S6450

CONGRESSIONAL RECORD — SENATE

December 9, 2014

H.R. 3978, supra; which was ordered to lie on the table.

SA 3992. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 3978, supra; which was ordered to lie on the table.

SA 3993. Mr. SCHATZ (for Mr. Coons) proposed an amendment to the resolution S. Res. 413, recognizing 20 years since the genocide in Rwanda, and affirming it is in the national interest of the United States to work in close coordination with international partners to help prevent and mitigate acts of genocide and mass atrocities.

SA 3994. Mr. SCHATZ (for Mr. Coons) proposed an amendment to the resolution S. Res. 413, supra.

SA 3995. Mr. SCHATZ (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 6831, to authorize appropriations for fiscal years 2014 and 2015 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; as follows:

TEXAS.——Recommendations agreed upon by the

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE. (a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Security Stakeholder Participation Act of 2014".

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE. (a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

§ 44946. Aviation Security Advisory Committee.

"(a) ESTABLISHMENT.—The Assistant Secretary shall establish within the Transportation Security Administration an aviation security advisory committee.

"(b) DUTIES—

"(1) IN GENERAL.—The Assistant Secretary shall consult the Advisory Committee, as appropriate, on matters which include, but are not limited to, activities and matters relating to the transportation of passengers and cargo, including their harmonization internationally, and the development, refinement, and implementation of policies, programs, rules, and regulations necessary to carry out the purposes of this section.

"(2) RECOMMENDATIONS.—

"(A) IN GENERAL.—The Advisory Committee shall recommend to the Secretary, recommendations for improvements to aviation security.

"(B) RECOMMENDATIONS OF SUBCOMMITTEES.—The recommendations of the subcommittees established under this section shall be approved by the Administrative Committee before transmission to the Assistant Secretary.

"(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Assistant Secretary—

"(A) reports on matters identified by the Assistant Secretary; and

"(B) reports on other matters identified by a majority of the members of the Advisory Committee.

"(4) ANNUAL REPORT.—The Advisory Committee shall submit to the Assistant Secretary an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the period ending not later than 90 days after the date that the Secretary receives the annual report.

"(5) FEEDBACK.—Not later than 90 days after receiving recommendations transmitted by the Advisory Committee under paragraph (4), the Assistant Secretary shall respond in writing to the Advisory Committee with feedback on each of the recommendations, an action plan to implement the recommendations, and a justification for any of the recommendations that have been rejected.

"(6) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after providing written notification to the Advisory Committee under paragraph (5), the Assistant Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives on such feedback and action plans requested under paragraph (5).

"(7) REPORT TO CONGRESS.—Prior to briefing the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives under paragraph (6), the Assistant Secretary shall submit to each of such committees a report containing information relating to the recommendations transmitted by the Advisory Committee in accordance with paragraph (4).

"(c) MEMBERSHIP.—

"(1) APPOINTMENT.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the Assistant Secretary shall appoint the members of the Advisory Committee.

"(B) MEMBERSHIP.—The membership of the Advisory Committee shall consist of individuals representing not more than 34 member organizations. Each organization shall be represented by an individual (or the individual’s designee).

"(2) REPRESENTATION.—The membership of the Advisory Committee shall include representatives of: air carriers, airports, government agencies, law enforcement and security organizations, airline unions, airport unions, airport operators, airport construction and maintenance contractors, labor organizations representing employees of airport construction and maintenance contractors, general aviation, privacy organizations, the travel industry, airport-based businesses (including minority-owned small businesses), businesses that conduct security and screening operations at airports, aeronautical repair stations, passenger advocacy groups, the aviation security technology industry (including screening technology and biometrics), victims of terrorist acts against aviation, and law enforcement and security experts.

"(3) TERMS OF OFFICE.—

"(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years. A member of the Advisory Committee may be reappointed.

"(B) REMOVAL.—The Assistant Secretary may remove a member of the Advisory Committee and replace such member for good cause.

"(4) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive pay, allowances, or benefits from the Government by reason of their service on the Advisory Committee.

"(4) MEETINGS.—

"(a) IN GENERAL.—The Assistant Secretary shall require the Advisory Committee to meet at least semiannually and may convene additional meetings as necessary.

"(5) MEMBER ACCESS TO SENSITIVE SECURITY INFORMATION.—Not later than 180 days after the date of a member's appointment, the Assistant Secretary shall determine if there is cause for the member to be restricted from access to sensitive security information. Without such cause, and upon the member voluntarily signing a non-disclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's advisory duties. The member shall protect the sensitive security information in accordance with part 1320 of title 49, Code of Federal Regulations.

"(6) CHAIRPERSON.—A stakeholder representative on the Advisory Committee who is elected by the appointed membership of the Advisory Committee shall chair the Advisory Committee.

"(4) SUBCOMMITTEES.—The Advisory Committee shall create subcommittees to address aviation security issues, including the following:

"(A) AIR CARGO SECURITY.—The implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

"(B) GENERAL AVIATION.—General aviation facilities, general aviation aircraft, and helicopter operations at general aviation and commercial service airports, and access control issues.

"(D) SECURITY TECHNOLOGY.—Security technology standards and requirements, including their harmonization internationally; technology to screen passengers, passenger baggage, carry-on baggage, and cargo, and biometric technologies.

"(E) RISK-BASED SECURITY.—All subcommittees established by the Advisory Committee chairperson in coordination with the Assistant Secretary shall consider risk-based security approaches in the performance of their functions that weigh the optimum balance of costs and benefits in transportation security, including for passenger screening, baggage screening, air cargo security policies, and general aviation security matters.

"(5) MEETINGS AND REPORTING.—Each subcommittee shall meet at least quarterly and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including recommendations regarding issues within the subcommittee.

"(4) SUBCOMMITTEE CHAIRS.—Each subcommittee shall be co-chaired by a Government official and an industry official.

"(6) SUBJECT MATTER EXPERTS.—Each subcommittee under this section shall include
subject matter experts with relevant expertise who are appointed by the respective subcommittee chairpersons.

APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee and its subcommittees.

"(e) Definitions.—In this section:

"(1) ADVISORY COMMITTEE.—The term ‘Advisory Committee’ means the aviation security advisory committee established under subsection (a).

"(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of Homeland Security (Transportation Security Administration).

"(3) PERIMETER SECURITY.—

"(A) IN GENERAL.—The term ‘perimeter security’ includes the fence area surrounding an airport, including its airfield and terminal.

"(B) INCLUSIONS.—The term ‘perimeter security’ includes the area surrounding an airport, access gates, and access controls.

