency, or another head of an element of the
7 intelligence community, to share or receive foreign intel-
8 ligence on a case-by-case basis.

9 **SEC. 2702. REPORT ON RETURNING RUSSIAN COMPOUNDS.**

10 (a) **COVERED COMPOUNDS DEFINED.**—In this sec-
11 tion, the term “covered compounds” means the real prop-
12 erty in New York, the real property in Maryland, and the
13 real property in San Francisco, California, that were
14 under the control of the Government of Russia in 2016
15 and were removed from such control in response to various
16 transgressions by the Government of Russia, including the
17 interference by the Government of Russia in the 2016
18 election in the United States.

19 (b) **REQUIREMENT FOR REPORT.**—Not later than
20 180 days after the date of the enactment of this Act, the
21 Director of National Intelligence shall submit to the con-
22 gressional intelligence committees, and the Committee on
23 Foreign Relations of the Senate and the Committee on
24 Foreign Affairs of the House of Representatives (only with
25 respect to the unclassified report), a report on the intel-

1 lidence risks of returning the covered compounds to Rus-
2 sian control.

3 (c) FORM OF REPORT.—The report required by this
4 section shall be submitted in classified and unclassified
5 forms.

6 **SEC. 2703. ASSESSMENT OF THREAT FINANCE RELATING**
7 **TO RUSSIA.**

8 (a) THREAT FINANCE DEFINED.—In this section,
9 the term “threat finance” means—

10 (1) the financing of cyber operations, global in-
11 fluence campaigns, intelligence service activities, pro-
12 liferation, terrorism, or transnational crime and
13 drug organizations;

14 (2) the methods and entities used to spend,
15 store, move, raise, conceal, or launder money or
16 value, on behalf of threat actors;

17 (3) sanctions evasion; and

18 (4) other forms of threat finance activity do-
19 mesticallly or internationally, as defined by the Presi-
20 dent.

21 (b) REPORT REQUIRED.—Not later than 60 days
22 after the date of the enactment of this Act, the Director
23 of National Intelligence, in coordination with the Assistant
24 Secretary of the Treasury for Intelligence and Analysis,
25 shall submit to the congressional intelligence committees

1 a report containing an assessment of Russian threat fi-
2 nance. The assessment shall be based on intelligence from
3 all sources, including from the Office of Terrorism and
4 Financial Intelligence of the Department of the Treasury.

5 (c) ELEMENTS.—The report required by subsection
6 (b) shall include each of the following:

7 (1) A summary of leading examples from the 3-
8 year period preceding the date of the submittal of
9 the report of threat finance activities conducted by,
10 for the benefit of, or at the behest of—

11 (A) officials of the Government of Russia;

12 (B) persons subject to sanctions under any
13 provision of law imposing sanctions with respect
14 to Russia;

15 (C) Russian nationals subject to sanctions
16 under any other provision of law; or

17 (D) Russian oligarchs or organized crimi-
18 nals.

19 (2) An assessment with respect to any trends or
20 patterns in threat finance activities relating to Rus-
21 sia, including common methods of conducting such
22 activities and global nodes of money laundering used
23 by Russian threat actors described in paragraph (1)
24 and associated entities.

1 (3) An assessment of any connections between
2 Russian individuals involved in money laundering
3 and the Government of Russia.

4 (4) A summary of engagement and coordination
5 with international partners on threat finance relat-
6 ing to Russia, especially in Europe, including exam-
7 ples of such engagement and coordination.

8 (5) An identification of any resource and collec-
9 tion gaps.

10 (6) An identification of—

11 (A) entry points of money laundering by
12 Russian and associated entities into the United
13 States;

14 (B) any vulnerabilities within the United
15 States legal and financial system, including spe-
16 cific sectors, which have been or could be ex-
17 ploited in connection with Russian threat fi-
18 nance activities; and

19 (C) the counterintelligence threat posed by
20 Russian money laundering and other forms of
21 threat finance, as well as the threat to the
22 United States financial system and United
23 States efforts to enforce sanctions and combat
24 organized crime.

1 (7) Any other matters the Director determines
2 appropriate.

3 (d) FORM OF REPORT.—The report required under
4 subsection (b) may be submitted in classified form.

5 **SEC. 2704. NOTIFICATION OF AN ACTIVE MEASURES CAM-**
6 **PAIGN.**

7 (a) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-
12 tees;

13 (B) the Committee on Armed Services of
14 the Senate and the Committee on Armed Serv-
15 ices of the House of Representatives; and

16 (C) the Committee on Foreign Relations of
17 the Senate and the Committee on Foreign Af-
18 fairs of the House of Representatives.

19 (2) CONGRESSIONAL LEADERSHIP.—The term
20 “congressional leadership” includes the following:

21 (A) The majority leader of the Senate.

22 (B) The minority leader of the Senate.

23 (C) The Speaker of the House of Rep-
24 resentatives.

1 (D) The minority leader of the House of
2 Representatives.

3 (b) REQUIREMENT FOR NOTIFICATION.—The Direc-
4 tor of National Intelligence, in cooperation with the Direc-
5 tor of the Federal Bureau of Investigation and the head
6 of any other relevant agency, shall notify the congressional
7 leadership and the Chairman and Vice Chairman or Rank-
8 ing Member of each of the appropriate congressional com-
9 mittees, and of other relevant committees of jurisdiction,
10 each time the Director of National Intelligence determines
11 there is credible information that a foreign power has, is,
12 or will attempt to employ a covert influence or active
13 measures campaign with regard to the modernization, em-
14 ployment, doctrine, or force posture of the nuclear deter-
15 rent or missile defense.

16 (c) CONTENT OF NOTIFICATION.—Each notification
17 required by subsection (b) shall include information con-
18 cerning actions taken by the United States to expose or
19 halt an attempt referred to in subsection (b).

20 **SEC. 2705. NOTIFICATION OF TRAVEL BY ACCREDITED DIP-**
21 **LOMATIC AND CONSULAR PERSONNEL OF**
22 **THE RUSSIAN FEDERATION IN THE UNITED**
23 **STATES.**

24 In carrying out the advance notification requirements
25 set out in section 502 of the Intelligence Authorization

1 Act for Fiscal Year 2017 (division N of Public Law 115–
2 31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary
3 of State shall—

4 (1) ensure that the Russian Federation provides
5 notification to the Secretary of State at least 2 busi-
6 ness days in advance of all travel that is subject to
7 such requirements by accredited diplomatic and con-
8 sular personnel of the Russian Federation in the
9 United States, and take necessary action to secure
10 full compliance by Russian personnel and address
11 any noncompliance; and

12 (2) provide notice of travel described in para-
13 graph (1) to the Director of National Intelligence
14 and the Director of the Federal Bureau of Investiga-
15 tion within 1 hour of receiving notice of such travel.

16 **SEC. 2706. REPORT ON OUTREACH STRATEGY ADDRESSING**
17 **THREATS FROM UNITED STATES ADVER-**
18 **SARIES TO THE UNITED STATES TECH-**
19 **NOLOGY SECTOR.**

20 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the congressional intelligence committees;

1 (2) the Committee on Armed Services and the
2 Committee on Homeland Security and Governmental
3 Affairs of the Senate; and

4 (3) the Committee on Armed Services, Com-
5 mittee on Homeland Security, and the Committee on
6 Oversight and Reform of the House of Representa-
7 tives.

8 (b) REPORT REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Director
10 of National Intelligence shall submit to the appropriate
11 committees of Congress a report detailing outreach by the
12 intelligence community and the Defense Intelligence En-
13 terprise to United States industrial, commercial, scientific,
14 technical, and academic communities on matters relating
15 to the efforts of adversaries of the United States to ac-
16 quire critical United States technology, intellectual prop-
17 erty, and research and development information.

18 (c) CONTENTS.—The report required by subsection
19 (b) shall include the following:

20 (1) A review of the current outreach efforts of
21 the intelligence community and the Defense Intel-
22 ligence Enterprise described in subsection (b), in-
23 cluding the type of information conveyed in the out-
24 reach.

