

KAPTUR as they talked about their family members in this very important organization. With that, I urge the bill's passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, S. 2234.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind persons in the gallery that it is a violation of the rules of the House to show approval or disapproval of the proceedings of the House.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6393) to authorize appropriations for fiscal year 2017 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6393

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2017”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DIS- ABILITY SYSTEM

Sec. 201. Authorization of appropriations.

#### TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

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

Sec. 303. Support to nonprofit organizations assisting intelligence community employees.

Sec. 304. Promotion of science, technology, engineering, and math education in the intelligence community.

Sec. 305. Retention of employees of the intelligence community who have science, technology, engineering, or math expertise.

Sec. 306. Modifications to certain requirements for construction of facilities.

Sec. 307. Protections for independent inspectors general of certain elements of the intelligence community.

Sec. 308. Modification of certain whistleblowing procedures.

Sec. 309. Congressional oversight of policy directives and guidance.

Sec. 310. Notification of memoranda of understanding.

Sec. 311. Technical correction to Executive Schedule.

Sec. 312. Maximum amount charged for declassification reviews.

#### TITLE IV—MATTERS RELATING TO ELE- MENTS OF THE INTELLIGENCE COMMU- NITY

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

Sec. 401. Designation of the Director of the National Counterintelligence and Security Center.

Sec. 402. Analyses and impact statements by Director of National Intelligence regarding investment into the United States.

Sec. 403. Assistance for governmental entities and private entities in recognizing online violent extremist content.

##### Subtitle B—Central Intelligence Agency

Sec. 411. Enhanced death benefits for personnel of the Central Intelligence Agency.

Sec. 412. Pay and retirement authorities of the Inspector General of the Central Intelligence Agency.

##### Subtitle C—Other Elements

Sec. 421. Clarification of authority, direction, and control over the information assurance directorate of the National Security Agency.

Sec. 422. Enhancing the technical workforce for the Federal Bureau of Investigation.

Sec. 423. Plan on assumption of certain weather missions by the National Reconnaissance Office.

#### TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Sec. 501. Committee to counter active measures by the Russian Federation to exert covert influence over peoples and governments.

Sec. 502. Limitation on travel of accredited diplomats and consulars of the Russian Federation in the United States from their diplomatic post.

Sec. 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states.

#### TITLE VI—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Sec. 601. Information on activities of the Privacy and Civil Liberties Oversight Board.

Sec. 602. Authorization of appropriations for Privacy and Civil Liberties Oversight Board.

#### TITLE VII—REPORTS AND OTHER MATTERS

Sec. 701. Declassification review with respect to detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 702. Cyber Center for Education and Innovation Home of the National Cryptologic Museum.

Sec. 703. Oversight of national security systems.

Sec. 704. Joint facilities certification.

Sec. 705. Leadership and management of space activities.

Sec. 706. Advances in life sciences and biotechnology.

Sec. 707. Reports on declassification proposals.

Sec. 708. Improvement in Government classification and declassification.

Sec. 709. Report on implementation of research and development recommendations.

Sec. 710. Report on Intelligence Community Research and Development Corps.

Sec. 711. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community.

Sec. 712. Report on intelligence community employees detailed to National Security Council.

Sec. 713. Intelligence community reporting to Congress on foreign fighter flows.

Sec. 714. Report on cybersecurity threats to seaports of the United States and maritime shipping.

Sec. 715. Report on counter-messaging activities.

Sec. 716. Report on reprisals against contractors of the intelligence community.

#### 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)).

#### TITLE I—INTELLIGENCE ACTIVITIES

##### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 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 Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security 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.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

##### SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2017, 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 this Act.

**(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—**

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

(2) **DISTRIBUTION BY THE PRESIDENT.**—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) **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. 3306(a));

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

(C) as otherwise required by law.

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

(a) **AUTHORITY FOR INCREASES.**—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2017 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) **TREATMENT OF CERTAIN PERSONNEL.**—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the 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.

(c) **NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.**—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

**(d) CONTRACTOR CONVERSIONS.—**

(1) **AUTHORITY FOR INCREASES.**—In addition to the authority under subsection (a), the Director of National Intelligence may authorize employment of civilian personnel in an element of the intelligence community in excess of the number authorized for fiscal year 2017 by the classified Schedule of Authorizations referred to in section 102(a), as such number may be increased pursuant to subsection (a), if—

(A) the Director determines that the increase under this paragraph is necessary to convert the performance of any function of the element by contractors to performance by civilian personnel; and

(B) the number of civilian personnel of the element employed in excess of the number authorized under such section 102(a), as such number may be increased pursuant to both subsection (a) and this paragraph, does not exceed 10 percent of the number of civilian personnel authorized under such schedule for the element.

(2) **NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.**—Not less than 30 days prior to

exercising the authority described in paragraph (1), the Director of National Intelligence shall submit to the congressional intelligence committees, in writing—

(A) notification of exercising such authority;

(B) justification for making the conversion described in subparagraph (A) of such paragraph; and

(C) certification that such conversion is cost effective.

**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 2017 the sum of \$559,796,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2018.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 787 positions as of September 30, 2017. 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 amounts 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 2017 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2018.

(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, 2017, 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).

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

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

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2017 the sum of \$514,000,000.

**TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS**

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

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

**SEC. 302. 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.

**SEC. 303. SUPPORT TO NONPROFIT ORGANIZATIONS ASSISTING INTELLIGENCE COMMUNITY EMPLOYEES.**

(a) **DIRECTOR OF NATIONAL INTELLIGENCE.**—Section 102A of the National Security Act of

1947 (50 U.S.C. 3024) is amended by adding at the end the following:

“(y) **FUNDRAISING.**—(1) The Director of National Intelligence may engage in fundraising in an official capacity for the benefit of nonprofit organizations that—

“(A) provide support to surviving family members of a deceased employee of an element of the intelligence community; or

“(B) otherwise provide support for the welfare, education, or recreation of employees of an element of the intelligence community, former employees of an element of the intelligence community, or family members of such employees.

“(2) In this subsection, the term ‘fundraising’ means the raising of funds through the active participation in the promotion, production, or presentation of an event designed to raise funds and does not include the direct solicitation of money by any other means.

“(3) Not later than 7 days after the date the Director engages in fundraising authorized by this subsection or at the time the decision is made to participate in such fundraising, the Director shall notify the congressional intelligence committees of such fundraising.

“(4) The Director, in consultation with the Director of the Office of Government Ethics, shall issue regulations to carry out the authority provided in this subsection. Such regulations shall ensure that such authority is exercised in a manner that is consistent with all relevant ethical constraints and principles, including the avoidance of any prohibited conflict of interest or appearance of impropriety.”.

(b) **DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.**—Section 12(f) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3512(f)) is amended by adding at the end the following:

“(3) Not later than the date that is 7 days after the date the Director engages in fundraising authorized by this subsection or at the time the decision is made to participate in such fundraising, the Director shall notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of the fundraising.”.

**SEC. 304. PROMOTION OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH EDUCATION IN THE INTELLIGENCE COMMUNITY.**

(a) **REQUIREMENT FOR INVESTMENT STRATEGY FOR STEM RECRUITING AND OUTREACH ACTIVITIES.**—Along with the budget for fiscal year 2018 submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Director of National Intelligence shall submit a five-year investment strategy for outreach and recruiting efforts in the fields of science, technology, engineering, and mathematics (STEM), to include cybersecurity and computer literacy.

(b) **REQUIREMENT FOR INTELLIGENCE COMMUNITY PLANS FOR STEM RECRUITING AND OUTREACH ACTIVITIES.**—For each of the fiscal years 2018 through 2022, the head of each element of the intelligence community shall submit an investment plan along with the materials submitted as justification of the budget request of such element that supports the strategy required by subsection (a).

**SEC. 305. RETENTION OF EMPLOYEES OF THE INTELLIGENCE COMMUNITY WHO HAVE SCIENCE, TECHNOLOGY, ENGINEERING, OR MATH EXPERTISE.**

(a) **SPECIAL RATES OF PAY FOR CERTAIN OCCUPATIONS IN THE INTELLIGENCE COMMUNITY.**—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after section 113A the following:

**“SEC. 113B. SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATH POSITIONS.**

“(a) **AUTHORITY TO SET SPECIAL RATES OF PAY.**—Notwithstanding part III of title 5, United States Code, the head of each element of the intelligence community may establish higher minimum rates of pay for one or more categories of positions in such element that require expertise in science, technology, engineering, or math (STEM).

“(b) **MAXIMUM SPECIAL RATE OF PAY.**—A minimum rate of pay established for a category of positions under subsection (a) may not exceed the maximum rate of basic pay (excluding any locality-based comparability payment under section 5304 of title 5, United States Code, or similar provision of law) for the position in that category of positions without the authority of subsection (a) by more than 30 percent, and no rate may be established under this section in excess of the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(c) **NOTIFICATION OF REMOVAL FROM SPECIAL RATE OF PAY.**—If the head of an element of the intelligence community removes a category of positions from coverage under a rate of pay authorized by subsection (a) after that rate of pay takes effect—

“(1) the head of such element shall provide notice of the loss of coverage of the special rate of pay to each individual in such category; and

“(2) the loss of coverage will take effect on the first day of the first pay period after the date of the notice.

“(d) **REVISION OF SPECIAL RATES OF PAY.**—Subject to the limitations in this section, rates of pay established under this section by the head of the element of the intelligence community may be revised from time to time by the head of such element and the revisions have the force and effect of statute.

“(e) **REGULATIONS.**—The head of each element of the intelligence community shall promulgate regulations to carry out this section with respect to such element, which shall, to the extent practicable, be comparable to the regulations promulgated to carry out section 5305 of title 5, United States Code.

“(f) **REPORTS.**—

“(1) **REQUIREMENT FOR REPORTS.**—Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017, the head of each element of the intelligence community shall submit to the congressional intelligence committees a report on any rates of pay established for such element under this section.

“(2) **CONTENTS.**—Each report required by paragraph (1) shall contain for each element of the intelligence community—

“(A) a description of any rates of pay established under subsection (a); and

“(B) the number of positions in such element that will be subject to such rates of pay.”

(b) **TABLE OF CONTENTS AMENDMENT.**—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 113A the following:

“Sec. 113B. Special pay authority for science, technology, engineering, or math positions.”

**SEC. 306. MODIFICATIONS TO CERTAIN REQUIREMENTS FOR CONSTRUCTION OF FACILITIES.**

(a) **INCLUSION IN BUDGET REQUESTS OF CERTAIN PROJECTS.**—Section 8131 of the Department of Defense Appropriations Act, 1995 (50 U.S.C. 3303) is repealed.

(b) **NOTIFICATION.**—Section 602(a)(2) of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is amended by

striking “improvement project to” and inserting “project for the improvement, repair, or modification of”.

**SEC. 307. PROTECTIONS FOR INDEPENDENT INSPECTORS GENERAL OF CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY.**

(a) **LIMITATION ON ACTIVITIES OF EMPLOYEES OF AN OFFICE OF INSPECTOR GENERAL.**—

(1) **LIMITATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and implement a uniform policy for each covered office of an inspector general to better ensure the independence of each such office. Such policy shall include—

(A) provisions to prevent any conflict of interest related to a matter any employee of a covered office of an inspector general personally and substantially participated in during previous employment;

(B) standards to ensure personnel of a covered office of an inspector general are free both in fact and in appearance from personal, external, and organizational impairments to independence;

(C) provisions to permit the head of each covered office of an inspector general to waive the application of the policy with respect to an individual if such head—

(i) prepares a written and signed justification for such waiver that sets out, in detail, the need for such waiver, provided that such a waiver shall not be issued for in fact impairments to independence; and

(ii) submits to the congressional intelligence committees each such justification; and

(D) any other protections the Director determines appropriate.

(2) **COVERED OFFICE OF AN INSPECTOR GENERAL DEFINED.**—The term “covered office of an inspector general” means—

(A) the Office of the Inspector General of the Intelligence Community; and

(B) the office of an inspector general for—

(i) the Office of the Director of National Intelligence;

(ii) the Central Intelligence Agency;

(iii) the National Security Agency;

(iv) the Defense Intelligence Agency;

(v) the National Geospatial-Intelligence Agency; or

(vi) the National Reconnaissance Office.

(3) **BRIEFING TO THE CONGRESSIONAL INTELLIGENCE COMMITTEES.**—Prior to the date that the policy required by paragraph (1) takes effect, the Director of National Intelligence shall provide the congressional intelligence committees a briefing on such policy.

(b) **LIMITATION ON ROTATION OF EMPLOYEES OF AN OFFICE OF INSPECTOR GENERAL.**—Section 102A(1)(3) of the National Security Act of 1947 (50 U.S.C. 3024(l)(3)) is amended by adding at the end the following:

“(D) The mechanisms prescribed under subparagraph (A) and any other policies of the Director—

“(i) may not require an employee of an office of inspector general for an element of the intelligence community, including the Office of the Inspector General of the Intelligence Community, to rotate to a position in an office or organization of such an element over which such office of inspector general exercises jurisdiction; and

“(ii) shall be implemented in a manner that exempts employees of an office of inspector general from a rotation that may impact the independence of such office.”

**SEC. 308. MODIFICATION OF CERTAIN WHISTLE-BLOWING PROCEDURES.**

(a) **CLARIFICATION OF WHISTLEBLOWING PROCEDURES AVAILABLE TO CERTAIN PERSONNEL.**—Subsection (a)(1)(A) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after “Security Agency,” the following: “including any

such employee who is assigned or detailed to a combatant command or other element of the Federal Government.”

(b) **CENTRAL INTELLIGENCE AGENCY.**—

(1) **ROLE OF DIRECTOR.**—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended—

(A) in subparagraph (B)—

(i) by striking clause (ii);

(ii) by striking “(i) Not” and inserting “Not”; and

(iii) by striking “to the Director” and inserting “to the intelligence committees”; and

(B) in subparagraph (D)—

(i) in clause (i), by striking “the Director” and inserting “the intelligence committees”; and

(ii) in clause (ii)—

(I) in subclause (I), by striking “the Director, through the Inspector General,” and inserting “the Inspector General”; and

(II) in subclause (II), by striking “the Director, through the Inspector General,” and inserting “the Inspector General, in consultation with the Director.”

(2) **CONFORMING AMENDMENTS.**—

(A) **IN GENERAL.**—Section 17(d)(5) of such Act is further amended—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraphs (D) through (H) as subparagraphs (C) through (G), respectively.

(B) **INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.**—Section 3001(j)(1)(C)(ii) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)(C)(ii)) is amended by striking “subparagraphs (A), (D), and (H)” and inserting “subparagraphs (A), (C), and (G)”.

(c) **OTHER ELEMENTS OF INTELLIGENCE COMMUNITY.**—

(1) **ROLE OF HEADS.**—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2);

(ii) by striking “(1) Not” and inserting “Not”; and

(iii) by striking “to the head of the establishment” and inserting “to the intelligence committees”; and

(B) in subsection (d)—

(i) in paragraph (1), by striking “the head of the establishment” and inserting “the intelligence committees”; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking “the head of the establishment, through the Inspector General,” and inserting “the Inspector General”; and

(II) in subparagraph (B), by striking “the head of the establishment, through the Inspector General,” and inserting “the Inspector General, in consultation with the head of the establishment.”