"(f) CLERICAL AMENDMENT.—The analysis for subsection (a) of section 499 of title 49, United States Code, is amended by adding at the end the following new item:

"49946. Aviation Security Advisory Committee.”.
practice principles issued by the Privacy Officer of the Department;

(7) confirmation that there are no significant risks to human health or safety posed by the technology acquisition;

(8) an estimate of the benefits to commercial aviation passengers.

(b) REPORTS AND CERTIFICATION TO CONGRESS.

(1) In General.—Not later than the end of the 30-day period preceding the award by the Administration of a contract for any security-related technology acquisition exceeding $30,000,000, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives—

(A) the results of the comprehensive acquisition justification under subsection (a); and

(B) a certification by the Administrator that the benefits to transportation security justify the contract cost.

(2) Extension Due to Imminent Terrorist Threat.—If there is a known or suspected imminent threat to transportation security, the Administrator—

(A) may reduce the 30-day period under paragraph (1) to 5 days to rapidly respond to the threat; and

(B) shall immediately notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives of the known or suspected imminent threat.

SEC. 1613. ACQUISITION BASELINE ESTABLISHMENT AND REPORTS.

(a) Baseline Requirements.—

(1) Acquisition Plans.—The Administrator implements any security-related technology acquisition, the appropriate acquisition official of the Department shall establish and document a set of formal baseline requirements.

(2) Contents.—The baseline requirements under paragraph (1) shall—

(A) include the estimated costs (including lifecycle costs), schedule, and performance milestones for the planned duration of the acquisition;

(B) identify the acquisition risks and a plan for mitigating those risks; and

(C) assess the personnel necessary to manage the acquisition process, manage the ongoing training, support training and other operations as necessary.

(3) Frasability.—In establishing the performance milestones under paragraph (2)(A), the appropriate acquisition official of the Department, to the extent possible and in consultation with the Under Secretary for Science and Technology, shall ensure that achieving those milestones is technologically feasible.

(b) Test and Evaluation Plans.—The Administrator, in consultation with the Under Secretary for Science and Technology, shall develop a test and evaluation plan that describes—

(A) the activities that are expected to be required to assess acquired technologies against the performance milestones established under paragraph (2)(A);

(B) the necessary and cost-effective combination of laboratory testing, field testing, modeling, simulation, and supporting analysis to ensure that such technologies meet the Administration’s mission needs;

(C) the testing schedule to ensure that test and evaluation activities are completed without undue delay; and

(D) if commercial aviation passengers are expected to participate in the security-related technology, methods that could be used to measure passenger acceptance of and familiarity with the security-related technology.

(c) Verification and Validation.—The appropriate acquisition official of the Department—

(A) subject to subparagraph (B), shall utilize independent reviewers to verify and validate the performance milestones and cost estimates developed under paragraph (2) for any security-related technology that pursuant to section 1611(d)(2) has been identified as a high priority need in the most recent Plan; and

(B) shall ensure that the use of independent reviewers does not unduly delay the schedule of any acquisition.

(d) Streamlining Access for Interested Vendors.—The Administrator shall establish a streamlined process for an interested vendor of a security-related technology to request and receive appropriate access to the baseline requirements and test and evaluation plans that are necessary for the vendor to participate in the acquisitions process for that technology.

(e) Review of Baseline Requirements and Deviation; Report to Congress.—

(1) Review.—(A) In General.—The appropriate acquisition official of the Department shall review and assess each acquisition plan to determine if the acquisition is meeting the baseline requirements established under subsection (a).

(B) Test and Evaluation Assessment.—The review shall include an assessment of whether—

(i) the planned testing and evaluation activities have been completed; and

(ii) the results of that testing and evaluation demonstrate that the performance milestones are technologically feasible.

(2) Report.—Not later than 30 days after making a finding described in clause (i), (ii), or (iii) of subparagraph (A), the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

(A) the results of any assessment that finds that—

(i) the actual or planned costs exceed the baseline costs by more than 10 percent;

(ii) the actual or planned schedule for delivery has been delayed by more than 180 days; or

(iii) there is a failure to meet any performance milestone that directly impacts security effectiveness;

(B) the cause for such excessive costs, delay, or failure; and

(C) a plan for corrective action.

SEC. 1614. INVENTORY UTILIZATION.

(a) In General.—Before the procurement of additional quantities of equipment to fulfill a mission need, the Administrator, to the extent practicable, shall utilize any existing units in the Administration’s inventory to meet that need.

(b) Tracking of Inventory.—

(1) In General.—The Administrator shall establish a process for tracking—

(A) the location of security-related equipment in the inventory under subsection (a);

(B) the utilization status of security-related technology in the inventory under subsection (a); and

(C) the quantity of security-related equipment in the inventory under subsection (a).

(2) Internal Controls.—The Administrator shall implement internal controls to ensure up-to-date accurate data on security-related technology owned, deployed, and in use.

(c) Logistics Management.—

(1) In General.—The Administrator shall establish logistics principles for managing inventory in an effective and efficient manner.

(2) Limitation on Just-in-Time Logistics.—The Administrator may not use just-in-time logistics if doing so—

(A) would inhibit necessary planning for large-scale delivery of equipment to airports or other facilities; or

(B) would unduly diminish surge capacity for response to a terrorist threat.

SEC. 1615. SMALL BUSINESS CONTRACTING GOALS.

Not later than 90 days after the date of enactment of the Transportation Security Acquisition Reform Act, and annually thereafter, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

(1) the Administration’s performance record with respect to meeting its published small-business contracting goals during the preceding fiscal year;

(2) if the goals described in paragraph (1) were not met or the Administration’s performance was below the published small-business contracting goals of the Department;

(3) a status report on the implementation of the action plan that was developed in the preceding fiscal year in accordance with paragraph (2)(B), if such a plan was required.

SEC. 1616. CONSISTENCY WITH THE FEDERAL ACQUISITION REGULATION AND DEPARTMENTAL POLICIES AND DIRECTIVES.

The Administrator shall execute the responsibilities set forth in this subtitle in a manner consistent with, and not duplicative of, the Federal Acquisition Regulation and the Department’s policies and directives.

Subtitle A—General Provisions

Section 1611. Definitions.

Section 1612. Acquisitions.

Section 1613. Acquisition Baseline Establishment and Reports.

Section 1614. Inventory Utilization.

Section 1615. Small Business Contracting Goals.

Section 1616. Consistency with the Federal Acquisition Regulation and Departmental Policies and Directives.

Nothing in this section may be construed to
SEC. 598. SHORT TITLE.

This subtitle may be cited as the “Military Justice Improvement and Accountability Reform.”

