

115TH CONGRESS
2D SESSION

H. R. 6237

To authorize appropriations for fiscal years 2018 and 2019 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2018

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

A BILL

To authorize appropriations for fiscal years 2018 and 2019 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; ORGANIZATION OF ACT INTO DI-**
 2 **VISIONS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Matthew Young Pollard Intelligence Authorization Act
 5 for Fiscal Years 2018 and 2019”.

6 (b) **ORGANIZATION.**—This Act is organized into two
 7 divisions as follows:

8 (1) **DIVISION A.**—Intelligence Authorization Act
 9 for Fiscal Year 2018.

10 (2) **DIVISION B.**—Intelligence Authorization Act
 11 for Fiscal Year 2019.

12 **DIVISION A—INTELLIGENCE AU-**
 13 **THORIZATION ACT FOR FIS-**
 14 **CAL YEAR 2018**

15 **SEC. 101. SHORT TITLE; TABLE OF CONTENTS.**

16 (a) **SHORT TITLE.**—This division may be cited as the
 17 “Intelligence Authorization Act for Fiscal Year 2018”.

18 (b) **TABLE OF CONTENTS.**—The table of contents for
 19 this division is as follows:

Sec. 101. Short title; table of contents.

Sec. 102. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 1101. Authorization of appropriations.

Sec. 1102. Classified Schedule of Authorizations.

Sec. 1103. Personnel ceiling adjustments.

Sec. 1104. Intelligence Community Management Account.

**TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
 DISABILITY SYSTEM**

Sec. 1201. Authorization of appropriations.

Sec. 1202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 1301. Restriction on conduct of intelligence activities.

Sec. 1302. Increase in employee compensation and benefits authorized by law.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Sec. 1401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Sec. 1402. Designation of the program manager-information sharing environment.

Sec. 1403. Technical modification to the executive schedule.

TITLE V—REPORTS AND OTHER MATTERS

Sec. 1501. Period of overseas assignments for certain foreign service officers.

Sec. 1502. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 1503. Foreign counterintelligence and cybersecurity threats to Federal election campaigns.

Sec. 1504. Intelligence community reports on security clearances.

Sec. 1505. Assessment of threat finance relating to Russia.

Sec. 1506. Report on cyber exchange program.

Sec. 1507. Review of Intelligence Community whistleblower matters.

Sec. 1508. Report on role of Director of National Intelligence with respect to certain foreign investments.

Sec. 1509. Semiannual reports on investigations of unauthorized disclosures of classified information.

Sec. 1510. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Sec. 1511. Sense of Congress on notifications of certain disclosures of classified information.

Sec. 1512. Technical amendments related to the Department of Energy.

1 SEC. 102. DEFINITIONS.

2 In this division, the terms “congressional intelligence
3 committees” and “intelligence community” have the
4 meaning given those terms in section 3 of the National
5 Security Act of 1947 (50 U.S.C. 3003).

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

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

3 (16) The Department of Homeland Security.

4 (b) CERTAIN SPECIFIC AUTHORIZATION.—Funds ap-
5 propriated by the Department of Defense Missile Defeat
6 and Defense Enhancements Appropriations Act, 2018 (di-
7 vision B of Public Law 115–96) for intelligence or intel-
8 ligence-related activities are specifically authorized by the
9 Congress for purposes of section 504 of the National Secu-
10 rity Act of 1947 (50 U.S.C. 3094), as specified in the clas-
11 sified Schedule of Authorizations pursuant to section
12 1102, and are subject to such section 504.

13 **SEC. 1102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

14 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
15 authorized to be appropriated under section 1101 and,
16 subject to section 1103, the authorized personnel ceilings
17 as of September 30, 2018, for the conduct of the intel-
18 ligence activities of the elements listed in paragraphs (1)
19 through (16) of section 1101, are those specified in the
20 classified Schedule of Authorizations prepared to accom-
21 pany this division.

22 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
23 THORIZATIONS.—

24 (1) AVAILABILITY.—The classified Schedule of
25 Authorizations referred to in subsection (a) shall be

1 made available to the Committee on Appropriations
2 of the Senate, the Committee on Appropriations of
3 the House of Representatives, and to the President.

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

10 (3) LIMITS ON DISCLOSURE.—The President
11 shall not publicly disclose the classified Schedule of
12 Authorizations or any portion of such Schedule ex-
13 cept—

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

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

19 (C) as otherwise required by law.

20 **SEC. 1103. PERSONNEL CEILING ADJUSTMENTS.**

21 (a) AUTHORITY FOR INCREASES.—The Director of
22 National Intelligence may authorize employment of civil-
23 ian personnel in excess of the number authorized for fiscal
24 year 2018 by the classified Schedule of Authorizations re-
25 ferred to in section 1102(a) if the Director of National

1 Intelligence determines that such action is necessary to
2 the performance of important intelligence functions, ex-
3 cept that the number of personnel employed in excess of
4 the number authorized under such section may not, for
5 any element of the intelligence community, exceed—

6 (1) 3 percent of the number of civilian per-
7 sonnel authorized under such schedule for such ele-
8 ment; or

9 (2) 10 percent of the number of civilian per-
10 sonnel authorized under such schedule for such ele-
11 ment for the purposes of converting the performance
12 of any function by contractors to performance by ci-
13 vilian personnel.

14 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
15 rector of National Intelligence shall establish guidelines
16 that govern, for each element of the intelligence commu-
17 nity, the treatment under the personnel levels authorized
18 under section 1102(a), including any exemption from such
19 personnel levels, of employment or assignment in—

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

22 (2) a reserve corps or as a reemployed annu-
23 itant; or

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

1 (c) NOTICE TO CONGRESSIONAL INTELLIGENCE
2 COMMITTEES.—Not later than 15 days prior to the exer-
3 cise of an authority described in subsection (a), the Direc-
4 tor of National Intelligence shall submit to the congres-
5 sional intelligence committees—

6 (1) a written notice of the exercise of such au-
7 thority; and

8 (2) in the case of an exercise of such authority
9 subject to the limitation in subsection (a)(2), a writ-
10 ten justification for the contractor conversion that
11 includes a comparison of whole-of-Government costs.

12 **SEC. 1104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
13 **COUNT.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated for the Intelligence Commu-
16 nity Management Account of the Director of National In-
17 telligence for fiscal year 2018 the sum of \$546,900,000.

18 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
19 ments within the Intelligence Community Management
20 Account of the Director of National Intelligence are au-
21 thorized 797 positions as of September 30, 2018. Per-
22 sonnel serving in such elements may be permanent em-
23 ployees of the Office of the Director of National Intel-
24 ligence or personnel detailed from other elements of the
25 United States Government.

1 (c) CLASSIFIED AUTHORIZATIONS.—

2 (1) AUTHORIZATION OF APPROPRIATIONS.—In
3 addition to amounts authorized to be appropriated
4 for the Intelligence Community Management Ac-
5 count by subsection (a), there are authorized to be
6 appropriated for the Intelligence Community Man-
7 agement Account for fiscal year 2018 such addi-
8 tional amounts as are specified in the classified
9 Schedule of Authorizations referred to in section
10 1102(a). Such additional amounts made available
11 for advanced research and development shall remain
12 available until September 30, 2019.

13 (2) AUTHORIZATION OF PERSONNEL.—In addi-
14 tion to the personnel authorized by subsection (b)
15 for elements of the Intelligence Community Manage-
16 ment Account as of September 30, 2018, there are
17 authorized such additional personnel for the Com-
18 munity Management Account as of that date as are
19 specified in the classified Schedule of Authorizations
20 referred to in section 1102(a).

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

5 **SEC. 1201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 for fiscal year 2018 the sum of \$514,000,000.

9 **SEC. 1202. 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 NUIITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
18 annuity which 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 III—GENERAL INTEL-**
18 **LIGENCE COMMUNITY MAT-**
19 **TERS**

20 **SEC. 1301. 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. 1302. 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 **TITLE IV—MATTERS RELATING**
9 **TO ELEMENTS OF THE INTEL-**
10 **LIGENCE COMMUNITY**

11 **SEC. 1401. AUTHORITY FOR PROTECTION OF CURRENT AND**
12 **FORMER EMPLOYEES OF THE OFFICE OF THE**
13 **DIRECTOR OF NATIONAL INTELLIGENCE.**

14 Section 5(a)(4) of the Central Intelligence Agency
15 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-
16 ing “such personnel of the Office of the Director of Na-
17 tional Intelligence as the Director of National Intelligence
18 may designate;” and inserting “current and former per-
19 sonnel of the Office of the Director of National Intel-
20 ligence and their immediate families as the Director of Na-
21 tional Intelligence may designate;”.

22 **SEC. 1402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
23 **FORMATION-SHARING ENVIRONMENT.**

24 (a) INFORMATION-SHARING ENVIRONMENT.—Sec-
25 tion 1016(b) of the Intelligence Reform and Terrorism
26 Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

1 **TITLE V—REPORTS AND OTHER**
2 **MATTERS**

3 **SEC. 1501. PERIOD OF OVERSEAS ASSIGNMENTS FOR CER-**
4 **TAIN FOREIGN SERVICE OFFICERS.**

5 (a) LENGTH OF PERIOD OF ASSIGNMENT.—Sub-
6 section (a) of section 502 of the Foreign Service Act of
7 1980 (22 U.S.C. 3982) is amended by adding at the end
8 the following new paragraph:

9 “(3) In making assignments under paragraph (1),
10 and in accordance with section 903, and, if applicable, sec-
11 tion 503, the Secretary shall assure that a member of the
12 Service may serve at a post for a period of not more than
13 six consecutive years.”.

14 (b) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
15 MENTS.—Section 702 of the Foreign Service Act of 1980
16 (22 U.S.C. 4022) is amended by—

17 (1) redesignating subsection (c) as subsection
18 (d); and

19 (2) by inserting after subsection (b) the fol-
20 lowing new subsection:

21 “(c) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
22 MENTS.—

23 “(1) IN GENERAL.—The Secretary of State,
24 with the assistance of other relevant officials, shall
25 require all members of the Service who receive for-

1 eign language training in Arabic, Farsi, Chinese
2 (Mandarin or Cantonese), Turkish, Korean, and
3 Japanese by the institution or otherwise in accord-
4 ance with subsection (b) to serve three successive
5 tours in positions in which the acquired language is
6 both relevant and determined to be a benefit to the
7 Department.

8 “(2) OVERSEAS DEPLOYMENTS.—In carrying
9 out paragraph (1), at least one of the three succes-
10 sive tours referred to in such paragraph shall be an
11 overseas deployment.

12 “(3) WAIVER.—The Secretary of State may
13 waive the application of paragraph (1) for medical
14 or family hardship or in the interest of national se-
15 curity.

16 “(4) CONGRESSIONAL NOTIFICATION.—The
17 Secretary of State shall notify the Committees on
18 Appropriations and Foreign Affairs of the House of
19 Representatives and Committees on Appropriations
20 and Foreign Relations of the Senate at the end of
21 each fiscal year of any instances during the prior
22 twelve months in which the waiver authority de-
23 scribed in paragraph (3) was invoked.”.