(2) **CONFORMING AMENDMENTS.**—Section 8H of such Act is further amended—

(A) by striking subsection (c);

(B) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(C) in subsection (e), as so redesignated, by striking “subsections (a) through (e)” and inserting “subsections (a) through (d)”.

(d) **OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**—

(1) **IN GENERAL.**—Section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)) is amended—

(A) in subparagraph (B), by striking “to the Director” and inserting “to the congressional intelligence committees”; and

(B) in subparagraph (D)—

(i) in clause (i), by striking “the Director” and inserting “the congressional intelligence committees”; and

(ii) in clause (ii)—

(I) in subclause (I), by striking “the Director, through the Inspector General,” and inserting “the Inspector General”; and

(II) in subclause (II), by striking “the Director, through the Inspector General,” and inserting “the Inspector General, in consultation with the Director.”.

(2) CONFORMING AMENDMENTS.—Section 103H(k)(5) of such Act is further amended—

(A) by striking subparagraph (C); and

(B) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively.

(e) RULE OF CONSTRUCTION.—None of the amendments made by this section may be construed to prohibit or otherwise affect the authority of an Inspector General of an element of the intelligence community, the Inspector General of the Central Intelligence Agency, or the Inspector General of the Intelligence Community to notify the head of the element of the intelligence community, the Director of the Central Intelligence Agency, or the Director of National Intelligence, as the case may be, of a complaint or information otherwise authorized by law.

#### SEC. 309. CONGRESSIONAL OVERSIGHT OF POLICY DIRECTIVES AND GUIDANCE.

(a) COVERED POLICY DOCUMENT DEFINED.—In this section, the term “covered policy document” means any classified or unclassified Presidential Policy Directive, Presidential Policy Guidance, or other similar policy document issued by the President, including any annex to such a Directive, Guidance, or other document, that assigns tasks, roles, or responsibilities the intelligence community.

(b) SUBMISSIONS TO CONGRESS.—The Director of National Intelligence shall submit to the congressional intelligence committees the following:

(1) Not later than 15 days after the date that a covered policy document is issued, a notice of the issuance and a summary of the subject matter addressed by such covered policy document.

(2) Not later than 15 days after the date that the Director issues any guidance or direction on implementation of a covered policy document or implements a covered policy document, a copy of such guidance or direction or a description of such implementation.

(3) Not later than 15 days after the date of the enactment of this Act, for any covered policy document issued prior to such date that is being implemented by any element of the intelligence community or that is in effect on such date—

(A) a notice that includes the date such covered policy document was issued and a summary of the subject matter addressed by such covered policy document; and

(B) if the Director has issued any guidance or direction on implementation of such covered policy document or is implementing such covered policy document, a copy of the guidance or direction or a description of such implementation.

#### SEC. 310. NOTIFICATION OF MEMORANDA OF UNDERSTANDING.

(a) IN GENERAL.—The head of each element of the intelligence community shall submit to the congressional intelligence committees a copy of each memorandum of understanding or other agreement regarding significant operational activities or policy between or among such element and any other entity or entities of the United States Government—

(1) for such a memorandum or agreement that is in effect on the date of the enactment of this Act, not later than 60 days after such date; and

(2) for such a memorandum or agreement entered into after such date, in a timely

manner and not more than 60 days after the date such memorandum or other agreement is entered into.

(b) ADMINISTRATIVE MEMORANDUM OR AGREEMENT.—Nothing in this section may be construed to require an element of the intelligence community to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments.

#### SEC. 311. TECHNICAL CORRECTION TO EXECUTIVE SCHEDULE.

Section 5313 of title 5, United States Code, is amended by striking the item relating to “Director of the National Counter Proliferation Center.”.

#### SEC. 312. MAXIMUM AMOUNT CHARGED FOR DECLASSIFICATION REVIEWS.

In reviewing and processing a request by a person for the mandatory declassification of information pursuant to Executive Order No. 13526, a successor executive order, or any other provision of law, the head of an element of the intelligence community—

(1) may not charge the person reproduction fees in excess of the amount of fees that the head would charge the person for reproduction required in the course of processing a request for information under section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”); and

(2) may waive or reduce any processing fees in the same manner as the head waives or reduces fees under such section 552.

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

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

#### SEC. 401. DESIGNATION OF THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382) is amended to read as follows:

##### “SEC. 902. DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

“(a) ESTABLISHMENT.—There shall be a Director of the National Counterintelligence and Security Center (referred to in this section as the ‘Director’), who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) MISSION.—The mission of the Director shall be to serve as the head of national counterintelligence for the United States Government.

“(c) DUTIES.—Subject to the direction and control of the Director of National Intelligence, the duties of the Director are as follows:

“(1) To carry out the mission referred to in subsection (b).

“(2) To act as chairperson of the National Counterintelligence Policy Board established under section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381).

“(3) To act as head of the National Counterintelligence and Security Center established under section 904.

“(4) To participate as an observer on such boards, committees, and entities of the executive branch as the Director of National Intelligence considers appropriate for the discharge of the mission and functions of the Director and the National Counterintelligence and Security Center under section 904.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Intelligence Authorization Act for Fiscal Year

2003 (Public Law 107-306; 116 Stat. 2383) is amended by striking the item relating to section 902 and inserting the following:

“Sec. 902. Director of the National Counterintelligence and Security Center.”.

(3) TECHNICAL EFFECTIVE DATE.—The amendment made by subsection (a) of section 401 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114-113) shall not take effect, or, if the date of the enactment of this Act is on or after the effective date specified in subsection (b) of such section, such amendment shall be deemed to not have taken effect.

(b) NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.—

(1) IN GENERAL.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(A) by striking the section heading and inserting “NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.”; and

(B) by striking subsections (a), (b), and (c) and inserting the following:

“(a) ESTABLISHMENT.—There shall be a National Counterintelligence and Security Center.

“(b) HEAD OF CENTER.—The Director of the National Counterintelligence and Security Center shall be the head of the National Counterintelligence and Security Center.

“(c) LOCATION OF CENTER.—The National Counterintelligence and Security Center shall be located in the Office of the Director of National Intelligence.”.

(2) FUNCTIONS.—Section 904(d) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)) is amended—

(A) in the matter preceding paragraph (1), by striking “National Counterintelligence Executive, the functions of the Office of the National Counterintelligence Executive” and inserting “Director of the National Counterintelligence and Security Center, the functions of the National Counterintelligence and Security Center”;

(B) in paragraph (5), in the matter preceding subparagraph (A), by striking “In consultation with” and inserting “At the direction of”; and

(C) in paragraph (6), in the matter preceding subparagraph (A), by striking “Office” and inserting “National Counterintelligence and Security Center”.

(3) PERSONNEL.—Section 904(f) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(f)) is amended—

(A) in paragraph (1), by striking “Office of the National Counterintelligence Executive may consist of personnel employed by the Office” and inserting “National Counterintelligence and Security Center may consist of personnel employed by the Center”; and

(B) in paragraph (2), by striking “National Counterintelligence Executive” and inserting “Director of the National Counterintelligence and Security Center”.

(4) TREATMENT OF ACTIVITIES UNDER CERTAIN ADMINISTRATIVE LAWS.—Section 904(g) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(g)) is amended by striking “Office shall be treated as operational files of the Central Intelligence Agency for purposes of section 701 of the National Security Act of 1947 (50 U.S.C. 431)” and inserting “National Counterintelligence and Security Center shall be treated as operational files of the Central Intelligence Agency for purposes of section 701 of the National Security Act of 1947 (50 U.S.C. 3141)”.

(5) OVERSIGHT BY CONGRESS.—Section 904(h) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(h)) is amended—

(A) in the matter preceding paragraph (1), by striking “Office of the National Counterintelligence Executive” and inserting “National Counterintelligence and Security Center”; and

(B) in paragraphs (1) and (2), by striking “Office” and inserting “Center” both places that term appears.

(6) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in section 1(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 116 Stat. 2383), as amended by subsection (a)(2), is further amended by striking the item relating to section 904 and inserting the following:

“Sec. 904. National Counterintelligence and Security Center.”.

(c) **OVERSIGHT OF NATIONAL INTELLIGENCE CENTERS.**—Section 102A(f)(2) of the National Security Act of 1947 (50 U.S.C. 3024(f)(2)) is amended by inserting “, the National Counterproliferation Center, and the National Counterintelligence and Security Center” after “National Counterterrorism Center”.

(d) **DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER WITHIN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**—Paragraph (8) of section 103(c) of the National Security Act of 1947 (50 U.S.C. 3025(c)) is amended to read as follows: “(8) The Director of the National Counterintelligence and Security Center.”.

(e) **DUTIES OF THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.**—

(1) **IN GENERAL.**—Section 103F of the National Security Act of 1947 (50 U.S.C. 3031) is amended—

(A) by striking the section heading and inserting “DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER”;

(B) in subsection (a)—

(i) by striking the subsection heading and inserting “DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.—”; and

(ii) by striking “National Counterintelligence Executive under section 902 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107-306; 50 U.S.C. 402b et seq.)” and inserting “Director of the National Counterintelligence and Security Center appointed under section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382)”;

(C) in subsection (b), by striking “National Counterintelligence Executive” and inserting “Director of the National Counterintelligence and Security Center”.

(2) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in the first section of the National Security Act of 1947 is amended by striking the item relating to section 103F and inserting the following:

“Sec. 103F. Director of the National Counterintelligence and Security Center.”.

(f) **COORDINATION OF COUNTERINTELLIGENCE ACTIVITIES.**—Section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) is amended—

(1) in subsection (b), by striking “National Counterintelligence Executive under section 902 of the Counterintelligence Enhancement Act of 2002” and inserting “Director of the National Counterintelligence and Security Center appointed under section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382)”;

(2) in subsection (c)(1), by striking “National Counterintelligence Executive.” and inserting “Director of the National Counterintelligence and Security Center.”; and

(3) in subsection (d)(1)(B)(ii)—

(A) by striking “National Counterintelligence Executive” and inserting “Director

of the National Counterintelligence and Security Center”;

(B) by striking “by the Office of the National Counterintelligence Executive under section 904(e)(2) of that Act” and inserting “pursuant to section 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))”.

(g) **INTELLIGENCE AND NATIONAL SECURITY ASPECTS OF ESPIONAGE PROSECUTIONS.**—Section 341(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108-177, 28 U.S.C. 519 note) is amended by striking “Office of the National Counterintelligence Executive,” and inserting “National Counterintelligence and Security Center.”.

#### **SEC. 402. ANALYSES AND IMPACT STATEMENTS BY DIRECTOR OF NATIONAL INTELLIGENCE REGARDING INVESTMENT INTO THE UNITED STATES.**

Section 102A of the National Security Act of 1947 (50 U.S.C. 3024) is amended by adding at the end the following new subsection:

“(y) **ANALYSES AND IMPACT STATEMENTS REGARDING PROPOSED INVESTMENT INTO THE UNITED STATES.**—

“(1) **IN GENERAL.**—Not later than 20 days after the completion of a review or an investigation of any proposed investment into the United States for which the Director has prepared analytic materials, the Director shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representative copies of such analytic materials, including any supplements or amendments to such analysis made by the Director.

“(2) **IMPACT STATEMENTS.**—Not later than 60 days after the completion of consideration by the United States Government of any investment described in paragraph (1), the Director shall determine whether such investment will have an operational impact on the intelligence community, and, if so, shall submit a report on such impact to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives. Each such report shall—

“(A) describe the operational impact of the investment on the intelligence community; and

“(B) describe any actions that have been or will be taken to mitigate such impact.”.

#### **SEC. 403. ASSISTANCE FOR GOVERNMENTAL ENTITIES AND PRIVATE ENTITIES IN RECOGNIZING ONLINE VIOLENT EXTREMIST CONTENT.**

(a) **ASSISTANCE TO RECOGNIZE ONLINE VIOLENT EXTREMIST CONTENT.**—Not later than 180 days after the date of the enactment of this Act, and consistent with the protection of intelligence sources and methods, the Director of National Intelligence shall publish on a publicly available Internet website a list of all logos, symbols, insignia, and other markings commonly associated with, or adopted by, an organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) **UPDATES.**—The Director shall update the list published under subsection (a) every 180 days or more frequently as needed.

#### **Subtitle B—Central Intelligence Agency**

#### **SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.**

Section 11 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3511) is amended to read as follows:

“BENEFITS AVAILABLE IN EVENT OF THE DEATH OF PERSONNEL

“SEC. 11. (a) **AUTHORITY.**—The Director may pay death benefits substantially similar to those authorized for members of the For-

eign Service pursuant to the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other provision of law. The Director may adjust the eligibility for death benefits as necessary to meet the unique requirements of the mission of the Agency.

“(b) **REGULATIONS.**—Regulations issued pursuant to this section shall be submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives before such regulations take effect.”.

#### **SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.**

(a) **IN GENERAL.**—Section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)) is amended by adding at the end the following new subparagraph:

“(C)(i) The Inspector General may designate an officer or employee appointed in accordance with subparagraph (A) as a law enforcement officer solely for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, if such officer or employee is appointed to a position with responsibility for investigating suspected offenses against the criminal laws of the United States.

“(ii) In carrying out clause (i), the Inspector General shall ensure that any authority under such clause is exercised in a manner consistent with section 3307 of title 5, United States Code, as it relates to law enforcement officers.

“(iii) For purposes of applying sections 3307(d), 8335(b), and 8425(b) of title 5, United States Code, the Inspector General may exercise the functions, powers, and duties of an agency head or appointing authority with respect to the Office.”.

(b) **RULE OF CONSTRUCTION.**—Subparagraph (C) of section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a), may not be construed to confer on the Inspector General of the Central Intelligence Agency, or any other officer or employee of the Agency, any police or law enforcement or internal security functions or authorities.

#### **Subtitle C—Other Elements**

#### **SEC. 421. CLARIFICATION OF AUTHORITY, DIRECTION, AND CONTROL OVER THE INFORMATION ASSURANCE DIRECTORATE OF THE NATIONAL SECURITY AGENCY.**

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking the semicolon and inserting “; and”;

(2) in subparagraph (C), by striking “; and” and inserting a period; and

(3) by striking subparagraph (D).

#### **SEC. 422. ENHANCING THE TECHNICAL WORKFORCE FOR THE FEDERAL BUREAU OF INVESTIGATION.**

(a) **REPORT REQUIRED.**—Building on the basic cyber human capital strategic plan provided to the congressional intelligence committees in 2015, not later than 180 days after the date of the enactment of this Act and updated two years thereafter, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a comprehensive strategic workforce report regarding initiatives to effectively integrate information technology expertise in the investigative process.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An assessment, including measurable benchmarks, of progress on initiatives to recruit, train, and retain personnel with the necessary skills and experiences in vital areas, including encryption, cryptography, and big data analytics.

(2) An assessment of whether officers of the Federal Bureau of Investigation who possess such skills are fully integrated into the Bureau's work, including Agent-led investigations.

(3) A description of the quality and quantity of the collaborations between the Bureau and private sector entities on cyber issues, including the status of efforts to benefit from employees with experience transitioning between the public and private sectors.

(4) An assessment of the utility of reinstating, if applicable, and leveraging the Director's Advisory Board, which was originally constituted in 2005, to provide outside advice on how to better integrate technical expertise with the investigative process and on emerging concerns in cyber-related issues.

