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116TH CONGRESS
1ST SESSION

H. R. 3494

[Report No. 116–151, Part I]

To authorize appropriations for fiscal year 2020 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2019

Mr. SCHIFF introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

JULY 11, 2019

Reported with amendments and referred to the Committee on Ways and Means for a period ending not later than July 11, 2019, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(t) of rule X

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

JULY 11, 2019

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 26, 2019]

A BILL

To authorize appropriations for fiscal year 2020 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

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

Sec. 1. Short title.

Sec. 2. Divisions and table of contents.

Sec. 3. Definitions.

DIVISION A—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR
2020

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Intelligence community management account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

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

Sec. 303. Paid parental leave.

Sec. 304. Unfunded requirements of the intelligence community.

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

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

- Sec. 401. Establishment of Climate Security Advisory Council.*
Sec. 402. Transfer of National Intelligence University to the Office of the Director of National Intelligence.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 501. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.*
Sec. 502. Report on repression of ethnic Muslim minorities in the Xinjiang region of the People’s Republic of China.
Sec. 503. Report on efforts by People’s Republic of China to influence election in Taiwan.
Sec. 504. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.
Sec. 505. Assessments of intentions of political leadership of the Russian Federation.
Sec. 506. Report on death of Jamal Khashoggi.

TITLE VI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

- Sec. 601. Definitions.*
Sec. 602. Annual strategic intelligence assessment of and comprehensive report on domestic terrorism.

TITLE VII—REPORTS AND OTHER MATTERS

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

*DIVISION B—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS
2018 AND 2019*

TITLE XXI—INTELLIGENCE ACTIVITIES

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

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

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

TITLE XXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 2301. Restriction on conduct of intelligence activities.*
Sec. 2302. Increase in employee compensation and benefits authorized by law.
Sec. 2303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
Sec. 2304. Modification of appointment of Chief Information Officer of the Intelligence Community.
Sec. 2305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
Sec. 2306. Supply Chain and Counterintelligence Risk Management Task Force.
Sec. 2307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
Sec. 2308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
Sec. 2309. Elimination of sunset of authority relating to management of supply-chain risk.
Sec. 2310. Limitations on determinations regarding certain security classifications.
Sec. 2311. Joint Intelligence Community Council.
Sec. 2312. Intelligence community information technology environment.
Sec. 2313. Report on development of secure mobile voice solution for intelligence community.
Sec. 2314. Policy on minimum insider threat standards.
Sec. 2315. Submission of intelligence community policies.
Sec. 2316. Expansion of intelligence community recruitment efforts.

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

Subtitle A—Office of the Director of National Intelligence

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

Subtitle B—Central Intelligence Agency

- Sec. 2411. Central Intelligence Agency subsistence for personnel assigned to austere locations.*
Sec. 2412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.
Sec. 2413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.

Sec. 2414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

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

Sec. 2421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.

Sec. 2422. Establishment of Energy Infrastructure Security Center.

Sec. 2423. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

Sec. 2431. Plan for designation of counterintelligence component of Defense Security Service as an element of intelligence community.

Sec. 2432. Notice not required for private entities.

Sec. 2433. Establishment of advisory board for National Reconnaissance Office.

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

TITLE XXV—ELECTION MATTERS

Sec. 2501. Report on cyber attacks by foreign governments against United States election infrastructure.

Sec. 2502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.

Sec. 2503. Assessment of foreign intelligence threats to Federal elections.

Sec. 2504. Strategy for countering Russian cyber threats to United States elections.

Sec. 2505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 2506. Information sharing with State election officials.

Sec. 2507. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.

Sec. 2508. Designation of counterintelligence officer to lead election security matters.

TITLE XXVI—SECURITY CLEARANCES

Sec. 2601. Definitions.

Sec. 2602. Reports and plans relating to security clearances and background investigations.

Sec. 2603. Improving the process for security clearances.

Sec. 2604. Goals for promptness of determinations regarding security clearances.

Sec. 2605. Security Executive Agent.

Sec. 2606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.

Sec. 2607. Report on clearance in person concept.

Sec. 2608. Reports on reciprocity for security clearances inside of departments and agencies.

Sec. 2609. Intelligence community reports on security clearances.

Sec. 2610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.

Sec. 2611. Information sharing program for positions of trust and security clearances.

Sec. 2612. Report on protections for confidentiality of whistleblower-related communications.

TITLE XXVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

Sec. 2701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.

Sec. 2702. Report on returning Russian compounds.

Sec. 2703. Assessment of threat finance relating to Russia.

Sec. 2704. Notification of an active measures campaign.

Sec. 2705. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.

Sec. 2706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.

Sec. 2707. Report on Iranian support of proxy forces in Syria and Lebanon.

Sec. 2708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.

Sec. 2709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

Sec. 2711. Technical correction to Inspector General study.

Sec. 2712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 2713. Review of intelligence community whistleblower matters.

Sec. 2714. Report on role of Director of National Intelligence with respect to certain foreign investments.

Sec. 2715. Report on surveillance by foreign governments against United States telecommunications networks.

Sec. 2716. Biennial report on foreign investment risks.

Sec. 2717. Modification of certain reporting requirement on travel of foreign diplomats.

Sec. 2718. Semiannual reports on investigations of unauthorized disclosures of classified information.

Sec. 2719. Congressional notification of designation of covered intelligence officer as persona non grata.

Sec. 2720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Sec. 2721. Inspectors General reports on classification.

Sec. 2722. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.

Sec. 2723. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.

Sec. 2724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Sec. 2725. Modification of requirement for annual report on hiring and retention of minority employees.

Sec. 2726. Reports on intelligence community loan repayment and related programs.

Sec. 2727. Repeal of certain reporting requirements.

Sec. 2728. *Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.*

Sec. 2729. *Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.*

Sec. 2730. *Intelligence assessment of North Korea revenue sources.*

Sec. 2731. *Report on possible exploitation of virtual currencies by terrorist actors.*

Subtitle C—Other Matters

Sec. 2741. *Public Interest Declassification Board.*

Sec. 2742. *Technical and clerical amendments to the National Security Act of 1947.*

Sec. 2743. *Technical amendments related to the Department of Energy.*

Sec. 2744. *Sense of Congress on notification of certain disclosures of classified information.*

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

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

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

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

1 ***DIVISION A—INTELLIGENCE AU-***
2 ***THORIZATIONS FOR FISCAL***
3 ***YEAR 2020***

4 ***TITLE I—INTELLIGENCE***
5 ***ACTIVITIES***

6 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2020 for the conduct of the intelligence and intel-*
9 *ligence-related activities of the following elements of the*
10 *United States Government:*

11 *(1) The Office of the Director of National Intel-*
12 *ligence.*

13 *(2) The Central Intelligence Agency.*

14 *(3) The Department of Defense.*

15 *(4) The Defense Intelligence Agency.*

16 *(5) The National Security Agency.*

17 *(6) The Department of the Army, the Depart-*
18 *ment of the Navy, and the Department of the Air*
19 *Force.*

20 *(7) The Coast Guard.*

21 *(8) The Department of State.*

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

23 *(10) The Department of Energy.*

24 *(11) The Department of Justice.*

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

1 (13) *The Drug Enforcement Administration.*

2 (14) *The National Reconnaissance Office.*

3 (15) *The National Geospatial-Intelligence Agen-*
4 *cy.*

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

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

7 (a) *SPECIFICATIONS OF AMOUNTS.*—*The amounts au-*
8 *thorized to be appropriated under section 101 for the con-*
9 *duct of the intelligence activities of the elements listed in*
10 *paragraphs (1) through (16) of section 101, are those speci-*
11 *fied in the classified Schedule of Authorizations prepared*
12 *to accompany this Act.*

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

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

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

13 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
14 *authorized to be appropriated for the Intelligence Commu-*
15 *nity Management Account of the Director of National Intel-*
16 *ligence for fiscal year 2020 the sum of \$565,637,000.*

17 (b) *CLASSIFIED AUTHORIZATION OF APPROPRIA-*
18 *TIONS.*—*In addition to amounts authorized to be appro-*
19 *priated for the Intelligence Community Management Ac-*
20 *count by subsection (a), there are authorized to be appro-*
21 *priated for the Intelligence Community Management Ac-*
22 *count for fiscal year 2020 such additional amounts as are*
23 *specified in the classified Schedule of Authorizations re-*
24 *ferred to in section 102(a).*

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

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 *There is authorized to be appropriated for the Central*
7 *Intelligence Agency Retirement and Disability fund*
8 *\$514,000,000 for fiscal year 2020.*

9 **TITLE III—GENERAL INTEL-**
10 **LIGENCE COMMUNITY MAT-**
11 **TERS**

12 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
13 **ACTIVITIES.**

14 *The authorization of appropriations by this Act shall*
15 *not be deemed to constitute authority for the conduct of any*
16 *intelligence activity which is not otherwise authorized by*
17 *the Constitution or the laws of the United States.*

18 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
19 **BENEFITS AUTHORIZED BY LAW.**

20 *Appropriations authorized by this Act for salary, pay,*
21 *retirement, and other benefits for Federal employees may*
22 *be increased by such additional or supplemental amounts*
23 *as may be necessary for increases in such compensation or*
24 *benefits authorized by law.*

1 **SEC. 303. PAID PARENTAL LEAVE.**

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

3 (1) *help the intelligence community recruit and*
4 *retain a dynamic, multi-talented, and diverse work-*
5 *force capable of meeting the security goals of the*
6 *United States; and*

7 (2) *establish best practices and processes for*
8 *other elements of the Federal Government seeking to*
9 *pursue similar policies.*

10 (b) *AUTHORIZATION OF PAID PARENTAL LEAVE FOR*
11 *INTELLIGENCE COMMUNITY EMPLOYEES.*—

12 (1) *IN GENERAL.*—*Title III of the National Se-*
13 *curity Act of 1947 (50 U.S.C. 3071 et seq.) is amend-*
14 *ed by inserting after section 304 the following:*

15 **“SEC. 305. PAID PARENTAL LEAVE.**

16 *“(a) PAID PARENTAL LEAVE.*—*Notwithstanding any*
17 *other provision of law, a civilian employee of an element*
18 *of the intelligence community shall have available a total*
19 *of 12 administrative workweeks of paid parental leave in*
20 *the event of the birth of a son or daughter of the employee,*
21 *or placement of a son or daughter with the employee for*
22 *adoption or foster care in order to care for such son or*
23 *daughter. Such paid parental leave shall be used during*
24 *the 12-month period beginning on the date of the birth or*
25 *placement. Nothing in this section shall be construed to*
26 *modify or otherwise affect the eligibility of an employee of*

1 *an element of the intelligence community for benefits relat-*
2 *ing to leave under any other provision of law.*

3 “(b) *TREATMENT OF PARENTAL LEAVE REQUEST.—*

4 *Notwithstanding any other provision of law—*

5 “(1) *an element of the intelligence community*
6 *shall accommodate an employee’s leave request under*
7 *subsection (a), including a request to use such leave*
8 *intermittently or to create a reduced work schedule, to*
9 *the extent that the requested leave schedule does not*
10 *unduly disrupt operations; and*

11 “(2) *to the extent that an employee’s requested*
12 *leave described in paragraph (1) arises out of medical*
13 *necessity related to a serious health condition con-*
14 *nected to the birth of a son or daughter, the employ-*
15 *ing element shall handle the scheduling consistent*
16 *with the treatment of employees who are using leave*
17 *under subparagraph (C) or (D) of section 6382(a)(1)*
18 *of title 5, United States Code.*

19 “(c) *RULES RELATING TO PAID LEAVE.—Notwith-*
20 *standing any other provision of law—*

21 “(1) *an employee may not be required to first*
22 *use all or any portion of any unpaid leave available*
23 *to the employee before being allowed to use the paid*
24 *parental leave described in subsection (a); and*

25 “(2) *paid parental leave under subsection (a)—*

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

4 “(B) may not be considered to be annual or
5 vacation leave for purposes of section 5551 or
6 5552 of title 5, United States Code, or for any
7 other purpose;

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

13 “(D) may be granted only to the extent that
14 the employee does not receive a total of more
15 than 12 weeks of paid parental leave in any 12-
16 month period beginning on the date of a birth or
17 placement;

18 “(E) may not be granted—

19 “(i) in excess of a lifetime aggregate
20 total of 30 administrative workweeks based
21 on placements of a foster child for any indi-
22 vidual employee; or

23 “(ii) in connection with temporary fos-
24 ter care placements expected to last less
25 than 1 year;

1 “(F) may not be granted for a child being
2 placed for foster care or adoption if such leave
3 was previously granted to the same employee
4 when the same child was placed with the em-
5 ployee for foster care in the past;

6 “(G) shall be used in increments of hours
7 (or fractions thereof), with 12 administrative
8 workweeks equal to 480 hours for employees with
9 a regular full-time work schedule and converted
10 to a proportional number of hours for employees
11 with part-time, seasonal, or uncommon tours of
12 duty; and

13 “(H) may not be used during off-season
14 (nonpay status) periods for employees with sea-
15 sonal work schedules.

16 “(d) IMPLEMENTATION PLAN.—Not later than 1 year
17 after the date of the enactment of this section, the Director
18 of National Intelligence shall submit to the congressional
19 intelligence committees an implementation plan that in-
20 cludes—

21 “(1) processes and procedures for implementing
22 the paid parental leave policies under subsections (a)
23 through (c);

24 “(2) an explanation of how the implementation
25 of subsections (a) through (c) will be reconciled with

1 *policies of other elements of the Federal Government,*
2 *including the impact on elements funded by the Na-*
3 *tional Intelligence Program that are housed within*
4 *agencies outside the intelligence community; and*

5 *“(3) all costs or operational expenses associated*
6 *with the implementation of subsections (a) through*
7 *(c).*

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

14 *“(f) ANNUAL REPORT.—The Director of National In-*
15 *telligence shall submit to the congressional intelligence com-*
16 *mittees an annual report that—*

17 *“(1) details the number of employees of each ele-*
18 *ment of the intelligence community who applied for*
19 *and took paid parental leave under subsection (a)*
20 *during the year covered by the report;*

21 *“(2) details the number of—*

22 *“(A) employees of each element of the intel-*
23 *ligence community stationed abroad who applied*
24 *for and took paid parental leave under sub-*

1 *section (a) during the year covered by the report;*
2 *and*

3 *“(B) employees of each element of the intel-*
4 *ligence community stationed abroad who applied*
5 *for paid parental leave but such application was*
6 *not granted because of an undue impact on oper-*
7 *ations as specified in subsection (b)(1); and*

8 *“(3) includes updates on major implementation*
9 *challenges or costs associated with paid parental*
10 *leave.*

11 *“(g) DEFINITION OF SON OR DAUGHTER.—For pur-*
12 *poses of this section, the term ‘son or daughter’ has the*
13 *meaning given the term in section 6381 of title 5, United*
14 *States Code.”.*

15 *(2) CLERICAL AMENDMENT.—The table of con-*
16 *tents in the matter preceding section 2 of the National*
17 *Security Act of 1947 (50 U.S.C. 3002) is amended by*
18 *inserting after the item relating to section 304 the fol-*
19 *lowing:*

“Sec. 305. Paid parental leave.”.

20 *(c) APPLICABILITY.—Section 305 of the National Secu-*
21 *rity Act of 1947, as added by subsection (b), shall apply*
22 *with respect to leave taken in connection with the birth or*
23 *placement of a son or daughter that occurs on or after the*
24 *date on which the Director of National Intelligence issues*

1 *the written directive under subsection (e) of such section*
2 *305.*

3 **SEC. 304. UNFUNDED REQUIREMENTS OF THE INTEL-**
4 **LIGENCE COMMUNITY.**

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

8 **“SEC. 512. UNFUNDED PRIORITIES OF THE INTELLIGENCE**
9 **COMMUNITY.**

10 *“(a) BRIEFINGS.—Upon the request of an appropriate*
11 *congressional committee, the Director of National Intel-*
12 *ligence shall provide to the committee a briefing on the un-*
13 *funded priorities of an element of the intelligence commu-*
14 *nity.*

15 *“(b) DEFINITIONS.—In this section:*

16 *“(1) APPROPRIATE CONGRESSIONAL COMMIT-*
17 *TEES.—The term ‘appropriate congressional commit-*
18 *tees’ means—*

19 *“(A) the congressional intelligence commit-*
20 *tees; and*

21 *“(B) the Committees on Appropriations of*
22 *the House of Representatives and the Senate.*

23 *“(2) UNFUNDED PRIORITY.—The term ‘unfunded*
24 *priority’, in the case of a fiscal year, means a pro-*

1 *gram, activity, or other initiative of an element of the*
 2 *intelligence community that—*

3 *“(A) was submitted by the head of the ele-*
 4 *ment to the Director of National Intelligence in*
 5 *the budget proposal for the element for that fiscal*
 6 *year, but was not included by the Director in the*
 7 *consolidated budget proposal submitted to the*
 8 *President for that fiscal year; or*

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

15 *(b) CLERICAL AMENDMENT.—The table of sections in*
 16 *the first section of such Act is amended by inserting after*
 17 *the item relating to section 511 the following new item:*

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

18 **SEC. 305. EXTENDING THE INTELLIGENCE IDENTITIES PRO-**
 19 **TECTION ACT OF 1982.**

20 *Section 605(4) of the National Security Act of 1947*
 21 *(50 U.S.C. 3126(4)) is amended—*

22 *(1) in subparagraph (A)—*

23 *(A) by striking clause (ii);*

24 *(B) in clause (i), by striking “, and” and*
 25 *inserting “;”; and*

1 (C) by striking “agency—” and all that fol-
2 lows through “whose identity” and inserting
3 “agency whose identity”; and
4 (2) in subparagraph (B)(i), by striking “resides
5 and acts outside the United States” and inserting
6 “acts”.

7 **SEC. 306. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE**
8 **TALENT EXCHANGE.**

9 (a) *POLICIES, PROCESSES, AND PROCEDURES RE-*
10 *QUIRED.*—Not later than 270 days after the date of the en-
11 *actment of this Act, the Director of National Intelligence*
12 *shall develop policies, processes, and procedures to facilitate*
13 *the rotation of personnel of the intelligence community to*
14 *the private sector, and personnel from the private sector to*
15 *the intelligence community.*

16 (b) *DETAIL AUTHORITY.*—Under policies developed by
17 *the Director pursuant to subsection (a), pursuant to a writ-*
18 *ten agreement with a private-sector organization, and with*
19 *the consent of the employee, a head of an element of the*
20 *intelligence community may arrange for the temporary de-*
21 *tail of an employee of such element to such private-sector*
22 *organization, or from such private-sector organization to*
23 *such element under this section.*

24 (c) *AGREEMENTS.*—

1 (1) *IN GENERAL.*—A head of an element of the
2 intelligence community exercising the authority of the
3 head under subsection (a) shall provide for a written
4 agreement among the element of the intelligence com-
5 munity, the private-sector organization, and the em-
6 ployee concerned regarding the terms and conditions
7 of the employee’s detail under this section. The agree-
8 ment—

9 (A) shall require that the employee of the
10 element, upon completion of the detail, serve in
11 the element, or elsewhere in the civil service if
12 approved by the head of the element, for a period
13 that is at least equal to the length of the detail;

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

21 (C) shall contain language informing such
22 employee of the prohibition on sharing, using, or
23 otherwise improperly handling classified or un-
24 classified non-public information for the benefit
25 or advantage of the private-sector organization;

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

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

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

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

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

24 (e) *DURATION.*—

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

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

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

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

16 (1) *IN GENERAL.*—An employee of an element of
17 the intelligence community who is detailed to a pri-
18 vate-sector organization under this section shall be
19 considered, during the period of detail, to be on a reg-
20 ular work assignment in the element. The written
21 agreement established under subsection (c)(1) shall
22 address the specific terms and conditions related to
23 the employee's continued status as a Federal em-
24 ployee.

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

5 (A) *certify that the temporary detail of such*
6 *employee shall not have an adverse or negative*
7 *impact on mission attainment or organizational*
8 *capabilities associated with the detail; and*

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

17 (g) *TERMS AND CONDITIONS FOR PRIVATE-SECTOR*
18 *EMPLOYEES.*—*An employee of a private-sector organization*
19 *who is detailed to an element of the intelligence community*
20 *under this section—*

21 (1) *shall continue to receive pay and benefits*
22 *from the private-sector organization from which such*
23 *employee is detailed and shall not receive pay or ben-*
24 *efits from the element, except as provided in para-*
25 *graph (2);*

1 (2) *is deemed to be an employee of the element*
2 *for the purposes of—*

3 (A) *chapters 73 and 81 of title 5, United*
4 *States Code;*

5 (B) *sections 201, 203, 205, 207, 208, 209,*
6 *603, 606, 607, 643, 654, 1905, and 1913 of title*
7 *18, United States Code;*

8 (C) *sections 1343, 1344, and 1349(b) of title*
9 *31, United States Code;*

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

14 (E) *the Ethics in Government Act of 1978*
15 *(5 U.S.C. App.); and*

16 (F) *chapter 21 of title 41, United States*
17 *Code;*

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

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

24 (5) *shall be subject to the same requirements ap-*
25 *plicable to an employee performing the same func-*

1 *tions and duties proposed for performance by the pri-*
2 *vate sector employee; and*

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

7 *(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS*
8 *TO THE FEDERAL GOVERNMENT.—A private-sector organi-*
9 *zation may not charge an element of the intelligence com-*
10 *munity or any other agency of the Federal Government, as*
11 *direct costs under a Federal contract, the costs of pay or*
12 *benefits paid by the organization to an employee detailed*
13 *to an element of the intelligence community under this sec-*
14 *tion for the period of the detail and any subsequent renewal*
15 *periods.*

16 *(i) ADDITIONAL ADMINISTRATIVE MATTERS.—In car-*
17 *rying out this section, the Director, pursuant to procedures*
18 *developed under subsection (a)—*

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

22 *(2) may, notwithstanding any other provision of*
23 *law, establish criteria for elements of the intelligence*
24 *community to use appropriated funds to reimburse*
25 *small business concerns for the salaries and benefits*

1 of its employees during the periods when the small
2 business concern agrees to detail its employees to the
3 intelligence community under this section;

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

8 (4) shall take into consideration areas of private-
9 sector expertise that are critical to the intelligence
10 community; and

11 (5) shall establish oversight mechanisms to deter-
12 mine whether the public-private exchange authorized
13 by this section improves the efficiency and effective-
14 ness of the intelligence community.

15 (j) *DEFINITIONS.*—In this section:

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

18 (A) the assignment or loan of an employee
19 of an element of the intelligence community to a
20 private-sector organization without a change of
21 position from the intelligence community element
22 that employs the individual; or

23 (B) the assignment or loan of an employee
24 of a private-sector organization to an element of
25 the intelligence community without a change of

1 *position from the private-sector organization*
 2 *that employs the individual.*

3 (2) *PRIVATE-SECTOR ORGANIZATION.*—*The term*
 4 *“private-sector organization” means—*

5 (A) *a for-profit organization; or*

6 (B) *a not-for-profit organization.*

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

11 **SEC. 307. ASSESSMENT OF CONTRACTING PRACTICES TO**
 12 **IDENTIFY CERTAIN SECURITY AND COUNTER-**
 13 **INTELLIGENCE CONCERNS.**

14 (a) *ASSESSMENT.*—

15 (1) *CONTRACTING PRACTICES.*—*The Director of*
 16 *National Intelligence shall conduct an assessment of*
 17 *the authorities, policies, processes, and standards used*
 18 *by the elements of the intelligence community to en-*
 19 *sure that the elements appropriately weigh security*
 20 *and counterintelligence risks in awarding a contract*
 21 *to a contractor that—*

22 (A) *carries out any joint research and de-*
 23 *velopment activities with a covered foreign coun-*
 24 *try; or*

1 (B) performs any contract or other agree-
2 ment entered into with a covered foreign coun-
3 try.

4 (2) *ELEMENTS.*—The assessment under para-
5 graph (1) shall include the following:

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

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

16 (3) *CONSULTATION.*—In carrying out paragraph
17 (1), the Director shall consult with each head of an
18 element of the intelligence community.

19 (b) *REPORT.*—

20 (1) *REQUIREMENT.*—Not later than 180 days
21 after the date of the enactment of this Act, the Direc-
22 tor shall submit to the congressional intelligence com-
23 mittees a report on the assessment under subsection
24 (a)(1).

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

3 (A) *The assessment under subsection (a)(1).*

4 (B) *An identification of any known con-*
5 *tractors that have—*

6 (i) *carried out activities specified in*
7 *subparagraphs (A) and (B) of subsection*
8 *(a)(1); and*

9 (ii) *submitted an offer for a contract*
10 *with an element of the intelligence commu-*
11 *nity.*

12 (C) *A description of the steps that the Di-*
13 *rector and the heads of the elements of the intel-*
14 *ligence community took to identify contractors*
15 *under subparagraph (B).*

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

19 (c) *COVERED FOREIGN COUNTRY DEFINED.*—*In this*
20 *section, the term “covered foreign country” means the gov-*
21 *ernment, or any entity affiliated with the military or intel-*
22 *ligence services of, the following foreign countries:*

23 (1) *The People’s Republic of China.*

24 (2) *The Russian Federation.*

25 (3) *The Democratic People’s Republic of Korea.*

1 (4) *The Islamic Republic of Iran.*

2 **SEC. 308. REQUIRED COUNTERINTELLIGENCE BRIEFINGS**
3 **AND NOTIFICATIONS.**

4 (a) *FOREIGN COUNTERINTELLIGENCE AND CYBERSE-*
5 *CURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.—*

6 (1) *REPORTS REQUIRED.—*

7 (A) *IN GENERAL.—As provided in subpara-*
8 *graph (B), for each Federal election, the Director*
9 *of National Intelligence, in coordination with the*
10 *Under Secretary of Homeland Security for Intel-*
11 *ligence and Analysis and the Director of the Fed-*
12 *eral Bureau of Investigation, shall make publicly*
13 *available on an Internet website an advisory re-*
14 *port on foreign counterintelligence and cyberse-*
15 *curity threats to election campaigns for Federal*
16 *offices. Each such report shall include, consistent*
17 *with the protection of sources and methods, each*
18 *of the following:*

19 (i) *A description of foreign counter-*
20 *intelligence and cybersecurity threats to*
21 *election campaigns for Federal offices.*

22 (ii) *A summary of best practices that*
23 *election campaigns for Federal offices can*
24 *employ in seeking to counter such threats.*

1 (iii) *An identification of any publicly*
2 *available resources, including United States*
3 *Government resources, for countering such*
4 *threats.*

5 (B) *SCHEDULE FOR SUBMITTAL.—A report*
6 *under this subsection shall be made available as*
7 *follows:*

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

14 (ii) *In the case of a report regarding*
15 *an election for a Federal office during any*
16 *subsequent year, not later than the date that*
17 *is 1 year before the date of the election.*

18 (C) *INFORMATION TO BE INCLUDED.—A re-*
19 *port under this subsection shall reflect the most*
20 *current information available to the Director of*
21 *National Intelligence regarding foreign counter-*
22 *intelligence and cybersecurity threats.*

23 (2) *TREATMENT OF CAMPAIGNS SUBJECT TO*
24 *HEIGHTENED THREATS.—If the Director of the Fed-*
25 *eral Bureau of Investigation and the Under Secretary*

1 of Homeland Security for Intelligence and Analysis
2 jointly determine that an election campaign for Fed-
3 eral office is subject to a heightened foreign counter-
4 intelligence or cybersecurity threat, the Director and
5 the Under Secretary, consistent with the protection of
6 sources and methods, may make available additional
7 information to the appropriate representatives of such
8 campaign.

9 (b) *BRIEFINGS ON COUNTERINTELLIGENCE ACTIVITIES*
10 *OF THE FEDERAL BUREAU OF INVESTIGATION.*—

11 (1) *IN GENERAL.*—Title V of the National Secu-
12 rity Act of 1947 (50 U.S.C. 3091 et seq.), as amended
13 by section 304, is further amended by adding at the
14 end the following new section:

15 “**SEC. 513. BRIEFINGS AND NOTIFICATIONS ON COUNTER-**
16 **INTELLIGENCE ACTIVITIES OF THE FEDERAL**
17 **BUREAU OF INVESTIGATION.**”

18 “(a) *QUARTERLY BRIEFINGS.*—In addition to, and
19 without any derogation of, the requirement under section
20 501 to keep the congressional intelligence committees fully
21 and currently informed of the intelligence and counterintel-
22 ligence activities of the United States, not less frequently
23 than once each quarter, the Director of the Federal Bureau
24 of Investigation shall provide to the congressional intel-
25 ligence committees a briefing on the counterintelligence ac-

1 *tivities of the Federal Bureau of Investigation. Such brief-*
2 *ings shall include, at a minimum, an overview and update*
3 *of—*

4 “(1) *the counterintelligence posture of the Bu-*
5 *reau;*

6 “(2) *counterintelligence investigations; and*

7 “(3) *any other information relating to the coun-*
8 *terintelligence activities of the Bureau that the Direc-*
9 *tor determines necessary.*

10 “(b) *NOTIFICATIONS.—In addition to the quarterly*
11 *briefings under subsection (a), the Director of the Federal*
12 *Bureau of Investigation shall promptly notify the congres-*
13 *sional intelligence committees of any counterintelligence in-*
14 *vestigation carried out by the Bureau with respect to any*
15 *counterintelligence risk or threat that is related to an elec-*
16 *tion or campaign for Federal office.*

17 “(c) *GUIDELINES.—*

18 “(1) *DEVELOPMENT AND CONSULTATION.—The*
19 *Director shall develop guidelines governing the scope*
20 *of the briefings provided under subsection (a), the no-*
21 *tifications provided under subsection (b), and the in-*
22 *formation required by section 308(a)(2) of the Damon*
23 *Paul Nelson and Matthew Young Pollard Intelligence*
24 *Authorization Act for Fiscal Years 2018, 2019, and*

1 2020. *The Director shall consult the congressional in-*
 2 *telligence committees during such development.*

3 “(2) *SUBMISSION.—The Director shall submit to*
 4 *the congressional intelligence committees—*

5 “(A) *the guidelines under paragraph (1)*
 6 *upon issuance; and*

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

9 (2) *CLERICAL AMENDMENT.—The table of con-*
 10 *tents at the beginning of such Act, as amended by sec-*
 11 *tion 304, is further amended by inserting after the*
 12 *item relating to section 512 the following new item:*

“Sec. 513. Briefings and notifications on counterintelligence activities of the Fed-
eral Bureau of Investigation.”.

13 ***TITLE IV—MATTERS RELATING***
 14 ***TO ELEMENTS OF THE INTEL-***
 15 ***LIGENCE COMMUNITY***

16 ***SEC. 401. ESTABLISHMENT OF CLIMATE SECURITY ADVI-***
 17 ***SORY COUNCIL.***

18 (a) *ESTABLISHMENT.—Title I of the National Security*
 19 *Act of 1947 (50 U.S.C. 3021 et seq.) is amended by adding*
 20 *at the end the following new section:*

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

22 “(a) *ESTABLISHMENT.—The Director of National In-*
 23 *telligence shall establish a Climate Security Advisory Coun-*
 24 *cil for the purpose of—*

1 “(1) assisting intelligence analysts of various ele-
2 ments of the intelligence community with respect to
3 analysis of climate security and its impact on the
4 areas of focus of such analysts;

5 “(2) facilitating coordination between the ele-
6 ments of the intelligence community and elements of
7 the Federal Government that are not elements of the
8 intelligence community in collecting data on, and
9 conducting analysis of, climate change and climate
10 security; and

11 “(3) ensuring that the intelligence community is
12 adequately prioritizing climate change in carrying
13 out its activities.