1 **SEC. 1502. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
2 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
3 **ELECTIONS AND REFERENDA.**

4 (a) ASSESSMENT REQUIRED.—Not later than 60
5 days after the date of the enactment of this Act, the Direc-
6 tor of National Intelligence shall submit to the congress-
7 sional intelligence committees a report containing an ana-
8 lytical assessment of the most significant Russian influ-
9 ence campaigns, if any, conducted during the 3-year pe-
10 riod preceding the date of the enactment of this Act, as
11 well as the most significant current or planned such Rus-
12 sian influence campaigns, if any. Such assessment shall
13 include—

14 (1) a summary of such significant Russian in-
15 fluence campaigns, including, at a minimum, the
16 specific means by which such campaigns were con-
17 ducted, are being conducted, or likely will be con-
18 ducted, as appropriate, and the specific goal of each
19 such campaign;

20 (2) a summary of any defenses against or re-
21 sponses to such Russian influence campaigns by the
22 foreign state holding the elections or referenda;

23 (3) a summary of any relevant activities by ele-
24 ments of the intelligence community undertaken for
25 the purpose of assisting the government of such for-

1 eign state in defending against or responding to
2 such Russian influence campaigns; and

3 (4) an assessment of the effectiveness of such
4 defenses and responses described in paragraphs (2)
5 and (3).

6 (b) FORM.—The report required by subsection (a)
7 may be submitted in classified form, but if so submitted,
8 shall contain an unclassified summary.

9 (c) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In
10 this section, the term “Russian influence campaign”
11 means any effort, covert or overt, and by any means, at-
12 tributable to the Russian Federation directed at an elec-
13 tion, referendum, or similar process in a country other
14 than the Russian Federation or the United States.

15 **SEC. 1503. FOREIGN COUNTERINTELLIGENCE AND CYBER-**
16 **SECURITY THREATS TO FEDERAL ELECTION**
17 **CAMPAIGNS.**

18 (a) REPORTS REQUIRED.—

19 (1) IN GENERAL.—As provided in paragraph
20 (2), for each Federal election, the Director of Na-
21 tional Intelligence, in coordination with the Under
22 Secretary of Homeland Security for Intelligence and
23 Analysis and the Director of the Federal Bureau of
24 Investigation, shall make publicly available on an
25 internet website an advisory report on foreign coun-

1 terintelligence and cybersecurity threats to election
2 campaigns for Federal offices. Each such report
3 shall include, consistent with the protection of
4 sources and methods, each of the following:

5 (A) A description of foreign counterintel-
6 ligence and cybersecurity threats to election
7 campaigns for Federal offices.

8 (B) A summary of best practices that elec-
9 tion campaigns for Federal offices can employ
10 in seeking to counter such threats.

11 (C) An identification of any publicly avail-
12 able resources, including United States Govern-
13 ment resources, for countering such threats.

14 (2) SCHEDULE FOR SUBMITTAL.—A report
15 under this subsection shall be made available as fol-
16 lows:

17 (A) In the case of a report regarding a
18 special election held for the office of Senator or
19 Member of the House of Representatives during
20 2019, not later than the date that is 60 days
21 before the date of such special election.

22 (B) In the case of a report regarding an
23 election for a Federal office during any subse-
24 quent year, not later than the date that is 1
25 year before the date of the election.

1 Government, with some processing times exceeding a
2 year or even more;

3 (2) the protracted clearance timetable threatens
4 the ability of elements of the intelligence community
5 to hire and retain highly qualified individuals, and
6 thus to fulfill the missions of such elements;

7 (3) the prospect of a lengthy clearance process
8 deters some such individuals from seeking employ-
9 ment with the intelligence community in the first
10 place, and, when faced with a long wait time, those
11 with conditional offers of employment may opt to
12 discontinue the security clearance process and pur-
13 sue different opportunities;

14 (4) now more than ever, therefore, the broken
15 security clearance process badly needs fundamental
16 reform; and

17 (5) in the meantime, to ensure the ability of
18 elements of the intelligence community to hire and
19 retain highly qualified personnel, elements should
20 consider, to the extent possible and consistent with
21 national security, permitting new employees to enter
22 on duty immediately or nearly so, and to perform,
23 on a temporary basis pending final adjudication of
24 their security clearances, work that either does not

1 require a security clearance or requires only a low-
2 level interim clearance.

3 (b) IN GENERAL.—Section 506H of the National Se-
4 curity Act of 1947 (50 U.S.C. 3104) is amended—

5 (1) in subsection (a)(1)—

6 (A) in subparagraph (A)(ii), by inserting
7 “and” after the semicolon;

8 (B) in subparagraph (B)(ii), by striking “;
9 and” and inserting a period; and

10 (C) by striking subparagraph (C);

11 (2) by redesignating subsection (b) as sub-
12 section (c);

13 (3) by inserting after subsection (a) the fol-
14 lowing new subsection (b):

15 “(b) INTELLIGENCE COMMUNITY REPORTS.—(1)

16 Not later than March 1 of each year, the Director of Na-
17 tional Intelligence shall submit to the congressional intel-
18 ligence committees, the Committee on Homeland Security
19 and Governmental Affairs of the Senate, and the Com-
20 mittee on Homeland Security of the House of Representa-
21 tives a report on the security clearances processed by each
22 element of the intelligence community during the pre-
23 ceding fiscal year. Each such report shall separately iden-
24 tify security clearances processed for Federal employees
25 and contractor employees sponsored by each such element.

1 “(2) Each report submitted under paragraph (1)
2 shall include each of the following for each element of the
3 intelligence community for the fiscal year covered by the
4 report:

5 “(A) The total number of initial security clear-
6 ance background investigations sponsored for new
7 applicants.

8 “(B) The total number of security clearance
9 periodic reinvestigations sponsored for existing em-
10 ployees.

11 “(C) The total number of initial security clear-
12 ance background investigations for new applicants
13 that were adjudicated with notice of a determination
14 provided to the prospective applicant, including—

15 “(i) the total number that were adju-
16 dicated favorably and granted access to classi-
17 fied information; and

18 “(ii) the total number that were adju-
19 dicated unfavorably and resulted in a denial or
20 revocation of a security clearance.

21 “(D) The total number of security clearance
22 periodic background investigations that were adju-
23 dicated with notice of a determination provided to
24 the existing employee, including—

1 “(i) the total number that were adju-
2 dicated favorably; and

3 “(ii) the total number that were adju-
4 dicated unfavorably and resulted in a denial or
5 revocation of a security clearance.

6 “(E) The total number of pending security
7 clearance background investigations, including initial
8 applicant investigations and periodic reinvestiga-
9 tions, that were not adjudicated as of the last day
10 of such year and that remained pending as follows:

11 “(i) For 180 days or less.

12 “(ii) For 180 days or longer, but less than
13 12 months.

14 “(iii) For 12 months or longer, but less
15 than 18 months.

16 “(iv) For 18 months or longer, but less
17 than 24 months.

18 “(v) For 24 months or longer.

19 “(F) In the case of security clearance deter-
20 minations completed or pending during the year pre-
21 ceding the year for which the report is submitted
22 that have taken longer than 12 months to com-
23 plete—

1 “(i) an explanation of the causes for the
2 delays incurred during the period covered by
3 the report; and

4 “(ii) the number of such delays involving a
5 polygraph requirement.

6 “(G) The percentage of security clearance in-
7 vestigations, including initial and periodic reinves-
8 tigations, that resulted in a denial or revocation of
9 a security clearance.

10 “(H) The percentage of security clearance in-
11 vestigations that resulted in incomplete information.

12 “(I) The percentage of security clearance inves-
13 tigations that did not result in enough information
14 to make a decision on potentially adverse informa-
15 tion.

16 “(3) The report required under this subsection shall
17 be submitted in unclassified form, but may include a clas-
18 sified annex.”; and

19 (4) in subsection (c), as redesignated by para-
20 graph (2), by striking “subsection (a)(1)” and in-
21 serting “subsections (a)(1) and (b)”.

22 **SEC. 1505. ASSESSMENT OF THREAT FINANCE RELATING**
23 **TO RUSSIA.**

24 (a) REPORT REQUIRED.—Not later than 60 days
25 after the date of the enactment of this Act, the Director

1 of National Intelligence, in coordination with the Assistant
2 Secretary of the Treasury for Intelligence and Analysis,
3 shall submit to the congressional intelligence committees
4 a report containing an assessment of Russian threat fi-
5 nance. The assessment shall be based on intelligence from
6 all sources, including from the Office of Terrorism and
7 Financial Intelligence of the Department of the Treasury.

8 (b) ELEMENTS.—The report required by subsection
9 (a) shall include each of the following:

10 (1) A summary of leading examples from the 3-
11 year period preceding the date of the submittal of
12 the report of threat finance activities conducted by,
13 for the benefit of, or at the behest of—

14 (A) officials of the Government of Russia;

15 (B) persons subject to sanctions under any
16 provision of law imposing sanctions with respect
17 to Russia;

18 (C) Russian nationals subject to sanctions
19 under any other provision of law; or

20 (D) Russian oligarchs or organized crimi-
21 nals.

22 (2) An assessment with respect to any trends or
23 patterns in threat finance activities relating to Rus-
24 sia, including common methods of conducting such
25 activities and global nodes of money laundering used

1 by Russian threat actors described in paragraph (1)
2 and associated entities.

3 (3) An assessment of any connections between
4 Russian individuals involved in money laundering
5 and the Government of Russia.

6 (4) A summary of engagement and coordination
7 with international partners on threat finance relat-
8 ing to Russia, especially in Europe, including exam-
9 ples of such engagement and coordination.

10 (5) An identification of any resource and collec-
11 tion gaps.

12 (6) An identification of—

13 (A) entry points of money laundering by
14 Russian and associated entities into the United
15 States;

16 (B) any vulnerabilities within the United
17 States legal and financial system, including spe-
18 cific sectors, which have been or could be ex-
19 ploited in connection with Russian threat fi-
20 nance activities; and

21 (C) the counterintelligence threat posed by
22 Russian money laundering and other forms of
23 threat finance, as well as the threat to the
24 United States financial system and United

1 States efforts to enforce sanctions and combat
2 organized crime.

3 (7) Any other matters the Director determines
4 appropriate.

5 (c) FORM OF REPORT.—The report required under
6 subsection (a) may be submitted in classified form.

7 (d) THREAT FINANCE DEFINED.—In this section,
8 the term “threat finance” means—

9 (1) the financing of cyber operations, global in-
10 fluence campaigns, intelligence service activities, pro-
11 liferation, terrorism, or transnational crime and
12 drug organizations;

13 (2) the methods and entities used to spend,
14 store, move, raise, conceal, or launder money or
15 value, on behalf of threat actors;

16 (3) sanctions evasion; and

17 (4) other forms of threat finance activity do-
18 mestically or internationally, as defined by the Presi-
19 dent.

20 **SEC. 1506. REPORT ON CYBER EXCHANGE PROGRAM.**

21 (a) REPORT.—Not later than 90 days after the date
22 of the enactment of this Act, the Director of National In-
23 telligence shall submit to the congressional intelligence
24 committees a report on the potential establishment of a
25 fully voluntary exchange program between elements of the

1 intelligence community and private technology companies
2 under which—

3 (1) an employee of an element of the intel-
4 ligence community with demonstrated expertise and
5 work experience in cybersecurity or related dis-
6 ciplines may elect to be temporarily detailed to a pri-
7 vate technology company that has elected to receive
8 the detailee; and

9 (2) an employee of a private technology com-
10 pany with demonstrated expertise and work experi-
11 ence in cybersecurity or related disciplines may elect
12 to be temporarily detailed to an element of the intel-
13 ligence community that has elected to receive the
14 detailee.