SEC. 597. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CERTAIN OFFENSES WITHOUT AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subparagraphs (A) through (E) as punishable by court-martial under that chapter includes confinement for more than one year.

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter, for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(B) An offense under section 892a of title 10, United States Code (article 92a of the Uniform Code of Military Justice), as added by section 599B of this Act, regardless of the maximum punishment authorized under that chapter.

(C) An offense under section 907a of title 10, United States Code (article 907a of the Uniform Code of Military Justice), as added by section 599C of this Act, regardless of the maximum punishment authorized under that chapter.

(D) The determination to try such charges by court-martial under subparagraph (A) against a member of the Coast Guard when it is not operating as a service in the Navy, the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(E) An attempt to commit an offense specified in subparagraph (A) through (E) as punishable by court-martial under that chapter.

(b) INFORMATION.—The information the Secretary of Homeland Security may require in making the determination under this section shall be the information prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial;

(iii) are outside the chain of command of the member subject to such charges.

(c) IMPOSITION OF Maximum PENALTY.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration’s progress in implementing subtitle B of title XVI of the Homeland Security Act of 2002, as amended by section 3, including any efficiencies, cost savings, or delays that have resulted from such implementation.

SEC. 5. REPORT ON FEASIBILITY OF INVENTORY MANAGEMENT RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration’s implementation of recommendations regarding the acquisition of security-related technology that were made by the Government Accountability Office before the date of the enactment of this Act.

(a) IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration’s implementation of recommendations regarding the acquisition of security-related technology that were made by the Government Accountability Office before the date of the enactment of this Act.

(b) IMPLEMENTATION OF SUBTITLE B OF TITLE XVI.—Not later than 3 years thereafter, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration’s progress in implementing subtitle B of title XVI of the Homeland Security Act of 2002, as amended by section 3, including any efficiencies, cost savings, or delays that have resulted from such implementation.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF TSA’S TEST AND EVALUATION PROCESS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit a report to Congress on the feasibility of tracking security-related technologies, including software solutions, of the Administration through automated information and data capture technologies.

SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act.
(B) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures under this paragraph in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security did not and does not render unconstitutional any policy or procedure, as so revised.

(7) MANUAL FOR COURTS-MARTIAL.—The Secretary shall recommend to the Office of the Secretary of Defense that the changes to the Manual for Courts-Martial as necessary to ensure compliance with this subsection.

(b) EFFECTIVE DATE AND APPLICABILITY.—Subsection (a), and the revisions required by that subsection, shall take effect on the date that is five years after the date of the enactment of this Act, and shall apply with respect to charges preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), on or after such effective date.

SEC. 598. MODIFICATION OF OFFICERS AUTHORIZED TO CONVEY GENERAL AND SPECIAL COURTS-MARTIAL

(a) In general.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraphs (8):

"(8) the officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2014 or officers in the grade of O–6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, or the Commandant of the Coast Guard, but only with respect to offenses to which section 599(a)(1) of the Military Justice Improvement Act of 2014 applies.";

(b) No exercise by officers in chain of command authorized or victim.—Such section (article) is further amended by adding at the end the following new subsection:

"(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section in the chain of command of the accused or victim."

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (a) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to part 822(b) of title 10, United States Code (article 23(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 599(a)(1) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of officers of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security as may be designated by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence on the date of the enactment of this Act.

SEC. 599. MODIFICATION OF OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES

(a) In general.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 597 and 598 (and the amendments made by section 598) using personnel, funds, and resources otherwise authorized by law.

(b) No automatic personnel or resources.—Sections 597 and 598 (and the amendments made by section 598) shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 599A. MONITORING AND ASSESSMENT OF MODIFICATIONS TO OFFICERS AUTHORIZED TO CONVENE COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE

Section 567a(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K); and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

"(J) Monitor and assess the implementation and efficacy of sections 597 through 599 of the Military Justice Improvement Act of 2014, and the amendments made by such sections.".

SEC. 599B. EXPONENTIAL CODIFICATION OF RETALIATION FOR REPORTING A CRIME AS AN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE

(a) In general.—Section 903 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), or retaliating against any person subject to his order for reporting a criminal offense, after "any person subject to his order".

(b) Conforming amendments.

(1) Section 911(a) (as so revised).

(2) The table of sections at the beginning of subchapter X of chapter 47 of such title is amended by striking the item relating to section 911(a) (as so revised) and inserting the following new item:

"§ 911a. Art. 93a. Cruelty and maltreatment; retaliation for reporting a crime."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title, as amended by section 599B of this Act, is amended by inserting after the item relating to section 907 (article 107) the following new item:


SA 3980. Mr. BROWN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, Mr. CASEY, Mr. SCHUMER, Ms. STABENOW, Mr. CARDIN, Mr. DONNELLY, Ms. BAlDWIN, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 5771, to amend the Internal Revenue Code of 1986 to extend certain existing provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts, to establish new programs for the care of family members with disabilities, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, between lines 4 and 5, insert the following:

SEC. 101. EXTENSION OF HEALTH CARE TAX CREDIT.

(a) In general.—Subparagraph (B) of section 35(b)(1) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after December 31, 2013.

SA 3981. Mr. BEGICH proposed an amendment to the bill S. 1474, to amend the Violence Against Women Reauthorization Act of 2013 to repeal a special rule for the State of Alaska, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF SPECIAL RULE FOR STATE OF ALASKA.

Section 910 of the Violence Against Women Reauthorization Act of 2013 (18 U.S.C. 2651 note; Public Law 113–4) is repealed.

SA 3982. Mr. BEGICH proposed an amendment to the bill S. 1474, to amend the Violence Against Women Reauthorization Act of 2013 to repeal a special rule for the State of Alaska, and for other purposes; as follows:

Amend the title so as to read: "A bill to amend the Violence Against Women Reauthorization Act of 2013 (Public Law 112–55; 126 Stat. 1972) and for other purposes."

SA 3983. Mr. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 596. SHORT TITLE.

This subtitle may be cited as the “Military Justice Improvement Act of 2014.”

SEC. 597. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter of article 30(b) of the Uniform Code of Military Justice on whether to try such charges by court-martial as provided in paragraph (4).

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter of article 30(b) of the Uniform Code of Military Justice on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter includes confinement for more than one year.

(B) An offense of retaliation for reporting a crime under section 893 of title 10, United States Code (article 80 of the Uniform Code of Military Justice), as amended by section 998(b) of this Act.

