

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3381  
OFFERED BY MR. ROGERS OF MICHIGAN**

Strike all after the enacting clause and insert the following:

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Intelligence Authorization Act for Fiscal Year 2014”.

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

Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.

**TITLE I—INTELLIGENCE ACTIVITIES**

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

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

Sec. 201. Authorization of appropriations.

**TITLE III—GENERAL PROVISIONS**

Sec. 301. Increase in employee compensation and benefits authorized by law.  
Sec. 302. Restriction on conduct of intelligence activities.  
Sec. 303. Continuous evaluation and sharing of derogatory information regard-  
ing personnel with access to classified information.  
Sec. 304. Requirements for intelligence community contractors.  
Sec. 305. Repeal or modification of certain reporting requirements.  
Sec. 306. Clarification of exemption from Freedom of Information Act of iden-  
tities of employees submitting complaints to the Inspector Gen-  
eral of the Intelligence Community.  
Sec. 307. Declassification review of certain items collected during the mission  
that killed Osama bin Laden on May 1, 2011.  
Sec. 308. Report on electronic waste.

TITLE IV—TECHNICAL AMENDMENTS

Sec. 401. Technical amendments to the Central Intelligence Agency Act of 1949.

Sec. 402. Technical amendments to the National Security Act of 1947 relating to the past elimination of certain positions.

Sec. 403. Technical amendments to the Intelligence Authorization Act for Fiscal Year 2013.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

8 (B) the Permanent Select Committee on  
9 Intelligence of the House of Representatives.

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

14 **TITLE I—INTELLIGENCE**  
15 **ACTIVITIES**

16 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

17 Funds are hereby authorized to be appropriated for  
18 fiscal year 2014 for the conduct of the intelligence and  
19 intelligence-related activities of the following elements of  
20 the United States Government:

21 (1) The Office of the Director of National Intel-  
22 ligence.

1 (2) The Central Intelligence Agency.

2 (3) The Department of Defense.

3 (4) The Defense Intelligence Agency.

4 (5) The National Security Agency.

5 (6) The Department of the Army, the Depart-  
6 ment of the Navy, and the Department of the Air  
7 Force.

8 (7) The Coast Guard.

9 (8) The Department of State.

10 (9) The Department of the Treasury.

11 (10) The Department of Energy.

12 (11) The Department of Justice.

13 (12) The Federal Bureau of Investigation.

14 (13) The Drug Enforcement Administration.

15 (14) The National Reconnaissance Office.

16 (15) The National Geospatial-Intelligence Agen-  
17 cy.

18 (16) The Department of Homeland Security.

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

20 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL

21 LEVELS.—The amounts authorized to be appropriated  
22 under section 101 and, subject to section 103, the author-  
23 ized personnel ceilings as of September 30, 2014, for the  
24 conduct of the intelligence activities of the elements listed  
25 in paragraphs (1) through (16) of section 101, are those

1 specified in the classified Schedule of Authorizations pre-  
2 pared to accompany the bill H.R. 3381 of the One Hun-  
3 dred Thirteenth Congress.

4 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
5 THORIZATIONS.—

6 (1) AVAILABILITY TO COMMITTEES OF CON-  
7 GRESS.—The classified Schedule of Authorizations  
8 referred to in subsection (a) shall be made available  
9 to the Committee on Appropriations of the Senate,  
10 the Committee on Appropriations of the House of  
11 Representatives, and to the President.

12 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-  
13 ject to paragraph (3), the President shall provide for  
14 suitable distribution of the classified Schedule of Au-  
15 thorizations, or of appropriate portions of the Sched-  
16 ule, within the executive branch.

17 (3) LIMITS ON DISCLOSURE.—The President  
18 shall not publicly disclose the classified Schedule of  
19 Authorizations or any portion of such Schedule ex-  
20 cept—

21 (A) as provided in section 601(a) of the  
22 Implementing Recommendations of the 9/11  
23 Commission Act of 2007 (50 U.S.C. 3306(a));

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

1 (C) as otherwise required by law.