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

17 (1) An assessment of the feasibility of estab-
18 lishing the exchange program described in such sub-
19 section.

20 (2) Identification of any challenges in estab-
21 lishing the exchange program.

22 (3) An evaluation of the benefits to the intel-
23 ligence community that would result from the ex-
24 change program.

1 **SEC. 1507. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
2 **TLBLOWER MATTERS.**

3 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
4 Inspector General of the Intelligence Community, in con-
5 sultation with the inspectors general for the Central Intel-
6 ligence Agency, the National Security Agency, the Na-
7 tional Geospatial-Intelligence Agency, the Defense Intel-
8 ligence Agency, and the National Reconnaissance Office,
9 shall conduct a review of the authorities, policies, inves-
10 tigatory standards, and other practices and procedures re-
11 lating to intelligence community whistleblower matters,
12 with respect to such inspectors general.

13 (b) OBJECTIVE OF REVIEW.—The objective of the re-
14 view required under subsection (a) is to identify any dis-
15 crepancies, inconsistencies, or other issues, which frustrate
16 the timely and effective reporting of intelligence commu-
17 nity whistleblower matters to appropriate inspectors gen-
18 eral and to the congressional intelligence committees, and
19 the fair and expeditious investigation and resolution of
20 such matters.

21 (c) CONDUCT OF REVIEW.—The Inspector General of
22 the Intelligence Community shall take such measures as
23 the Inspector General determines necessary in order to en-
24 sure that the review required by subsection (a) is con-
25 ducted in an independent and objective fashion.

1 (d) REPORT.—Not later than 270 days after the date
2 of the enactment of this Act, the Inspector General of the
3 Intelligence Community shall submit to the congressional
4 intelligence committees a written report containing the re-
5 sults of the review required under subsection (a), along
6 with recommendations to improve the timely and effective
7 reporting of intelligence community whistleblower matters
8 to inspectors general and to the congressional intelligence
9 committees and the fair and expeditious investigation and
10 resolution of such matters.

11 **SEC. 1508. REPORT ON ROLE OF DIRECTOR OF NATIONAL**
12 **INTELLIGENCE WITH RESPECT TO CERTAIN**
13 **FOREIGN INVESTMENTS.**

14 (a) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Director of National In-
16 telligence, in consultation with the heads of the elements
17 of the intelligence community determined appropriate by
18 the Director, shall submit to the congressional intelligence
19 committees a report on the role of the Director in pre-
20 paring analytic materials in connection with the evaluation
21 by the Federal Government of national security risks asso-
22 ciated with potential foreign investments into the United
23 States.

24 (b) ELEMENTS.—The report under subsection (a)
25 shall include—

1 (1) a description of the current process for the
2 provision of the analytic materials described in sub-
3 section (a);

4 (2) an identification of the most significant ben-
5 efits and drawbacks of such process with respect to
6 the role of the Director, including the sufficiency of
7 resources and personnel to prepare such materials;
8 and

9 (3) recommendations to improve such process.

10 **SEC. 1509. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
11 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
12 **FIED INFORMATION.**

13 (a) IN GENERAL.—Title XI of the National Security
14 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
15 ing at the end the following new section:

16 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
17 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
18 **FIED INFORMATION.**

19 “(a) INTELLIGENCE COMMUNITY REPORTING.—

20 “(1) IN GENERAL.—Not less frequently than
21 once every 6 months, each covered official shall sub-
22 mit to the congressional intelligence committees a
23 report on investigations of unauthorized public dis-
24 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 “(b) 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 “(c) FORM OF REPORTS.—Each report submitted
2 under this section shall be submitted in unclassified form,
3 but may have a classified annex.

4 “(d) DEFINITIONS.—In this section:

5 “(1) COVERED OFFICIAL.—The term ‘covered
6 official’ means—

7 “(A) the heads of each element of the in-
8 telligence community; and

9 “(B) the inspectors general with oversight
10 responsibility for an element of the intelligence
11 community.

12 “(2) INVESTIGATION.—The term ‘investigation’
13 means any inquiry, whether formal or informal, into
14 the existence of an unauthorized public disclosure of
15 classified information.

16 “(3) UNAUTHORIZED DISCLOSURE OF CLASSI-
17 FIED INFORMATION.—The term ‘unauthorized dis-
18 closure of classified information’ means any unau-
19 thorized disclosure of classified information to any
20 recipient.

21 “(4) UNAUTHORIZED PUBLIC DISCLOSURE OF
22 CLASSIFIED INFORMATION.—The term ‘unauthorized
23 public disclosure of classified information’ means the
24 unauthorized disclosure of classified information to a
25 journalist or media organization.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in the first section of the National Security Act of 1947
3 is amended by inserting after the item relating to section
4 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of
classified information.”.

5 **SEC. 1510. REPORTS ON INTELLIGENCE COMMUNITY PAR-**
6 **TICIPATION IN VULNERABILITIES EQUITIES**
7 **PROCESS OF FEDERAL GOVERNMENT.**

8 (a) REPORTS ON PROCESS AND CRITERIA UNDER
9 VULNERABILITIES EQUITIES POLICY AND PROCESS.—

10 (1) IN GENERAL.—Not later than 90 days after
11 the date of the enactment of this Act, the Director
12 of National Intelligence shall submit to the congress-
13 sional intelligence committees a written report de-
14 scribing—

15 (A) with respect to each element of the in-
16 telligence community—

17 (i) the title of the official or officials
18 responsible for determining whether, pur-
19 suant to criteria contained in the
20 Vulnerabilities Equities Policy and Process
21 document or any successor document, a
22 vulnerability must be submitted for review
23 under the Vulnerabilities Equities Process;
24 and

1 (ii) the process used by such element
2 to make such determination; and

3 (B) the roles or responsibilities of that ele-
4 ment during a review of a vulnerability sub-
5 mitted to the Vulnerabilities Equities Process.

6 (2) CHANGES TO PROCESS OR CRITERIA.—Not
7 later than 30 days after any significant change is
8 made to the process and criteria used by any ele-
9 ment of the intelligence community for determining
10 whether to submit a vulnerability for review under
11 the Vulnerabilities Equities Process, such element
12 shall submit to the congressional intelligence com-
13 mittees a report describing such change.

14 (3) FORM OF REPORTS.—Each report sub-
15 mitted under this subsection shall be submitted in
16 unclassified form, but may include a classified
17 annex.

18 (b) ANNUAL REPORTS.—

19 (1) IN GENERAL.—Not less frequently than
20 once each calendar year, the Director of National In-
21 telligence shall submit to the congressional intel-
22 ligence committees a classified report containing,
23 with respect to the previous year—

1 (A) the number of vulnerabilities submitted
2 for review under the Vulnerabilities Equities
3 Process;

4 (B) the number of vulnerabilities described
5 in subparagraph (A) disclosed to each vendor
6 responsible for correcting the vulnerability, or
7 to the public, pursuant to the Vulnerabilities
8 Equities Process; and

9 (C) the aggregate number, by category, of
10 the vulnerabilities excluded from review under
11 the Vulnerabilities Equities Process, as de-
12 scribed in paragraph 5.4 of the Vulnerabilities
13 Equities Policy and Process document.

14 (2) UNCLASSIFIED INFORMATION.—Each report
15 submitted under paragraph (1) shall include an un-
16 classified appendix that contains—

17 (A) the aggregate number of vulnerabilities
18 disclosed to vendors or the public pursuant to
19 the Vulnerabilities Equities Process; and

20 (B) the aggregate number of vulnerabilities
21 disclosed to vendors or the public pursuant to
22 the Vulnerabilities Equities Process known to
23 have been patched.

24 (3) NONDUPLICATION.—The Director of Na-
25 tional Intelligence may forgo submission of an an-

1 nual report required under this subsection for a cal-
2 endar year, if the Director notifies the congressional
3 intelligence committees in writing that, with respect
4 to the same calendar year, an annual report required
5 by paragraph 4.3 of the Vulnerabilities Equities Pol-
6 icy and Process document already has been sub-
7 mitted to Congress, and such annual report contains
8 the information that would otherwise be required to
9 be included in an annual report under this sub-
10 section.

11 (c) DEFINITIONS.—In this section:

12 (1) VULNERABILITIES EQUITIES POLICY AND
13 PROCESS DOCUMENT.—The term “Vulnerabilities
14 Equities Policy and Process document” means the
15 executive branch document entitled “Vulnerabilities
16 Equities Policy and Process” dated November 15,
17 2017.

18 (2) VULNERABILITIES EQUITIES PROCESS.—
19 The term “Vulnerabilities Equities Process” means
20 the interagency review of vulnerabilities, pursuant to
21 the Vulnerabilities Equities Policy and Process docu-
22 ment or any successor document.

23 (3) VULNERABILITY.—The term “vulnerability”
24 means a weakness in an information system or its
25 components (for example, system security proce-

1 dures, hardware design, and internal controls) that
2 could be exploited or could affect confidentiality, in-
3 tegrity, or availability of information.

4 **SEC. 1511. SENSE OF CONGRESS ON NOTIFICATIONS OF**
5 **CERTAIN DISCLOSURES OF CLASSIFIED IN-**
6 **FORMATION.**

7 (a) FINDINGS.—Congress finds that section 502 of
8 the National Security Act of 1947 (50 U.S.C. 3092) re-
9 quires elements of the intelligence community to keep the
10 congressional intelligence committees “fully and currently
11 informed” about all “intelligence activities” of the United
12 States, and to “furnish to the congressional intelligence
13 committees any information or material concerning intel-
14 ligence activities * * * which is requested by either of the
15 congressional intelligence committees in order to carry out
16 its authorized responsibilities.”.

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

19 (1) section 502 of the National Security Act of
20 1947 (50 U.S.C. 3092), together with other intel-
21 ligence community authorities, obligate an element
22 of the intelligence community to submit to the con-
23 gressional intelligence committees written notifica-
24 tion, by not later than 7 days after becoming aware,
25 that an individual in the executive branch has dis-

1 closed covered classified information to an official of
2 an adversary foreign government using methods
3 other than established intelligence channels; and

4 (2) each such notification should include—

5 (A) the date and place of the disclosure of
6 classified information covered by the notifica-
7 tion;

8 (B) a description of such classified infor-
9 mation;

10 (C) identification of the individual who
11 made such disclosure and the individual to
12 whom such disclosure was made; and

13 (D) a summary of the circumstances of
14 such disclosure.

15 (c) DEFINITIONS.—In this section:

16 (1) ADVERSARY FOREIGN GOVERNMENT.—The
17 term “adversary foreign government” means the
18 government of any of the following foreign countries:

19 (A) North Korea.

20 (B) Iran.

21 (C) China.

22 (D) Russia.

23 (E) Cuba.

1 (2) COVERED CLASSIFIED INFORMATION.—The
2 term “covered classified information” means classi-
3 fied information that was—

4 (A) collected by an element of the intel-
5 lligence community; or

6 (B) provided by the intelligence service or
7 military of a foreign country to an element of
8 the intelligence community.