(C) An offense under section 907a of title 10, United States Code (article 24 of the Uniform Code of Military Justice), as amended by section 998(c) of this Act, regardless of the maximum punishment authorized under that chapter includes confinement for more than one year.

(D) An offense of retaliation for reporting a crime under section 893 of title 10, United States Code (article 80 of the Uniform Code of Military Justice), as amended by section 998(b) of this Act.

(E) An attempt to commit an offense specified in subparagraph (A) through (F) of the Uniform Code of Military Justice, as so amended, regardless of the maximum punishment authorized under that chapter.

(F) The determination under subparagraph (B) of the Uniform Code of Military Justice, as so amended, regardless of the maximum punishment authorized under that chapter.

(G) An offense under section 893 of title 10, United States Code (article 80 of the Uniform Code of Military Justice), as amended by section 998(b) of this Act.

(3) MODIFICATION OF DETRIMENTAL INTEREST IDENTIFICATION.—Subsection (a) shall not apply to an offense under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(4) REQUIREMENTS AND LIMITATIONS.—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are qualified in law to practice before the court martial under which the maximum punishment authorized under such chapter is triable by a court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(b) N O EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF AUTHORITY TO TRY CHARGES ON OFFENSES SPECIFIED IN THIS SUBSECTION.

(1) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), as amended by section 598(c) of this Act, is amended by—

(A) by redesigning paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following new paragraph (8):

(8) The officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2014 or officers in the grade of O-4 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of the Staff of the Air Force, the Secretary of Defense, or such Members of the Coast Guard, but only with respect to offenses to which section 598(a)(1) of the Military Justice Improvement Act of 2014 applies:

(1) by redesigning paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

(8) The officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2014 or officers in the grade of O-4 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of the Staff of the Air Force, the Secretary of Defense, or such Members of the Coast Guard, but only with respect to offenses to which section 598(a)(1) of the Military Justice Improvement Act of 2014 applies:

(2) BY EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Section 598(d) of this Act is amended by—

(A) by redesigning paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following new paragraph (8):

(8) The officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2014 or officers in the grade of O-4 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of the Staff of the Air Force, or the Secretary of Defense, but only with respect to offenses to which section 598(a)(1) of the Military Justice Improvement Act of 2014 applies:

(2) BY EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Section 598(d) of this Act is amended by—

(A) by redesigning paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following new paragraph (8):

(8) The officers in the offices established pursuant to section 598(c) of the Military Justice Improvement Act of 2014 or officers in the grade of O-4 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of the Staff of the Air Force, the Secretary of Defense, or such Members of the Coast Guard, but only with respect to offenses to which section 598(a)(1) of the Military Justice Improvement Act of 2014 applies:

(c) CHIEFS OF STAFF OF MILITARY DEPARTMENTS.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial convened as described in paragraph (A) of the Uniform Code of Military Justice, as amended by paragraph (1) of the Uniform Code of Military Justice, as amended by section 993 of this Act.

(B) To determine under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 592(a)(1) applies.

(c) OFFICERS OF COURTS-MARTIAL.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial convened as described in paragraph (A) of the Uniform Code of Military Justice, as amended by paragraph (1) of the Uniform Code of Military Justice, as amended by section 993 of this Act.

(B) To determine under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 592(a)(1) applies.

(c) OFFICERS OF COURTS-MARTIAL.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial convened as described in paragraph (A) of the Uniform Code of Military Justice, as amended by paragraph (1) of the Uniform Code of Military Justice, as amended by section 993 of this Act.

(B) To determine under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 592(a)(1) applies.

(c) OFFICERS OF COURTS-MARTIAL.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial convened as described in paragraph (A) of the Uniform Code of Military Justice, as amended by paragraph (1) of the Uniform Code of Military Justice, as amended by section 993 of this Act.

(B) To determine under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 592(a)(1) applies.

(c) OFFICERS OF COURTS-MARTIAL.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial convened as described in paragraph (A) of the Uniform Code of Military Justice, as amended by paragraph (1) of the Uniform Code of Military Justice, as amended by section 993 of this Act.

(B) To determine under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 592(a)(1) applies.
SEC. 599. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 597 and 598 (and the amendments made by section 598) using personnel, funds, and resources otherwise authorized by law.

(b) NO APPOINTMENT OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 597 and 598 (and the amendments made by section 598) shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 599A. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES ON COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 576(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K); and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

"(J) Monitor and assess the implementation of sections 597 through 599 of the Military Justice Improvement Act of 2014, and the amendments made by such sections.".

SEC. 599B. EXPLICIT CODIFICATION OF RETALIATION FOR REPORTING A CRIME AS AN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Section 893 (article 93) of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting the following new item:

"§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime.".

(b) CONFORMING AMENDMENTS.—

(1) SECTION (ARTICLE) HEADINGS.—The heading of such section (article) is amended to read as follows:

"§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime".

(2) TABLE OF SECTIONS (ARTICLES).—The table of sections at the beginning of chapter X of chapter 47 of such title is amended by striking the item relating to section 893 (article 93) and inserting the following new item:

"§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime.".

(c) REPEAL OF SUPERSEDED PROHIBITION.—


SEC. 599C. ESTABLISHMENT OF OBSTRUCTION OF JUSTICE AS A SEPARATE OFFENCE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PUNITIVE ARTICLE.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 907 (article 107) the following new section (article):


Any person subject to this chapter who wrongfully aids, abets, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct, except that the maximum punishment authorized for such offense may not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement for not more than five years."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is further amended by inserting after the item relating to section 907 (article 107) the following new item:

"§ 907a. Art. 107a. Obstruction of justice.".

SA 3984. Mr. REID proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3985. Mr. REID proposed an amendment to amendment SA 3984 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

"2 days".

SA 3986. Mr. REID proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3987. Mr. REID proposed an amendment to amendment SA 3986 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike "3 days" and insert "4 days".

SA 3988. Mr. REID proposed an amendment to amendment SA 3987 proposed by Mr. REID to the amendment SA 3986 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike "4" and insert "5".

SA 3989. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 1209.

SA 3990. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1080. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and United Nations affiliated agencies and related bodies.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year that compares with all contributions to such agency or body from any source in such fiscal year.

(3) For each such contribution—

(A) the amount of the contribution;

(B) a description of the contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for the contribution;

(D) the purpose of the contribution; and

(E) the United Nations or United Nations affiliated agency or related body receiving the contribution.

(c) SCOPE OF INITIAL REPORT.—The first report required under subsection (a) shall include the information required under this section for the previous four fiscal years.

(d) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a public version of the report on a text-based, searchable, and publicly available Internet website.

