

## Union Calendar No. 183

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3180

**[Report No. 115–251]**

To authorize appropriations for fiscal year 2018 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.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2017

Mr. NUNES (for himself and Mr. SCHIFF) introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

JULY 24, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on July 11, 2017]

# **A BILL**

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

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

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

4        (a) *SHORT TITLE.*—*This Act may be cited as the “In-*  
 5 *telligence Authorization Act for Fiscal Year 2018”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

**TITLE I—INTELLIGENCE ACTIVITIES**

*Sec. 101. Authorization of appropriations.*

*Sec. 102. Classified Schedule of Authorizations.*

*Sec. 103. Personnel ceiling adjustments.*

*Sec. 104. Intelligence Community Management Account.*

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

*Sec. 201. Authorization of appropriations.*

*Sec. 202. Computation of annuities for employees of the Central Intelligence  
 Agency.*

**TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS**

*Sec. 301. Restriction on conduct of intelligence activities.*

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

*Sec. 303. Congressional oversight of intelligence community contractors.*

*Sec. 304. Enhanced personnel security programs.*

**TITLE IV—MATTERS RELATING TO ELEMENTS OF THE  
 INTELLIGENCE COMMUNITY**

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

*Sec. 401. Authority for protection of current and former employees of the Office  
 of the Director of National Intelligence.*

*Sec. 402. Designation of the program manager-information sharing environment.*

*Sec. 403. Technical correction to the executive schedule.*

*Subtitle B—Other Elements*

*Sec. 411. Requirements relating to appointment of General Counsel of National  
 Security Agency.*

*Sec. 412. Transfer or elimination of certain components and functions of the De-  
 fense Intelligence Agency.*

*Sec. 413. Technical amendments related to the Department of Energy.*

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Sec. 501. *Assessment of significant Russian influence campaigns directed at foreign elections and referenda.*

Sec. 502. *Foreign counterintelligence and cybersecurity threats to Federal election campaigns.*

Sec. 503. *Assessment of threat finance relating to the Russian Federation.*

TITLE VI—REPORTS AND OTHER MATTERS

Sec. 601. *Period of overseas assignments for certain foreign service officers.*

Sec. 602. *Semiannual reports on investigations of unauthorized public disclosures of classified information.*

Sec. 603. *Intelligence community reports on security clearances.*

Sec. 604. *Report on expansion of Security Protective Services jurisdiction.*

Sec. 605. *Report on role of Director of National Intelligence with respect to certain foreign investments.*

Sec. 606. *Report on Cyber Exchange Program.*

Sec. 607. *Review of intelligence community participation in vulnerabilities equities process.*

Sec. 608. *Review of Intelligence Community whistleblower matters.*

Sec. 609. *Sense of Congress on notifications of certain disclosures of classified information.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) **CONGRESSIONAL INTELLIGENCE COMMIT-**  
 4 **TEES.**—*The term “congressional intelligence commit-*  
 5 *tees” means—*

6 (A) *the Select Committee on Intelligence of*  
 7 *the Senate; and*

8 (B) *the Permanent Select Committee on In-*  
 9 *telligence of the House of Representatives.*

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

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

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

4           *Funds are hereby authorized to be appropriated for fis-*  
5 *cal year 2018 for the conduct of the intelligence and intel-*  
6 *ligence-related activities of the following elements of the*  
7 *United States Government:*

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

10                   (2) *The Central Intelligence Agency.*

11                   (3) *The Department of Defense.*

12                   (4) *The Defense Intelligence Agency.*

13                   (5) *The National Security Agency.*

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

17                   (7) *The Coast Guard.*

18                   (8) *The Department of State.*

19                   (9) *The Department of the Treasury.*

20                   (10) *The Department of Energy.*

21                   (11) *The Department of Justice.*

22                   (12) *The Federal Bureau of Investigation.*

23                   (13) *The Drug Enforcement Administration.*

24                   (14) *The National Reconnaissance Office.*

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

3           (16) *The Department of Homeland Security.*

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

5           (a) *SPECIFICATIONS OF AMOUNTS.*—*The amounts au-*  
6 *thorized to be appropriated under section 101 and, subject*  
7 *to section 103, the authorized personnel ceilings as of Sep-*  
8 *tember 30, 2018, for the conduct of the intelligence activities*  
9 *of the elements listed in paragraphs (1) through (16) of sec-*  
10 *tion 101, are those specified in the classified Schedule of*  
11 *Authorizations prepared to accompany this Act.*

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

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

19           (2) *DISTRIBUTION BY THE PRESIDENT.*—*Subject*  
20 *to paragraph (3), the President shall provide for suit-*  
21 *able distribution of the classified Schedule of Author-*  
22 *izations referred to in subsection (a), or of appro-*  
23 *priate portions of such Schedule, within the executive*  
24 *branch.*

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

5                     *(A) as provided in section 601(a) of the Im-*  
6                     *plementing Recommendations of the 9/11 Com-*  
7                     *mission Act of 2007 (50 U.S.C. 3306(a));*

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

10                    *(C) as otherwise required by law.*

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

12           (a) *AUTHORITY FOR INCREASES.*—*The Director of Na-*  
13           *tional Intelligence may authorize employment of civilian*  
14           *personnel in excess of the number authorized for fiscal year*  
15           *2018 by the classified Schedule of Authorizations referred*  
16           *to in section 102(a) if the Director of National Intelligence*  
17           *determines that such action is necessary to the performance*  
18           *of important intelligence functions, except that the number*  
19           *of personnel employed in excess of the number authorized*  
20           *under such section may not, for any element of the intel-*  
21           *ligence community, exceed 3 percent of the number of civil-*  
22           *ian personnel authorized under such schedule for such ele-*  
23           *ment.*

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

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

5           (1) *a student program, trainee program, or simi-*  
6 *lar program;*

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

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

11       (c) *NOTICE TO CONGRESSIONAL INTELLIGENCE COM-*  
12 *MITTEES.—The Director of National Intelligence shall no-*  
13 *tify the congressional intelligence committees in writing at*  
14 *least 15 days prior to each exercise of an authority de-*  
15 *scribed in subsection (a).*

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

18       (a) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
19 *authorized to be appropriated for the Intelligence Commu-*  
20 *nity Management Account of the Director of National Intel-*  
21 *ligence for fiscal year 2018 the sum of \$526,900,000. Within*  
22 *such amount, funds identified in the classified Schedule of*  
23 *Authorizations referred to in section 102(a) for advanced*  
24 *research and development shall remain available until Sep-*  
25 *tember 30, 2019.*



1           **(b) AUTHORIZED PERSONNEL LEVELS.**—*The elements*  
2 *within the Intelligence Community Management Account of*  
3 *the Director of National Intelligence are authorized 804 po-*  
4 *sitions as of September 30, 2018. Personnel serving in such*  
5 *elements may be permanent employees of the Office of the*  
6 *Director of National Intelligence or personnel detailed from*  
7 *other elements of the United States Government.*

8           **(c) CLASSIFIED AUTHORIZATIONS.**—

9           **(1) AUTHORIZATION OF APPROPRIATIONS.**—*In*  
10 *addition to amounts authorized to be appropriated*  
11 *for the Intelligence Community Management Account*  
12 *by subsection (a), there are authorized to be appro-*  
13 *priated for the Intelligence Community Management*  
14 *Account for fiscal year 2018 such additional amounts*  
15 *as are specified in the classified Schedule of Author-*  
16 *izations referred to in section 102(a). Such additional*  
17 *amounts made available for advanced research and*  
18 *development shall remain available until September*  
19 *30, 2019.*