**SEC. 423. PLAN ON ASSUMPTION OF CERTAIN WEATHER MISSIONS BY THE NATIONAL RECONNAISSANCE OFFICE.**

(a) PLAN.—

(1) IN GENERAL.—Except as provided in subsection (c), the Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(A) a description of the related national security requirements for such missions;

(B) a description of the appropriate manner to meet such requirements; and

(C) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) ACTIVITIES.—In developing the plan under paragraph (1), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(3) SUBMISSION.—Not later than July 1, 2017, and except as provided in subsection (c), the Director shall submit to the appropriate congressional committees the plan under paragraph (1).

(b) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation, shall certify to the appropriate congressional committees that the amounts of funds identified under subsection (a)(1)(C) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(c) WAIVER BASED ON REPORT AND CERTIFICATION OF AIR FORCE ACQUISITION PROGRAM.—The Director of the National Reconnaissance Office may waive the requirement to develop a plan under subsection (a), if the Under Secretary of Defense for Acquisition Technology, and Logistics and the Chairman of the Joint Chiefs of Staff jointly submit to the appropriate congressional committees a report by not later than July 1, 2017, that contains—

(1) a certification that the Secretary of the Air Force is carrying out a formal acquisition program that has received milestone A approval to address the cloud characterization and theater weather imagery requirements of the Department of Defense; and

(2) an identification of the cost, schedule, requirements, and acquisition strategy of such acquisition program.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional intelligence committees; and

(B) the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

(2) The term “covered space-based environmental monitoring missions” means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

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

**SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY THE RUSSIAN FEDERATION TO EXERT COVERT INFLUENCE OVER PEOPLES AND GOVERNMENTS.**

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES BY RUSSIA TO EXERT COVERT INFLUENCE.—The term “active measures by Russia to exert covert influence” means activities intended to influence a person or government that are carried out in coordination with, or at the behest of, political leaders or the security services of the Russian Federation and the role of the Russian Federation has been hidden or not acknowledged publicly, including the following:

(A) Establishment or funding of a front group.

(B) Covert broadcasting.

(C) Media manipulation.

(D) Disinformation and forgeries.

(E) Funding agents of influence.

(F) Incitement and offensive counterintelligence.

(G) Assassinations.

(H) Terrorist acts.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

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

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

(b) ESTABLISHMENT.—There is established within the executive branch an interagency committee to counter active measures by the Russian Federation to exert covert influence.

(c) MEMBERSHIP.—

(1) IN GENERAL.—

(A) APPOINTMENT.—Each head of an agency or department of the United States Government set out under subparagraph (B) shall appoint one member of the committee established by subsection (b) from among officials of such agency or department who occupy a position that is required to be appointed by the President, with the advice and consent of the Senate.

(B) HEAD OF AN AGENCY OR DEPARTMENT.—The head of an agency or department of the United States Government set out under this subparagraph are the following:

(i) The Director of National Intelligence.

(ii) The Secretary of State.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Attorney General.

(vi) The Secretary of Energy.

(vii) The Director of the Federal Bureau of Investigation.

(viii) The head of any other agency or department of the United States Government designated by the President for purposes of this section.

(d) MEETINGS.—The committee shall meet on a regular basis.

(e) DUTIES.—The duties of the committee established by subsection (b) shall be as follows:

(1) To counter active measures by Russia to exert covert influence, including by exposing falsehoods, agents of influence, corruption, human rights abuses, terrorism, and as-

sassinations carried out by the security services or political elites of the Russian Federation or their proxies.

(2) Such other duties as the President may designate for purposes of this section.

(f) STAFF.—The committee established by subsection (b) may employ such staff as the members of such committee consider appropriate.

(g) BUDGET REQUEST.—A request for funds required for the functioning of the committee established by subsection (b) may be included in each budget for a fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code.

(h) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, and consistent with the protection of intelligence sources and methods, the committee established by subsection (b) shall submit to the appropriate committees of Congress a report describing steps being taken by the committee to counter active measures by Russia to exert covert influence.

(2) MATTERS INCLUDED.—Each report under paragraph (1) shall include a summary of the following:

(A) Active measures by Russia to exert covert influence during the previous year, including significant incidents and notable trends.

(B) Key initiatives of the committee.

(C) Implementation of the committee's initiatives by the heads of the agencies and departments of the United States Government specified in subsection (c)(1)(B).

(D) Analysis of the success of such initiatives.

(E) Changes to such initiatives from the previous year.

(3) SEPARATE REPORTING REQUIREMENT.—The requirement to submit an annual report under paragraph (1) is in addition to any other reporting requirements with respect to Russia.

**SEC. 502. LIMITATION ON TRAVEL OF ACCREDITED DIPLOMATS AND CONSULARS OF THE RUSSIAN FEDERATION IN THE UNITED STATES FROM THEIR DIPLOMATIC POST.**

(a) 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 the Judiciary of the Senate; and

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

(b) QUARTERLY LIMITATION ON TRAVEL DISTANCE.—Accredited diplomatic personnel and consulars of the Russian Federation in the United States may not be permitted to travel a distance in excess of 25 miles from their diplomatic post in the United States in a calendar quarter unless, on or before the last day of the preceding calendar quarter, the Director of the Federal Bureau of Investigation has certified in writing to the appropriate committees of Congress that during the preceding calendar quarter the Bureau did not identify any violations by accredited diplomatic personnel and consulars of the Russian Federation of applicable requirements to notify the United States Government in connection with travel by such diplomatic personnel and consulars of a distance in excess of 25 miles from their diplomatic post in the United States.

(c) APPLICABILITY.—Subsection (b) shall apply to each calendar quarter that begins more than 90 days after the date of the enactment of this Act.

(d) WAIVER AUTHORITY.—



(1) IN GENERAL.—The Director of the Federal Bureau of Investigation may waive any travel distance limitation imposed by subsection (b) if the Director determines that such a waiver will further the law enforcement or national security interests of the United States.

(2) NOTIFICATION.—Not later than 15 days after issuing a waiver under paragraph (1), the Director of the Federal Bureau of Investigation shall submit to the appropriate committees of Congress a notification that such waiver has been issued and the justification for the issuance of such waiver.

**SEC. 503. STUDY AND REPORT ON ENHANCED INTELLIGENCE AND INFORMATION SHARING WITH OPEN SKIES TREATY MEMBER STATES.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) congressional intelligence committees;

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

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

(2) COVERED STATE PARTY.—The term “covered state party” means a foreign country, that—

(A) was a state party to the Open Skies Treaty on February 22, 2016; and

(B) is not the Russian Federation or the Republic of Belarus.

(3) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) FEASIBILITY STUDY.—

(1) REQUIREMENT FOR STUDY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct and submit to the appropriate committees of Congress a study to determine the feasibility of creating an intelligence sharing arrangement and database to provide covered state parties with imagery that is comparable, delivered more frequently, and in equal or higher resolution than imagery available through the database established under the Open Skies Treaty.

(2) ELEMENTS.—The study required by paragraph (1) shall include an evaluation of the following:

(A) The methods by which the United States could collect and provide imagery, including commercial satellite imagery, national technical means, and through other intelligence, surveillance, and reconnaissance platforms, under an information sharing arrangement and database referred to in paragraph (1).

(B) The ability of other covered state parties to contribute imagery to the arrangement and database.

(C) Any impediments to the United States and other covered states parties providing such imagery, including any statutory barriers, insufficiencies in the ability to collect the imagery or funding, under such an arrangement.

(D) Whether imagery of Moscow, Chechnya, the international border between Russia and Georgia, Kaliningrad, or the Republic of Belarus could be provided under such an arrangement.

(E) The annual and projected costs associated with the establishment of such an arrangement and database, as compared with costs to the United States and other covered state parties of being parties to the Open Skies Treaty, including Open Skies Treaty plane maintenance, aircraft fuel, crew expenses, mitigation measures necessary associated with Russian Federation overflights over the United States or covered state par-

ties, and new sensor development and acquisition.

(3) SUPPORT FROM OTHER FEDERAL AGENCIES.—Each head of a Federal agency shall provide such support to the Director as may be necessary for the Director to conduct the study required by paragraph (1).

(c) REPORT.—

(1) REQUIREMENT FOR 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 the report described in this subsection.

(2) CONTENT OF REPORT.—The report required by paragraph (1) shall include the following:

(A) An intelligence assessment on Russian Federation warfighting doctrine and the extent to which Russian Federation flights under the Open Skies Treaty contribute to such doctrine.

(B) A counterintelligence analysis as to whether the Russian Federation has, could have, or intends to have the capability to exceed the imagery limits set forth in the Open Skies Treaty.

(C) A list of intelligence exchanges with covered state parties that have been updated on the information described in subparagraphs (A) and (B) and the date and form such information was provided.

(d) FORM OF SUBMISSION.—The study required by subsection (b) and the report required by subsection (c) shall be submitted in an unclassified form but may include a classified annex.

**TITLE VI—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD**

**SEC. 601. INFORMATION ON ACTIVITIES OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.**

Subsection (e) of section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(e)) is amended—

(1) by striking the subsection heading and inserting “REPORTS AND OVERSIGHT ACTIVITIES.—”; and

(2) by adding at the end the following:

“(3) INFORMATION.—

“(A) OVERSIGHT ACTIVITIES.—In addition to the reports submitted under paragraph (1)(B), the Board shall ensure that each official and congressional committee specified in subparagraph (B) is kept fully and currently informed of the oversight activities of the Board, including any significant anticipated oversight activities.

“(B) OFFICIALS AND CONGRESSIONAL COMMITTEES SPECIFIED.—The officials and congressional committees specified in this subparagraph are the following:

“(i) The Director of National Intelligence.

“(ii) The head of any element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) the activities of which are, or are anticipated to be, the subject of the Board’s oversight activities.

“(iii) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

“(C) EXEMPTION FOR STATUTORY ADVICE FUNCTION.—This paragraph shall not apply to exercises of the Board’s advice function as set out in subsection (d)(1).

“(D) PRESERVATION OF PRIVILEGE.—Nothing in this paragraph may be construed to abridge or require waiver of any applicable privilege.

“(4) REPORTS ON ADVICE TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.—Whenever an element of the intelligence community acts in contravention of the advice provided by the Board under subsection (d)(1), the Board shall, no less than 30 days after the action in

contravention of the Board’s advice, notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of the provision of advice and of the action by the element of the intelligence community.”.

**SEC. 602. AUTHORIZATION OF APPROPRIATIONS FOR PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.**

(a) REQUIREMENT FOR AUTHORIZATIONS.—Subsection (m) of section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(m)) is amended to read as follows:

“(m) FUNDING.—

“(1) SPECIFIC AUTHORIZATION REQUIRED.—Appropriated funds available to the Board may be obligated or expended to carry out activities under this section only if such funds were specifically authorized by Congress for use for such activities for such fiscal year.

“(2) DEFINITION.—In this subsection, the term ‘specifically authorized by Congress’ has the meaning given that term in section 504(e) of the National Security Act of 1947 (50 U.S.C. 3094(e)).”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Privacy and Civil Liberties Oversight Board for fiscal year 2017 the sum of \$10,081,000 to carry out the activities of the Board under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee).

**TITLE VII—REPORTS AND OTHER MATTERS**

**SEC. 701. DECLASSIFICATION REVIEW WITH RESPECT TO DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) IN GENERAL.—For each individual detained at United States Naval Station, Guantanamo Bay, Cuba, after September 11, 2001, who was transferred or released from United States Naval Station, Guantanamo Bay, Cuba, the Director of National Intelligence shall—

(1)(A) complete a declassification review of intelligence reports regarding past terrorist activities of that individual prepared by the National Counterterrorism Center for the individual’s Periodic Review Board sessions, transfer, or release; or

(B) if the individual’s transfer or release occurred prior to the date on which the National Counterterrorism Center first began to prepare such reports regarding detainees, such other intelligence report or reports that contain the same or similar information regarding the individual’s past terrorist activities;

(2) make available to the public—

(A) any intelligence reports declassified as a result of the declassification review; and

(B) with respect to each individual transferred or released, for whom intelligence reports are declassified as a result of the declassification review, an unclassified summary which shall be prepared by the President of measures being taken by the country to which the individual was transferred or released to monitor the individual and to prevent the individual from carrying out future terrorist activities; and

(3) submit to the congressional intelligence committees a report setting out the results of the declassification review, including a description of intelligence reports covered by the review that were not declassified.

(b) SCHEDULE.—

(1) TRANSFER OR RELEASE PRIOR TO ENACTMENT.—Not later than 210 days after the date of the enactment of this Act, the Director of National Intelligence shall submit the report

required by subsection (a)(3), which shall include the results of the declassification review completed for each individual detained at United States Naval Station, Guantanamo Bay, Cuba, who was transferred or released from United States Naval Station, Guantanamo Bay, prior to the date of the enactment of this Act.

(2) **TRANSFER OR RELEASE AFTER ENACTMENT.**—Not later than 120 days after the date an individual detained at United States Naval Station, Guantanamo Bay, on or after the date of the enactment of this Act is transferred or released from United States Naval Station, Guantanamo Bay, the Director shall submit the report required by subsection (a)(3) for such individual.

(c) **PAST TERRORIST ACTIVITIES.**—For purposes of this section, the past terrorist activities of an individual shall include all terrorist activities conducted by the individual before the individual's transfer to the detention facility at United States Naval Station, Guantanamo Bay, including, at a minimum, the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role in past terrorist attacks against United States interests or allies.

(4) The direct responsibility, if any, for the death of United States citizens or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

**SEC. 702. CYBER CENTER FOR EDUCATION AND INNOVATION HOME OF THE NATIONAL CRYPTOLOGIC MUSEUM.**

(a) **AUTHORITY TO ESTABLISH AND OPERATE CENTER.**—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 4781. Cyber Center for Education and Innovation Home of the National Cryptologic Museum**

“(a) **ESTABLISHMENT.**—(1) The Secretary of Defense may establish at a publicly accessible location at Fort George G. Meade the ‘Cyber Center for Education and Innovation Home of the National Cryptologic Museum’ (in this section referred to as the ‘Center’).

“(2) The Center may be used for the identification, curation, storage, and public viewing of materials relating to the activities of the National Security Agency, any predecessor or successor organizations of such Agency, and the history of cryptology.

“(3) The Center may contain meeting, conference, and classroom facilities that will be used to support such education, training, public outreach, and other purposes as the Secretary considers appropriate.

“(b) **DESIGN, CONSTRUCTION, AND OPERATION.**—The Secretary may enter into an agreement with the National Cryptologic Museum Foundation (in this section referred to as the ‘Foundation’), a nonprofit organization, for the design, construction, and operation of the Center.

“(c) **ACCEPTANCE AUTHORITY.**—(1) If the Foundation constructs the Center pursuant to an agreement with the Foundation under subsection (b), upon satisfactory completion of the Center's construction or any phase thereof, as determined by the Secretary, and upon full satisfaction by the Foundation of any other obligations pursuant to such agreement, the Secretary may accept the Center (or any phase thereof) from the Foundation, and all right, title, and interest in the Center or such phase shall vest in the United States.

“(2) Notwithstanding section 1342 of title 31, the Secretary may accept services from the Foundation in connection with the design construction, and operation of the Center. For purposes of this section and any

other provision of law, employees or personnel of the Foundation shall not be considered to be employees of the United States.