1 (2) A determination of the appropriate element
2 of the intelligence community to lead such outreach
3 efforts.

4 (3) An assessment of potential methods for im-
5 proving the effectiveness of such outreach, including
6 an assessment of the following:

7 (A) Those critical technologies, infrastruc-
8 ture, or related supply chains that are at risk
9 from the efforts of adversaries described in sub-
10 section (b).

11 (B) The necessity and advisability of
12 granting security clearances to company or
13 community leadership, when necessary and ap-
14 propriate, to allow for tailored classified brief-
15 ings on specific targeted threats.

16 (C) The advisability of partnering with en-
17 tities of the Federal Government that are not
18 elements of the intelligence community and rel-
19 evant regulatory and industry groups described
20 in subsection (b), to convey key messages across
21 sectors targeted by United States adversaries.

22 (D) Strategies to assist affected elements
23 of the communities described in subparagraph
24 (C) in mitigating, deterring, and protecting
25 against the broad range of threats from the ef-

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Armed Services, the
5 Committee on Foreign Relations, and the Select
6 Committee on Intelligence of the Senate; and

7 (B) the Committee on Armed Services, the
8 Committee on Foreign Affairs, and the Perma-
9 nent Select Committee on Intelligence of the
10 House of Representatives.

11 (2) ARMS OR RELATED MATERIAL.—The term
12 “arms or related material” means—

13 (A) nuclear, biological, chemical, or radio-
14 logical weapons or materials or components of
15 such weapons;

16 (B) ballistic or cruise missile weapons or
17 materials or components of such weapons;

18 (C) destabilizing numbers and types of ad-
19 vanced conventional weapons;

20 (D) defense articles or defense services, as
21 those terms are defined in paragraphs (3) and
22 (4), respectively, of section 47 of the Arms Ex-
23 port Control Act (22 U.S.C. 2794);

1 (E) defense information, as that term is
2 defined in section 644 of the Foreign Assist-
3 ance Act of 1961 (22 U.S.C. 2403); or

4 (F) items designated by the President for
5 purposes of the United States Munitions List
6 under section 38(a)(1) of the Arms Export
7 Control Act (22 U.S.C. 2778(a)(1)).

8 (b) REPORT REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Director
10 of National Intelligence shall submit to the appropriate
11 committees of Congress a report on Iranian support of
12 proxy forces in Syria and Lebanon and the threat posed
13 to Israel, other United States regional allies, and other
14 specified interests of the United States as a result of such
15 support.

16 (c) MATTERS FOR INCLUSION.—The report required
17 under subsection (b) shall include information relating to
18 the following matters with respect to both the strategic
19 and tactical implications for the United States and its al-
20 lies:

21 (1) A description of arms or related materiel
22 transferred by Iran to Hizballah since March 2011,
23 including the number of such arms or related mate-
24 riel and whether such transfer was by land, sea, or

1 air, as well as financial and additional technological
2 capabilities transferred by Iran to Hizballah.

3 (2) A description of Iranian and Iranian-con-
4 trolled personnel, including Hizballah, Shiite mili-
5 tias, and Iran's Revolutionary Guard Corps forces,
6 operating within Syria, including the number and
7 geographic distribution of such personnel operating
8 within 30 kilometers of the Israeli borders with
9 Syria and Lebanon.

10 (3) An assessment of Hizballah's operational
11 lessons learned based on its recent experiences in
12 Syria.

13 (4) A description of any rocket-producing facili-
14 ties in Lebanon for nonstate actors, including wheth-
15 er such facilities were assessed to be built at the di-
16 rection of Hizballah leadership, Iranian leadership,
17 or in consultation between Iranian leadership and
18 Hizballah leadership.

19 (5) An analysis of the foreign and domestic
20 supply chains that significantly facilitate, support, or
21 otherwise aid Hizballah's acquisition or development
22 of missile production facilities, including the geo-
23 graphic distribution of such foreign and domestic
24 supply chains.

1 endar year on military and terrorist activities outside the
2 country, including each of the following:

3 (1) The amount spent in such calendar year on
4 activities by the Islamic Revolutionary Guard Corps,
5 including activities providing support for—

6 (A) Hizballah;

7 (B) Houthi rebels in Yemen;

8 (C) Hamas;

9 (D) proxy forces in Iraq and Syria; or

10 (E) any other entity or country the Direc-
11 tor determines to be relevant.

12 (2) The amount spent in such calendar year for
13 ballistic missile research and testing or other activi-
14 ties that the Director determines are destabilizing to
15 the Middle East region.

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

19 **SEC. 2709. EXPANSION OF SCOPE OF COMMITTEE TO**
20 **COUNTER ACTIVE MEASURES AND REPORT**
21 **ON ESTABLISHMENT OF FOREIGN MALIGN IN-**
22 **FLUENCE CENTER.**

23 (a) SCOPE OF COMMITTEE TO COUNTER ACTIVE
24 MEASURES.—

1 (1) IN GENERAL.—Section 501 of the Intel-
2 ligence Authorization Act for Fiscal Year 2017
3 (Public Law 115–31; 50 U.S.C. 3001 note) is
4 amended—

5 (A) in subsections (a) through (h)—

6 (i) by inserting “, the People’s Repub-
7 lic of China, the Islamic Republic of Iran,
8 the Democratic People’s Republic of
9 Korea, or other nation state” after “Rus-
10 sian Federation” each place it appears;
11 and

12 (ii) by inserting “, China, Iran, North
13 Korea, or other nation state” after “Rus-
14 sia” each place it appears; and

15 (B) in the section heading, by inserting “,
16 **THE PEOPLE’S REPUBLIC OF CHINA, THE**
17 **ISLAMIC REPUBLIC OF IRAN, THE DEMO-**
18 **CRATIC PEOPLE’S REPUBLIC OF KOREA,**
19 **OR OTHER NATION STATE”** after “**RUSSIAN**
20 **FEDERATION”**’.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents in section 1(b) of such Act is amended by
23 striking the item relating to section 501 and insert-
24 ing the following new item:

“Sec. 501. Committee to counter active measures by the Russian Federation, the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, or other nation states to exert covert influence over peoples and governments.”.

1 (b) REPORT ON FOREIGN MALIGN INFLUENCE RE-
2 SPONSE.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, the Di-
5 rector of National Intelligence, in coordination with
6 such elements of the intelligence community as the
7 Director considers relevant, shall submit to the con-
8 gressional intelligence committees a report on the
9 feasibility and advisability of establishing a center,
10 to be known as the “Foreign Malign Influence Re-
11 sponse Center”, that—

12 (A) is comprised of analysts from all ap-
13 propriate elements of the intelligence commu-
14 nity, including elements with related diplomatic
15 and law enforcement functions;

16 (B) has access to all intelligence and other
17 reporting acquired by the United States Gov-
18 ernment on foreign efforts to influence, through
19 overt and covert malign activities, United
20 States political processes and elections;

21 (C) provides comprehensive assessment,
22 and indications and warning, of such activities;
23 and

1 (D) provides for enhanced dissemination of
2 such assessment to United States policy mak-
3 ers.

4 (2) CONTENTS.—The report required by para-
5 graph (1) shall include the following:

6 (A) A discussion of the desirability of the
7 establishment of such center and any barriers
8 to such establishment.

9 (B) Such recommendations and other mat-
10 ters as the Director considers appropriate.

11 (c) REPORT ON ABILITY TO IDENTIFY FOREIGN IN-
12 FLUENCE EFFORTS.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this Act, the Di-
15 rector of National Intelligence shall submit to the
16 congressional intelligence committees a report con-
17 cerning the ability of the intelligence community
18 to—

19 (A) identify foreign influence efforts aimed
20 at sowing discord or interfering, or both, in the
21 political processes of the United States; and

22 (B) report such efforts to appropriate au-
23 thorities.