20           **(2) AUTHORIZATION OF PERSONNEL.**—*In addi-*  
21 *tion to the personnel authorized by subsection (b) for*  
22 *elements of the Intelligence Community Management*  
23 *Account as of September 30, 2018, there are author-*  
24 *ized such additional personnel for the Community*  
25 *Management Account as of that date as are specified*

1        *in the classified Schedule of Authorizations referred to*  
 2        *in section 102(a).*

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

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

8        *There is authorized to be appropriated for the Central*  
 9        *Intelligence Agency Retirement and Disability Fund for fis-*  
 10        *cal year 2018 the sum of \$514,000,000.*

11        **SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**  
 12        **OF THE CENTRAL INTELLIGENCE AGENCY.**

13        *(a) COMPUTATION OF ANNUITIES.—*

14                *(1) IN GENERAL.—Section 221 of the Central In-*  
 15        *telligence Agency Retirement Act (50 U.S.C. 2031) is*  
 16        *amended—*

17                        *(A) in subsection (a)(3)(B), by striking the*  
 18                        *period at the end and inserting “, as determined*  
 19                        *by using the annual rate of basic pay that would*  
 20                        *be payable for full-time service in that posi-*  
 21                        *tion.”;*

22                        *(B) in subsection (b)(1)(C)(i), by striking*  
 23                        *“12-month” and inserting “2-year”;*

24                        *(C) in subsection (f)(2), by striking “one*  
 25                        *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), (j),  
5           (k), and (l) as subsections (i), (j), (k), (l), and  
6           (m), respectively; and

7           (F) by inserting after subsection (g) the fol-  
8           lowing:

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.*—Sub-  
13 *ject to the rights of former spouses under subsection*  
14 *(b) and section 222, at the time of retirement a mar-*  
15 *ried participant found by the Director to be in good*  
16 *health may elect to receive an annuity reduced in ac-*  
17 *cordance with subsection (f)(1)(B) and designate in*  
18 *writing an individual having an insurable interest in*  
19 *the participant to receive an annuity under the sys-*  
20 *tem after the participant’s death, except that any*  
21 *such election to provide an insurable interest survivor*  
22 *annuity to the participant’s spouse shall only be effec-*  
23 *tive if the participant’s spouse waives the spousal*  
24 *right to a survivor annuity under this Act. The*

1       *amount of the annuity shall be equal to 55 percent of*  
2       *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 ANNUITY.—*

12       *The annuity payable to the designated individual*  
13       *shall begin on the day after the retired participant*  
14       *dies and terminate on the last day of the month before*  
15       *the designated individual dies.*

16               “(4) *RECOMPUTATION OF PARTICIPANT'S ANNU-*

17       *ITY ON DEATH OF DESIGNATED INDIVIDUAL.—An an-*  
18       *nuity which is reduced under this subsection shall, ef-*  
19       *fective the first day of the month following the death*  
20       *of the designated individual, be recomputed and paid*  
21       *as if the annuity had not been so reduced.”.*

22               “(2) *CONFORMING AMENDMENTS.—*

23                       “(A) *CENTRAL INTELLIGENCE AGENCY RE-*  
24       *TIREMENT ACT.—The Central Intelligence Agen-*

1           *cy Retirement Act (50 U.S.C. 2001 et seq.) is*  
2           *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 Cen-*  
11                    *tral Intelligence Agency Act of 1949 (50 U.S.C.*  
12                    *3514(a)) is amended by striking “221(h)(2),*  
13                    *221(i), 221(l),” and inserting “221(i)(2), 221(j),*  
14                    *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 years”.*

19                    *(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of*  
20                    *section 252(b)(3) of the Central Intelligence Agency Retire-*  
21                    *ment Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking*  
22                    *“October 1, 1990” both places that term appears and insert-*  
23                    *ing “March 31, 1991”.*

1       (d) *REEMPLOYMENT COMPENSATION.*—Section 273 of  
2 *the Central Intelligence Agency Retirement Act (50 U.S.C.*  
3 *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 Di-*  
9 *rector shall have the authority to reemploy an annuitant*  
10 *in a part-time basis in accordance with section 8344(l) of*  
11 *title 5, United States Code.*”.

12       (e) *EFFECTIVE DATE AND APPLICATION.*—*The amend-*  
13 *ments made by subsection (a)(1)(A) and subsection (c) shall*  
14 *take effect as if enacted on October 28, 2009, and shall*  
15 *apply to computations or participants, respectively, as of*  
16 *such date.*

17 **TITLE III—GENERAL INTEL-**  
18 **LIGENCE COMMUNITY MAT-**  
19 **TERS**

20 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
21 **ACTIVITIES.**

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

1 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**  
2 **BENEFITS AUTHORIZED BY LAW.**

3 *Appropriations authorized by this Act for salary, pay,*  
4 *retirement, and other benefits for Federal employees may*  
5 *be increased by such additional or supplemental amounts*  
6 *as may be necessary for increases in such compensation or*  
7 *benefits authorized by law.*

8 **SEC. 303. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE**  
9 **COMMUNITY CONTRACTORS.**

10 *(a) OVERSIGHT BY CONGRESS.—*

11 *(1) IN GENERAL.—Title V of the National Secu-*  
12 *rity Act of 1947 (50 U.S.C. 3091 et seq.) is amended*  
13 *by inserting after section 506J the following new sec-*  
14 *tion:*

15 **“SEC. 506K. OVERSIGHT OF INTELLIGENCE COMMUNITY**  
16 **CONTRACTORS.**

17 *“Notwithstanding the terms of any contract awarded*  
18 *by the head of an element of the intelligence community,*  
19 *the head may not—*

20 *“(1) prohibit a contractor of such element from*  
21 *contacting or meeting with either of the congressional*  
22 *intelligence committees (including a member or an*  
23 *employee thereof) to discuss matters relating to a con-*  
24 *tract;*

25 *“(2) take any adverse action against a con-*  
26 *tractor of such element, including by suspending or*

1        *debaring the contractor or terminating a contract,*  
 2        *based on the contractor contacting or meeting with ei-*  
 3        *ther of the congressional intelligence committees (in-*  
 4        *cluding a member or an employee thereof) to discuss*  
 5        *matters relating to a contract; or*

6            *“(3) require the approval of the head before a*  
 7        *contractor of such element contacts or meets with ei-*  
 8        *ther of the congressional intelligence committees (in-*  
 9        *cluding a member or an employee thereof) to discuss*  
 10       *matters relating to a contract.”.*

11            *(2) CLERICAL AMENDMENT.—The table of con-*  
 12        *tents in the first section of the National Security Act*  
 13        *of 1947 is amended by inserting after the item relat-*  
 14        *ing to section 506J the following new item:*

*“Sec. 506K. Oversight of intelligence community contractors.”.*

15            *(b) APPLICATION.—The amendment made by sub-*  
 16        *section (a)(1) shall apply with respect to a contract award-*  
 17        *ed by the head of an element of the intelligence community*  
 18        *on or after the date of the enactment of this Act.*

19        **SEC. 304. ENHANCED PERSONNEL SECURITY PROGRAMS.**

20        *Section 11001(d) of title 5, United States Code, is*  
 21        *amended—*

22            *(1) in the subsection heading, by striking*  
 23        *“AUDIT” and inserting “REVIEW”;*

24            *(2) in paragraph (1), by striking “audit” and*  
 25        *inserting “review”; and*



1           (3) in paragraph (2), by striking “audit” and  
2           inserting “review”.