9 (3) ESTABLISHED INTELLIGENCE CHANNELS.—
10 The term “established intelligence channels” means
11 methods to exchange intelligence to coordinate for-
12 eign intelligence relationships, as established pursu-
13 ant to law by the Director of National Intelligence,
14 the Director of the Central Intelligence Agency, the
15 Director of the National Security Agency, or other
16 head of an element of the intelligence community.

17 (4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—
18 The term “individual in the executive branch”
19 means any officer or employee of the executive
20 branch, including individuals—

21 (A) occupying a position specified in article
22 II of the Constitution;

23 (B) appointed to a position by an indi-
24 vidual described in subparagraph (A); or

1 (C) serving in the civil service or the senior
2 executive service (or similar service for senior
3 executives of particular departments or agen-
4 cies).

5 **SEC. 1512. TECHNICAL AMENDMENTS RELATED TO THE DE-**
6 **PARTMENT OF ENERGY.**

7 (a) NATIONAL NUCLEAR SECURITY ADMINISTRATION
8 ACT.—

9 (1) CLARIFICATION OF FUNCTIONS OF THE AD-
10 MINISTRATOR FOR NUCLEAR SECURITY.—Subsection
11 (b) of section 3212 of the National Nuclear Security
12 Administration Act (50 U.S.C. 2402(b)) is amend-
13 ed—

14 (A) by striking paragraphs (11) and (12);
15 and

16 (B) by redesignating paragraphs (13)
17 through (19) as paragraphs (11) through (17),
18 respectively.

19 (2) COUNTERINTELLIGENCE PROGRAMS.—Sec-
20 tion 3233(b) of the National Nuclear Security Ad-
21 ministration Act (50 U.S.C. 2423(b)) is amended—

22 (A) by striking “Administration” and in-
23 serting “Department”; and

24 (B) by inserting “Intelligence and” after
25 “the Office of”.

1 (b) ATOMIC ENERGY DEFENSE ACT.—Section
2 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
3 2674(b)(2)) is amended by inserting “Intelligence and”
4 after “The Director of”.

5 (c) NATIONAL SECURITY ACT OF 1947.—Paragraph
6 (2) of section 106(b) of the National Security Act of 1947
7 (50 U.S.C. 3041(b)(2)) is amended—

8 (1) in subparagraph (E), by inserting “and
9 Counterintelligence” after “Office of Intelligence”;

10 (2) by striking subparagraph (F);

11 (3) by redesignating subparagraphs (G), (H),
12 and (I) as subparagraphs (F), (G), and (H), respec-
13 tively; and

14 (4) in subparagraph (H), as so redesignated, by
15 realigning the margin of such subparagraph 2 ems
16 to the left.

17 **DIVISION B—INTELLIGENCE AU-**
18 **THORIZATION ACT FOR FIS-**
19 **CAL YEAR 2019**

20 **SEC. 201. SHORT TITLE; TABLE OF CONTENTS.**

21 (a) SHORT TITLE.—This division may be cited as the
22 “Intelligence Authorization Act for Fiscal Year 2019”.

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

Sec. 201. Short title; table of contents.

Sec. 202. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

- Sec. 2201. Authorization of appropriations.

TITLE III—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. Repeal of Joint Intelligence Community Council.
- Sec. 2305. Permanent enhanced procurement authority to manage supply chain risks.
- Sec. 2306. Intelligence community information technology environment.
- Sec. 2307. Development of secure cellular voice solution for intelligence community.
- Sec. 2308. Policy on minimum insider threat standards.
- Sec. 2309. Submission of intelligence community policies.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 2401. Chief Financial Officer of the Intelligence Community.
- Sec. 2402. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

- Sec. 2411. CIA subsistence for personnel assigned to austere locations.
- Sec. 2412. Special rules for certain monthly workers' compensation payments and other payments for CIA 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. Collocation of certain Department of Homeland Security personnel at field locations.

- Sec. 2432. Framework for roles, missions, and functions of Defense Intelligence Agency.
- Sec. 2433. Consultation by Secretary of Defense with Director of National Intelligence for certain functions.
- Sec. 2434. Construction of National Security Agency East Campus Building 3.
- Sec. 2435. Establishment of advisory board for National Reconnaissance Office.

TITLE V—REPORTS AND OTHER MATTERS

- Sec. 2501. Public Interest Declassification Board.
- Sec. 2502. Repeal of certain reporting requirements.
- Sec. 2503. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.
- Sec. 2504. Reports on intelligence community loan repayment and related programs.
- Sec. 2505. Comptroller General of the United States report on senior executives of the Office of the Director of National Intelligence.
- Sec. 2506. Briefing on FBI offering permanent residence to sources and co-operators.
- Sec. 2507. Technical and clerical amendments to the National Security Act of 1947.

1 **SEC. 202. DEFINITIONS.**

2 In this division, the terms “congressional intelligence
3 committees” and “intelligence community” have the
4 meaning given those terms in section 3 of the National
5 Security Act of 1947 (50 U.S.C. 3003).

6 **TITLE I—INTELLIGENCE** 7 **ACTIVITIES**

8 **SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 2019 for the conduct of the intelligence and
11 intelligence-related activities of the following elements of
12 the United States Government:

- 13 (1) The Office of the Director of National Intel-
14 ligence.
- 15 (2) The Central Intelligence Agency.
- 16 (3) The Department of Defense.

1 (4) The Defense Intelligence Agency.

2 (5) The National Security Agency.

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

6 (7) The Coast Guard.

7 (8) The Department of State.

8 (9) The Department of the Treasury.

9 (10) The Department of Energy.

10 (11) The Department of Justice.

11 (12) The Federal Bureau of Investigation.

12 (13) The Drug Enforcement Administration.

13 (14) The National Reconnaissance Office.

14 (15) The National Geospatial-Intelligence Agen-
15 cy.

16 (16) The Department of Homeland Security.

17 **SEC. 2102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

18 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
19 authorized to be appropriated under section 2101 for the
20 conduct of the intelligence activities of the elements listed
21 in paragraphs (1) through (16) of section 2101, are those
22 specified in the classified Schedule of Authorizations pre-
23 pared to accompany this division.

24 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
25 THORIZATIONS.—

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

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

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

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

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

21 (C) as otherwise required by law.

22 **SEC. 2103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
23 **COUNT.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated for the Intelligence Commu-

1 nity Management Account of the Director of National In-
2 telligence for fiscal year 2019 the sum of \$514,524,000.
3 Within such amount, funds identified in the classified
4 Schedule of Authorizations referred to in section 2102(a)
5 for advanced research and development shall remain avail-
6 able until September 30, 2020.

7 (b) CLASSIFIED AUTHORIZATIONS.—In addition to
8 amounts authorized to be appropriated for the Intelligence
9 Community Management Account by subsection (a), there
10 are authorized to be appropriated for the Intelligence
11 Community Management Account for fiscal year 2019
12 such additional amounts as are specified in the classified
13 Schedule of Authorizations referred to in section 2102(a).
14 Such additional amounts made available for advanced re-
15 search and development shall remain available until Sep-
16 tember 30, 2020.

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

21 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated for the Cen-
23 tral Intelligence Agency Retirement and Disability Fund
24 for fiscal year 2019 the sum of \$514,000,000.

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

4 **SEC. 2301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
5 **ACTIVITIES.**

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

10 **SEC. 2302. INCREASE IN EMPLOYEE COMPENSATION AND**
11 **BENEFITS AUTHORIZED BY LAW.**

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

17 **SEC. 2303. MODIFICATION OF SPECIAL PAY AUTHORITY**
18 **FOR SCIENCE, TECHNOLOGY, ENGINEERING,**
19 **OR MATHEMATICS POSITIONS AND ADDITION**
20 **OF SPECIAL PAY AUTHORITY FOR CYBER PO-**
21 **SITIONS.**

22 Section 113B of the National Security Act of 1947
23 (50 U.S.C. 3049a) is amended—

24 (1) by amending subsection (a) to read as fol-
25 lows:

1 “(a) SPECIAL RATES OF PAY FOR POSITIONS RE-
2 QUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGI-
3 NEERING, OR MATHEMATICS.—

4 “(1) IN GENERAL.—Notwithstanding part III
5 of title 5, United States Code, the head of each ele-
6 ment of the intelligence community may, for 1 or
7 more categories of positions in such element that re-
8 quire expertise in science, technology, engineering,
9 or mathematics—

10 “(A) establish higher minimum rates of
11 pay; and

12 “(B) make corresponding increases in all
13 rates of pay of the pay range for each grade or
14 level, subject to subsection (b) or (c), as appli-
15 cable.

16 “(2) TREATMENT.—The special rate supple-
17 ments resulting from the establishment of higher
18 rates under paragraph (1) shall be basic pay for the
19 same or similar purposes as those specified in sec-
20 tion 5305(j) of title 5, United States Code.”;

21 (2) by redesignating subsections (b) through (f)
22 as subsections (c) through (g), respectively;

23 (3) by inserting after subsection (a) the fol-
24 lowing:

1 “(b) SPECIAL RATES OF PAY FOR CYBER POSI-
2 TIONS.—

3 “(1) IN GENERAL.—Notwithstanding subsection
4 (c), the Director of the National Security Agency
5 may establish a special rate of pay—

6 “(A) not to exceed the rate of basic pay
7 payable for level II of the Executive Schedule
8 under section 5313 of title 5, United States
9 Code, if the Director certifies to the Under Sec-
10 retary of Defense for Intelligence, in consulta-
11 tion with the Under Secretary of Defense for
12 Personnel and Readiness, that the rate of pay
13 is for positions that perform functions that exe-
14 cute the cyber mission of the Agency; or

15 “(B) not to exceed the rate of basic pay
16 payable for the Vice President of the United
17 States under section 104 of title 3, United
18 States Code, if the Director certifies to the Sec-
19 retary of Defense, by name, individuals that
20 have advanced skills and competencies and that
21 perform critical functions that execute the cyber
22 mission of the Agency.

23 “(2) PAY LIMITATION.—Employees receiving a
24 special rate under paragraph (1) shall be subject to
25 an aggregate pay limitation that parallels the limita-

1 tion established in section 5307 of title 5, United
2 States Code, except that—

3 “(A) any allowance, differential, bonus,
4 award, or other similar cash payment in addi-
5 tion to basic pay that is authorized under title
6 10, United States Code, (or any other applica-
7 ble law in addition to title 5 of such Code, ex-
8 cluding the Fair Labor Standards Act of 1938
9 (29 U.S.C. 201 et seq.)) shall also be counted
10 as part of aggregate compensation; and

11 “(B) aggregate compensation may not ex-
12 ceed the rate established for the Vice President
13 of the United States under section 104 of title
14 3, United States Code.

15 “(3) LIMITATION ON NUMBER OF RECIPI-
16 ENTS.—The number of individuals who receive basic
17 pay established under paragraph (1)(B) may not ex-
18 ceed 100 at any time.