24 (2) CONTENTS.—The report under paragraph
25 (1) shall include the following:

1 (A) A description of the current level of
2 ongoing communication and coordination across
3 the intelligence community and law enforce-
4 ment, including the Department of Justice, the
5 Department of State, the Department of Home-
6 land Security, and the Federal Bureau of Inves-
7 tigation, with respect to combating foreign in-
8 fluence efforts described in subparagraph (A) of
9 such paragraph.

10 (B) Identification of the offices or compo-
11 nents of the departments and agencies of the
12 Federal Government that are tasked with any
13 responsibility with respect to combating such
14 foreign influence efforts.

15 (C) Identification of the number of per-
16 sonnel within each element of the intelligence
17 community and other elements of the Federal
18 Government that are focused on combating
19 such foreign influence efforts, whether on a
20 temporary or permanent basis.

21 (D) Identification of the legal authorities
22 that are most relevant to combating such for-
23 eign influence efforts, including—

24 (i) which such legal authorities pose
25 challenges or barriers to effectively combat

1 such foreign influence efforts and a de-
2 scription of the reasons for such challenges
3 or barriers; and

4 (ii) which such legal authorities pose
5 challenges or barriers with respect to ele-
6 ments of the intelligence community and
7 other elements of the Federal Government
8 working together to combat such foreign
9 influence efforts and a description of the
10 reasons for such challenges or barriers.

11 (E) A description of the current level of
12 communication or engagement between the in-
13 telligence community and private internet-plat-
14 forms or social media companies with respect to
15 combating such foreign influence efforts.

16 (F) A description of the additional re-
17 sources the Director determines is necessary to
18 effectively identify such foreign influence ef-
19 forts, and the roles and responsibilities across
20 the intelligence community that would best sup-
21 port the shared objective of identifying such
22 foreign influence efforts.

23 (G) Any other matters the Director deter-
24 mines appropriate.

1 (C) the Committee on Homeland Security
2 of the House of Representatives.

3 (2) HOMELAND SECURITY INTELLIGENCE EN-
4 TERPRISE.—The term “Homeland Security Intel-
5 ligence Enterprise” has the meaning given such
6 term in Department of Homeland Security Instruc-
7 tion Number 264–01–001, or successor authority.

8 (b) REPORT REQUIRED.—Not later than 120 days
9 after the date of the enactment of this Act, the Secretary
10 of Homeland Security, in consultation with the Under Sec-
11 retary of Homeland Security for Intelligence and Analysis,
12 shall submit to the appropriate committees of Congress
13 a report on the authorities of the Under Secretary.

14 (c) ELEMENTS.—The report required by subsection
15 (b) shall include each of the following:

16 (1) An analysis of whether the Under Secretary
17 has the legal and policy authority necessary to orga-
18 nize and lead the Homeland Security Intelligence
19 Enterprise, with respect to intelligence, and, if not,
20 a description of—

21 (A) the obstacles to exercising the authori-
22 ties of the Chief Intelligence Officer of the De-
23 partment and the Homeland Security Intel-
24 ligence Council, of which the Chief Intelligence
25 Officer is the chair; and

1 (B) the legal and policy changes necessary
2 to effectively coordinate, organize, and lead in-
3 telligence activities of the Department of Home-
4 land Security.

5 (2) A description of the actions that the Sec-
6 retary has taken to address the inability of the
7 Under Secretary to require components of the De-
8 partment, other than the Office of Intelligence and
9 Analysis of the Department to—

10 (A) coordinate intelligence programs; and

11 (B) integrate and standardize intelligence
12 products produced by such other components.

13 **SEC. 2713. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
14 **TLEBLOWER MATTERS.**

15 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
16 Inspector General of the Intelligence Community, in con-
17 sultation with the inspectors general for the Central Intel-
18 ligence Agency, the National Security Agency, the Na-
19 tional Geospatial-Intelligence Agency, the Defense Intel-
20 ligence Agency, and the National Reconnaissance Office,
21 shall conduct a review of the authorities, policies, inves-
22 tigatory standards, and other practices and procedures re-
23 lating to intelligence community whistleblower matters,
24 with respect to such inspectors general.

1 (b) OBJECTIVE OF REVIEW.—The objective of the re-
2 view required under subsection (a) is to identify any dis-
3 crepancies, inconsistencies, or other issues, which frustrate
4 the timely and effective reporting of intelligence commu-
5 nity whistleblower matters to appropriate inspectors gen-
6 eral and to the congressional intelligence committees, and
7 the fair and expeditious investigation and resolution of
8 such matters.

9 (c) CONDUCT OF REVIEW.—The Inspector General of
10 the Intelligence Community shall take such measures as
11 the Inspector General determines necessary in order to en-
12 sure that the review required by subsection (a) is con-
13 ducted in an independent and objective fashion.

14 (d) REPORT.—Not later than 270 days after the date
15 of the enactment of this Act, the Inspector General of the
16 Intelligence Community shall submit to the congressional
17 intelligence committees a written report containing the re-
18 sults of the review required under subsection (a), along
19 with recommendations to improve the timely and effective
20 reporting of intelligence community whistleblower matters
21 to inspectors general and to the congressional intelligence
22 committees and the fair and expeditious investigation and
23 resolution of such matters.

1 **SEC. 2714. REPORT ON ROLE OF DIRECTOR OF NATIONAL**
2 **INTELLIGENCE WITH RESPECT TO CERTAIN**
3 **FOREIGN INVESTMENTS.**

4 (a) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Director of National In-
6 telligence, in consultation with the heads of the elements
7 of the intelligence community determined appropriate by
8 the Director, shall submit to the congressional intelligence
9 committees a report on the role of the Director in pre-
10 paring analytic materials in connection with the evaluation
11 by the Federal Government of national security risks asso-
12 ciated with potential foreign investments into the United
13 States.

14 (b) ELEMENTS.—The report under subsection (a)
15 shall include—

16 (1) a description of the current process for the
17 provision of the analytic materials described in sub-
18 section (a);

19 (2) an identification of the most significant ben-
20 efits and drawbacks of such process with respect to
21 the role of the Director, including the sufficiency of
22 resources and personnel to prepare such materials;
23 and

24 (3) recommendations to improve such process.

1 **SEC. 2715. REPORT ON SURVEILLANCE BY FOREIGN GOV-**
2 **ERNMENTS AGAINST UNITED STATES TELE-**
3 **COMMUNICATIONS NETWORKS.**

4 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
5 DEFINED.—In this section, the term “appropriate con-
6 gressional committees” means the following:

7 (1) The congressional intelligence committees.

8 (2) The Committee on the Judiciary and the
9 Committee on Homeland Security and Governmental
10 Affairs of the Senate.

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

14 (b) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Director of National In-
16 telligence shall, in coordination with the Director of the
17 Central Intelligence Agency, the Director of the National
18 Security Agency, the Director of the Federal Bureau of
19 Investigation, and the Secretary of Homeland Security,
20 submit to the appropriate congressional committees a re-
21 port describing—

22 (1) any attempts known to the intelligence com-
23 munity by foreign governments to exploit cybersecu-
24 rity vulnerabilities in United States telecommuni-
25 cations networks (including Signaling System No. 7)

1 to target for surveillance United States persons, in-
2 cluding employees of the Federal Government; and

3 (2) any actions, as of the date of the enactment
4 of this Act, taken by the intelligence community to
5 protect agencies and personnel of the United States
6 Government from surveillance conducted by foreign
7 governments.

8 **SEC. 2716. BIENNIAL REPORT ON FOREIGN INVESTMENT**
9 **RISKS.**

10 (a) INTELLIGENCE COMMUNITY INTERAGENCY
11 WORKING GROUP.—

12 (1) REQUIREMENT TO ESTABLISH.—The Direc-
13 tor of National Intelligence shall establish an intel-
14 ligence community interagency working group to
15 prepare the biennial reports required by subsection
16 (b).

17 (2) CHAIRPERSON.—The Director of National
18 Intelligence shall serve as the chairperson of such
19 interagency working group.