SA 3991. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 1209.
Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of section 1353, add the following:

(1) LIMITATION ON USE OF CERTAIN FUNDS PENDING CERTIFICATION ON DEFENSE BUDGETS OF NATO EUROPEAN ALLIES.—Funds available for the European Reassurance Initiative, or covered by subsection (b)(1), may not be used for purposes described in subsection (a) unless, not later than 10 days before the commencement of the expenditures of such funds for such purposes, the President certifies to Congress in writing that the North Atlantic Treaty Organization (NATO) allies in Europe are—

(1) appropriately prioritizing current defense resources towards deterring aggression by the Russian Federation; and
(2) taking steps—
(A) to reverse declining defense spending, as most recently agreed to in the Wales Summit Declaration issued on September 5, 2014; and
(B) to increase defense spending towards the goal of defense spending in an amount equal to two-percent of gross domestic product (GDP).

SA 3992. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike title XXX.

SA 3993. Mr. SCHATZ (for Mr. COONS) proposed an amendment to the resolution S. Res. 413, recognizing 20 years since the genocide in Rwanda, and affirming it is in the national interest of the United States to work in close coordination with international partners to help prevent and mitigate acts of genocide and mass atrocities; as follows:

On page 6, beginning on line 14, strike “events;” and all that follows through “(8) supports” on line 25 and insert the following: “events;” and all that follows through “(8) clarifies that nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war; and” supports

SA 3994. Mr. SCHATZ (for Mr. COONS) proposed an amendment to the resolution S. Res. 413, recognizing 20 years since the genocide in Rwanda, and affirming it is in the national interest of the United States to work in close coordination with international partners to help prevent and mitigate acts of genocide and mass atrocities; as follows:

Amend the twelfth whereas clause of the preamble by adding the following:

Whereas, in September 2006, the United States joined other members of the United Nations in adopting United Nations General Assembly Resolution 60/1, which affirmed that the international community has a responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help prevent, respond to, and redress genocide, war crimes, ethnic cleansing, and crimes against humanity.

SA 3995. Mr. SCHATZ (for Mrs. FERGUSON) proposed an amendment to the bill H.R. 4681, to authorize appropriations for fiscal years 2014 and 2015 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, the Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2015”.
(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Budgetary effects.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters
Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. National intelligence strategy.
Sec. 304. Software security.
Sec. 305. Reporting of certain employment activities by former intelligence officers and employees.
Sec. 306. Inclusion of Predominantly Black Institutions in intelligence officer training program.
Sec. 307. Management and oversight of financial intelligence.
Sec. 308. Analysis of private sector policies and procedures for countering insider threats.
Sec. 309. Procedures for the retention of incidentally acquired communications.
Sec. 310. Clarification of limitation of rights to request security clearance or access determinations.
Sec. 311. Feasibility study on consolidating classified databases of cyber threat indicators and malware samples.
Sec. 312. Sensing of Congress on cybersecurity threat and cybercrime cooperation with Ukraine.
Sec. 313. Replacement of locally employed staff serving at United States diplomatic facilities in the Russian Federation.
Sec. 314. Inclusion of Sensitive Compartmented Information Facilities in United States diplomatic facilities in the Russian Federation and adjacent countries.

Subtitle B—Reporting
Sec. 322. Report on financial intelligence community efficient spending targets.
Sec. 323. Annual report on violations of law or executive order.

Sec. 325. Report on political prison camps in North Korea.
Sec. 326. Assessment of security of domestic oil refineries and related rail transportation infrastructure.
Sec. 327. Enhanced contractor level assessments for the intelligence community.
Sec. 328. Assessment of the efficacy of memoranda of understanding to facilitate intelligence-sharing.
Sec. 329. Report on foreign man-made electromagnetic pulse weapons.
Sec. 330. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.
Sec. 331. Feasibility study on retraining veterans in cybersecurity.

SEC. 2. DEFINITIONS.

In this Act:
(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” means—
(A) the Select Committee on Intelligence of the Senate; and
(B) the Permanent Select Committee on Intelligence of the House of Representatives.
(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Defense Department.
(4) The Defense Intelligence Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2015, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 4681 of the One Hundred Thirteenth Congress.
SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the personnel ceilings authorized by such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3906(a));

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

(C) as otherwise required by law.

(b) IMPLEMENTATION.—In this section—

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

(2) details, joint duty, or long term, full-time training;

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment of personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

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

(2) a reserve corps or as a reemployed annuitant; or

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

(b) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2015, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a), and the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions thereof, to the Committee on Appropriations of the House of Representatives, and to the President.

(c) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3906(a));

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

(C) as otherwise required by law.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2015 the sum of $507,400,000. Within such amount, funds identified in the Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2016.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized to hire 794 positions as of September 30, 2015. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2015 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a), and such additional funds for advanced research and development shall remain available until September 30, 2016.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2015, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a), and the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions thereof, to the Committee on Appropriations of the House of Representatives, and to the President.

(3) IMPLEMENTATION.—The Director of National Intelligence shall submit to the congressional intelligence committees a report on each national intelligence strategy required by subsection (a) not later than 45 days after the date of the completion of such strategy.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 108 the following:

‘‘Sec. 108A. National Intelligence Strategy.’’.

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

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

(b) REQUIREMENTS.—Each national intelligence strategy required by subsection (a) shall—

(1) delineate a national intelligence strategy consistent with—

(A) the most recent national security strategy report submitted pursuant to section 108;

(B) the strategic plans of other relevant departments and agencies of the United States; and

(C) other relevant national-level plans;

(2) address matters related to national and military intelligence, including counterintelligence; and

(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

(b) REQUIREMENTS.—Each national intelligence strategy required by subsection (a) shall—

(1) delineate a national intelligence strategy consistent with—

(A) the most recent national security strategy report submitted pursuant to section 108;

(B) the strategic plans of other relevant departments and agencies of the United States; and

(C) other relevant national-level plans;

(2) address matters related to national and military intelligence, including counterintelligence; and

(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

(4) describe how the intelligence community will utilize personnel, technology, partnerships, and other capabilities to pursue the major national security missions identified in paragraph (3); and

(b) REQUIREMENTS.—Each national intelligence strategy required by subsection (a) shall—

(1) delineate a national intelligence strategy consistent with—

(A) the most recent national security strategy report submitted pursuant to section 108;

(B) the strategic plans of other relevant departments and agencies of the United States; and

(C) other relevant national-level plans;

(2) address matters related to national and military intelligence, including counterintelligence; and

(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

(4) describe how the intelligence community will utilize personnel, technology, partnerships, and other capabilities to pursue the major national security missions identified in paragraph (3); and

(5) assess current, emerging, and future threats to national security, to include threats from foreign intelligence and security services and insider threats;
“Sec. 304. Reporting of certain employment activities of former intelligence officers and employees.