19 “(4) LIMITATION ON USE AS COMPARATIVE
20 REFERENCE.—Notwithstanding any other provision
21 of law, special rates of pay and the limitation estab-
22 lished under paragraph (1)(B) may not be used as
23 comparative references for the purpose of fixing the
24 rates of basic pay or maximum pay limitations of
25 qualified positions under section 1599f of title 10,

1 United States Code, or section 226 of the Homeland
2 Security Act of 2002 (6 U.S.C. 147).”;

3 (4) in subsection (c), as redesignated by para-
4 graph (2), by striking “A minimum” and inserting
5 “Except as provided in subsection (b), a minimum”;

6 (5) in subsection (d), as redesignated by para-
7 graph (2), by inserting “or (b)” after “by subsection
8 (a)”;

9 (6) in subsection (g), as redesignated by para-
10 graph (2)—

11 (A) in paragraph (1), by striking “Not
12 later than 90 days after the date of the enact-
13 ment of the Intelligence Authorization Act for
14 Fiscal Year 2017” and inserting “Not later
15 than 90 days after the date of the enactment of
16 the Intelligence Authorization Act for Fiscal
17 Year 2019”;

18 (B) in paragraph (2)(A), by inserting “or
19 (b)” after “subsection (a)”.

20 **SEC. 2304. REPEAL OF JOINT INTELLIGENCE COMMUNITY**
21 **COUNCIL.**

22 (a) REPEAL.—Section 101A of the National Security
23 Act of 1947 (50 U.S.C. 3022) is hereby repealed.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 at the beginning of such Act is amended by striking the
3 item relating to section 101A.

4 **SEC. 2305. PERMANENT ENHANCED PROCUREMENT AU-**
5 **THORITY TO MANAGE SUPPLY CHAIN RISKS.**

6 Section 309 of the Intelligence Authorization Act for
7 Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1875;
8 50 U.S.C. 3329 note) is amended by striking subsection
9 (g).

10 **SEC. 2306. INTELLIGENCE COMMUNITY INFORMATION**
11 **TECHNOLOGY ENVIRONMENT.**

12 (a) ROLES AND RESPONSIBILITIES.—

13 (1) DIRECTOR OF NATIONAL INTELLIGENCE.—

14 The Director of National Intelligence shall be re-
15 sponsible for coordinating the performance by ele-
16 ments of the intelligence community of IC ITE, in-
17 cluding each of the following:

18 (A) Ensuring compliance with all applica-
19 ble IC ITE rules and regulations.

20 (B) Ensuring IC ITE measurable perform-
21 ance goals exist.

22 (C) Documenting IC ITE standards and
23 practices.

24 (D) Acting as an arbiter among elements
25 of the intelligence community related to any

1 disagreements arising out of the implementa-
2 tion of IC ITE.

3 (E) Delegating responsibilities to the ele-
4 ments of the intelligence community and car-
5 rying out such other responsibilities as are nec-
6 essary for the effective implementation of IC
7 ITE.

8 (2) KEY SERVICE PROVIDERS.—Key service
9 providers shall be responsible for—

10 (A) providing key services, in coordination
11 with the Director of National Intelligence; and

12 (B) providing the Director with informa-
13 tion requested and required to fulfill the re-
14 sponsibilities of the Director under paragraph
15 (1).

16 (3) USE OF KEY SERVICES.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), each element of the intel-
19 ligence community shall use key services when
20 such services are available.

21 (B) EXCEPTION.—The Director of Na-
22 tional Intelligence may provide for a written ex-
23 ception to the requirement under subparagraph
24 (A) if the Director determines there is a com-

1 pelling financial or mission need for such excep-
2 tion.

3 (b) MANAGEMENT ACCOUNTABILITY.—Not later
4 than 90 days after the date of the enactment of this Act,
5 the Director of National Intelligence shall designate and
6 maintain one or more accountable IC ITE executives to
7 be responsible for—

8 (1) IC ITE management, financial control, and
9 integration;

10 (2) ensuring the performance of each key serv-
11 ice, including establishing measurable service re-
12 quirements and schedules;

13 (3) ensuring independent testing of each IC
14 ITE core service, including testing by the intended
15 users, to evaluate performance against measurable
16 service requirements and to ensure the capability
17 meets user requirements; and

18 (4) coordinate IC ITE transition or restruc-
19 turing efforts, including phase out of legacy systems.

20 (c) SECURITY PLAN.—Not later than 180 days after
21 the date of the enactment of this Act, the Director of Na-
22 tional Intelligence shall develop and maintain a security
23 plan for IC ITE.

24 (d) LONG-TERM ROADMAP.—Not later than 180
25 days after the date of the enactment of this Act, and dur-

1 ing each of the second and fourth fiscal quarters there-
2 after, the Director of National Intelligence shall submit
3 to the congressional intelligence committees a long-term
4 roadmap that shall include each of the following:

5 (1) A description of the minimum required and
6 desired key service requirements, including—

7 (A) key performance parameters; and

8 (B) an assessment of current, measured
9 performance.

10 (2) IC ITE implementation milestones, includ-
11 ing each of the following:

12 (A) A schedule for expected deliveries of
13 key service capabilities during each of the fol-
14 lowing phases:

15 (i) Concept refinement and technology
16 maturity demonstration.

17 (ii) Development, integration, and
18 demonstration,

19 (iii) Production, deployment, and
20 sustainment.

21 (iv) System retirement.

22 (B) Dependencies of such key service capa-
23 bilities.

1 (C) Plans for the transition or restruc-
2 turing necessary to incorporate key service ca-
3 pabilities.

4 (D) A description of any legacy systems
5 and discontinued capabilities to be phased out.

6 (3) Such other matters as the Director deter-
7 mines appropriate.

8 (e) BUSINESS PLAN.—Not later than 180 days after
9 the date of the enactment of this Act, and during each
10 of the second and fourth fiscal quarters thereafter, the Di-
11 rector of National Intelligence shall submit to the congres-
12 sional intelligence committees a business plan that in-
13 cludes each of the following:

14 (1) A uniform approach to identify IC ITE key
15 service funding requests within the proposed budget,
16 including multiyear plans to implement the long-
17 term roadmap required by subsection (d).

18 (2) A uniform approach by which each element
19 of the intelligence community shall identify the cost
20 of legacy information technology or alternative capa-
21 bilities where IC ITE services will also be available.

22 (3) A uniform effort by which each element of
23 the intelligence community shall identify transition
24 and restructuring costs for new, existing, and retir-
25 ing IC ITE services, as well as IC ITE services that

1 have changed designations among core service, serv-
2 ice of common concern, and agency unique service.

3 (4) A fair and equitable rate structure for use
4 of IC ITE.

5 (f) QUARTERLY PRESENTATIONS.—Beginning not
6 later than 180 days after the date of the enactment of
7 this Act, the Director of National Intelligence shall provide
8 to the congressional intelligence committees quarterly up-
9 dates regarding ongoing implementation of IC ITE as
10 compared to the requirements in the most recently sub-
11 mitted security plan required by subsection (c), long-term
12 roadmap required by subsection (d), and business plan re-
13 quired by subsection (e).

14 (g) ADDITIONAL NOTIFICATIONS.—The Director of
15 National Intelligence shall provide timely notification to
16 the congressional intelligence committees regarding any
17 policy changes related to or affecting IC ITE, new initia-
18 tives or strategies related to or impacting IC ITE, and
19 changes or deficiencies in the execution of the security
20 plan required by subsection (c), long-term roadmap re-
21 quired by subsection (d), and business plan required by
22 subsection (e).

23 (h) DEFINITIONS.—In this section:

1 (1) The term “agency unique service” means a
2 capability that is unique to and used only within one
3 element of the intelligence community.

4 (2) The term “core service” means a capability
5 that is available to multiple elements of the intel-
6 ligence community and required for consistent oper-
7 ation of IC ITE.

8 (3) The term “intelligence community informa-
9 tion technology environment” or “IC ITE” means
10 all of the information technology services across the
11 intelligence community, including the data sharing
12 and protection environment across multiple classi-
13 fication domains.

14 (4) The term “key service” is a core service or
15 service of common concern, but is not an agency
16 unique service.

17 (5) The term “key service provider” is the enti-
18 ty responsible and accountable for implementing a
19 key service within the IC ITE.

20 (6) The term “service of common concern”
21 means a capability available across IC ITE that is
22 of interest to two or more elements of the intel-
23 ligence community.

24 (i) SUNSET.—The section shall have no effect on or
25 after September 30, 2024.

1 **SEC. 2307. DEVELOPMENT OF SECURE CELLULAR VOICE**
2 **SOLUTION FOR INTELLIGENCE COMMUNITY.**

3 (a) IN GENERAL.—The Director of National Intel-
4 ligence shall certify and approve the operation of a Na-
5 tional Intelligence Program enterprise-wide secure voice
6 cellular solution that leverages commercially available
7 technology and operates on existing commercial cellular
8 networks.

9 (b) POLICY.—The Director of National Intelligence
10 shall establish an intelligence community policy for the cel-
11 lular voice solution required by subsection (a) that ad-
12 dresses each of the following:

13 (1) Determinations regarding eligibility to use a
14 device covered by such cellular voice solution.

15 (2) The appropriate classification levels associ-
16 ated with the use of secure cellular phones.

17 (3) Measures that should be taken prior to ini-
18 tiating or receiving a secure cellular call.

19 (4) Appropriate methods for storage of secure
20 devices when not in the physical possession of an au-
21 thorized user.

22 (5) Such other matters as the Director deter-
23 mines appropriate.

24 (c) COSTS.—The Director of National Intelligence
25 shall ensure that annual operating costs of the secure cel-
26 lular solution requirement in subsection (a), excluding ini-

1 tial development and deployment, are born on a cost-reim-
2 bursable basis by each relevant element of the intelligence
3 community.

4 **SEC. 2308. POLICY ON MINIMUM INSIDER THREAT STAND-**
5 **ARDS.**

6 (a) **POLICY REQUIRED.**—Not later than 60 days after
7 the date of the enactment of this Act, the Director of Na-
8 tional Intelligence shall establish a policy for minimum in-
9 sider threat standards.

10 (b) **IMPLEMENTATION.**—Not later than 180 days
11 after the date of the enactment of this Act, the head of
12 each element of the intelligence community shall imple-
13 ment the policy established under subsection (a).

14 **SEC. 2309. SUBMISSION OF INTELLIGENCE COMMUNITY**
15 **POLICIES.**

16 (a) **SUBMISSION OF POLICIES.**—

17 (1) **CURRENT POLICY.**—Not later than 180
18 days after the date of the enactment of this Act, the
19 Director of National Intelligence shall submit to the
20 congressional intelligence committees using the elec-
21 tronic repository all non-publicly available policies,
22 directives, and guidance issued by the Director of
23 National Intelligence for the intelligence community
24 that are in effect as of the date of the submission.

1 (2) CONTINUOUS UPDATES.—Not later than 15
2 days after the date on which the Director of Na-
3 tional Intelligence issues, modifies, or rescinds a pol-
4 icy, directive, or guidance of the intelligence commu-
5 nity, the Director shall—

6 (A) notify the congressional intelligence
7 committees of such addition, modification, or
8 removal; and

9 (B) update the electronic repository with
10 respect to such addition, modification, or re-
11 moval.

12 (b) ELECTRONIC REPOSITORY DEFINED.—In this
13 section, the term “electronic repository” means the elec-
14 tronic distribution mechanism, in use as of the date of
15 the enactment of this Act, or any successor electronic dis-
16 tribution mechanism, by which the Director of National
17 Intelligence submits to the congressional intelligence com-
18 mittees information.