14 “(b) COMPOSITION OF COUNCIL.—

15 “(1) MEMBERS.—The Council shall be composed
16 of the following individuals appointed by the Director
17 of National Intelligence:

18 “(A) An appropriate official from the Na-
19 tional Intelligence Council, who shall chair the
20 Council.

21 “(B) The lead official with respect to cli-
22 mate and environmental security analysis
23 from—

24 “(i) the Central Intelligence Agency;

1 “(ii) the Bureau of Intelligence and
2 Research of the Department of State;

3 “(iii) the National Geospatial-Intel-
4 ligence Agency;

5 “(iv) the Office of Intelligence and
6 Counterintelligence of the Department of
7 Energy;

8 “(v) the Office of the Under Secretary
9 of Defense for Intelligence; and

10 “(vi) the Defense Intelligence Agency.

11 “(C) Three appropriate officials from ele-
12 ments of the Federal Government that are not
13 elements of the intelligence community that are
14 responsible for—

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

17 “(ii) making observations of our Earth
18 system that can be used by the public, pol-
19 icymakers, and to support strategic deci-
20 sions; or

21 “(iii) coordinating Federal research
22 and investments in understanding the forces
23 shaping the global environment, both
24 human and natural, and their impacts on
25 society.

1 “(D) Any other officials as the Director of
2 National Intelligence or the chair of the Council
3 may determine appropriate.

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

6 “(A) identifying agencies to supply individ-
7 uals from elements of the Federal Government
8 that are not elements of the intelligence commu-
9 nity;

10 “(B) securing the permission of the relevant
11 agency heads for the participation of such indi-
12 viduals on the Council; and

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

15 “(c) DUTIES AND RESPONSIBILITIES OF COUNCIL.—
16 The Council shall carry out the following duties and respon-
17 sibilities:

18 “(1) To meet at least quarterly to—

19 “(A) exchange appropriate data between ele-
20 ments of the intelligence community and ele-
21 ments of the Federal Government that are not
22 elements of the intelligence community;

23 “(B) discuss processes for the routine ex-
24 change of such data and implementation of such
25 processes; and

1 “(C) prepare summaries of the business con-
2 ducted at each meeting.

3 “(2) To assess and determine best practices with
4 respect to the analysis of climate security, including
5 identifying publicly available information and intel-
6 ligence acquired through clandestine means that en-
7 ables such analysis.

8 “(3) To assess and identify best practices with
9 respect to prior efforts of the intelligence community
10 to analyze climate security.

11 “(4) To assess and describe best practices for
12 identifying and disseminating climate security indi-
13 cators and warnings;

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

18 “(6) To consult, as appropriate, with other ele-
19 ments of the intelligence community that conduct
20 analysis of climate change or climate security and
21 elements of the Federal Government that are not ele-
22 ments of the intelligence community that conduct
23 analysis of climate change or climate security, for the
24 purpose of sharing information about ongoing efforts
25 and avoiding duplication of existing efforts.

1 “(7) *To work with elements of the intelligence*
2 *community that conduct analysis of climate change*
3 *or climate security and elements of the Federal Gov-*
4 *ernment that are not elements of the intelligence com-*
5 *munity that conduct analysis of climate change or*
6 *climate security—*

7 “(A) *to exchange appropriate data between*
8 *such elements, establish processes, procedures and*
9 *practices for the routine exchange of such data,*
10 *discuss the implementation of such processes; and*

11 “(B) *to enable and facilitate the sharing of*
12 *findings and analysis between such elements.*

13 “(8) *To assess whether the elements of the intel-*
14 *ligence community that conduct analysis of climate*
15 *change or climate security may inform the research*
16 *direction of academic work and the sponsored work of*
17 *the United States Government.*

18 “(9) *At the discretion of the chair of the Council,*
19 *to convene conferences of analysts and non-intel-*
20 *ligence community personnel working on climate*
21 *change or climate security on subjects that the chair*
22 *shall direct.*

23 “(d) *SUNSET.—The Council shall terminate on the*
24 *date that is 4 years after the date of the enactment of this*
25 *section.*

1 “(e) *DEFINITIONS.—In this section:*

2 “(1) *CLIMATE SECURITY.—The term ‘climate se-*
3 *curity’ means the effects of climate change on the fol-*
4 *lowing:*

5 “(A) *The national security of the United*
6 *States, including national security infrastruc-*
7 *ture.*

8 “(B) *Subnational, national, and regional*
9 *political stability.*

10 “(C) *The security of allies and partners of*
11 *the United States.*

12 “(D) *Ongoing or potential political vio-*
13 *lence, including unrest, rioting, guerrilla war-*
14 *fare, insurgency, terrorism, rebellion, revolution,*
15 *civil war, and interstate war.*

16 “(2) *CLIMATE INTELLIGENCE INDICATIONS AND*
17 *WARNINGS.—The term ‘climate intelligence indica-*
18 *tions and warnings’ means developments relating to*
19 *climate security with the potential to—*

20 “(A) *imminently and substantially alter the*
21 *political stability or degree of human security in*
22 *a country or region; or*

23 “(B) *imminently and substantially threat-*
24 *en—*

1 “(i) the national security of the United
2 States;

3 “(ii) the military, political, or eco-
4 nomic interests of allies and partners of the
5 United States; or

6 “(iii) citizens of the United States
7 abroad.”.

8 (b) *CLERICAL AMENDMENT.*—The table of contents in
9 the first section of the National Security Act of 1947 is
10 amended by inserting after the item relating to section
11 119B the following new item:

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

12 (c) *INITIAL APPOINTMENTS.*—Not later than 90 days
13 after the date of the enactment of this Act, the Director of
14 National Intelligence shall appoint the members of the
15 Council under section 120 of the National Security Act of
16 1947, as added by subsection (a).

17 **SEC. 402. TRANSFER OF NATIONAL INTELLIGENCE UNIVER-**
18 **SITY TO THE OFFICE OF THE DIRECTOR OF**
19 **NATIONAL INTELLIGENCE.**

20 (a) *TRANSFER.*—Not later than 90 days after the date
21 of the enactment of this Act, the Director of the Defense In-
22 telligence Agency shall transfer to the Director of National
23 Intelligence the National Intelligence University, including
24 the functions, personnel, assets, and liabilities of the Uni-
25 versity.

1 **(b) DEGREE-GRANTING AUTHORITY.—**

2 **(1) REGULATIONS.—***Under regulations pre-*
3 *scribed by the Director of National Intelligence, the*
4 *President of the National Intelligence University*
5 *may, upon the recommendation of the faculty of the*
6 *University, confer appropriate degrees upon grad-*
7 *uates who meet the degree requirements.*

8 **(2) LIMITATION.—***A degree may not be conferred*
9 *under this section unless—*

10 **(A)** *the appropriate head of a Department*
11 *of the Federal Government has recommended ap-*
12 *proval of the degree in accordance with any Fed-*
13 *eral policy applicable to the granting of aca-*
14 *ademic degrees by departments and agencies of the*
15 *Federal Government; and*

16 **(B)** *the University is accredited by the ap-*
17 *propriate civilian academic accrediting agency*
18 *or organization to award the degree, as deter-*
19 *mined by such appropriate head of a Depart-*
20 *ment.*

21 **(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—**

22 **(1) NOTIFICATION.—***When seeking to establish*
23 *degree-granting authority under this section, the Di-*
24 *rector shall submit to the congressional intelligence*
25 *committees—*

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

4 (B) any subsequent recommendations and
5 rationale of the appropriate head of a Depart-
6 ment specified in such subsection regarding es-
7 tablishing such degree-granting authority.

8 (2) *MODIFICATION.*—Upon any modification or
9 redesignation of existing degree-granting authority,
10 the Director shall submit to the congressional intel-
11 ligence committees a report containing the rationale
12 for the proposed modification or redesignation and
13 any subsequent recommendation described in para-
14 graph (1)(B) with respect to the proposed modifica-
15 tion or redesignation.

16 (3) *ACTIONS ON NONACCREDITATION.*—The Di-
17 rector shall submit to the congressional intelligence
18 committees a report containing an explanation of any
19 action by the appropriate academic accrediting agen-
20 cy or organization not to accredit the University to
21 award any new or existing degree.

22 (d) *CONFORMING REPEAL.*—Effective 90 days after the
23 date of the enactment of this Act, section 2161 of title 10,
24 United States Code, is repealed, and the table of sections

1 *at the beginning of chapter 108 of such title is amended*
2 *by striking the item relating to such section 2161.*

3 ***TITLE V—MATTERS RELATING***
4 ***TO FOREIGN COUNTRIES***

5 ***SEC. 501. ANNUAL REPORTS ON INFLUENCE OPERATIONS***
6 ***AND CAMPAIGNS IN THE UNITED STATES BY***
7 ***THE COMMUNIST PARTY OF CHINA.***

8 *(a) REPORTS.—Title XI of the National Security Act*
9 *of 1947 (50 U.S.C. 3231 et seq.), as amended by section*
10 *2718, is further amended by adding at the end the following*
11 *new section:*

12 ***“SEC. 1106. ANNUAL REPORTS ON INFLUENCE OPERATIONS***
13 ***AND CAMPAIGNS IN THE UNITED STATES BY***
14 ***THE COMMUNIST PARTY OF CHINA.***

15 *“(a) REQUIREMENT.—On an annual basis, the Direc-*
16 *tor of the National Counterintelligence and Security Center*
17 *shall submit to the congressional intelligence committees a*
18 *report on the influence operations and campaigns in the*
19 *United States conducted by the Communist Party of China.*

20 *“(b) CONTENTS.—Each report under subsection (a)*
21 *shall include the following:*

22 *“(1) A description of the organization of the*
23 *United Front Work Department of the People’s Re-*
24 *public of China, or the successors of the United Front*
25 *Work Department, and the links between the United*

1 *Front Work Department and the Central Committee*
2 *of the Communist Party of China.*

3 “(2) *An assessment of the degree to which orga-*
4 *nizations that are associated with or receive funding*
5 *from the United Front Work Department, particu-*
6 *larly such entities operating in the United States, are*
7 *formally tasked by the Chinese Communist Party or*
8 *the Government of China.*

9 “(3) *A description of the efforts by the United*
10 *Front Work Department and subsidiary organiza-*
11 *tions of the United Front Work Department to target,*
12 *coerce, and influence foreign populations, particularly*
13 *those of ethnic Chinese descent.*

14 “(4) *An assessment of attempts by the Chinese*
15 *Embassy, consulates, and organizations affiliated*
16 *with the Chinese Communist Party (including, at a*
17 *minimum, the United Front Work Department) to in-*
18 *fluence the United States-based Chinese Student*
19 *Scholar Associations.*

20 “(5) *A description of the evolution of the role of*
21 *the United Front Work Department under the leader-*
22 *ship of the President of China.*

23 “(6) *An assessment of the activities of the United*
24 *Front Work Department designed to influence the*
25 *opinions of elected leaders of the United States, or*

1 *candidates for elections in the United States, with re-*
2 *spect to issues of importance to the Chinese Com-*
3 *munist Party.*

4 “(7) *A listing of all known organizations affili-*
5 *ated with the United Front Work Department that*
6 *are operating in the United States as of the date of*
7 *the report.*

8 “(8) *With respect to reports submitted after the*
9 *first report, an assessment of the change in goals, tac-*
10 *tics, techniques, and procedures of the influence oper-*
11 *ations and campaigns conducted by the Chinese Com-*
12 *munist Party.*

13 “(c) *COORDINATION.—In carrying out subsection (a),*
14 *the Director shall coordinate with the Director of the Fed-*
15 *eral Bureau of Investigation, the Director of the Central*
16 *Intelligence Agency, the Director of the National Security*
17 *Agency, and any other relevant head of an element of the*
18 *intelligence community.*

19 “(d) *FORM.—Each report submitted under subsection*
20 *(a) shall be submitted in unclassified form, but may include*
21 *a classified annex.”.*

22 “(b) *CLERICAL AMENDMENT.—The table of contents in*
23 *the first section of the National Security Act of 1947, as*
24 *amended by section 2718, is further amended by inserting*

1 *after the item relating to section 1105 the following new*
 2 *item:*

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

3 *(c) INITIAL REPORT.—The Director of the National*
 4 *Counterintelligence and Security Center shall submit to the*
 5 *congressional intelligence committees the first report under*
 6 *section 1106 of the National Security Act of 1947, as added*
 7 *by subsection (a), by not later than 180 days after the date*
 8 *of the enactment of this Act.*

9 **SEC. 502. REPORT ON REPRESSION OF ETHNIC MUSLIM MI-**
 10 **NORITIES IN THE XINJIANG REGION OF THE**
 11 **PEOPLE’S REPUBLIC OF CHINA.**

12 *(a) REPORT.—Not later than 150 days after the date*
 13 *of the enactment of this Act, the Director of National Intel-*
 14 *ligence shall submit to the congressional intelligence com-*
 15 *mittees a report on activity by the People’s Republic of*
 16 *China to repress ethnic Muslim minorities in the Xinjiang*
 17 *region of China.*

18 *(b) CONTENTS.—The report under subsection (a) shall*
 19 *include the following:*

20 *(1) An assessment of the number of individuals*
 21 *detained in “political reeducation camps”, and the*
 22 *conditions in such camps for detainees, in the*
 23 *Xinjiang region of China, including whether detainees*

1 *endure torture, forced renunciation of faith, or other*
2 *mistreatment.*

3 (2) *A description, as possible, of the geographic*
4 *location of such camps.*

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

8 (4) *A description of any forced labor in such*
9 *camps, and any labor performed in regional factories*
10 *for low wages under the threat of being sent back to*
11 *“political reeducation camps”.*

12 (5) *An assessment of the level of access China*
13 *grants to foreign persons observing the situation in*
14 *Xinjiang and a description of measures used to im-*
15 *pede efforts to monitor the conditions in Xinjiang.*

16 (6) *An assessment of the surveillance, detection,*
17 *and control methods used by China to target ethnic*
18 *minorities, including new “high-tech” policing models*
19 *and a description of any civil liberties or privacy*
20 *protections provided under such models.*

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

1 *other agency of the Federal Government that the Director*
2 *of National Intelligence determines appropriate.*

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

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

8 *(a) REPORT.—Consistent with section 3(c) of the Tai-*
9 *wan Relations Act (Public Law 96–8; 22 U.S.C. 3302(c)),*
10 *not later than 45 days after the date of the election for the*
11 *President and Vice President of Taiwan in 2020, the Direc-*
12 *tor of National Intelligence shall submit to the congressional*
13 *intelligence committees a report on any—*

14 *(1) influence operations conducted by China to*
15 *interfere in or undermine such election; and*

16 *(2) efforts by the United States to disrupt such*
17 *operations.*

18 *(b) ELEMENTS.—The report under subsection (a) shall*
19 *include the following:*

20 *(1) A description of any significant efforts by the*
21 *intelligence community to coordinate technical and*
22 *material support for Taiwan to identify, disrupt, and*
23 *combat influence operations specified in subsection*
24 *(a)(1).*

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

5 (3) *An assessment of whether and to what extent*
6 *China conducted influence operations specified in sub-*
7 *section (a)(1), and, if such operations occurred—*

8 (A) *a comprehensive list of specific govern-*
9 *mental and nongovernmental entities of China*
10 *that were involved in supporting such operations*
11 *and a description of the role of each such entity;*
12 *and*

13 (B) *an identification of any tactics, tech-*
14 *niques, and procedures used in such operations.*

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

18 **SEC. 504. ASSESSMENT OF LEGITIMATE AND ILLEGITIMATE**
19 **FINANCIAL AND OTHER ASSETS OF VLADIMIR**
20 **PUTIN.**

21 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
22 *that the United States should do more to expose the corrup-*
23 *tion of Vladimir Putin, whose ill-gotten wealth is perhaps*
24 *the most powerful global symbol of his dishonesty and his*

1 *persistent efforts to undermine the rule of law and democ-*
2 *racy in the Russian Federation.*

3 (b) *ASSESSMENT.*—*Not later than 180 days after the*
4 *date of the enactment of this Act, the Director of National*
5 *Intelligence shall submit to the appropriate congressional*
6 *committees an assessment, based on all sources of intel-*
7 *ligence, on the net worth and financial and other assets,*
8 *legitimate as well as illegitimate, of Russian President*
9 *Vladimir Putin and his family members, including—*

10 (1) *the estimated net worth of Vladimir Putin*
11 *and his family members;*

12 (2) *a description of their legitimately and illegit-*
13 *imately obtained assets, including all real, personal,*
14 *and intellectual property, bank or investment or simi-*
15 *lar accounts, and any other financial or business in-*
16 *terests or holdings, including those outside of Russia;*

17 (3) *the details of the legitimately and illegit-*
18 *imately obtained assets, including real, personal, and*
19 *intellectual property, bank or investment or similar*
20 *accounts, and any other financial or business inter-*
21 *ests or holdings, including those outside of Russia,*
22 *that are owned or controlled by, accessible to, or oth-*
23 *erwise maintained for the benefit of Vladimir Putin,*
24 *including their nature, location, manner of acquisi-*

1 *tion, value, and publicly named owner (if other than*
2 *Vladimir Putin);*

3 *(4) the methods used by Vladimir Putin or oth-*
4 *ers acting at his direction, with his knowledge, or for*
5 *his benefit, to conceal Putin’s interest in his accounts,*
6 *holdings, or other assets, including the establishment*
7 *of “front” or shell companies and the use of inter-*
8 *mediaries; and*

9 *(5) an identification of the most significant sen-*
10 *ior Russian political figures, oligarchs, and any other*
11 *persons who have engaged in activity intended to con-*
12 *ceal the true financial condition of Vladimir Putin.*

13 *(c) FORM.—The assessment required under subsection*
14 *(b) shall be submitted either—*

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

18 *(2) simultaneously as both an unclassified*
19 *version and a classified version.*

20 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
21 *FINED.—In this section, the term “appropriate congres-*
22 *sional committees” means—*

23 *(1) the Select Committee on Intelligence, the*
24 *Committee on Foreign Relations, the Committee on*

1 *Banking, Housing, and Urban Affairs, and the Com-*
2 *mittee on Finance of the Senate; and*

3 *(2) the Permanent Select Committee on Intel-*
4 *ligence, Committee on Foreign Affairs, the Committee*
5 *on Financial Services, and the Committee on Ways*
6 *and Means of the House of Representatives.*

7 **SEC. 505. ASSESSMENTS OF INTENTIONS OF POLITICAL**
8 **LEADERSHIP OF THE RUSSIAN FEDERATION.**

9 *(a) IN GENERAL.—Not later than 90 days after the*
10 *date of the enactment of this Act, the Director of National*
11 *Intelligence, and the head of any element of the intelligence*
12 *community that the Director determines appropriate, shall*
13 *submit to the appropriate congressional committees each of*
14 *the assessments described in subsection (b).*

15 *(b) ASSESSMENTS DESCRIBED.—The assessments de-*
16 *scribed in this subsection are assessments based on intel-*
17 *ligence obtained from all sources that assess the current in-*
18 *tentions of the political leadership of the Russian Federa-*
19 *tion with respect to the following:*

20 *(1) Potential military action against members of*
21 *the North Atlantic Treaty Organization (NATO).*

22 *(2) Potential responses to an enlarged United*
23 *States or NATO military presence in eastern Europe*
24 *or to increased United States military support for al-*
25 *lies and partners in the region, such as the provision*

1 of additional lethal military equipment to Ukraine or
2 Georgia.

3 (3) *Potential actions taken for the purpose of ex-*
4 *ploiting perceived divisions among the governments of*
5 *Russia’s Western adversaries.*

6 (c) *FORM.*—*Each assessment required under subsection*
7 (a) *may be submitted in classified form but shall also in-*
8 *clude an unclassified executive summary, consistent with*
9 *the protection of intelligence sources and methods.*

10 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*
11 *this section, the term “appropriate congressional commit-*
12 *tees” means—*

13 (1) *the Permanent Select Committee on Intel-*
14 *ligence, the Committee on Foreign Affairs, and the*
15 *Committee on Armed Services of the House of Rep-*
16 *resentatives; and*

17 (2) *the Select Committee on Intelligence, the*
18 *Committee on Foreign Relations, and the Committee*
19 *on Armed Services of the Senate.*

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

21 (a) *IN GENERAL.*—*Not later than 30 days after the*
22 *date of the enactment of this Act, the Director of National*
23 *Intelligence shall submit to the congressional intelligence*
24 *committees a report on the death of Jamal Khashoggi. Such*
25 *report shall include identification of those who carried out,*

1 participated in, ordered, or were otherwise complicit in or
2 responsible for the death of Jamal Khashoggi, to the extent
3 consistent with the protection of sources and methods.

4 (b) *FORM.*—The report submitted under subsection (a)
5 shall be submitted in unclassified form.

6 **TITLE VI—FEDERAL EFFORTS**
7 **AGAINST DOMESTIC TERRORISM**

8 **SEC. 601. DEFINITIONS.**

9 *In this title:*

10 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
11 *TEES.*—The term “appropriate congressional commit-

12 *tees” means—*

13 (A) *the Permanent Select Committee on In-*
14 *telligence, the Committee on Homeland Security,*
15 *and the Committee on the Judiciary of the*
16 *House of Representatives; and*

17 (B) *the Select Committee on Intelligence,*
18 *the Committee on Homeland Security and Gov-*
19 *ernmental Affairs, and the Committee on the Ju-*
20 *diciary of the Senate.*

21 (2) *DOMESTIC TERRORISM.*—The term “domestic
22 terrorism” has the meaning given that term in section
23 2331 of title 18, United States Code.

24 (3) *HATE CRIME.*—The term “hate crime” means
25 a criminal offense under—

1 (A) sections 241, 245, 247, and 249 of title
2 18, United States Code; and

3 (B) section 3631 of title 42, United States
4 Code.

5 (4) *INTERNATIONAL TERRORISM.*—The term
6 “international terrorism” has the meaning given that
7 term in section 2331 of title 18, United States Code.

8 (5) *TERMS IN ATTORNEY GENERAL’S GUIDELINES*
9 *FOR DOMESTIC FBI OPERATIONS.*—The terms “assess-
10 ments”, “full investigations”, “enterprise investiga-
11 tions”, “predicated investigations”, and “preliminary
12 investigations” have the meanings given those terms
13 in the most recent, approved version of the Attorney
14 General’s Guidelines for Domestic FBI Operations (or
15 successor).

16 (6) *TERMS IN FBI BUDGET MATERIALS.*—The
17 terms “Consolidated Strategy Guide”, “Field Office
18 Strategic Plan”, “Integrated Program Management
19 Process”, and “Threat Review and Prioritization”
20 have the meanings given those terms in the materials
21 submitted to Congress by the Attorney General in
22 support of the Federal Bureau of Investigation budget
23 for fiscal year 2020.

24 (7) *TERRORISM.*—The term “terrorism” includes
25 domestic terrorism and international terrorism.

1 (8) *TERRORISM INFORMATION.*—*The term “ter-*
2 *rorism information” has the meaning given that term*
3 *in section 1016(a) of the Intelligence Reform and Ter-*
4 *rorism Prevention Act of 2004 (6 U.S.C. 485).*

5 (9) *TIME UTILIZATION AND RECORDKEEPING*
6 *DATA.*—*The term “time utilization and recordkeeping*
7 *data” means data collected on resource utilization*
8 *and workload activity of personnel of the Federal Bu-*
9 *reau of Investigation in accordance with Federal law.*

10 **SEC. 602. ANNUAL STRATEGIC INTELLIGENCE ASSESSMENT**
11 **OF AND COMPREHENSIVE REPORT ON DO-**
12 **MESTIC TERRORISM.**

13 (a) *REPORT REQUIRED.*—

14 (1) *IN GENERAL.*—*Not later than 180 days after*
15 *the date of the enactment of this Act, and annually*
16 *thereafter through 2025, the Director of National In-*
17 *telligence, the Director of the Federal Bureau of Inves-*
18 *tigation, and the Under Secretary of Homeland Secu-*
19 *rity for Intelligence and Analysis shall jointly submit*
20 *to the appropriate congressional committees a report*
21 *on domestic terrorism containing the following:*

22 (A) *Strategic intelligence assessment under*
23 *subsection (b).*

24 (B) *Discussion of activities under subsection*

25 (c).

1 (C) *Data on domestic terrorism under sub-*
2 *section (d).*

3 (2) *RESPONSIBILITIES.—*

4 (A) *COORDINATION OF REPORTS AND INTE-*
5 *GRATION OF INFORMATION.—The Director of Na-*
6 *tional Intelligence, acting through the Director of*
7 *the National Counterterrorism Center, shall be*
8 *the lead official for coordinating the production*
9 *of and integrating terrorism information into—*

10 (i) *each report under paragraph (1);*

11 *and*

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

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

22 (b) *STRATEGIC INTELLIGENCE ASSESSMENT.—The Di-*
23 *rector of National Intelligence, the Director of the Federal*
24 *Bureau of Investigation, and the Under Secretary of Home-*
25 *land Security for Intelligence and Analysis shall include—*

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

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

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

11 (1) *The criteria for opening, managing, and clos-*
12 *ing domestic and international terrorism investiga-*
13 *tions by the Federal Government.*

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

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

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

3 (A) *the Federal Government;*

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

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

8 (D) *non-governmental organizations; and*

9 (E) *the private sector.*

10 (5) *The criteria and methodology used by the*
11 *Federal Bureau of Investigation, the Office of Intel-*
12 *ligence and Analysis of the Department of Homeland*
13 *Security, and the National Counterterrorism Center,*
14 *to identify or assign terrorism classifications to inci-*
15 *dents of terrorism or investigations of terrorism, in-*
16 *cluding—*

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

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

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

24 (d) *DATA ON DOMESTIC TERRORISM.—*

1 (1) *DATA REQUIRED.*—*The Director of National*
2 *Intelligence, the Director of the Federal Bureau of In-*
3 *vestigation, and the Under Secretary of Homeland*
4 *Security for Intelligence and Analysis shall include in*
5 *each report under subsection (a)(1) the following*
6 *data:*

7 (A) *For each completed or attempted inci-*
8 *dent of domestic terrorism that has occurred in*
9 *the United States during the applicable period—*

10 (i) *a description of such incident;*

11 (ii) *the number and type of completed*
12 *and attempted Federal non-violent crimes*
13 *committed during such incident;*

14 (iii) *the number and type of completed*
15 *and attempted Federal and State property*
16 *crimes committed during such incident, in-*
17 *cluding an estimate of economic damages*
18 *resulting from such crimes; and*

19 (iv) *the number and type of completed*
20 *and attempted Federal violent crimes com-*
21 *mitted during such incident, including the*
22 *number of people injured or killed as a re-*
23 *sult of such crimes.*

24 (B) *For the applicable period—*

1 (i) an identification of each assess-
2 ment, preliminary investigation, full inves-
3 tigation, and enterprise investigation with
4 a nexus to domestic terrorism opened, pend-
5 ing, or closed by the Federal Bureau of In-
6 vestigation;

7 (ii) the number of assessments or inves-
8 tigations identified under clause (i) associ-
9 ated with each domestic terrorism investiga-
10 tive classification (including subcategories);

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

18 (iv) the number of Federal criminal
19 charges with a nexus to domestic terrorism,
20 including the number of indictments and
21 complaints associated with each domestic
22 terrorism investigative classification (in-
23 cluding subcategories), a summary of the al-
24 legations contained in each such indictment,
25 the disposition of the prosecution, and, if

1 applicable, the sentence imposed as a result
2 of a conviction on such charges;

3 (v) referrals of incidents of domestic
4 terrorism by State, local, Tribal, or terri-
5 torial governments to departments or agen-
6 cies of the Federal Government for inves-
7 tigation or prosecution, including the num-
8 ber of such referrals associated with each
9 domestic terrorism investigation classifica-
10 tion (including any subcategories), and a
11 summary of each such referral that includes
12 the rationale for such referral and the dis-
13 position of the applicable Federal investiga-
14 tion or prosecution;

15 (vi) intelligence products produced by
16 the intelligence community relating to do-
17 mestic terrorism, including—

18 (I) the number of such products
19 associated with each domestic ter-
20 rorism investigative classification (in-
21 cluding any subcategories); and

22 (II) with respect to the Federal
23 Bureau of Investigation, at a min-
24 imum, all relevant data available

1 *through the Integrated Program Man-*
2 *agement Process;*

3 *(vii) with respect to the National*
4 *Counterterrorism Center, the number of*
5 *staff (expressed in terms of full-time equiva-*
6 *lents and positions) working on matters re-*
7 *lating to domestic terrorism described in*
8 *clauses (i) through (vi); and*

9 *(viii) with respect to the Federal Bu-*
10 *reau of Investigation—*

11 *(I) the number of staff (expressed*
12 *in terms of full-time equivalents and*
13 *positions) working on matters relating*
14 *to domestic terrorism described in*
15 *clauses (i) through (vi); and*

16 *(II) a summary of time utiliza-*
17 *tion and recordkeeping data for per-*
18 *sonnel working on such matters, in-*
19 *cluding the number or percentage of*
20 *such personnel associated with each do-*
21 *mestic terrorism investigative classi-*
22 *fication (including any subcategories)*
23 *in the FBI Headquarters Operational*
24 *Divisions and Field Divisions.*

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

3 (A) *For the first report required under sub-*
4 *section (a)(1)—*

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

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

11 (B) *For each subsequent report required*
12 *under subsection (a)(1), the prior fiscal year.*

13 (e) *PROVISION OF OTHER DOCUMENTS AND MATE-*
14 *RIALS.*—

15 (1) *IN GENERAL.*—*Together with each report*
16 *under subsection (a)(1), the Director of National In-*
17 *telligence, the Director of the Federal Bureau of Inves-*
18 *tigation, and the Under Secretary of Homeland Secu-*
19 *rity for Intelligence and Analysis shall also submit to*
20 *the appropriate congressional committees the fol-*
21 *lowing documents and materials:*

22 (A) *With respect to the Federal Bureau of*
23 *Investigation, at a minimum, the most recent,*
24 *approved versions of—*

1 (i) *the Attorney General’s Guidelines*
2 *for Domestic FBI Operations (or any suc-*
3 *cessor);*

4 (ii) *the FBI Domestic Investigations*
5 *and Operations Guide (or any successor);*

6 (iii) *the FBI Counterterrorism Policy*
7 *Guide (or any successor);*

8 (iv) *materials relating to terrorism*
9 *within the Threat Review and*
10 *Prioritization process for the headquarters*
11 *and field divisions of the Federal Bureau of*
12 *Investigation;*

13 (v) *the Consolidated Strategy Guide*
14 *(or any successor); and*

15 (vi) *the Field Office Strategic Plans*
16 *(or any successor).*

17 (B) *With respect to the intelligence commu-*
18 *nity, each finished intelligence product described*
19 *in subsection (d)(1)(B)(vi).*

20 (2) *NONDUPLICATION.—If any documents or ma-*
21 *terials required under paragraph (1) have been pre-*
22 *viously submitted to the appropriate congressional*
23 *committees under such paragraph and have not been*
24 *modified since such submission, the Director of Na-*
25 *tional Intelligence, the Director of the Federal Bureau*

1 *of Investigation, and the Under Secretary of Home-*
2 *land Security for Intelligence and Analysis may pro-*
3 *vide a list of such documents or materials in lieu of*
4 *making the submission under paragraph (1) for those*
5 *documents or materials.*

6 *(f) FORMAT.—The information required under sub-*
7 *section (d) may be provided in a format that uses the mark-*
8 *ing associated with the Central Records System (or any suc-*
9 *cessor system) of the Federal Bureau of Investigation.*

10 *(g) CLASSIFICATION AND PUBLIC RELEASE.—Each re-*
11 *port under subsection (a) shall be—*