20 (3) MEMBERSHIP.—Such interagency working
21 group shall be composed of representatives of each
22 element of the intelligence community that the Di-
23 rector of National Intelligence determines appro-
24 priate.

1 (b) BIENNIAL REPORT ON FOREIGN INVESTMENT
2 RISKS.—

3 (1) REPORT REQUIRED.—Not later than 180
4 days after the date of the enactment of this Act and
5 not less frequently than once every 2 years there-
6 after, the Director of National Intelligence shall sub-
7 mit to the congressional intelligence committees, the
8 Committee on Homeland Security and Governmental
9 Affairs of the Senate, and the Committee on Home-
10 land Security of the House of Representatives a re-
11 port on foreign investment risks prepared by the
12 interagency working group established under sub-
13 section (a).

14 (2) ELEMENTS.—Each report required by para-
15 graph (1) shall include identification, analysis, and
16 explanation of the following:

17 (A) Any current or projected major threats
18 to the national security of the United States
19 with respect to foreign investment.

20 (B) Any strategy used by a foreign country
21 that such interagency working group has identi-
22 fied to be a country of special concern to use
23 foreign investment to target the acquisition of
24 critical technologies, critical materials, or crit-
25 ical infrastructure.

1 (C) Any economic espionage efforts di-
2 rected at the United States by a foreign coun-
3 try, particularly such a country of special con-
4 cern.

5 **SEC. 2717. MODIFICATION OF CERTAIN REPORTING RE-**
6 **QUIREMENT ON TRAVEL OF FOREIGN DIP-**
7 **LOMATS.**

8 Section 502(d)(2) of the Intelligence Authorization
9 Act for Fiscal Year 2017 (Public Law 115–31) is amended
10 by striking “the number” and inserting “a best estimate”.

11 **SEC. 2718. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
12 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
13 **FIED INFORMATION.**

14 (a) IN GENERAL.—Title XI of the National Security
15 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
16 ing at the end the following new section:

17 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
18 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
19 **FIED INFORMATION.**

20 “(a) DEFINITIONS.—In this section:

21 “(1) COVERED OFFICIAL.—The term ‘covered
22 official’ means—

23 “(A) the heads of each element of the in-
24 telligence community; and

1 “(B) the inspectors general with oversight
2 responsibility for an element of the intelligence
3 community.

4 “(2) INVESTIGATION.—The term ‘investigation’
5 means any inquiry, whether formal or informal, into
6 the existence of an unauthorized public disclosure of
7 classified information.

8 “(3) UNAUTHORIZED DISCLOSURE OF CLASSI-
9 FIED INFORMATION.—The term ‘unauthorized dis-
10 closure of classified information’ means any unau-
11 thorized disclosure of classified information to any
12 recipient.

13 “(4) UNAUTHORIZED PUBLIC DISCLOSURE OF
14 CLASSIFIED INFORMATION.—The term ‘unauthorized
15 public disclosure of classified information’ means the
16 unauthorized disclosure of classified information to a
17 journalist or media organization.

18 “(b) INTELLIGENCE COMMUNITY REPORTING.—

19 “(1) IN GENERAL.—Not less frequently than
20 once every 6 months, each covered official shall sub-
21 mit to the congressional intelligence committees a
22 report on investigations of unauthorized public dis-
23 closures of classified information.

1 “(2) ELEMENTS.—Each report submitted under
2 paragraph (1) shall include, with respect to the pre-
3 ceding 6-month period, the following:

4 “(A) The number of investigations opened
5 by the covered official regarding an unauthor-
6 ized public disclosure of classified information.

7 “(B) The number of investigations com-
8 pleted by the covered official regarding an un-
9 authorized public disclosure of classified infor-
10 mation.

11 “(C) Of the number of such completed in-
12 vestigations identified under subparagraph (B),
13 the number referred to the Attorney General
14 for criminal investigation.

15 “(c) DEPARTMENT OF JUSTICE REPORTING.—

16 “(1) IN GENERAL.—Not less frequently than
17 once every 6 months, the Assistant Attorney General
18 for National Security of the Department of Justice,
19 in consultation with the Director of the Federal Bu-
20 reau of Investigation, shall submit to the congres-
21 sional intelligence committees, the Committee on the
22 Judiciary of the Senate, and the Committee on the
23 Judiciary of the House of Representatives a report
24 on the status of each referral made to the Depart-
25 ment of Justice from any element of the intelligence

1 community regarding an unauthorized disclosure of
2 classified information made during the most recent
3 365-day period or any referral that has not yet been
4 closed, regardless of the date the referral was made.

5 “(2) CONTENTS.—Each report submitted under
6 paragraph (1) shall include, for each referral covered
7 by the report, at a minimum, the following:

8 “(A) The date the referral was received.

9 “(B) A statement indicating whether the
10 alleged unauthorized disclosure described in the
11 referral was substantiated by the Department
12 of Justice.

13 “(C) A statement indicating the highest
14 level of classification of the information that
15 was revealed in the unauthorized disclosure.

16 “(D) A statement indicating whether an
17 open criminal investigation related to the refer-
18 ral is active.

19 “(E) A statement indicating whether any
20 criminal charges have been filed related to the
21 referral.

22 “(F) A statement indicating whether the
23 Department of Justice has been able to at-
24 tribute the unauthorized disclosure to a par-
25 ticular entity or individual.

1 tives a notification of that designation. Each such notifica-
2 tion shall include—

- 3 (1) the date of the designation;
- 4 (2) the basis for the designation; and
- 5 (3) a justification for the expulsion.

6 **SEC. 2720. REPORTS ON INTELLIGENCE COMMUNITY PAR-**
7 **TICIPATION IN VULNERABILITIES EQUITIES**
8 **PROCESS OF FEDERAL GOVERNMENT.**

9 (a) DEFINITIONS.—In this section:

10 (1) VULNERABILITIES EQUITIES POLICY AND
11 PROCESS DOCUMENT.—The term “Vulnerabilities
12 Equities Policy and Process document” means the
13 executive branch document entitled “Vulnerabilities
14 Equities Policy and Process” dated November 15,
15 2017.

16 (2) VULNERABILITIES EQUITIES PROCESS.—
17 The term “Vulnerabilities Equities Process” means
18 the interagency review of vulnerabilities, pursuant to
19 the Vulnerabilities Equities Policy and Process docu-
20 ment or any successor document.

21 (3) VULNERABILITY.—The term “vulnerability”
22 means a weakness in an information system or its
23 components (for example, system security proce-
24 dures, hardware design, and internal controls) that

1 could be exploited or could affect confidentiality, in-
2 tegrity, or availability of information.

3 (b) REPORTS ON PROCESS AND CRITERIA UNDER
4 VULNERABILITIES EQUITIES POLICY AND PROCESS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Director
7 of National Intelligence shall submit to the congress-
8 sional intelligence committees a written report de-
9 scribing—

10 (A) with respect to each element of the in-
11 telligence community—

12 (i) the title of the official or officials
13 responsible for determining whether, pur-
14 suant to criteria contained in the
15 Vulnerabilities Equities Policy and Process
16 document or any successor document, a
17 vulnerability must be submitted for review
18 under the Vulnerabilities Equities Process;
19 and

20 (ii) the process used by such element
21 to make such determination; and

22 (B) the roles or responsibilities of that ele-
23 ment during a review of a vulnerability sub-
24 mitted to the Vulnerabilities Equities Process.

1 (2) CHANGES TO PROCESS OR CRITERIA.—Not
2 later than 30 days after any significant change is
3 made to the process and criteria used by any ele-
4 ment of the intelligence community for determining
5 whether to submit a vulnerability for review under
6 the Vulnerabilities Equities Process, such element
7 shall submit to the congressional intelligence com-
8 mittees a report describing such change.

9 (3) FORM OF REPORTS.—Each report sub-
10 mitted under this subsection shall be submitted in
11 unclassified form, but may include a classified
12 annex.