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

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

6 **SEC. 2401. CHIEF FINANCIAL OFFICER OF THE INTEL-**
7 **LIGENCE COMMUNITY.**

8 Section 103I(a) of the National Security Act of 1947
9 (50 U.S.C. 3034(a)) is amended by adding at the end the
10 following new sentence: “The Chief Financial Officer shall
11 report directly to the Director of National Intelligence.”.

12 **SEC. 2402. CHIEF INFORMATION OFFICER OF THE INTEL-**
13 **LIGENCE COMMUNITY.**

14 Section 103G(a) of the National Security Act of 1947
15 (50 U.S.C. 3032(a)) is amended by adding at the end the
16 following new sentence: “The Chief Information Officer
17 shall report directly to the Director of National Intel-
18 ligence.”.

19 **Subtitle B—Central Intelligence**
20 **Agency**

21 **SEC. 2411. CIA SUBSISTENCE FOR PERSONNEL ASSIGNED**
22 **TO AUSTERE LOCATIONS.**

23 Subsection (a) of section 5 of the Central Intelligence
24 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 (8):

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 CIA PERSONNEL.**

17 (a) IN GENERAL.—The Central Intelligence Agency
18 Act of 1949 (50 U.S.C. 3501 et seq.) is amended by in-
19 serting after section 19 the following new section:

20 **“SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS IN-**
21 **JURED BY REASON OF WAR, INSURGENCY,**
22 **HOSTILE ACT, OR TERRORIST ACTIVITIES.**

23 “(a) ADJUSTMENT OF COMPENSATION FOR CERTAIN
24 INJURIES.—

1 “(1) INCREASE.—The Director of the Central
2 Intelligence Agency may increase the amount of
3 monthly compensation paid to a covered employee
4 under section 8105 of title 5, United States Code.
5 Subject to paragraph (2), the Director may deter-
6 mine the amount of each such increase by taking
7 into account—

8 “(A) the severity of the qualifying injury;

9 “(B) the circumstances by which the cov-
10 ered employee became injured; and

11 “(C) the seniority of the covered employee.

12 “(2) MAXIMUM.—Notwithstanding chapter 81 of title
13 5, United States Code, the total amount of monthly com-
14 pensation increased under paragraph (1) may not exceed
15 the monthly pay of the maximum rate of basic pay for
16 GS–15 of the General Schedule under section 5332 of title
17 5, United States Code.

18 “(b) COSTS FOR TREATING QUALIFYING INJU-
19 RIES.—The Director may pay the costs of treating a quali-
20 fying injury of a covered employee, a covered individual,
21 or a covered dependent, or may reimburse a covered em-
22 ployee, a covered individual, or a covered dependent for
23 such costs, that are not otherwise covered by chapter 81
24 of title 5, United States Code, or other provision of Fed-
25 eral law.

1 “(c) TREATMENT OF AMOUNTS.—For purposes of
2 section 104 of the Internal Revenue Code of 1986,
3 amounts paid pursuant to this section shall be treated as
4 amounts paid under chapter 81 of title 5, United States
5 Code.

6 “(d) DEFINITIONS.—In this section:

7 “(1) COVERED DEPENDENT.—The term ‘cov-
8 ered dependent’ means a family member of a covered
9 employee who, on or after September 11, 2001—

10 “(A) accompanies the covered employee to
11 an assigned duty station in a foreign country;
12 and

13 “(B) becomes injured by reason of a quali-
14 fying injury.

15 “(2) COVERED EMPLOYEE.—The term ‘covered
16 employee’ means an officer or employee of the Cen-
17 tral Intelligence Agency who, on or after September
18 11, 2001, becomes injured by reason of a qualifying
19 injury.

20 “(3) COVERED INDIVIDUAL.—The term ‘cov-
21 ered individual’ means an individual who—

22 “(A)(i) is detailed to the Central Intel-
23 ligence Agency from other agencies of the
24 United States Government or from the Armed
25 Forces; or

1 “(ii) is affiliated with the Central Intel-
2 ligence Agency, as determined by the Director;
3 and

4 “(B) who, on or after September 11, 2001,
5 becomes injured by reason of a qualifying in-
6 jury.

7 “(4) QUALIFYING INJURY.—The term ‘quali-
8 fying injury’ means the following:

9 “(A) With respect to a covered dependent,
10 an injury incurred—

11 “(i) during war, insurgency, hostile
12 act, or terrorist activities occurring during
13 a period in which the covered dependent is
14 accompanying the covered employee to an
15 assigned duty station in a foreign country;
16 and

17 “(ii) that was not the result of the
18 willful misconduct of the covered depend-
19 ent.

20 “(B) With respect to a covered employee
21 or a covered individual, an injury incurred—

22 “(i) during war, insurgency, hostile
23 act, or terrorist activities occurring during
24 a period of assignment to a duty station in
25 a foreign country; and

1 “(ii) that was not the result of the
2 willful misconduct of the covered employee
3 or the covered individual.”.

4 (b) PROCEDURES.—Not later than 90 days after the
5 date of the enactment of this Act, the Director of the Cen-
6 tral Intelligence Agency shall—

7 (1) issue procedures ensuring the fair and equi-
8 table implementation of section 19A of the Central
9 Intelligence Agency Act of 1949, as added by sub-
10 section (a); and

11 (2) submit to the congressional intelligence
12 committees such procedures.

13 (c) APPLICATION.—Section 19A of the Central Intel-
14 ligence Agency Act of 1949, as added by subsection (a),
15 shall apply with respect to—

16 (1) payments made to covered employees (as
17 defined in such section) under section 8105 of title
18 5, United States Code, beginning on or after the
19 date of the enactment of this Act; and

20 (2) treatment described in subsection (b) of
21 such section 19A occurring on or after the date of
22 the enactment of this Act.

1 **SEC. 2413. EXPANSION OF SECURITY PROTECTIVE SERVICE**
2 **JURISDICTION OF THE CENTRAL INTEL-**
3 **LIGENCE AGENCY.**

4 Subsection (a) of section 15 of the Central Intel-
5 ligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

6 (1) in the subsection heading, by striking “PO-
7 LICEMEN” and inserting “POLICE OFFICERS”; and

8 (2) in paragraph (1)—

9 (A) in subparagraph (B), by striking “500
10 feet;” and inserting “500 yards;”; and

11 (B) in subparagraph (D), by striking “500
12 feet.” and inserting “500 yards.”.

13 **SEC. 2414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
14 **REQUIREMENT FOR CERTAIN SENIOR LEVEL**
15 **POSITIONS IN THE CENTRAL INTELLIGENCE**
16 **AGENCY.**

17 (a) **REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
18 **REQUIREMENT.**—Section 104A of the National Security
19 Act of 1947 (50 U.S.C. 3036) is amended by striking sub-
20 section (g).

21 (b) **CONFORMING REPEAL OF REPORT REQUIRE-**
22 **MENT.**—Section 611 of the Intelligence Authorization Act
23 for Fiscal Year 2005 (Public Law 108–487) is amended
24 by striking subsection (c).

1 **Subtitle C—Office of Intelligence**
2 **and Counterintelligence of De-**
3 **partment of Energy**

4 **SEC. 2421. CONSOLIDATION OF DEPARTMENT OF ENERGY**
5 **OFFICES OF INTELLIGENCE AND COUNTER-**
6 **INTELLIGENCE.**

7 (a) IN GENERAL.—Section 215 of the Department of
8 Energy Organization Act (42 U.S.C. 7144b) is amended
9 to read as follows:

10 “OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

11 “SEC. 215.

12 “(a) IN GENERAL.—There is in the Department an
13 Office of Intelligence and Counterintelligence. Such office
14 shall be under the National Intelligence Program.

15 “(b) DIRECTOR.—(1) The head of the Office shall be
16 the Director of the Office of Intelligence and Counterintel-
17 ligence, who shall be an employee in the Senior Executive
18 Service, the Senior Intelligence Service, the Senior Na-
19 tional Intelligence Service, or any other Service that the
20 Secretary, in coordination with the Director of National
21 Intelligence, considers appropriate. The Director of the
22 Office shall report directly to the Secretary.

23 “(2) The Secretary shall select an individual to serve
24 as the Director from among individuals who have substan-
25 tial expertise in matters relating to the intelligence com-

1 munity, including foreign intelligence and counterintel-
2 ligence.

3 “(c) DUTIES.—(1) Subject to the authority, direc-
4 tion, and control of the Secretary, the Director shall per-
5 form such duties and exercise such powers as the Sec-
6 retary may prescribe.

7 “(2) The Director shall be responsible for estab-
8 lishing policy for intelligence and counterintelligence pro-
9 grams and activities at the Department.

10 “(d) DEFINITIONS.—In this section, the terms ‘intel-
11 ligence community’ and ‘National Intelligence Program’
12 have the meanings given such terms in section 3 of the
13 National Security Act of 1947 (50 U.S.C. 3003).”.

14 (b) CONFORMING REPEAL.—Section 216 of the De-
15 partment of Energy Organization Act (42 U.S.C. 7144c)
16 is hereby repealed.

17 (c) CLERICAL AMENDMENT.—The table of contents
18 at the beginning of the Department of Energy Organiza-
19 tion Act is amended by striking the items relating to sec-
20 tions 215 and 216 and inserting the following new item:

“215. Office of Intelligence and Counterintelligence.”.

21 **SEC. 2422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE**
22 **SECURITY CENTER.**

23 Section 215 of the Department of Energy Organiza-
24 tion Act (42 U.S.C. 7144b), as amended by section 2421,
25 is further amended—

1 (1) by redesignating subsection (d) as sub-
2 section (e); and

3 (2) by inserting after subsection (c) the fol-
4 lowing new subsection (d):

5 “(d) ENERGY INFRASTRUCTURE SECURITY CEN-
6 TER.—(1)(A) The President shall establish an Energy In-
7 frastructure Security Center, taking into account all ap-
8 propriate government tools to analyze and disseminate in-
9 telligence relating to the security of the energy infrastruc-
10 ture of the United States.

11 “(B) The Secretary shall appoint the head of the En-
12 ergy Infrastructure Security Center.

13 “(C) The Energy Infrastructure Security Center shall
14 be located within the Office of Intelligence and Counter-
15 intelligence.

16 “(2) In establishing the Energy Infrastructure Secu-
17 rity Center, the Director of the Office of Intelligence and
18 Counterintelligence shall address the following missions
19 and objectives to coordinate and disseminate intelligence
20 relating to the security of the energy infrastructure of the
21 United States:

22 “(A) Establishing a primary organization with-
23 in the United States Government for analyzing and
24 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) DUTY OF SECRETARY.—”;

15 and

16 (2) by striking subsections (b) and (c).

17 **Subtitle D—Other Elements**

18 **SEC. 2431. COLLOCATION OF CERTAIN DEPARTMENT OF**
 19 **HOMELAND SECURITY PERSONNEL AT FIELD**
 20 **LOCATIONS.**

21 Not later than 18 months after the date of the enact-
 22 ment of this Act, the Under Secretary of Homeland Secu-
 23 rity for Intelligence and Analysis shall transfer not less
 24 than 40 personnel who are stationed, as of the date of
 25 the enactment of this Act, at the Department of Home-

1 land Security headquarters located at Nebraska Avenue
2 Northwest, Washington, District of Columbia, to locations
3 at least 30 miles from such headquarters in order to collo-
4 cate such personnel with and provide support for Depart-
5 ment of Homeland Security operational units from Cus-
6 toms and Border Protection, the Transportation Security
7 Administration, Immigration and Customs Enforcement,
8 or other elements of the Department of Homeland Secu-
9 rity.