12 *(1) unclassified, but may contain a classified*
13 *annex;*

14 *(2) with respect to the unclassified portion of the*
15 *report, made available on the public internet website*
16 *of the National Counterterrorism Center in an elec-*
17 *tronic format that is fully indexed and searchable;*
18 *and*

19 *(3) with respect to a classified annex, submitted*
20 *to the appropriate congressional committees in an*
21 *electronic format that is fully indexed and searchable.*

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

3 **SEC. 701. MODIFICATION OF REQUIREMENTS FOR SUBMIS-**
4 **SION TO CONGRESS OF CERTAIN REPORTS.**

5 (a) *MODIFICATION OF REPORTS RELATING TO GUAN-*
6 *TANAMO BAY.—*

7 (1) *MODIFICATION.—Section 506I(b) of the Na-*
8 *tional Security Act of 1947 (50 U.S.C. 3105(b)) is*
9 *amended by striking “once every 6 months” and in-*
10 *serting “annually”.*

11 (2) *MODIFICATION.—Section 319(a) of the Sup-*
12 *plemental Appropriations Act, 2009 (10 U.S.C. 801*
13 *note) is amended by striking “every 90 days” and in-*
14 *serting “annually”.*

15 (3) *REPEAL.—Section 601 of the Intelligence Au-*
16 *thorization Act for Fiscal Year 2017 (division N of*
17 *Public Law 115–31; 131 Stat. 827) is repealed.*

18 (b) *MODIFICATION TO REPORTS ON VIOLATIONS OF*
19 *LAW OR EXECUTIVE ORDER.—Section 511(a) of the Na-*
20 *tional Security Act of 1947 (50 U.S.C. 3110(a)) is amend-*
21 *ed—*

22 (1) *by striking “The Director of National Intel-*
23 *ligence” and inserting “The head of each element of*
24 *the intelligence community”;* and

1 (2) *by striking “an element” and inserting “the*
2 *element”.*

3 (c) *MODIFICATION TO REPORTS ON ANALYTIC INTEG-*
4 *RITY.—Subsection (c) of section 1019 of the Intelligence Re-*
5 *form and Terrorism Prevention Act of 2004 (50 U.S.C.*
6 *3364) is amended—*

7 (1) *in the heading, by striking “REPORTS” and*
8 *inserting “BRIEFINGS”; and*

9 (2) *by striking “submit to the congressional in-*
10 *telligence committees, the heads of the relevant ele-*
11 *ments of the intelligence community, and the heads of*
12 *analytic training departments a report containing”*
13 *and inserting “provide to the congressional intel-*
14 *ligence committees, the heads of the relevant elements*
15 *of the intelligence community, and the heads of ana-*
16 *lytic training departments a briefing with”.*

17 (d) *REPEAL OF REPORTS RELATING TO INTELLIGENCE*
18 *FUNCTIONS.—Section 506J of the National Security Act of*
19 *1947 (50 U.S.C. 3105a) is repealed and the table of contents*
20 *in the first section of such Act is amended by striking the*
21 *item relating to section 506J.*

22 (e) *REPEAL OF REPORTS RELATING TO CUBA.—Sec-*
23 *tion 108 of the Cuban Liberty and Democratic Solidarity*
24 *(LIBERTAD) Act of 1996 (22 U.S.C. 6038) is repealed.*

1 (f) *REPEAL OF REPORTS RELATING TO ENTERTAIN-*
2 *MENT INDUSTRY.*—Section 308 of the Intelligence Author-
3 *ization Act for Fiscal Year 2017 (50 U.S.C. 3332) is*
4 *amended by striking subsection (c).*

5 **SEC. 702. INCREASED TRANSPARENCY REGARDING**
6 **COUNTERTERRORISM BUDGET OF THE**
7 **UNITED STATES.**

8 (a) *FINDINGS.*—Congress finds the following:

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

14 (A) *around the date on which the President*
15 *submits to Congress a budget for a fiscal year*
16 *pursuant to section 1105 of title 31, United*
17 *States Code, the “top-line” amount of total fund-*
18 *ing requested for the National Intelligence Pro-*
19 *gram for such fiscal year; and*

20 (B) *the amount of requested and appro-*
21 *priated funds for the National Intelligence Pro-*
22 *gram and Military Intelligence Program for cer-*
23 *tain prior fiscal years, consistent with the pro-*
24 *tection of intelligence sources and methods.*

1 (2) *The Directorate of Strategic Operational*
2 *Planning of the National Counterterrorism Center is*
3 *responsible for producing an annual National*
4 *Counterterrorism Budget report, which examines the*
5 *alignment of intelligence and other resources in the*
6 *applicable fiscal year budget with the counterter-*
7 *rorism goals and areas of focus in the National Strat-*
8 *egy for Counterterrorism.*

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

11 (1) *despite the difficulty of compiling and releas-*
12 *ing to the public comprehensive information on the*
13 *resource commitments of the United States to counter-*
14 *terrorism activities and programs, including with re-*
15 *spect to such activities and programs of the intel-*
16 *ligence community, the United States Government*
17 *could take additional steps to enhance the under-*
18 *standing of the public with respect to such resource*
19 *commitments, in a manner consistent with the protec-*
20 *tion of intelligence sources and methods and other na-*
21 *tional security interests; and*

22 (2) *the United States Government should release*
23 *to the public as much information as possible regard-*
24 *ing the funding of counterterrorism activities and*
25 *programs, including activities and programs of the*

1 *intelligence community, in a manner consistent with*
2 *the protection of intelligence sources and methods and*
3 *other national security interests.*

4 *(c) BRIEFING ON PUBLIC RELEASE OF INFORMA-*
5 *TION.—*

6 *(1) REQUIREMENT.—Not later than 90 days*
7 *after the date of the enactment of this Act, and not*
8 *later than 90 days after the beginning of each fiscal*
9 *year thereafter, the President shall ensure that the*
10 *congressional intelligence committees receive a brief-*
11 *ing from appropriate personnel of the United States*
12 *Government on the feasibility of releasing to the pub-*
13 *lic additional information relating to counterter-*
14 *rorism efforts of the intelligence community.*

15 *(2) ELEMENTS.—Each briefing required by*
16 *paragraph (1) shall include a discussion of the feasi-*
17 *bility of—*

18 *(A) subject to paragraph (3), releasing to*
19 *the public the National Counterterrorism Budget*
20 *report described in subsection (a)(2) for the prior*
21 *fiscal year; and*

22 *(B) declassifying other reports, documents,*
23 *or activities of the intelligence community relat-*
24 *ing to counterterrorism and releasing such infor-*
25 *mation to the public in a manner consistent*

1 *with the protection of intelligence sources and*
2 *methods and other national security interests.*

3 (3) *RELEASE OF NATIONAL COUNTERTERRORISM*
4 *BUDGET REPORT.—The President may satisfy the re-*
5 *quirement under paragraph (2)(A) during a fiscal*
6 *year by, not later than 90 days after the beginning*
7 *of the fiscal year, releasing to the public the National*
8 *Counterterrorism Budget report (with any redactions*
9 *the Director determines necessary to protect intel-*
10 *ligence sources and methods and other national secu-*
11 *urity interests) for the prior fiscal year.*

12 **SEC. 703. TASK FORCE ON ILLICIT FINANCING OF ESPIO-**
13 **NAGE AND FOREIGN INFLUENCE OPER-**
14 **ATIONS.**

15 (a) *ESTABLISHMENT.—Not later than 30 days after*
16 *the date of the enactment of this Act, the Director of Na-*
17 *tional Intelligence shall establish a task force to study and*
18 *assess the illicit financing of espionage and foreign influ-*
19 *ence operations directed at the United States.*

20 (b) *MEMBERSHIP.—The task force shall be composed*
21 *of the following individuals (or designees of the individual):*

22 (1) *The Director of the Central Intelligence Agen-*
23 *cy.*

24 (2) *The Director of the Federal Bureau of Inves-*
25 *tigation.*

1 (3) *The Assistant Secretary of the Treasury for*
2 *Intelligence and Analysis.*

3 (4) *The Assistant Secretary of State for Intel-*
4 *ligence and Research.*

5 (5) *Such other heads of the elements of the intel-*
6 *ligence community that the Director of National In-*
7 *telligence determines appropriate.*

8 (c) *CHAIRPERSON; MEETINGS.—*

9 (1) *CHAIRPERSON.—The Director of National*
10 *Intelligence shall appoint a senior official within the*
11 *Office of the Director of National Intelligence to serve*
12 *as the chairperson of the task force.*

13 (2) *MEETINGS.—The task force shall meet regu-*
14 *larly but not less frequently than on a quarterly*
15 *basis.*

16 (d) *REPORTS.—*

17 (1) *INITIAL REPORT.—Not later than 180 days*
18 *after the date of the enactment of this Act, the task*
19 *force shall submit to the appropriate congressional*
20 *committees a report on the illicit financing of espio-*
21 *nage and foreign influence operations directed at the*
22 *United States. The report shall address the following:*

23 (A) *The extent of the collection by the intel-*
24 *ligence community, from all sources (including*
25 *the governments of foreign countries), of intel-*

1 *ligence and information relating to illicit financ-*
2 *ing of espionage and foreign influence operations*
3 *directed at the United States, and any gaps in*
4 *such collection.*

5 *(B) Any specific legal, regulatory, policy, or*
6 *other prohibitions, or financial, human, tech-*
7 *nical, or other resource limitations or con-*
8 *straints, that have affected the ability of the Di-*
9 *rector of National Intelligence or other heads of*
10 *relevant elements of the intelligence community*
11 *in collecting or analyzing intelligence or infor-*
12 *mation relating to illicit financing of espionage*
13 *and foreign influence operations directed at the*
14 *United States.*

15 *(C) The methods, as of the date of the re-*
16 *port, by which hostile governments of foreign*
17 *countries or foreign organizations, and any*
18 *groups or persons acting on behalf of or with the*
19 *support of such governments or organizations,*
20 *seek to disguise or obscure relationships between*
21 *such governments, organizations, groups, or per-*
22 *sons and United States persons, for the purpose*
23 *of conducting espionage or foreign influence op-*
24 *erations directed at the United States, including*

1 *by exploiting financial laws, systems, or instru-*
2 *ments, of the United States.*

3 *(D) The existing practices of the intelligence*
4 *community for ensuring that intelligence and in-*
5 *formation relating to the illicit financing of espi-*
6 *onage and foreign influence operations is ana-*
7 *lyzed and shared with other elements of the intel-*
8 *ligence community, and any recommendations*
9 *for improving such analysis and sharing.*

10 *(2) ANNUAL UPDATE.—Not later than November*
11 *1, 2020, and each year thereafter through the date*
12 *specified in subsection (e), the task force shall submit*
13 *to the appropriate congressional committees an up-*
14 *date on the report under paragraph (1).*

15 *(3) FORM.—Each report submitted under this*
16 *subsection may be submitted in classified form, but if*
17 *submitted in such form, shall include an unclassified*
18 *summary.*

19 *(e) TERMINATION.—The task force shall terminate on*
20 *January 1, 2025.*

21 *(f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.—In this section, the term “appropriate congres-*
23 *sional committees” means the following:*

24 *(1) The congressional intelligence committees.*

1 (2) *The Committee on Foreign Affairs and the*
2 *Committee on Financial Services of the House of Rep-*
3 *resentatives.*

4 (3) *The Committee on Foreign Relations and the*
5 *Committee on Banking, Housing, and Urban Affairs*
6 *of the Senate.*

7 **SEC. 704. STUDY ON ROLE OF RETIRED AND FORMER PER-**
8 **SONNEL OF INTELLIGENCE COMMUNITY**
9 **WITH RESPECT TO CERTAIN FOREIGN INTEL-**
10 **LIGENCE OPERATIONS.**

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

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

16 (1) *An identification of, and discussion of the ef-*
17 *fectiveness of, existing laws, policies, procedures, and*
18 *other measures relevant to the ability of elements of*
19 *the intelligence community to prevent former intel-*
20 *ligence personnel from providing covered intelligence*
21 *assistance—*

22 (A) *without proper authorization; or*

23 (B) *in a manner that would violate legal or*
24 *policy controls if the personnel performed such*

1 *assistance while working for the United States*
2 *Government; and*

3 (2) *Make recommendations for such legislative,*
4 *regulatory, policy, or other changes as may be nec-*
5 *essary to ensure that the United States consistently*
6 *meets the objectives described in paragraph (1).*

7 (c) *REPORT AND PLAN.*—*Not later than 90 days after*
8 *the date of the enactment of this Act, the Director shall sub-*
9 *mit to the congressional intelligence committees—*

10 (1) *a report on the findings of the Director with*
11 *respect to each element of the study under subsection*
12 *(a); and*

13 (2) *a plan to implement any recommendations*
14 *made by the Director that the Director may imple-*
15 *ment without changes to Federal law.*

16 (d) *FORM.*—*The report and plan under subsection (c)*
17 *may be submitted in classified form.*

18 (e) *DEFINITIONS.*—*In this section:*

19 (1) *COVERED INTELLIGENCE ASSISTANCE.*—*The*
20 *term “covered intelligence assistance” means assist-*
21 *ance—*

22 (A) *provided by former intelligence per-*
23 *sonnel directly to, or for the benefit of, the gov-*
24 *ernment of a foreign country or indirectly to, or*

1 *for the benefit of, such a government through a*
2 *company or other entity; and*

3 *(B) that relates to intelligence or law en-*
4 *forcement activities of a foreign country, includ-*
5 *ing with respect to operations that involve abuses*
6 *of human rights, violations of the laws of the*
7 *United States, or infringements on the privacy*
8 *rights of United States persons.*

9 (2) *FORMER INTELLIGENCE PERSONNEL.*—*The*
10 *term “former intelligence personnel” means retired or*
11 *former personnel of the intelligence community, in-*
12 *cluding civilian employees of elements of the intel-*
13 *ligence community, members of the Armed Forces,*
14 *and contractors of elements of the intelligence commu-*
15 *nity.*

16 **SEC. 705. REPORT BY DIRECTOR OF NATIONAL INTEL-**
17 **LIGENCE ON FIFTH-GENERATION WIRELESS**
18 **NETWORK TECHNOLOGY.**

19 (a) *REPORT.*—*Not later than 180 days after the date*
20 *of the enactment of this Act, the Director of National Intel-*
21 *ligence shall submit to the congressional intelligence com-*
22 *mittees a report on—*

23 (1) *the threat to the national security of the*
24 *United States posed by the global and regional adop-*
25 *tion of fifth-generation wireless network (in this sec-*

1 *tion referred to as “5G wireless network”) technology*
2 *built by foreign companies; and*

3 *(2) possible efforts to mitigate the threat.*

4 *(b) CONTENTS.—The report under subsection (a) shall*
5 *include—*

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

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

13 *(3) the effect of possible mitigation efforts, in-*
14 *cluding with respect to—*

15 *(A) a policy of the United States Govern-*
16 *ment promoting the use of strong, end-to-end*
17 *encryption for data transmitted over 5G wireless*
18 *networks;*

19 *(B) a policy of the United States Govern-*
20 *ment promoting or funding free, open-source im-*
21 *plementation of 5G wireless network technology;*

22 *(C) subsidies or incentives provided by the*
23 *United States Government that could be used to*
24 *promote the adoption of secure 5G wireless net-*
25 *work technology developed by companies of the*

1 *United States or companies of allies of the*
2 *United States; and*

3 *(D) a strategy by the United States Govern-*
4 *ment to reduce foreign influence and political*
5 *pressure in international standard-setting bodies.*

6 *(c) FORM.—The report submitted under subsection (a)*
7 *shall be submitted in unclassified form, but may include*
8 *a classified annex.*

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

10 *(a) PRIZE COMPETITION.—Pursuant to section 24 of*
11 *the Stevenson-Wydler Technology Innovation Act of 1980*
12 *(15 U.S.C. 3719), the Director of National Intelligence, act-*
13 *ing through the Director of the Intelligence Advanced Re-*
14 *search Projects Agency, shall carry out a program to award*
15 *prizes competitively to stimulate research and development*
16 *relevant to 5G technology.*

17 *(b) PRIZE AMOUNT.—In carrying out the program*
18 *under subsection (a), the Director may award not more*
19 *than a total of \$5,000,000 to one or more winners of the*
20 *prize competition.*

21 *(c) CONSULTATION.—In carrying out the program*
22 *under subsection (a), the Director may consult with the*
23 *heads of relevant departments and agencies of the Federal*
24 *Government.*

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

4 **SEC. 707. ESTABLISHMENT OF DEEPFAKES PRIZE COMPETI-**
5 **TION.**

6 (a) *PRIZE COMPETITION.*—*Pursuant to section 24 of*
7 *the Stevenson-Wydler Technology Innovation Act of 1980*
8 *(15 U.S.C. 3719), the Director of National Intelligence, act-*
9 *ing through the Director of the Intelligence Advanced Re-*
10 *search Projects Agency, shall carry out a program to award*
11 *prizes competitively to stimulate the research, development,*
12 *or commercialization of technologies to automatically detect*
13 *machine-manipulated media.*

14 (b) *PRIZE AMOUNT.*—*In carrying out the program*
15 *under subsection (a), the Director may award not more*
16 *than a total of \$5,000,000 to one or more winners of the*
17 *prize competition.*

18 (c) *CONSULTATION.*—*In carrying out the program*
19 *under subsection (a), the Director may consult with the*
20 *heads of relevant departments and agencies of the Federal*
21 *Government.*

22 (d) *MACHINE-MANIPULATED MEDIA DEFINED.*—*In*
23 *this section, the term “machine-manipulated media” means*
24 *video, image, or audio recordings generated or substantially*
25 *modified using machine-learning techniques in order to*

1 *falsely depict events or to falsely depict the speech or con-*
2 *duct of an individual.*

3 ***DIVISION B—INTELLIGENCE AU-***
4 ***THORIZATIONS FOR FISCAL***
5 ***YEARS 2018 AND 2019***
6 ***TITLE XXI—INTELLIGENCE***
7 ***ACTIVITIES***

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

9 *(a) FISCAL YEAR 2019.—Funds are hereby authorized*
10 *to be appropriated for fiscal year 2019 for the conduct of*
11 *the intelligence and intelligence-related activities of the fol-*
12 *lowing elements of 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.*

17 *(4) The Defense Intelligence Agency.*

18 *(5) The National Security Agency.*

19 *(6) The Department of the Army, the Depart-*
20 *ment of the Navy, and the Department of the Air*
21 *Force.*

22 *(7) The Coast Guard.*

23 *(8) The Department of State.*

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

25 *(10) The Department of Energy.*

1 (11) *The Department of Justice.*

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

3 (13) *The Drug Enforcement Administration.*

4 (14) *The National Reconnaissance Office.*

5 (15) *The National Geospatial-Intelligence Agen-*
6 *cy.*

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

8 (b) *FISCAL YEAR 2018.—Funds that were appro-*
9 *riated for fiscal year 2018 for the conduct of the intel-*
10 *ligence and intelligence-related activities of the elements of*
11 *the United States set forth in subsection (a) are hereby au-*
12 *thorized.*

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

14 (a) *SPECIFICATIONS OF AMOUNTS.—The amounts au-*
15 *thorized to be appropriated under section 2101 for the con-*
16 *duct of the intelligence activities of the elements listed in*
17 *paragraphs (1) through (16) of section 2101, are those speci-*
18 *fied in the classified Schedule of Authorizations prepared*
19 *to accompany this Act.*

20 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
21 *THORIZATIONS.—*

22 (1) *AVAILABILITY.—The classified Schedule of*
23 *Authorizations referred to in subsection (a) shall be*
24 *made available to the Committee on Appropriations*

1 *of the Senate, the Committee on Appropriations of the*
2 *House of Representatives, and to the President.*

3 (2) *DISTRIBUTION BY THE PRESIDENT.*—*Subject*
4 *to paragraph (3), the President shall provide for suit-*
5 *able distribution of the classified Schedule of Author-*
6 *izations referred to in subsection (a), or of appro-*
7 *priate portions of such Schedule, within the executive*
8 *branch.*

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

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

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

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

19 **SEC. 2103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
20 **COUNT.**

21 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
22 *authorized to be appropriated for the Intelligence Commu-*
23 *nity Management Account of the Director of National Intel-*
24 *ligence for fiscal year 2019 the sum of \$522,424,000.*

1 (b) *CLASSIFIED AUTHORIZATION OF APPROPRIA-*
 2 *TIONS.—In addition to amounts authorized to be appro-*
 3 *priated for the Intelligence Community Management Ac-*
 4 *count by subsection (a), there are authorized to be appro-*
 5 *priated for the Intelligence Community Management Ac-*
 6 *count for fiscal year 2019 such additional amounts as are*
 7 *specified in the classified Schedule of Authorizations re-*
 8 *ferred to in section 2102(a).*

9 **TITLE XXII—CENTRAL INTEL-**
 10 **LIGENCE AGENCY RETIRE-**
 11 **MENT AND DISABILITY SYS-**
 12 **TEM**

13 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

14 *There is authorized to be appropriated for the Central*
 15 *Intelligence Agency Retirement and Disability Fund*
 16 *\$514,000,000 for fiscal year 2019.*

17 **SEC. 2202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
 18 **OF THE CENTRAL INTELLIGENCE AGENCY.**

19 (a) *COMPUTATION OF ANNUITIES.—*

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

23 (A) *in subsection (a)(3)(B), by striking the*
 24 *period at the end and inserting “, as determined*
 25 *by using the annual rate of basic pay that would*

1 *be payable for full-time service in that posi-*
2 *tion.”;*

3 *(B) in subsection (b)(1)(C)(i), by striking*
4 *“12-month” and inserting “2-year”;*

5 *(C) in subsection (f)(2), by striking “one*
6 *year” and inserting “two years”;*

7 *(D) in subsection (g)(2), by striking “one*
8 *year” each place such term appears and insert-*
9 *ing “two years”;*

10 *(E) by redesignating subsections (h), (i), (j),*
11 *(k), and (l) as subsections (i), (j), (k), (l), and*
12 *(m), respectively; and*

13 *(F) by inserting after subsection (g) the fol-*
14 *lowing:*

15 *“(h) CONDITIONAL ELECTION OF INSURABLE INTER-*
16 *EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT*
17 *THE TIME OF RETIREMENT.—*

18 *“(1) AUTHORITY TO MAKE DESIGNATION.—Sub-*
19 *ject to the rights of former spouses under subsection*
20 *(b) and section 222, at the time of retirement a mar-*
21 *ried participant found by the Director to be in good*
22 *health may elect to receive an annuity reduced in ac-*
23 *cordance with subsection (f)(1)(B) and designate in*
24 *writing an individual having an insurable interest in*
25 *the participant to receive an annuity under the sys-*

1 *tem after the participant's death, except that any*
2 *such election to provide an insurable interest survivor*
3 *annuity to the participant's spouse shall only be effec-*
4 *tive if the participant's spouse waives the spousal*
5 *right to a survivor annuity under this Act. The*
6 *amount of the annuity shall be equal to 55 percent of*
7 *the participant's reduced annuity.*

8 *“(2) REDUCTION IN PARTICIPANT’S ANNUITY.—*
9 *The annuity payable to the participant making such*
10 *election shall be reduced by 10 percent of an annuity*
11 *computed under subsection (a) and by an additional*
12 *5 percent for each full 5 years the designated indi-*
13 *vidual is younger than the participant. The total re-*
14 *duction under this subparagraph may not exceed 40*
15 *percent.*

16 *“(3) COMMENCEMENT OF SURVIVOR ANNUITY.—*
17 *The annuity payable to the designated individual*
18 *shall begin on the day after the retired participant*
19 *dies and terminate on the last day of the month before*
20 *the designated individual dies.*

21 *“(4) RECOMPUTATION OF PARTICIPANT’S ANNU-*
22 *ITY ON DEATH OF DESIGNATED INDIVIDUAL.—An an-*
23 *nuity that is reduced under this subsection shall, ef-*
24 *fective the first day of the month following the death*

1 of the designated individual, be recomputed and paid
2 as if the annuity had not been so reduced.”.

3 (2) *CONFORMING AMENDMENTS.*—

4 (A) *CENTRAL INTELLIGENCE AGENCY RE-*
5 *TIREMENT ACT.*—*The Central Intelligence Agen-*
6 *cy Retirement Act (50 U.S.C. 2001 et seq.) is*
7 *amended—*

8 (i) *in section 232(b)(1) (50 U.S.C.*
9 *2052(b)(1)), by striking “221(h),” and in-*
10 *serting “221(i),”; and*

11 (ii) *in section 252(h)(4) (50 U.S.C.*
12 *2082(h)(4)), by striking “221(k)” and in-*
13 *serting “221(l)”.*

14 (B) *CENTRAL INTELLIGENCE AGENCY ACT*
15 *OF 1949.*—*Subsection (a) of section 14 of the Cen-*
16 *tral Intelligence Agency Act of 1949 (50 U.S.C.*
17 *3514(a)) is amended by striking “221(h)(2),*
18 *221(i), 221(l),” and inserting “221(i)(2), 221(j),*
19 *221(m),”.*

20 (b) *ANNUITIES FOR FORMER SPOUSES.*—*Subpara-*
21 *graph (B) of section 222(b)(5) of the Central Intelligence*
22 *Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is*
23 *amended by striking “one year” and inserting “two years”.*

24 (c) *PRIOR SERVICE CREDIT.*—*Subparagraph (A) of*
25 *section 252(b)(3) of the Central Intelligence Agency Retire-*

1 *ment Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking*
2 *“October 1, 1990” both places that term appears and insert-*
3 *ing “March 31, 1991”.*

4 *(d) REEMPLOYMENT COMPENSATION.—Section 273 of*
5 *the Central Intelligence Agency Retirement Act (50 U.S.C.*
6 *2113) is amended—*

7 *(1) by redesignating subsections (b) and (c) as*
8 *subsections (c) and (d), respectively; and*

9 *(2) by inserting after subsection (a) the fol-*
10 *lowing:*

11 *“(b) PART-TIME REEMPLOYED ANNUITANTS.—The Di-*
12 *rector shall have the authority to reemploy an annuitant*
13 *on a part-time basis in accordance with section 8344(l) of*
14 *title 5, United States Code.”.*

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

1 **TITLE XXIII—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 *ensation or benefits authorized by law.*

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

22 *Section 113B of the National Security Act of 1947 (50*
23 *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 REQUIR-*
2 *ING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING,*
3 *OR MATHEMATICS.—*

4 “(1) *IN GENERAL.—Notwithstanding part III of*
5 *title 5, United States Code, the head of each element*
6 *of the intelligence community may, for 1 or more cat-*
7 *egories of positions in such element that require ex-*
8 *pertise in science, technology, engineering, or mathe-*
9 *matics—*

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 applica-*
15 *ble.*

16 “(2) *TREATMENT.—The special rate supplements*
17 *resulting from the establishment of higher rates under*
18 *paragraph (1) shall be basic pay for the same or*
19 *similar purposes as those specified in section 5305(j)*
20 *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 may*
5 *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 Code,*
9 *if the Director certifies to the Under Secretary of*
10 *Defense for Intelligence, in consultation with the*
11 *Under Secretary of Defense for Personnel and*
12 *Readiness, that the rate of pay is for positions*
13 *that perform functions that execute the cyber*
14 *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 States*
18 *Code, if the Director certifies to the Secretary of*
19 *Defense, by name, individuals that have ad-*
20 *vanced skills and competencies and that perform*
21 *critical functions that execute the cyber mission*
22 *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 applicable*
7 *law in addition to title 5 of such Code, excluding*
8 *the Fair Labor Standards Act of 1938 (29*
9 *U.S.C. 201 et seq.)) shall also be counted as part*
10 *of aggregate compensation; and*

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

15 *“(3) LIMITATION ON NUMBER OF RECIPIENTS.—*
16 *The number of individuals who receive basic pay es-*
17 *tablished under paragraph (1)(B) may not exceed 100*
18 *at any time.*

19 *“(4) LIMITATION ON USE AS COMPARATIVE REF-*
20 *ERENCE.—Notwithstanding any other provision of*
21 *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)”;* and

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

11 *(A) in paragraph (1), by striking “Not later*
12 *than 90 days after the date of the enactment of*
13 *the Intelligence Authorization Act for Fiscal*
14 *Year 2017” and inserting “Not later than 90*
15 *days after the date of the enactment of the*
16 *Damon Paul Nelson and Matthew Young Pollard*
17 *Intelligence Authorization Act for Fiscal Years*
18 *2018 and 2019”;* and

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

1 **SEC. 2304. MODIFICATION OF APPOINTMENT OF CHIEF IN-**
2 **FORMATION OFFICER OF THE INTELLIGENCE**
3 **COMMUNITY.**

4 *Section 103G(a) of the National Security Act of 1947*
5 *(50 U.S.C. 3032(a)) is amended by striking “President”*
6 *and inserting “Director”.*

7 **SEC. 2305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW**
8 **OF PLACEMENT OF POSITIONS WITHIN THE**
9 **INTELLIGENCE COMMUNITY ON THE EXECU-**
10 **TIVE SCHEDULE.**

11 *(a) REVIEW.—The Director of National Intelligence, in*
12 *coordination with the Director of the Office of Personnel*
13 *Management, shall conduct a review of positions within the*
14 *intelligence community regarding the placement of such po-*
15 *sitions on the Executive Schedule under subchapter II of*
16 *chapter 53 of title 5, United States Code. In carrying out*
17 *such review, the Director of National Intelligence, in coordi-*
18 *nation with the Director of the Office of Personnel Manage-*
19 *ment, shall determine—*

20 *(1) the standards under which such review will*
21 *be conducted;*

22 *(2) which positions should or should not be on*
23 *the Executive Schedule; and*

24 *(3) for those positions that should be on the Ex-*
25 *ecutive Schedule, the level of the Executive Schedule*
26 *at which such positions should be placed.*

1 (b) *REPORT.*—Not later than 60 days after the date
2 on which the review under subsection (a) is completed, the
3 Director of National Intelligence shall submit to the con-
4 gressional intelligence committees, the Committee on Home-
5 land Security and Governmental Affairs of the Senate, and
6 the Committee on Oversight and Reform of the House of
7 Representatives an unredacted report describing the stand-
8 ards by which the review was conducted and the outcome
9 of the review.