3       **TITLE IV—MATTERS RELATING**  
4           **TO ELEMENTS OF THE INTEL-**  
5           **LIGENCE COMMUNITY**

6       **Subtitle A—Office of the Director of**  
7           **National Intelligence**

8       **SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND**  
9           **FORMER EMPLOYEES OF THE OFFICE OF THE**  
10           **DIRECTOR OF NATIONAL INTELLIGENCE.**

11           Section 5(a)(4) of the Central Intelligence Agency Act  
12 of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking  
13 “such personnel of the Office of the Director of National  
14 Intelligence as the Director of National Intelligence may  
15 designate;” and inserting “current and former personnel of  
16 the Office of the Director of National Intelligence and their  
17 immediate families as the Director of National Intelligence  
18 may designate;”.

19       **SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-IN-**  
20           **FORMATION SHARING ENVIRONMENT.**

21           (a) **INFORMATION SHARING ENVIRONMENT.**—Section  
22 1016(b) of the Intelligence Reform and Terrorism Preven-  
23 tion Act of 2004 (6 U.S.C. 485(b)) is amended—

24           (1) in paragraph (1), by striking “President”  
25           and inserting “Director of National Intelligence”; and

1           (2) *in paragraph (2), by striking “President”*  
2           *both places that term appears and inserting “Director*  
3           *of National Intelligence”.*

4           (b) *PROGRAM MANAGER.*—Section 1016(f) of the Intel-  
5 *ligence Reform and Terrorism Prevention Act of 2004 (6*  
6 *U.S.C. 485(f)) is amended by striking “The individual des-*  
7 *ignated as the program manager shall serve as program*  
8 *manager until removed from service or replaced by the*  
9 *President (at the President’s sole discretion).” and inserting*  
10 *“Beginning on the date of the enactment of the Intelligence*  
11 *Authorization Act for Fiscal Year 2018, each individual*  
12 *designated as the program manager shall be appointed by*  
13 *the Director of National Intelligence.”.*

14 **SEC. 403. TECHNICAL CORRECTION TO THE EXECUTIVE**  
15 **SCHEDULE.**

16           Section 5313 of title 5, United States Code, is amended  
17 *by adding at the end the following:*

18           “*Director of the National Counterintelligence and Se-*  
19 *curity.”.*

20 ***Subtitle B—Other Elements***

21 **SEC. 411. REQUIREMENTS RELATING TO APPOINTMENT OF**  
22 **GENERAL COUNSEL OF NATIONAL SECURITY**  
23 **AGENCY.**

24           (a) *IN GENERAL.*—Section 2 of the National Security  
25 *Agency Act of 1959 (Public Law 86–36; 50 U.S.C. 3602)*

1 *is amended by adding at the end the following new sub-*  
2 *section:*

3       “(c)(1) *There is a General Counsel of the National Se-*  
4 *curity Agency.*

5       “(2) *The General Counsel of the National Security*  
6 *Agency shall be appointed by the President, by and with*  
7 *the advice and consent of the Senate.”.*

8       (b) *EFFECTIVE DATE.*—*Subsection (c) of section 2 of*  
9 *the National Security Agency Act of 1959 (Public Law 86-*  
10 *36; 50 U.S.C. 3602) shall apply with respect to any person*  
11 *who is appointed to serve as General Counsel of the Na-*  
12 *tional Security Agency on or after January 21, 2021.*

13 **SEC. 412. TRANSFER OR ELIMINATION OF CERTAIN COMPO-**  
14 **NENTS AND FUNCTIONS OF THE DEFENSE IN-**  
15 **TELLIGENCE AGENCY.**

16 (a) *INFORMATION REVIEW TASK FORCE.*—

17       (1) *TRANSFER REQUIRED.*—*Effective on the date*  
18 *that is 180 days after the date of the enactment of*  
19 *this Act, there is transferred from the Director of the*  
20 *Defense Intelligence Agency to the Chairman of the*  
21 *Joint Chiefs of Staff all functions performed by the*  
22 *Information Review Task Force and all assigned re-*  
23 *sponsibilities performed by the Information Review*  
24 *Task Force. Upon such transfer, such Task Force shall*  
25 *be designated as a chairman’s controlled activity.*

1           (2) *TRANSITION PLAN.*—

2                   (A) *CONGRESSIONAL BRIEFING.*—Not later  
3 than 60 days after the date of the enactment of  
4 this Act, the Director of the Defense Intelligence  
5 Agency and the Chairman of the Joint Chiefs of  
6 Staff shall jointly brief the congressional intel-  
7 ligence committees and the congressional defense  
8 committees on the plan to carry out the transfer  
9 required under paragraph (1).

10                   (B) *SUBMITTAL OF FORMAL PLAN.*—Not  
11 later than 90 days after the date of the enact-  
12 ment of this Act, the Director of the Defense In-  
13 telligence Agency and the Chairman of the Joint  
14 Chiefs of Staff shall jointly submit to the con-  
15 gressional intelligence committees and the con-  
16 gressional defense committees a formal plan for  
17 the transfer required under paragraph (1).

18           (3) *LIMITATION ON USE OF FUNDS.*—The Direc-  
19 tor of the Defense Intelligence Agency may not obli-  
20 gate or expend any funds authorized to be appro-  
21 priated for the Information Review Task Force for  
22 fiscal year 2018 after the date that is 180 days after  
23 the date of the enactment of this Act. Any such funds  
24 that are unobligated or unexpended as of such date

1 *shall be transferred to the Chairman of the Joint*  
2 *Chiefs of Staff.*

3 *(b) IDENTITY INTELLIGENCE PROJECT OFFICE.—*

4 *(1) ELIMINATION.—Effective on the date that is*  
5 *180 days after the date of the enactment of this Act,*  
6 *the Director of the Defense Intelligence Agency shall*  
7 *eliminate the Identity Intelligence Project Office, in-*  
8 *cluding all functions and assigned responsibilities*  
9 *performed by the Identity Intelligence Project Office.*  
10 *All personnel and assets pertaining to such Office*  
11 *shall be transferred to other elements of the Defense*  
12 *Intelligence Agency, as determined by the Director.*

13 *(2) TRANSITION PLAN.—*

14 *(A) CONGRESSIONAL BRIEFING.—Not later*  
15 *than 60 days after the date of the enactment of*  
16 *this Act, the Director of the Defense Intelligence*  
17 *Agency shall brief the congressional intelligence*  
18 *committees and the congressional defense com-*  
19 *mittees on the plan to carry out the elimination*  
20 *required under paragraph (1).*

21 *(B) SUBMITTAL OF FORMAL PLAN.—Not*  
22 *later than 90 days after the date of the enact-*  
23 *ment of this Act, the Director of the Defense In-*  
24 *telligence Agency shall submit to the congres-*  
25 *sional intelligence committees and the congres-*

1           sional defense committees a formal plan for the  
2           elimination required under paragraph (1).