(a) In general.—The head of each element of the intelligence community shall issue regulations requiring each employee of such element occupying a covered position to sign a written agreement requiring the regular reporting of covered employment to the head of such element.

(b) Agreement elements.—The regulations required under subsection (a) shall provide that an employee who fails to sign a written agreement containing provisions requiring each employee occupying a covered position to, during the two-year period beginning on the date on which such employee ceased occupying a covered position—

(1) report covered employment to the head of the element of the intelligence community that employed such employee in such covered position upon accepting such covered employment; and

(2) annually (or more frequently if the head of such element considers it appropriate) report covered employment to the head of such element.

(c) Definitions.—In this section:

(1) Covered employment.—The term ‘covered employment’ means direct employment by, research and development projects relating to national security to the government of a foreign country or any person whose activities are directly or indirectly supervised by the intelligence community.

(2) Covered position.—The term ‘covered position’ means a position within an element of the intelligence community that, based on the level of access of a person occupying such position, to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

(3) Government of a foreign country.—The term ‘government of a foreign country’ has the meaning given in the term in section 1(e) of the Foreign Agents Registration Act of 1958 (22 U.S.C. 611(e)).

(b) Regulations and Certification.—

(1) Regulations.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an assessment of the feasibility and appropriateness of requiring each element of the intelligence community to adopt procedures to prevent and detect insider threats.

(c) Definitions.—In this section:

(1) Certification.—The term ‘certification’ means a report prepared in coordination with the Director of National Intelligence.

(2) Content.—The certification required by subsection (a) shall include—

(1) a review of whether and how the intelligence community acquired classified information in corresponding roles and responsibilities, including the case where both the nature of the threat and the information to be retained shall be subject to the requirements of paragraph (3); and

(2) a determination of whether the information is retained by a law enforcement agency; and

(b) Content.—The analysis required by subsection (a) shall include—

(1) a review of whether and how the intelligence community could utilize private sector information and human resources best practices to screen, vet, and validate the credentials of employees; and

(2) an analysis of activities and the intelligence community’s capacity to adopt procedures for counterinsider threats.

(c) Certification.—The term ‘certification’ means a report prepared in coordination with the Director of National Intelligence.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.

(3) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an assessment of the feasibility and appropriateness of requiring each element of the intelligence community to adopt procedures to prevent and detect insider threats.

(c) Definitions.—In this section:

(1) Certified communication.—The term ‘certified communication’ means any non-electronic or electronic communication acquired without the consent of a person who is a party to the communication, including communications in electronic storage.

(2) Head of an element of the intelligence community.—The term ‘head of an element of the intelligence community’ means, as appropriate—

(A) the head of a head of an element of the intelligence community;

(B) the head of the department or agency containing such element;

(C) the Director of National Intelligence; and

(D) the Attorney General for such element.

(b) Procedures for Covered Communications.—

(1) Requirement to adopt.—Not later than 2 years after the date of the enactment of this Act each head of an element of the intelligence community shall adopt procedures approved by the Attorney General for such element that ensure compliance with the requirements of paragraph (3).

(2) Certification and approval.—The procedures required by paragraph (1) shall—

(A) be prepared in coordination with the Director of National Intelligence; and

(B) be approved by the Attorney General for such element.

(c) Regulations and Certification.—

(1) Regulations.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an assessment of the feasibility and appropriateness of requiring each element of the intelligence community to adopt procedures to prevent and detect insider threats.

(c) Certification.—The term ‘certification’ means a report prepared in coordination with the Director of National Intelligence.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.

(c) Certification.—The term ‘certification’ means a report prepared in coordination with the Director of National Intelligence.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.

(c) Certification.—The term ‘certification’ means a report prepared in coordination with the Director of National Intelligence.

(2) Certification.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for counterinsider threats.
be reported to the congressional intelligence committees on an annual basis; or
(vii) retention for a period in excess of 5 years is approved by the head of the element of the intelligence community responsible for such retention, based on a determination that retention is necessary to protect the national security of the United States, in which case the element shall notify the congressional intelligence committees of such retention.

SEC. 311. FEASIBILITY STUDY ON CONSOLIDATING CLASSIFIED DATABASES OF CYBER THREAT INDICATORS AND MALWARE SAMPLES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, shall conduct an examination study on consolidating classified databases of cyber threat indicators and malware samples in the intelligence community.

(b) Elements.—The feasibility study required by subsection (a) shall include the following:
(1) An inventory of classified databases of cyber threat indicators and malware samples in the intelligence community.
(2) An assessment of actions that could be taken to carry out such study in such databases to achieve the greatest possible information sharing within the intelligence community and cost savings for the Federal Government.
(3) An assessment of any impediments to such consolidation.
(4) An assessment of whether the Intelligence Community Information Technology Enterprise can support such consolidation.

(c) Report to Congress.—Not later than 30 days after the date on which the Director of National Intelligence completes the feasibility study required by subsection (a), the Director shall submit to the congressional intelligence committees a written report that summarizes the feasibility study, including the information required under subsection (b).

SEC. 312. SENSE OF CONGRESS ON CYBERSECURITY THREAT AND CYBERCRIME COOPERATION WITH UKRAINE.

It is the sense of Congress—
(1) cooperation between the intelligence and law enforcement agencies of the United States and Ukraine should be increased to improve cybersecurity policies between these two countries;
(2) the United States should pursue improved extradition procedures among the Governments of the United States, Ukraine, and other countries from which cybercriminals target United States citizens and entities;
(3) the President should—
(A) initiate a round of formal United States-Ukraine bilateral talks on cybersecurity threat and cybercrime cooperation, with additional multilateral talks that include other law enforcement partners such as Europol and Interpol;
(B) work to obtain a commitment from the Government of Ukraine to end cybercrime directed at persons outside Ukraine and to work with the United States and other allies to deter and convict known cybercriminals;
(4) the President shall construct a capacity building program with the Government of Ukraine, which could include—
(A) a joint effort to improve cyber capacity building in Ukraine and law enforcement services in Ukraine;
(B) sending United States law enforcement agents to aid law enforcement agencies in Ukraine and law enforcement agents to Ukraine; and
(C) agreements to improve communications networks to enhance law enforcement cooperation, such as a hotline directly connecting law enforcement agencies in the United States and Ukraine; and
(5) the President should establish and maintain an intelligence and law enforcement construct designed to measure the number of instances that intelligence and law enforcement agencies in the United States request assistance from intelligence and law enforcement agencies in Ukraine and the number and type of responses received to such requests.