“(d) **FEES AND USER CHARGES.**—(1) The Secretary may assess fees and user charges to cover the cost of the use of Center facilities and property, including rental, user, conference, and concession fees.

“(2) Amounts received under paragraph (1) shall be deposited into the fund established under subsection (e).

“(e) **FUND.**—(1) Upon the Secretary's acceptance of the Center under subsection (c)(1) there is established in the Treasury a fund to be known as the ‘Cyber Center for Education and Innovation-Home of the National Cryptologic Museum Fund’ (in this subsection referred to as the ‘Fund’).

“(2) The Fund shall consist of the following amounts:

“(A) Fees and user charges deposited by the Secretary under subsection (d).

“(B) Any other amounts received by the Secretary which are attributable to the operation of the Center.

“(3) Amounts in the Fund shall be available to the Secretary for the benefit and operation of the Center, including the costs of operation and the acquisition of books, manuscripts, works of art, historical artifacts, drawings, plans, models, and condemned or obsolete combat materiel.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 449 of title 10, United States Code, is amended by adding at the end the following new item:

“4781. Cyber Center for Education and Innovation Home of the National Cryptologic Museum.”

**SEC. 703. OVERSIGHT OF NATIONAL SECURITY SYSTEMS.**

(a) **IN GENERAL.**—Section 3557 of title 44, United States Code, is amended—

(1) by striking “The head” and inserting the following:

“(c) **RESPONSIBILITIES OF AGENCIES.**—The head”; and

(2) by inserting before subsection (c), as designated by paragraph (1), the following:

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

“(1) **BINDING OPERATIONAL DIRECTIVE.**—Notwithstanding section 3552(b), the term ‘binding operational directive’ means a compulsory direction to an agency that—

“(A) is for purposes of safeguarding national security information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk; and

“(B) shall be in accordance with policies, principles, standards, and guidelines issued by the Committee.

“(2) **COMMITTEE.**—The term ‘Committee’ means the committee established pursuant to National Security Directive 42, signed by the President on July 5, 1990.

“(3) **NATIONAL MANAGER.**—The term ‘National Manager’ means the national manager referred to in National Security Directive 42, signed by the President on July 5, 1990.

“(b) **OVERSIGHT BY NATIONAL MANAGER.**—

“(1) **DESIGNATION.**—The Director of the National Security Agency shall serve as the National Manager.

“(2) **REGISTRATION OF NATIONAL SECURITY SYSTEMS.**—

“(A) **IN GENERAL.**—Each head of an agency that operates or exercises control of a national security system shall register such system and its configuration with the National Manager.

“(B) **LIMITATION.**—The head of an agency operating or exercising control of a national security system may not operate or exercise control of such national security system until such head receives a letter from the National Manager that acknowledges registration of such national security system.

“(3) **AUTHORITY TO INSPECT.**—The National Manager, in consultation with the head of an agency that operates or exercises control of a national security system, may, as the National Manager considers appropriate, inspect such system—

“(A) for adherence to such standards as the Committee may establish for national security systems; and

“(B) to confirm whether the national security system coheres with its configuration registered under paragraph (2).

“(4) **BINDING OPERATIONAL DIRECTIVES.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the National Manager, in consultation with the Committee, may issue such binding operational directives as the National Manager considers appropriate to ensure the security of a national security system.

“(B) **LIMITATION.**—In any case in which the National Manager issues an operational directive under subparagraph (A) with respect to a national security system operated or controlled by an agency, such operational directive shall not be considered binding if the head of such agency submits to the National Manager a certification that the operational directive would degrade national security.

“(C) **ANNUAL REPORT.**—Not less frequently than once each year, the National Manager shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the certifications submitted to the National Manager under subparagraph (B) in the most recent year preceding the report.”

(b) **CONSIDERATION OF CERTAIN ROUTINE ADMINISTRATIVE AND BUSINESS APPLICATIONS AS NATIONAL SECURITY SYSTEMS.**—

(1) **TITLE 40.**—Section 11103(a) of title 40, United States Code, is amended—

(A) by striking paragraph (2);

(B) in paragraph (1)(E), by striking “subject to paragraph (2),”; and

(C) by striking “DEFINITION.” and all that follows through “In this section” and inserting “NATIONAL SECURITY SYSTEM DEFINED.—In this section”; and

(D) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and moving such paragraphs 2 ems to the left.

(2) **TITLE 44.**—Section 3552(b)(6) of title 44, United States Code, is amended—

(A) by striking subparagraph (B);

(B) in subparagraph (A), by striking “(A)”; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(D) by redesignating subclauses (I) through (V) as clauses (i) through (v), respectively; and

(E) in subparagraph (A)(v), as redesignated, by striking “subject to subparagraph (B).”

**SEC. 704. JOINT FACILITIES CERTIFICATION.**

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

(1) The Director of National Intelligence set a strategic goal to use joint facilities as a means to save costs by consolidating administrative and support functions across multiple elements of the intelligence community.

(2) The use of joint facilities provides more opportunities for operational collaboration and information sharing among elements of the intelligence community.

(b) **CERTIFICATION.**—Before an element of the intelligence community purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element of the intelligence community shall submit to the Director of National Intelligence—

(1) a certification that, to the best of the knowledge of the head of such element, all



prospective joint facilities in the vicinity have been considered and the element is unable to identify a joint facility that meets the operational requirements of such element; and

(2) a statement listing the reasons for not participating in the prospective joint facilities considered by the element.

#### SEC. 705. LEADERSHIP AND MANAGEMENT OF SPACE ACTIVITIES.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives.

(b) UPDATE TO STRATEGY FOR COMPREHENSIVE INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL SECURITY OVERHEAD SATELLITE ARCHITECTURE.—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 and the Chairman of the Joint Chiefs of Staff, shall issue an update to the strategy required by section 312 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113; 129 Stat. 2919).

(c) UNITY OF EFFORT IN SPACE OPERATIONS BETWEEN THE INTELLIGENCE COMMUNITY AND DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT FOR PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a plan to functionally integrate the governance, operations, analysis, collection, policy, and acquisition activities related to space and counterspace carried out by the intelligence community. The plan shall include analysis of no fewer than 2 alternative constructs to implement this plan, and an assessment of statutory, policy, organizational, programmatic, and resources changes that may be required to implement each alternative construct.

(2) APPOINTMENT BY THE DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall appoint a single official to oversee development of the plan required by paragraph (1).

(3) SCOPE OF PLAN.—The plan required by paragraph (1) shall include methods to functionally integrate activities carried out by—

- (A) the National Reconnaissance Office;
- (B) the functional managers for signals intelligence and geospatial intelligence;
- (C) the Office of the Director of National Intelligence;
- (D) other Intelligence Community elements with space-related programs;
- (E) joint interagency efforts; and
- (F) other entities as identified by the Director of National Intelligence in coordination with the Secretary of Defense.

(d) INTELLIGENCE COMMUNITY SPACE WORKFORCE.—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 a workforce plan to recruit, develop, and retain personnel in the intelligence community with skills and experience in space and counterspace operations, analysis, collection, policy, and acquisition.

(e) JOINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER.—

(1) SUBMISSION TO CONGRESS.—The Director of the National Reconnaissance Office and the Commander of the United States Strategic Command, in consultation with the Director of National Intelligence and Under Secretary of Defense for Intelligence, shall

submit to the appropriate committees of Congress concept of operations and requirements documents for the Joint Interagency Combined Space Operations Center by the date that is the earlier of—

(A) the completion of the experimental phase of such Center; or

(B) 30 days after the date of the enactment of this Act.

(2) QUARTERLY BRIEFINGS.—The Director of the National Reconnaissance Office and the Commander of the United States Strategic Command, in coordination with the Director of National Intelligence and Under Secretary of Defense for Intelligence, shall provide to the appropriate committees of Congress briefings providing updates on activities and progress of the Joint Interagency Combined Space Operations Center to begin 30 days after the date of the enactment of this Act. Such briefings shall be quarterly for the first year following enactment, and annually thereafter.

#### SEC. 706. ADVANCES IN LIFE SCIENCES AND BIOTECHNOLOGY.

(a) REQUIREMENT FOR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall brief the congressional intelligence committees on a proposed plan to monitor advances in life sciences and biotechnology to be carried out by the Director.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a description of the approach the elements of the intelligence community will take to make use of organic life science and biotechnology expertise within and outside the intelligence community on a routine and contingency basis;

(2) an assessment of the current collection and analytical posture of the life sciences and biotechnology portfolio as it relates to United States competitiveness and the global bio-economy, the risks and threats evolving with advances in genetic editing technologies, and the implications of such advances on future biodefense requirements; and

(3) an analysis of organizational requirements and responsibilities, including potentially creating new positions.

(c) REPORT TO CONGRESS.—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 and provide a briefing on the role of the intelligence community in the event of a biological attack on the United States, including an assessment of the capabilities and gaps in technical capabilities that exist to address the potential circumstance of a novel unknown pathogen.

#### SEC. 707. REPORTS ON DECLASSIFICATION PROPOSALS.

(a) COVERED STUDIES DEFINED.—In this section, the term “covered studies” means the studies that the Director of National Intelligence requested that the elements of the intelligence community produce in the course of producing the fundamental classification guidance review for fiscal year 2017 required by Executive Order No. 13526 (50 U.S.C. 3161 note), as follows:

(1) A study of the feasibility of reducing the number of original classification authorities in each element of the intelligence community to the minimum number required and any negative impacts that reduction could have on mission capabilities.

(2) A study of the actions required to implement a proactive discretionary declassification program distinct from the systematic, automatic, and mandatory declassification

review programs outlined in part 2001 of title 32, Code of Federal Regulations, including section 2001.35 of such part.

(3) A study of the benefits and drawbacks of implementing a single classification guide that could be used by all elements of the intelligence community in the nonoperational and more common areas of such elements.

(4) A study of whether the classification level of “confidential” could be eliminated within agency-generated classification guides from use by elements of the intelligence community and any negative impacts that elimination could have on mission success.

(b) REPORTS AND BRIEFINGS TO CONGRESS.—

(1) PROGRESS REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees and provide the congressional intelligence committees a briefing on the progress of the elements of the intelligence community in producing the covered studies.

(2) FINAL REPORT.—Not later than the earlier of 120 days after the date of the enactment of this Act or June 30, 2017, the Director of National Intelligence shall submit a report and provide a briefing to the congressional intelligence committees on—

(A) the final versions of the covered studies that have been provided to the Director by the elements of the intelligence community; and

(B) a plan for implementation of each initiative included in each such covered study.

#### SEC. 708. IMPROVEMENT IN GOVERNMENT CLASSIFICATION AND DECLASSIFICATION.

(a) REVIEW OF GOVERNMENT CLASSIFICATION AND DECLASSIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) review the system by which the Government classifies and declassifies information;

(2) develop recommendations—

(A) to make such system a more effective tool for the protection of information relating to national security;

(B) to improve the sharing of information with partners and allies of the Government; and

(C) to support the appropriate declassification of information; and

(3) submit to the congressional intelligence committees a report with—

(A) the findings of the Director with respect to the review conducted under paragraph (1); and

(B) the recommendations developed under paragraph (2).

(b) ANNUAL CERTIFICATION OF CONTROLLED ACCESS PROGRAMS.—

(1) IN GENERAL.—Not less frequently than once each year, the Director of National Intelligence shall certify to the congressional intelligence committees whether the creation, validation, or substantial modification, including termination, for all existing and proposed controlled access programs, and the compartments and subcompartments within each, are substantiated and justified based on the information required by paragraph (2).

(2) INFORMATION REQUIRED.—Each certification pursuant to paragraph (1) shall include—

(A) the rationale for the revalidation, validation, or substantial modification, including termination, of each controlled access program, compartment and subcompartment;

(B) the identification of a control officer for each controlled access program; and

(C) a statement of protection requirements for each controlled access program.

**SEC. 709. REPORT ON IMPLEMENTATION OF RESEARCH AND DEVELOPMENT RECOMMENDATIONS.**

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that includes the following:

(1) An assessment of the actions each element of the intelligence community has completed to implement the recommendations made by the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community established under section 1002 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 50 U.S.C. 3001 note).

(2) An analysis of the balance between short-, medium-, and long-term research efforts carried out by each element of the intelligence community.

**SEC. 710. REPORT ON INTELLIGENCE COMMUNITY RESEARCH AND DEVELOPMENT CORPS.**

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report and a briefing on a plan, with milestones and benchmarks, to implement an Intelligence Community Research and Development Corps, as recommended in the Report of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community, including an assessment—

(1) of the funding and modification to existing authorities needed to allow for the implementation of such Corps; and

(2) of additional legislative authorities, if any, necessary to undertake such implementation.

**SEC. 711. REPORT ON INFORMATION RELATING TO ACADEMIC PROGRAMS, SCHOLARSHIPS, FELLOWSHIPS, AND INTERNSHIPS SPONSORED, ADMINISTERED, OR USED BY THE INTELLIGENCE COMMUNITY.**

(a) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report by the intelligence community regarding covered academic programs. Such report shall include—

(1) a description of the extent to which the Director and the heads of the elements of the intelligence community independently collect information on covered academic programs, including with respect to—

(A) the number of applicants for such programs;

(B) the number of individuals who have participated in such programs; and

(C) the number of individuals who have participated in such programs and were hired by an element of the intelligence community after completing such program;

(2) to the extent that the Director and the heads independently collect the information described in paragraph (1), a chart, table, or other compilation illustrating such information for each covered academic program and element of the intelligence community, as appropriate, during the three-year period preceding the date of the report; and

(3) to the extent that the Director and the heads do not independently collect the information described in paragraph (1) as of the date of the report—

(A) whether the Director and the heads can begin collecting such information during fiscal year 2017; and

(B) the personnel, tools, and other resources required by the Director and the heads to independently collect such information.

(b) **COVERED ACADEMIC PROGRAMS DEFINED.**—In this section, the term “covered academic programs” means—

(1) the Federal Cyber Scholarship-for-Security Program under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442);

(2) the National Security Education Program under the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.);

(3) the Science, Mathematics, and Research for Transformation Defense Education Program under section 2192a of title 10, United States Code;

(4) the National Centers of Academic Excellence in Information Assurance and Cyber Defense of the National Security Agency and the Department of Homeland Security; and

(5) any other academic program, scholarship program, fellowship program, or internship program sponsored, administered, or used by an element of the intelligence community.

**SEC. 712. REPORT ON INTELLIGENCE COMMUNITY EMPLOYEES DETAILED TO NATIONAL SECURITY COUNCIL.**

Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report listing, by year, the number of employees of an element of the intelligence community who have been detailed to the National Security Council during the 10-year period preceding the date of the report.

**SEC. 713. INTELLIGENCE COMMUNITY REPORTING TO CONGRESS ON FOREIGN FIGHTER FLOWS.**

(a) **REPORTS REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Director of National Intelligence, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on foreign fighter flows to and from terrorist safe havens abroad.

(b) **CONTENTS.**—Each report submitted under subsection (a) shall include, with respect to each terrorist safe haven, the following:

(1) The total number of foreign fighters who have traveled or are suspected of having traveled to the terrorist safe haven since 2011, including the countries of origin of such foreign fighters.

(2) The total number of United States citizens present in the terrorist safe haven.

(3) The total number of foreign fighters who have left the terrorist safe haven or whose whereabouts are unknown.