3           (3) *LIMITATION ON USE OF FUNDS.*—*The Direc-*  
4           *tor of the Defense Intelligence Agency may not obli-*  
5           *gate or expend any funds authorized to be appro-*  
6           *priated for the Identity Intelligence Project Office for*  
7           *fiscal year 2018 after the date that is 180 days after*  
8           *the date of the enactment of this Act. Any such funds*  
9           *that are unobligated or unexpended as of such date*  
10          *shall be transferred to other elements of the Defense*  
11          *Intelligence Agency, as determined by the Director.*

12          (c) *WATCHLISTING BRANCH.*—

13               (1) *TRANSFER REQUIRED.*—*Effective on the date*  
14               *that is 180 days after the date of the enactment of*  
15               *this Act, there is transferred from the Director of the*  
16               *Defense Intelligence Agency to the Director for Intel-*  
17               *ligence of the Joint Staff all functions and all as-*  
18               *signed responsibilities performed by the Watchlisting*  
19               *Branch.*

20               (2) *TRANSITION PLAN.*—

21                       (A) *CONGRESSIONAL BRIEFING.*—*Not later*  
22                       *than 60 days after the date of the enactment of*  
23                       *this Act, the Director of the Defense Intelligence*  
24                       *Agency and the Director for Intelligence of the*  
25                       *Joint Staff shall jointly brief the congressional*

1           *intelligence committees and the congressional de-*  
2           *fense committees on the plan to carry out the*  
3           *transfer required under paragraph (1).*

4           (B) *SUBMITTAL OF FORMAL PLAN.*—*Not*  
5           *later than 90 days after the date of the enact-*  
6           *ment of this Act, the Director of the Defense In-*  
7           *telligence Agency and the Director for Intel-*  
8           *ligence of the Joint Staff shall jointly submit to*  
9           *the congressional intelligence committees and the*  
10           *congressional defense committees a formal plan*  
11           *for the transfer required under paragraph (1).*

12           (3) *LIMITATION ON USE OF FUNDS.*—*The Direc-*  
13           *tor of the Defense Intelligence Agency may not obli-*  
14           *gate or expend any funds authorized to be appro-*  
15           *priated for the Watchlisting Branch for fiscal year*  
16           *2018 after the date that is 180 days after the date of*  
17           *the enactment of this Act. Any such funds that are*  
18           *unobligated or unexpended as of such date shall be*  
19           *transferred to the Director for Intelligence of the Joint*  
20           *Staff.*

21           (d) *COUNTER-THREAT FINANCE.*—

22           (1) *ELIMINATION.*—*Not later than 180 days after*  
23           *the date of the enactment of this Act, the Director of*  
24           *the Defense Intelligence Agency shall eliminate the*  
25           *Counter-Threat Finance analysis function of the De-*

1 *fense Intelligence Agency. All personnel and assets*  
2 *pertaining to such function shall be transferred to*  
3 *other elements of the Defense Intelligence Agency, as*  
4 *determined by the Director.*

5 (2) *TRANSITION PLAN.—*

6 (A) *CONGRESSIONAL BRIEFING.—Not later*  
7 *than 60 days after the date of the enactment of*  
8 *this Act, the Director of the Defense Intelligence*  
9 *Agency shall brief the congressional intelligence*  
10 *committees and the congressional defense com-*  
11 *mittees on the plan to eliminate the Counter-*  
12 *Threat Finance analysis function under para-*  
13 *graph (1).*

14 (B) *SUBMITTAL OF FORMAL PLAN.—Not*  
15 *later than 90 days after the date of the enact-*  
16 *ment of this Act, the Director of the Defense In-*  
17 *telligence Agency shall submit to the congres-*  
18 *sional intelligence committees and the congres-*  
19 *sional defense committees a formal plan to elimi-*  
20 *nate such function under paragraph (1).*

21 (3) *LIMITATION ON USE OF FUNDS.—The Direc-*  
22 *tor of the Defense Intelligence Agency may not obli-*  
23 *gate or expend any funds authorized to be appro-*  
24 *priated for the Counter-Threat Finance analysis func-*  
25 *tion for fiscal year 2018 after the date that is 180*



1 *days after the date of the enactment of this Act. Any*  
2 *such funds that are unobligated or unexpended as of*  
3 *such date shall be transferred to other elements of the*  
4 *Defense Intelligence Agency, as determined by the Di-*  
5 *rector.*

6 *(e) NATIONAL INTELLIGENCE UNIVERSITY.—*

7 *(1) TRANSFER REQUIRED.—Effective on October*  
8 *1, 2020, there is transferred from the Director of the*  
9 *Defense Intelligence Agency to the Director of Na-*  
10 *tional Intelligence all functions and all assigned re-*  
11 *sponsibilities performed by the National Intelligence*  
12 *University.*

13 *(2) TRANSITION PLAN.—*

14 *(A) CONGRESSIONAL BRIEFING.—Not later*  
15 *than October 1, 2018, the Director of the Defense*  
16 *Intelligence Agency and the Director of National*  
17 *Intelligence shall jointly brief the congressional*  
18 *intelligence committees and the congressional de-*  
19 *fense committees on the plan to carry out the*  
20 *transfer required under paragraph (1).*

21 *(B) SUBMITTAL OF FORMAL PLAN.—Not*  
22 *later than April 1, 2019, the Director of the De-*  
23 *fense Intelligence Agency and the Director of Na-*  
24 *tional Intelligence shall jointly submit to the*  
25 *congressional intelligence committees and the*

1           *congressional defense committees a formal plan*  
2           *for the transfer required under paragraph (1).*

3           (3) *LIMITATION ON USE OF FUNDS.—The Direc-*  
4           *tor of the Defense Intelligence Agency may not obli-*  
5           *gate or expend any funds authorized to be appro-*  
6           *priated for the National Intelligence University after*  
7           *October 1, 2020. Any such funds that are unobligated*  
8           *or unexpended as of such date shall be transferred to*  
9           *the Director of National Intelligence.*

10          (f) *CONGRESSIONAL NOTICE FOR REPROGRAMMING.—*  
11         *Not later than 30 days before transferring any funds relat-*  
12         *ing to transferring or eliminating any function under this*  
13         *section, the Director of the Defense Intelligence Agency shall*  
14         *submit to the congressional intelligence committees and the*  
15         *congressional defense committees notice in writing of such*  
16         *transfer.*

17          (g) *TREATMENT OF CERTAIN FUNCTIONS AND RE-*  
18         *SPONSIBILITIES.—*

19                 (1) *IN GENERAL.—In the case of any function or*  
20                 *executive agent responsibility that is transferred to*  
21                 *the Director of National Intelligence pursuant to this*  
22                 *section, the Director of National Intelligence may not*  
23                 *delegate such function or responsibility to another ele-*  
24                 *ment of the intelligence community.*

1           (2) *EXECUTIVE AGENT RESPONSIBILITY.*—*In this*  
2           *subsection, the term “executive agent responsibility”*  
3           *means the specific responsibilities, functions, and au-*  
4           *thorities assigned by the Director of National Intel-*  
5           *ligence to the head of an intelligence community ele-*  
6           *ment to provide defined levels of support for intel-*  
7           *ligence operations, or administrative or other des-*  
8           *ignated activities.*

9           (h) *DEADLINE FOR POLICY UPDATES.*—*Not later than*  
10          *October 1, 2020, the Director of National Intelligence, the*  
11          *Under Secretary of Defense for Intelligence, and the Chair-*  
12          *man of the Joint Chiefs of Staff shall ensure that all rel-*  
13          *evant policies of the intelligence community and Depart-*  
14          *ment of Defense are updated to reflect the transfers required*  
15          *to be made pursuant to this section.*

16          (i) *TREATMENT OF TRANSFERRED FUNCTIONS.*—*No*  
17          *transferred functions or assigned responsibility referred to*  
18          *in subsection (a), (c), or (e) shall be considered a new start*  
19          *by the receiving element, including in the case of any lapse*  
20          *of appropriation for such transferred function or assigned*  
21          *responsibility.*

22          (j) *REPORTS ON OTHER ELEMENTS OF DEFENSE IN-*  
23          *TELLIGENCE AGENCY.*—

24                  (1) *NATIONAL CENTER FOR CREDIBILITY ASSESS-*  
25                  *MENT.*—

1                   (A) *SENSE OF CONGRESS.*—*It is the sense of*  
2                   Congress that—

3                   (i) *the assignment of executive agency*  
4                   *for the National Center for Credibility As-*  
5                   *essment to the Director of the Defense Intel-*  
6                   *ligence Agency may be limiting the ability*  
7                   *of the Center to effectively serve the Federal*  
8                   *customer base of the Center;*