SEC. 313. REPLACEMENT OF LOCALLY EMPLOYED STAFF SERVING AT UNITED STATES DIPLOMATIC FACILITIES IN RUSSIAN FEDERATION.

(a) Employment Requirement.—
(1) In General.—The Secretary of State shall ensure that, not later than one year after the date of the enactment of this Act, every supervisory position at a United States diplomatic facility in the Russian Federation shall be occupied by a citizen of the United States, who is a United States diplomat, and shall be subject to, a thorough background check.
(2) Extension.—The Secretary of State may extend the deadline under paragraph (1) for up to one year by providing advance written notification and justification of such extension to the appropriate congressional committees.

(b) Program Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on progress made toward meeting the employment requirement under paragraph (1).

(c) Appropriate Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means—
(1) the congressional intelligence committees;
(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

 SEC. 314. INCLUSION OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES IN UNITED STATES DIPLOMATIC FACILITIES IN THE RUSSIAN FEDERATION AND ADJACENT COUNTRIES.

(a) Sensitive Compartmented Information Facility Requirement.—Each United States diplomatic facility that, not later than the date of the enactment of this Act, is constructed in, or undergoes a construction upgrade in, the Russian Federation, any country that shares a land border with the Russian Federation, or any country that is a former member of the Soviet Union shall be constructed to include a Sensitive Compartmented Information Facility.

(b) National Security Waiver.—The Secretary of State may waive the requirement under subsection (a) if the Secretary determines that such waiver is necessary to protect the national security interest of the United States and submits a written justification to the appropriate congressional committees not later than 180 days before exercising such waiver.

(c) Appropriate Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means—
(1) the congressional intelligence committees;
(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle B—Reporting

SEC. 321. REPORT ON DECLASSIFICATION PROCESS.

Not later than December 31, 2016, the Director of National Intelligence shall submit to Congress a report describing—
(1) proposals to improve the declassification process throughout the intelligence community; and
(2) steps the intelligence community could take to ensure that such proposals are implemented.

SEC. 322. REPORT ON INTELLIGENCE COMMUNITY EFFICIENT SPENDING TARGETS.

(a) In General.—Not later than April 1, 2016, and April 1, 2017, the Director of National Intelligence shall submit to the congressional intelligence committees a report on progress made toward meeting the employment requirement under paragraph (1).

(b) Plan for Reduced Use of Locally Employed Staff.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on progress made toward reducing the reliance on locally employed staff in United States diplomatic facilities in the Russian Federation, and shall, at a minimum, include cost estimates, timelines, and numbers of employees to be replaced.

(c) Appropriate Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means—
(1) the congressional intelligence committees;
(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 314.ヌリrusbild新时代における敏感情報機関の存在要件
(1) A description of the status and effectiveness of efforts to devise alternatives to government travel and promote efficient travel spending, such as teleconferencing and video conferencing.

(2) A description of the status and effectiveness of efforts to limit costs related to hosting and attending conferences.

(3) A description of the status and effectiveness of efforts to assess information technology inventories and usage, and establish controls, to reduce costs related to underutilized information technology equipment, software, or services.

(4) A description of the status and effectiveness of efforts to limit the publication and printing of documents.

(5) A description of the status and effectiveness of efforts to improve the performance of Federal fleet motor vehicles and limit their transportation costs as the Director may specify for purposes of this section.

(6) A description of the status and effectiveness of efforts to limit the purchase of extraneous promotional items, such as clothing, and commemorative items.

(7) A description of the status and effectiveness of efforts to consolidate and streamline with extraneous promotional items, such as clothing, and commemorative items.

(8) Such other matters relating to efforts required under section 511 of the National Security Act of 1947, as added by section (a), shall be submitted not later than one year after the date of the enactment of this Act.

(a) I N GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

"SEC. 511. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

"(a) ANNUAL REPORTS REQUIRED.—The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

"(b) ELEMENTS.—Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a plan for any action taken in response to, any violation of law or executive order (including Executive Order 12930 of November 4, 2000) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel.

"(1) examined for and advisability of including the budget request for all intelligence activities of each intelligence component of the Department that predomi-

"(2) includes a plan to enhance the coordina-

"(c) F ORM.—The report required by sub-

"(d) R ULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act to submit a report under any provision of law.

SEC. 324. ANNUAL REPORT ON INTELLIGENCE ACTIVITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) I N GENERAL.—For each fiscal year and along with the budget materials submitted in support of the budget of the Department of Homeland Security pursuant to section 105(a) of title 31, United States Code, the Under Secretary for Intelligence and Analysis of the Department shall submit to the congressional intelligence committees a report for such fiscal year on each intelligence activity of each intelligence component of the Department, as designated by the Under Secretary, that includes the following:

(1) The amount of funding requested for each such intelligence activity.

(2) The number of full-time employees funded to perform each such intelligence activity.

(3) The number of full-time contractor employees (or the equivalent of full-time employees) funded to perform or in support of each such intelligence activity.

(4) A determination as to whether each such intelligence activity is predominately in support of national intelligence or departmental missions.

(b) S UBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Intelligence and Analysis, shall submit to the congressional intelligence committees—

(1) the results of the assessment required under section 6(f) of the Intelligence Reform and Accountability Act of 2004 (50 U.S.C. 403(f));

(2) any recommendations with respect to intelligence sharing or intelligence collection to improve the security of domestic oil refineries and related transportation infrastructure to protect the communities surrounding such refineries or such infrastructure from potential harm that the Under Secretary considers appropriate.

SEC. 252. REPORT ON POLITICAL PRISON CAMPS IN NORTH KOREA.

(a) I N GENERAL.—The Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees a report on political prison camps in North Korea.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) describe the activities of the United States and the recommendations of the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, including the eventual establishment of a tribunal to hold individuals accountable for abuses; and

(2) include, with respect to each political prison camp in North Korea to the extent information is available—

(A) the estimated prisoner population of each such camp;

(B) the geographical coordinates of each such camp;

(C) the reasons for confinement of the prisoners at each such camp;

(D) a description of the primary industries and products made at each such camp, and the end users of any goods produced in such camps;

(E) information regarding involvement of any non-North Korean entity or individual in the operations of each such camp, including as an end user or source of any good or products used in, or produced by, a political prison camp in North Korea;

(F) information identifying individuals and assets classified for conditions in each such camp at all levels of the Government of North Korea;

(G) a description of the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners, at each such camp; and

(H) unclassified imagery, including satellite imagery, of each such camp.