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

3 (a) **AUTHORITY FOR INCREASES.**—With the approval  
4 of the Director of the Office of Management and Budget,  
5 the Director of National Intelligence may authorize em-  
6 ployment of civilian personnel in excess of the number au-  
7 thorized for fiscal year 2014 by the classified Schedule of  
8 Authorizations referred to in section 102(a) if the Director  
9 of National Intelligence determines that such action is  
10 necessary to the performance of important intelligence  
11 functions, except that the number of personnel employed  
12 in excess of the number authorized under such section may  
13 not, for any element of the intelligence community, exceed  
14 3 percent of the number of civilian personnel authorized  
15 under such Schedule for such element.

16 (b) **NOTICE TO CONGRESSIONAL INTELLIGENCE**  
17 **COMMITTEES.**—The Director of National Intelligence  
18 shall notify the congressional intelligence committees in  
19 writing at least 15 days prior to each exercise of an au-  
20 thority described in subsection (a).

21 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
22 **COUNT.**

23 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
24 authorized to be appropriated for the Intelligence Commu-  
25 nity Management Account of the Director of National In-

1 telligence for fiscal year 2014 the sum of \$600,874,157.  
2 Within such amount, funds identified in the classified  
3 Schedule of Authorizations referred to in section 102(a)  
4 for advanced research and development shall remain avail-  
5 able until September 30, 2015.

6 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-  
7 ments within the Intelligence Community Management  
8 Account of the Director of National Intelligence are au-  
9 thorized 837 full-time or full-time equivalent personnel as  
10 of September 30, 2014. Personnel serving in such ele-  
11 ments may be permanent employees of the Office of the  
12 Director of National Intelligence or personnel detailed  
13 from other elements of the United States Government.

14 (c) CLASSIFIED AUTHORIZATIONS.—

15 (1) AUTHORIZATION OF APPROPRIATIONS.—In  
16 addition to amounts authorized to be appropriated  
17 for the Intelligence Community Management Ac-  
18 count by subsection (a), there are authorized to be  
19 appropriated for the Community Management Ac-  
20 count for fiscal year 2014 such additional amounts  
21 as are specified in the classified Schedule of Author-  
22 izations referred to in section 102(a). Such addi-  
23 tional amounts for advanced research and develop-  
24 ment shall remain available until September 30,  
25 2015.

1           (2) AUTHORIZATION OF PERSONNEL.—In addi-  
2           tion to the personnel authorized by subsection (b)  
3           for elements of the Intelligence Community Manage-  
4           ment Account as of September 30, 2014, there are  
5           authorized such additional personnel for the Com-  
6           munity Management Account as of that date as are  
7           specified in the classified Schedule of Authorizations  
8           referred to in section 102(a).

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

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

14           There is authorized to be appropriated for the Cen-  
15           tral Intelligence Agency Retirement and Disability Fund  
16           for fiscal year 2014 the sum of \$514,000,000.

17           **TITLE III—GENERAL**  
18           **PROVISIONS**

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

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

1 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
2 **ACTIVITIES.**

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

7 **SEC. 303. CONTINUOUS EVALUATION AND SHARING OF DE-**  
8 **ROGATORY INFORMATION REGARDING PER-**  
9 **SONNEL WITH ACCESS TO CLASSIFIED IN-**  
10 **FORMATION.**

11 Section 102A(j) of the National Security Act of 1947  
12 (50 U.S.C. 3024(j)) is amended—

13 (1) in the heading, by striking “SENSITIVE  
14 COMPARTMENTED INFORMATION” and inserting  
15 “CLASSIFIED INFORMATION”;

16 (2) in paragraph (3), by striking “; and” and  
17 inserting a semicolon;

18 (3) in paragraph (4), by striking the period and  
19 inserting a semicolon; and

20 (4) by adding at the end the following new  
21 paragraphs:

22 “(5) ensure that the background of each em-  
23 ployee or officer of an element of the intelligence  
24 community, each contractor to an element of the in-  
25 telligence community, and each individual employee  
26 of such a contractor who has been determined to be