9                   (ii) *the failure of the Director of Na-*  
10                  *tional Intelligence, in the role of the Direc-*  
11                  *tor as security executive for the Federal*  
12                  *Government, to define in policy the term*  
13                  *“Executive Agent” may be further limiting*  
14                  *the ability of the Center to receive sufficient*  
15                  *resources to carry out the critical Federal*  
16                  *mission of the Center; and*

17                  (iii) *the evolution of the Center from*  
18                  *an organization of the Army to an organi-*  
19                  *zation serving 27 departments and agencies*  
20                  *and responsible for all Federal credibility*  
21                  *assessment training, oversight, and research*  
22                  *and development, has resulted in a con-*  
23                  *voluted oversight structure based on legacy*  
24                  *reporting requirements.*

1           (B) *REPORT.*—Not later than October 1,  
2           2018, the Director of the Defense Intelligence  
3           Agency, the Director of National Intelligence,  
4           and the Secretary of Defense shall jointly submit  
5           to the congressional intelligence committees and  
6           the congressional defense committees a report  
7           on—

8                   (i) the current and projected missions  
9                   and functions of the National Center for  
10                  Credibility Assessment;

11                  (ii) the effectiveness of the current or-  
12                  ganizational assignment of the Center to the  
13                  Director of the Defense Intelligence Agency;

14                  (iii) the effectiveness of the current  
15                  oversight structure between the Center, the  
16                  Defense Intelligence Agency, the Under Sec-  
17                  retary of Defense for Intelligence, and the  
18                  Director of National Intelligence; and

19                  (iv) the resources and authorities nec-  
20                  essary to most effectively execute the mis-  
21                  sions and functions of the Center.

22           (2) *UNDERGROUND FACILITIES ANALYSIS CEN-*  
23           *TER.*—

24                   (A) *SENSE OF CONGRESS.*—It is the sense of  
25           Congress that—

1           (i) *the assignment of executive agency*  
2 *for the Underground Facilities Analysis*  
3 *Center to the Director of the Defense Intel-*  
4 *ligence Agency may be limiting the ability*  
5 *of the Center to effectively serve the broader*  
6 *intelligence community customer base of the*  
7 *Center;*

8           (ii) *the failure of the Director of Na-*  
9 *tional Intelligence to define in policy the*  
10 *term “Executive Agent” may be further lim-*  
11 *iting the ability of the Center to receive suf-*  
12 *ficient resources to carry out the critical*  
13 *mission of the Center; and*

14           (iii) *the requirements of the intel-*  
15 *ligence community and Department of De-*  
16 *fense with respect to underground facilities*  
17 *are not adequately being met given the scale*  
18 *and complexity of the problem set and the*  
19 *relatively small amount of funding cur-*  
20 *rently received by the Center.*

21           (B) *REPORT.*—*Not later than October 1,*  
22 *2018, the Director of the Defense Intelligence*  
23 *Agency, the Director of National Intelligence,*  
24 *and the Chairman of the Joint Chiefs of Staff*  
25 *shall jointly submit to the congressional intel-*

1           *ligence committees and the congressional defense*  
2           *committees a report on—*

3                   *(i) the missions and functions of the*  
4                   *Underground Facilities Analysis Center;*

5                   *(ii) the state of the requirements of the*  
6                   *intelligence community and Department of*  
7                   *Defense with respect to underground facili-*  
8                   *ties and the ability of the Center to meet*  
9                   *such requirements;*

10                   *(iii) the effectiveness of the current or-*  
11                   *ganizational assignment of the Center to the*  
12                   *Director of the Defense Intelligence Agency;*

13                   *(iv) the effectiveness of the current*  
14                   *oversight structure between the Center, the*  
15                   *Defense Intelligence Agency, the Secretary of*  
16                   *Defense, and the Director of National Intel-*  
17                   *ligence; and*

18                   *(v) the resources and authorities nec-*  
19                   *essary to most effectively execute the mis-*  
20                   *sions and functions of the Center.*

21           *(k) CONGRESSIONAL DEFENSE COMMITTEES DE-*  
22           *FINED.—In this section, the term “congressional defense*  
23           *committees” means—*

24                   *(1) the Committees on Armed Services of the*  
25                   *Senate and House of Representatives; and*

1           (2) *the Committees on Appropriations of the*  
2           *Senate and House of Representatives.*

3 **SEC. 413. TECHNICAL AMENDMENTS RELATED TO THE DE-**  
4           **PARTMENT OF ENERGY.**

5           (a) *ATOMIC ENERGY DEFENSE ACT.*—Section  
6 *4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.*  
7 *2674(b)(2)) is amended by inserting “Intelligence and”*  
8 *after “The Director of”.*

9           (b) *NATIONAL SECURITY ACT OF 1947.*—Paragraph  
10 *(2) of section 106(b) of the National Security Act of 1947*  
11 *(50 U.S.C. 3041(b)(2)) is amended—*

12           (1) *in subparagraph (E), by inserting “and*  
13 *Counterintelligence” after “Office of Intelligence”;*

14           (2) *by striking subparagraph (F);*

15           (3) *by redesignating subparagraphs (G), (H),*  
16 *and (I) as subparagraphs (F), (G), and (H), respec-*  
17 *tively; and*

18           (4) *in subparagraph (H), as redesignated by*  
19 *paragraph (3), by realigning the margin of such sub-*  
20 *paragraph two ems to the left.*



1     **TITLE V—MATTERS RELATING**  
2             **TO FOREIGN COUNTRIES**

3     **SEC. 501. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**  
4             **ENCE CAMPAIGNS DIRECTED AT FOREIGN**  
5             **ELECTIONS AND REFERENDA.**

6             *(a) ASSESSMENT REQUIRED.—Not later than 60 days*  
7     *after the date of the enactment of this Act, the Director of*  
8     *National Intelligence shall submit to the congressional intel-*  
9     *ligence committees a report containing an analytical assess-*  
10    *ment of the most significant Russian influence campaigns,*  
11    *if any, conducted during the 3-year period preceding the*  
12    *date of the enactment of this Act, as well as the most signifi-*  
13    *cant current or planned such Russian influence campaigns,*  
14    *if any. Such assessment shall include—*

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

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

24             *(3) a summary of any relevant activities by ele-*  
25    *ments of the intelligence community undertaken for*

1       *the purpose of assisting the government of such for-*  
2       *foreign state in defending against or responding to such*  
3       *Russian influence campaigns; and*

4               (4) *an assessment of the effectiveness of such de-*  
5       *fenses and responses described in paragraphs (2) and*  
6       (3).

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

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

16       **SEC. 502. FOREIGN COUNTERINTELLIGENCE AND CYBERSE-**  
17                       **CURITY THREATS TO FEDERAL ELECTION**  
18                       **CAMPAIGNS.**

19       (a) *REPORTS REQUIRED.—*

20               (1) *IN GENERAL.—As provided in paragraph*  
21       (2), *for each Federal election, the Director of National*  
22       *Intelligence, in coordination with the Under Sec-*  
23       *retary of Homeland Security for Intelligence and*  
24       *Analysis and the Director of the Federal Bureau of*  
25       *Investigation, shall make publicly available on an*

1 *internet website an advisory report on foreign coun-*  
2 *terintelligence and cybersecurity threats to election*  
3 *campaigns for Federal offices. Each such report shall*  
4 *include, consistent with the protection of sources and*  
5 *methods, each of the following:*

6 (A) *A description of foreign counterintel-*  
7 *ligence and cybersecurity threats to election cam-*  
8 *paigns for Federal offices.*

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

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

15 (2) *SCHEDULE FOR SUBMITTAL.—A report under*  
16 *this subsection shall be made available as follows:*

17 (A) *In the case of a report regarding an*  
18 *election held for the office of Senator or Member*  
19 *of the House of Representatives during 2018, not*  
20 *later than the date that is 60 days after the date*  
21 *of the enactment of this Act.*

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 one*  
25 *year before the date of the election.*

1           (3) *INFORMATION TO BE INCLUDED.*—A report  
2           under this subsection shall reflect the most current in-  
3           formation available to the Director of National Intel-  
4           ligence regarding foreign counterintelligence and cy-  
5           bersecurity threats.