10 **SEC. 2432. FRAMEWORK FOR ROLES, MISSIONS, AND FUNC-**
11 **TIONS OF DEFENSE INTELLIGENCE AGENCY.**

12 (a) IN GENERAL.—The Director of National Intel-
13 ligence and the Secretary of Defense shall jointly establish
14 a framework to ensure the appropriate balance of re-
15 sources for the roles, missions, and functions of the De-
16 fense Intelligence Agency in its capacity as an element of
17 the intelligence community and as a combat support agen-
18 cy. The framework shall include supporting processes to
19 provide for the consistent and regular reevaluation of the
20 responsibilities and resources of the Defense Intelligence
21 Agency to prevent imbalanced priorities, insufficient or
22 misaligned resources, and the unauthorized expansion of
23 mission parameters.

1 (b) MATTERS FOR INCLUSION.—The framework re-
2 quired under subsection (a) shall include each of the fol-
3 lowing:

4 (1) A lexicon providing for consistent defini-
5 tions of relevant terms used by both the intelligence
6 community and the Department of Defense, includ-
7 ing each of the following:

8 (A) Defense intelligence enterprise.

9 (B) Enterprise manager.

10 (C) Executive agent.

11 (D) Function.

12 (E) Functional manager.

13 (F) Mission.

14 (G) Mission manager.

15 (H) Responsibility.

16 (I) Role.

17 (J) Service of common concern.

18 (2) An assessment of the necessity of maintain-
19 ing separate designations for the intelligence com-
20 munity and the Department of Defense for intel-
21 ligence functional or enterprise management con-
22 structs.

23 (3) A repeatable process for evaluating the ad-
24 dition, transfer, or elimination of defense intelligence
25 missions, roles, and functions, currently performed

1 or to be performed in the future by the Defense In-
2 telligence Agency, which includes each of the fol-
3 lowing:

4 (A) A justification for the addition, trans-
5 fer, or elimination of a mission, role, or func-
6 tion.

7 (B) The identification of which, if any, ele-
8 ment of the Federal Government performs the
9 considered mission, role, or function.

10 (C) In the case of any new mission, role,
11 or functions—

12 (i) an assessment of the most appro-
13 priate agency or element to perform such
14 mission, role, or function, taking into ac-
15 count the resource profiles, scope of re-
16 sponsibilities, primary customers, and ex-
17 isting infrastructure necessary to support
18 such mission, role, or function; and

19 (ii) a determination of the appropriate
20 resource profile and an identification of the
21 projected resources needed and the pro-
22 posed source of such resources over the fu-
23 ture-years defense program, to be provided
24 in writing to any elements of the intel-
25 ligence community or the Department of

1 Defense affected by the assumption, trans-
2 fer, or elimination of any mission, role, or
3 function.

4 (D) In the case of any mission, role, or
5 function proposed to be assumed, transferred,
6 or eliminated, an assessment, which shall be
7 completed jointly by the heads of each element
8 affected by such assumption, transfer, or elimi-
9 nation, of the risks that would be assumed by
10 the intelligence community and the Department
11 if such mission, role, or function is assumed,
12 transferred, or eliminated.

13 (E) A description of how determinations
14 are made regarding the funding of programs
15 and activities under the National Intelligence
16 Program and the Military Intelligence Program,
17 including—

18 (i) which programs or activities are
19 funded under each such Program;

20 (ii) which programs or activities
21 should be jointly funded under both such
22 Programs and how determinations are
23 made with respect to funding allocations
24 for such programs and activities; and

1 (iii) the thresholds and process for
2 changing a program or activity from being
3 funded under one such Program to being
4 funded under the other such Program.

5 **SEC. 2433. CONSULTATION BY SECRETARY OF DEFENSE**
6 **WITH DIRECTOR OF NATIONAL INTEL-**
7 **LIGENCE FOR CERTAIN FUNCTIONS.**

8 Section 105(b) of the National Security Act of 1947
9 (50 U.S.C. 3038(b)) is amended in the matter preceding
10 paragraph (1) by inserting “, in consultation with the Di-
11 rector of National Intelligence,” after “the Secretary of
12 Defense”.

13 **SEC. 2434. CONSTRUCTION OF NATIONAL SECURITY AGEN-**
14 **CY EAST CAMPUS BUILDING 3.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that in carrying out the construction at the National
17 Security Agency East Campus, the Director of the Na-
18 tional Security Agency should prioritize the consolidation
19 of national intelligence mission activities on such campus
20 and away from disparate leased facilities in the Wash-
21 ington-Baltimore region.

22 (b) INCREMENTAL CONSTRUCTION OF EAST CAMPUS
23 BUILDING 3.—

24 (1) IN GENERAL.—The Director of the National
25 Security Agency may provide for the construction of

1 East Campus Building 3, as authorized in section
2 2102, in increments, subject to annual appropria-
3 tions, except that the total amount expended on the
4 construction of East Campus Building 3 may not ex-
5 ceed \$775,000,000.

6 (2) FISCAL YEAR 2019.—The authorization of
7 appropriations for East Campus Building 3 under
8 section 2102 is an authorization to proceed with the
9 construction of East Campus Building 3. The Direc-
10 tor of the National Security Agency shall conduct
11 necessary activities during fiscal year 2019 to avoid
12 delays in project completion.

13 (c) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Director of the National
15 Security Agency shall submit to the congressional intel-
16 ligence committees a plan for the construction of East
17 Campus Building 4 and East Campus Building 5. Such
18 plan shall include—

19 (1) a list of commercial leases in the Wash-
20 ington-Baltimore region that could be terminated if
21 Congress authorizes the construction of East Cam-
22 pus Building 4 and East Campus Building 5; and

23 (2) an analysis of options to accelerate East
24 Campus construction efforts.

1 **SEC. 2435. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
2 **TIONAL RECONNAISSANCE OFFICE.**

3 (a) ESTABLISHMENT.—Section 106A of the National
4 Security Act of 1947 (50 U.S.C. 3041a) is amended by
5 adding at the end the following new subsection:

6 “(d) ADVISORY BOARD.—

7 “(1) ESTABLISHMENT.—There is established in
8 the National Reconnaissance Office an advisory
9 board (in this section referred to as the ‘Board’).

10 “(2) DUTIES.—The Board shall—

11 “(A) study matters relating to the mission
12 of the National Reconnaissance Office, includ-
13 ing with respect to space, overhead reconnais-
14 sance, acquisition, and other matters; and

15 “(B) advise and report directly the Direc-
16 tor with respect to such matters.

17 “(3) MEMBERS.—

18 “(A) NUMBER AND APPOINTMENT.—The
19 Board shall be composed of 5 members ap-
20 pointed by the Director from among individuals
21 with demonstrated academic, government, busi-
22 ness, or other expertise relevant to the mission
23 and functions of the National Reconnaissance
24 Office.

25 “(B) TERMS.—Each member shall be ap-
26 pointed for a term of 2 years. Except as pro-

1 vided by subparagraph (C), a member may not
2 serve more than 3 terms.

3 “(C) VACANCY.—Any member appointed to
4 fill a vacancy occurring before the expiration of
5 the term for which the member’s predecessor
6 was appointed shall be appointed only for the
7 remainder of that term. A member may serve
8 after the expiration of that member’s term until
9 a successor has taken office.

10 “(D) CHAIR.—The Board shall have a
11 Chair, who shall be appointed by the Director
12 from among the members.

13 “(E) TRAVEL EXPENSES.—Each member
14 shall receive travel expenses, including per diem
15 in lieu of subsistence, in accordance with appli-
16 cable provisions under subchapter I of chapter
17 57 of title 5, United States Code.

18 “(F) EXECUTIVE SECRETARY.—The Direc-
19 tor may appoint an executive secretary, who
20 shall be an employee of the National Reconnaissance
21 Office, to support the Board.

22 “(4) MEETINGS.—The Board shall meet not
23 less than quarterly, but may meet more frequently
24 at the call of the Director.

1 “(5) REPORTS.—Not later than March 31 of
2 each year, the Board shall submit to the Director
3 and to the congressional intelligence committees a
4 report on the activities of the Board during the pre-
5 ceding year.

6 “(6) NONAPPLICABILITY OF CERTAIN REQUIRE-
7 MENTS.—The Federal Advisory Committee Act (5
8 U.S.C. App.) shall not apply to the Board.”.

9 (b) INITIAL APPOINTMENTS.—Not later than 180
10 days after the date of the enactment of this Act, the Direc-
11 tor of the National Reconnaissance Office shall appoint
12 the initial 5 members to the advisory board under sub-
13 section (d) of section 106A of the National Security Act
14 of 1947 (50 U.S.C. 3041a), as added by subsection (a).

15 **TITLE V—REPORTS AND OTHER** 16 **MATTERS**

17 **SEC. 2501. PUBLIC INTEREST DECLASSIFICATION BOARD.**

18 Section 710(b) of the Public Interest Declassification
19 Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)
20 is amended by striking “2018” and inserting “2028”.

21 **SEC. 2502. REPEAL OF CERTAIN REPORTING REQUIRE-** 22 **MENTS.**

23 (a) CORRECTING LONG-STANDING MATERIAL WEAK-
24 NESSES.—Section 368 of the Intelligence Authorization

1 Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C.
2 3051 note) is hereby repealed.

3 (b) ANNUAL REPORT ON INTERACTIONS BETWEEN
4 INTELLIGENCE COMMUNITY AND ENTERTAINMENT IN-
5 DUSTRY.—Section 308 of the Intelligence Authorization
6 Act for Fiscal Year 2017 (division N of Public Law 115–
7 31; 131 Stat. 813; 50 U.S.C. 3222) is amended by strik-
8 ing subsection (c).

9 (c) DECLASSIFICATION REVIEW WITH RESPECT TO
10 DETAINEES TRANSFERRED FROM UNITED STATES
11 NAVAL STATION, GUANTANAMO BAY, CUBA.—Section
12 601 of such Act (division N of Public Law 115–31; 131
13 Stat. 827) is hereby repealed.

14 (d) INTERAGENCY THREAT ASSESSMENT AND CO-
15 ORDINATION GROUP.—Section 210D of the Homeland Se-
16 curity Act of 2002 (6 U.S.C. 124k) is amended—

17 (1) by striking subsection (c); and

18 (2) by redesignating subsections (d) through (i)
19 as subsections (c) through (h), respectively; and

20 (3) in subsection (c), as so redesignated—

21 (A) in paragraph (8), by striking “; and”
22 and inserting a period; and

23 (B) by striking paragraph (9).

1 (e) INSPECTOR GENERAL REPORT.—Section 8G of
2 the Inspector General Act of 1978 (5 U.S.C. App.) is
3 amended by striking subsection (g).