1 eligible for access to classified information is mon-  
2 itored on a continual basis under standards devel-  
3 oped by the Director, including with respect to the  
4 frequency of evaluation, during the period of eligi-  
5 bility of such employee or officer of an element of  
6 the intelligence community, such contractor, or such  
7 individual employee to such a contractor to deter-  
8 mine whether such employee or officer of an element  
9 of the intelligence community, such contractor, and  
10 such individual employee of such a contractor con-  
11 tinues to meet the requirements for eligibility for ac-  
12 cess to classified information; and

13 “(6) develop procedures to require information  
14 sharing between elements of the intelligence commu-  
15 nity concerning potentially derogatory security infor-  
16 mation regarding an employee or officer of an ele-  
17 ment of the intelligence community, a contractor to  
18 an element of the intelligence community, or an indi-  
19 vidual employee of such a contractor that may im-  
20 pact the eligibility of such employee or officer of an  
21 element of the intelligence community, such con-  
22 tractor, or such individual employee of such a con-  
23 tractor for a security clearance.”.

1 **SEC. 304. REQUIREMENTS FOR INTELLIGENCE COMMUNITY**

2 **CONTRACTORS.**

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

6 “(x) REQUIREMENTS FOR INTELLIGENCE COMMU-  
7 NITY CONTRACTORS.—The Director of National Intel-  
8 ligence, in consultation with the head of each department  
9 of the Federal Government that contains an element of  
10 the intelligence community and the Director of the Central  
11 Intelligence Agency, shall—

12 “(1) ensure that—

13 “(A) any contractor to an element of the  
14 intelligence community with access to a classi-  
15 fied network or classified information develops  
16 and operates a security plan that is consistent  
17 with standards established by the Director of  
18 National Intelligence for intelligence community  
19 networks; and

20 “(B) each contract awarded by an element  
21 of the intelligence community includes provi-  
22 sions requiring the contractor comply with such  
23 plan and such standards;

24 “(2) conduct periodic assessments of each secu-  
25 rity plan required under paragraph (1)(A) to ensure

1 such security plan complies with the requirements of  
2 such paragraph; and

3 “(3) ensure that the insider threat detection ca-  
4 pabilities and insider threat policies of the intel-  
5 ligence community apply to facilities of contractors  
6 with access to a classified network.”.

7 (b) APPLICABILITY.—The amendment made by sub-  
8 section (a) shall apply with respect to contracts entered  
9 into or renewed after the date of the enactment of this  
10 Act.

11 **SEC. 305. REPEAL OR MODIFICATION OF CERTAIN REPORT-**  
12 **ING REQUIREMENTS.**

13 (a) REPEAL OF REPORT ON THE THREAT OF AT-  
14 TACK ON THE UNITED STATES USING WEAPONS OF MASS  
15 DESTRUCTION.—Section 114 of the National Security Act  
16 of 1947 (50 U.S.C. 3050) is amended by striking sub-  
17 section (b).

18 (b) MODIFICATION OF REPORTING REQUIRE-  
19 MENTS.—

20 (1) INTELLIGENCE ADVISORY COMMITTEES.—  
21 Section 410(b) of the Intelligence Authorization Act  
22 for Fiscal Year 2010 (50 U.S.C. 3309) is amended  
23 to read as follows:

24 “(b) NOTIFICATION OF ESTABLISHMENT OF ADVI-  
25 SORY COMMITTEE.—The Director of National Intelligence

1 and the Director of the Central Intelligence Agency shall  
2 each notify the congressional intelligence committees each  
3 time each such Director creates an advisory committee.

4 Each notification shall include—

5 “(1) a description of such advisory committee,  
6 including the subject matter of such committee;

7 “(2) a list of members of such advisory com-  
8 mittee; and

9 “(3) in the case of an advisory committee cre-  
10 ated by the Director of National Intelligence, the  
11 reasons for a determination by the Director under  
12 section 4(b)(3) of the Federal Advisory Committee  
13 Act (5 U.S.C. App) that an advisory committee can-  
14 not comply with the requirements of such Act.”.

15 (2) INTELLIGENCE INFORMATION SHARING.—  
16 Section 102A(g)(4) of the National Security Act of  
17 1947 (50 U.S.C. 3024(g)(4)) is amended to read as  
18 follows:

19 “(4) The Director of National Intelligence shall, in  
20 a timely manner, report to Congress any statute, regula-  
21 tion, policy, or practice that the Director believes impedes  
22 the ability of the Director to fully and effectively ensure  
23 maximum availability of access to intelligence information  
24 within the intelligence community consistent with the pro-  
25 tection of the national security of the United States.”.