(c) **FORM.**—The reports submitted under subsection (a) may be submitted in classified form. If such a report is submitted in classified form, such report shall also include an unclassified summary.

(d) **SUNSET.**—The requirement to submit reports under subsection (a) shall terminate on the date that is two years after the date of the enactment of this Act.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) in the Senate—

(A) the Committee on Armed Services;

(B) the Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security and Governmental Affairs;

(E) the Committee on Banking, Housing, and Urban Affairs;

(F) the Committee on Foreign Relations; and

(G) the Committee on Appropriations; and

(2) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Permanent Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security;

(E) the Committee on Financial Services;

(F) the Committee on Foreign Affairs; and

(G) the Committee on Appropriations.

**SEC. 714. REPORT ON CYBERSECURITY THREATS TO SEAPORTS OF THE UNITED STATES AND MARITIME SHIPPING.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Director of National Intelligence, and consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on the cybersecurity threats to, and the cyber vulnerabilities within, the software, communications networks, computer networks, or other systems employed by—

(1) entities conducting significant operations at seaports in the United States;

(2) the maritime shipping concerns of the United States; and

(3) entities conducting significant operations at transshipment points in the United States.

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

(1) A description of any recent and significant cyberattacks or cybersecurity threats directed against software, communications networks, computer networks, or other systems employed by the entities and concerns described in paragraphs (1) through (3) of subsection (a).

(2) An assessment of—

(A) any planned cyberattacks directed against such software, networks, and systems;

(B) any significant vulnerabilities to such software, networks, and systems; and

(C) how such entities and concerns are mitigating such vulnerabilities.

(3) An update on the status of the efforts of the Coast Guard to include cybersecurity concerns in the National Response Framework, Emergency Support Functions, or both, relating to the shipping or ports of the United States.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional intelligence committees; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

**SEC. 715. REPORT ON COUNTER-MESSAGING ACTIVITIES.**

(a) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on the counter-messaging activities of the Department of Homeland Security with respect to the Islamic State and other extremist groups.

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

(1) A description of whether, and to what extent, the Secretary of Homeland Security, in conducting counter-messaging activities with respect to the Islamic State and other extremist groups, consults or coordinates with the Secretary of State, regarding the counter-messaging activities undertaken by the Department of State with respect to the Islamic State and other extremist groups, including counter-messaging activities conducted by the Global Engagement Center of the Department of State.

(2) Any criteria employed by the Secretary of Homeland Security for selecting, developing, promulgating, or changing the counter-messaging approach of the Department of Homeland Security, including any counter-messaging narratives, with respect to the Islamic State and other extremist groups.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional intelligence committees; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

**SEC. 716. REPORT ON REPRISALS AGAINST CONTRACTORS OF THE INTELLIGENCE COMMUNITY.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, consistent with the protection of sources and methods, shall submit to the congressional intelligence committees a report on reprisals made against covered contractor employees.

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

(1) Identification of the number of known or claimed reprisals made against covered contractor employees during the 3-year period preceding the date of the report and any evaluation of such reprisals.

(2) An evaluation of the usefulness of establishing a prohibition on reprisals against covered contractor employees as a means of encouraging such contractors to make protected disclosures.

(3) A description of any challenges associated with establishing such a prohibition, including with respect to the nature of the relationship between the Federal Government, the contractor, and the covered contractor employee.

(4) A description of any approaches taken by the Federal Government to account for reprisals against non-intelligence community contractors who make protected disclosures, including pursuant to section 2409 of title 10, United States Code, and sections 4705 and 4712 of title 41, United States Code.

(5) Any recommendations the Inspector General determines appropriate.

(c) **DEFINITIONS.**—In this section:

(1) **COVERED CONTRACTOR EMPLOYEE.**—The term “covered contractor employee” means an employee of a contractor of an element of the intelligence community.

(2) **REPRISAL.**—The term “reprisal” means the discharge or other adverse personnel action made against a covered contractor employee for making a disclosure of information that would be a disclosure protected by law if the contractor were an employee of the Federal Government.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from California (Mr. NUNES) and the gentleman from California (Mr. SCHIFF) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. NUNES).

GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 6393.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NUNES. Mr. Speaker, I yield myself such time as I may consume.

Passing an annual intelligence authorization bill is the most important tool Congress has to conduct effective oversight of the activities of the United States Government. Today, Ranking Member SCHIFF and I are bringing a fiscal year 2017 intelligence authorization bill to the floor for the second time this year. When enacted, it will mark the seventh consecutive Intelligence Authorization Act.

In May, H.R. 5077 passed the House with a strong bipartisan vote. I am pleased to say that this bill, H.R. 6393, is likewise a bipartisan product that reflects the contributions of all of the committee's members.

The bill contains provisions from H.R. 5077 that won wide bipartisan support in May and, after extensive negotiations with the Senate, incorporates numerous provisions from S. 3017, which was reported by the Senate Select Committee on Intelligence in June.

Because most of the intelligence budget involves highly classified programs, the committee's schedule of authorizations and the bulk of the committee's direction is found in the classified annex to the bill. This classified annex has been available in HVC-304 for all Members to review since yesterday.

At the unclassified level, I can report that the total funding authorized by H.R. 6393 balances fiscal discipline and national security. This bill will keep the intelligence base funding at the same share of the Bipartisan Budget Act discretionary cap as in fiscal year 2016 and is consistent with the administration's amended budget request for overseas contingency operations. Furthermore, the bill funds the Military Intelligence Program in line with the levels of the conference version of the National Defense Authorization Act for Fiscal Year 2017.

The agreed text preserves key committee, House, and Senate funding initiatives that are vital to national security. The bill funds high-priority initiatives not included in the President's request and trims requested increases that lack clear justifications. It reflects careful judgments as to which programs represent the best value for intelligence dollars in a challenging budget environment.

The bill will ensure that the men and women of our intelligence community have the funding, authorities, and support they need to carry out their mission and to keep us safe.

Before closing, I want to take a moment to thank the men and women of this country who serve in our intelligence community and thank the families of those who have lost their lives while serving in silence. I am honored to have gotten to know so many dedicated intelligence personnel in the course of the committee's oversight work.

I would also like to thank all of the committee's members—majority and

minority—for their contributions to this bill. The many hearings, briefings, and oversight visits by our members carried out during the year provide the inputs for the authorization and direction in this annual bill and ensure the intelligence community remains accountable to the robust oversight of the people's elected Representatives.

I would like to thank my staff, including our staff director—Damon Nelson—George Pappas, Derek Harvey, Geof Kahn, Shannon Stuart, Michael Ellis, Scott Glabe, Jack Langer, Nick Ciarlante, Marissa Skaggs, Bill Flanagan, Lisa Major, Chelsey Campbell, Doug Presley, Andrew House, Steve Keith, and Angel Smith. I would also like to thank our two fellows from Los Alamos National Laboratory—Scott Miller and Phil Tubesing. I would also like to thank the committee's shared staff—Brandon Smith, Kristin Jepson, and Kimberlee Kerr.

In closing, I would like to thank Mr. SCHIFF, my ranking member, who has been just a pleasure to work with over the last couple of years. Without his work and his staff's hard work, we would not be in a position today in which we could stand up here with a strong bipartisan product.

Mr. Speaker, I would like to outline the joint explanatory statement to accompany the Intelligence Authorization Act of Fiscal Year 2017: **JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017**

This joint explanatory statement reflects negotiations between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence (hereinafter, “the Agreement”). The 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 conference committee.

The joint explanatory statement comprises three parts: an overview of the application of the annex to accompany this statement; unclassified congressional direction; and a section-by-section analysis of the legislative text.

**PART I: APPLICATION OF THE CLASSIFIED ANNEX**

The classified nature of U.S. intelligence activities prevents the congressional intelligence committees from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community (IC) to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. It reconciles the differences between the committees' respective versions of the bill for the National Intelligence Program (NIP) and the Homeland Security Intelligence Program (HSIP) for Fiscal Year 2017. The Agreement also makes recommendations for the Military Intelligence Program (MIP), and the Information Systems Security Program

(ISSP), consistent with the National Defense Authorization Act for Fiscal Year 2017, and provides certain direction for these two programs.

The Agreement supersedes the classified annexes to the reports accompanying H.R. 5077—passed by the House on May 24, 2016—and S. 3017—reported by the Senate Select Committee on Intelligence on June 15, 2016. All references to the House-passed and Senate-reported annexes are made solely to provide the heritage of, and context for, specific provisions.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 102. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the 'classified Schedule of Authorizations. The classified annex shall have the same legal force as the report to accompany the bill.

#### PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

The Agreement supersedes H. Rept. 114-573 accompanying H.R. 5077—passed by the House on May 24, 2016—and S. Rept. 114-277 accompanying S. 3017—reported by the Senate Select Committee on Intelligence on June 15, 2016. The phrase "consistent with" is used solely to provide the heritage of, and context for, specific provisions by denoting the report(s) from which the Agreement's unclassified direction derives.

#### *Commercial Geospatial Intelligence Strategy*

Consistent with S. Rept. 114-277 accompanying S. 3017, the Agreement encourages the Department of Defense (DoD), in building future-year budgets, to ensure continued funding is provided for implementation, through at least Fiscal Year 2021, of the Commercial Geospatial Intelligence Strategy issued by the National Geospatial-Intelligence Agency (NGA) in October 2015.

#### *Space Launch Facilities*

Consistent with S. Rept. 114-277 accompanying S. 3017, the Agreement directs the IC, in partnership with the U.S. Air Force, to consider the role and contribution of spaceports or launch and range complexes to our national security space launch capacity, and directs the Office of the Director of National Intelligence (ODNI), in consultation with DoD and the U.S. Air Force, no later than 90 days after the enactment of this Act, to brief the congressional intelligence committees on their plans to utilize such facilities.

#### *National Reconnaissance Office Workforce Optimization Strategy*

Consistent with S. Rept. 114-277 accompanying S. 3017, the Agreement directs the National Reconnaissance Office (NRO), no later than 90 days after the enactment of this Act, to conduct a workforce review to optimize the mix between government civilians and contractors and submit to the congressional intelligence committees a report containing a workforce optimization strategy.

#### *Review of the National Intelligence University*

The National Intelligence University (NIU) has made significant progress in recent years in its transition from a defense intelligence college to a national intelligence university that provides advanced education in a classified format. Such advanced education is integral to making intelligence a profession with recognized standards for performance and ethics and fostering an integrated IC workforce. While progress has been significant since the Director of National Intelligence (DNI) and Secretary of Defense agreed to redesignate Defense Intelligence Agency's (DIA) National Defense Intelligence College as NIU in 2011, the institu-

tion must continue to adapt to functioning as a university with a robust research agenda, and to serving the entire IC, not just elements of DoD.

Fiscal years 2017 and 2018 are of great significance for NIU, as it moves its principal facility to the IC Campus at Bethesda, completes activities associated with its 2018 decennial regional accreditation reaffirmation, and receives a new president. The congressional intelligence committees believe that these developments position NIU to make further progress in its vision to become the center of academic life for the IC.

To guide these next steps, the Agreement directs DIA, in coordination with ODNI and the Office of the Under Secretary of Defense for Intelligence, to, no later than 30 days after enactment of this Act, select a five-member, external, and independent panel to conduct a review of NIU. The panel shall submit a report detailing the results of such review to the congressional intelligence and defense committees within 180 days of enactment of this Act. The panel should be composed of recognized academics, personnel from other DoD joint professional military education institutions, national security experts, and at least one member of NIU's Board of Visitors.

This review and the resulting report shall, among other things, assess:

- (1) Methods for ensuring a student body that is more representative of all IC elements;
- (2) Incentives for IC elements to send personnel to NIU to earn a degree or certificate, to include designating attendance at NIU as positions reimbursable by ODNI and requiring IC elements to employ the workforce concept of "float" for personnel enrolled in higher-education programs;
- (3) How certificate programs align with NIU's unique value as an institution of advanced intelligence education;
- (4) Methods to enhance NIU's research program, to include publication of a journal, hosting of conferences and other collaborative fora, and more formalized relationships with intelligence studies scholars;
- (5) Whether and how educational components of other IC elements could provide educational offerings as part of the NIU curriculum;
- (6) Potential advantages and risks associated with alternative governance models for NIU, to include moving it under the auspices of ODNI; and
- (7) The feasibility and resource constraints of NIU tailoring degree offerings to meet the needs of IC personnel at different stages in their careers, similar to DoD's joint professional military education model.

#### *Privacy and Civil Liberties Oversight Board priorities*

Consistent with H. Rept. 114-573 accompanying H.R. 5077 and S. Rept. 114-277 accompanying S. 3017, the Agreement strongly encourages the Privacy and Civil Liberties Oversight Board (PCLOB) to prioritize the privacy rights and civil liberties of U.S. persons in any findings, recommendations, or other reports stemming from its in-depth examinations of counterterrorism activities governed by Executive Order 12333. The Agreement further encourages PCLOB to refrain from publishing any such materials in unclassified form until PCLOB has completed a thorough fact-finding process, and the congressional intelligence committees expect the IC will provide timely cooperation with that process.

#### *Cost of living consideration*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement recommends that DIA evaluate alternate mechanisms for staffing overseas Combatant

Command intelligence centers, particularly those that are not co-located with Combatant Command headquarters, and identify cost-savings opportunities by reducing the number of personnel receiving living quarters allowance payments and shifting personnel to lower cost locations, including in the continental United States.

#### *Defense Intelligence Agency education opportunities*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs DIA, no later than 180 days after the enactment of this Act, to:

- (1) Provide for and fund a program that allows for DIA employees to attend civilian graduate degree programs for up to two years each, based on the standard length of the relevant program, provided that:

(a) Where DIA deems appropriate, employees may pursue academic programs extending beyond two years. Consistent with current practices, the program should be made available to at least five employees each year, with each employee receiving a full-time salary while participating in the program; and

(b) Each DIA participant shall be subject to any program approvals, service obligations, repayment obligations, and other requirements pertaining to academic programs, as prescribed by applicable laws and policies.

- (2) Brief the congressional intelligence committees on the status of the program's implementation.

#### *Mental health prevalence*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs the National Security Agency (NSA), NGA, the Central Intelligence Agency (CIA), and DIA, no later than 180 days after the enactment of this Act, to provide a joint briefing to the congressional intelligence committees on the mental health screenings and related services that these agencies offer employees, both before and after they deploy to combat zones. Such briefing shall include a description of:

- (1) Existing services available;
- (2) Agency resources for and analysis of these services, including the frequency of use by employees compared to the total number returning from deployment; and
- (3) How agencies with deployed civilian employees are sharing best practices and leveraging services or resources outside their agencies.

#### *Review of the Office of the Director of National Intelligence*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs the President to form an independent, external panel of at least five individuals with significant intelligence and national security expertise to review ODNI's roles, missions and functions and make recommendations, as needed, regarding its authorities, organization and resources. The panel shall:

- (1) Evaluate ODNI's ability to fulfill the responsibilities assigned to it in law given its current scope and structure;
- (2) Assess whether any roles and responsibilities currently assigned to the DNI could be more effectively or efficiently executed by other IC components or government agencies outside the IC;
- (3) Analyze the personnel, funding, and authorities required for each component of ODNI to perform each of its assigned responsibilities;
- (4) Evaluate the organizational structure of ODNI;
- (5) Review the size, role, purpose and function of ODNI's mission centers;
- (6) Assess the value of the national intelligence manager construct;

(7) Review the size and mix of the ODNI workforce—to include the ratio between cadre and detailees, the balance between government and contractors, and grade structure—to perform its roles, missions and functions; and

(8) Make recommendations regarding the above.