6           (b) *TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHT-*  
7           *ENED THREATS.*—If the Director of the Federal Bureau of  
8           Investigation and the Under Secretary of Homeland Secu-  
9           rity for Intelligence and Analysis jointly determine that an  
10          election campaign for Federal office is subject to a height-  
11          ened foreign counterintelligence or cybersecurity threat, the  
12          Director and the Under Secretary, consistent with the pro-  
13          tection of sources and methods, may make available addi-  
14          tional information to the appropriate representatives of  
15          such campaign.

16       **SEC. 503. ASSESSMENT OF THREAT FINANCE RELATING TO**  
17                               **THE RUSSIAN FEDERATION.**

18          (a) *REPORT.*—Not later than 60 days after the date  
19          of the enactment of this Act, the Director of National Intel-  
20          ligence, acting through the National Intelligence Manager  
21          for Threat Finance, shall submit to the congressional intel-  
22          ligence committees a report containing an assessment of the  
23          financing of threat activity by the Russian Federation.

24          (b) *MATTERS INCLUDED.*—The report under subsection  
25          (a) shall include, at a minimum, the following:

1           (1) *A summary of leading examples from the 3-*  
2           *year period prior to the date of the report of any*  
3           *threat finance activities conducted by, for the benefit*  
4           *of, or at the behest of officials of the Government of*  
5           *Russia, persons subject to sanctions under any provi-*  
6           *sion of law imposing sanctions with respect to Rus-*  
7           *sia, or Russian nationals subject to sanctions under*  
8           *any other provision of law.*

9           (2) *An assessment with respect to any trends or*  
10          *patterns in threat finance activities relating to Rus-*  
11          *sia, including common methods of conducting such*  
12          *activities.*

13          (3) *A summary of engagement and coordination*  
14          *with international partners on threat finance relating*  
15          *to Russia, especially in Europe, including examples*  
16          *of such engagement and coordination.*

17          (4) *An identification of any resource and collec-*  
18          *tion gaps.*

19          (c) *FORM.*—*The report submitted under subsection (a)*  
20          *may be submitted in classified form.*

21          (d) *THREAT FINANCE DEFINED.*—*In this section, the*  
22          *term “threat finance” means—*

23                 (1) *the financing of cyber operations, global in-*  
24                 *fluence campaigns, intelligence service activities, pro-*

1        *liferation, terrorism, or transnational crime and drug*  
 2        *organizations;*

3            *(2) the methods and entities used to spend, store,*  
 4        *move, raise, or conceal money or value on behalf of*  
 5        *threat actors;*

6            *(3) sanctions evasion; or*

7            *(4) other forms of threat financing domestically*  
 8        *or internationally, as defined by the President.*

9        ***TITLE VI—REPORTS AND OTHER***  
 10        ***MATTERS***

11        ***SEC. 601. PERIOD OF OVERSEAS ASSIGNMENTS FOR CER-***  
 12        ***TAIN FOREIGN SERVICE OFFICERS.***

13        *(a) LENGTH OF PERIOD OF ASSIGNMENT.—Subsection*  
 14        *(a) of section 502 of the Foreign Service Act of 1980 (22*  
 15        *U.S.C. 3982) is amended by adding at the end the following*  
 16        *new paragraph:*

17            *“(3) In making assignments under paragraph (1), and*  
 18        *in accordance with section 903, and, if applicable, section*  
 19        *503, the Secretary shall assure that a member of the Service*  
 20        *may serve at a post for a period of not more than six con-*  
 21        *secutive years.”.*

22        *(b) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-*  
 23        *MENTS.—Section 702 of the Foreign Service Act of 1980*  
 24        *(22 U.S.C. 4022) is amended by—*

1           (1) redesignating subsection (c) as subsection (d);  
2           *and*

3           (2) by inserting after subsection (b) the following  
4           *new subsection:*

5           “(c) *FOREIGN LANGUAGE DEPLOYMENT REQUIRE-*  
6           *MENTS.—*

7           “(1) *IN GENERAL.—The Secretary of State, with*  
8           *the assistance of other relevant officials, shall require*  
9           *all members of the Service who receive foreign lan-*  
10           *guage training in Arabic, Farsi, Chinese (Mandarin*  
11           *or Cantonese), Turkish, Korean, and Japanese by the*  
12           *institution or otherwise in accordance with subsection*  
13           *(b) to serve three successive tours in positions in*  
14           *which the acquired language is both relevant and de-*  
15           *termined to be a benefit to the Department.*

16           “(2) *OVERSEAS DEPLOYMENTS.—In carrying out*  
17           *paragraph (1), at least one of the three successive*  
18           *tours referred to in such paragraph shall be an over-*  
19           *seas deployment.*

20           “(3) *WAIVER.—The Secretary of State may*  
21           *waive the application of paragraph (1) for medical or*  
22           *family hardship or in the interest of national secu-*  
23           *arity.*

24           “(4) *CONGRESSIONAL NOTIFICATION.—The Sec-*  
25           *retary of State shall notify the Committees on Appro-*

1        *priations and Foreign Affairs of the House of Rep-*  
 2        *resentatives and Committees on Appropriations and*  
 3        *Foreign Relations of the Senate at the end of each fis-*  
 4        *cal year of any instances during the prior twelve*  
 5        *months in which the waiver authority described in*  
 6        *paragraph (3) was invoked.”.*

7    **SEC. 602. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**  
 8                    **UNAUTHORIZED PUBLIC DISCLOSURES OF**  
 9                    **CLASSIFIED INFORMATION.**

10        (a) *IN GENERAL.*—*Title XI of the National Security*  
 11        *Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding*  
 12        *at the end the following new section:*

13    **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**  
 14                    **UNAUTHORIZED PUBLIC DISCLOSURES OF**  
 15                    **CLASSIFIED INFORMATION.**

16        “(a) *IN GENERAL.*—*On a semiannual basis, each cov-*  
 17        *ered official shall submit to the congressional intelligence*  
 18        *committees a report that includes, with respect to the pre-*  
 19        *ceding 6-month period—*

20                    “(1) *the number of investigations opened by the*  
 21        *covered official regarding an unauthorized public dis-*  
 22        *closure of classified information;*

23                    “(2) *the number of investigations completed by*  
 24        *the covered official regarding an unauthorized public*  
 25        *disclosure of classified information; and*



1           “(3) of the number of such completed investiga-  
2           tions identified under paragraph (2), the number re-  
3           ferred to the Attorney General for criminal investiga-  
4           tion.

5           “(b) DEFINITIONS.—In this section:

6           “(1) The term ‘covered official’ means—

7                   “(A) the heads of each element of the intel-  
8                   ligence community; and

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

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

16           “(3) The term ‘unauthorized public disclosure of  
17           classified information’ means the unauthorized disclo-  
18           sure of classified information to a journalist or media  
19           organization.”.

20           (b) CLERICAL AMENDMENT.—The table of contents in  
21           the first section of the National Security Act of 1947 is  
22           amended by inserting after the item relating to section 1104  
23           the following new item:

          “Sec. 1105. Semiannual reports on investigations of unauthorized public disclo-  
          sures of classified information.”.

