

hearing entitled "Inequality, Opportunity, and the Housing Market."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, HUMAN RIGHTS, DEMOCRACY, AND GLOBAL WOMEN'S ISSUES

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 9, 2014, at 10 a.m., to hold an International Operations and Organizations, Human Rights, Democracy, and Global Women's Issues subcommittee hearing entitled "ISIL's Reign of Terror: Confronting the Growing Humanitarian Crisis in Iraq and Syria."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Kelly Tribble Spencer, a detailee in my office, be granted privileges of the floor for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that William Conlon, an intern in my personal office, be granted floor privileges for December 11, 2014.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, I ask unanimous consent that James Reeve, a defense fellow in Senator Kaine's office, be granted floor privileges for the duration of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I ask unanimous consent that Alison Mueller, of the Committee on Small Business and Entrepreneurship, be granted floor privileges for the rest of December 9, 2014.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING REVISIONS TO TITLE 36 UNITED STATES CODE

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1067 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1067) to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1067) was ordered to a third reading, was read the third time, and passed.

#### DORIS MILLER DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4199 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4199) to name the Department of Veterans Affairs medical center in Waco, Texas, as the "Doris Miller Department of Veterans Affairs Medical Center."

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHATZ. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4199) was ordered to a third reading, was read the third time, and passed.

#### RECOGNIZING 20 YEARS SINCE THE GENOCIDE IN RWANDA

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 363, S. Res. 413.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Coons amendment to the resolution, which is at the desk, be agreed to and the Senate proceed to vote on the resolution, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3993) was agreed to, as follows:

(Purpose: To provide that nothing in the resolution shall be construed as an authorization for the use of force or a declaration of war)

On page 6, beginning on line 14, strike "events; and" and all that follows through "(8) supports" on line 15 and insert the following: "events;

(8) clarifies that nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war; and

(9) supports

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 413), as amended, was agreed to.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Coons amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3994) was agreed to, as follows:

(Purpose: To amend the preamble)

Amend the twelfth whereas clause of the preamble to read as follows:

Whereas, in September 2005, 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 protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity;

The preamble, as amended, was agreed to.

(The resolution, as amended, with its preamble, as amended, will be printed in a future edition of the RECORD.)

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2014 AND 2015

Mr. SCHATZ. Mr. President, I ask unanimous consent the Intelligence Committee be discharged from further consideration of H.R. 4681 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A 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, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHATZ. I ask unanimous consent that the Feinstein substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on passage.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3995) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4681), as amended, was passed.

Mr. SCHATZ. I ask unanimous consent that the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE INTEL- LIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2015

The following consists of the explanatory material to accompany the Intelligence Authorization Act for Fiscal Year 2015.

This joint explanatory statement shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

This explanatory statement is accompanied by a classified annex that contains a classified Schedule of Authorizations. The classified Schedule of Authorizations is incorporated by reference in the Act and has the legal status of public law.

The classified annex and classified Schedule of Authorizations are the result of negotiations between the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence to reconcile differences in their respective versions of the Intelligence Authorization Act for Fiscal Year 2015. The congressionally directed actions described in Senate Report No. 113-233, the classified annex that accompanied Senate Report No. 113-233, and the classified annex that accompanied House Report No. 113-463 should be carried out to the extent they are not amended, altered, substituted, or otherwise specifically addressed in either this Joint Explanatory Statement or in the classified annex to this Statement.

### SECTION-BY-SECTION ANALYSIS AND EXPLANATION

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2015.

#### TITLE I—INTELLIGENCE ACTIVITIES

##### *Section 101. Authorization of appropriations*

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2015.

##### *Section 102. Classified Schedule of Authorizations*

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels by program for Fiscal Year 2015 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

##### *Section 103. Personnel ceiling adjustments*

Section 103 is intended to provide additional flexibility to the DNI in managing the civilian personnel of the Intelligence Community (IC). Section 103 provides that the DNI may authorize employment of civilian personnel in Fiscal Year 2015 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each IC element under Section 102. The DNI may do so only if necessary to the performance of important intelligence functions.

##### *Section 104. Intelligence Community Management Account*

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the DNI and sets the authorized personnel levels for the elements within the ICMA for Fiscal Year 2015.

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

##### *Section 201. Authorization of appropriations*

Section 201 authorizes appropriations in the amount of \$514,000,000 for Fiscal Year 2015 for the Central Intelligence Agency Retirement and Disability Fund.

#### TITLE III—GENERAL PROVISIONS

##### SUBTITLE A—GENERAL MATTERS

##### *Section 301. Increase in employee compensation and benefits authorized by law*

Section 301 provides that funds authorized to be appropriated by the 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 compensation or benefits authorized by law.

##### *Section 302. Restriction on conduct of intelligence activities*

Section 302 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

##### *Section 303. National intelligence strategy*

Section 303 amends the National Security Act of 1947 to require the DNI to develop a comprehensive national intelligence strategy every four years beginning in 2017.

##### *Section 304. Software licensing*

Section 304 amends Section 109 of the National Security Act of 1947, which requires chief information officers within the IC to prepare biennial inventories and assessments concerning the use and procurement of software licenses, to make certain enhancements to the biennial assessments required under Section 109.

##### *Section 305. Reporting of certain employment activities by former intelligence officers and employees*

Section 305 requires the head of each element of the IC to issue regulations that require an employee occupying positions with access to particularly sensitive information within such element to sign a written agreement that requires the regular reporting of any employment by, representation of, or the provision of advice relating to national security to the government of a foreign country, or any person whose activities are supervised, directed, controlled, financed, or subsidized by any government of a foreign country, for a two-year period after the employee ceases employment with the IC element.

##### *Section 306. Inclusion of Predominantly Black Institutions in intelligence officer training program*

Section 306 amends the National Security Act of 1947 to include predominantly black institutions in the intelligence officer training programs established under Section 1024 of the Act.

##### *Section 307. Management and oversight of financial intelligence*

Section 307 requires the DNI to prepare a plan for management of the elements of the IC that carry out financial intelligence activities.

##### *Section 308. Analysis of private sector policies and procedures for countering insider threats*

Section 308 directs the DNI to submit to the congressional intelligence committees

an analysis of private sector policies and procedures for countering insider threats.

##### *Section 309. Procedures for the retention of incidentally acquired communications*

Section 309 requires the head of each element of the IC to adopt Attorney General-approved procedures that govern the retention of nonpublic telephone or electronic communications acquired without consent of a person who is a party to the communications, including communications in electronic storage.

The procedures required under this section shall apply to any intelligence activity that is reasonably anticipated to result in the acquisition of such telephone or electronic communications to or from a United States person not otherwise authorized by court order, subpoena, or similar legal process, regardless of the location where the collection occurs. The procedures shall prohibit the retention of such telephone or electronic communications for a period in excess of five years, unless the communications are determined to fall within one of several categories, enumerated in subsection (b)(3)(B), for which retention in excess of five years is authorized, to include communications that have been affirmatively determined to constitute foreign intelligence or counterintelligence, communications that are reasonably believed to constitute evidence of a crime and are retained by a law enforcement agency, and communications that are enciphered or reasonably believed to have a secret meaning.

Because it may be necessary in certain instances for IC elements to retain communications covered by this section for a period in excess of five years that do not fall into the categories specifically enumerated in subsection (b)(3)(B), subsection (b)(3)(B)(vii) provides flexibility for the head of each element of the intelligence community to authorize such extended retention where the head of the element determines that it is necessary to protect the national security of the United States. In the absence of such a determination, Section 309 is intended to establish a default rule for intelligence collection activities, not otherwise authorized by legal process, that requires agencies to delete communications covered by this section after five years, unless a determination is made that the communications constitute foreign intelligence or counterintelligence or otherwise meet the retention requirements set forth in this section.

##### *Section 310. Clarification of limitation of review to retaliatory security clearance or access determinations*

Section 310 makes a technical amendment to Section 3001(b)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 to clarify that the policies and procedures prescribed by that section (to permit individuals to appeal adverse security clearance or access determinations) are only required to apply to adverse security clearance or access determinations alleged to be in reprisal for having made a protected whistleblower disclosure.

##### *Section 311. Feasibility study on consolidating classified databases of cyber threat indicators and malware samples*

Section 307 requires the DNI to conduct a feasibility study on consolidating classified databases of cyber threat indicators and malware samples in the IC and to provide a report to the congressional intelligence committees summarizing the feasibility study.

##### *Section 312. Sense of Congress on cybersecurity threat and cybercrime cooperation with Ukraine*

Section 312 expresses the sense of Congress concerning cybersecurity threat and