13 (c) ANNUAL REPORTS.—

14 (1) IN GENERAL.—Not less frequently than
15 once each calendar year, the Director of National In-
16 telligence shall submit to the congressional intel-
17 ligence committees a classified report containing,
18 with respect to the previous year—

19 (A) the number of vulnerabilities submitted
20 for review under the Vulnerabilities Equities
21 Process;

22 (B) the number of vulnerabilities described
23 in subparagraph (A) disclosed to each vendor
24 responsible for correcting the vulnerability, or

1 to the public, pursuant to the Vulnerabilities
2 Equities Process; and

3 (C) the aggregate number, by category, of
4 the vulnerabilities excluded from review under
5 the Vulnerabilities Equities Process, as de-
6 scribed in paragraph 5.4 of the Vulnerabilities
7 Equities Policy and Process document.

8 (2) UNCLASSIFIED INFORMATION.—Each report
9 submitted under paragraph (1) shall include an un-
10 classified appendix that contains—

11 (A) the aggregate number of vulnerabilities
12 disclosed to vendors or the public pursuant to
13 the Vulnerabilities Equities Process; and

14 (B) the aggregate number of vulnerabilities
15 disclosed to vendors or the public pursuant to
16 the Vulnerabilities Equities Process known to
17 have been patched.

18 (3) NON-DUPLICATION.—The Director of Na-
19 tional Intelligence may forgo submission of an an-
20 nual report required under this subsection for a cal-
21 endar year, if the Director notifies the intelligence
22 committees in writing that, with respect to the same
23 calendar year, an annual report required by para-
24 graph 4.3 of the Vulnerabilities Equities Policy and
25 Process document already has been submitted to

1 Congress, and such annual report contains the infor-
2 mation that would otherwise be required to be in-
3 cluded in an annual report under this subsection.

4 **SEC. 2721. INSPECTORS GENERAL REPORTS ON CLASSI-**
5 **FICATION.**

6 (a) **REPORTS REQUIRED.**—Not later than October 1,
7 2019, each Inspector General listed in subsection (b) shall
8 submit to the congressional intelligence committees a re-
9 port that includes, with respect to the department or agen-
10 cy of the Inspector General, analyses of the following:

11 (1) The accuracy of the application of classi-
12 fication and handling markers on a representative
13 sample of finished reports, including such reports
14 that are compartmented.

15 (2) Compliance with declassification procedures.

16 (3) The effectiveness of processes for identi-
17 fying topics of public or historical importance that
18 merit prioritization for a declassification review.

19 (b) **INSPECTORS GENERAL LISTED.**—The Inspectors
20 General listed in this subsection are as follows:

21 (1) The Inspector General of the Intelligence
22 Community.

23 (2) The Inspector General of the Central Intel-
24 ligence Agency.

1 (3) The Inspector General of the National Se-
2 curity Agency.

3 (4) The Inspector General of the Defense Intel-
4 ligence Agency.

5 (5) The Inspector General of the National Re-
6 connaissance Office.

7 (6) The Inspector General of the National
8 Geospatial-Intelligence Agency.

9 **SEC. 2722. REPORTS ON GLOBAL WATER INSECURITY AND**
10 **NATIONAL SECURITY IMPLICATIONS AND**
11 **BRIEFING ON EMERGING INFECTIOUS DIS-**
12 **EASE AND PANDEMICS.**

13 (a) REPORTS ON GLOBAL WATER INSECURITY AND
14 NATIONAL SECURITY IMPLICATIONS.—

15 (1) REPORTS REQUIRED.—Not later than 180
16 days after the date of the enactment of this Act and
17 not less frequently than once every 5 years there-
18 after, the Director of National Intelligence shall sub-
19 mit to the congressional intelligence committees a
20 report on the implications of water insecurity on the
21 national security interest of the United States, in-
22 cluding consideration of social, economic, agricul-
23 tural, and environmental factors.

24 (2) ASSESSMENT SCOPE AND FOCUS.—Each re-
25 port submitted under paragraph (1) shall include an

1 assessment of water insecurity described in such
2 subsection with a global scope, but focus on areas of
3 the world—

4 (A) of strategic, economic, or humanitarian
5 interest to the United States—

6 (i) that are, as of the date of the re-
7 port, at the greatest risk of instability,
8 conflict, human insecurity, or mass dis-
9 placement; or

10 (ii) where challenges relating to water
11 insecurity are likely to emerge and become
12 significant during the 5-year or the 20-
13 year period beginning on the date of the
14 report; and

15 (B) where challenges relating to water in-
16 security are likely to imperil the national secu-
17 rity interests of the United States or allies of
18 the United States.

19 (3) CONSULTATION.—In researching a report
20 required by paragraph (1), the Director shall consult
21 with—

22 (A) such stakeholders within the intel-
23 ligence community, the Department of Defense,
24 and the Department of State as the Director
25 considers appropriate; and

1 (B) such additional Federal agencies and
2 persons in the private sector as the Director
3 considers appropriate.

4 (4) FORM.—Each report submitted under para-
5 graph (1) shall be submitted in unclassified form,
6 but may include a classified annex.

7 (b) BRIEFING ON EMERGING INFECTIOUS DISEASE
8 AND PANDEMICS.—

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES DEFINED.—In this subsection, the term “ap-
11 propriate congressional committees” means—

12 (A) the congressional intelligence commit-
13 tees;

14 (B) the Committee on Foreign Affairs, the
15 Committee on Armed Services, the Committee
16 on Energy and Commerce, and the Committee
17 on Appropriations of the House of Representa-
18 tives; and

19 (C) the Committee on Foreign Relations,
20 the Committee on Armed Services, the Com-
21 mittee on Health, Education, Labor, and Pen-
22 sions, and the Committee on Appropriations of
23 the Senate.

24 (2) BRIEFING.—Not later than 120 days after
25 the date of the enactment of this Act, the Director

1 of National Intelligence shall provide to the appro-
2 priate congressional committees a briefing on the an-
3 ticipated geopolitical effects of emerging infectious
4 disease (including deliberate, accidental, and natu-
5 rally occurring infectious disease threats) and
6 pandemics, and their implications on the national se-
7 curity of the United States.

8 (3) CONTENT.—The briefing under paragraph
9 (2) shall include an assessment of—

10 (A) the economic, social, political, and se-
11 curity risks, costs, and impacts of emerging in-
12 fectious diseases on the United States and the
13 international political and economic system;

14 (B) the economic, social, political, and se-
15 curity risks, costs, and impacts of a major
16 transnational pandemic on the United States
17 and the international political and economic
18 system; and

19 (C) contributing trends and factors to the
20 matters assessed under subparagraphs (A) and
21 (B).

22 (4) EXAMINATION OF RESPONSE CAPACITY.—In
23 examining the risks, costs, and impacts of emerging
24 infectious disease and a possible transnational pan-
25 demic under paragraph (3), the Director of National

1 Intelligence shall also examine in the briefing under
2 paragraph (2) the response capacity within affected
3 countries and the international system. In consid-
4 ering response capacity, the Director shall include—

5 (A) the ability of affected nations to effec-
6 tively detect and manage emerging infectious
7 diseases and a possible transnational pandemic;

8 (B) the role and capacity of international
9 organizations and nongovernmental organiza-
10 tions to respond to emerging infectious disease
11 and a possible pandemic, and their ability to co-
12 ordinate with affected and donor nations; and

13 (C) the effectiveness of current inter-
14 national frameworks, agreements, and health
15 systems to respond to emerging infectious dis-
16 eases and a possible transnational pandemic.

17 (5) FORM.—The briefing under paragraph (2)
18 may be classified.