1 **SEC. 603. INTELLIGENCE COMMUNITY REPORTS ON SECUR-**  
2 **RITY CLEARANCES.**

3 *Section 506H of the National Security Act of 1947 (50*  
4 *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 subsection*  
12 *(c);*

13 *(3) by inserting after subsection (a) the following*  
14 *new subsection (b):*

15 *“(b) INTELLIGENCE COMMUNITY REPORTS.—(1) Not*  
16 *later than March 1 of each year, the Director of National*  
17 *Intelligence shall submit to the congressional intelligence*  
18 *committees a report on the security clearances processed by*  
19 *each element of the intelligence community during the pre-*  
20 *ceding calendar year. Each such report shall separately*  
21 *identify security clearances processed by each such element*  
22 *and shall cover Federal employees and contractor employ-*  
23 *ees.*

24 *“(2) Each report submitted under paragraph (1) shall*  
25 *include each of the following for each element of the intel-*  
26 *ligence community for the year covered by the report:*

1           “(A) *The total number of initial security clear-*  
2 *ance background investigations opened for new appli-*  
3 *cants.*

4           “(B) *The total number of security clearance peri-*  
5 *odic re-investigations opened for existing employees.*

6           “(C) *The total number of initial security clear-*  
7 *ance background investigations for new applicants*  
8 *that were finalized and adjudicated with notice of a*  
9 *determination provided to the prospective applicant,*  
10 *including—*

11                 “(i) *the total number that were adjudicated*  
12 *favorably and granted access to classified infor-*  
13 *mation; and*

14                 “(ii) *the total number that were adjudicated*  
15 *unfavorably and resulted in a denial or revoca-*  
16 *tion of a security clearance.*

17           “(D) *The total number of security clearance*  
18 *periodic background investigations that were finalized*  
19 *and adjudicated with notice of a determination pro-*  
20 *vided to the existing employee, including—*

21                 “(i) *the total number that were adjudicated*  
22 *favorably; and*

23                 “(ii) *the total number that were adjudicated*  
24 *unfavorably and resulted in a denial or revoca-*  
25 *tion of a security clearance.*

1           “(E) *The total number of pending security clear-*  
2 *ance background investigations, including initial ap-*  
3 *plicant investigations and periodic re-investigations,*  
4 *that were not finalized and adjudicated as of the last*  
5 *day of such year and that remained pending as fol-*  
6 *lows:*

7                   “(i) *For 180 days or less.*

8                   “(ii) *For 180 days or longer, but less than*  
9 *12 months.*

10                  “(iii) *For 12 months or longer, but less*  
11 *than 18 months.*

12                  “(iv) *For 18 months or longer, but less than*  
13 *24 months.*

14                  “(v) *For 24 months or longer.*

15           “(F) *In the case of security clearance determina-*  
16 *tions completed or pending during the year preceding*  
17 *the year for which the report is submitted that have*  
18 *taken longer than 12 months to complete—*

19                   “(i) *the cause of the delay for such deter-*  
20 *minations; and*

21                   “(ii) *the number of such determinations for*  
22 *which polygraph examinations were required.*

23           “(G) *The percentage of security clearance inves-*  
24 *tigations, including initial and periodic re-investiga-*

1        *tions, that resulted in a denial or revocation of a se-*  
2        *curity clearance.*

3            *“(H) The percentage of security clearance inves-*  
4        *tigations that resulted in incomplete information.*

5            *“(I) The percentage of security clearance inves-*  
6        *tigations that did not result in enough information to*  
7        *make a decision on potentially adverse information.*

8            *“(3) The report required under this subsection shall*  
9        *be submitted in unclassified form, but may include a classi-*  
10       *fied annex.”; and*

11            *(4) in subsection (c), as redesignated by para-*  
12        *graph (2), by inserting “and (b)” after “subsection*  
13        *(a)(1)”.*

14        **SEC. 604. REPORT ON EXPANSION OF SECURITY PROTEC-**  
15            **TIVE SERVICES JURISDICTION.**

16            *(a) REPORT.—Not later than 60 days after the date*  
17        *of the enactment of this Act, the Director of the Central In-*  
18        *telligence Agency shall submit to the congressional intel-*  
19        *ligence committees a report on the feasibility, justification,*  
20        *costs, and benefits of expanding the jurisdiction of the pro-*  
21        *TECTIVE SERVICES OF THE CENTRAL INTELLIGENCE AGENCY UNDER SEC-*  
22        *TION 15(a)(1) OF THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949*  
23        *(50 U.S.C. 3515(a)). The report shall include—*

1           (1) *an explanation of the need for expanding*  
2           *such jurisdiction beyond the 500-foot limit specified*  
3           *in such section 15(a)(1); and*

4           (2) *an identification of any comparable depart-*  
5           *ments or agencies of the Federal Government in the*  
6           *Washington metropolitan region (as defined in section*  
7           *8301 of title 40, United States Code) whose protective*  
8           *services jurisdictions exceed 500 feet.*

9           (b) *FORM.*—*The report under subsection (a) may be*  
10          *submitted in classified form.*

11          ***SEC. 605. REPORT ON ROLE OF DIRECTOR OF NATIONAL IN-***  
12                        ***TELLIGENCE 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 Intel-*  
16          *ligence, in consultation with the heads of the elements of*  
17          *the intelligence community determined appropriate by the*  
18          *Director, shall submit to the congressional intelligence com-*  
19          *mittees a report on the role of the Director in preparing*  
20          *analytic materials in connection with the evaluation by the*  
21          *Federal Government of national security risks associated*  
22          *with potential foreign investments into the United States.*

23          (b) *MATTERS INCLUDED.*—*The report under subsection*  
24          (a) *shall—*

1           (1) describe the current process for the provision  
2 of the analytic materials described in subsection (a);

3           (2) identify the most significant benefits and  
4 drawbacks of such process with respect to the role of  
5 the Director, including any benefits or drawbacks re-  
6 lating to the time allotted to the Director to prepare  
7 such materials; and

8           (3) include recommendations to improve such  
9 process.

10 **SEC. 606. REPORT ON CYBER EXCHANGE PROGRAM.**

11       (a) *REPORT.*—Not later than 90 days after the date  
12 of the enactment of this Act, the Director of National Intel-  
13 ligence shall submit to the congressional intelligence com-  
14 mittees a report on the potential establishment of a fully  
15 voluntary exchange program between elements of the intel-  
16 ligence community and private technology companies under  
17 which—

18           (1) an employee of an element of the intelligence  
19 community with demonstrated expertise and work ex-  
20 perience in cybersecurity or related disciplines may  
21 elect to be temporarily detailed to a private tech-  
22 nology company that has elected to receive the  
23 detailee; and

24           (2) an employee of a private technology company  
25 with demonstrated expertise and work experience in

1        *cybersecurity or related disciplines may elect to be*  
2        *temporarily detailed to an element of the intelligence*  
3        *community that has elected to receive the detailee.*

4        *(b) MATTERS INCLUDED.—The report under subsection*  
5        *(a) shall include the following:*

6                *(1) The feasibility of establishing the exchange*  
7                *program described in such subsection.*

8                *(2) Identification of any challenges in estab-*  
9                *lishing the exchange program.*

10               *(3) An evaluation of the benefits to the intel-*  
11               *ligence community that would result from the ex-*  
12               *change program.*

13        **SEC. 607. REVIEW OF INTELLIGENCE COMMUNITY PARTICI-**  
14                        **PATION IN VULNERABILITIES EQUITIES**  
15                        **PROCESS.**