10 **SEC. 2306. SUPPLY CHAIN AND COUNTERINTELLIGENCE**

11 **RISK MANAGEMENT TASK FORCE.**

12 (a) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.*—In this section, the term “appropriate congres-
14 sional committees” means the following:

15 (1) *The congressional intelligence committees.*

16 (2) *The Committee on Armed Services and the*
17 *Committee on Homeland Security and Governmental*
18 *Affairs of the Senate.*

19 (3) *The Committee on Armed Services, the Com-*
20 *mittee on Homeland Security, and the Committee on*
21 *Oversight and Reform of the House of Representa-*
22 *tives.*

23 (b) *REQUIREMENT TO ESTABLISH.*—The Director of
24 National Intelligence shall establish a Supply Chain and
25 Counterintelligence Risk Management Task Force to stand-

1 *ardize information sharing between the intelligence commu-*
2 *nity and the acquisition community of the United States*
3 *Government with respect to the supply chain and counter-*
4 *intelligence risks.*

5 *(c) MEMBERS.—The Supply Chain and Counterintel-*
6 *ligence Risk Management Task Force established under sub-*
7 *section (b) shall be composed of—*

8 *(1) a representative of the Defense Security Serv-*
9 *ice of the Department of Defense;*

10 *(2) a representative of the General Services Ad-*
11 *ministration;*

12 *(3) a representative of the Office of Federal Pro-*
13 *curement Policy of the Office of Management and*
14 *Budget;*

15 *(4) a representative of the Department of Home-*
16 *land Security;*

17 *(5) a representative of the Federal Bureau of In-*
18 *vestigation;*

19 *(6) the Director of the National Counterintel-*
20 *ligence and Security Center; and*

21 *(7) any other members the Director of National*
22 *Intelligence determines appropriate.*

23 *(d) SECURITY CLEARANCES.—Each member of the*
24 *Supply Chain and Counterintelligence Risk Management*
25 *Task Force established under subsection (b) shall have a se-*

1 *curity clearance at the top secret level and be able to access*
2 *sensitive compartmented information.*

3 *(e) ANNUAL REPORT.—The Supply Chain and Coun-*
4 *terintelligence Risk Management Task Force established*
5 *under subsection (b) shall submit to the appropriate con-*
6 *gressional committees an annual report that describes the*
7 *activities of the Task Force during the previous year, in-*
8 *cluding identification of the supply chain and counterintel-*
9 *ligence risks shared with the acquisition community of the*
10 *United States Government by the intelligence community.*

11 **SEC. 2307. CONSIDERATION OF ADVERSARIAL TELE-**
12 **COMMUNICATIONS AND CYBERSECURITY IN-**
13 **FRASTRUCTURE WHEN SHARING INTEL-**
14 **LIGENCE WITH FOREIGN GOVERNMENTS AND**
15 **ENTITIES.**

16 *Whenever the head of an element of the intelligence*
17 *community enters into an intelligence sharing agreement*
18 *with a foreign government or any other foreign entity, the*
19 *head of the element shall consider the pervasiveness of tele-*
20 *communications and cybersecurity infrastructure, equip-*
21 *ment, and services provided by adversaries of the United*
22 *States, particularly China and Russia, or entities of such*
23 *adversaries in the country or region of the foreign govern-*
24 *ment or other foreign entity entering into the agreement.*

1 **SEC. 2308. CYBER PROTECTION SUPPORT FOR THE PER-**
2 **SONNEL OF THE INTELLIGENCE COMMUNITY**
3 **IN POSITIONS HIGHLY VULNERABLE TO**
4 **CYBER ATTACK.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *PERSONAL ACCOUNTS.—The term “personal*
7 *accounts” means accounts for online and tele-*
8 *communications services, including telephone, residen-*
9 *tial Internet access, email, text and multimedia mes-*
10 *saging, cloud computing, social media, health care,*
11 *and financial services, used by personnel of the intel-*
12 *ligence community outside of the scope of their em-*
13 *ployment with elements of the intelligence community.*

14 (2) *PERSONAL TECHNOLOGY DEVICES.—The term*
15 *“personal technology devices” means technology de-*
16 *vices used by personnel of the intelligence community*
17 *outside of the scope of their employment with elements*
18 *of the intelligence community, including networks to*
19 *which such devices connect.*

20 (b) *AUTHORITY TO PROVIDE CYBER PROTECTION SUP-*
21 *PORT.—*

22 (1) *IN GENERAL.—Subject to a determination by*
23 *the Director of National Intelligence, the Director*
24 *may provide cyber protection support for the personal*
25 *technology devices and personal accounts of the per-*
26 *sonnel described in paragraph (2).*

1 (2) *AT-RISK PERSONNEL.*—*The personnel de-*
2 *scribed in this paragraph are personnel of the intel-*
3 *ligence community—*

4 (A) *who the Director determines to be high-*
5 *ly vulnerable to cyber attacks and hostile infor-*
6 *mation collection activities because of the posi-*
7 *tions occupied by such personnel in the intel-*
8 *ligence community; and*

9 (B) *whose personal technology devices or*
10 *personal accounts are highly vulnerable to cyber*
11 *attacks and hostile information collection activi-*
12 *ties.*

13 (c) *NATURE OF CYBER PROTECTION SUPPORT.*—*Sub-*
14 *ject to the availability of resources, the cyber protection sup-*
15 *port provided to personnel under subsection (b) may include*
16 *training, advice, assistance, and other services relating to*
17 *cyber attacks and hostile information collection activities.*

18 (d) *LIMITATION ON SUPPORT.*—*Nothing in this section*
19 *shall be construed—*

20 (1) *to encourage personnel of the intelligence*
21 *community to use personal technology devices for offi-*
22 *cial business; or*

23 (2) *to authorize cyber protection support for sen-*
24 *ior intelligence community personnel using personal*

1 *devices, networks, and personal accounts in an official*
2 *capacity.*

3 *(e) REPORT.—Not later than 180 days after the date*
4 *of the enactment of this Act, the Director shall submit to*
5 *the congressional intelligence committees a report on the*
6 *provision of cyber protection support under subsection (b).*
7 *The report shall include—*

8 *(1) a description of the methodology used to*
9 *make the determination under subsection (b)(2); and*

10 *(2) guidance for the use of cyber protection sup-*
11 *port and tracking of support requests for personnel*
12 *receiving cyber protection support under subsection*
13 *(b).*

14 **SEC. 2309. ELIMINATION OF SUNSET OF AUTHORITY RELAT-**
15 **ING TO MANAGEMENT OF SUPPLY-CHAIN**
16 **RISK.**

17 *Section 309 of the Intelligence Authorization Act for*
18 *Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329*
19 *note) is amended by striking subsection (g).*

20 **SEC. 2310. LIMITATIONS ON DETERMINATIONS REGARDING**
21 **CERTAIN SECURITY CLASSIFICATIONS.**

22 *(a) PROHIBITION.—An officer of an element of the in-*
23 *telligence community who has been nominated by the Presi-*
24 *dent for a position that requires the advice and consent of*

1 *the Senate may not make a classification decision with re-*
2 *spect to information related to such officer's nomination.*

3 *(b) CLASSIFICATION DETERMINATIONS.—*

4 *(1) IN GENERAL.—Except as provided in para-*
5 *graph (2), in a case in which an officer described in*
6 *subsection (a) has been nominated as described in*
7 *such subsection and classification authority rests with*
8 *the officer or another officer who reports directly to*
9 *such officer, a classification decision with respect to*
10 *information relating to the officer shall be made by*
11 *the Director of National Intelligence.*

12 *(2) NOMINATIONS OF DIRECTOR OF NATIONAL IN-*
13 *TELLIGENCE.—In a case described in paragraph (1)*
14 *in which the officer nominated is the Director of Na-*
15 *tional Intelligence, the classification decision shall be*
16 *made by the Principal Deputy Director of National*
17 *Intelligence.*

18 *(c) REPORTS.—Whenever the Director or the Principal*
19 *Deputy Director makes a decision under subsection (b), the*
20 *Director or the Principal Deputy Director, as the case may*
21 *be, shall submit to the congressional intelligence committees*
22 *a report detailing the reasons for the decision.*

23 **SEC. 2311. JOINT INTELLIGENCE COMMUNITY COUNCIL.**

24 *(a) MEETINGS.—Section 101A(d) of the National Se-*
25 *curity Act of 1947 (50 U.S.C. 3022(d)) is amended—*

1 (1) *by striking “regular”; and*

2 (2) *by inserting “as the Director considers ap-*
3 *propriate” after “Council”.*

4 ***(b) REPORT ON FUNCTION AND UTILITY OF THE JOINT***
5 ***INTELLIGENCE COMMUNITY COUNCIL.—***

6 (1) *IN GENERAL.—No later than 180 days after*
7 *the date of the enactment of this Act, the Director of*
8 *National Intelligence, in coordination with the Execu-*
9 *tive Office of the President and members of the Joint*
10 *Intelligence Community Council, shall submit to the*
11 *congressional intelligence committees a report on the*
12 *function and utility of the Joint Intelligence Commu-*
13 *nity Council.*

14 (2) *CONTENTS.—The report required by para-*
15 *graph (1) shall include the following:*

16 (A) *The number of physical or virtual meet-*
17 *ings held by the Council per year since the Coun-*
18 *cil’s inception.*

19 (B) *A description of the effect and accom-*
20 *plishments of the Council.*

21 (C) *An explanation of the unique role of the*
22 *Council relative to other entities, including with*
23 *respect to the National Security Council and the*
24 *Executive Committee of the intelligence commu-*
25 *nity.*

1 (D) *Recommendations for the future role*
2 *and operation of the Council.*

3 (E) *Such other matters relating to the func-*
4 *tion and utility of the Council as the Director*
5 *considers appropriate.*

6 (3) *FORM.—The report submitted under para-*
7 *graph (1) shall be submitted in unclassified form, but*
8 *may include a classified annex.*

9 **SEC. 2312. INTELLIGENCE COMMUNITY INFORMATION**
10 **TECHNOLOGY ENVIRONMENT.**

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

12 (1) *CORE SERVICE.—The term “core service”*
13 *means a capability that is available to multiple ele-*
14 *ments of the intelligence community and required for*
15 *consistent operation of the intelligence community in-*
16 *formation technology environment.*

17 (2) *INTELLIGENCE COMMUNITY INFORMATION*
18 *TECHNOLOGY ENVIRONMENT.—The term “intelligence*
19 *community information technology environment”*
20 *means all of the information technology services*
21 *across the intelligence community, including the data*
22 *sharing and protection environment across multiple*
23 *classification domains.*

24 (b) *ROLES AND RESPONSIBILITIES.—*

1 (1) *DIRECTOR OF NATIONAL INTELLIGENCE.*—

2 *The Director of National Intelligence shall be respon-*
3 *sible for coordinating the performance by elements of*
4 *the intelligence community of the intelligence commu-*
5 *nity information technology environment, including*
6 *each of the following:*

7 (A) *Ensuring compliance with all applica-*
8 *ble environment rules and regulations of such en-*
9 *vironment.*

10 (B) *Ensuring measurable performance goals*
11 *exist for such environment.*

12 (C) *Documenting standards and practices of*
13 *such environment.*

14 (D) *Acting as an arbiter among elements of*
15 *the intelligence community related to any dis-*
16 *agreements arising out of the implementation of*
17 *such environment.*

18 (E) *Delegating responsibilities to the ele-*
19 *ments of the intelligence community and car-*
20 *rying out such other responsibilities as are nec-*
21 *essary for the effective implementation of such*
22 *environment.*

23 (2) *CORE SERVICE PROVIDERS.*—*Providers of*
24 *core services shall be responsible for—*

1 (A) *providing core services, in coordination*
2 *with the Director of National Intelligence; and*

3 (B) *providing the Director with informa-*
4 *tion requested and required to fulfill the respon-*
5 *sibilities of the Director under paragraph (1).*

6 (3) *USE OF CORE SERVICES.—*

7 (A) *IN GENERAL.—Except as provided in*
8 *subparagraph (B), each element of the intel-*
9 *ligence community shall use core services when*
10 *such services are available.*

11 (B) *EXCEPTION.—The Director of National*
12 *Intelligence may provide for a written exception*
13 *to the requirement under subparagraph (A) if*
14 *the Director determines there is a compelling fi-*
15 *nancial or mission need for such exception.*

16 (c) *MANAGEMENT ACCOUNTABILITY.—Not later than*
17 *90 days after the date of the enactment of this Act, the Di-*
18 *rector of National Intelligence shall designate and maintain*
19 *one or more accountable executives of the intelligence com-*
20 *munity information technology environment to be respon-*
21 *sible for—*

22 (1) *management, financial control, and integra-*
23 *tion of such environment;*

1 (2) *overseeing the performance of each core serv-*
2 *ice, including establishing measurable service require-*
3 *ments and schedules;*

4 (3) *to the degree feasible, ensuring testing of each*
5 *core service of such environment, including testing by*
6 *the intended users, to evaluate performance against*
7 *measurable service requirements and to ensure the ca-*
8 *pability meets user requirements; and*

9 (4) *coordinate transition or restructuring efforts*
10 *of such environment, including phaseout of legacy sys-*
11 *tems.*

12 (d) *SECURITY PLAN.*—*Not later than 180 days after*
13 *the date of the enactment of this Act, the Director of Na-*
14 *tional Intelligence shall develop and maintain a security*
15 *plan for the intelligence community information technology*
16 *environment.*

17 (e) *LONG-TERM ROADMAP.*—*Not later than 180 days*
18 *after the date of the enactment of this Act, and during each*
19 *of the second and fourth fiscal quarters thereafter, the Direc-*
20 *tor of National Intelligence shall submit to the congressional*
21 *intelligence committees a long-term roadmap that shall in-*
22 *clude each of the following:*

23 (1) *A description of the minimum required and*
24 *desired core service requirements, including—*

25 (A) *key performance parameters; and*

1 (B) an assessment of current, measured per-
2 formance.

3 (2) implementation milestones for the intel-
4 ligence community information technology environ-
5 ment, including each of the following:

6 (A) A schedule for expected deliveries of core
7 service capabilities during each of the following
8 phases:

9 (i) Concept refinement and technology
10 maturity demonstration.

11 (ii) Development, integration, and
12 demonstration.

13 (iii) Production, deployment, and
14 sustainment.

15 (iv) System retirement.

16 (B) Dependencies of such core service capa-
17 bilities.

18 (C) Plans for the transition or restructuring
19 necessary to incorporate core service capabilities.

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

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

24 (f) BUSINESS PLAN.—Not later than 180 days after
25 the date of the enactment of this Act, and during each of

1 *the second and fourth fiscal quarters thereafter, the Director*
2 *of National Intelligence shall submit to the congressional*
3 *intelligence committees a business plan that includes each*
4 *of the following:*

5 (1) *A systematic approach to identify core serv-*
6 *ice funding requests for the intelligence community*
7 *information technology environment within the pro-*
8 *posed budget, including multiyear plans to implement*
9 *the long-term roadmap required by subsection (e).*

10 (2) *A uniform approach by which each element*
11 *of the intelligence community shall identify the cost*
12 *of legacy information technology or alternative capa-*
13 *bilities where services of the intelligence community*
14 *information technology environment will also be*
15 *available.*

16 (3) *A uniform effort by which each element of the*
17 *intelligence community shall identify transition and*
18 *restructuring costs for new, existing, and retiring*
19 *services of the intelligence community information*
20 *technology environment, as well as services of such en-*
21 *vironment that have changed designations as a core*
22 *service.*

23 (g) *QUARTERLY PRESENTATIONS.*—*Beginning not*
24 *later than 180 days after the date of the enactment of this*
25 *Act, the Director of National Intelligence shall provide to*

1 *the congressional intelligence committees quarterly updates*
2 *regarding ongoing implementation of the intelligence com-*
3 *munity information technology environment as compared*
4 *to the requirements in the most recently submitted security*
5 *plan required by subsection (d), long-term roadmap re-*
6 *quired by subsection (e), and business plan required by sub-*
7 *section (f).*

8 (h) *ADDITIONAL NOTIFICATIONS.*—*The Director of Na-*
9 *tional Intelligence shall provide timely notification to the*
10 *congressional intelligence committees regarding any policy*
11 *changes related to or affecting the intelligence community*
12 *information technology environment, new initiatives or*
13 *strategies related to or impacting such environment, and*
14 *changes or deficiencies in the execution of the security plan*
15 *required by subsection (d), long-term roadmap required by*
16 *subsection (e), and business plan required by subsection (f).*

17 (i) *SUNSET.*—*The section shall have no effect on or*
18 *after September 30, 2024.*

19 **SEC. 2313. REPORT ON DEVELOPMENT OF SECURE MOBILE**
20 **VOICE SOLUTION FOR INTELLIGENCE COM-**
21 **MUNITY.**

22 (a) *IN GENERAL.*—*Not later than 180 days after the*
23 *date of the enactment of this Act, the Director of National*
24 *Intelligence, in coordination with the Director of the Cen-*
25 *tral Intelligence Agency and the Director of the National*

1 *Security Agency, shall submit to the congressional intel-*
2 *ligence committees a classified report on the feasibility, de-*
3 *sirability, cost, and required schedule associated with the*
4 *implementation of a secure mobile voice solution for the in-*
5 *telligence community.*

6 (b) *CONTENTS.*—*The report required by subsection (a)*
7 *shall include, at a minimum, the following:*

8 (1) *The benefits and disadvantages of a secure*
9 *mobile voice solution.*

10 (2) *Whether the intelligence community could le-*
11 *verage commercially available technology for classified*
12 *voice communications that operates on commercial*
13 *mobile networks in a secure manner and identifying*
14 *the accompanying security risks to such networks.*

15 (3) *A description of any policies or community*
16 *guidance that would be necessary to govern the poten-*
17 *tial solution, such as a process for determining the*
18 *appropriate use of a secure mobile telephone and any*
19 *limitations associated with such use.*

20 **SEC. 2314. POLICY ON MINIMUM INSIDER THREAT STAND-**
21 **ARDS.**

22 (a) *POLICY REQUIRED.*—*Not later than 60 days after*
23 *the date of the enactment of this Act, the Director of Na-*
24 *tional Intelligence shall establish a policy for minimum in-*
25 *sider threat standards that is consistent with the National*

1 *Insider Threat Policy and Minimum Standards for Execu-*
2 *tive Branch Insider Threat Programs.*

3 (b) *IMPLEMENTATION.*—*Not later than 180 days after*
4 *the date of the enactment of this Act, the head of each ele-*
5 *ment of the intelligence community shall implement the pol-*
6 *icy established under subsection (a).*

7 **SEC. 2315. SUBMISSION OF INTELLIGENCE COMMUNITY**
8 **POLICIES.**

9 (a) *DEFINITIONS.*—*In this section:*

10 (1) *ELECTRONIC REPOSITORY.*—*The term “elec-*
11 *tronic repository” means the electronic distribution*
12 *mechanism, in use as of the date of the enactment of*
13 *this Act, or any successor electronic distribution*
14 *mechanism, by which the Director of National Intel-*
15 *ligence submits to the congressional intelligence com-*
16 *mittees information.*

17 (2) *POLICY.*—*The term “policy”, with respect to*
18 *the intelligence community, includes unclassified or*
19 *classified—*

20 (A) *directives, policy guidance, and policy*
21 *memoranda of the intelligence community;*

22 (B) *executive correspondence of the Director*
23 *of National Intelligence; and*

24 (C) *any equivalent successor policy instru-*
25 *ments.*

1 **(b) SUBMISSION OF POLICIES.—**

2 **(1) CURRENT POLICY.—***Not later than 180 days*
3 *after the date of the enactment of this Act, the Direc-*
4 *tor of National Intelligence shall submit to the con-*
5 *gressional intelligence committees using the electronic*
6 *repository all nonpublicly available policies issued by*
7 *the Director of National Intelligence for the intel-*
8 *ligence community that are in effect as of the date of*
9 *the submission.*

10 **(2) CONTINUOUS UPDATES.—***Not later than 15*
11 *days after the date on which the Director of National*
12 *Intelligence issues, modifies, or rescinds a policy of*
13 *the intelligence community, the Director shall—*

14 **(A)** *notify the congressional intelligence*
15 *committees of such addition, modification, or re-*
16 *moval; and*

17 **(B)** *update the electronic repository with re-*
18 *spect to such addition, modification, or removal.*

19 **SEC. 2316. EXPANSION OF INTELLIGENCE COMMUNITY RE-**
20 **CRUITMENT EFFORTS.**

21 *In order to further increase the diversity of the intel-*
22 *ligence community workforce, not later than 90 days after*
23 *the date of the enactment of this Act, the Director of Na-*
24 *tional Intelligence, in consultation with heads of elements*
25 *of the Intelligence Community, shall create, implement, and*

1 *submit to the congressional intelligence committees a writ-*
2 *ten plan to ensure that rural and underrepresented regions*
3 *are more fully and consistently represented in such ele-*
4 *ments' employment recruitment efforts. Upon receipt of the*
5 *plan, the congressional committees shall have 60 days to*
6 *submit comments to the Director of National Intelligence*
7 *before such plan shall be implemented.*

8 **TITLE XXIV—MATTERS RELAT-**
9 **ING TO ELEMENTS OF THE IN-**
10 **TELLIGENCE COMMUNITY**

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

13 **SEC. 2401. AUTHORITY FOR PROTECTION OF CURRENT AND**
14 **FORMER EMPLOYEES OF THE OFFICE OF THE**
15 **DIRECTOR OF NATIONAL INTELLIGENCE.**

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

1 **SEC. 2402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
2 **FORMATION SHARING ENVIRONMENT.**

3 (a) *INFORMATION SHARING ENVIRONMENT.*—Section
4 1016(b) of the Intelligence Reform and Terrorism Preven-
5 tion Act of 2004 (6 U.S.C. 485(b)) is amended—

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

8 (2) in paragraph (2), by striking “President”
9 both places that term appears and inserting “Director
10 of National Intelligence”.

11 (b) *PROGRAM MANAGER.*—Section 1016(f)(1) of the
12 Intelligence Reform and Terrorism Prevention Act of 2004
13 (6 U.S.C. 485(f)(1)) is amended by striking “The indi-
14 vidual designated as the program manager shall serve as
15 program manager until removed from service or replaced
16 by the President (at the President’s sole discretion).” and
17 inserting “Beginning on the date of the enactment of the
18 Damon Paul Nelson and Matthew Young Pollard Intel-
19 ligence Authorization Act for Fiscal Years 2018, 2019 and
20 2020, each individual designated as the program manager
21 shall be appointed by the Director of National Intel-
22 ligence.”.

23 **SEC. 2403. TECHNICAL MODIFICATION TO THE EXECUTIVE**
24 **SCHEDULE.**

25 Section 5315 of title 5, United States Code, is amended
26 by adding at the end the following:

1 *“Director of the National Counterintelligence and Se-*
 2 *curity Center.”.*

3 **SEC. 2404. CHIEF FINANCIAL OFFICER OF THE INTEL-**
 4 **LIGENCE COMMUNITY.**

5 *Section 103I(a) of the National Security Act of 1947*
 6 *(50 U.S.C. 3034(a)) is amended by adding at the end the*
 7 *following new sentence: “The Chief Financial Officer shall*
 8 *report directly to the Director of National Intelligence.”.*

9 **SEC. 2405. CHIEF INFORMATION OFFICER OF THE INTEL-**
 10 **LIGENCE COMMUNITY.**

11 *Section 103G(a) of the National Security Act of 1947*
 12 *(50 U.S.C. 3032(a)) is amended by adding at the end the*
 13 *following new sentence: “The Chief Information Officer*
 14 *shall report directly to the Director of National Intel-*
 15 *ligence.”.*

16 ***Subtitle B—Central Intelligence***
 17 ***Agency***

18 **SEC. 2411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE**
 19 **FOR PERSONNEL ASSIGNED TO AUSTERE LO-**
 20 **CATIONS.**

21 *Subsection (a) of section 5 of the Central Intelligence*
 22 *Agency Act of 1949 (50 U.S.C. 3506) is amended—*

23 *(1) in paragraph (1), by striking “(50 U.S.C.*
 24 *403–4a).,” and inserting “(50 U.S.C. 403–4a),”;*

1 (2) *in paragraph (6), by striking “and” at the*
2 *end;*

3 (3) *in paragraph (7), by striking the period at*
4 *the end and inserting “; and”; and*

5 (4) *by adding at the end the following new para-*
6 *graph (8):*

7 “(8) *Upon the approval of the Director, provide,*
8 *during any fiscal year, with or without reimburse-*
9 *ment, subsistence to any personnel assigned to an*
10 *overseas location designated by the Agency as an aus-*
11 *tere location.”.*

12 **SEC. 2412. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
13 **ERS’ COMPENSATION PAYMENTS AND OTHER**
14 **PAYMENTS FOR CENTRAL INTELLIGENCE**
15 **AGENCY PERSONNEL.**

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

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

22 “(a) *DEFINITIONS.*—*In this section:*

23 “(1) *COVERED DEPENDENT.*—*The term ‘covered*
24 *dependent’ means a family member (as defined by the*

1 *Director) of a covered employee who, on or after Sep-*
2 *tember 11, 2001—*

3 “(A) *accompanies the covered employee to*
4 *an assigned duty station in a foreign country;*
5 *and*

6 “(B) *becomes injured by reason of a quali-*
7 *fying injury.*

8 “(2) *COVERED EMPLOYEE.—The term ‘covered*
9 *employee’ means an officer or employee of the Central*
10 *Intelligence Agency who, on or after September 11,*
11 *2001, becomes injured by reason of a qualifying in-*
12 *jury.*

13 “(3) *COVERED INDIVIDUAL.—The term ‘covered*
14 *individual’ means an individual who—*

15 “(A)(i) *is detailed to the Central Intel-*
16 *ligence Agency from other agencies of the United*
17 *States Government or from the Armed Forces; or*

18 “(ii) *is affiliated with the Central Intel-*
19 *ligence Agency, as determined by the Director;*
20 *and*

21 “(B) *who, on or after September 11, 2001,*
22 *becomes injured by reason of a qualifying injury.*

23 “(4) *QUALIFYING INJURY.—The term ‘qualifying*
24 *injury’ means the following:*

1 “(A) *With respect to a covered dependent,*
2 *an injury incurred—*

3 “(i) *during a period in which the cov-*
4 *ered dependent is accompanying the covered*
5 *employee to an assigned duty station in a*
6 *foreign country;*

7 “(ii) *in connection with war, insur-*
8 *gency, hostile act, terrorist activity, or other*
9 *incident designated by the Director; and*

10 “(iii) *that was not the result of the*
11 *willful misconduct of the covered dependent.*

12 “(B) *With respect to a covered employee or*
13 *a covered individual, an injury incurred—*

14 “(i) *during a period of assignment to*
15 *a duty station in a foreign country;*

16 “(ii) *in connection with a war, insur-*
17 *gency, hostile act, terrorist activity, or other*
18 *incident designated by the Director; and*

19 “(iii) *that was not the result of the*
20 *willful misconduct of the covered employee*
21 *or the covered individual.*

22 “(b) *ADJUSTMENT OF COMPENSATION FOR CERTAIN*
23 *INJURIES.—*

24 “(1) *INCREASE.—The Director may increase the*
25 *amount of monthly compensation paid to a covered*

1 *employee under section 8105 of title 5, United States*
2 *Code. Subject to paragraph (2), the Director may de-*
3 *termine the amount of each such increase by taking*
4 *into account—*

5 *“(A) the severity of the qualifying injury;*

6 *“(B) the circumstances by which the covered*
7 *employee became injured; and*

8 *“(C) the seniority of the covered employee.*

9 *“(2) MAXIMUM.—Notwithstanding chapter 81 of*
10 *title 5, United States Code, the total amount of*
11 *monthly compensation increased under paragraph (1)*
12 *may not exceed the monthly pay of the maximum rate*
13 *of basic pay for GS–15 of the General Schedule under*
14 *section 5332 of such title.*

15 *“(c) COSTS FOR TREATING QUALIFYING INJURIES.—*
16 *The Director may pay the costs of treating a qualifying*
17 *injury of a covered employee, a covered individual, or a*
18 *covered dependent, or may reimburse a covered employee,*
19 *a covered individual, or a covered dependent for such costs,*
20 *that are not otherwise covered by chapter 81 of title 5,*
21 *United States Code, or other provision of Federal law.*

22 *“(d) TREATMENT OF AMOUNTS.—For purposes of sec-*
23 *tion 104 of the Internal Revenue Code of 1986, amounts*
24 *paid pursuant to this section shall be treated as amounts*
25 *paid under chapter 81 of title 5, United States Code.”.*

1 (b) *REGULATIONS.*—Not later than 120 days after the
2 date of the enactment of this Act, the Director of the Central
3 Intelligence Agency shall—

4 (1) *prescribe regulations ensuring the fair and*
5 *equitable implementation of section 19A of the Cen-*
6 *tral Intelligence Agency Act of 1949, as added by sub-*
7 *section (a); and*

8 (2) *submit to the congressional intelligence com-*
9 *mittees such regulations.*

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

13 (1) *payments made to covered employees (as de-*
14 *fin ed in such section) under section 8105 of title 5,*
15 *United States Code, beginning on or after the date of*
16 *the enactment of this Act; and*

17 (2) *treatment described in subsection (b) of such*
18 *section 19A occurring on or after the date of the en-*
19 *actment of this Act.*

20 **SEC. 2413. EXPANSION OF SECURITY PROTECTIVE SERVICE**

21 **JURISDICTION OF THE CENTRAL INTEL-**
22 **LIGENCE AGENCY.**

23 Subsection (a)(1) of section 15 of the Central Intel-
24 ligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amend-
25 ed—

1 (1) *in subparagraph (B), by striking “500 feet;”*
2 *and inserting “500 yards;”; and*

3 (2) *in subparagraph (D), by striking “500 feet.”*
4 *and inserting “500 yards.”.*

5 **SEC. 2414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
6 **REQUIREMENT FOR CERTAIN SENIOR LEVEL**
7 **POSITIONS IN THE CENTRAL INTELLIGENCE**
8 **AGENCY.**

9 (a) *REPEAL OF FOREIGN LANGUAGE PROFICIENCY*
10 *REQUIREMENT.—Section 104A of the National Security Act*
11 *of 1947 (50 U.S.C. 3036) is amended by striking subsection*
12 *(g).*

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

17 **Subtitle C—Office of Intelligence**
18 **and Counterintelligence of De-**
19 **partment of Energy**

20 **SEC. 2421. CONSOLIDATION OF DEPARTMENT OF ENERGY**
21 **OFFICES OF INTELLIGENCE AND COUNTER-**
22 **INTELLIGENCE.**

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

1 “OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

2 “SEC. 215. (a) DEFINITIONS.—In this section, the
3 terms ‘intelligence community’ and ‘National Intelligence
4 Program’ have the meanings given such terms in section
5 3 of the National Security Act of 1947 (50 U.S.C. 3003).

6 “(b) IN GENERAL.—There is in the Department an Of-
7 fice of Intelligence and Counterintelligence. Such office shall
8 be under the National Intelligence Program.

9 “(c) DIRECTOR.—(1) The head of the Office shall be
10 the Director of the Office of Intelligence and Counterintel-
11 ligence, who shall be an employee in the Senior Executive
12 Service, the Senior Intelligence Service, the Senior National
13 Intelligence Service, or any other Service that the Secretary,
14 in coordination with the Director of National Intelligence,
15 considers appropriate. The Director of the Office shall re-
16 port directly to the Secretary.

17 “(2) The Secretary shall select an individual to serve
18 as the Director from among individuals who have substan-
19 tial expertise in matters relating to the intelligence commu-
20 nity, including foreign intelligence and counterintelligence.

21 “(d) DUTIES.—(1) Subject to the authority, direction,
22 and control of the Secretary, the Director shall perform such
23 duties and exercise such powers as the Secretary may pre-
24 scribe.

1 “(2) *The Director shall be responsible for establishing*
2 *policy for intelligence and counterintelligence programs and*
3 *activities at the Department.*”.

4 **(b) CONFORMING REPEAL.**—*Section 216 of the Depart-*
5 *ment of Energy Organization Act (42 U.S.C. 7144c) is here-*
6 *by repealed.*

7 **(c) CLERICAL AMENDMENT.**—*The table of contents at*
8 *the beginning of the Department of Energy Organization*
9 *Act is amended by striking the items relating to sections*
10 *215 and 216 and inserting the following new item:*

 “*Sec. 215. Office of Intelligence and Counterintelligence.*”.