4 **SEC. 2503. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER**
5 **INTRUSIONS AND ACTIVE MEASURES CAM-**
6 **PAIGNS DIRECTED AT ELECTIONS FOR FED-**
7 **ERAL OFFICES.**

8 (a) DETERMINATIONS OF SIGNIFICANT FOREIGN
9 CYBER INTRUSIONS AND ACTIVE MEASURES CAM-
10 PAIGNS.—The Director of National Intelligence, the Di-
11 rector of the Federal Bureau of Investigation, and the
12 Secretary of Homeland Security shall jointly carry out
13 subsection (b) if such Directors and the Secretary jointly
14 determine—

15 (1) that on or after the date of the enactment
16 of this Act, a significant foreign cyber intrusion or
17 active measures campaign intended to influence an
18 upcoming election for any Federal office has oc-
19 curred or is occurring; and

20 (2) with moderate or high confidence, that such
21 intrusion or campaign can be attributed to a foreign
22 state or to a foreign nonstate person, group, or other
23 entity.

24 (b) BRIEFING.—

1 (1) IN GENERAL.—Not later than 14 days after
2 making a determination under subsection (a), the
3 Director of National Intelligence, the Director of the
4 Federal Bureau of Investigation, and the Secretary
5 of Homeland Security, shall jointly provide a brief-
6 ing to the congressional leadership, the congressional
7 intelligence committees and, consistent with the pro-
8 tection of sources and methods, the other appro-
9 priate congressional committees. The briefing shall
10 be classified and address, at a minimum, the fol-
11 lowing:

12 (A) A description of the significant foreign
13 cyber intrusion or active measures campaign, as
14 the case may be, covered by the determination.

15 (B) An identification of the foreign state
16 or foreign nonstate person, group, or other enti-
17 ty, to which such intrusion or campaign has
18 been attributed.

19 (C) The desirability and feasibility of the
20 public release of information about the cyber in-
21 trusion or active measures campaign.

22 (D) Any other information such Directors
23 and the Secretary jointly determine appropriate.

24 (2) ELECTRONIC ELECTION INFRASTRUCTURE
25 BRIEFINGS.—With respect to a significant foreign

1 cyber intrusion covered by a determination under
2 subsection (a), the Secretary of Homeland Security,
3 in consultation with the Director of National Intel-
4 ligence and the Director of the Federal Bureau of
5 Investigation, shall offer to the owner or operator of
6 any electronic election infrastructure directly af-
7 fected by such intrusion, a briefing on such intru-
8 sion, including steps that may be taken to mitigate
9 such intrusion. Such briefing may be classified and
10 made available only to individuals with appropriate
11 security clearances.

12 (3) PROTECTION OF SOURCES AND METH-
13 ODS.—This subsection shall be carried out in a man-
14 ner that is consistent with the protection of sources
15 and methods.

16 (c) DEFINITIONS.—In this section:

17 (1) ACTIVE MEASURES CAMPAIGN.—The term
18 “active measures campaign” means a foreign semi-
19 covert or covert intelligence operation.

20 (2) CANDIDATE, ELECTION, AND POLITICAL
21 PARTY.—The terms “candidate”, “election”, and
22 “political party” have the meanings given those
23 terms in section 301 of the Federal Election Cam-
24 paign Act of 1971 (52 U.S.C. 30101).

1 (3) CONGRESSIONAL LEADERSHIP.—The term
2 “congressional leadership” includes the following:

3 (A) The majority leader of the Senate.

4 (B) The minority leader of the Senate.

5 (C) The Speaker of the House of Rep-
6 resentatives.

7 (D) The minority leader of the House of
8 Representatives.

9 (4) CYBER INTRUSION.—The term “cyber in-
10 trusion” means an electronic occurrence that actu-
11 ally or imminently jeopardizes, without lawful au-
12 thority, electronic election infrastructure, or the in-
13 tegrity, confidentiality, or availability of information
14 within such infrastructure.

15 (5) ELECTRONIC ELECTION INFRASTRUC-
16 TURE.—The term “electronic election infrastruc-
17 ture” means an electronic information system of any
18 of the following that is related to an election for
19 Federal office:

20 (A) The Federal Government.

21 (B) A State or local government.

22 (C) A political party.

23 (D) The election campaign of a candidate.

24 (6) FEDERAL OFFICE.—The term “Federal of-
25 fice” has the meaning given that term in section 301

1 of the Federal Election Campaign Act of 1971 (52
2 U.S.C. 30101).

3 (7) HIGH CONFIDENCE.—The term “high con-
4 fidence”, with respect to a determination, means
5 that the determination is based on high-quality in-
6 formation from multiple sources.

7 (8) MODERATE CONFIDENCE.—The term “mod-
8 erate confidence”, with respect to a determination,
9 means that a determination is credibly sourced and
10 plausible but not of sufficient quality or corrobo-
11 rated sufficiently to warrant a higher level of con-
12 fidence.

13 (9) OTHER APPROPRIATE CONGRESSIONAL COM-
14 MITTEES.—The term “other appropriate congres-
15 sional committees” means—

16 (A) the Committee on Armed Services and
17 the Committee on Homeland Security and Gov-
18 ernmental Affairs of the Senate; and

19 (B) the Committee on Armed Services and
20 the Committee on Homeland Security of the
21 House of Representatives.

22 **SEC. 2504. REPORTS ON INTELLIGENCE COMMUNITY LOAN**
23 **REPAYMENT AND RELATED PROGRAMS.**

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

1 (1) there should be established, through the
2 issuing of an Intelligence Community Directive or
3 otherwise, an intelligence community-wide program
4 for student loan repayment, student loan forgive-
5 ness, financial counseling, and related matters, for
6 employees of the intelligence community;

7 (2) creating such a program would enhance the
8 ability of the elements of the intelligence community
9 to recruit, hire, and retain highly qualified per-
10 sonnel, including with respect to mission-critical and
11 hard-to-fill positions;

12 (3) such a program, including with respect to
13 eligibility requirements, should be designed so as to
14 maximize the ability of the elements of the intel-
15 ligence community to recruit, hire, and retain highly
16 qualified personnel, including with respect to mis-
17 sion-critical and hard-to-fill positions; and

18 (4) to the extent possible, such a program
19 should be uniform throughout the intelligence com-
20 munity and publicly promoted by each element of
21 the intelligence community to both current employ-
22 ees of the element as well as to prospective employ-
23 ees of the element.

24 (b) REPORT ON POTENTIAL INTELLIGENCE COMMU-
25 NITY-WIDE PROGRAM.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Di-
3 rector of National Intelligence, in cooperation with
4 the heads of the elements of the intelligence commu-
5 nity and the heads of any other appropriate depart-
6 ment or agency of the Federal Government, shall
7 submit to the congressional intelligence committees a
8 report on potentially establishing and carrying out
9 an intelligence community-wide program for student
10 loan repayment, student loan forgiveness, financial
11 counseling, and related matters, as described in sub-
12 section (a).

13 (2) MATTERS INCLUDED.—The report under
14 paragraph (1) shall include, at a minimum, the fol-
15 lowing:

16 (A) A description of the financial resources
17 that the elements of the intelligence community
18 would require to establish and initially carry
19 out the program specified in paragraph (1).

20 (B) A description of the practical steps to
21 establish and carry out such a program.

22 (C) The identification of any legislative ac-
23 tion the Director determines necessary to estab-
24 lish and carry out such a program.

1 (c) ANNUAL REPORTS ON ESTABLISHED PRO-
2 GRAMS.—

3 (1) IN GENERAL.—The Director of National In-
4 telligence shall annually submit to the congressional
5 intelligence committees a report on the covered pro-
6 grams. Each such report shall include, with respect
7 to the period covered by the report, the following:

8 (A) The number of personnel from each
9 element of the intelligence community who used
10 each covered program.

11 (B) The total amount of funds each ele-
12 ment expended for each such program.

13 (C) A description of the efforts made by
14 each element to promote each covered program
15 pursuant to both the personnel of the element
16 of the intelligence community and to prospec-
17 tive personnel.

18 (2) COVERED PROGRAMS DEFINED.—In this
19 subsection, the term “covered programs” means any
20 loan repayment program, loan forgiveness program,
21 financial counseling program, or similar programs,
22 established pursuant to title X of the National Secu-
23 rity Act of 1947 (50 U.S.C. 3191 et seq.) or any
24 other provision of law that may be administered or
25 used by an element of the intelligence community.

1 **SEC. 2505. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORT ON SENIOR EXECUTIVES OF**
3 **THE OFFICE OF THE DIRECTOR OF NATIONAL**
4 **INTELLIGENCE.**

5 (a) **REPORT.**—Not later than 180 days after the date
6 of the enactment of this Act, the Comptroller General of
7 the United States shall submit to the congressional intel-
8 ligence committees a report on the number of Senior Exec-
9 utive Service positions in the Office of the Director of Na-
10 tional Intelligence.

11 (b) **MATTERS INCLUDED.**—The report under sub-
12 section (a) shall include the following:

13 (1) The number of required Senior Executive
14 Service positions for the Office of the Director of
15 National Intelligence.

16 (2) Whether such requirements are reasonably
17 based on the mission of the Office.

18 (3) A discussion of how the levels of the Senior
19 Executive Service positions in the Office compare to
20 the number of senior positions at other elements of
21 the intelligence community.

22 (c) **COOPERATION.**—The Director of National Intel-
23 ligence shall provide to the Comptroller General any infor-
24 mation requested by the Comptroller General to carry out
25 this section by not later than 5 business days after the

1 date on which the Comptroller General makes such re-
2 quest.

3 (d) SENIOR EXECUTIVE SERVICE POSITION DE-
4 FINED.—In this section, the term “Senior Executive Serv-
5 ice position” has the meaning given that term in section
6 3132(a)(2) of title 5, United States Code, and includes
7 any position above the GS–15, step 10, level of the Gen-
8 eral Schedule under section 5332 of such title.

9 **SEC. 2506. BRIEFING ON FBI OFFERING PERMANENT RESI-**
10 **DENCE TO SOURCES AND COOPERATORS.**

11 Not later than 30 days after the date of the enact-
12 ment of this Act, the Director of the Federal Bureau of
13 Investigation shall provide to the congressional intelligence
14 committees a briefing on the ability of the Federal Bureau
15 of Investigation to offer, as an inducement to assisting the
16 Bureau, permanent residence within the United States to
17 foreign individuals who are sources or cooperators in coun-
18 terintelligence or other national security-related investiga-
19 tions. The briefing shall address the following:

20 (1) The extent to which the Bureau may make
21 such offers, whether independently or in conjunction
22 with other agencies and departments of the United
23 States Government, including a discussion of the au-
24 thorities provided by section 101(a)(15)(S) of the
25 Immigration and Nationality Act (8 U.S.C.

1 1101(a)(15)(S)), section 7 of the Central Intel-
2 ligence Agency Act (50 U.S.C. 3508), and any other
3 provision of law under which the Bureau may make
4 such offers.

5 (2) An overview of the policies and operational
6 practices of the Bureau with respect to making such
7 offers.

8 (3) The sufficiency of such policies and prac-
9 tices with respect to inducing individuals to cooper-
10 ate with, serve as sources for such investigations, or
11 both.

12 (4) Whether the Director recommends any leg-
13 islative actions to improve such policies and prac-
14 tices, particularly with respect to the counterintel-
15 ligence efforts of the Bureau.

16 **SEC. 2507. 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.

○