1 (c) CONFORMING AMENDMENTS.—The National Se-  
2 curity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

3 (1) in the table of contents in the first section,  
4 by striking the item relating to section 114 and in-  
5 serting the following new item:

“Sec. 114. Annual report on hiring and retention of minority employees.”;

6 (2) in section 114 (50 U.S.C. 3050)—

7 (A) by amending the heading to read as  
8 follows: “**ANNUAL REPORT ON HIRING AND**  
9 **RETENTION OF MINORITY EMPLOYEES**”;

10 (B) by striking “(a) ANNUAL REPORT ON  
11 HIRING AND RETENTION OF MINORITY EM-  
12 PLOYEES.—”;

13 (C) by redesignating paragraphs (1)  
14 through (5) as subsections (a) through (e), re-  
15 spectively;

16 (D) in subsection (b) (as so redesi-  
17 gnated)—

18 (i) by redesignating subparagraphs  
19 (A) through (C) as paragraphs (1) through  
20 (3), respectively; and

21 (ii) in paragraph (2) (as so redesi-  
22 gnated)—

23 (I) by redesignating clauses (i)  
24 and (ii) as subparagraphs (A) and  
25 (B), respectively; and

1 (II) in the matter preceding sub-  
2 paragraph (A) (as so redesignated),  
3 by striking “clauses (i) and (ii)” and  
4 inserting “subparagraphs (A) and  
5 (B)”;

6 (E) in subsection (e) (as redesignated by  
7 subparagraph (C) of this paragraph), by redesi-  
8 gnating subparagraphs (A) through (C) as  
9 paragraphs (1) through (3), respectively; and  
10 (3) in section 507 (50 U.S.C. 3106)—

11 (A) in subsection (a)—

12 (i) by striking “(1) The date” and in-  
13 serting “The date”;

14 (ii) by striking “subsection (c)(1)(A)”  
15 and inserting “subsection (c)(1)”;

16 (iii) by striking paragraph (2); and

17 (iv) by redesignating subparagraphs  
18 (A) through (F) as paragraphs (1) through  
19 (6), respectively;

20 (B) in subsection (c)(1)—

21 (i) by striking “(A) Except” and in-  
22 serting “Except”; and

23 (ii) by striking subparagraph (B); and

24 (C) in subsection (d)(1)—

25 (i) in subparagraph (A)—

1 (I) by striking “subsection  
2 (a)(1)” and inserting “subsection  
3 (a)”; and

4 (II) by inserting “and” after  
5 “March 1;”;

6 (ii) by striking subparagraph (B); and

7 (iii) by redesignating subparagraph  
8 (C) as subparagraph (B).

9 **SEC. 306. CLARIFICATION OF EXEMPTION FROM FREEDOM**  
10 **OF INFORMATION ACT OF IDENTITIES OF EM-**  
11 **PLOYEES SUBMITTING COMPLAINTS TO THE**  
12 **INSPECTOR GENERAL OF THE INTELLIGENCE**  
13 **COMMUNITY.**

14 Section 103H(g)(3) of the National Security Act of  
15 1947 (50 U.S.C. 3033(g)(3)) is amended—

16 (1) in subparagraph (A), by striking “; and”  
17 and inserting a semicolon;

18 (2) by redesignating subparagraph (B) as sub-  
19 paragraph (C); and

20 (3) by inserting after subparagraph (A), the fol-  
21 lowing new subparagraph:

22 “(B) the identity of the employee shall be ex-  
23 empt from disclosure under section 552 of title 5,  
24 United States Code (commonly referred to as the

1 ‘Freedom of Information Act’), in accordance with  
2 subsection (b)(3) of such section; and”.