1 **SEC. 2723. ANNUAL REPORT ON MEMORANDA OF UNDER-**
2 **STANDING BETWEEN ELEMENTS OF INTEL-**
3 **LIGENCE COMMUNITY AND OTHER ENTITIES**
4 **OF THE UNITED STATES GOVERNMENT RE-**
5 **GARDING SIGNIFICANT OPERATIONAL AC-**
6 **TIVITIES OR POLICY.**

7 Section 311 of the Intelligence Authorization Act for
8 Fiscal Year 2017 (50 U.S.C. 3313) is amended—

9 (1) by redesignating subsection (b) as sub-
10 section (c); and

11 (2) by striking subsection (a) and inserting the
12 following:

13 “(a) IN GENERAL.—Each year, concurrent with the
14 annual budget request submitted by the President to Con-
15 gress under section 1105 of title 31, United States Code,
16 each head of an element of the intelligence community
17 shall submit to the congressional intelligence committees
18 a report that lists each memorandum of understanding or
19 other agreement regarding significant operational activi-
20 ties or policy entered into during the most recently com-
21 pleted fiscal year between or among such element and any
22 other entity of the United States Government.

23 “(b) PROVISION OF DOCUMENTS.—Each head of an
24 element of an intelligence community who receives a re-
25 quest from the Select Committee on Intelligence of the
26 Senate or the Permanent Select Committee on Intelligence

1 of the House of Representatives for a copy of a memo-
2 randum of understanding or other document listed in a
3 report submitted by the head under subsection (a) shall
4 submit to such committee the requested copy as soon as
5 practicable after receiving such request.”.

6 **SEC. 2724. STUDY ON THE FEASIBILITY OF ENCRYPTING**
7 **UNCLASSIFIED WIRELINE AND WIRELESS**
8 **TELEPHONE CALLS.**

9 (a) **STUDY REQUIRED.**—Not later than 180 days
10 after the date of the enactment of this Act, the Director
11 of National Intelligence shall complete a study on the fea-
12 sibility of encrypting unclassified wireline and wireless
13 telephone calls between personnel in the intelligence com-
14 munity.

15 (b) **REPORT.**—Not later than 90 days after the date
16 on which the Director completes the study required by
17 subsection (a), the Director shall submit to the congres-
18 sional intelligence committees a report on the Director’s
19 findings with respect to such study.

20 **SEC. 2725. MODIFICATION OF REQUIREMENT FOR ANNUAL**
21 **REPORT ON HIRING AND RETENTION OF MI-**
22 **NORITY EMPLOYEES.**

23 (a) **EXPANSION OF PERIOD OF REPORT.**—Subsection
24 (a) of section 114 of the National Security Act of 1947

1 (50 U.S.C. 3050) is amended by inserting “and the pre-
2 ceding 5 fiscal years” after “fiscal year”.

3 (b) CLARIFICATION ON DISAGGREGATION OF
4 DATA.—Subsection (b) of such section is amended, in the
5 matter before paragraph (1), by striking “disaggregated
6 data by category of covered person from each element of
7 the intelligence community” and inserting “data,
8 disaggregated by category of covered person and by ele-
9 ment of the intelligence community,”.

10 **SEC. 2726. REPORTS ON INTELLIGENCE COMMUNITY LOAN**
11 **REPAYMENT AND RELATED PROGRAMS.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) there should be established, through the
15 issuing of an Intelligence Community Directive or
16 otherwise, an intelligence community-wide program
17 for student loan repayment, student loan forgive-
18 ness, financial counseling, and related matters, for
19 employees of the intelligence community;

20 (2) creating such a program would enhance the
21 ability of the elements of the intelligence community
22 to recruit, hire, and retain highly qualified per-
23 sonnel, including with respect to mission-critical and
24 hard-to-fill positions;

1 (3) such a program, including with respect to
2 eligibility requirements, should be designed so as to
3 maximize the ability of the elements of the intel-
4 ligence community to recruit, hire, and retain highly
5 qualified personnel, including with respect to mis-
6 sion-critical and hard-to-fill positions; and

7 (4) to the extent possible, such a program
8 should be uniform throughout the intelligence com-
9 munity and publicly promoted by each element of
10 the intelligence community to both current employ-
11 ees of the element as well as to prospective employ-
12 ees of the element.

13 (b) REPORT ON POTENTIAL INTELLIGENCE COMMU-
14 NITY-WIDE PROGRAM.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the Di-
17 rector of National Intelligence, in cooperation with
18 the heads of the elements of the intelligence commu-
19 nity and the heads of any other appropriate depart-
20 ment or agency of the Federal Government, shall
21 submit to the congressional intelligence committees a
22 report on potentially establishing and carrying out
23 an intelligence community-wide program for student
24 loan repayment, student loan forgiveness, financial

1 counseling, and related matters, as described in sub-
2 section (a).

3 (2) MATTERS INCLUDED.—The report under
4 paragraph (1) shall include, at a minimum, the fol-
5 lowing:

6 (A) A description of the financial resources
7 that the elements of the intelligence community
8 would require to establish and initially carry
9 out the program specified in paragraph (1).

10 (B) A description of the practical steps to
11 establish and carry out such a program.

12 (C) The identification of any legislative ac-
13 tion the Director determines necessary to estab-
14 lish and carry out such a program.

15 (c) ANNUAL REPORTS ON ESTABLISHED PRO-
16 GRAMS.—

17 (1) COVERED PROGRAMS DEFINED.—In this
18 subsection, the term “covered programs” means any
19 loan repayment program, loan forgiveness program,
20 financial counseling program, or similar program,
21 established pursuant to title X of the National Secu-
22 rity Act of 1947 (50 U.S.C. 3191 et seq.) or any
23 other provision of law that may be administered or
24 used by an element of the intelligence community.

1 (2) ANNUAL REPORTS REQUIRED.—Not less
2 frequently than once each year, the Director of Na-
3 tional Intelligence shall submit to the congressional
4 intelligence committees a report on the covered pro-
5 grams. Each such report shall include, with respect
6 to the period covered by the report, the following:

7 (A) The number of personnel from each
8 element of the intelligence community who used
9 each covered program.

10 (B) The total amount of funds each ele-
11 ment expended for each such program.

12 (C) A description of the efforts made by
13 each element to promote each covered program
14 pursuant to both the personnel of the element
15 of the intelligence community and to prospec-
16 tive personnel.

17 **SEC. 2727. REPEAL OF CERTAIN REPORTING REQUIRE-**
18 **MENTS.**

19 (a) CORRECTING LONG-STANDING MATERIAL WEAK-
20 NESSES.—Section 368 of the Intelligence Authorization
21 Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C.
22 3051 note) is hereby repealed.

23 (b) INTERAGENCY THREAT ASSESSMENT AND CO-
24 ORDINATION GROUP.—Section 210D of the Homeland Se-
25 curity Act of 2002 (6 U.S.C. 124k) is amended—

1 (1) by striking subsection (c); and

2 (2) by redesignating subsections (d) through (i)

3 as subsections (c) through (h), respectively; and

4 (3) in subsection (c), as so redesignated—

5 (A) in paragraph (8), by striking “; and”

6 and inserting a period; and

7 (B) by striking paragraph (9).

8 (c) INSPECTOR GENERAL REPORT.—Section 8H of
9 the Inspector General Act of 1978 (5 U.S.C. App.) is
10 amended—

11 (1) by striking subsection (g); and

12 (2) by redesignating subsections (h) and (i) as
13 subsections (g) and (h), respectively.

14 **SEC. 2728. INSPECTOR GENERAL OF THE INTELLIGENCE**
15 **COMMUNITY REPORT ON SENIOR EXECU-**
16 **TIVES OF THE OFFICE OF THE DIRECTOR OF**
17 **NATIONAL INTELLIGENCE.**

18 (a) SENIOR EXECUTIVE SERVICE POSITION DE-
19 FINED.—In this section, the term “Senior Executive Serv-
20 ice position” has the meaning given that term in section
21 3132(a)(2) of title 5, United States Code, and includes
22 any position above the GS–15, step 10, level of the Gen-
23 eral Schedule under section 5332 of such title.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Inspector General of the

1 Intelligence Community shall submit to the congressional
2 intelligence committees a report on the number of Senior
3 Executive Service positions in the Office of the Director
4 of National Intelligence.