16        *(a) REVIEW.—Not later than 180 days after the date*  
17        *of the enactment of this Act, the Inspector General of the*  
18        *Intelligence Community shall review, with respect to the 3-*  
19        *year period preceding the date of the review, the roles and*  
20        *responsibilities of the elements of the intelligence commu-*  
21        *nity in the process of the Federal Government for deter-*  
22        *mining whether, when, how, and to whom information*  
23        *about a vulnerability that is not publicly known will be*  
24        *shared with or released to a non-Federal entity or the pub-*  
25        *lic.*



1       **(b) REPORT.**—

2               **(1) SUBMISSION.**—*Not later than 240 days after*  
3 *the date of the enactment of this Act, the Inspector*  
4 *General shall submit to the congressional intelligence*  
5 *committees a report on the results of the review under*  
6 *subsection (a).*

7               **(2) ELEMENTS.**—*The report under paragraph*  
8 *(1) shall include the following:*

9                       **(A)** *A description of the roles and respon-*  
10 *sibilities of the elements of the intelligence com-*  
11 *munity in the process of determining whether,*  
12 *when, how, and to whom information about a*  
13 *vulnerability that is not publicly known will be*  
14 *shared or released to a non-Federal entity or the*  
15 *public.*

16                       **(B)** *The criteria used by the Federal Gov-*  
17 *ernment, including elements of the intelligence*  
18 *community, in making such determination.*

19                       **(C)** *With respect to the period covered by*  
20 *the review—*

21                               **(i)** *a summary of vulnerabilities*  
22 *known to elements of the intelligence com-*  
23 *munity that were reviewed by the Federal*  
24 *Government pursuant to such process, in-*  
25 *cluding—*

1                   (I) *the number of vulnerabilities*  
2                   *known to the intelligence community*  
3                   *that were reviewed; and*

4                   (II) *of such number of reviewed*  
5                   *vulnerabilities, the number for which*  
6                   *information was shared with or re-*  
7                   *leased to a non-Federal entity or the*  
8                   *public;*

9                   (ii) *an assessment of whether there*  
10                  *were any vulnerabilities known to elements*  
11                  *of the intelligence community that were not*  
12                  *reviewed pursuant to such process, and if*  
13                  *so, the basis and rationale for not con-*  
14                  *ducting such a review; and*

15                  (iii) *a summary of the most significant*  
16                  *incidents in which a vulnerability known to*  
17                  *the intelligence community, but not shared*  
18                  *with or released to a non-Federal entity or*  
19                  *the public, was exploited by an individual,*  
20                  *an entity, or a foreign country in the course*  
21                  *of carrying out a cyber intrusion.*

22                  (D) *A description of any current mecha-*  
23                  *nisms for overseeing such process.*

24                  (E) *Recommendations to improve the effi-*  
25                  *ciency, effectiveness, accountability, and, con-*

1            *sistent with national security, transparency of*  
2            *such process.*

3            *(F) Any other matters the Inspector General*  
4            *determines appropriate.*

5            *(3) FORM.—The report may be submitted in*  
6            *classified form.*

7            *(c) VULNERABILITY DEFINED.—In this section, the*  
8            *term “vulnerability” means, with respect to information*  
9            *technology, a design, configuration, or implementation*  
10           *weakness in a technology, product, system, service, or appli-*  
11           *cation that can be exploited or triggered to cause unexpected*  
12           *or unintended behavior.*

13           **SEC. 608. REVIEW OF INTELLIGENCE COMMUNITY WHISTLE-**  
14           **BLOWER MATTERS.**

15           *(a) REVIEW OF WHISTLEBLOWER MATTERS.—The In-*  
16           *pector General of the Intelligence Community, in consulta-*  
17           *tion with the inspectors general for the Central Intelligence*  
18           *Agency, the National Security Agency, the National*  
19           *Geospatial-Intelligence Agency, the Defense Intelligence*  
20           *Agency, and the National Reconnaissance Office, shall con-*  
21           *duct a review of the authorities, policies, investigatory*  
22           *standards, and other practices and procedures relating to*  
23           *intelligence community whistleblower matters, with respect*  
24           *to such inspectors general.*

1           (b) *OBJECTIVE OF REVIEW.*—*The objective of the re-*  
2 *view required under subsection (a) is to identify any dis-*  
3 *crepancies, inconsistencies, or other issues, which frustrate*  
4 *the timely and effective reporting of intelligence community*  
5 *whistleblower matters to appropriate inspectors general and*  
6 *to the congressional intelligence committees, and the fair*  
7 *and expeditious investigation and resolution of such mat-*  
8 *ters.*

9           (c) *CONDUCT OF REVIEW.*—*The Inspector General of*  
10 *the Intelligence Community shall take such measures as the*  
11 *Inspector General determines necessary in order to ensure*  
12 *that the review required by subsection (a) is conducted in*  
13 *an independent and objective fashion.*

14          (d) *REPORT.*—*Not later than 270 days after the date*  
15 *of the enactment of this Act, the Inspector General of the*  
16 *Intelligence Community shall submit to the congressional*  
17 *intelligence committees a written report containing the re-*  
18 *sults of the review required under subsection (a), along with*  
19 *recommendations to improve the timely and effective report-*  
20 *ing of Intelligence Community whistleblower matters to in-*  
21 *spectors general and to the congressional intelligence com-*  
22 *mittees and the fair and expeditious investigation and reso-*  
23 *lution of such matters.*

1 **SEC. 609. SENSE OF CONGRESS ON NOTIFICATIONS OF CER-**  
2 **TAIN DISCLOSURES OF CLASSIFIED INFORMA-**  
3 **TION.**

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

14 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
15 *that—*

16 (1) *the authorities described in subsection (a), to-*  
17 *gether with other intelligence community authorities,*  
18 *obligate an element of the intelligence community to*  
19 *submit to the congressional intelligence committees*  
20 *written notification, by not later than 7 days after*  
21 *becoming aware, that an individual in the executive*  
22 *branch has disclosed covered classified information to*  
23 *an official of an adversary foreign government using*  
24 *methods other than established intelligence channels;*  
25 *and*

26 (2) *each such notification should include—*

1           (A) the date and place of the disclosure of  
2           classified information covered by the notifica-  
3           tion;

4           (B) a description of such classified informa-  
5           tion;

6           (C) identification of the individual who  
7           made such disclosure and the individual to  
8           whom such disclosure was made; and

9           (D) a summary of the circumstances of such  
10          disclosure.

11       (c) *DEFINITIONS.*—*In this section:*

12           (1) The term “adversary foreign government”  
13           means the government of any of the following foreign  
14           countries:

15               (A) North Korea.

16               (B) Iran.

17               (C) China.

18               (D) Russia.

19               (E) Cuba.

20           (2) The term “covered classified information”  
21           means classified information that was—

22               (A) collected by an element of the intel-  
23               ligence community; or

1           (B) provided by the intelligence service or  
2           military of a foreign country to an element of  
3           the intelligence community.

4           (3) The term “established intelligence channels”  
5           means methods to exchange intelligence to coordinate  
6           foreign intelligence relationships, as established pur-  
7           suant to law by the Director of National Intelligence,  
8           the Director of the Central Intelligence Agency, the  
9           Director of the National Security Agency, or other  
10          head of an element of the intelligence community.

11          (4) The term “individual in the executive  
12          branch” means any officer or employee of the execu-  
13          tive branch, including individuals—

14                 (A) occupying a position specified in article  
15                 II of the Constitution;

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

18                 (C) serving in the civil service or the senior  
19                 executive service (or similar service for senior ex-  
20                 ecutives of particular departments or agencies).

Union Calendar No. 183

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 3180**

[Report No. 115-251]

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## **A BILL**

To authorize appropriations for fiscal year 2018 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.

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JULY 24, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed