

112TH CONGRESS
1ST SESSION

H. R. 1502

To establish the Counterterrorism Competitive Analysis Council.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2011

Mr. WOLF (for himself, Mr. KING of New York, and Mrs. MYRICK) introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select)

A BILL

To establish the Counterterrorism Competitive Analysis Council.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Team B Act”.

5 **SEC. 2. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) terrorism and domestic radicalization rep-
8 resent evolving, dynamic, multidimensional threats
9 that necessitate a structured, iterative process to

1 continuously revise plans, operations, concepts, orga-
2 nizations, and capabilities; and

3 (2) past Federal experience in competitive anal-
4 ysis executed by experts drawn from outside the gov-
5 ernment has helped the intelligence community and
6 policymakers better understand the nature of com-
7 plex threats to the United States.

8 **SEC. 3. ESTABLISHMENT OF COUNTERTERRORISM COM-**
9 **PETITIVE ANALYSIS COUNCIL.**

10 (a) ESTABLISHMENT.—Title I of the National Secu-
11 rity Act of 1947 (50 U.S.C. 401 et seq.) is amended by
12 adding at the end the following:

13 “COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL

14 “SEC. 120. (a) ESTABLISHMENT.—There is estab-
15 lished a council to be known as the ‘Counterterrorism
16 Competitive Analysis Council’ (in this section referred to
17 as the ‘Council’).

18 “(b) DUTIES.—The Council shall—

19 “(1) advise the Director of National Intelligence
20 on matters of policy relating to the threats of inter-
21 national terrorism and domestic radicalization based
22 on all-source information;

23 “(2) prepare a competitive analysis of each na-
24 tional intelligence estimate concerning al-Qaeda and
25 other foreign terrorist organizations and submit

1 such analysis to the Director of National Intelligence
2 and the National Intelligence Council; and

3 “(3) annually submit to Congress a report in
4 unclassified form, which may include a classified
5 annex, on trends in counterterrorism and domestic
6 radicalization, including a summary of any competi-
7 tive analysis prepared pursuant to paragraph (2).

8 “(c) MEMBERS.—(1) The Council shall be composed
9 of eight members appointed by the Director of National
10 Intelligence, in consultation with the Permanent Select
11 Committee on Intelligence of the House of Representatives
12 and the Select Committee on Intelligence of the Senate.
13 Members shall be selected on the basis of previous experi-
14 ence with matters of policy relating to international ter-
15 rorism and domestic radicalization.

16 “(2)(A) The Director of National Intelligence may
17 not appoint an individual to the Council if such individual
18 has served as an officer or employee of the Federal Gov-
19 ernment within a five-year period of the date of appoint-
20 ment.

21 “(B) The Director of National Intelligence may not
22 appoint an individual to the Council if—

23 “(i) such individual has served as an officer or
24 employee of the Federal Government within a 15-
25 year period of the date of appointment; and

1 “(ii) on the date of appointment, three of the
2 members of the Council have served as officers or
3 employees of the Federal Government within a 15-
4 year period of the date of appointment.

5 “(3) The term of a member is five years, and a mem-
6 ber may not serve more than two terms, except that a
7 member appointed to fill a vacancy may serve two addi-
8 tional terms after the expiration of the term in which that
9 vacancy occurred.

10 “(4) Any member appointed to fill a vacancy occur-
11 ring before the expiration of a term shall be appointed
12 for the remainder of that term.

13 “(5) Every two years, the Council shall select a chair
14 and vice chair from among its members.

15 “(6) To the extent provided in advance in appropria-
16 tion Acts, each member shall be paid at a rate not to ex-
17 ceed the annual rate of basic pay for level V of the Execu-
18 tive Schedule under section 5316 of title 5, United States
19 Code.

20 “(7) Any member of the Council may, if authorized
21 by the Council, take any action which the Council is au-
22 thorized to take by this section.

23 “(d) STAFF OF COUNCIL.—(1) To the extent pro-
24 vided in advance in appropriation Acts, the Council shall
25 appoint and fix the compensation of a Director and such

1 additional staff as may be necessary to enable the Council
2 to carry out its duties.

3 “(2) The Director and staff of the Council may be
4 appointed without regard to the provisions of title 5,
5 United States Code, governing appointments in the com-
6 petitive service, and may be paid without regard to the
7 provisions of chapter 51 and subchapter III of chapter 53
8 of that title relating to classification and General Schedule
9 pay rates, except that the rate of pay fixed for the Director
10 and staff may not exceed the annual rate of basic pay for
11 level V of the Executive Schedule under section 5316 of
12 title 5, United States Code.

13 “(3) In accordance with rules adopted by the Council,
14 and to the extent provided in advance in appropriation
15 Acts, the Council may procure the services of experts and
16 consultants under section 3109(b) of title 5, United States
17 Code, but at rates for individuals not to exceed the daily
18 equivalent of the annual rate of basic pay for level V of
19 the Executive Schedule under section 5316 of title 5,
20 United States Code.

21 “(e) ACCESS TO INTELLIGENCE INFORMATION.—(1)
22 The Director of National Intelligence shall transmit to the
23 Council each national intelligence estimate concerning al-
24 Qaeda and other foreign terrorist organizations.

1 “(2) Upon request of the Council, the Director of Na-
2 tional Intelligence shall make available to the Council any
3 intelligence information in the possession of the intel-
4 ligence community.

5 “(3) The Director of National Intelligence shall en-
6 sure that the appropriate executive departments and agen-
7 cies cooperate with the Council in expeditiously providing
8 to the members and staff appropriate security clearances
9 in a manner consistent with existing procedures and re-
10 quirements.

11 “(f) APPLICABILITY OF FEDERAL ADVISORY COM-
12 MITTEE ACT.—Section 14(a)(2)(B) of the Federal Advi-
13 sory Committee Act (5 U.S.C. App.), relating to the termi-
14 nation of advisory committees, shall not apply to the
15 Council.

16 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated to carry out this section
18 \$5,000,000 for each of fiscal years 2012 through 2017.
19 No amount is authorized to carry out this section for a
20 fiscal year unless the appropriation for the Office of the
21 Director of National Intelligence for such fiscal year is re-
22 duced by an amount equal to the amount appropriated to
23 carry out this section for such fiscal year”.

24 “(b) INITIAL REPORT.—The initial report required to
25 be submitted under section 120(b)(2) of the National Se-

1 curity Act of 1947, as added by subsection (a), shall be
2 filed not later than 1 year after the date of the enactment
3 of this Act.

4 (c) CLERICAL AMENDMENT.—The table of contents
5 of the National Security Act of 1947 (50 U.S.C. 401 et
6 seq.) is amended by inserting after the item relating to
7 section 119B the following:

“Sec. 120. Counterterrorism Competitive Analysis Council.”.

○