5 (c) MATTERS INCLUDED.—The report under sub-
6 section (b) shall include the following:

7 (1) The number of required Senior Executive
8 Service positions for the Office of the Director of
9 National Intelligence.

10 (2) Whether such requirements are reasonably
11 based on the mission of the Office.

12 (3) A discussion of how the number of the Sen-
13 ior Executive Service positions in the Office compare
14 to the number of senior positions at comparable or-
15 ganizations.

16 (d) COOPERATION.—The Director of National Intel-
17 ligence shall provide to the Inspector General of the Intel-
18 ligence Community any information requested by the In-
19 spector General of the Intelligence Community that is nec-
20 essary to carry out this section by not later than 14 cal-
21 endar days after the date on which the Inspector General
22 of the Intelligence Community makes such request.

1 **SEC. 2729. BRIEFING ON FEDERAL BUREAU OF INVESTIGA-**
2 **TION OFFERING PERMANENT RESIDENCE TO**
3 **SOURCES AND COOPERATORS.**

4 Not later than 30 days after the date of the enact-
5 ment of this Act, the Director of the Federal Bureau of
6 Investigation shall provide to the congressional intelligence
7 committees a briefing on the ability of the Federal Bureau
8 of Investigation to offer, as an inducement to assisting the
9 Bureau, permanent residence within the United States to
10 foreign individuals who are sources or cooperators in coun-
11 terintelligence or other national security-related investiga-
12 tions. The briefing shall address the following:

13 (1) The extent to which the Bureau may make
14 such offers, whether independently or in conjunction
15 with other agencies and departments of the United
16 States Government, including a discussion of the au-
17 thorities provided by section 101(a)(15)(S) of the
18 Immigration and Nationality Act (8 U.S.C.
19 1101(a)(15)(S)), section 7 of the Central Intel-
20 ligence Agency Act (50 U.S.C. 3508), and any other
21 provision of law under which the Bureau may make
22 such offers.

23 (2) An overview of the policies and operational
24 practices of the Bureau with respect to making such
25 offers.

1 (3) The sufficiency of such policies and prac-
2 tices with respect to inducing individuals to cooper-
3 ate with, serve as sources for such investigations, or
4 both.

5 (4) Whether the Director recommends any leg-
6 islative actions to improve such policies and prac-
7 tices, particularly with respect to the counterintel-
8 ligence efforts of the Bureau.

9 **SEC. 2730. INTELLIGENCE ASSESSMENT OF NORTH KOREA**
10 **REVENUE SOURCES.**

11 (a) **ASSESSMENT REQUIRED.**—Not later than 180
12 days after the date of the enactment of this Act, the Direc-
13 tor of National Intelligence, in coordination with the As-
14 sistant Secretary of State for Intelligence and Research
15 and the Assistant Secretary of the Treasury for Intel-
16 ligence and Analysis, shall produce an intelligence assess-
17 ment of the revenue sources of the North Korean regime.
18 Such assessment shall include revenue from the following
19 sources:

20 (1) Trade in coal, iron, and iron ore.

21 (2) The provision of fishing rights to North Ko-
22 rean territorial waters.

23 (3) Trade in gold, titanium ore, vanadium ore,
24 copper, silver, nickel, zinc, or rare earth minerals,
25 and other stores of value.

1 (4) Trade in textiles.

2 (5) Sales of conventional defense articles and
3 services.

4 (6) Sales of controlled goods, ballistic missiles,
5 and other associated items.

6 (7) Other types of manufacturing for export, as
7 the Director of National Intelligence considers ap-
8 propriate.

9 (8) The exportation of workers from North
10 Korea in a manner intended to generate significant
11 revenue, directly or indirectly, for use by the govern-
12 ment of North Korea.

13 (9) The provision of nonhumanitarian goods
14 (such as food, medicine, and medical devices) and
15 services by other countries.

16 (10) The provision of services, including bank-
17 ing and other support, including by entities located
18 in the Russian Federation, China, and Iran.

19 (11) Online commercial activities of the Govern-
20 ment of North Korea, including online gambling.

21 (12) Criminal activities, including cyber-enabled
22 crime and counterfeit goods.

23 (b) ELEMENTS.—The assessment required under
24 subsection (a) shall include an identification of each of the
25 following:

1 (1) The sources of North Korea’s funding.

2 (2) Financial and non-financial networks, in-
3 cluding supply chain management, transportation,
4 and facilitation, through which North Korea accesses
5 the United States and international financial sys-
6 tems and repatriates and exports capital, goods, and
7 services; and

8 (3) the global financial institutions, money serv-
9 ices business, and payment systems that assist
10 North Korea with financial transactions.

11 (c) SUBMITTAL TO CONGRESS.—Upon completion of
12 the assessment required under subsection (a), the Director
13 of National Intelligence shall submit to the congressional
14 intelligence committees a copy of such assessment.

15 **SEC. 2731. REPORT ON POSSIBLE EXPLOITATION OF VIR-**
16 **TUAL CURRENCIES BY TERRORIST ACTORS.**

17 (a) SHORT TITLE.—This section may be cited as the
18 “Stop Terrorist Use of Virtual Currencies Act”.

19 (b) REPORT.—Not later than 1 year after the date
20 of the enactment of this Act, the Director of National In-
21 telligence, in consultation with the Secretary of the Treas-
22 ury and the Under Secretary of Homeland Security for
23 Intelligence and Analysis, shall submit to Congress a re-
24 port on the possible exploitation of virtual currencies by

1 terrorist actors. Such report shall include the following
2 elements:

3 (1) An assessment of the means and methods
4 by which international terrorist organizations and
5 State sponsors of terrorism use virtual currencies.

6 (2) An assessment of the use by terrorist orga-
7 nizations and State sponsors of terrorism of virtual
8 currencies compared to the use by such organiza-
9 tions and States of other forms of financing to sup-
10 port operations, including an assessment of the col-
11 lection posture of the intelligence community on the
12 use of virtual currencies by such organizations and
13 States.

14 (3) A description of any existing legal impedi-
15 ments that inhibit or prevent the intelligence com-
16 munity from collecting information on or helping
17 prevent the use of virtual currencies by international
18 terrorist organizations and State sponsors of ter-
19 rorism and an identification of any gaps in existing
20 law that could be exploited for illicit funding by such
21 organizations and States.

22 (c) FORM OF REPORT.—The report required by sub-
23 section (b) shall be submitted in unclassified form, but
24 may include a classified annex.

1 (d) DISSEMINATION TO STATE AND LOCAL PART-
2 NERS.—Consistent with the protection of classified and
3 confidential unclassified information, the Under Secretary
4 shall share the report required by subsection (b) with
5 State, local, and regional officials who operate within
6 State, local, and regional fusion centers through the De-
7 partment of Homeland Security State, Local, and Re-
8 gional Fusion Center Initiative established in section 210A
9 of the Homeland Security Act of 2002 (6 U.S.C. 124h).

10 **Subtitle C—Other Matters**

11 **SEC. 2741. PUBLIC INTEREST DECLASSIFICATION BOARD.**

12 Section 710(b) of the Public Interest Declassification
13 Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)
14 is amended by striking “December 31, 2018” and insert-
15 ing “December 31, 2028”.

16 **SEC. 2742. TECHNICAL AND CLERICAL AMENDMENTS TO** 17 **THE NATIONAL SECURITY ACT OF 1947.**

18 (a) TABLE OF CONTENTS.—The table of contents at
19 the beginning of the National Security Act of 1947 (50
20 U.S.C. 3001 et seq.) is amended—

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

“Sec. 3. Definitions.”;

23 (2) by striking the item relating to section 107;

24 (3) by striking the item relating to section
25 113B and inserting the following new item:

“Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.”;

1 (4) by striking the items relating to sections
2 202, 203, 204, 208, 209, 210, 211, 212, 213, and
3 214; and

4 (5) by inserting after the item relating to sec-
5 tion 311 the following new item:

“Sec. 312. Repealing and saving provisions.”.