11 **SEC. 2422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE**
12 **SECURITY CENTER.**

13 *Section 215 of the Department of Energy Organization*
14 *Act (42 U.S.C. 7144b), as amended by section 2421, is fur-*
15 *ther amended by adding at the end the following:*

16 **“(e) ENERGY INFRASTRUCTURE SECURITY CENTER.**—
17 *(1)(A) The President shall establish an Energy Infrastruc-*
18 *ture Security Center, taking into account all appropriate*
19 *government tools to analyze and disseminate intelligence re-*
20 *lating to the security of the energy infrastructure of the*
21 *United States.*

22 **“(B) The Director of Intelligence and Counterintel-**
23 *ligence shall appoint the head of the Energy Infrastructure*
24 *Security Center.*

1 “(C) *The Energy Infrastructure Security Center shall*
2 *be located within the Office of Intelligence and Counterintel-*
3 *ligence.*

4 “(2) *In establishing the Energy Infrastructure Secu-*
5 *rity Center, the Director of the Office of Intelligence and*
6 *Counterintelligence shall address the following missions and*
7 *objectives to coordinate and disseminate intelligence relat-*
8 *ing to the security of the energy infrastructure of the United*
9 *States:*

10 “(A) *Establishing a primary organization with-*
11 *in the United States Government for analyzing and*
12 *integrating all intelligence possessed or acquired by*
13 *the United States pertaining to the security of the en-*
14 *ergy infrastructure of the United States.*

15 “(B) *Ensuring that appropriate departments*
16 *and agencies have full access to and receive intel-*
17 *ligence support needed to execute the plans or activi-*
18 *ties of the agencies, and perform independent, alter-*
19 *native analyses.*

20 “(C) *Establishing a central repository on known*
21 *and suspected foreign threats to the energy infrastruc-*
22 *ture of the United States, including with respect to*
23 *any individuals, groups, or entities engaged in activi-*
24 *ties targeting such infrastructure, and the goals, strat-*

1 *egies, capabilities, and networks of such individuals,*
2 *groups, or entities.*

3 *“(D) Disseminating intelligence information re-*
4 *lating to the security of the energy infrastructure of*
5 *the United States, including threats and analyses, to*
6 *the President, to the appropriate departments and*
7 *agencies, and to the appropriate committees of Con-*
8 *gress.*

9 *“(3) The President may waive the requirements of this*
10 *subsection, and any parts thereof, if the President deter-*
11 *mines that such requirements do not materially improve the*
12 *ability of the United States Government to prevent and halt*
13 *attacks against the energy infrastructure of the United*
14 *States. Such waiver shall be made in writing to Congress*
15 *and shall include a description of how the missions and*
16 *objectives in paragraph (2) are being met.*

17 *“(4) If the President decides not to exercise the waiver*
18 *authority granted by paragraph (3), the President shall*
19 *submit to Congress from time to time updates and plans*
20 *regarding the establishment of an Energy Infrastructure Se-*
21 *curity Center.”.*

1 **SEC. 2423. REPEAL OF DEPARTMENT OF ENERGY INTEL-**
2 **LIGENCE EXECUTIVE COMMITTEE AND BUDG-**
3 **ET REPORTING REQUIREMENT.**

4 *Section 214 of the Department of Energy Organization*
5 *Act (42 U.S.C. 7144a) is amended—*

6 *(1) by striking “(a)”;* and

7 *(2) by striking subsections (b) and (c).*

8 ***Subtitle D—Other Elements***

9 **SEC. 2431. PLAN FOR DESIGNATION OF COUNTERINTEL-**
10 **LIGENCE COMPONENT OF DEFENSE SECU-**
11 **RITY SERVICE AS AN ELEMENT OF INTEL-**
12 **LIGENCE COMMUNITY.**

13 *Not later than 90 days after the date of the enactment*
14 *of this Act, the Director of National Intelligence and Under*
15 *Secretary of Defense for Intelligence, in coordination with*
16 *the Director of the National Counterintelligence and Secu-*
17 *rity Center, shall submit to the congressional intelligence*
18 *committees, the Committee on Armed Services of the Senate,*
19 *and the Committee on Armed Services of the House of Rep-*
20 *resentatives a plan to designate the counterintelligence com-*
21 *ponent of the Defense Security Service of the Department*
22 *of Defense as an element of the intelligence community by*
23 *not later than January 1, 2020. Such plan shall—*

24 *(1) address the implications of such designation*
25 *on the authorities, governance, personnel, resources,*
26 *information technology, collection, analytic products,*

1 *information sharing, and business processes of the De-*
2 *fense Security Service and the intelligence commu-*
3 *nity; and*

4 *(2) not address the personnel security functions*
5 *of the Defense Security Service.*

6 **SEC. 2432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.**

7 *Section 3553 of title 44, United States Code, is amend-*
8 *ed—*

9 *(1) by redesignating subsection (j) as subsection*
10 *(k); and*

11 *(2) by inserting after subsection (i) the following:*

12 *“(j) RULE OF CONSTRUCTION.—Nothing in this sec-*
13 *tion shall be construed to require the Secretary to provide*
14 *notice to any private entity before the Secretary issues a*
15 *binding operational directive under subsection (b)(2).”.*

16 **SEC. 2433. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
17 **TIONAL RECONNAISSANCE OFFICE.**

18 *(a) ESTABLISHMENT.—Section 106A of the National*
19 *Security Act of 1947 (50 U.S.C. 3041a) is amended by add-*
20 *ing at the end the following new subsection:*

21 *“(d) ADVISORY BOARD.—*

22 *“(1) ESTABLISHMENT.—There is established in*
23 *the National Reconnaissance Office an advisory board*
24 *(in this section referred to as the ‘Board’).*

25 *“(2) DUTIES.—The Board shall—*

1 “(A) *study matters relating to the mission*
2 *of the National Reconnaissance Office, including*
3 *with respect to promoting innovation, competi-*
4 *tion, and resilience in space, overhead reconnais-*
5 *sance, acquisition, and other matters; and*

6 “(B) *advise and report directly to the Di-*
7 *rector with respect to such matters.*

8 “(3) *MEMBERS.—*

9 “(A) *NUMBER AND APPOINTMENT.—*

10 “(i) *IN GENERAL.—The Board shall be*
11 *composed of 5 members appointed by the*
12 *Director from among individuals with dem-*
13 *onstrated academic, government, business,*
14 *or other expertise relevant to the mission*
15 *and functions of the National Reconnaiss-*
16 *sance Office.*

17 “(ii) *NOTIFICATION.—Not later than*
18 *30 days after the date on which the Director*
19 *appoints a member to the Board, the Direc-*
20 *tor shall notify the congressional intel-*
21 *ligence committees and the congressional de-*
22 *fense committees (as defined in section*
23 *101(a) of title 10, United States Code) of*
24 *such appointment.*

1 “(B) *TERMS.*—*Each member shall be ap-*
2 *pointed for a term of 2 years. Except as provided*
3 *by subparagraph (C), a member may not serve*
4 *more than 3 terms.*

5 “(C) *VACANCY.*—*Any member appointed to*
6 *fill a vacancy occurring before the expiration of*
7 *the term for which the member’s predecessor was*
8 *appointed shall be appointed only for the re-*
9 *mainder of that term. A member may serve after*
10 *the expiration of that member’s term until a suc-*
11 *cessor has taken office.*

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

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

20 “(F) *EXECUTIVE SECRETARY.*—*The Direc-*
21 *tor may appoint an executive secretary, who*
22 *shall be an employee of the National Reconnaiss-*
23 *sance Office, to support the Board.*

1 *enactment of this Act, the Under Secretary of Homeland*
2 *Security for Intelligence and Analysis shall identify, in*
3 *consultation with the Commissioner of U.S. Customs and*
4 *Border Protection, the Administrator of the Transportation*
5 *Security Administration, the Director of U.S. Immigration*
6 *and Customs Enforcement, and the heads of such other ele-*
7 *ments of the Department of Homeland Security as the*
8 *Under Secretary considers appropriate, opportunities for*
9 *collocation of officers of the Office of Intelligence and Anal-*
10 *ysis in the field outside of the greater Washington, District*
11 *of Columbia, area in order to support operational units*
12 *from U.S. Customs and Border Protection, the Transpor-*
13 *tation Security Administration, U.S. Immigration and*
14 *Customs Enforcement, and other elements of the Depart-*
15 *ment of Homeland Security.*

16 **(b) PLAN FOR COLLOCATION.**—*Not later than 120 days*
17 *after the date of the enactment of this Act, the Under Sec-*
18 *retary shall submit to the congressional intelligence com-*
19 *mittees a report that includes a plan for collocation as de-*
20 *scribed in subsection (a).*

21 **TITLE XXV—ELECTION MATTERS**

22 **SEC. 2501. REPORT ON CYBER ATTACKS BY FOREIGN GOV-** 23 **ERNMENTS AGAINST UNITED STATES ELEC-** 24 **TION INFRASTRUCTURE.**

25 **(a) DEFINITIONS.**—*In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.—The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the congressional intelligence commit-*
5 *tees;*

6 (B) *the Committee on Homeland Security*
7 *and Governmental Affairs of the Senate;*

8 (C) *the Committee on Homeland Security of*
9 *the House of Representatives;*

10 (D) *the Committee on Foreign Relations of*
11 *the Senate; and*

12 (E) *the Committee on Foreign Affairs of the*
13 *House of Representatives.*

14 (2) *CONGRESSIONAL LEADERSHIP.—The term*
15 *“congressional leadership” includes the following:*

16 (A) *The majority leader of the Senate.*

17 (B) *The minority leader of the Senate.*

18 (C) *The Speaker of the House of Represent-*
19 *atives.*

20 (D) *The minority leader of the House of*
21 *Representatives.*

22 (3) *STATE.—The term “State” means any State*
23 *of the United States, the District of Columbia, the*
24 *Commonwealth of Puerto Rico, and any territory or*
25 *possession of the United States.*

1 **(b) REPORT REQUIRED.**—*Not later than 60 days after*
2 *the date of the enactment of this Act, the Under Secretary*
3 *of Homeland Security for Intelligence and Analysis shall*
4 *submit to congressional leadership and the appropriate con-*
5 *gressional committees a report on cyber attacks and at-*
6 *tempted cyber attacks by foreign governments on United*
7 *States election infrastructure in States and localities in*
8 *connection with the 2016 Presidential election in the United*
9 *States and such cyber attacks or attempted cyber attacks*
10 *as the Under Secretary anticipates against such infrastruc-*
11 *ture. Such report shall identify the States and localities af-*
12 *ected and shall include cyber attacks and attempted cyber*
13 *attacks against voter registration databases, voting ma-*
14 *chines, voting-related computer networks, and the networks*
15 *of Secretaries of State and other election officials of the var-*
16 *ious States.*

17 **(c) FORM.**—*The report submitted under subsection (b)*
18 *shall be submitted in unclassified form, but may include*
19 *a classified annex.*

1 **SEC. 2502. REVIEW OF INTELLIGENCE COMMUNITY'S POS-**
2 **TURE TO COLLECT AGAINST AND ANALYZE**
3 **RUSSIAN EFFORTS TO INFLUENCE THE PRES-**
4 **IDENTIAL ELECTION.**

5 (a) *REVIEW REQUIRED.*—Not later than 1 year after
6 the date of the enactment of this Act, the Director of Na-
7 tional Intelligence shall—

8 (1) *complete an after action review of the posture*
9 *of the intelligence community to collect against and*
10 *analyze efforts of the Government of Russia to inter-*
11 *fere in the 2016 Presidential election in the United*
12 *States; and*

13 (2) *submit to the congressional intelligence com-*
14 *mittees a report on the findings of the Director with*
15 *respect to such review.*

16 (b) *ELEMENTS.*—The review required by subsection (a)
17 shall include, with respect to the posture and efforts de-
18 scribed in paragraph (1) of such subsection, the following:

19 (1) *An assessment of whether the resources of the*
20 *intelligence community were properly aligned to de-*
21 *tect and respond to the efforts described in subsection*
22 *(a)(1).*

23 (2) *An assessment of the information sharing*
24 *that occurred within elements of the intelligence com-*
25 *munity.*

1 (3) *An assessment of the information sharing*
2 *that occurred between elements of the intelligence com-*
3 *munity.*

4 (4) *An assessment of applicable authorities nec-*
5 *essary to collect on any such efforts and any defi-*
6 *ciencies in those authorities.*

7 (5) *A review of the use of open source material*
8 *to inform analysis and warning of such efforts.*

9 (6) *A review of the use of alternative and pre-*
10 *dictive analysis.*

11 (c) *FORM OF REPORT.*—*The report required by sub-*
12 *section (a)(2) shall be submitted to the congressional intel-*
13 *ligence committees in a classified form.*

14 **SEC. 2503. ASSESSMENT OF FOREIGN INTELLIGENCE**
15 **THREATS TO FEDERAL ELECTIONS.**

16 (a) *DEFINITIONS.*—*In this section:*

17 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.*—*The term “appropriate congressional commit-*
19 *tees” means—*

20 (A) *the congressional intelligence commit-*
21 *tees;*

22 (B) *the Committee on Homeland Security*
23 *and Governmental Affairs of the Senate; and*

24 (C) *the Committee on Homeland Security of*
25 *the House of Representatives.*

1 (2) *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 Represent-*
6 *atives.*

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

9 (3) *SECURITY VULNERABILITY.*—*The term “secu-*
10 *urity vulnerability” has the meaning given such term*
11 *in section 102 of the Cybersecurity Information Shar-*
12 *ing Act of 2015 (6 U.S.C. 1501).*

13 (b) *IN GENERAL.*—*The Director of National Intel-*
14 *ligence, in coordination with the Director of the Central In-*
15 *telligence Agency, the Director of the National Security*
16 *Agency, the Director of the Federal Bureau of Investigation,*
17 *the Secretary of Homeland Security, and the heads of other*
18 *relevant elements of the intelligence community, shall—*

19 (1) *commence not later than 1 year before any*
20 *regularly scheduled Federal election occurring after*
21 *December 31, 2018, and complete not later than 180*
22 *days before such election, an assessment of security*
23 *vulnerabilities of State election systems; and*

24 (2) *not later than 180 days before any regularly*
25 *scheduled Federal election occurring after December*

1 31, 2018, submit a report on such security
2 vulnerabilities and an assessment of foreign intel-
3 ligence threats to the election to—

4 (A) congressional leadership; and

5 (B) the appropriate congressional commit-
6 tees.

7 (c) *UPDATE.*—Not later than 90 days before any regu-
8 larly scheduled Federal election occurring after December
9 31, 2018, the Director of National Intelligence shall—

10 (1) update the assessment of foreign intelligence
11 threats to that election; and

12 (2) submit the updated assessment to—

13 (A) congressional leadership; and

14 (B) the appropriate congressional commit-
15 tees.

16 **SEC. 2504. STRATEGY FOR COUNTERING RUSSIAN CYBER**
17 **THREATS TO UNITED STATES ELECTIONS.**

18 (a) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
19 *FINED.*—In this section, the term “appropriate congres-
20 sional committees” means the following:

21 (1) The congressional intelligence committees.

22 (2) The Committee on Armed Services and the
23 Committee on Homeland Security and Governmental
24 Affairs of the Senate.

1 (3) *The Committee on Armed Services and the*
2 *Committee on Homeland Security of the House of*
3 *Representatives.*

4 (4) *The Committee on Foreign Relations of the*
5 *Senate.*

6 (5) *The Committee on Foreign Affairs of the*
7 *House of Representatives.*

8 (b) *REQUIREMENT FOR A STRATEGY.*—*Not later than*
9 *90 days after the date of the enactment of this Act, the Di-*
10 *rector of National Intelligence, in coordination with the*
11 *Secretary of Homeland Security, the Director of the Federal*
12 *Bureau of Investigation, the Director of the Central Intel-*
13 *ligence Agency, the Secretary of State, the Secretary of De-*
14 *fense, and the Secretary of the Treasury, shall develop a*
15 *whole-of-government strategy for countering the threat of*
16 *Russian cyber attacks and attempted cyber attacks against*
17 *electoral systems and processes in the United States, includ-*
18 *ing Federal, State, and local election systems, voter reg-*
19 *istration databases, voting tabulation equipment, and*
20 *equipment and processes for the secure transmission of elec-*
21 *tion results.*

22 (c) *ELEMENTS OF THE STRATEGY.*—*The strategy re-*
23 *quired by subsection (b) shall include the following elements:*

24 (1) *A whole-of-government approach to pro-*
25 *tecting United States electoral systems and processes*

1 *that includes the agencies and departments indicated*
2 *in subsection (b) as well as any other agencies and*
3 *departments of the United States, as determined ap-*
4 *propriate by the Director of National Intelligence and*
5 *the Secretary of Homeland Security.*

6 *(2) Input solicited from Secretaries of State of*
7 *the various States and the chief election officials of*
8 *the States.*

9 *(3) Technical security measures, including*
10 *auditable paper trails for voting machines, securing*
11 *wireless and Internet connections, and other technical*
12 *safeguards.*

13 *(4) Detection of cyber threats, including attacks*
14 *and attempted attacks by Russian government or*
15 *nongovernment cyber threat actors.*

16 *(5) Improvements in the identification and attri-*
17 *bution of Russian government or nongovernment*
18 *cyber threat actors.*

19 *(6) Deterrence, including actions and measures*
20 *that could or should be undertaken against or commu-*
21 *nicated to the Government of Russia or other entities*
22 *to deter attacks against, or interference with, United*
23 *States election systems and processes.*

24 *(7) Improvements in Federal Government com-*
25 *munications with State and local election officials.*

1 (8) *Public education and communication efforts.*

2 (9) *Benchmarks and milestones to enable the*
3 *measurement of concrete steps taken and progress*
4 *made in the implementation of the strategy.*

5 (d) *CONGRESSIONAL BRIEFING.*—*Not later than 90*
6 *days after the date of the enactment of this Act, the Director*
7 *of National Intelligence and the Secretary of Homeland Se-*
8 *curity shall jointly brief the appropriate congressional com-*
9 *mittees on the strategy developed under subsection (b).*

10 **SEC. 2505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
11 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
12 **ELECTIONS AND REFERENDA.**

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

19 (b) *ASSESSMENT REQUIRED.*—*Not later than 60 days*
20 *after the date of the enactment of this Act, the Director of*
21 *National Intelligence shall submit to the congressional intel-*
22 *ligence committees a report containing an analytical assess-*
23 *ment of the most significant Russian influence campaigns,*
24 *if any, conducted during the 3-year period preceding the*
25 *date of the enactment of this Act, as well as the most signifi-*

1 cant current or planned such Russian influence campaigns,
2 if any. Such assessment shall include—

3 (1) a summary of such significant Russian in-
4 fluence campaigns, including, at a minimum, the spe-
5 cific means by which such campaigns were conducted,
6 are being conducted, or likely will be conducted, as
7 appropriate, and the specific goal of each such cam-
8 paign;

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

12 (3) a summary of any relevant activities by ele-
13 ments of the intelligence community undertaken for
14 the purpose of assisting the government of such for-
15 eign state in defending against or responding to such
16 Russian influence campaigns; and

17 (4) an assessment of the effectiveness of such de-
18 fenses and responses described in paragraphs (2) and
19 (3).

20 (c) *FORM.*—The report required by subsection (b) may
21 be submitted in classified form, but if so submitted, shall
22 contain an unclassified summary.

1 **SEC. 2506. INFORMATION SHARING WITH STATE ELECTION**
2 **OFFICIALS.**

3 (a) *STATE DEFINED.*—*In this section, the term*
4 *“State” means any State of the United States, the District*
5 *of Columbia, the Commonwealth of Puerto Rico, and any*
6 *territory or possession of the United States.*

7 (b) *SECURITY CLEARANCES.*—

8 (1) *IN GENERAL.*—*Not later than 30 days after*
9 *the date of the enactment of this Act, the Director of*
10 *National Intelligence shall support the Under Sec-*
11 *retary of Homeland Security for Intelligence and*
12 *Analysis, and any other official of the Department of*
13 *Homeland Security designated by the Secretary of*
14 *Homeland Security, in sponsoring a security clear-*
15 *ance up to the top secret level for each eligible chief*
16 *election official of a State or the District of Columbia,*
17 *and additional eligible designees of such election offi-*
18 *cial as appropriate, at the time that such election of-*
19 *ficial assumes such position.*

20 (2) *INTERIM CLEARANCES.*—*Consistent with ap-*
21 *plicable policies and directives, the Director of Na-*
22 *tional Intelligence may issue interim clearances, for*
23 *a period to be determined by the Director, to a chief*
24 *election official as described in paragraph (1) and up*
25 *to 1 designee of such official under such paragraph.*

26 (c) *INFORMATION SHARING.*—

1 (1) *IN GENERAL.*—*The Director of National In-*
2 *telligence shall assist the Under Secretary of Home-*
3 *land Security for Intelligence and Analysis and the*
4 *Under Secretary responsible for overseeing critical in-*
5 *frastructure protection, cybersecurity, and other re-*
6 *lated programs of the Department (as specified in sec-*
7 *tion 103(a)(1)(H) of the Homeland Security Act of*
8 *2002 (6 U.S.C. 113(a)(1)(H))) with sharing any ap-*
9 *propriate classified information related to threats to*
10 *election systems and to the integrity of the election*
11 *process with chief election officials and such designees*
12 *who have received a security clearance under sub-*
13 *section (b).*

14 (2) *COORDINATION.*—*The Under Secretary of*
15 *Homeland Security for Intelligence and Analysis*
16 *shall coordinate with the Director of National Intel-*
17 *ligence and the Under Secretary responsible for over-*
18 *seeing critical infrastructure protection, cybersecurity,*
19 *and other related programs of the Department (as*
20 *specified in section 103(a)(1)(H) of the Homeland Se-*
21 *curity Act of 2002 (6 U.S.C. 113(a)(1)(H))) to facili-*
22 *tate the sharing of information to the affected Secre-*
23 *taries of State or States.*

1 **SEC. 2507. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER**
2 **INTRUSIONS AND ACTIVE MEASURES CAM-**
3 **PAIGNS DIRECTED AT ELECTIONS FOR FED-**
4 **ERAL OFFICES.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *ACTIVE MEASURES CAMPAIGN.—The term*
7 *“active measures campaign” means a foreign semi-*
8 *covert or covert intelligence operation.*

9 (2) *CANDIDATE, ELECTION, AND POLITICAL*
10 *PARTY.—The terms “candidate”, “election”, and “po-*
11 *litical party” have the meanings given those terms in*
12 *section 301 of the Federal Election Campaign Act of*
13 *1971 (52 U.S.C. 30101).*

14 (3) *CONGRESSIONAL LEADERSHIP.—The term*
15 *“congressional leadership” includes the following:*

16 (A) *The majority leader of the Senate.*

17 (B) *The minority leader of the Senate.*

18 (C) *The Speaker of the House of Represent-*
19 *atives.*

20 (D) *The minority leader of the House of*
21 *Representatives.*

22 (4) *CYBER INTRUSION.—The term “cyber intru-*
23 *sion” means an electronic occurrence that actually or*
24 *imminently jeopardizes, without lawful authority,*
25 *electronic election infrastructure, or the integrity,*

1 *confidentiality, or availability of information within*
2 *such infrastructure.*

3 (5) *ELECTRONIC ELECTION INFRASTRUCTURE.*—
4 *The term “electronic election infrastructure” means*
5 *an electronic information system of any of the fol-*
6 *lowing that is related to an election for Federal office:*

7 (A) *The Federal Government.*

8 (B) *A State or local government.*

9 (C) *A political party.*

10 (D) *The election campaign of a candidate.*

11 (6) *FEDERAL OFFICE.*—*The term “Federal of-*
12 *fice” has the meaning given that term in section 301*
13 *of the Federal Election Campaign Act of 1971 (52*
14 *U.S.C. 30101).*

15 (7) *HIGH CONFIDENCE.*—*The term “high con-*
16 *fidence”, with respect to a determination, means that*
17 *the determination is based on high-quality informa-*
18 *tion from multiple sources.*

19 (8) *MODERATE CONFIDENCE.*—*The term “mod-*
20 *erate confidence”, with respect to a determination,*
21 *means that a determination is credibly sourced and*
22 *plausible but not of sufficient quality or corroborated*
23 *sufficiently to warrant a higher level of confidence.*

1 (9) *OTHER APPROPRIATE CONGRESSIONAL COM-*
2 *MITTEES.*—*The term “other appropriate congressional*
3 *committees” means—*

4 (A) *the Committee on Armed Services, the*
5 *Committee on Homeland Security and Govern-*
6 *mental Affairs, and the Committee on Appro-*
7 *priations of the Senate; and*

8 (B) *the Committee on Armed Services, the*
9 *Committee on Homeland Security, and the Com-*
10 *mittee on Appropriations of the House of Rep-*
11 *resentatives.*

12 (b) *DETERMINATIONS OF SIGNIFICANT FOREIGN*
13 *CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS.*—
14 *The Director of National Intelligence, the Director of the*
15 *Federal Bureau of Investigation, and the Secretary of*
16 *Homeland Security shall jointly carry out subsection (c)*
17 *if such Directors and the Secretary jointly determine—*

18 (1) *that on or after the date of the enactment of*
19 *this Act, a significant foreign cyber intrusion or ac-*
20 *tive measures campaign intended to influence an up-*
21 *coming election for any Federal office has occurred or*
22 *is occurring; and*

23 (2) *with moderate or high confidence, that such*
24 *intrusion or campaign can be attributed to a foreign*

1 *state or to a foreign nonstate person, group, or other*
2 *entity.*

3 *(c) BRIEFING.—*

4 *(1) IN GENERAL.—Not later than 14 days after*
5 *making a determination under subsection (b), the Di-*
6 *rector of National Intelligence, the Director of the*
7 *Federal Bureau of Investigation, and the Secretary of*
8 *Homeland Security shall jointly provide a briefing to*
9 *the congressional leadership, the congressional intel-*
10 *ligence committees and, consistent with the protection*
11 *of sources and methods, the other appropriate congres-*
12 *sional committees. The briefing shall be classified and*
13 *address, at a minimum, the following:*

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

17 *(B) An identification of the foreign state or*
18 *foreign nonstate person, group, or other entity, to*
19 *which such intrusion or campaign has been at-*
20 *tributed.*

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

24 *(D) Any other information such Directors*
25 *and the Secretary jointly determine appropriate.*

1 (2) *ELECTRONIC ELECTION INFRASTRUCTURE*
2 *BRIEFINGS.*—*With respect to a significant foreign*
3 *cyber intrusion covered by a determination under*
4 *subsection (b), the Secretary of Homeland Security,*
5 *in consultation with the Director of National Intel-*
6 *ligence and the Director of the Federal Bureau of In-*
7 *vestigation, shall offer to the owner or operator of any*
8 *electronic election infrastructure directly affected by*
9 *such intrusion, a briefing on such intrusion, includ-*
10 *ing steps that may be taken to mitigate such intru-*
11 *sion. Such briefing may be classified and made avail-*
12 *able only to individuals with appropriate security*
13 *clearances.*

14 (3) *PROTECTION OF SOURCES AND METHODS.*—
15 *This subsection shall be carried out in a manner that*
16 *is consistent with the protection of sources and meth-*
17 *ods.*

18 **SEC. 2508. DESIGNATION OF COUNTERINTELLIGENCE OFFI-**

19 **CER TO LEAD ELECTION SECURITY MATTERS.**

20 (a) *IN GENERAL.*—*The Director of National Intel-*
21 *ligence shall designate a national counterintelligence officer*
22 *within the National Counterintelligence and Security Cen-*
23 *ter to lead, manage, and coordinate counterintelligence*
24 *matters relating to election security.*

1 (b) *ADDITIONAL RESPONSIBILITIES.*—*The person des-*
 2 *ignated under subsection (a) shall also lead, manage, and*
 3 *coordinate counterintelligence matters relating to risks*
 4 *posed by interference from foreign powers (as defined in sec-*
 5 *tion 101 of the Foreign Intelligence Surveillance Act of 1978*
 6 *(50 U.S.C. 1801)) to the following:*

7 (1) *The Federal Government election security*
 8 *supply chain.*

9 (2) *Election voting systems and software.*

10 (3) *Voter registration databases.*

11 (4) *Critical infrastructure related to elections.*

12 (5) *Such other Government goods and services as*
 13 *the Director of National Intelligence considers appro-*
 14 *priate.*

15 **TITLE XXVI—SECURITY**

16 **CLEARANCES**

17 **SEC. 2601. DEFINITIONS.**

18 *In this title:*

19 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 20 *TEES.*—*The term “appropriate congressional commit-*
 21 *tees” means—*

22 (A) *the congressional intelligence commit-*
 23 *tees;*

24 (B) *the Committee on Armed Services of the*
 25 *Senate;*

1 (C) the Committee on Appropriations of the
2 Senate;

3 (D) the Committee on Homeland Security
4 and Governmental Affairs of the Senate;

5 (E) the Committee on Armed Services of the
6 House of Representatives;

7 (F) the Committee on Appropriations of the
8 House of Representatives;

9 (G) the Committee on Homeland Security
10 of the House of Representatives; and

11 (H) the Committee on Oversight and Re-
12 form of the House of Representatives.

13 (2) *APPROPRIATE INDUSTRY PARTNERS.*—The
14 term “appropriate industry partner” means a con-
15 tractor, licensee, or grantee (as defined in section
16 101(a) of Executive Order 12829 (50 U.S.C. 3161
17 note; relating to National Industrial Security Pro-
18 gram)) that is participating in the National Indus-
19 trial Security Program established by such Executive
20 Order.

21 (3) *CONTINUOUS VETTING.*—The term “contin-
22 uous vetting” has the meaning given such term in Ex-
23 ecutive Order 13467 (50 U.S.C. 3161 note; relating to
24 reforming processes related to suitability for govern-
25 ment employment, fitness for contractor employees,

1 *and eligibility for access to classified national secu-*
2 *rity information).*

3 (4) *COUNCIL.*—*The term “Council” means the*
4 *Security, Suitability, and Credentialing Performance*
5 *Accountability Council established pursuant to such*
6 *Executive Order, or any successor entity.*

7 (5) *SECURITY EXECUTIVE AGENT.*—*The term*
8 *“Security Executive Agent” means the officer serving*
9 *as the Security Executive Agent pursuant to section*
10 *803 of the National Security Act of 1947, as added*
11 *by section 2605.*

12 (6) *SUITABILITY AND CREDENTIALING EXECU-*
13 *TIVE AGENT.*—*The term “Suitability and*
14 *Credentialing Executive Agent” means the Director of*
15 *the Office of Personnel Management acting as the*
16 *Suitability and Credentialing Executive Agent in ac-*
17 *cordance with Executive Order 13467 (50 U.S.C.*
18 *3161 note; relating to reforming processes related to*
19 *suitability for government employment, fitness for*
20 *contractor employees, and eligibility for access to clas-*
21 *sified national security information), or any successor*
22 *entity.*

1 **SEC. 2602. REPORTS AND PLANS RELATING TO SECURITY**
2 **CLEARANCES AND BACKGROUND INVESTIGA-**
3 **TIONS.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that—*

6 (1) *ensuring the trustworthiness and security of*
7 *the workforce, facilities, and information of the Fed-*
8 *eral Government is of the highest priority to national*
9 *security and public safety;*

10 (2) *the President and Congress should prioritize*
11 *the modernization of the personnel security framework*
12 *to improve its efficiency, effectiveness, and account-*
13 *ability;*

14 (3) *the current system for security clearance,*
15 *suitability and fitness for employment, and*
16 *credentialing lacks efficiencies and capabilities to*
17 *meet the current threat environment, recruit and re-*
18 *tain a trusted workforce, and capitalize on modern*
19 *technologies; and*

20 (4) *changes to policies or processes to improve*
21 *this system should be vetted through the Council to*
22 *ensure standardization, portability, and reciprocity*
23 *in security clearances across the Federal Government.*

24 (b) *ACCOUNTABILITY PLANS AND REPORTS.*—

25 (1) *PLANS.*—*Not later than 90 days after the*
26 *date of the enactment of this Act, the Council shall*

1 submit to the appropriate congressional committees
2 and make available to appropriate industry partners
3 the following:

4 (A) A plan, with milestones, to reduce the
5 background investigation inventory to 200,000,
6 or an otherwise sustainable steady-level, by the
7 end of year 2020. Such plan shall include notes
8 of any required changes in investigative and ad-
9 judicative standards or resources.