The Agreement directs the President, no later than 30 days after the enactment of this Act, to select the individuals who will serve on the external panel and notify the congressional intelligence committees of such selection.

In addition, the Agreement directs the panel, no later than 180 days after the enactment of this Act, to provide a report on this review to the congressional intelligence committees. This report shall be unclassified, but may contain a classified annex. The Agreement further directs ODNI to reimburse the Executive Office of the President for any costs associated with the review.

#### *Improving pre-publication review*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs that, no later than 180 days after the enactment of this Act, the DNI shall issue an IC-wide policy regarding pre-publication review. The DNI shall transmit this policy to the congressional intelligence committees concurrently with its issuance. The policy should require each IC agency to develop and maintain a pre-publication policy that contains, at a minimum, the following elements:

(1) Identification of the individuals subject to pre-publication review requirements (“covered individuals”);

(2) Guidance on the types of information that must be submitted for pre-publication review, including works (a) unrelated to an individual’s IC employment; or (b) published in cooperation with a third party, e.g.—

(a) Authored jointly by covered individuals and third parties;

(b) Authored by covered individuals but published under the name of a third party; or

(c) Authored by a third party but with substantial input from covered individuals.

(3) Guidance on a process by which covered individuals can participate in pre-publication reviews, and communicate openly and frequently with reviewers;

(4) Requirements for timely responses, as well as reasoned edits and decisions by reviewers;

(5) Requirements for a prompt and transparent appeal process;

(6) Guidelines for the assertion of inter-agency equities in pre-publication review;

(7) A summary of the lawful measures each agency may take to enforce its policy, to include civil and criminal referrals; and

(8) A description of procedures for post-publication review of documents that are alleged or determined to reveal classified information but were not submitted for pre-publication review.

Additionally, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to provide to the congressional intelligence committees a report on the adequacy of IC information technology efforts to improve and expedite pre-publication review processes, and the resources needed to ensure that IC elements can meet this direction.

The Agreement further directs the DNI, no later than 270 days after the enactment of this Act, to certify to the congressional intelligence committees that IC elements’ pre-publication review policies, non-disclosure agreements, and any other agreements imposing pre-publication review obligations reflect the policy described above.

#### *Student loan debt report*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs

ODNI, no later than 180 days after the enactment of this Act, to provide a report to the congressional intelligence committees on programs that seek to help IC personnel manage student loan debt. The report shall include details about each IC element’s program, including loan forgiveness, loan repayment, and financial counseling programs; efforts to inform prospective and current employees about such programs; and the number of employees who use such programs. The report shall also include an analysis of the benefits and drawbacks of creating new programs and expanding existing programs, and shall identify any barriers to the establishment of IC-wide programs.

#### *Workforce development partnership*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs the DNI Chief Human Capital Officer, no later than 180 days after the enactment of this Act, to provide to the congressional intelligence committees an interagency briefing on new approaches, including outreach and advertising, the IC is considering or conducting to attract a diverse, robust information technology and Science, Technology, Engineering, and Math workforce to meet the increasing demands in the IC.

#### *Distributed Common Ground/Surface System-Army*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement requests that the Army, no later than 90 days after the enactment of this Act, submit a plan to the congressional intelligence and defense committees on how the Army will fully incorporate Distributed Common Ground/Surface System-Army (DCGS-A) training into the readiness cycle for Army personnel. The plan should specifically address any lessons learned from the fielding of DCGS-A Increment 1 and any ongoing corrective actions to improve the roll-out of Increment 1, Release 2.

#### *Common controller for unmanned aircraft systems*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement requests that the Army and the Marine Corps Intelligence Activity (MCIA), no later than 90 days after the enactment of this Act, jointly submit a report to the congressional intelligence and defense committees on the feasibility of developing a common controller for all Brigade and Below unmanned aircraft systems (UAS) airframes, as well as U.S. Marine Corps small unit UAS. The report should address the potential performance and operational benefits of a common controller, anticipated development costs, and anticipated life-cycle cost savings of a common controller.

#### *Review of dual-hatting relationship*

The congressional intelligence committees support further evaluation of the dual-hatting of a single individual as both Commander of U.S. Cyber Command (USCYBERCOM) and Director of the National Security Agency (DIRNSA).

Therefore, the Agreement directs the Secretary of Defense, no later than 180 days after the enactment of this Act, to provide to the congressional intelligence and defense committees a briefing that reviews and provides an assessment of the dual-hatting of DIRNSA and Commander, USCYBERCOM. This briefing should address:

(1) Roles and responsibilities, including intelligence authorities, of USCYBERCOM and NSA;

(2) Assessment of the current impact of the dual-hatting relationship, including advantages and disadvantages;

(3) Plans and recommendations on courses of action that would be necessary to end the

dual-hatting of DIRNSA and Commander, USCYBERCOM;

(4) Suggested timelines for carrying out such courses of action;

(5) Recommendations for any changes in law that would be required by the end of dual-hatting; and

(6) Any additional topics as identified by the intelligence and defense committees.

The congressional intelligence committees further believe that a larger organizational review of NSA should be conducted with respect to the eventual termination of the dual-hatting relationship. The congressional intelligence committees seek to promote the efficient and effective execution of NSA’s national intelligence mission. Specifically, the congressional intelligence committees believe that the organization of NSA should be examined to account for the evolution of its mission since its establishment, the current structure of the intelligence community, and the fact that the NSA is predominantly funded through the NIP.

Therefore, the Agreement further directs the DNI, no later than 180 days after the enactment of this Act, to conduct an assessment and provide a briefing to the congressional intelligence committees on options to better align the structure, budgetary procedures, and oversight of NSA with its national intelligence mission in the event of a termination of the dual-hatting relationship. This briefing should include:

(1) An assessment of the feasibility of transitioning NSA to civilian leadership appointed by the DNI in lieu of military leadership appointed by the Secretary of Defense;

(2) How NSA could be organizationally separated from DoD if USCYBERCOM were elevated to become a unified combatant command; and

(3) Any challenges, such as those requiring changes in law, associated with such a separation.

#### *Acquisition security improvement*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to review and consider amendments to Intelligence Community Directive (ICD) 801 to better reflect and anticipate supply chain and cybersecurity risks and threats, as well as to outline policies to mitigate both risks and threats. In particular, the review should examine whether to:

(1) Expand risk management criteria in the acquisition process to include cyber and supply chain threats;

(2) Require counterintelligence and security assessments as part of the acquisition and procurement process;

(3) Propose and adopt new education requirements for acquisition professionals on cyber and supply chain threats; and

(4) Factor in the cost of cyber and supply chain security.

The Agreement further directs ODNI, no later than 210 days after the enactment of this Act, to provide to the congressional intelligence committees a report describing the review, including ODNI’s process for considering amendments to ICD 801, and specifically addressing ODNI’s analysis and conclusions with respect to paragraphs (1) through (4) above.

#### *Cyber information sharing and customer feedback*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs ODNI, no later than 120 days after the enactment of this Act, to brief the congressional intelligence committees on IC-wide efforts to share more information with the Department of Homeland Security (DHS) for further dissemination to the private sector.

This briefing shall specifically address types of information shared, metrics on output, tabulation of low output producing agencies, recommendations on how low output agencies can increase sharing, timeliness of information shared, and average total time it takes for information to transit the system.

The Agreement also directs ODNI, in coordination with the DHS Office of Intelligence and Analysis (I&A), to conduct a survey of government and private sector participants of the National Cybersecurity and Communications Integration Center (NCCIC). The survey shall be anonymous, provide an accurate assessment of the usefulness and timeliness of the data received, and determine if customers are satisfied with intelligence briefings on threat actors impacting their specific industry. The Agreement further directs ODNI, no later than one year after the enactment of this Act, to provide to the congressional intelligence and homeland security committees an unclassified report detailing the results of this survey.

#### *Department of Homeland Security utilization of National Labs expertise*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs, no later than 180 days after the enactment of this Act, DHS I&A, in coordination with DOE Office of Intelligence and Counterintelligence (DOE-IN), to provide to the congressional intelligence committees a report on the current utilization of Department of Energy (DOE) National Labs expertise by DHS I&A. This report should address opportunities to increase DHS I&A's utilization of cybersecurity expertise of the National Labs as well as the budgetary implications of taking advantage of these potential opportunities.

#### *Cybersecurity courses for Centers of Academic Excellence*

Consistent with H. Rept. 114-573 accompanying H.R. 5077, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to submit to the congressional intelligence committees a report on improving cybersecurity training within NIP-funded undergraduate and graduate computer science programs. The report should specifically address:

- (1) The potential advantages and disadvantages of conditioning an institution's receipt of such funds on its computer science program's requiring cybersecurity as a precondition to graduation;
- (2) How Centers of Academic Excellence programs might bolster cybersecurity educational requirements; and
- (3) Recommendations to support the goal of ensuring that federally-funded computer science programs properly equip students to confront future cybersecurity challenges.

#### **PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT**

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2017.

##### **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 2017.

#### *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 2017 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Commit-

tees on Appropriations of the Senate and House of Representatives and to the President.

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

Section 103 provides that the DNI may authorize employment of civilian personnel in Fiscal Year 2017 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each intelligence community (IC) element under Section 102, if necessary to the performance of important intelligence functions, and an amount not exceeding 10 percent of such limit, if necessary to convert the performance of any function of the element by contractors to performance by civilian personnel. The congressional intelligence committees intend that, for the purpose of Section 103, "contractor conversion" means that the number of contractor full-time equivalents shall decrease commensurate—on a one-for-one basis—with the number of contractors converted to government civilians.

Section 103 also requires that, not less than 30 days prior to authorizing a contractor conversion under this section, the DNI shall submit to the congressional intelligence committees a notification that includes a justification for making the conversion and a certification that such conversion is cost effective. The congressional intelligence committees intend that, in certifying that such conversion is cost effective, the DNI shall include a comparison of costs using a mature model that has been reviewed and accepted by the congressional intelligence committees.

#### *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 2017.

##### **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 2017 for the Central Intelligence Agency Retirement and Disability Fund.

##### **TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS**

#### *Section 301. Restriction on conduct of intelligence activities*

Section 301 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 302. Increase in employee compensation and benefits authorized by law*

Section 302 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 303. Support to nonprofit organizations assisting intelligence community employees*

Section 303 permits the DNI to engage in fundraising in an official capacity for the benefit of nonprofit organizations that provide support to surviving family members of a deceased employee of an element of the IC or otherwise provide support for the welfare, education, or recreation of IC employees, former employees, or their family members. Section 303 requires the DNI to issue regulations ensuring that the fundraising authority is exercised consistent with all relevant

ethical limitations and principles. Section 303 further requires that the DNI and the Director of the CIA notify the congressional intelligence committees within seven days after they engage in such fundraising.

#### *Section 304. Promotion of science, technology, engineering, and math education in the intelligence community*

Section 304 requires the DNI to submit a five-year investment strategy for outreach and recruiting efforts in the fields of science, technology, engineering, and mathematics (STEM), to include cybersecurity and computer literacy. Section 304 further requires elements of the IC to submit STEM investment plans supporting this strategy for each of the fiscal years 2018 through 2022, along with the materials justifying the budget request of each element for these STEM recruiting and outreach activities.

#### *Section 305. Retention of employees of the intelligence community who have science, technology, engineering, or math expertise*

Section 305 authorizes a new payscale to permit salary increases for employees in the IC with STEM backgrounds. Section 305 also requires notifications to individual employees if a position is removed from this new payscale. Section 305 further requires the head of each IC element to submit to the congressional intelligence committees a report on the new rates of pay and number of positions authorized under this payscale.

#### *Section 306. Modifications to certain requirements for construction of facilities*

Section 306 amends existing law regarding the requirements for inclusion in the Administration's annual budget request and clarifies that the requirement to notify the congressional intelligence committees of improvement projects with an estimated cost greater than \$1,000,000 for facilities used primarily by IC personnel includes repairs and modifications.

#### *Section 307. Protections for independent inspectors general of certain elements of the intelligence community*

Section 307 requires the ODNI to develop and implement a uniform policy for each identified Inspector General (IG) office in the IC to better ensure their independence. The provision specifies elements to be incorporated in such a policy including (a) guidance regarding conflicts of interest, (b) standards to ensure independence, and (c) a waiver provision. Section 307 further prohibits the DNI from requiring an employee of an OIG to rotate to a position in the element for which such office conducts oversight.

#### *Section 308. Modification of certain whistleblowing procedures*

Section 308 amends current law, including the Intelligence Community Whistleblower Protection Act (ICWPA), to provide for the direct transmission to Congress by IC inspectors general of whistleblower complaints containing classified information. Section 308 also makes clear that the provision does not prohibit IC inspectors general from notifying, or otherwise affect the authority of IC inspectors general to notify, heads of IC elements or the DNI, as the case may be, of a complaint or information.

#### *Section 309. Congressional oversight of policy directives and guidance*

Section 309 requires the DNI to submit to the congressional intelligence committees notifications of the issuance and a summary of the subject matter of any classified or unclassified Presidential Policy Directive, Presidential Policy Guidance, or other similar policy document issued by the President that assigns tasks, roles, or responsibilities to the IC, within the specified timeframes.



Section 309 further requires the DNI to notify the congressional intelligence committees when the DNI has issued guidance or direction to implement such policies, and to submit a copy of such guidance or direction to the committees.

*Section 310. Notification of memoranda of understanding*

Section 310 requires the head of each element of the IC to submit to the congressional intelligence committees copies of each memorandum of understanding or other agreement regarding significant operational activities or policy entered into between, or among, such element and any other entity or entities of the federal government within specified timeframes.

Section 310 does not require an IC element to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments. An IC element also may redact any personally identifiable information from a memorandum or agreement that must be submitted to the intelligence committees.

*Section 311. Technical correction to Executive Schedule*

Section 311 contains a technical correction regarding the annual rate of basic pay for the Director of the National Counter Proliferation Center.

*Section 312. Maximum amount charged for declassification reviews*

Section 312 prohibits the head of an element of the IC from charging reproduction fees for a mandatory declassification review in excess of reproduction fees that the head would charge for a request for information under the Freedom of Information Act (FOIA). It also permits agency heads to waive processing fees for declassification reviews in the same manner as for FOIA.

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

**SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE**

*Section 401. Designation of the Director of the National Counterintelligence and Security Center*

Section 401 renames the National Counterintelligence Executive as the “National Counterintelligence and Security Center,” with conforming amendments.

*Section 402. Analyses and impact statements by Director of National Intelligence regarding proposed investment into the United States*

Section 402 directs the DNI to submit to the congressional intelligence committees, after the completion of a review or an investigation of any proposed investment into the United States, any analytic materials prepared by the DNI. This requirement includes, but is not limited to, national security threat assessments provided to the Committee on Foreign Investment in the United States (CFIUS) in connection with national security reviews and investigations conducted by CFIUS pursuant to Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. 4565). This section is not intended to limit the ability of the DNI to transmit supplementary materials to the congressional intelligence committees along with the threat assessments.