3 **SEC. 307. DECLASSIFICATION REVIEW OF CERTAIN ITEMS**  
4 **COLLECTED DURING THE MISSION THAT**  
5 **KILLED OSAMA BIN LADEN ON MAY 1, 2011.**

6 Not later than 120 days after the date of the enact-  
7 ment of this Act, the Director of National Intelligence  
8 shall—

9 (1) in the manner described in the classified  
10 annex to this Act, complete a declassification review  
11 of documents collected in Abbottabad, Pakistan, dur-  
12 ing the mission that killed Osama bin Laden on May  
13 1, 2011;

14 (2) make publicly available any information de-  
15 classified as a result of the declassification review re-  
16 quired under paragraph (1); and

17 (3) report to the congressional intelligence com-  
18 mittees—

19 (A) the results of the declassification re-  
20 view required under paragraph (1); and

21 (B) a justification for not declassifying any  
22 information required to be included in such de-  
23 classification review that remains classified.



1 **SEC. 308. REPORT ON ELECTRONIC WASTE.**

2 (a) REPORT.—Not later than 90 days after the date  
3 of the enactment of this Act, the Director of National In-  
4 telligence shall submit to the congressional intelligence  
5 committees a report on the extent to which the intelligence  
6 community has implemented the recommendations of the  
7 Inspector General of the Intelligence Community con-  
8 tained in the report entitled “Study of Intelligence Com-  
9 munity Electronic Waste Disposal Practices” issued in  
10 May 2013. Such report shall include an assessment of the  
11 extent to which the policies, standards, and guidelines of  
12 the intelligence community governing the proper disposal  
13 of electronic waste are applicable to covered commercial  
14 electronic waste that may contain classified information.

15 (b) DEFINITIONS.—In this section:

16 (1) COVERED COMMERCIAL ELECTRONIC  
17 WASTE.—The term “covered commercial electronic  
18 waste” means electronic waste of a commercial enti-  
19 ty that contracts with an element of the intelligence  
20 community.

21 (2) ELECTRONIC WASTE.—The term “electronic  
22 waste” includes any obsolete, broken, or irreparable  
23 electronic device, including a television, copier, fac-  
24 simile machine, tablet, telephone, computer, com-  
25 puter monitor, laptop, printer, scanner, and associ-  
26 ated electrical wiring.

1                   **TITLE IV—TECHNICAL**  
2                   **AMENDMENTS**

3   **SEC. 401. TECHNICAL AMENDMENTS TO THE CENTRAL IN-**  
4                   **TELLIGENCE AGENCY ACT OF 1949.**

5           Section 21 of the Central Intelligence Agency Act of  
6 1949 (50 U.S.C. 3521) is amended—

7           (1) in subsection (b)(1)(D), by striking “section  
8 (a)” and inserting “subsection (a)”; and

9           (2) in subsection (c)(2)(E), by striking “pro-  
10 vider.” and inserting “provider”.

11   **SEC. 402. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**  
12                   **CURITY ACT OF 1947 RELATING TO THE PAST**  
13                   **ELIMINATION OF CERTAIN POSITIONS.**

14           Section 101(a) of the National Security Act of 1947  
15 (50 U.S.C. 3021(a)) is amended—

16           (1) in paragraph (5), by striking the semicolon  
17 and inserting “; and”;

18           (2) by striking paragraphs (6) and (7);

19           (3) by redesignating paragraph (8) as para-  
20 graph (6); and

21           (4) in paragraph (6) (as so redesignated), by  
22 striking “the Chairman of the Munitions Board, and  
23 the Chairman of the Research and Development  
24 Board,”.

1 **SEC. 403. TECHNICAL AMENDMENTS TO THE INTEL-**  
2 **LIGENCE AUTHORIZATION ACT FOR FISCAL**  
3 **YEAR 2013.**

4 (a) **AMENDMENT.**—Section 506 of the Intelligence  
5 Authorization Act for Fiscal Year 2013 (Public Law 112–  
6 277; 126 Stat. 2478) is amended—

7 (1) by striking “section 606(5)” and inserting  
8 “paragraph (5) of section 605”; and

9 (2) by inserting “, as redesignated by section  
10 310(a)(4)(B) of this Act,” before “is amended”.

11 (b) **EFFECTIVE DATE.**—The amendments made by  
12 subsection (a) shall take effect as if included in the enact-  
13 ment of the Intelligence Authorization Act for Fiscal Year  
14 2013 (Public Law 112–277).