10 (B) A plan to consolidate the conduct of
11 background investigations associated with the
12 processing for security clearances in the most ef-
13 fective and efficient manner between the Na-
14 tional Background Investigation Bureau and the
15 Defense Security Service, or a successor organi-
16 zation. Such plan shall address required fund-
17 ing, personnel, contracts, information technology,
18 field office structure, policy, governance, sched-
19 ule, transition costs, and effects on stakeholders.

20 (2) *REPORT ON THE FUTURE OF PERSONNEL SE-*
21 *CURITY.—*

22 (A) *IN GENERAL.—*Not later than 180 days
23 after the date of the enactment of this Act, the
24 Chairman of the Council, in coordination with
25 the members of the Council, shall submit to the

1 *appropriate congressional committees and make*
2 *available to appropriate industry partners a re-*
3 *port on the future of personnel security to reflect*
4 *changes in threats, the workforce, and technology.*

5 *(B) CONTENTS.—The report submitted*
6 *under subparagraph (A) shall include the fol-*
7 *lowing:*

8 *(i) A risk framework for granting and*
9 *renewing access to classified information.*

10 *(ii) A discussion of the use of tech-*
11 *nologies to prevent, detect, and monitor*
12 *threats.*

13 *(iii) A discussion of efforts to address*
14 *reciprocity and portability.*

15 *(iv) A discussion of the characteristics*
16 *of effective insider threat programs.*

17 *(v) An analysis of how to integrate*
18 *data from continuous evaluation, insider*
19 *threat programs, and human resources*
20 *data.*

21 *(vi) Recommendations on interagency*
22 *governance.*

23 *(3) PLAN FOR IMPLEMENTATION.—Not later than*
24 *180 days after the date of the enactment of this Act,*
25 *the Chairman of the Council, in coordination with the*

1 *members of the Council, shall submit to the appro-*
2 *prate congressional committees and make available*
3 *to appropriate industry partners a plan to implement*
4 *the report's framework and recommendations sub-*
5 *mitted under paragraph (2)(A).*

6 (4) *CONGRESSIONAL NOTIFICATIONS.—Not less*
7 *frequently than quarterly, the Security Executive*
8 *Agent shall make available to the public a report re-*
9 *garding the status of the disposition of requests re-*
10 *ceived from departments and agencies of the Federal*
11 *Government for a change to, or approval under, the*
12 *Federal investigative standards, the national adju-*
13 *dicative guidelines, continuous evaluation, or other*
14 *national policy regarding personnel security.*

15 **SEC. 2603. IMPROVING THE PROCESS FOR SECURITY**
16 **CLEARANCES.**

17 (a) *REVIEWS.—Not later than 180 days after the date*
18 *of the enactment of this Act, the Security Executive Agent,*
19 *in coordination with the members of the Council, shall sub-*
20 *mit to the appropriate congressional committees and make*
21 *available to appropriate industry partners a report that in-*
22 *cludes the following:*

23 (1) *A review of whether the information re-*
24 *quested on the Questionnaire for National Security*
25 *Positions (Standard Form 86) and by the Federal In-*

1 *vestigative Standards prescribed by the Office of Per-*
2 *sonnel Management and the Office of the Director of*
3 *National Intelligence appropriately supports the adju-*
4 *dicative guidelines under Security Executive Agent*
5 *Directive 4 (known as the “National Security Adju-*
6 *dicative Guidelines”). Such review shall include iden-*
7 *tification of whether any such information currently*
8 *collected is unnecessary to support the adjudicative*
9 *guidelines.*

10 (2) *An assessment of whether such Questionnaire,*
11 *Standards, and guidelines should be revised to ac-*
12 *count for the prospect of a holder of a security clear-*
13 *ance becoming an insider threat.*

14 (3) *Recommendations to improve the background*
15 *investigation process by—*

16 (A) *simplifying the Questionnaire for Na-*
17 *tional Security Positions (Standard Form 86)*
18 *and increasing customer support to applicants*
19 *completing such Questionnaire;*

20 (B) *using remote techniques and centralized*
21 *locations to support or replace field investigation*
22 *work;*

23 (C) *using secure and reliable digitization of*
24 *information obtained during the clearance proc-*
25 *ess;*

1 (D) building the capacity of the background
2 investigation labor sector; and

3 (E) replacing periodic reinvestigations with
4 continuous evaluation techniques in all appro-
5 priate circumstances.

6 (b) *POLICY, STRATEGY, AND IMPLEMENTATION.*—Not
7 later than 180 days after the date of the enactment of this
8 Act, the Security Executive Agent shall, in coordination
9 with the members of the Council, establish the following:

10 (1) A policy and implementation plan for the
11 issuance of interim security clearances.

12 (2) A policy and implementation plan to ensure
13 contractors are treated consistently in the security
14 clearance process across agencies and departments of
15 the United States as compared to employees of such
16 agencies and departments. Such policy shall ad-
17 dress—

18 (A) prioritization of processing security
19 clearances based on the mission the contractors
20 will be performing;

21 (B) standardization in the forms that agen-
22 cies issue to initiate the process for a security
23 clearance;

24 (C) digitization of background investiga-
25 tion-related forms;

1 (D) use of the polygraph;

2 (E) the application of the adjudicative
3 guidelines under Security Executive Agent Di-
4 rective 4 (known as the “National Security Ad-
5 judicative Guidelines”);

6 (F) reciprocal recognition of clearances
7 across agencies and departments of the United
8 States, regardless of status of periodic reinves-
9 tigation;

10 (G) tracking of clearance files as individ-
11 uals move from employment with an agency or
12 department of the United States to employment
13 in the private sector;

14 (H) collection of timelines for movement of
15 contractors across agencies and departments;

16 (I) reporting on security incidents and job
17 performance, consistent with section 552a of title
18 5, United States Code (commonly known as the
19 “Privacy Act of 1974”), that may affect the abil-
20 ity to hold a security clearance;

21 (J) any recommended changes to the Fed-
22 eral Acquisition Regulations (FAR) necessary to
23 ensure that information affecting contractor
24 clearances or suitability is appropriately and ex-

1 *peditionously shared between and among agencies*
2 *and contractors; and*

3 *(K) portability of contractor security clear-*
4 *ances between or among contracts at the same*
5 *agency and between or among contracts at dif-*
6 *ferent agencies that require the same level of*
7 *clearance.*

8 *(3) A strategy and implementation plan that—*

9 *(A) provides for periodic reinvestigations as*
10 *part of a security clearance determination only*
11 *on an as-needed, risk-based basis;*

12 *(B) includes actions to assess the extent to*
13 *which automated records checks and other con-*
14 *tinuous evaluation methods may be used to expe-*
15 *dite or focus reinvestigations; and*

16 *(C) provides an exception for certain popu-*
17 *lations if the Security Executive Agent—*

18 *(i) determines such populations require*
19 *reinvestigations at regular intervals; and*

20 *(ii) provides written justification to*
21 *the appropriate congressional committees*
22 *for any such determination.*

23 *(4) A policy and implementation plan for agen-*
24 *cies and departments of the United States, as a part*
25 *of the security clearance process, to accept automated*

1 *records checks generated pursuant to a security clear-*
2 *ance applicant's employment with a prior employer.*

3 (5) *A policy for the use of certain background*
4 *materials on individuals collected by the private sec-*
5 *tor for background investigation purposes.*

6 (6) *Uniform standards for agency continuous*
7 *evaluation programs to ensure quality and reci-*
8 *procity in accepting enrollment in a continuous vet-*
9 *ting program as a substitute for a periodic investiga-*
10 *tion for continued access to classified information.*

11 **SEC. 2604. GOALS FOR PROMPTNESS OF DETERMINATIONS**

12 **REGARDING SECURITY CLEARANCES.**

13 (a) *RECIPROCITY DEFINED.*—*In this section, the term*
14 *“reciprocity” means reciprocal recognition by Federal de-*
15 *partments and agencies of eligibility for access to classified*
16 *information.*

17 (b) *IN GENERAL.*—*The Council shall reform the secu-*
18 *rity clearance process with the objective that, by December*
19 *31, 2021, 90 percent of all determinations, other than deter-*
20 *minations regarding populations identified under section*
21 *2603(b)(3)(C), regarding—*

22 (1) *security clearances—*

23 (A) *at the secret level are issued in 30 days*
24 *or fewer; and*

1 (B) at the top secret level are issued in 90
2 days or fewer; and

3 (2) reciprocity of security clearances at the same
4 level are recognized in 2 weeks or fewer.

5 (c) *CERTAIN REINVESTIGATIONS.*—The Council shall
6 reform the security clearance process with the goal that by
7 December 31, 2021, reinvestigation on a set periodicity is
8 not required for more than 10 percent of the population
9 that holds a security clearance.

10 (d) *EQUIVALENT METRICS.*—

11 (1) *IN GENERAL.*—If the Council develops a set
12 of performance metrics that it certifies to the appro-
13 priate congressional committees should achieve sub-
14 stantially equivalent outcomes as those outlined in
15 subsections (b) and (c), the Council may use those
16 metrics for purposes of compliance within this provi-
17 sion.

18 (2) *NOTICE.*—If the Council uses the authority
19 provided by paragraph (1) to use metrics as described
20 in such paragraph, the Council shall, not later than
21 30 days after communicating such metrics to depart-
22 ments and agencies, notify the appropriate congress-
23 sional committees that it is using such authority.

24 (e) *PLAN.*—Not later than 180 days after the date of
25 the enactment of this Act, the Council shall submit to the

1 *appropriate congressional committees and make available*
2 *to appropriate industry partners a plan to carry out this*
3 *section. Such plan shall include recommended interim mile-*
4 *stones for the goals set forth in subsections (b) and (c) for*
5 *2019, 2020, and 2021.*

6 **SEC. 2605. SECURITY EXECUTIVE AGENT.**

7 *(a) IN GENERAL.—Title VIII of the National Security*
8 *Act of 1947 (50 U.S.C. 3161 et seq.) is amended—*

9 *(1) by redesignating sections 803 and 804 as sec-*
10 *tions 804 and 805, respectively; and*

11 *(2) by inserting after section 802 the following:*

12 **“SEC. 803. SECURITY EXECUTIVE AGENT.**

13 *“(a) IN GENERAL.—The Director of National Intel-*
14 *ligence, or such other officer of the United States as the*
15 *President may designate, shall serve as the Security Execu-*
16 *tive Agent for all departments and agencies of the United*
17 *States.*

18 *“(b) DUTIES.—The duties of the Security Executive*
19 *Agent are as follows:*

20 *“(1) To direct the oversight of investigations, re-*
21 *investigations, adjudications, and, as applicable,*
22 *polygraphs for eligibility for access to classified infor-*
23 *mation or eligibility to hold a sensitive position made*
24 *by any Federal agency.*

1 “(2) To review the national security background
2 investigation and adjudication programs of Federal
3 agencies to determine whether such programs are
4 being implemented in accordance with this section.

5 “(3) To develop and issue uniform and con-
6 sistent policies and procedures to ensure the effective,
7 efficient, timely, and secure completion of investiga-
8 tions, polygraphs, and adjudications relating to deter-
9 minations of eligibility for access to classified infor-
10 mation or eligibility to hold a sensitive position.

11 “(4) Unless otherwise designated by law, to serve
12 as the final authority to designate a Federal agency
13 or agencies to conduct investigations of persons who
14 are proposed for access to classified information or for
15 eligibility to hold a sensitive position to ascertain
16 whether such persons satisfy the criteria for obtaining
17 and retaining access to classified information or eligi-
18 bility to hold a sensitive position, as applicable.

19 “(5) Unless otherwise designated by law, to serve
20 as the final authority to designate a Federal agency
21 or agencies to determine eligibility for access to classi-
22 fied information or eligibility to hold a sensitive posi-
23 tion in accordance with Executive Order 12968 (50
24 U.S.C. 3161 note; relating to access to classified infor-
25 mation).

1 “(6) *To ensure reciprocal recognition of eligi-*
2 *bility for access to classified information or eligibility*
3 *to hold a sensitive position among Federal agencies,*
4 *including acting as the final authority to arbitrate*
5 *and resolve disputes among such agencies involving*
6 *the reciprocity of investigations and adjudications of*
7 *eligibility.*

8 “(7) *To execute all other duties assigned to the*
9 *Security Executive Agent by law.*

10 “(c) *AUTHORITIES.—The Security Executive Agent*
11 *shall—*

12 “(1) *issue guidelines and instructions to the*
13 *heads of Federal agencies to ensure appropriate uni-*
14 *formity, centralization, efficiency, effectiveness, time-*
15 *liness, and security in processes relating to deter-*
16 *minations by such agencies of eligibility for access to*
17 *classified information or eligibility to hold a sensitive*
18 *position, including such matters as investigations,*
19 *polygraphs, adjudications, and reciprocity;*

20 “(2) *have the authority to grant exceptions to, or*
21 *waivers of, national security investigative require-*
22 *ments, including issuing implementing or clarifying*
23 *guidance, as necessary;*

24 “(3) *have the authority to assign, in whole or in*
25 *part, to the head of any Federal agency (solely or*

1 *jointly) any of the duties of the Security Executive*
2 *Agent described in subsection (b) or the authorities*
3 *described in paragraphs (1) and (2), provided that*
4 *the exercise of such assigned duties or authorities is*
5 *subject to the oversight of the Security Executive*
6 *Agent, including such terms and conditions (includ-*
7 *ing approval by the Security Executive Agent) as the*
8 *Security Executive Agent determines appropriate;*
9 *and*

10 *“(4) define and set standards for continuous*
11 *evaluation for continued access to classified informa-*
12 *tion and for eligibility to hold a sensitive position.”.*

13 **(b) REPORT ON RECOMMENDATIONS FOR REVISING**
14 **AUTHORITIES.**—*Not later than 30 days after the date on*
15 *which the Chairman of the Council submits to the appro-*
16 *priate congressional committees the report required by sec-*
17 *tion 2602(b)(2)(A), the Chairman shall submit to the ap-*
18 *propriate congressional committees such recommendations*
19 *as the Chairman may have for revising the authorities of*
20 *the Security Executive Agent.*

21 **(c) CONFORMING AMENDMENT.**—*Section*
22 *103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is*
23 *amended by striking “in section 804” and inserting “in sec-*
24 *tion 805”.*

1 (d) *CLERICAL AMENDMENT.*—*The table of contents in*
2 *the matter preceding section 2 of such Act (50 U.S.C. 3002)*
3 *is amended by striking the items relating to sections 803*
4 *and 804 and inserting the following:*

 “Sec. 803. *Security Executive Agent.*

 “Sec. 804. *Exceptions.*

 “Sec. 805. *Definitions.*”.

5 **SEC. 2606. REPORT ON UNIFIED, SIMPLIFIED, GOVERN-**
6 **MENTWIDE STANDARDS FOR POSITIONS OF**
7 **TRUST AND SECURITY CLEARANCES.**

8 *Not later than 90 days after the date of the enactment*
9 *of this Act, the Security Executive Agent and the Suit-*
10 *ability and Credentialing Executive Agent, in coordination*
11 *with the other members of the Council, shall jointly submit*
12 *to the appropriate congressional committees and make*
13 *available to appropriate industry partners a report regard-*
14 *ing the advisability and the risks, benefits, and costs to the*
15 *Government and to industry of consolidating to not more*
16 *than 3 tiers for positions of trust and security clearances.*

17 **SEC. 2607. REPORT ON CLEARANCE IN PERSON CONCEPT.**

18 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
19 *that to reflect the greater mobility of the modern workforce,*
20 *alternative methodologies merit analysis to allow greater*
21 *flexibility for individuals moving in and out of positions*
22 *that require access to classified information, while still pre-*
23 *serving security.*

1 **(b) REPORT REQUIRED.**—Not later than 90 days after
2 the date of the enactment of this Act, the Security Executive
3 Agent shall submit to the appropriate congressional com-
4 mittees and make available to appropriate industry part-
5 ners a report that describes the requirements, feasibility,
6 and advisability of implementing a clearance in person
7 concept described in subsection (c).

8 **(c) CLEARANCE IN PERSON CONCEPT.**—The clearance
9 in person concept—

10 (1) permits an individual who once held a secu-
11 rity clearance to maintain his or her eligibility for
12 access to classified information, networks, and facili-
13 ties for up to 3 years after the individual’s eligibility
14 for access to classified information would otherwise
15 lapse; and

16 (2) recognizes, unless otherwise directed by the
17 Security Executive Agent, an individual’s security
18 clearance and background investigation as current,
19 regardless of employment status, contingent on enroll-
20 ment in a continuous vetting program.

21 **(d) CONTENTS.**—The report required under subsection
22 (b) shall address—

23 (1) requirements for an individual to voluntarily
24 remain in a continuous evaluation program validated
25 by the Security Executive Agent even if the indi-

1 *vidual is not in a position requiring access to classi-*
2 *fied information;*

3 *(2) appropriate safeguards for privacy;*

4 *(3) advantages to government and industry;*

5 *(4) the costs and savings associated with imple-*
6 *mentation;*

7 *(5) the risks of such implementation, including*
8 *security and counterintelligence risks;*

9 *(6) an appropriate funding model; and*

10 *(7) fairness to small companies and independent*
11 *contractors.*

12 **SEC. 2608. REPORTS ON RECIPROCITY FOR SECURITY**
13 **CLEARANCES INSIDE OF DEPARTMENTS AND**
14 **AGENCIES.**

15 *(a) RECIPROCALLY RECOGNIZED DEFINED.—In this*
16 *section, the term “reciprocally recognized” means reciprocal*
17 *recognition by Federal departments and agencies of eligi-*
18 *bility for access to classified information.*

19 *(b) REPORTS TO SECURITY EXECUTIVE AGENT.—The*
20 *head of each Federal department or agency shall submit an*
21 *annual report to the Security Executive Agent that—*

22 *(1) identifies the number of individuals whose se-*
23 *curity clearances take more than 2 weeks to be recip-*
24 *rocally recognized after such individuals move to an-*
25 *other part of such department or agency; and*

1 (2) *breaks out the information described in para-*
2 *graph (1) by type of clearance and the reasons for*
3 *any delays.*

4 (c) *ANNUAL REPORT.*—*Not less frequently than once*
5 *each year, the Security Executive Agent shall submit to the*
6 *appropriate congressional committees and make available*
7 *to industry partners an annual report that summarizes the*
8 *information received pursuant to subsection (b) during the*
9 *period covered by such report.*

10 **SEC. 2609. INTELLIGENCE COMMUNITY REPORTS ON SECU-**
11 **RITY CLEARANCES.**

12 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
13 *that—*

14 (1) *despite sustained efforts by Congress and the*
15 *executive branch, an unacceptable backlog in proc-*
16 *essing and adjudicating security clearances persists,*
17 *both within elements of the intelligence community*
18 *and in other departments of the Federal Government,*
19 *with some processing times exceeding a year or even*
20 *more;*

21 (2) *the protracted clearance timetable threatens*
22 *the ability of elements of the intelligence community*
23 *to hire and retain highly qualified individuals, and*
24 *thus to fulfill the missions of such elements;*

1 (3) *the prospect of a lengthy clearance process*
2 *deters some such individuals from seeking employ-*
3 *ment with the intelligence community in the first*
4 *place, and, when faced with a long wait time, those*
5 *with conditional offers of employment may opt to dis-*
6 *continue the security clearance process and pursue*
7 *different opportunities;*

8 (4) *now more than ever, therefore, the broken se-*
9 *curity clearance process badly needs fundamental re-*
10 *form; and*

11 (5) *in the meantime, to ensure the ability of ele-*
12 *ments of the intelligence community to hire and re-*
13 *tain highly qualified personnel, elements should con-*
14 *sider, to the extent possible and consistent with na-*
15 *tional security, permitting new employees to enter on*
16 *duty immediately or nearly so, and to perform, on a*
17 *temporary basis pending final adjudication of their*
18 *security clearances, work that either does not require*
19 *a security clearance or requires only a low-level in-*
20 *terim clearance.*

21 (b) *IN GENERAL.—Section 506H of the National Secu-*
22 *rity Act of 1947 (50 U.S.C. 3104) is amended—*

23 (1) *in subsection (a)(1)—*

24 (A) *in subparagraph (A)(ii), by inserting*

25 “*and*” *after the semicolon;*

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

3 (C) by striking subparagraph (C);
4 (2) by redesignating subsection (b) as subsection
5 (c);

6 (3) by inserting after subsection (a) the following
7 new subsection (b):

8 “(b) *INTELLIGENCE COMMUNITY REPORTS.*—(1) *Not*
9 *later than March 1 of each year, the Director of National*
10 *Intelligence shall submit to the congressional intelligence*
11 *committees, the Committee on Homeland Security and Gov-*
12 *ernmental Affairs of the Senate, and the Committee on*
13 *Homeland Security of the House of Representatives a report*
14 *on the security clearances processed by each element of the*
15 *intelligence community during the preceding fiscal year.*
16 *Each such report shall separately identify security clear-*
17 *ances processed for Federal employees and contractor em-*
18 *ployees sponsored by each such element.*

19 “(2) *Each report submitted under paragraph (1) shall*
20 *include each of the following for each element of the intel-*
21 *ligence community for the fiscal year covered by the report:*

22 “(A) *The total number of initial security clear-*
23 *ance background investigations sponsored for new ap-*
24 *plicants.*

1 “(B) *The total number of security clearance peri-*
2 *odic reinvestigations sponsored for existing employees.*

3 “(C) *The total number of initial security clear-*
4 *ance background investigations for new applicants*
5 *that were adjudicated with notice of a determination*
6 *provided to the prospective applicant, including—*

7 “(i) *the total number that were adjudicated*
8 *favorably and granted access to classified infor-*
9 *mation; and*

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

13 “(D) *The total number of security clearance*
14 *periodic background investigations that were adju-*
15 *dicated with notice of a determination provided to the*
16 *existing employee, including—*

17 “(i) *the total number that were adjudicated*
18 *favorably; and*

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

22 “(E) *The total number of pending security clear-*
23 *ance background investigations, including initial ap-*
24 *plicant investigations and periodic reinvestigations,*

1 *that were not adjudicated as of the last day of such*
2 *year and that remained pending as follows:*

3 “(i) *For 180 days or less.*

4 “(ii) *For 180 days or longer, but less than*
5 *12 months.*

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

8 “(iv) *For 18 months or longer, but less than*
9 *24 months.*

10 “(v) *For 24 months or longer.*

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

15 “(i) *an explanation of the causes for the*
16 *delays incurred during the period covered by the*
17 *report; and*

18 “(ii) *the number of such delays involving a*
19 *polygraph requirement.*

20 “(G) *The percentage of security clearance inves-*
21 *tigations, including initial and periodic reinvestiga-*
22 *tions, that resulted in a denial or revocation of a se-*
23 *curity clearance.*

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

1 “(I) The percentage of security clearance inves-
2 tigations that did not result in enough information to
3 make a decision on potentially adverse information.

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

7 (4) in subsection (c), as redesignated by para-
8 graph (2), by striking “subsection (a)(1)” and insert-
9 ing “subsections (a)(1) and (b)”.

10 **SEC. 2610. PERIODIC REPORT ON POSITIONS IN THE INTEL-**
11 **LIGENCE COMMUNITY THAT CAN BE CON-**
12 **DUCTED WITHOUT ACCESS TO CLASSIFIED**
13 **INFORMATION, NETWORKS, OR FACILITIES.**

14 Not later than 180 days after the date of the enactment
15 of this Act and not less frequently than once every 5 years
16 thereafter, the Director of National Intelligence shall submit
17 to the congressional intelligence committees a report that
18 reviews the intelligence community for which positions can
19 be conducted without access to classified information, net-
20 works, or facilities, or may only require a security clearance
21 at the secret level.

22 **SEC. 2611. INFORMATION SHARING PROGRAM FOR POSI-**
23 **TIONS OF TRUST AND SECURITY CLEAR-**
24 **ANCES.**

25 (a) PROGRAM REQUIRED.—

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of the enactment of this Act, the Security Ex-
3 ecutive Agent and the Suitability and Credentialing
4 Executive Agent shall establish and implement a pro-
5 gram to share between and among agencies of the
6 Federal Government and industry partners of the
7 Federal Government relevant background information
8 regarding individuals applying for and currently oc-
9 cupying national security positions and positions of
10 trust, in order to ensure the Federal Government
11 maintains a trusted workforce.

12 (2) *DESIGNATION.*—The program established
13 under paragraph (1) shall be known as the “Trusted
14 Information Provider Program” (in this section re-
15 ferred to as the “Program”).

16 (b) *PRIVACY SAFEGUARDS.*—The Security Executive
17 Agent and the Suitability and Credentialing Executive
18 Agent shall ensure that the Program includes such safe-
19 guards for privacy as the Security Executive Agent and the
20 Suitability and Credentialing Executive Agent consider ap-
21 propriate.

22 (c) *PROVISION OF INFORMATION TO THE FEDERAL*
23 *GOVERNMENT.*—The Program shall include requirements
24 that enable investigative service providers and agencies of
25 the Federal Government to leverage certain pre-employment

1 *information gathered during the employment or military*
2 *recruiting process, and other relevant security or human*
3 *resources information obtained during employment with or*
4 *for the Federal Government, that satisfy Federal investiga-*
5 *tive standards, while safeguarding personnel privacy.*

6 (d) *INFORMATION AND RECORDS.—The information*
7 *and records considered under the Program shall include the*
8 *following:*

9 (1) *Date and place of birth.*

10 (2) *Citizenship or immigration and naturaliza-*
11 *tion information.*

12 (3) *Education records.*

13 (4) *Employment records.*

14 (5) *Employment or social references.*

15 (6) *Military service records.*

16 (7) *State and local law enforcement checks.*

17 (8) *Criminal history checks.*

18 (9) *Financial records or information.*

19 (10) *Foreign travel, relatives, or associations.*

20 (11) *Social media checks.*

21 (12) *Such other information or records as may*
22 *be relevant to obtaining or maintaining national se-*
23 *curity, suitability, fitness, or credentialing eligibility.*

24 (e) *IMPLEMENTATION PLAN.—*

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of the enactment of this Act, the Security Ex-
3 ecutive Agent and the Suitability and Credentialing
4 Executive Agent shall jointly submit to the appro-
5 priate congressional committees and make available
6 to appropriate industry partners a plan for the im-
7 plementation of the Program.

8 (2) *ELEMENTS.*—The plan required by para-
9 graph (1) shall include the following:

10 (A) *Mechanisms that address privacy, na-*
11 *tional security, suitability or fitness,*
12 *credentialing, and human resources or military*
13 *recruitment processes.*

14 (B) *Such recommendations for legislative or*
15 *administrative action as the Security Executive*
16 *Agent and the Suitability and Credentialing Ex-*
17 *ecutive Agent consider appropriate to carry out*
18 *or improve the Program.*

19 (f) *PLAN FOR PILOT PROGRAM ON TWO-WAY INFORMA-*
20 *TION SHARING.*—

21 (1) *IN GENERAL.*—Not later than 180 days after
22 the date of the enactment of this Act, the Security Ex-
23 ecutive Agent and the Suitability and Credentialing
24 Executive Agent shall jointly submit to the appro-
25 priate congressional committees and make available

1 to appropriate industry partners a plan for the im-
2 plementation of a pilot program to assess the feasi-
3 bility and advisability of expanding the Program to
4 include the sharing of information held by the Federal
5 Government related to contract personnel with the se-
6 curity office of the employers of those contractor per-
7 sonnel.

8 (2) *ELEMENTS.*—The plan required by para-
9 graph (1) shall include the following:

10 (A) *Mechanisms that address privacy, na-*
11 *tional security, suitability or fitness,*
12 *credentialing, and human resources or military*
13 *recruitment processes.*

14 (B) *Such recommendations for legislative or*
15 *administrative action as the Security Executive*
16 *Agent and the Suitability and Credentialing Ex-*
17 *ecutive Agent consider appropriate to carry out*
18 *or improve the pilot program.*

19 (g) *REVIEW.*—Not later than 1 year after the date of
20 the enactment of this Act, the Security Executive Agent and
21 the Suitability and Credentialing Executive Agent shall
22 jointly submit to the appropriate congressional committees
23 and make available to appropriate industry partners a re-
24 view of the plans submitted under subsections (e)(1) and

1 *(f)(1) and utility and effectiveness of the programs described*
 2 *in such plans.*

3 **SEC. 2612. REPORT ON PROTECTIONS FOR CONFIDEN-**
 4 **TIALITY OF WHISTLEBLOWER-RELATED COM-**
 5 **MUNICATIONS.**

6 *Not later than 180 days after the date of the enactment*
 7 *of this Act, the Security Executive Agent shall, in coordina-*
 8 *tion with the Inspector General of the Intelligence Commu-*
 9 *nity, submit to the appropriate congressional committees*
 10 *a report detailing the controls employed by the intelligence*
 11 *community to ensure that continuous vetting programs, in-*
 12 *cluding those involving user activity monitoring, protect the*
 13 *confidentiality of whistleblower-related communications.*

14 **TITLE XXVII—REPORTS AND**
 15 **OTHER MATTERS**

16 **Subtitle A—Matters Relating to**
 17 **Russia and Other Foreign Powers**

18 **SEC. 2701. LIMITATION RELATING TO ESTABLISHMENT OR**
 19 **SUPPORT OF CYBERSECURITY UNIT WITH**
 20 **THE RUSSIAN FEDERATION.**

21 *(a) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 22 *FINED.—In this section, the term “appropriate congres-*
 23 *sional committees” means—*

24 *(1) the congressional intelligence committees;*

1 (2) *the Committee on Armed Services of the Sen-*
2 *ate and the Committee on Armed Services of the*
3 *House of Representatives; and*

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

7 (b) *LIMITATION.—*

8 (1) *IN GENERAL.—No amount may be expended*
9 *by the Federal Government, other than the Depart-*
10 *ment of Defense, to enter into or implement any bilat-*
11 *eral agreement between the United States and the*
12 *Russian Federation regarding cybersecurity, includ-*
13 *ing the establishment or support of any cybersecurity*
14 *unit, unless, at least 30 days prior to the conclusion*
15 *of any such agreement, the Director of National Intel-*
16 *ligence submits to the appropriate congressional com-*
17 *mittees a report on such agreement that includes the*
18 *elements required by subsection (c).*

19 (2) *DEPARTMENT OF DEFENSE AGREEMENTS.—*
20 *Any agreement between the Department of Defense*
21 *and the Russian Federation regarding cybersecurity*
22 *shall be conducted in accordance with section 1232 of*
23 *the National Defense Authorization Act for Fiscal*
24 *Year 2017 (Public Law 114–328), as amended by sec-*

1 *tion 1231 of the National Defense Authorization Act*
2 *for Fiscal Year 2018 (Public Law 115–91).*

3 (c) *ELEMENTS.—If the Director submits a report*
4 *under subsection (b) with respect to an agreement, such re-*
5 *port shall include a description of each of the following:*

6 (1) *The purpose of the agreement.*

7 (2) *The nature of any intelligence to be shared*
8 *pursuant to the agreement.*

9 (3) *The expected value to national security re-*
10 *sulting from the implementation of the agreement.*

11 (4) *Such counterintelligence concerns associated*
12 *with the agreement as the Director may have and*
13 *such measures as the Director expects to be taken to*
14 *mitigate such concerns.*

15 (d) *RULE OF CONSTRUCTION.—This section shall not*
16 *be construed to affect any existing authority of the Director*
17 *of National Intelligence, the Director of the Central Intel-*
18 *ligence Agency, or another head of an element of the intel-*
19 *ligence community, to share or receive foreign intelligence*
20 *on a case-by-case basis.*

21 **SEC. 2702. REPORT ON RETURNING RUSSIAN COMPOUNDS.**

22 (a) *COVERED COMPOUNDS DEFINED.—In this section,*
23 *the term “covered compounds” means the real property in*
24 *New York, the real property in Maryland, and the real*
25 *property in San Francisco, California, that were under the*

1 *control of the Government of Russia in 2016 and were re-*
2 *moved from such control in response to various trans-*
3 *gressions by the Government of Russia, including the inter-*
4 *ference by the Government of Russia in the 2016 election*
5 *in the United States.*

6 (b) *REQUIREMENT FOR REPORT.*—Not later than 180
7 days after the date of the enactment of this Act, the Director
8 of National Intelligence shall submit to the congressional
9 intelligence committees, and the Committee on Foreign Re-
10 lations of the Senate and the Committee on Foreign Affairs
11 of the House of Representatives (only with respect to the
12 unclassified report), a report on the intelligence risks of re-
13 turning the covered compounds to Russian control.