(c) F ORM.—The report required by subsection (a) shall be submitted in an unclassified form and may include a classified annex if necessary.

SEC. 325. ASSESSMENT OF SECURITY OF DOMESTIC OIL REFINERIES AND RELATED RAIL TRANSPORTATION INFRASTRUCTURE.

(a) A SSESSMENT.—The Under Secretary of Homeland Security for Intelligence and Analysis shall conduct an intelligence assessment of the security of domestic oil refineries and related rail transportation infrastructure.

(b) S UBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to the congressional intelligence committees—

(1) the results of the assessment required under subsection (a); and

(2) any recommendations with respect to intelligence sharing or intelligence collection to improve the security of domestic oil refineries and related rail transportation infrastructure to protect the communities surrounding such refineries or such infrastructure from potential harm that the Under Secretary considers appropriate.

SEC. 257. ENHANCED CONTRACTOR LEVEL ASSESSMENTS FOR THE INTELLIGENCE COMMUNITY.

Section 506B(c) of the National Security Act of 1947 (50 U.S.C. 3096(c)) is amended—

(1) in paragraph (11), by striking ‘‘or contracted’’

(2) by designating paragraph (12) as paragraph (13); and

(3) by inserting after paragraph (11) the following:

"(12) The best estimate of the number of intelligence collectors and analysts contracted by each element of the intelligence community and a description of the functions performed by such contractors.

SEC. 328. ASSESSMENT OF THE EFFICACY OF MEMORANDA OF UNDERSTANDING TO FACILITATE INTELLIGENCE-SHARING.

Not later than 90 days after the date of the enactment of this Act, the Under Secretary for Intelligence and Analysis, in consultation with the Director of the Federal Bureau of Investigation and
the Program Manager of the Information Sharing Environment, shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives an assessment of the efficacy of the memoranda of understanding signed between Federal, State, local, tribal, and territorial agencies to facilitate intelligence-sharing within and separate from the Joint Terrorism Task Force. Such assessment shall include—

(1) any language within such memoranda of understanding that prohibited or may be construed to prohibit intelligence-sharing between Federal, State, local, tribal, and territorial agencies;

(2) any recommendations for memoranda of understanding to better facilitate intelligence-sharing between Federal, State, local, tribal, and territorial agencies.

SEC. 329. REPORT ON FOREIGN MAN-MADE ELECTROMAGNETIC PULSE WEAPONS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on threats posed by man-made electromagnetic pulse weapons to United States interests through 2025, including threats from foreign countries and foreign non-State actors.

(b) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, except for classified annexes.

SEC. 330. REPORT ON UNITED STATES COUNTER-TERRORISM STRATEGY TO DISRUPT, DISTRIBUTE, AND DEFEAT AL-QAEDA AND ITS AFFILIATED OR ASSOCIATED GROUPS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the United States counterterrorism strategy to disrupt, distribute, and defeat al-Qaeda and its affiliated or associated groups.

(b) COORDINATION.—The report required by paragraph (1) shall be prepared in coordination with the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, and the head of any other department or agency of the United States Government that has responsibility for activities directed at combating al-Qaeda and its affiliated or associated groups.

(c) ELEMENTS.—The report required by paragraph (1) shall include the following:

(1) A definition of—

(A) al-Qaeda core, including a list of which known individuals constitute al-Qaeda core;

(B) an affiliated group of al-Qaeda, including a list of which known groups constitute an affiliated group of al-Qaeda;

(C) an associated group of al-Qaeda, including a list of which known groups constitute an associated group of al-Qaeda; and

(D) a list aligned with al-Qaeda, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with al-Qaeda.

(b) A list of any other group, including the organization that calls itself the Islamic State (also known as “ISIS” or “ISIL”), that adheres to the core mission of al-Qaeda, or Pakistan.

(c) An assessment of whether or not an individual can be a member of al-Qaeda core if such individual is not located in Afghanistan or Pakistan.

(b) An assessment of the extent or coordination, command, and control between core al-Qaeda and the groups referred to in subparagraph (B), specifically addressing each such group.

(c) An assessment of the effectiveness of counterterrorism operations against core al-Qaeda and the groups referred to in subparagraph (B), and whether such operations had a sustained impact on the capabilities and effectiveness of core al-Qaeda and such groups.

(d) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 331. FEASIBILITY STUDY ON RETRAINING VETERANS IN CYBERSECURITY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall submit to Congress a feasibility study on retraining veterans and retired members of the intelligence community in cybersecurity.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

NOTICE OF HEARING
COMMITTEE ON ENERGY AND NATURAL RESOURCES
Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Committee on Energy and Natural Resources. The business meeting will be held on Wednesday, December 10, 2014, at 10 a.m., room SD-366 of the Dirksen Senate Office Building. The purpose of the business meeting is to consider the following:

(a) A definition of—

(i) al-Qaeda core, including a list of which known individuals constitute al-Qaeda core;

(ii) an affiliated group of al-Qaeda, including a list of which known groups constitute an affiliated group of al-Qaeda;

(iii) an associated group of al-Qaeda, including a list of which known groups constitute an associated group of al-Qaeda; and

(iv) a group aligned with al-Qaeda, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with al-Qaeda.

(b) A list of any other group, including the organization that calls itself the Islamic State (also known as “ISIS” or “ISIL”), that adheres to the core mission of al-Qaeda, or Pakistan.

(c) An assessment of the relationship between al-Qaeda core and the groups referred to in subparagraph (B).

(d) An assessment of the strengthening or weakening of core al-Qaeda and the groups referred to in subparagraph (B) from January 1, 2010, to the present, including a description of the metrics that are used to assess strengthening or weakening and an assessment of the relative increase or decrease in violent attacks attributed to such entities.

(e) An assessment of whether or not the United States Government that has a sustained impact on the capabilities and effectiveness of core al-Qaeda and such groups.

(f) An assessment of the extent or coordination, command, and control between core al-Qaeda and the groups referred to in subparagraph (B), specifically addressing each such group.

(g) A definition of defeat of core al-Qaeda.

(h) An assessment of whether or not an individual can be a member of al-Qaeda core if such individual is not located in Afghanistan or Pakistan.

(i) An assessment of whether or not an individual can be a member of al-Qaeda core if such individual adheres to the core mission of al-Qaeda, or Pakistan.

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Energy be authorized to conduct a hearing entitled “The State of Civil and Human Rights, and Human Rights

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Energy be authorized to conduct a hearing entitled “The State of Civil and Human Rights in the United States.”

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Energy be authorized to conduct a hearing entitled “The State of Civil and Human Rights in the United States.”