6 (b) OTHER TECHNICAL CORRECTIONS.—Such Act is
7 further amended—

8 (1) in section 102A—

9 (A) in subparagraph (G) of paragraph (1)
10 of subsection (g), by moving the margins of
11 such subparagraph 2 ems to the left; and

12 (B) in paragraph (3) of subsection (v), by
13 moving the margins of such paragraph 2 ems to
14 the left;

15 (2) in section 106—

16 (A) by inserting “SEC. 106.” before “(a)”;
17 and

18 (B) in subparagraph (I) of paragraph (2)
19 of subsection (b), by moving the margins of
20 such subparagraph 2 ems to the left;

21 (3) by striking section 107;

22 (4) in section 108(c), by striking “in both a
23 classified and an unclassified form” and inserting

1 “to Congress in classified form, but may include an
2 unclassified summary”;

3 (5) in section 112(c)(1), by striking “section
4 103(c)(7)” and inserting “section 102A(i)”;

5 (6) by amending section 201 to read as follows:

6 **“SEC. 201. DEPARTMENT OF DEFENSE.**

7 “Except to the extent inconsistent with the provisions
8 of this Act or other provisions of law, the provisions of
9 title 5, United States Code, shall be applicable to the De-
10 partment of Defense.”;

11 (7) in section 205, by redesignating subsections
12 (b) and (c) as subsections (a) and (b), respectively;

13 (8) in section 206, by striking “(a)”;

14 (9) in section 207, by striking “(c)”;

15 (10) in section 308(a), by striking “this Act”
16 and inserting “sections 2, 101, 102, 103, and 303
17 of this Act”;

18 (11) by redesignating section 411 as section
19 312;

20 (12) in section 503—

21 (A) in paragraph (5) of subsection (c)—

22 (i) by moving the margins of such
23 paragraph 2 ems to the left; and

1 (ii) by moving the margins of sub-
2 paragraph (B) of such paragraph 2 ems to
3 the left; and

4 (B) in paragraph (2) of subsection (d), by
5 moving the margins of such paragraph 2 ems to
6 the left; and

7 (13) in subparagraph (B) of paragraph (3) of
8 subsection (a) of section 504, by moving the margins
9 of such subparagraph 2 ems to the right.

10 **SEC. 2743. TECHNICAL AMENDMENTS RELATED TO THE DE-**
11 **PARTMENT OF ENERGY.**

12 (a) NATIONAL NUCLEAR SECURITY ADMINISTRATION
13 ACT.—

14 (1) CLARIFICATION OF FUNCTIONS OF THE AD-
15 MINISTRATOR FOR NUCLEAR SECURITY.—Subsection
16 (b) of section 3212 of the National Nuclear Security
17 Administration Act (50 U.S.C. 2402(b)) is amend-
18 ed—

19 (A) by striking paragraphs (11) and (12);
20 and

21 (B) by redesignating paragraphs (13)
22 through (19) as paragraphs (11) through (17),
23 respectively.

1 (2) COUNTERINTELLIGENCE PROGRAMS.—Sec-
2 tion 3233(b) of the National Nuclear Security Ad-
3 ministration Act (50 U.S.C. 2423(b)) is amended—

4 (A) by striking “Administration” and in-
5 serting “Department”; and

6 (B) by inserting “Intelligence and” after
7 “the Office of”.

8 (b) ATOMIC ENERGY DEFENSE ACT.—Section
9 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
10 2674(b)(2)) is amended by inserting “Intelligence and”
11 after “The Director of”.

12 (c) NATIONAL SECURITY ACT OF 1947.—Paragraph
13 (2) of section 106(b) of the National Security Act of 1947
14 (50 U.S.C. 3041(b)(2)) is amended—

15 (1) in subparagraph (E), by inserting “and
16 Counterintelligence” after “Office of Intelligence”;

17 (2) by striking subparagraph (F); and

18 (3) by redesignating subparagraphs (G), (H),
19 and (I) as subparagraphs (F), (G), and (H), respec-
20 tively.

21 **SEC. 2744. SENSE OF CONGRESS ON NOTIFICATION OF CER-**
22 **TAIN DISCLOSURES OF CLASSIFIED INFOR-**
23 **MATION.**

24 (a) DEFINITIONS.—In this section:

1 (1) ADVERSARY FOREIGN GOVERNMENT.—The
2 term “adversary foreign government” means the
3 government of any of the following foreign countries:

4 (A) North Korea.

5 (B) Iran.

6 (C) China.

7 (D) Russia.

8 (E) Cuba.

9 (2) COVERED CLASSIFIED INFORMATION.—The
10 term “covered classified information” means classi-
11 fied information that was—

12 (A) collected by an element of the intel-
13 ligence community; or

14 (B) provided by the intelligence service or
15 military of a foreign country to an element of
16 the intelligence community.

17 (3) ESTABLISHED INTELLIGENCE CHANNELS.—
18 The term “established intelligence channels” means
19 methods to exchange intelligence to coordinate for-
20 eign intelligence relationships, as established pursu-
21 ant to law by the Director of National Intelligence,
22 the Director of the Central Intelligence Agency, the
23 Director of the National Security Agency, or other
24 head of an element of the intelligence community.

1 (4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—

2 The term “individual in the executive branch”
3 means any officer or employee of the executive
4 branch, including individuals—

5 (A) occupying a position specified in article
6 II of the Constitution;

7 (B) appointed to a position by an indi-
8 vidual described in subparagraph (A); or

9 (C) serving in the civil service or the Sen-
10 ior Executive Service (or similar service for sen-
11 ior executives of particular departments or
12 agencies).

13 (b) FINDINGS.—Congress finds that section 502 of
14 the National Security Act of 1947 (50 U.S.C. 3092) re-
15 quires elements of the intelligence community to keep the
16 congressional intelligence committees “fully and currently
17 informed” about all “intelligence activities” of the United
18 States, and to “furnish to the congressional intelligence
19 committees any information or material concerning intel-
20 ligence activities * * * which is requested by either of the
21 congressional intelligence committees in order to carry out
22 its authorized responsibilities.”.

23 (c) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) section 502 of the National Security Act of
2 1947 (50 U.S.C. 3092), together with other intel-
3 ligence community authorities, obligates an element
4 of the intelligence community to submit to the con-
5 gressional intelligence committees written notifica-
6 tion, by not later than 7 days after becoming aware,
7 that an individual in the executive branch has dis-
8 closed covered classified information to an official of
9 an adversary foreign government using methods
10 other than established intelligence channels; and

11 (2) each such notification should include—

12 (A) the date and place of the disclosure of
13 classified information covered by the notifica-
14 tion;

15 (B) a description of such classified infor-
16 mation;

17 (C) identification of the individual who
18 made such disclosure and the individual to
19 whom such disclosure was made; and

20 (D) a summary of the circumstances of
21 such disclosure.

1 **SEC. 2745. SENSE OF CONGRESS ON CONSIDERATION OF**
2 **ESPIONAGE ACTIVITIES WHEN CONSIDERING**
3 **WHETHER OR NOT TO PROVIDE VISAS TO**
4 **FOREIGN INDIVIDUALS TO BE ACCREDITED**
5 **TO A UNITED NATIONS MISSION IN THE**
6 **UNITED STATES.**

7 It is the sense of the Congress that the Secretary of
8 State, in considering whether or not to provide a visa to
9 a foreign individual to be accredited to a United Nations
10 mission in the United States, should consider—

11 (1) known and suspected intelligence activities,
12 espionage activities, including activities constituting
13 precursors to espionage, carried out by the indi-
14 vidual against the United States, foreign allies of the
15 United States, or foreign partners of the United
16 States; and

17 (2) the status of an individual as a known or
18 suspected intelligence officer for a foreign adversary.

Passed the House of Representatives July 17, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 3494

AN ACT

To authorize appropriations for fiscal years 2018, 2019, and 2020 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.