14 (c) *FORM OF REPORT.*—The report required by this
15 section shall be submitted in classified and unclassified
16 forms.

17 **SEC. 2703. ASSESSMENT OF THREAT FINANCE RELATING TO**
18 **RUSSIA.**

19 (a) *THREAT FINANCE DEFINED.*—In this section, the
20 term “threat finance” means—

21 (1) *the financing of cyber operations, global in-*
22 *fluence campaigns, intelligence service activities, pro-*
23 *liferation, terrorism, or transnational crime and drug*
24 *organizations;*

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

4 (3) *sanctions evasion; and*

5 (4) *other forms of threat finance activity domes-*
6 *tically or internationally, as defined by the President.*

7 (b) *REPORT REQUIRED.*—*Not later than 60 days after*
8 *the date of the enactment of this Act, the Director of Na-*
9 *tional Intelligence, in coordination with the Assistant Sec-*
10 *retary of the Treasury for Intelligence and Analysis, shall*
11 *submit to the congressional intelligence committees a report*
12 *containing an assessment of Russian threat finance. The*
13 *assessment shall be based on intelligence from all sources,*
14 *including from the Office of Terrorism and Financial Intel-*
15 *ligence of the Department of the Treasury.*

16 (c) *ELEMENTS.*—*The report required by subsection (b)*
17 *shall include each of the following:*

18 (1) *A summary of leading examples from the 3-*
19 *year period preceding the date of the submittal of the*
20 *report of threat finance activities conducted by, for*
21 *the benefit of, or at the behest of—*

22 (A) *officials of the Government of Russia;*

23 (B) *persons subject to sanctions under any*
24 *provision of law imposing sanctions with respect*
25 *to Russia;*

1 (C) *Russian nationals subject to sanctions*
2 *under any other provision of law; or*

3 (D) *Russian oligarchs or organized crimi-*
4 *nals.*

5 (2) *An assessment with respect to any trends or*
6 *patterns in threat finance activities relating to Rus-*
7 *sia, including common methods of conducting such*
8 *activities and global nodes of money laundering used*
9 *by Russian threat actors described in paragraph (1)*
10 *and associated entities.*

11 (3) *An assessment of any connections between*
12 *Russian individuals involved in money laundering*
13 *and the Government of Russia.*

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

18 (5) *An identification of any resource and collec-*
19 *tion gaps.*

20 (6) *An identification of—*

21 (A) *entry points of money laundering by*
22 *Russian and associated entities into the United*
23 *States;*

24 (B) *any vulnerabilities within the United*
25 *States legal and financial system, including spe-*

1 (C) *the Committee on Foreign Relations of*
2 *the Senate and the Committee on Foreign Affairs*
3 *of the House of Representatives.*

4 (2) *CONGRESSIONAL LEADERSHIP.—The term*
5 *“congressional leadership” includes the following:*

6 (A) *The majority leader of the Senate.*

7 (B) *The minority leader of the Senate.*

8 (C) *The Speaker of the House of Represent-*
9 *atives.*

10 (D) *The minority leader of the House of*
11 *Representatives.*

12 (b) *REQUIREMENT FOR NOTIFICATION.—The Director*
13 *of National Intelligence, in cooperation with the Director*
14 *of the Federal Bureau of Investigation and the head of any*
15 *other relevant agency, shall notify the congressional leader-*
16 *ship and the Chairman and Vice Chairman or Ranking*
17 *Member of each of the appropriate congressional commit-*
18 *tees, and of other relevant committees of jurisdiction, each*
19 *time the Director of National Intelligence determines there*
20 *is credible information that a foreign power has, is, or will*
21 *attempt to employ a covert influence or active measures*
22 *campaign with regard to the modernization, employment,*
23 *doctrine, or force posture of the nuclear deterrent or missile*
24 *defense.*

1 (c) *CONTENT OF NOTIFICATION.*—*Each notification re-*
2 *quired by subsection (b) shall include information con-*
3 *cerning actions taken by the United States to expose or halt*
4 *an attempt referred to in subsection (b).*

5 **SEC. 2705. NOTIFICATION OF TRAVEL BY ACCREDITED DIP-**
6 **LOMATIC AND CONSULAR PERSONNEL OF**
7 **THE RUSSIAN FEDERATION IN THE UNITED**
8 **STATES.**

9 *In carrying out the advance notification requirements*
10 *set out in section 502 of the Intelligence Authorization Act*
11 *for Fiscal Year 2017 (division N of Public Law 115–31;*
12 *131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State*
13 *shall—*

14 (1) *ensure that the Russian Federation provides*
15 *notification to the Secretary of State at least 2 busi-*
16 *ness days in advance of all travel that is subject to*
17 *such requirements by accredited diplomatic and con-*
18 *sular personnel of the Russian Federation in the*
19 *United States, and take necessary action to secure full*
20 *compliance by Russian personnel and address any*
21 *noncompliance; and*

22 (2) *provide notice of travel described in para-*
23 *graph (1) to the Director of National Intelligence and*
24 *the Director of the Federal Bureau of Investigation*
25 *within 1 hour of receiving notice of such travel.*

1 **SEC. 2706. REPORT ON OUTREACH STRATEGY ADDRESSING**
2 **THREATS FROM UNITED STATES ADVER-**
3 **SARIES TO THE UNITED STATES TECH-**
4 **NOLOGY SECTOR.**

5 (a) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
6 *FINED.*—*In this section, the term “appropriate committees*
7 *of Congress” means—*

8 (1) *the congressional intelligence committees;*

9 (2) *the Committee on Armed Services and the*
10 *Committee on Homeland Security and Governmental*
11 *Affairs of the Senate; and*

12 (3) *the Committee on Armed Services, Committee*
13 *on Homeland Security, and the Committee on Over-*
14 *sight and Reform of the House of Representatives.*

15 (b) *REPORT REQUIRED.*—*Not later than 180 days*
16 *after the date of the enactment of this Act, the Director of*
17 *National Intelligence shall submit to the appropriate com-*
18 *mittees of Congress a report detailing outreach by the intel-*
19 *ligence community and the Defense Intelligence Enterprise*
20 *to United States industrial, commercial, scientific, tech-*
21 *nical, and academic communities on matters relating to the*
22 *efforts of adversaries of the United States to acquire critical*
23 *United States technology, intellectual property, and re-*
24 *search and development information.*

25 (c) *CONTENTS.*—*The report required by subsection (b)*
26 *shall include the following:*

1 (1) *A review of the current outreach efforts of the*
2 *intelligence community and the Defense Intelligence*
3 *Enterprise described in subsection (b), including the*
4 *type of information conveyed in the outreach.*

5 (2) *A determination of the appropriate element*
6 *of the intelligence community to lead such outreach*
7 *efforts.*

8 (3) *An assessment of potential methods for im-*
9 *proving the effectiveness of such outreach, including*
10 *an assessment of the following:*

11 (A) *Those critical technologies, infrastruc-*
12 *ture, or related supply chains that are at risk*
13 *from the efforts of adversaries described in sub-*
14 *section (b).*

15 (B) *The necessity and advisability of grant-*
16 *ing security clearances to company or commu-*
17 *nity leadership, when necessary and appro-*
18 *priate, to allow for tailored classified briefings*
19 *on specific targeted threats.*

20 (C) *The advisability of partnering with en-*
21 *tities of the Federal Government that are not ele-*
22 *ments of the intelligence community and relevant*
23 *regulatory and industry groups described in sub-*
24 *section (b), to convey key messages across sectors*
25 *targeted by United States adversaries.*

1 (D) *Strategies to assist affected elements of*
2 *the communities described in subparagraph (C)*
3 *in mitigating, deterring, and protecting against*
4 *the broad range of threats from the efforts of ad-*
5 *versaries described in subsection (b), with focus*
6 *on producing information that enables private*
7 *entities to justify business decisions related to*
8 *national security concerns.*

9 (E) *The advisability of the establishment of*
10 *a United States Government-wide task force to*
11 *coordinate outreach and activities to combat the*
12 *threats from efforts of adversaries described in*
13 *subsection (b).*

14 (F) *Such other matters as the Director of*
15 *National Intelligence may consider necessary.*

16 (d) *CONSULTATION ENCOURAGED.—In preparing the*
17 *report required by subsection (b), the Director is encouraged*
18 *to consult with other government agencies, think tanks, aca-*
19 *demia, representatives of the financial industry, or such*
20 *other entities as the Director considers appropriate.*

21 (e) *FORM.—The report required by subsection (b) shall*
22 *be submitted in unclassified form, but may include a classi-*
23 *fied annex as necessary.*

1 **SEC. 2707. REPORT ON IRANIAN SUPPORT OF PROXY**
2 **FORCES IN SYRIA AND LEBANON.**

3 (a) *DEFINITIONS.—In this section:*

4 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

5 *The term “appropriate committees of Congress”*
6 *means—*

7 (A) *the Committee on Armed Services, the*
8 *Committee on Foreign Relations, and the Select*
9 *Committee on Intelligence of the Senate; and*

10 (B) *the Committee on Armed Services, the*
11 *Committee on Foreign Affairs, and the Perma-*
12 *nent Select Committee on Intelligence of the*
13 *House of Representatives.*

14 (2) *ARMS OR RELATED MATERIAL.—The term*
15 *“arms or related material” means—*

16 (A) *nuclear, biological, chemical, or radio-*
17 *logical weapons or materials or components of*
18 *such weapons;*

19 (B) *ballistic or cruise missile weapons or*
20 *materials or components of such weapons;*

21 (C) *destabilizing numbers and types of ad-*
22 *vanced conventional weapons;*

23 (D) *defense articles or defense services, as*
24 *those terms are defined in paragraphs (3) and*
25 *(4), respectively, of section 47 of the Arms Ex-*
26 *port Control Act (22 U.S.C. 2794);*

1 (E) defense information, as that term is de-
2 fined in section 644 of the Foreign Assistance
3 Act of 1961 (22 U.S.C. 2403); or

4 (F) items designated by the President for
5 purposes of the United States Munitions List
6 under section 38(a)(1) of the Arms Export Con-
7 trol Act (22 U.S.C. 2778(a)(1)).

8 (b) *REPORT REQUIRED.*—Not later than 180 days
9 after the date of the enactment of this Act, the Director of
10 National Intelligence shall submit to the appropriate com-
11 mittees of Congress a report on Iranian support of proxy
12 forces in Syria and Lebanon and the threat posed to Israel,
13 other United States regional allies, and other specified in-
14 terests of the United States as a result of such support.

15 (c) *MATTERS FOR INCLUSION.*—The report required
16 under subsection (b) shall include information relating to
17 the following matters with respect to both the strategic and
18 tactical implications for the United States and its allies:

19 (1) A description of arms or related materiel
20 transferred by Iran to Hizballah since March 2011,
21 including the number of such arms or related materiel
22 and whether such transfer was by land, sea, or air,
23 as well as financial and additional technological ca-
24 pabilities transferred by Iran to Hizballah.

1 (2) *A description of Iranian and Iranian-controlled*
2 *personnel, including Hizballah, Shiite mili-*
3 *tias, and Iran’s Revolutionary Guard Corps forces,*
4 *operating within Syria, including the number and*
5 *geographic distribution of such personnel operating*
6 *within 30 kilometers of the Israeli borders with Syria*
7 *and Lebanon.*

8 (3) *An assessment of Hizballah’s operational les-*
9 *sons learned based on its recent experiences in Syria.*

10 (4) *A description of any rocket-producing facili-*
11 *ties in Lebanon for nonstate actors, including whether*
12 *such facilities were assessed to be built at the direc-*
13 *tion of Hizballah leadership, Iranian leadership, or*
14 *in consultation between Iranian leadership and*
15 *Hizballah leadership.*

16 (5) *An analysis of the foreign and domestic sup-*
17 *ply chains that significantly facilitate, support, or*
18 *otherwise aid Hizballah’s acquisition or development*
19 *of missile production facilities, including the geo-*
20 *graphic distribution of such foreign and domestic sup-*
21 *ply chains.*

22 (6) *An assessment of the provision of goods, serv-*
23 *ices, or technology transferred by Iran or its affiliates*
24 *to Hizballah to indigenously manufacture or other-*
25 *wise produce missiles.*

1 (7) *An identification of foreign persons that are*
2 *based on credible information, facilitating the trans-*
3 *fer of significant financial support or arms or related*
4 *materiel to Hizballah.*

5 (8) *A description of the threat posed to Israel*
6 *and other United States allies in the Middle East by*
7 *the transfer of arms or related material or other sup-*
8 *port offered to Hizballah and other proxies from Iran.*

9 (d) *FORM OF REPORT.*—*The report required under*
10 *subsection (b) shall be submitted in unclassified form, but*
11 *may include a classified annex.*

12 **SEC. 2708. ANNUAL REPORT ON IRANIAN EXPENDITURES**
13 **SUPPORTING FOREIGN MILITARY AND TER-**
14 **RORIST ACTIVITIES.**

15 (a) *ANNUAL REPORT REQUIRED.*—*Not later than 90*
16 *days after the date of the enactment of this Act and not*
17 *less frequently than once each year thereafter, the Director*
18 *of National Intelligence shall submit to Congress a report*
19 *describing Iranian expenditures in the previous calendar*
20 *year on military and terrorist activities outside the coun-*
21 *try, including each of the following:*

22 (1) *The amount spent in such calendar year on*
23 *activities by the Islamic Revolutionary Guard Corps,*
24 *including activities providing support for—*

25 (A) *Hizballah;*

1 (B) Houthi rebels in Yemen;
 2 (C) Hamas;
 3 (D) proxy forces in Iraq and Syria; or
 4 (E) any other entity or country the Director
 5 determines to be relevant.

6 (2) The amount spent in such calendar year for
 7 ballistic missile research and testing or other activi-
 8 ties that the Director determines are destabilizing to
 9 the Middle East region.

10 (b) FORM.—The report required under subsection (a)
 11 shall be submitted in unclassified form, but may include
 12 a classified annex.

13 **SEC. 2709. EXPANSION OF SCOPE OF COMMITTEE TO**
 14 **COUNTER ACTIVE MEASURES AND REPORT**
 15 **ON ESTABLISHMENT OF FOREIGN MALIGN IN-**
 16 **FLUENCE CENTER.**

17 (a) SCOPE OF COMMITTEE TO COUNTER ACTIVE
 18 MEASURES.—

19 (1) IN GENERAL.—Section 501 of the Intelligence
 20 Authorization Act for Fiscal Year 2017 (Public Law
 21 115–31; 50 U.S.C. 3001 note) is amended—

22 (A) in subsections (a) through (h)—

23 (i) by inserting “, the People’s Repub-
 24 lic of China, the Islamic Republic of Iran,
 25 the Democratic People’s Republic of Korea,

1 or other nation state” after “Russian Fed-
2 eration” each place it appears; and

3 (ii) by inserting “, China, Iran, North
4 Korea, or other nation state” after “Russia”
5 each place it appears; and

6 (B) in the section heading, by inserting “,
7 **THE PEOPLE’S REPUBLIC OF CHINA, THE**
8 **ISLAMIC REPUBLIC OF IRAN, THE DEMO-**
9 **CRATIC PEOPLE’S REPUBLIC OF KOREA, OR**
10 **OTHER NATION STATE”** after “**RUSSIAN**
11 **FEDERATION”**.

12 (2) *CLERICAL AMENDMENT.*—*The table of con-*
13 *tents in section 1(b) of such Act is amended by strik-*
14 *ing the item relating to section 501 and inserting the*
15 *following new item:*

“Sec. 501. *Committee to counter active measures by the Russian Federation, the
People’s Republic of China, the Islamic Republic of Iran, the
Democratic People’s Republic of Korea, or other nation states to
exert covert influence over peoples and governments.*”.

16 (b) *REPORT REQUIRED.*—

17 (1) *IN GENERAL.*—*Not later than 180 days after*
18 *the date of the enactment of this Act, the Director of*
19 *National Intelligence, in coordination with such ele-*
20 *ments of the intelligence community as the Director*
21 *considers relevant, shall submit to the congressional*
22 *intelligence committees a report on the feasibility and*
23 *advisability of establishing a center, to be known as*

1 the “Foreign Malign Influence Response Center”,
2 that—

3 (A) is comprised of analysts from all appro-
4 priate elements of the intelligence community,
5 including elements with related diplomatic and
6 law enforcement functions;

7 (B) has access to all intelligence and other
8 reporting acquired by the United States Govern-
9 ment on foreign efforts to influence, through
10 overt and covert malign activities, United States
11 political processes and elections;

12 (C) provides comprehensive assessment, and
13 indications and warning, of such activities; and

14 (D) provides for enhanced dissemination of
15 such assessment to United States policy makers.

16 (2) *CONTENTS.*—The Report required by para-
17 graph (1) shall include the following:

18 (A) A discussion of the desirability of the
19 establishment of such center and any barriers to
20 such establishment.

21 (B) Such recommendations and other mat-
22 ters as the Director considers appropriate.

Subtitle B—Reports

1
2 ***SEC. 2711. TECHNICAL CORRECTION TO INSPECTOR GEN-***
3 ***ERAL STUDY.***

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

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

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

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

12 ***SEC. 2712. REPORTS ON AUTHORITIES OF THE CHIEF IN-***
13 ***TELLIGENCE OFFICER OF THE DEPARTMENT***
14 ***OF HOMELAND SECURITY.***

15 *(a) DEFINITIONS.—In this section:*

16 *(1) APPROPRIATE COMMITTEES OF CONGRESS.—*
17 *The term “appropriate committees of Congress”*
18 *means—*

19 *(A) the congressional intelligence commit-*
20 *tees;*

21 *(B) the Committee on Homeland Security*
22 *and Governmental Affairs of the Senate; and*

23 *(C) the Committee on Homeland Security of*
24 *the House of Representatives.*

1 (2) *HOMELAND SECURITY INTELLIGENCE ENTER-*
2 *PRISE.—The term “Homeland Security Intelligence*
3 *Enterprise” has the meaning given such term in De-*
4 *partment of Homeland Security Instruction Number*
5 *264–01–001, or successor authority.*

6 (b) *REPORT REQUIRED.—Not later than 120 days*
7 *after the date of the enactment of this Act, the Secretary*
8 *of Homeland Security, in consultation with the Under Sec-*
9 *retary of Homeland Security for Intelligence and Analysis,*
10 *shall submit to the appropriate committees of Congress a*
11 *report on the authorities of the Under Secretary.*

12 (c) *ELEMENTS.—The report required by subsection (b)*
13 *shall include each of the following:*

14 (1) *An analysis of whether the Under Secretary*
15 *has the legal and policy authority necessary to orga-*
16 *nize and lead the Homeland Security Intelligence En-*
17 *terprise, with respect to intelligence, and, if not, a de-*
18 *scription of—*

19 (A) *the obstacles to exercising the authori-*
20 *ties of the Chief Intelligence Officer of the De-*
21 *partment and the Homeland Security Intel-*
22 *ligence Council, of which the Chief Intelligence*
23 *Officer is the chair; and*

24 (B) *the legal and policy changes necessary*
25 *to effectively coordinate, organize, and lead intel-*

1 *the timely and effective reporting of intelligence community*
2 *whistleblower matters to appropriate inspectors general and*
3 *to the congressional intelligence committees, and the fair*
4 *and expeditious investigation and resolution of such mat-*
5 *ters.*

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

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

21 **SEC. 2714. REPORT ON ROLE OF DIRECTOR OF NATIONAL**
22 **INTELLIGENCE WITH RESPECT TO CERTAIN**
23 **FOREIGN INVESTMENTS.**

24 (a) *REPORT.*—*Not later than 180 days after the date*
25 *of the enactment of this Act, the Director of National Intel-*

1 *ligence, in consultation with the heads of the elements of*
2 *the intelligence community determined appropriate by the*
3 *Director, shall submit to the congressional intelligence com-*
4 *mittees a report on the role of the Director in preparing*
5 *analytic materials in connection with the evaluation by the*
6 *Federal Government of national security risks associated*
7 *with potential foreign investments into the United States.*

8 (b) *ELEMENTS.*—*The report under subsection (a) shall*
9 *include—*

10 (1) *a description of the current process for the*
11 *provision of the analytic materials described in sub-*
12 *section (a);*

13 (2) *an identification of the most significant ben-*
14 *efits and drawbacks of such process with respect to the*
15 *role of the Director, including the sufficiency of re-*
16 *sources and personnel to prepare such materials; and*

17 (3) *recommendations to improve such process.*

18 **SEC. 2715. REPORT ON SURVEILLANCE BY FOREIGN GOV-**
19 **ERNMENTS AGAINST UNITED STATES TELE-**
20 **COMMUNICATIONS NETWORKS.**

21 (a) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.*—*In this section, the term “appropriate congres-*
23 *sional committees” means the following:*

24 (1) *The congressional intelligence committees.*

1 (2) *The Committee on the Judiciary and the*
2 *Committee on Homeland Security and Governmental*
3 *Affairs of the Senate.*

4 (3) *The Committee on the Judiciary and the*
5 *Committee on Homeland Security of the House of*
6 *Representatives.*

7 (b) *REPORT.*—*Not later than 180 days after the date*
8 *of the enactment of this Act, the Director of National Intel-*
9 *ligence shall, in coordination with the Director of the Cen-*
10 *tral Intelligence Agency, the Director of the National Secu-*
11 *rity Agency, the Director of the Federal Bureau of Inves-*
12 *tigation, and the Secretary of Homeland Security, submit*
13 *to the appropriate congressional committees a report de-*
14 *scribing—*

15 (1) *any attempts known to the intelligence com-*
16 *munity by foreign governments to exploit cybersecu-*
17 *rity vulnerabilities in United States telecommuni-*
18 *cations networks (including Signaling System No. 7)*
19 *to target for surveillance United States persons, in-*
20 *cluding employees of the Federal Government; and*

21 (2) *any actions, as of the date of the enactment*
22 *of this Act, taken by the intelligence community to*
23 *protect agencies and personnel of the United States*
24 *Government from surveillance conducted by foreign*
25 *governments.*

1 **SEC. 2716. BIENNIAL REPORT ON FOREIGN INVESTMENT**

2 **RISKS.**

3 (a) *INTELLIGENCE COMMUNITY INTERAGENCY WORK-*
4 *ING GROUP.*—

5 (1) *REQUIREMENT TO ESTABLISH.*—*The Director*
6 *of National Intelligence shall establish an intelligence*
7 *community interagency working group to prepare the*
8 *biennial reports required by subsection (b).*

9 (2) *CHAIRPERSON.*—*The Director of National*
10 *Intelligence shall serve as the chairperson of such*
11 *interagency working group.*

12 (3) *MEMBERSHIP.*—*Such interagency working*
13 *group shall be composed of representatives of each ele-*
14 *ment of the intelligence community that the Director*
15 *of National Intelligence determines appropriate.*

16 (b) *BIENNIAL REPORT ON FOREIGN INVESTMENT*
17 *RISKS.*—

18 (1) *REPORT REQUIRED.*—*Not later than 180*
19 *days after the date of the enactment of this Act and*
20 *not less frequently than once every 2 years thereafter,*
21 *the Director of National Intelligence shall submit to*
22 *the congressional intelligence committees, the Com-*
23 *mittee on Homeland Security and Governmental Af-*
24 *airs of the Senate, and the Committee on Homeland*
25 *Security of the House of Representatives a report on*

1 *foreign investment risks prepared by the interagency*
2 *working group established under subsection (a).*

3 (2) *ELEMENTS.*—*Each report required by para-*
4 *graph (1) shall include identification, analysis, and*
5 *explanation of the following:*

6 (A) *Any current or projected major threats*
7 *to the national security of the United States with*
8 *respect to foreign investment.*

9 (B) *Any strategy used by a foreign country*
10 *that such interagency working group has identi-*
11 *fied to be a country of special concern to use for-*
12 *ign investment to target the acquisition of crit-*
13 *ical technologies, critical materials, or critical*
14 *infrastructure.*

15 (C) *Any economic espionage efforts directed*
16 *at the United States by a foreign country, par-*
17 *ticularly such a country of special concern.*

18 **SEC. 2717. MODIFICATION OF CERTAIN REPORTING RE-**
19 **QUIREMENT ON TRAVEL OF FOREIGN DIP-**
20 **LOMATS.**

21 *Section 502(d)(2) of the Intelligence Authorization Act*
22 *for Fiscal Year 2017 (Public Law 115–31) is amended by*
23 *striking “the number” and inserting “a best estimate”.*

1 **SEC. 2718. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
2 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
3 **FIED INFORMATION.**

4 (a) *IN GENERAL.*—*Title XI of the National Security*
5 *Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding*
6 *at the end the following new section:*

7 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
8 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
9 **FIED INFORMATION.**

10 *“(a) DEFINITIONS.*—*In this section:*

11 *“(1) COVERED OFFICIAL.*—*The term ‘covered of-*
12 *ficial’ means—*

13 *“(A) the heads of each element of the intel-*
14 *ligence community; and*

15 *“(B) the inspectors general with oversight*
16 *responsibility for an element of the intelligence*
17 *community.*

18 *“(2) INVESTIGATION.*—*The term ‘investigation’*
19 *means any inquiry, whether formal or informal, into*
20 *the existence of an unauthorized public disclosure of*
21 *classified information.*

22 *“(3) UNAUTHORIZED DISCLOSURE OF CLASSI-*
23 *FIED INFORMATION.*—*The term ‘unauthorized disclo-*
24 *sure of classified information’ means any unauthor-*
25 *ized disclosure of classified information to any recipi-*
26 *ent.*

1 “(4) *UNAUTHORIZED PUBLIC DISCLOSURE OF*
2 *CLASSIFIED INFORMATION.*—*The term ‘unauthorized*
3 *public disclosure of classified information’ means the*
4 *unauthorized disclosure of classified information to a*
5 *journalist or media organization.*

6 “(b) *INTELLIGENCE COMMUNITY REPORTING.*—

7 “(1) *IN GENERAL.*—*Not less frequently than once*
8 *every 6 months, each covered official shall submit to*
9 *the congressional intelligence committees a report on*
10 *investigations of unauthorized public disclosures of*
11 *classified information.*

12 “(2) *ELEMENTS.*—*Each report submitted under*
13 *paragraph (1) shall include, with respect to the pre-*
14 *ceding 6-month period, the following:*

15 “(A) *The number of investigations opened*
16 *by the covered official regarding an unauthorized*
17 *public disclosure of classified information.*

18 “(B) *The number of investigations com-*
19 *pleted by the covered official regarding an unau-*
20 *thorized public disclosure of classified informa-*
21 *tion.*

22 “(C) *Of the number of such completed inves-*
23 *tigations identified under subparagraph (B), the*
24 *number referred to the Attorney General for*
25 *criminal investigation.*

1 “(c) *DEPARTMENT OF JUSTICE REPORTING.*—

2 “(1) *IN GENERAL.*—Not less frequently than once
3 *every 6 months, the Assistant Attorney General for*
4 *National Security of the Department of Justice, in*
5 *consultation with the Director of the Federal Bureau*
6 *of Investigation, shall submit to the congressional in-*
7 *telligence committees, the Committee on the Judiciary*
8 *of the Senate, and the Committee on the Judiciary of*
9 *the House of Representatives a report on the status of*
10 *each referral made to the Department of Justice from*
11 *any element of the intelligence community regarding*
12 *an unauthorized disclosure of classified information*
13 *made during the most recent 365-day period or any*
14 *referral that has not yet been closed, regardless of the*
15 *date the referral was made.*

16 “(2) *CONTENTS.*—Each report submitted under
17 *paragraph (1) shall include, for each referral covered*
18 *by the report, at a minimum, the following:*

19 “(A) *The date the referral was received.*

20 “(B) *A statement indicating whether the al-*
21 *leged unauthorized disclosure described in the re-*
22 *ferral was substantiated by the Department of*
23 *Justice.*

1 “(C) A statement indicating the highest
2 level of classification of the information that was
3 revealed in the unauthorized disclosure.

4 “(D) A statement indicating whether an
5 open criminal investigation related to the refer-
6 ral is active.

7 “(E) A statement indicating whether any
8 criminal charges have been filed related to the re-
9 ferral.

10 “(F) A statement indicating whether the
11 Department of Justice has been able to attribute
12 the unauthorized disclosure to a particular enti-
13 ty or individual.

14 “(d) *FORM OF REPORTS.*—Each report submitted
15 under this section shall be submitted in unclassified form,
16 but may have a classified annex.”.

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

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

1 **SEC. 2719. CONGRESSIONAL NOTIFICATION OF DESIGNA-**
2 **TION OF COVERED INTELLIGENCE OFFICER**
3 **AS PERSONA NON GRATA.**

4 (a) *COVERED INTELLIGENCE OFFICER DEFINED.*—*In*
5 *this section, the term “covered intelligence officer” means—*

6 (1) *a United States intelligence officer serving in*
7 *a post in a foreign country; or*

8 (2) *a known or suspected foreign intelligence offi-*
9 *cer serving in a United States post.*

10 (b) *REQUIREMENT FOR REPORTS.*—*Not later than 72*
11 *hours after a covered intelligence officer is designated as*
12 *a persona non grata, the Director of National Intelligence,*
13 *in consultation with the Secretary of State, shall submit*
14 *to the congressional intelligence committees, the Committee*
15 *on Foreign Relations of the Senate, and the Committee on*
16 *Foreign Affairs of the House of Representatives a notifica-*
17 *tion of that designation. Each such notification shall in-*
18 *clude—*

19 (1) *the date of the designation;*

20 (2) *the basis for the designation; and*

21 (3) *a justification for the expulsion.*

22 **SEC. 2720. REPORTS ON INTELLIGENCE COMMUNITY PAR-**
23 **TICIPATION IN VULNERABILITIES EQUITIES**
24 **PROCESS OF FEDERAL GOVERNMENT.**

25 (a) *DEFINITIONS.*—*In this section:*

1 (1) *VULNERABILITIES EQUITIES POLICY AND*
2 *PROCESS DOCUMENT.*—*The term “Vulnerabilities Eq-*
3 *uities Policy and Process document” means the execu-*
4 *tive branch document entitled “Vulnerabilities Equi-*
5 *ties Policy and Process” dated November 15, 2017.*

6 (2) *VULNERABILITIES EQUITIES PROCESS.*—*The*
7 *term “Vulnerabilities Equities Process” means the*
8 *interagency review of vulnerabilities, pursuant to the*
9 *Vulnerabilities Equities Policy and Process document*
10 *or any successor document.*

11 (3) *VULNERABILITY.*—*The term “vulnerability”*
12 *means a weakness in an information system or its*
13 *components (for example, system security procedures,*
14 *hardware design, and internal controls) that could be*
15 *exploited or could affect confidentiality, integrity, or*
16 *availability of information.*

17 (b) *REPORTS ON PROCESS AND CRITERIA UNDER*
18 *VULNERABILITIES EQUITIES POLICY AND PROCESS.*—

19 (1) *IN GENERAL.*—*Not later than 90 days after*
20 *the date of the enactment of this Act, the Director of*
21 *National Intelligence shall submit to the congressional*
22 *intelligence committees a written report describing—*

23 (A) *with respect to each element of the intel-*
24 *ligence community—*

1 (i) the title of the official or officials
2 responsible for determining whether, pursu-
3 ant to criteria contained in the
4 *Vulnerabilities Equities Policy and Process*
5 document or any successor document, a vul-
6 nerability must be submitted for review
7 under the *Vulnerabilities Equities Process*;
8 and

9 (ii) the process used by such element to
10 make such determination; and

11 (B) the roles or responsibilities of that ele-
12 ment during a review of a vulnerability sub-
13 mitted to the *Vulnerabilities Equities Process*.