Section 402 also directs the DNI to provide the congressional intelligence committees with impact statements when the DNI determines a proposed investment into the United States will have an operational impact on the IC.

*Section 403. Assistance for governmental entities and private entities in recognizing online violent extremist content*

Section 403 requires the DNI to publish on a publicly available Internet website a list of all logos, symbols, insignia, and other markings commonly associated with, or adopted by, State Department-designated foreign terrorist organizations.

**Subtitle B—Central Intelligence Agency**

*Section 411. Enhanced death benefits for personnel of the Central Intelligence Agency*

Section 411 authorizes the Director of the CIA to pay death benefits substantially similar to those authorized for members of the Foreign Service, and requires the Director to submit implementing regulations to the congressional intelligence committees.

*Section 412. Pay and retirement authorities of the Inspector General of the Central Intelligence Agency*

Section 412 amends the Central Intelligence Agency Act of 1949 to authorize the IG of the CIA to consider certain positions as law enforcement officers for purposes of calculating retirement eligibility and entitlements under chapters 83 and 84 of title 5, United States Code, if such officer or employee is appointed to a position with responsibility for investigating suspected offenses against the criminal laws of the United States. Section 412 may not be construed to confer on the IG of the CIA, or any other officer or employee of the CIA, any police or law enforcement or internal security functions or authorities.

**Subtitle C—Other Elements**

*Section 421. Clarification of authority, direction, and control over the Information Assurance Directorate of the National Security Agency*

Section 421 restores authority, direction, and control over the Information Assurance Directorate of the NSA to the Under Secretary of Defense for Intelligence.

*Section 422. Enhancing the technical workforce for the Federal Bureau of Investigation*

Section 422 requires the Federal Bureau of Investigation (FBI) to produce a comprehensive strategic workforce report to demonstrate progress in expanding initiatives to effectively integrate information technology expertise in the investigative process. Section 422 further requires the report to include assessments of: (1) progress on training, recruitment, and retention of cyber-related personnel; (2) whether FBI officers with these skill sets are fully integrated in the FBI's workforce; (3) the FBI's collaboration with the private sector on cyber issues; and (4) the utility of reinstituting and leveraging the FBI Director's Advisory Board.

*Section 423. Plan on assumption of certain weather missions by the National Reconnaissance Office*

Section 423 requires the Director of the NRO to develop a plan to carry out certain space-based environmental monitoring missions currently performed by the Air Force. It also authorizes certain pre-acquisition activities and directs that an independent cost estimate be submitted to the congressional intelligence and defense committees. The Director of NRO may waive the requirement of Section 423 if the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Chairman of the Joint Chiefs of Staff, jointly submit a certification to the congressional intelligence and defense committees.

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

*Section 501. Committee to counter active measures by the Russian Federation to exert covert influence over peoples and governments*

Section 501 requires the President to establish an interagency committee to counter

active measures by the Russian Federation to exert covert influence over peoples and governments, and requires the Committee to report to appropriate committees of Congress annually on trends in active measures by the Russian Federation and on the Committee's key initiatives.

*Section 502. Limitation on travel of accredited diplomats and consulars of the Russian Federation in the United States from their diplomatic post*

Section 502 requires the Director of the FBI to certify that the FBI did not identify any violations by Russian diplomats and consulars of the applicable requirements to notify the United States Government in connection with the Russian diplomats' or consulars' travel, before the Secretary of State can permit Russian diplomats or consulars to travel in excess of 25 miles outside their diplomatic post. Section 502 also permits the Director to waive the aforementioned travel distance restrictions if the Director determines that such a waiver will further the law enforcement or national security interests of the United States.

*Section 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states*

Section 503 requires the DNI, with support of other federal agencies, to conduct a study to determine the feasibility of creating an intelligence sharing arrangement and database among parties to the Open Skies Treaty (OST) with higher frequency, quality, and efficiency than that currently provided by the parameters of the OST. Section 503 also requires the Director to issue a report that includes an intelligence assessment on Russian Federation warfighting doctrine, the extent to which Russian Federation flights under the Open Skies Treaty contribute to the warfighting doctrine, a counterintelligence analysis as to the Russian Federation's capabilities, and a list of the covered parties that have been updated with this information.

**TITLE VI—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD**

*Section 601. Information on activities of the Privacy and Civil Liberties Oversight Board*

Section 601 requires the PCLOB to keep Congress and relevant IC elements fully and currently informed of its oversight activities.

*Section 602. Authorization of appropriations for Privacy and Civil Liberties Oversight Board*

Section 602 requires funds available to the PCLOB to be obligated or expended during a fiscal year only if such funds were specifically authorized by Congress for that fiscal year, and authorizes the full amount of the Administration's budget request for PCLOB for Fiscal Year 2017.

**TITLE VII—REPORTS AND OTHER MATTERS**

*Section 701. Declassification review with respect to detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*

Section 701 requires the DNI to complete a declassification review of intelligence reports prepared by the National Counterterrorism Center (NCTC) on past terrorist activities of each Guantanamo detainee held at Guantanamo after September 11, 2001, for the detainee's Periodic Review Board (PRB) sessions, transfer, or release from Guantanamo. The requirement applies both to detainees who have been transferred or released previously and to detainees transferred or released in the future. The provision also accounts for detainees whose transfer or release predated the establishment of the PRB or NCTC, or the latter's production of intelligence reports for PRB sessions, transfers, or releases.

Section 701 further requires the President to make any declassified intelligence reports

publicly available and, with respect to each detainee for whom intelligence reports are declassified, also make public unclassified summaries of measures being taken by receiving countries to monitor the detainee and prevent future terrorist activities. Section 701 requires the DNI to submit to the congressional intelligence committees a report setting forth the results of the declassification review, including a description of covered reports that were not declassified.

*Section 702. Cyber Center for Education and Innovation Home of the National Cryptologic Museum*

Section 702 amends 10 U.S.C. §449 to enable the establishment of a Cyber Center for Education and Innovation Home of the National Cryptologic Museum (the "Center"). Section 702 also establishes in the Treasury a fund for the benefit and operation of the Center.

*Section 703. Oversight of national security systems*

Section 703 amends 44 U.S.C. §3557 to codify and strengthen existing roles and responsibilities with regard to the oversight of national security systems.

*Section 704. Joint facilities certification*

Section 704 requires that before an element of the IC purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element must first certify that all prospective joint facilities have been considered and that it is unable to identify a joint facility that meets its operational requirements, and it must list the reasons for not participating in joint facilities in that instance.

*Section 705. Leadership and management of space activities*

Section 705 requires the DNI, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, to issue an update to the strategy for a comprehensive review of the United States national security overhead satellite architecture required in the Intelligence Authorization Act for Fiscal Year 2016. Section 705 further requires the DNI, in consultation with the Secretary of Defense, to submit a plan to functionally integrate the IC's governance, operations, analysis, collection, policy, and acquisition activities related to space and counterspace under the oversight of a single official, to be appointed by the DNI, in consultation with the Secretary of Defense. Section 705 also requires the DNI to submit a workforce plan for space and counterspace operations, policy, and acquisition. Section 705 further requires the Director of the NRO and the Commander of U.S. Strategic Command to submit a concept of operations and requirements documents for the Joint Interagency Combined Space Operations Center.

*Section 706. Advances in life sciences and biotechnology*

Section 706 requires the DNI to brief the congressional intelligence committees and the congressional defense committees on a proposed plan and actions to monitor advances in life sciences and biotechnology to be carried out by the DNI. Section 706 further requires the DNI to submit a written report and provide a briefing to the congressional intelligence committees and the congressional defense committees on the role of the IC in the event of a biological attack, including a technical capabilities assessment to address potential unknown pathogens.

*Section 707. Reports on declassification proposals*

Section 707 requires the DNI to provide the congressional intelligence committees with a report and briefing on the IC's progress in producing four feasibility studies undertaken in the course of the IC's fundamental

classification guidance review, as required under Executive Order 13526. Section 707 further requires the Director to provide the congressional intelligence committees with a briefing, interim report, and final report on the final feasibility studies produced by elements of the IC and an implementation plan for each initiative.

*Section 708. Improvement in government classification and declassification*

Section 708 assesses government classification and declassification in the digital era by requiring the DNI to review the system by which the Government classifies and declassifies national security information to improve the protection of such information, enable information sharing with allies and partners, and support appropriate declassification. Section 708 requires the DNI to submit a report with its findings and recommendations to the congressional intelligence committees. Section 708 further requires the DNI to provide an annual written notification to the congressional intelligence committees on the creation, validation, or substantial modification (to include termination) of existing and proposed controlled access programs, and the compartments and subcompartments within each. This certification shall include the rationale for each controlled access program, compartment, or subcompartment and how each controlled access program is being protected.

*Section 709. Report on implementation of research and development recommendations*

Section 709 requires the DNI to conduct and provide to the congressional intelligence committees a current assessment of the IC's implementation of the recommendations issued in 2013 by the National Commission for the Review of the Research and Development (R&D) Programs of the IC.

*Section 710. Report on Intelligence Community Research and Development Corps*

Section 710 requires the DNI to develop and brief the congressional intelligence committees on a plan, with milestones and benchmarks, to implement a R&D Reserve Corps, as recommended in 2013 by the bipartisan National Commission for the Review of the R&D Programs of the IC, including any funding and potential changes to existing authorities that may be needed to allow for the Corps' implementation.

*Section 711. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community*

Section 711 requires the DNI to submit to congressional intelligence committees a report on information that the IC collects on certain academic programs, scholarships, and internships sponsored, administered, or used by the IC.

*Section 712. Report on intelligence community employees detailed to National Security Council*

Section 712 requires the DNI to submit to the congressional intelligence committees a report listing, by year, the number of employees of an element of the IC who have been detailed to the National Security Council during each of the previous ten years.

*Section 713. Intelligence community reporting to Congress on foreign fighter flows*

Section 713 directs DNI to submit to the congressional intelligence committees a report on foreign fighter flows to and from terrorist safe havens abroad.

*Section 714. Report on cybersecurity threats to seaports of the United States and maritime shipping*

Section 714 directs the Under Secretary of Homeland Security for Intelligence and

Analysis (I&A) to submit to the congressional intelligence committees a report on the cybersecurity threats to seaports of the United States and maritime shipping.

*Section 715. Report on counter-messaging activities*

Section 715 directs the Under Secretary of Homeland Security for I&A to submit to the congressional intelligence committees a report on the counter-messaging activities of DHS with respect to the Islamic State and other extremist groups.

*Section 716. Report on reprisals against contractors of the intelligence community*

Section 716 directs the IC IG to submit to the congressional intelligence committees a report on known or claimed reprisals made against employees of contractors of elements of the IC during the preceding three-year period. Section 716 further requires the report to include an evaluation of the usefulness of establishing a prohibition on reprisals as a means of encouraging IC contractors to make protected disclosures, and any recommendations the IC IG deems appropriate.

Mr. Speaker, I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Today, we are voting on the fiscal year 2017 Intelligence Authorization Act, which is the fourth major piece of legislation I have had the privilege of working on with Chairman NUNES and the membership of our committee.

I want to just return the compliment from the chairman. It is a great pleasure to work with him. One of the things I love about our committee is it is truly a refuge from a lot of the partisanship of this institution. To be able to grapple with some of the enormous challenges facing the country and to do so in a nonpartisan way is, I think, a real honor and privilege for all of us on the committee, and I thank the chairman for his leadership in making it so. He continues to be just an invaluable partner on the committee. Each bill we work on together proves anew what can be done when people work together constructively and in a nonpartisan manner to solve real problems.

Mr. Speaker, in this iteration of the bill, which the House first passed in the spring by an overwhelming 371-35 votes, we also had the privilege of working closely with our colleagues in the Senate, particularly Chairman BURR and Vice Chairman FEINSTEIN. As always, they have proven to be invaluable partners. Although we still have one or two issues unresolved, 98 percent of this bill represents agreements forged by bipartisan and bicameral behind-the-scenes efforts over the past few months.

We should be very proud of this bill, and I believe it is an even better bill than the one we passed in the spring. It preserves—and, in some cases, furthers—all of the priorities of our Members, including the initiatives of our Democratic Members. In particular, I want to highlight some of their contributions:

The bill includes Representative HIMES' provision to improve the timeliness and fairness of prepublication review process throughout the IC.

It includes Representative SEWELL's language on investment in Centers of Academic Excellence programs, helping to guarantee that a diverse array of students can take part in IC internships. It also includes her requirement to collect data to evaluate the IC's federally funded academic programs.

The bill includes Representative CARSON's provision to assist public and private entities in their swiftly removing terrorist content online; his provision on the cooperation and deconfliction between the Departments of Homeland Security and State regarding countering violent extremism programs; and his requirement to have the committee receive information on the operational impacts of foreign investment in the United States.

Representative SPEIER's four provisions are included, which would standardize declassification photocopying fees across the IC to promote the increased availability of information and enhance transparency; her provision to expand access to graduate education programs at the Defense Intelligence Agency; her language on obtaining information on the mental health resilience programs that are available to IC civilians returning from tours in combat zones; and her provision to study reprisals taken against IC contractors who make disclosures that would be legally protected if made by IC employees.

The bill includes Representative QUIGLEY's language to continue support to security services in Ukraine.

It includes Representative SWALWELL's three provisions, including one to track foreign fighters, another to analyze the status of loan forgiveness and debt counseling programs within the IC, and a provision to better understand how the Departments of Homeland Security and Energy take advantage of the expertise resident at our national labs.

It includes Representative MURPHY's three provisions to provide a report detailing cybersecurity threats to—or vulnerabilities in—systems employed by seaports and transshipment hubs, including efforts to improve our preparedness and response to a cyber attack; it has language to improve intelligence reporting with respect to Iran's compliance with the Joint Comprehensive Plan of Action; and it requires a report on security threats emanating from maritime smuggling routes and ways to better cooperate with other nations to mitigate these threats.

Let me also say that Patrick will be dearly missed when he leaves our committee at the end of this session. He has been a tremendously valuable member of the committee.

The IAA also furthers important privacy and transparency goals, including by fully authorizing the Privacy and Civil Liberties Oversight Board. The bill does not contain any legislative restrictions on the scope of the PCLOB's authority to review the impact of IC programs on the privacy and civil lib-

erties of Americans and non-U.S. persons. Thanks to Senate provisions that we have incorporated, it also advances declassification efforts, potentially getting much more information to the public.

There are no GTMO transfer restrictions from the bill, and the legislative text adds important provisions that are aimed at countering Russia's destabilizing efforts, including those targeting elections.

The legislation accommodates and resolves the vast majority of the administration's objections, which were laid out earlier this year.

Critically, this IAA also continues to address the key strategic questions we must continue to ask now and in the next administration in Congress:

First, are we focusing too much on the threats of the day at the expense of the threats of tomorrow?

It is easy to get distracted by non-stop crises, and it is harder to remain focused on the long term, even when the future can be far more dangerous than the present.

□ 1800

We have spent significant resources on counterterrorism priorities in the Middle East and South Asia. We have to continue to focus on CT and the threat posed by ISIS and its followers, but we must not disregard the growing threat posed by Russia, whose global efforts at disruption must be checked, particularly against our allies and our alliances.

We must not turn away from threats posed by China, whose Naval adventurism, infiltration of the supply chain, and efforts to get around the CFIUS process in the United States—and to undermine data security more generally—challenge our security and business interests abroad and threaten our Asian partners.

Second, are we sufficiently protecting what we currently have, whether in space, at sea, or in the cyber realm?

Third, are we leveraging commercial products and services while at the same time making investments in revolutionary technologies that do not yet have commercial application?

Fourth, are we recruiting, training, and developing the most effective and diverse workforce as well as leveraging foreign intelligence relationships and building foreign partner capacity?

The U.S. has unquestionably the most advanced, capable, and reliable intelligence community in the world. This bill supports that workforce by identifying ways to promote travel, support language training, and increase diversity. It does this, in part, by expanding internship opportunities in the IC to students from diverse regions and backgrounds and allocates resources to building the capacity of our foreign partners. These are values we expect and demand from those partners, and they are central tenets of who we are as a country.

There are many unknowns about the incoming administration, particularly how it will utilize and interact with the IC. It is now more important than ever that we give the IC the tools it needs to keep us safe and provide the necessary oversight required to ensure that they act in a manner consistent with our values and at all times. That is why I am pleased that this year's IAA provides such critical oversight of the IC, ensuring our Nation is secure, privacy and civil liberties are safeguarded, and transparency and accountability are paramount.

I am proud to support the Intelligence Authorization Act, and I urge my colleagues to do the same. I urge the Senate to pass this bill and send the fiscal year '17 IAA to the President's desk or to continue to work with us to resolve any last differences before the end of the Congress.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank Chairman NUNES for allowing me to speak in support of the Intelligence Authorization Act.

Mr. Speaker, sometimes it is easiest for us to forget that the primary responsibility of the Federal Government is to help to keep us safe. I felt the weight of that responsibility while I was serving as an Air Force pilot for 14 years, and now I am reminded almost every day of that same responsibility in my role on the House Permanent Select Committee on Intelligence.

The truth is that we live in a dangerous world. The news is filled daily with troubling reports of terrorist attacks and dangerous activities. All of us are aware that just this week a young man, almost certainly inspired by terrorist ideology, attacked students and faculty at The Ohio State University.

It doesn't stop with terrorism. We also face tremendous threats from China, Russia, North Korea, the Ya'alons in Iran, and the list goes on and on.

I am grateful for the brave men and women around the world serving our military and in our intelligence communities who operate critical national security programs which protect Americans and keep us safe. That is why we must pass the Intelligence Authorization Act. Not only does this bill continue to authorize critical national security programs at a time when we face the most significant threat level since 9/11, it also contains good government provisions that have gained bipartisan support.

This bill shines light on Guantanamo Bay detainees, requiring a review of their past terrorist activities. It strengthens congressional oversight of privacy and civil liberties, and it also updates intelligence community whistle-blowing procedures.

Importantly, this bill does not contain any provisions related to surveillance authorities.

Mr. Speaker, this bill is critical to providing the intelligence community with the tools and the authorizations they need to protect Americans and our national security. I urge my colleagues to vote "yes" on this important bill.

Mr. SCHIFF. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SWALWELL), a very valuable member of our committee.

Mr. SWALWELL of California. Mr. Speaker, I stand here today in support of this bipartisan IAA and the many provisions that it has that will continue to strengthen and empower our intelligence community and those who serve and toil away for our national security.

This bill also contains a few provisions I have personally championed during my time on the House Permanent Select Committee on Intelligence. First, it includes the provision I added requiring a report from the Office of the Director of National Intelligence on programs across the IC, the intelligence community, to help students manage student loan debt and the viability of an IC-wide program, knowing that this is critical for our recruitment and retention of quality intelligence community members.

Second, the bill includes a provision that was originally a bipartisan, stand-alone bill with Representative LOBIONDO of New Jersey to track foreign fighters as they attempt to move to and from terrorist safe havens abroad. This bill passed the House at the end of last year by a vote of 423-0.

Finally, it includes a requirement for a report on the current utilization of our national laboratories by the intelligence divisions within the Department of Homeland Security and the Department of Energy, as well as ways these divisions can expand utilization of lab expertise on cybersecurity. I am honored to represent two of these laboratories, Lawrence Livermore and Sandia, and I have seen firsthand how important their work is to our national security.

This bill is the result of both parties and both Chambers coming together to prioritize our intelligence community and national security needs.

I also just want to echo what I have heard from our chairman and ranking member, which is that there is really nothing more fulfilling, especially during such national discord, to come to work every day and work with the members on this committee. I think maybe the secret sauce here is that the chairman and the ranking member are both Oakland Raiders fans. I don't know if there are other reasons they work well together, but it really is fulfilling to see that when you go into our committee hearing, Republicans and Democrats put party aside and put national security first.

I also want to say that I am going to miss two members as they depart the committee. That is, Congressman PATRICK MURPHY of Florida. He and I sat

next to each other. Although he was in a 2-year-long Senate race, he showed up every day, worked hard, asked tough questions on behalf of his constituents and national security. I am also going to miss Congressman MIKE POMPEO of Kansas, and I congratulate him on being nominated as the next director of the Central Intelligence Agency. I find him to be a person of deep integrity and character. I enjoyed traveling with him to Iraq last Easter, and I look forward to serving with him in his new role.

Mr. NUNES. Mr. Speaker, I have no other speakers. I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, let me just say on behalf of the chairman and myself, we were Raiders fans even when they were a losing team. This is not a newfound preoccupation with the team.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Alabama (Ms. SEWELL), another fabulous member of our committee.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in support of this year's Intelligence Authorization Act. Our national security is truly a bipartisan issue, and this legislation is a reflection of both parties' shared commitment to the safety and security of all Americans.

This bill helps provide our intelligence community with the necessary resources and capabilities to defend our Nation against ongoing and emerging threats around the world.

As the ranking member on the DOD Intelligence and Overhead Architecture Subcommittee, I was pleased that the language and direction in this bill continues to advance our capabilities on the ground and in space and provides necessary oversight of many critical DOD, NRO, and NGA programs. Additionally, this legislation takes important steps toward enhancing thorough oversight of our surveillance capabilities while continuing to make calculated investments in critically important strategic efforts.

In the IAA, we also invested in our greatest national resource, our people. I want to thank the chairman and ranking member for accepting provisions that I drafted to promote diversity in the IC workforce. We are now able to provide a summer internship program to students from the existing Centers of Academic Excellence and Intelligence. We also now hold the IC more accountable for doing a better job of developing a matrix to assess minority fellowship and internship programs and how they actually achieve their desired results, which is to increase the number of minorities hired by the IC.

Recently, I had the privilege of hosting a diversity in Intel summit. This event served as a rare opportunity for minority groups interested in the IC to gain insightful and helpful advice from top national security officials. It was truly a great occasion and it further reaffirms our committee's shared

commitment to helping to ensure robust diversity throughout the entire IC.

I was also pleased to successfully include bipartisan language that promotes accountability and transparency in the IC federally funded academic programs by requiring agencies to report on their recruitment and retention efforts. Increasing diversity and accountability in the IC is an issue of good governance and makes all of us better because it encourages unique and creative ways of problem-solving, which is increasingly necessary as we develop and we face more complex intelligence challenges.

As a committee, I am extremely proud of the work we have done. We took great pains to cut unnecessary funding while prioritizing the need to improve upon processes and be more efficient in the IC generally. The reality is that we live in a world where potential threats to our Nation are constantly developing and changing. As our military missions and intelligence objectives continue to evolve, we need an IC that is both diverse, agile, and adequately funded.

I am proud to support this year's Intelligence Authorization Act. I want to, again, thank the chairman and ranking member for all of their hard work. I urge my colleagues to support this important legislation.

Mr. NUNES. Mr. Speaker, I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Earlier this afternoon, we debated H.R. 3929, honoring the heroes of the Office of Strategic Services, the forerunner to our modern-day intelligence and special operations communities.

We honor them today to express our deepest gratitude for the contributions they made during World War II and its aftermath and our appreciation for the example they set for the present intelligence community and special operations heroes. They were part of America's Greatest Generation, one we will continue to honor, remember, and emulate. They faced a complex and dangerous world. They met those grave challenges on the desolate fields of Europe, the torrid seas of the Pacific, and in the shadows. Espionage and intelligence were critical to winning the war and to preserving the peace.

As we look forward to the future and to the dangerous world we inhabit today, we would do well to keep the examples set by that Greatest Generation in our minds. As they did, we should lead by example as much as by strength.

Thankfully, our intelligence community is the most capable and committed in the world to our ideals and to the rule of law. Every day, they seek to ensure that we are given the information necessary to guard and defend ourselves, our allies, and our partners. We remain grateful always for their hard work and dedication.

Again, my thanks to Chairman NUNES, to the members of HPSCI, particularly those who are leaving the committee, to the Senate for a remarkable bipartisan and bicameral effort, and to our excellent committee staff.

I want to thank the many public servants who have led the IC with whom we have had the chance to work over the past several years. In particular, I want to extend my thanks to those retiring or leaving their roles at the IC at the end of this administration, including Director of National Intelligence James Clapper and his deputy, Stephanie O'Sullivan; CIA Director John Brennan and his deputy, David Cohen; Assistant Secretary of the Treasury for Intelligence and Analysis Leslie Ireland, who today is retiring after 31 years of Federal service; and Under Secretary of Defense for Intelligence, Marcel Lettre.

Thank you as well to the incredibly capable leaders of the other elements of the IC who may remain beyond January 20th. Of course, most importantly, thank you to all the men and women of the intelligence community who silently and courageously protect our country day and night through their crucial work. We appreciate everything they do, and they have our continued support.

I also want to thank not only the HPSCI members, but the entire staff, including Michael Bahar, Tim Berggreen, Carly Blake, Robert Minehart, Linda Cohen, Amanda Rogers Thorpe, Wells Bennett, Rheanne Wirkkala, Thomas Eager, Patrick Bolland, Kristin Jepson, Brandon Smith, and Kimberlee Kerr for all their valuable service.

I yield back the balance of my time. Mr. NUNES. Mr. Speaker, I yield myself the balance of my time.

We have four retiring members from our committee this year: Representative MURPHY, who was already spoken about earlier, did a great job attending a lot of the committee hearings or almost all of the committee hearings. We also have Representative JEFF MILLER, who served on this committee for a very long time and who is chairman of the Veterans' Affairs Committee; he is retiring. Also, Representative LYNN WESTMORELAND did a great job chairing our National Security Agency and Cybersecurity Subcommittee. Dr. JOE HECK, who chaired the Department of Defense Intelligence and Overhead Architecture Subcommittee, he is here on the floor with us this evening.

Finally, it is possibly premature, but we may not be able to congratulate Representative POMPEO on the House floor. He will have to have Senate confirmation next year, so I imagine he will be with the committee for a few months. But if we don't get a chance to come down to the House floor before he is approved by the Senate, I want to congratulate Mr. POMPEO. We are quite excited to have somebody from our committee to be chosen in the next administration to run the CIA.

I would urge my colleagues to support this bipartisan, bicameral bill, H.R. 6393.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, H.R. 6393.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NUNES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1815

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON S. 2943, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-844) on the resolution (H. Res. 937) providing for consideration of the conference report to accompany the bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The question on the motion to concur in the Senate amendment to H.R. 34 with an amendment;

The motion to suspend the rules and pass H.R. 6393; and

The motion to suspend the rules and pass H.R. 6304, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the motion to concur in the Senate amendment to the bill (H.R. 34) to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Ad-

ministration, and for other purposes, with an amendment offered by the gentleman from Michigan (Mr. UPTON), on which a recorded vote was ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on agreeing to the motion.

The vote was taken by electronic device, and there were—ayes 392, noes 26, not voting 16, as follows:

[Roll No. 592]

AYES—392

Abraham	Davidson	Huffman
Adams	Davis (CA)	Huizenga (MI)
Aderholt	Davis, Danny	Hultgren
Aguilar	Davis, Rodney	Hunter
Allen	DeFazio	Hurd (TX)
Amodei	DeGette	Hurt (VA)
Ashford	Delaney	Israel
Barletta	DelBene	Issa
Barr	Denham	Jackson Lee
Barton	Dent	Jeffries
Bass	DeSantis	Jenkins (KS)
Beatty	DeSaulnier	Jenkins (WV)
Becerra	Deutch	Johnson (GA)
Benishek	Diaz-Balart	Johnson (OH)
Bera	Dingell	Johnson, E. B.
Beyer	Dold	Johnson, Sam
Bilirakis	Donovan	Joyce
Bishop (GA)	Doyle, Michael	Kaptur
Bishop (MI)	F.	Katko
Bishop (UT)	Duckworth	Keating
Black	Duffy	Kelly (IL)
Blackburn	Duncan (SC)	Kelly (MS)
Blum	Duncan (TN)	Kelly (PA)
Blumenauer	Edwards	Kennedy
Bonamici	Ellison	Kildee
Bost	Elmers (NC)	Kilmer
Boustany	Emmer (MN)	Kind
Boyle, Brendan	Engel	King (IA)
F.	Eshoo	King (NY)
Brady (PA)	Esty	Kinzinger (IL)
Brady (TX)	Evans	Kline
Brat	Farr	Knight
Brooks (IN)	Fincher	Kuster
Brownley (CA)	Fleischmann	LaHood
Buchanan	Fleming	LaMalfa
Bucshon	Flores	Lamborn
Burgess	Fortenberry	Lance
Bustos	Foster	Langevin
Butterfield	Foxo	Larsen (WA)
Byrne	Frankel (FL)	Larson (CT)
Calvert	Franks (AZ)	Latta
Capps	Frelinghuysen	Lawrence
Capuano	Fudge	Levin
Cardenas	Galleo	Lieu, Ted
Carson (IN)	Garamendi	Lipinski
Carter (GA)	Garrett	LoBiondo
Carter (TX)	Gibbs	Loebach
Cartwright	Gibson	Lofgren
Castor (FL)	Goodlatte	Long
Castro (TX)	Gowdy	Loudermilk
Chabot	Graham	Love
Chaffetz	Granger	Lowenthal
Chu, Judy	Graves (GA)	Lowey
Cicilline	Graves (LA)	Lucas
Clark (MA)	Graves (MO)	Luetkemeyer
Clarke (NY)	Grayson	Lujan Grisham
Clawson (FL)	Green, Al	(NM)
Clay	Green, Gene	Lujan, Ben Ray
Cleaver	Griffith	(NM)
Clyburn	Grothman	Lynch
Coffman	Guinta	MacArthur
Cohen	Guthrie	Maloney,
Cole	Gutiérrez	Carolyn
Collins (GA)	Hanabusa	Maloney, Sean
Collins (NY)	Hanna	Marchant
Comer	Hardy	Marino
Comstock	Harper	Matsui
Conaway	Harris	McCarthy
Connolly	Hartzler	McCauley
Conyers	Hastings	McClintock
Cook	Heck (NV)	McCollum
Cooper	Heck (WA)	McGovern
Costa	Hensarling	McHenry
Costello (PA)	Herrera Beutler	McKinley
Courtney	Hice, Jody B.	McMorris
Cramer	Higgins	Rodgers
Crawford	Hill	McNerney
Crenshaw	Himes	McSally
Crowley	Hinojosa	Meehan
Cuellar	Holding	Meeks
Culberson	Honda	Meng
Cummings	Hoyer	Messer
Curbelo (FL)	Hudson	Mica