14 (2) *CHANGES TO PROCESS OR CRITERIA.*—Not
15 later than 30 days after any significant change is
16 made to the process and criteria used by any element
17 of the intelligence community for determining whether
18 to submit a vulnerability for review under the
19 *Vulnerabilities Equities Process*, such element shall
20 submit to the congressional intelligence committees a
21 report describing such change.

22 (3) *FORM OF REPORTS.*—Each report submitted
23 under this subsection shall be submitted in unclassi-
24 fied form, but may include a classified annex.

25 (c) *ANNUAL REPORTS.*—

1 (1) *IN GENERAL.*—Not less frequently than once
2 each calendar year, the Director of National Intel-
3 ligence shall submit to the congressional intelligence
4 committees a classified report containing, with respect
5 to the previous year—

6 (A) the number of vulnerabilities submitted
7 for review under the Vulnerabilities Equities
8 Process;

9 (B) the number of vulnerabilities described
10 in subparagraph (A) disclosed to each vendor re-
11 sponsible for correcting the vulnerability, or to
12 the public, pursuant to the Vulnerabilities Equi-
13 ties Process; and

14 (C) the aggregate number, by category, of
15 the vulnerabilities excluded from review under
16 the Vulnerabilities Equities Process, as described
17 in paragraph 5.4 of the Vulnerabilities Equities
18 Policy and Process document.

19 (2) *UNCLASSIFIED INFORMATION.*—Each report
20 submitted under paragraph (1) shall include an un-
21 classified appendix that contains—

22 (A) the aggregate number of vulnerabilities
23 disclosed to vendors or the public pursuant to the
24 Vulnerabilities Equities Process; and

1 (B) the aggregate number of vulnerabilities
2 disclosed to vendors or the public pursuant to the
3 Vulnerabilities Equities Process known to have
4 been patched.

5 (3) *NON-DUPLICATION.*—The Director of Na-
6 tional Intelligence may forgo submission of an annual
7 report required under this subsection for a calendar
8 year, if the Director notifies the intelligence commit-
9 tees in writing that, with respect to the same calendar
10 year, an annual report required by paragraph 4.3 of
11 the Vulnerabilities Equities Policy and Process docu-
12 ment already has been submitted to Congress, and
13 such annual report contains the information that
14 would otherwise be required to be included in an an-
15 nual report under this subsection.

16 **SEC. 2721. INSPECTORS GENERAL REPORTS ON CLASSI-**
17 **FICATION.**

18 (a) *REPORTS REQUIRED.*—Not later than October 1,
19 2019, each Inspector General listed in subsection (b) shall
20 submit to the congressional intelligence committees a report
21 that includes, with respect to the department or agency of
22 the Inspector General, analyses of the following:

23 (1) *The accuracy of the application of classifica-*
24 *tion and handling markers on a representative sam-*

1 *ple of finished reports, including such reports that are*
2 *compartmented.*

3 (2) *Compliance with declassification procedures.*

4 (3) *The effectiveness of processes for identifying*
5 *topics of public or historical importance that merit*
6 *prioritization for a declassification review.*

7 (b) *INSPECTORS GENERAL LISTED.—The Inspectors*
8 *General listed in this subsection are as follows:*

9 (1) *The Inspector General of the Intelligence*
10 *Community.*

11 (2) *The Inspector General of the Central Intel-*
12 *ligence Agency.*

13 (3) *The Inspector General of the National Secu-*
14 *rity Agency.*

15 (4) *The Inspector General of the Defense Intel-*
16 *ligence Agency.*

17 (5) *The Inspector General of the National Recon-*
18 *naissance Office.*

19 (6) *The Inspector General of the National*
20 *Geospatial-Intelligence Agency.*

1 **SEC. 2722. REPORTS ON GLOBAL WATER INSECURITY AND**
2 **NATIONAL SECURITY IMPLICATIONS AND**
3 **BRIEFING ON EMERGING INFECTIOUS DIS-**
4 **EASE AND PANDEMICS.**

5 (a) *REPORTS ON GLOBAL WATER INSECURITY AND*
6 *NATIONAL SECURITY IMPLICATIONS.*—

7 (1) *REPORTS REQUIRED.*—*Not later than 180*
8 *days after the date of the enactment of this Act and*
9 *not less frequently than once every 5 years thereafter,*
10 *the Director of National Intelligence shall submit to*
11 *the congressional intelligence committees a report on*
12 *the implications of water insecurity on the national*
13 *security interest of the United States, including con-*
14 *sideration of social, economic, agricultural, and envi-*
15 *ronmental factors.*

16 (2) *ASSESSMENT SCOPE AND FOCUS.*—*Each re-*
17 *port submitted under paragraph (1) shall include an*
18 *assessment of water insecurity described in such sub-*
19 *section with a global scope, but focus on areas of the*
20 *world—*

21 (A) *of strategic, economic, or humanitarian*
22 *interest to the United States—*

23 (i) *that are, as of the date of the re-*
24 *port, at the greatest risk of instability, con-*
25 *flict, human insecurity, or mass displace-*
26 *ment; or*

1 (ii) where challenges relating to water
2 insecurity are likely to emerge and become
3 significant during the 5-year or the 20-year
4 period beginning on the date of the report;
5 and

6 (B) where challenges relating to water inse-
7 curity are likely to imperil the national security
8 interests of the United States or allies of the
9 United States.

10 (3) CONSULTATION.—In researching a report re-
11 quired by paragraph (1), the Director shall consult
12 with—

13 (A) such stakeholders within the intelligence
14 community, the Department of Defense, and the
15 Department of State as the Director considers
16 appropriate; and

17 (B) such additional Federal agencies and
18 persons in the private sector as the Director con-
19 siders appropriate.

20 (4) FORM.—Each report submitted under para-
21 graph (1) shall be submitted in unclassified form, but
22 may include a classified annex.

23 (b) BRIEFING ON EMERGING INFECTIOUS DISEASE
24 AND PANDEMICS.—

1 (1) *APPROPRIATE CONGRESSIONAL COMMITTEES*
2 *DEFINED.*—*In this subsection, the term “appropriate*
3 *congressional committees” means—*

4 (A) *the congressional intelligence commit-*
5 *tees;*

6 (B) *the Committee on Foreign Affairs, the*
7 *Committee on Armed Services, and the Com-*
8 *mittee on Appropriations of the House of Rep-*
9 *resentatives; and*

10 (C) *the Committee on Foreign Relations, the*
11 *Committee on Armed Services, and the Com-*
12 *mittee on Appropriations of the Senate.*

13 (2) *BRIEFING.*—*Not later than 120 days after*
14 *the date of the enactment of this Act, the Director of*
15 *National Intelligence shall provide to the appropriate*
16 *congressional committees a briefing on the anticipated*
17 *geopolitical effects of emerging infectious disease (in-*
18 *cluding deliberate, accidental, and naturally occur-*
19 *ring infectious disease threats) and pandemics, and*
20 *their implications on the national security of the*
21 *United States.*

22 (3) *CONTENT.*—*The briefing under paragraph*
23 (2) *shall include an assessment of—*

24 (A) *the economic, social, political, and secu-*
25 *rity risks, costs, and impacts of emerging infec-*

1 *tious diseases on the United States and the inter-*
2 *national political and economic system;*

3 *(B) the economic, social, political, and secu-*
4 *rity risks, costs, and impacts of a major*
5 *transnational pandemic on the United States*
6 *and the international political and economic sys-*
7 *tem; and*

8 *(C) contributing trends and factors to the*
9 *matters assessed under subparagraphs (A) and*
10 *(B).*

11 *(4) EXAMINATION OF RESPONSE CAPACITY.—In*
12 *examining the risks, costs, and impacts of emerging*
13 *infectious disease and a possible transnational pan-*
14 *demic under paragraph (3), the Director of National*
15 *Intelligence shall also examine in the briefing under*
16 *paragraph (2) the response capacity within affected*
17 *countries and the international system. In consid-*
18 *ering response capacity, the Director shall include—*

19 *(A) the ability of affected nations to effec-*
20 *tively detect and manage emerging infectious*
21 *diseases and a possible transnational pandemic;*

22 *(B) the role and capacity of international*
23 *organizations and nongovernmental organiza-*
24 *tions to respond to emerging infectious disease*

1 *and a possible pandemic, and their ability to co-*
2 *ordinate with affected and donor nations; and*

3 *(C) the effectiveness of current international*
4 *frameworks, agreements, and health systems to*
5 *respond to emerging infectious diseases and a*
6 *possible transnational pandemic.*

7 (5) *FORM.—The briefing under paragraph (2)*
8 *may be classified.*

9 **SEC. 2723. ANNUAL REPORT ON MEMORANDA OF UNDER-**
10 **STANDING BETWEEN ELEMENTS OF INTEL-**
11 **LIGENCE COMMUNITY AND OTHER ENTITIES**
12 **OF THE UNITED STATES GOVERNMENT RE-**
13 **GARDING SIGNIFICANT OPERATIONAL AC-**
14 **TIVITIES OR POLICY.**

15 *Section 311 of the Intelligence Authorization Act for*
16 *Fiscal Year 2017 (50 U.S.C. 3313) is amended—*

17 *(1) by redesignating subsection (b) as subsection*
18 *(c); and*

19 *(2) by striking subsection (a) and inserting the*
20 *following:*

21 “(a) *IN GENERAL.—Each year, concurrent with the*
22 *annual budget request submitted by the President to Con-*
23 *gress under section 1105 of title 31, United States Code,*
24 *each head of an element of the intelligence community shall*
25 *submit to the congressional intelligence committees a report*

1 *that lists each memorandum of understanding or other*
2 *agreement regarding significant operational activities or*
3 *policy entered into during the most recently completed fiscal*
4 *year between or among such element and any other entity*
5 *of the United States Government.*

6 “(b) *PROVISION OF DOCUMENTS.*—*Each head of an*
7 *element of an intelligence community who receives a request*
8 *from the Select Committee on Intelligence of the Senate or*
9 *the Permanent Select Committee on Intelligence of the*
10 *House of Representatives for a copy of a memorandum of*
11 *understanding or other document listed in a report sub-*
12 *mitted by the head under subsection (a) shall submit to such*
13 *committee the requested copy as soon as practicable after*
14 *receiving such request.”.*

15 **SEC. 2724. STUDY ON THE FEASIBILITY OF ENCRYPTING UN-**
16 **CLASSIFIED WIRELINE AND WIRELESS TELE-**
17 **PHONE CALLS.**

18 “(a) *STUDY REQUIRED.*—*Not later than 180 days after*
19 *the date of the enactment of this Act, the Director of Na-*
20 *tional Intelligence shall complete a study on the feasibility*
21 *of encrypting unclassified wireline and wireless telephone*
22 *calls between personnel in the intelligence community.*

23 “(b) *REPORT.*—*Not later than 90 days after the date*
24 *on which the Director completes the study required by sub-*
25 *section (a), the Director shall submit to the congressional*

1 *intelligence committees a report on the Director's findings*
2 *with respect to such study.*

3 **SEC. 2725. MODIFICATION OF REQUIREMENT FOR ANNUAL**
4 **REPORT ON HIRING AND RETENTION OF MI-**
5 **NORITY EMPLOYEES.**

6 (a) *EXPANSION OF PERIOD OF REPORT.*—Subsection
7 (a) of section 114 of the National Security Act of 1947 (50
8 U.S.C. 3050) is amended by inserting “and the preceding
9 5 fiscal years” after “fiscal year”.

10 (b) *CLARIFICATION ON DISAGGREGATION OF DATA.*—
11 Subsection (b) of such section is amended, in the matter
12 before paragraph (1), by striking “disaggregated data by
13 category of covered person from each element of the intel-
14 ligence community” and inserting “data, disaggregated by
15 category of covered person and by element of the intelligence
16 community,”.

17 **SEC. 2726. REPORTS ON INTELLIGENCE COMMUNITY LOAN**
18 **REPAYMENT AND RELATED PROGRAMS.**

19 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
20 that—

21 (1) *there should be established, through the*
22 *issuing of an Intelligence Community Directive or*
23 *otherwise, an intelligence community-wide program*
24 *for student loan repayment, student loan forgiveness,*

1 *financial counseling, and related matters, for employ-*
2 *ees of the intelligence community;*

3 (2) *creating such a program would enhance the*
4 *ability of the elements of the intelligence community*
5 *to recruit, hire, and retain highly qualified personnel,*
6 *including with respect to mission-critical and hard-*
7 *to-fill positions;*

8 (3) *such a program, including with respect to*
9 *eligibility requirements, should be designed so as to*
10 *maximize the ability of the elements of the intelligence*
11 *community to recruit, hire, and retain highly quali-*
12 *fied personnel, including with respect to mission-crit-*
13 *ical and hard-to-fill positions; and*

14 (4) *to the extent possible, such a program should*
15 *be uniform throughout the intelligence community*
16 *and publicly promoted by each element of the intel-*
17 *ligence community to both current employees of the*
18 *element as well as to prospective employees of the ele-*
19 *ment.*

20 (b) *REPORT ON POTENTIAL INTELLIGENCE COMMU-*
21 *NITY-WIDE PROGRAM.—*

22 (1) *IN GENERAL.—Not later than 180 days after*
23 *the date of the enactment of this Act, the Director of*
24 *National Intelligence, in cooperation with the heads of*
25 *the elements of the intelligence community and the*

1 *heads of any other appropriate department or agency*
2 *of the Federal Government, shall submit to the con-*
3 *gressional intelligence committees a report on poten-*
4 *tially establishing and carrying out an intelligence*
5 *community-wide program for student loan repay-*
6 *ment, student loan forgiveness, financial counseling,*
7 *and related matters, as described in subsection (a).*

8 (2) *MATTERS INCLUDED.—The report under*
9 *paragraph (1) shall include, at a minimum, the fol-*
10 *lowing:*

11 (A) *A description of the financial resources*
12 *that the elements of the intelligence community*
13 *would require to establish and initially carry out*
14 *the program specified in paragraph (1).*

15 (B) *A description of the practical steps to*
16 *establish and carry out such a program.*

17 (C) *The identification of any legislative ac-*
18 *tion the Director determines necessary to estab-*
19 *lish and carry out such a program.*

20 (c) *ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—*

21 (1) *COVERED PROGRAMS DEFINED.—In this sub-*
22 *section, the term “covered programs” means any loan*
23 *repayment program, loan forgiveness program, finan-*
24 *cial counseling program, or similar program, estab-*
25 *lished pursuant to title X of the National Security*

1 *Act of 1947 (50 U.S.C. 3191 et seq.) or any other pro-*
2 *vision of law that may be administered or used by an*
3 *element of the intelligence community.*

4 (2) *ANNUAL REPORTS REQUIRED.*—*Not less fre-*
5 *quently than once each year, the Director of National*
6 *Intelligence shall submit to the congressional intel-*
7 *ligence committees a report on the covered programs.*
8 *Each such report shall include, with respect to the pe-*
9 *riod covered by the report, the following:*

10 (A) *The number of personnel from each ele-*
11 *ment of the intelligence community who used*
12 *each covered program.*

13 (B) *The total amount of funds each element*
14 *expended for each such program.*

15 (C) *A description of the efforts made by*
16 *each element to promote each covered program*
17 *pursuant to both the personnel of the element of*
18 *the intelligence community and to prospective*
19 *personnel.*

20 **SEC. 2727. REPEAL OF CERTAIN REPORTING REQUIRE-**
21 **MENTS.**

22 (a) *CORRECTING LONG-STANDING MATERIAL WEAK-*
23 *NESSES.*—*Section 368 of the Intelligence Authorization Act*
24 *for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C. 3051*
25 *note) is hereby repealed.*

1 (b) *INTERAGENCY THREAT ASSESSMENT AND COORDI-*
 2 *NATION GROUP.*—Section 210D of the Homeland Security
 3 *Act of 2002 (6 U.S.C. 124k) is amended—*

4 (1) *by striking subsection (c); and*

5 (2) *by redesignating subsections (d) through (i)*
 6 *as subsections (c) through (h), respectively; and*

7 (3) *in subsection (c), as so redesignated—*

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

10 (B) *by striking paragraph (9).*

11 (c) *INSPECTOR GENERAL REPORT.*—Section 8H of the
 12 *Inspector General Act of 1978 (5 U.S.C. App.) is amend-*
 13 *ed—*

14 (1) *by striking subsection (g); and*

15 (2) *by redesignating subsections (h) and (i) as*
 16 *subsections (g) and (h), respectively.*

17 **SEC. 2728. INSPECTOR GENERAL OF THE INTELLIGENCE**
 18 **COMMUNITY REPORT ON SENIOR EXECU-**
 19 **TIVES OF THE OFFICE OF THE DIRECTOR OF**
 20 **NATIONAL INTELLIGENCE.**

21 (a) *SENIOR EXECUTIVE SERVICE POSITION DE-*
 22 *FINED.*—*In this section, the term “Senior Executive Service*
 23 *position” has the meaning given that term in section*
 24 *3132(a)(2) of title 5, United States Code, and includes any*

1 *position above the GS-15, step 10, level of the General*
2 *Schedule under section 5332 of such title.*

3 *(b) REPORT.—Not later than 90 days after the date*
4 *of the enactment of this Act, the Inspector General of the*
5 *Intelligence Community shall submit to the congressional*
6 *intelligence committees a report on the number of Senior*
7 *Executive Service positions in the Office of the Director of*
8 *National Intelligence.*

9 *(c) MATTERS INCLUDED.—The report under subsection*
10 *(b) shall include the following:*

11 *(1) The number of required Senior Executive*
12 *Service positions for the Office of the Director of Na-*
13 *tional Intelligence.*

14 *(2) Whether such requirements are reasonably*
15 *based on the mission of the Office.*

16 *(3) A discussion of how the number of the Senior*
17 *Executive Service positions in the Office compare to*
18 *the number of senior positions at comparable organi-*
19 *zations.*

20 *(d) COOPERATION.—The Director of National Intel-*
21 *ligence shall provide to the Inspector General of the Intel-*
22 *ligence Community any information requested by the In-*
23 *spector General of the Intelligence Community that is nec-*
24 *essary to carry out this section by not later than 14 cal-*

1 (2) *An overview of the policies and operational*
2 *practices of the Bureau with respect to making such*
3 *offers.*

4 (3) *The sufficiency of such policies and practices*
5 *with respect to inducing individuals to cooperate*
6 *with, serve as sources for such investigations, or both.*

7 (4) *Whether the Director recommends any legis-*
8 *lative actions to improve such policies and practices,*
9 *particularly with respect to the counterintelligence ef-*
10 *forts of the Bureau.*

11 **SEC. 2730. INTELLIGENCE ASSESSMENT OF NORTH KOREA**

12 **REVENUE SOURCES.**

13 (a) *ASSESSMENT REQUIRED.*—*Not later than 180*
14 *days after the date of the enactment of this Act, the Director*
15 *of National Intelligence, in coordination with the Assistant*
16 *Secretary of State for Intelligence and Research and the As-*
17 *stant Secretary of the Treasury for Intelligence and Anal-*
18 *ysis, shall produce an intelligence assessment of the revenue*
19 *sources of the North Korean regime. Such assessment shall*
20 *include revenue from the following sources:*

21 (1) *Trade in coal, iron, and iron ore.*

22 (2) *The provision of fishing rights to North Ko-*
23 *rean territorial waters.*

1 (3) *Trade in gold, titanium ore, vanadium ore,*
2 *copper, silver, nickel, zinc, or rare earth minerals,*
3 *and other stores of value.*

4 (4) *Trade in textiles.*

5 (5) *Sales of conventional defense articles and*
6 *services.*

7 (6) *Sales of controlled goods, ballistic missiles,*
8 *and other associated items.*

9 (7) *Other types of manufacturing for export, as*
10 *the Director of National Intelligence considers appro-*
11 *priate.*

12 (8) *The exportation of workers from North Korea*
13 *in a manner intended to generate significant revenue,*
14 *directly or indirectly, for use by the government of*
15 *North Korea.*

16 (9) *The provision of nonhumanitarian goods*
17 *(such as food, medicine, and medical devices) and*
18 *services by other countries.*

19 (10) *The provision of services, including banking*
20 *and other support, including by entities located in the*
21 *Russian Federation, China, and Iran.*

22 (11) *Online commercial activities of the Govern-*
23 *ment of North Korea, including online gambling.*

24 (12) *Criminal activities, including cyber-enabled*
25 *crime and counterfeit goods.*

1 (b) *ELEMENTS.*—*The assessment required under sub-*
2 *section (a) shall include an identification of each of the fol-*
3 *lowing:*

4 (1) *The sources of North Korea’s funding.*

5 (2) *Financial and non-financial networks, in-*
6 *cluding supply chain management, transportation,*
7 *and facilitation, through which North Korea accesses*
8 *the United States and international financial systems*
9 *and repatriates and exports capital, goods, and serv-*
10 *ices; and*

11 (3) *the global financial institutions, money serv-*
12 *ices business, and payment systems that assist North*
13 *Korea with financial transactions.*

14 (c) *SUBMITTAL TO CONGRESS.*—*Upon completion of*
15 *the assessment required under subsection (a), the Director*
16 *of National Intelligence shall submit to the congressional*
17 *intelligence committees a copy of such assessment.*

18 **SEC. 2731. REPORT ON POSSIBLE EXPLOITATION OF VIR-**
19 **TUAL CURRENCIES BY TERRORIST ACTORS.**

20 (a) *SHORT TITLE.*—*This section may be cited as the*
21 *“Stop Terrorist Use of Virtual Currencies Act”.*

22 (b) *REPORT.*—*Not later than 1 year after the date of*
23 *the enactment of this Act, the Director of National Intel-*
24 *ligence, in consultation with the Secretary of the Treasury,*
25 *shall submit to Congress a report on the possible exploi-*

1 *tation of virtual currencies by terrorist actors. Such report*
2 *shall include the following elements:*

3 (1) *An assessment of the means and methods by*
4 *which international terrorist organizations and State*
5 *sponsors of terrorism use virtual currencies.*

6 (2) *An assessment of the use by terrorist organi-*
7 *zations and State sponsors of terrorism of virtual cur-*
8 *rencies compared to the use by such organizations*
9 *and States of other forms of financing to support op-*
10 *erations, including an assessment of the collection*
11 *posture of the intelligence community on the use of*
12 *virtual currencies by such organizations and States.*

13 (3) *A description of any existing legal impedi-*
14 *ments that inhibit or prevent the intelligence commu-*
15 *nity from collecting information on or helping pre-*
16 *vent the use of virtual currencies by international ter-*
17 *rorist organizations and State sponsors of terrorism*
18 *and an identification of any gaps in existing law*
19 *that could be exploited for illicit funding by such or-*
20 *ganizations and States.*

21 (c) *FORM OF REPORT.*—*The report required by sub-*
22 *section (b) shall be submitted in unclassified form, but may*
23 *include a classified annex.*

1 ***Subtitle C—Other Matters***

2 ***SEC. 2741. PUBLIC INTEREST DECLASSIFICATION BOARD.***

3 *Section 710(b) of the Public Interest Declassification*
 4 *Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)*
 5 *is amended by striking “December 31, 2018” and inserting*
 6 *“December 31, 2028”.*

7 ***SEC. 2742. TECHNICAL AND CLERICAL AMENDMENTS TO***
 8 ***THE NATIONAL SECURITY ACT OF 1947.***

9 *(a) TABLE OF CONTENTS.—The table of contents at the*
 10 *beginning of the National Security Act of 1947 (50 U.S.C.*
 11 *3001 et seq.) is amended—*

12 *(1) by inserting after the item relating to section*
 13 *2 the following new item:*

“Sec. 3. Definitions.”;

14 *(2) by striking the item relating to section 107;*

15 *(3) by striking the item relating to section 113B*

16 *and inserting the following new item:*

“Sec. 113B. Special pay authority for science, technology, engineering, or mathe-
 matics positions.”;

17 *(4) by striking the items relating to sections 202,*
 18 *203, 204, 208, 209, 210, 211, 212, 213, and 214; and*

19 *(5) by inserting after the item relating to section*
 20 *311 the following new item:*

“Sec. 312. Repealing and saving provisions.”.

21 *(b) OTHER TECHNICAL CORRECTIONS.—Such Act is*
 22 *further amended—*

1 (1) *in section 102A—*

2 (A) *in subparagraph (G) of paragraph (1)*
3 *of subsection (g), by moving the margins of such*
4 *subparagraph 2 ems to the left; and*

5 (B) *in paragraph (3) of subsection (v), by*
6 *moving the margins of such paragraph 2 ems to*
7 *the left;*

8 (2) *in section 106—*

9 (A) *by inserting “SEC. 106.” before “(a)”;*
10 *and*

11 (B) *in subparagraph (I) of paragraph (2)*
12 *of subsection (b), by moving the margins of such*
13 *subparagraph 2 ems to the left;*

14 (3) *by striking section 107;*

15 (4) *in section 108(c), by striking “in both a clas-*
16 *sified and an unclassified form” and inserting “to*
17 *Congress in classified form, but may include an un-*
18 *classified summary”;*

19 (5) *in section 112(c)(1), by striking “section*
20 *103(c)(7)” and inserting “section 102A(i)”;*

21 (6) *by amending section 201 to read as follows:*

22 **“SEC. 201. DEPARTMENT OF DEFENSE.**

23 *“Except to the extent inconsistent with the provisions*
24 *of this Act or other provisions of law, the provisions of title*

1 5, *United States Code*, shall be applicable to the Depart-
2 *ment of Defense.*”;

3 (7) in section 205, by redesignating subsections
4 (b) and (c) as subsections (a) and (b), respectively;

5 (8) in section 206, by striking “(a)”;

6 (9) in section 207, by striking “(c)”;

7 (10) in section 308(a), by striking “this Act”
8 and inserting “sections 2, 101, 102, 103, and 303 of
9 this Act”;

10 (11) by redesignating section 411 as section 312;

11 (12) in section 503—

12 (A) in paragraph (5) of subsection (c)—

13 (i) by moving the margins of such
14 paragraph 2 ems to the left; and

15 (ii) by moving the margins of subpara-
16 graph (B) of such paragraph 2 ems to the
17 left; and

18 (B) in paragraph (2) of subsection (d), by
19 moving the margins of such paragraph 2 ems to
20 the left; and

21 (13) in subparagraph (B) of paragraph (3) of
22 subsection (a) of section 504, by moving the margins
23 of such subparagraph 2 ems to the right.

1 **SEC. 2743. TECHNICAL AMENDMENTS RELATED TO THE DE-**
2 **PARTMENT OF ENERGY.**

3 (a) NATIONAL NUCLEAR SECURITY ADMINISTRATION
4 ACT.—

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

10 (A) by striking paragraphs (11) and (12);

11 and

12 (B) by redesignating paragraphs (13)
13 through (19) as paragraphs (11) through (17),
14 respectively.

15 (2) COUNTERINTELLIGENCE PROGRAMS.—Section
16 3233(b) of the National Nuclear Security Administra-
17 tion Act (50 U.S.C. 2423(b)) is amended—

18 (A) by striking “Administration” and in-
19 serting “Department”; and

20 (B) by inserting “Intelligence and” after
21 “the Office of”.

22 (b) ATOMIC ENERGY DEFENSE ACT.—Section
23 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
24 2674(b)(2)) is amended by inserting “Intelligence and”
25 after “The Director of”.

1 (c) *NATIONAL SECURITY ACT OF 1947*.—Paragraph
2 (2) of section 106(b) of the National Security Act of 1947
3 (50 U.S.C. 3041(b)(2)) is amended—

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

6 (2) by striking subparagraph (F); and

7 (3) by redesignating subparagraphs (G), (H),
8 and (I) as subparagraphs (F), (G), and (H), respec-
9 tively.

10 **SEC. 2744. SENSE OF CONGRESS ON NOTIFICATION OF CER-**

11 **TAIN DISCLOSURES OF CLASSIFIED INFORMA-**

12 **TION.**

13 (a) *DEFINITIONS*.—In this section:

14 (1) *ADVERSARY FOREIGN GOVERNMENT*.—The
15 term “adversary foreign government” means the gov-
16 ernment of any of the following foreign countries:

17 (A) North Korea.

18 (B) Iran.

19 (C) China.

20 (D) Russia.

21 (E) Cuba.

22 (2) *COVERED CLASSIFIED INFORMATION*.—The
23 term “covered classified information” means classified
24 information that was—

1 (A) collected by an element of the intel-
2 ligence community; or

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

6 (3) *ESTABLISHED INTELLIGENCE CHANNELS.*—
7 The term “established intelligence channels” means
8 methods to exchange intelligence to coordinate foreign
9 intelligence relationships, as established pursuant to
10 law by the Director of National Intelligence, the Di-
11 rector of the Central Intelligence Agency, the Director
12 of the National Security Agency, or other head of an
13 element of the intelligence community.

14 (4) *INDIVIDUAL IN THE EXECUTIVE BRANCH.*—
15 The term “individual in the executive branch” means
16 any officer or employee of the executive branch, in-
17 cluding individuals—

18 (A) occupying a position specified in article
19 II of the Constitution;

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

22 (C) serving in the civil service or the Senior
23 Executive Service (or similar service for senior
24 executives of particular departments or agencies).

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

11 (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*
12 *that—*

13 (1) *section 502 of the National Security Act of*
14 *1947 (50 U.S.C. 3092), together with other intel-*
15 *ligence community authorities, obligates an element of*
16 *the intelligence community to submit to the congress-*
17 *sional intelligence committees written notification, by*
18 *not later than 7 days after becoming aware, that an*
19 *individual in the executive branch has disclosed cov-*
20 *ered classified information to an official of an adver-*
21 *sary foreign government using methods other than es-*
22 *tablished intelligence channels; and*

23 (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 **SEC. 2745. SENSE OF CONGRESS ON CONSIDERATION OF**
12 **ESPIONAGE ACTIVITIES WHEN CONSIDERING**
13 **WHETHER OR NOT TO PROVIDE VISAS TO**
14 **FOREIGN INDIVIDUALS TO BE ACCREDITED**
15 **TO A UNITED NATIONS MISSION IN THE**
16 **UNITED STATES.**

17 *It is the sense of the Congress that the Secretary of*
18 *State, in considering whether or not to provide a visa to*
19 *a foreign individual to be accredited to a United Nations*
20 *mission in the United States, should consider—*

21 (1) *known and suspected intelligence activities,*
22 *espionage activities, including activities constituting*
23 *precursors to espionage, carried out by the individual*
24 *against the United States, foreign allies of the United*
25 *States, or foreign partners of the United States; and*

- 1 (2) *the status of an individual as a known or*
2 *suspected intelligence officer for a foreign adversary.*

Amend the title so as to read: “A bill to authorize appropriations for fiscal years 2018, 2019, and 2020 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.”.

Union Calendar No. 113

116TH CONGRESS
1ST Session

H. R. 3494

[Report No. 116-151, Part I]

A BILL

To authorize appropriations for fiscal year 2020 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

JULY 11, 2019

Reported with amendments and referred to the Committee on Ways and Means for a period ending not later than July 11, 2019, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1 (4) of rule X

JULY 11, 2019

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed