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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R.

To authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NUNES (for himself and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

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

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

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Explanatory statement.

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 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 mathematics education in the intelligence community.
- Sec. 305. Retention of employees of the intelligence community who have science, technology, engineering, or mathematics expertise.
- Sec. 306. Multi-sector workforce.
- Sec. 307. Notification of repair or modification of facilities to be used primarily by the intelligence community.
- Sec. 308. Guidance and reporting requirement regarding the interactions between the intelligence community and entertainment industry.
- Sec. 309. Protections for independent inspectors general of certain elements of the intelligence community.
- Sec. 310. Congressional oversight of policy directives and guidance.
- Sec. 311. Notification of memoranda of understanding.
- Sec. 312. Assistance for nationally significant critical infrastructure.
- Sec. 313. Technical correction to Executive Schedule.
- Sec. 314. Maximum amount charged for declassification reviews.

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.
- 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. Enhancing the technical workforce for the Federal Bureau of Investigation.
- Sec. 422. 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. Travel of accredited diplomatic and consular personnel of the Russian Federation in the United States.
- Sec. 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states.

TITLE VI—REPORTS AND OTHER MATTERS

- Sec. 601. Declassification review with respect to detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 602. Cyber Center for Education and Innovation-Home of the National Cryptologic Museum.
- Sec. 603. Report on national security systems.
- Sec. 604. Joint facilities certification.
- Sec. 605. Leadership and management of space activities.
- Sec. 606. Advances in life sciences and biotechnology.
- Sec. 607. Reports on declassification proposals.
- Sec. 608. Improvement in Government classification and declassification.
- Sec. 609. Report on implementation of research and development recommendations.
- Sec. 610. Report on Intelligence Community Research and Development Corps.
- Sec. 611. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community.
- Sec. 612. Report on intelligence community employees detailed to National Security Council.
- Sec. 613. Intelligence community reporting to Congress on foreign fighter flows.
- Sec. 614. Report on cybersecurity threats to seaports of the United States and maritime shipping.
- Sec. 615. Report on programs to counter terrorist narratives.
- Sec. 616. Report on reprisals against contractors of the intelligence community.

1 SEC. 2. DEFINITIONS.

2 In this Act:

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

4 (A) the Select Committee on Intelligence of
5 the Senate; and

6 (B) the Permanent Select Committee on
7 Intelligence of the House of Representatives.

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

12 **SEC. 3. EXPLANATORY STATEMENT.**

13 The explanatory statement regarding this Act, print-
14 ed in the House section of the Congressional Record on
15 or about December 8, 2016, by the Chairman of the Per-
16 manent Select Committee on Intelligence of the House of
17 Representatives, shall have the same effect with respect
18 to the implementation of this Act as if it were a joint ex-
19 planatory statement of a committee of conference.

20 **TITLE I—INTELLIGENCE**
21 **ACTIVITIES**

22 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2017 for the conduct of the intelligence and

1 intelligence-related activities of the following elements of
2 the United States Government:

3 (1) The Office of the Director of National Intel-
4 ligence.

5 (2) The Central Intelligence Agency.

6 (3) The Department of Defense.

7 (4) The Defense Intelligence Agency.

8 (5) The National Security Agency.

9 (6) The Department of the Army, the Depart-
10 ment of the Navy, and the Department of the Air
11 Force.

12 (7) The Coast Guard.

13 (8) The Department of State.

14 (9) The Department of the Treasury.

15 (10) The Department of Energy.

16 (11) The Department of Justice.

17 (12) The Federal Bureau of Investigation.

18 (13) The Drug Enforcement Administration.

19 (14) The National Reconnaissance Office.

20 (15) The National Geospatial-Intelligence Agen-
21 cy.

22 (16) The Department of Homeland Security.

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

24 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
25 authorized to be appropriated under section 101 and, sub-

1 ject to section 103, the authorized personnel ceilings as
2 of September 30, 2017, for the conduct of the intelligence
3 activities of the elements listed in paragraphs (1) through
4 (16) of section 101, are those specified in the classified
5 Schedule of Authorizations prepared to accompany this
6 Act.

7 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
8 THORIZATIONS.—

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

14 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
15 ject to paragraph (3), the President shall provide for
16 suitable distribution of the classified Schedule of Au-
17 thorizations referred to in subsection (a), or of ap-
18 propriate portions of such Schedule, within the exec-
19 utive branch.

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

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

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

6 (C) as otherwise required by law.

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

8 (a) **AUTHORITY FOR INCREASES.**—The Director of
9 National Intelligence may authorize employment of civil-
10 ian personnel in excess of the number authorized for fiscal
11 year 2017 by the classified Schedule of Authorizations re-
12 ferred to in section 102(a) if the Director of National In-
13 telligence determines that such action is necessary to the
14 performance of important intelligence functions, except
15 that the number of personnel employed in excess of the
16 number authorized under such section may not, for any
17 element of the intelligence community, exceed 3 percent
18 of the number of civilian personnel authorized under such
19 schedule for such element.

20 (b) **TREATMENT OF CERTAIN PERSONNEL.**—The Di-
21 rector of National Intelligence shall establish guidelines
22 that govern, for each element of the intelligence commu-
23 nity, the treatment under the personnel levels authorized
24 under section 102(a), including any exemption from such
25 personnel levels, of employment or assignment in—

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

3 (2) a reserve corps or as a reemployed annu-
4 itant; or

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

7 (c) NOTICE TO CONGRESSIONAL INTELLIGENCE
8 COMMITTEES.—The Director of National Intelligence
9 shall notify the congressional intelligence committees in
10 writing at least 15 days prior to each exercise of an au-
11 thority described in subsection (a).

12 (d) CONTRACTOR CONVERSIONS.—

13 (1) AUTHORITY FOR INCREASES.—In addition
14 to the authority under subsection (a), the Director
15 of National Intelligence may authorize employment
16 of civilian personnel in an element of the intelligence
17 community in excess of the number authorized for
18 fiscal year 2017 by the classified Schedule of Au-
19 thorizations referred to in section 102(a), as such
20 number may be increased pursuant to subsection
21 (a), if—

22 (A) the Director determines that the in-
23 crease under this paragraph is necessary to
24 convert the performance of any function of the

1 element by contractors to performance by civil-
2 ian personnel; and

3 (B) the number of civilian personnel of the
4 element employed in excess of the number au-
5 thorized under such section 102(a), as such
6 number may be increased pursuant to both sub-
7 section (a) and this paragraph, does not exceed
8 10 percent of the number of civilian personnel
9 authorized under such schedule for the element.

10 (2) NOTICE TO CONGRESSIONAL INTELLIGENCE
11 COMMITTEES.—Not less than 30 days prior to exer-
12 cising the authority described in paragraph (1), the
13 Director of National Intelligence shall submit to the
14 congressional intelligence committees, in writing—

15 (A) notification of exercising such author-
16 ity;

17 (B) justification for making the conversion
18 described in subparagraph (A) of such para-
19 graph; and

20 (C) certification that such conversion is
21 cost effective.

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

24 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated for the Intelligence Commu-

1 nity Management Account of the Director of National In-
2 telligence for fiscal year 2017 the sum of \$561,788,000.
3 Within such amount, funds identified in the classified
4 Schedule of Authorizations referred to in section 102(a)
5 for advanced research and development shall remain avail-
6 able until September 30, 2018.

7 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
8 ments within the Intelligence Community Management
9 Account of the Director of National Intelligence are au-
10 thorized 787 positions as of September 30, 2017. Per-
11 sonnel serving in such elements may be permanent em-
12 ployees of the Office of the Director of National Intel-
13 ligence or personnel detailed from other elements of the
14 United States Government.

15 (c) CLASSIFIED AUTHORIZATIONS.—

16 (1) AUTHORIZATION OF APPROPRIATIONS.—In
17 addition to amounts authorized to be appropriated
18 for the Intelligence Community Management Ac-
19 count by subsection (a), there are authorized to be
20 appropriated for the Intelligence Community Man-
21 agement Account for fiscal year 2017 such addi-
22 tional amounts as are specified in the classified
23 Schedule of Authorizations referred to in section
24 102(a). Such additional amounts made available for

1 advanced research and development shall remain
2 available until September 30, 2018.

3 (2) AUTHORIZATION OF PERSONNEL.—In addi-
4 tion to the personnel authorized by subsection (b)
5 for elements of the Intelligence Community Manage-
6 ment Account as of September 30, 2017, there are
7 authorized such additional personnel for the Com-
8 munity Management Account as of that date as are
9 specified in the classified Schedule of Authorizations
10 referred to in section 102(a).

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

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

16 There is authorized to be appropriated for the Cen-
17 tral Intelligence Agency Retirement and Disability Fund
18 for fiscal year 2017 the sum of \$514,000,000.

19 **TITLE III—GENERAL INTEL-**
20 **LIGENCE COMMUNITY MAT-**
21 **TERS**

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

24 The authorization of appropriations by this Act shall
25 not be deemed to constitute authority for the conduct of

1 any intelligence activity which is not otherwise authorized
2 by the Constitution or the laws of the United States.

3 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
4 **BENEFITS AUTHORIZED BY LAW.**

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

10 **SEC. 303. SUPPORT TO NONPROFIT ORGANIZATIONS AS-**
11 **SISTING INTELLIGENCE COMMUNITY EM-**
12 **PLOYEES.**

13 (a) DIRECTOR OF NATIONAL INTELLIGENCE.—Sec-
14 tion 102A of the National Security Act of 1947 (50 U.S.C.
15 3024) is amended by adding at the end the following:

16 “(y) FUNDRAISING.—(1) The Director of National
17 Intelligence may engage in fundraising in an official ca-
18 pacity for the benefit of nonprofit organizations that—

19 “(A) provide support to surviving family mem-
20 bers of a deceased employee of an element of the in-
21 telligence community; or

22 “(B) otherwise provide support for the welfare,
23 education, or recreation of employees of an element
24 of the intelligence community, former employees of

1 an element of the intelligence community, or family
2 members of such employees.

3 “(2) In this subsection, the term ‘fundraising’ means
4 the raising of funds through the active participation in the
5 promotion, production, or presentation of an event de-
6 signed to raise funds and does not include the direct solici-
7 tation of money by any other means.

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

13 “(4) The Director, in consultation with the Director
14 of the Office of Government Ethics, shall issue regulations
15 to carry out the authority provided in this subsection.
16 Such regulations shall ensure that such authority is exer-
17 cised in a manner that is consistent with all relevant eth-
18 ical constraints and principles, including the avoidance of
19 any prohibited conflict of interest or appearance of impro-
20 priety.”.

21 (b) DIRECTOR OF THE CENTRAL INTELLIGENCE
22 AGENCY.—Section 12(f) of the Central Intelligence Agen-
23 cy Act of 1949 (50 U.S.C. 3512(f)) is amended by adding
24 at the end the following:

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

8 **SEC. 304. PROMOTION OF SCIENCE, TECHNOLOGY, ENGI-**
9 **NEERING, AND MATHEMATICS EDUCATION IN**
10 **THE INTELLIGENCE COMMUNITY.**

11 (a) REQUIREMENT FOR INVESTMENT STRATEGY FOR
12 STEM RECRUITING AND OUTREACH ACTIVITIES.—Along
13 with the budget for fiscal year 2018 submitted by the
14 President pursuant to section 1105(a) of title 31, United
15 States Code, the Director of National Intelligence shall
16 submit a five-year investment strategy for outreach and
17 recruiting efforts in the fields of science, technology, engi-
18 neering, and mathematics (STEM), to include cybersecu-
19 rity and computer literacy.

20 (b) REQUIREMENT FOR INTELLIGENCE COMMUNITY
21 PLANS FOR STEM RECRUITING AND OUTREACH ACTIVI-
22 TIES.—For each of the fiscal years 2018 through 2022,
23 the head of each element of the intelligence community
24 shall submit an investment plan along with the materials
25 submitted as justification of the budget request of such

1 element that supports the strategy required by subsection
2 (a).

3 **SEC. 305. RETENTION OF EMPLOYEES OF THE INTEL-**
4 **LIGENCE COMMUNITY WHO HAVE SCIENCE,**
5 **TECHNOLOGY, ENGINEERING, OR MATHE-**
6 **MATICS EXPERTISE.**

7 (a) SPECIAL RATES OF PAY FOR CERTAIN OCCUPA-
8 TIONS IN THE INTELLIGENCE COMMUNITY.—The Na-
9 tional Security Act of 1947 (50 U.S.C. 3001 et seq.) is
10 amended by inserting after section 113A the following:

11 **“SEC. 113B. SPECIAL PAY AUTHORITY FOR SCIENCE, TECH-**
12 **NOLOGY, ENGINEERING, OR MATHEMATICS**
13 **POSITIONS.**

14 “(a) AUTHORITY TO SET SPECIAL RATES OF PAY.—
15 Notwithstanding part III of title 5, United States Code,
16 the head of each element of the intelligence community
17 may establish higher minimum rates of pay for 1 or more
18 categories of positions in such element that require exper-
19 tise in science, technology, engineering, or mathematics
20 (STEM).

21 “(b) MAXIMUM SPECIAL RATE OF PAY.—A minimum
22 rate of pay established for a category of positions under
23 subsection (a) may not exceed the maximum rate of basic
24 pay (excluding any locality-based comparability payment
25 under section 5304 of title 5, United States Code, or simi-

1 lar provision of law) for the position in that category of
2 positions without the authority of subsection (a) by more
3 than 30 percent, and no rate may be established under
4 this section in excess of the rate of basic pay payable for
5 level IV of the Executive Schedule under section 5315 of
6 title 5, United States Code.

7 “(c) NOTIFICATION OF REMOVAL FROM SPECIAL
8 RATE OF PAY.—If the head of an element of the intel-
9 ligence community removes a category of positions from
10 coverage under a rate of pay authorized by subsection (a)
11 after that rate of pay takes effect—

12 “(1) the head of such element shall provide no-
13 tice of the loss of coverage of the special rate of pay
14 to each individual in such category; and

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

18 “(d) REVISION OF SPECIAL RATES OF PAY.—Subject
19 to the limitations in this section, rates of pay established
20 under this section by the head of the element of the intel-
21 ligence community may be revised from time to time by
22 the head of such element and the revisions have the force
23 and effect of statute.

24 “(e) REGULATIONS.—The head of each element of
25 the intelligence community shall promulgate regulations to

1 carry out this section with respect to such element, which
2 shall, to the extent practicable, be comparable to the regu-
3 lations promulgated to carry out section 5305 of title 5,
4 United States Code.

5 “(f) REPORTS.—

6 “(1) REQUIREMENT FOR REPORTS.—Not later
7 than 90 days after the date of the enactment of the
8 Intelligence Authorization Act for Fiscal Year 2017,
9 the head of each element of the intelligence commu-
10 nity shall submit to the congressional intelligence
11 committees a report on any rates of pay established
12 for such element under this section.

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

16 “(A) a description of any rates of pay es-
17 tablished under subsection (a); and

18 “(B) the number of positions in such ele-
19 ment that will be subject to such rates of pay.”.

20 (b) TABLE OF CONTENTS AMENDMENT.—The table
21 of contents in the first section of the National Security
22 Act of 1947 is amended by inserting after the item relat-
23 ing to section 113A the following:

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

1 **SEC. 306. MULTI-SECTOR WORKFORCE.**

2 (a) MULTI-SECTOR WORKFORCE INITIATIVE.—

3 (1) REQUIREMENT.—The Director of National
4 Intelligence shall implement a multi-sector workforce
5 initiative—

6 (A) to improve management of the work-
7 force of the intelligence community;

8 (B) to achieve an appropriate ratio of em-
9 ployees of the United States Government and
10 core contractors in such workforce; and

11 (C) to establish processes that enables ele-
12 ments of the intelligence community to build
13 and maintain an appropriate ratio of such em-
14 ployees and core contractors.

15 (2) BRIEFING TO CONGRESS.—Not later than
16 90 days after the date of the enactment of this Act,
17 the Director of National Intelligence shall brief the
18 congressional intelligence committees on the initia-
19 tive required by paragraph (1).

20 (b) MANAGEMENT BASED ON WORKLOAD REQUIRE-
21 MENTS.—

22 (1) IN GENERAL.—Notwithstanding sections
23 102 and 103, during each of fiscal years 2017 and
24 2018, the personnel of the intelligence community
25 shall be managed each fiscal year solely on the basis
26 of, and consistent with—

1 (A) the workload required to carry out the
2 functions and activities of the intelligence com-
3 munity; and

4 (B) the funds made available to the intel-
5 ligence community for such fiscal year.

6 (2) PROHIBITION ON CONSTRAINTS OR LIMITA-
7 TIONS.—

8 (A) IN GENERAL.—Notwithstanding sec-
9 tions 102 and 103, the management of the per-
10 sonnel of the intelligence community in any fis-
11 cal year shall not be subject to any constraint
12 or limitation in terms of man years, end
13 strength, positions, or maximum number of em-
14 ployees.

15 (B) TERMINATION.—The prohibition on
16 constraints and limitations under subparagraph
17 (A) shall terminate on September 30, 2018.

18 (3) NEW STARTS.—Notwithstanding paragraph
19 (2)(A), any initiation, resumption, or continuation
20 by an element of intelligence community of any
21 project, subproject, activity, budget activity, program
22 element, or subprogram within a program element
23 for which an appropriation, fund, or other authority
24 was not made available during the previous fiscal
25 year may only be carried out if such project, sub-

1 project, activity, budget activity, program element,
2 or subprogram is specifically authorized consistent
3 with section 504 of the National Security Act of
4 1947 (50 U.S.C. 3094).

5 (c) REQUIRED EMPLOYEES.—Notwithstanding
6 sections 102 and 103, during each of fiscal years 2017
7 and 2018 the Director of National Intelligence shall en-
8 sure that there are employed during a fiscal year employ-
9 ees in the number and with the combination of skills and
10 qualifications that are necessary to carry out the functions
11 for which funds are provided to the intelligence community
12 for that fiscal year.

13 (d) BRIEFING AND REPORT TO CONGRESS.—Not
14 later than 180 days after the date of the enactment of
15 this Act, the Director of National Intelligence shall issue
16 a written report and provide a briefing to the congress-
17 sional intelligence committees on—

18 (1) the methodology used to calculate the num-
19 ber of civilian and contractor full-time equivalent po-
20 sitions in the intelligence community;

21 (2) the cost analysis tool used to calculate per-
22 sonnel costs in the intelligence community; and

23 (3) the plans of the Director of National Intel-
24 ligence and the head of each element of the intel-

1 ligence community to implement a multi-sector
2 workforce as required by subsections (a) and (b).

3 (e) REPORT.—Not later than 180 days after date of
4 the enactment of this Act, the Inspector General of the
5 Intelligence Community shall submit to the congressional
6 intelligence committees a written report on the accuracy
7 of intelligence community data for the numbers and costs
8 associated with the civilian and contractor workforce in
9 each element of the intelligence community.

10 **SEC. 307. NOTIFICATION OF REPAIR OR MODIFICATION OF**
11 **FACILITIES TO BE USED PRIMARILY BY THE**
12 **INTELLIGENCE COMMUNITY.**

13 Section 602(a)(2) of the Intelligence Authorization
14 Act for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is
15 amended by striking “improvement project to” and insert-
16 ing “project for the improvement, repair, or modification
17 of”.

18 **SEC. 308. GUIDANCE AND REPORTING REQUIREMENT RE-**
19 **GARDING THE INTERACTIONS BETWEEN THE**
20 **INTELLIGENCE COMMUNITY AND ENTER-**
21 **TAINMENT INDUSTRY.**

22 (a) DEFINITIONS.—In this section:

23 (1) ENGAGEMENT.—The term “engagement”—
24 (A) means any significant interaction be-
25 tween an element of the intelligence community

1 and an entertainment industry entity for the
2 purposes of contributing to an entertainment
3 product intended to be heard, read, viewed, or
4 otherwise experienced by the public; and

5 (B) does not include routine inquiries
6 made by the press or news media to the public
7 affairs office of an intelligence community.

8 (2) ENTERTAINMENT INDUSTRY ENTITY.—The
9 term “entertainment industry entity” means an enti-
10 ty that creates, produces, promotes, or distributes a
11 work of entertainment intended to be heard, read,
12 viewed, or otherwise experienced by an audience, in-
13 cluding—

14 (A) theater productions, motion pictures,
15 radio broadcasts, television broadcasts,
16 podcasts, webcasts, other sound or visual re-
17 cording, music, or dance;

18 (B) books and other published material;
19 and

20 (C) such other entertainment activity, as
21 determined by the Director of National Intel-
22 ligence.

23 (b) DIRECTOR OF NATIONAL INTELLIGENCE GUID-
24 ANCE.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Di-
3 rector of National Intelligence shall issue, and re-
4 lease to the public, guidance regarding engagements
5 by elements of the intelligence community with en-
6 tertainment industry entities.

7 (2) CRITERIA.—The guidance required by para-
8 graph (1) shall—

9 (A) permit an element of the intelligence
10 community to conduct engagements, if the head
11 of the element, or a designee of such head, pro-
12 vides prior approval; and

13 (B) require an unclassified annual report
14 to the congressional intelligence committees re-
15 garding engagements.

16 (c) ANNUAL REPORT.—Each report required by sub-
17 section (b)(2)(B) shall include the following:

18 (1) A description of the nature and duration of
19 each engagement included in the review.

20 (2) The cost incurred by the United States
21 Government for each such engagement.

22 (3) A description of the benefits to the United
23 States Government for each such engagement.

24 (4) A determination of whether any information
25 was declassified, and whether any classified informa-

1 tion was improperly disclosed, or each such engage-
2 ment.

3 (5) A description of the work produced through
4 each such engagement.

5 **SEC. 309. PROTECTIONS FOR INDEPENDENT INSPECTORS**

6 **GENERAL OF CERTAIN ELEMENTS OF THE IN-**
7 **TELLIGENCE COMMUNITY.**

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

10 (1) **LIMITATIONS.—**Not later than 180 days
11 after the date of the enactment of this Act, the Di-
12 rector of National Intelligence shall develop and im-
13 plement a uniform policy for each covered office of
14 an inspector general to better ensure the independ-
15 ence of each such office. Such policy shall include—

16 (A) provisions to prevent any conflict of in-
17 terest related to a matter any employee of a
18 covered office of an inspector general personally
19 and substantially participated in during pre-
20 vious employment;

21 (B) standards to ensure personnel of a cov-
22 ered office of an inspector general are free both
23 in fact and in appearance from personal, exter-
24 nal, and organizational impairments to inde-
25 pendence;

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

5 (i) prepares a written and signed jus-
6 tification for such waiver that sets out, in
7 detail, the need for such waiver, provided
8 that waivers shall not be issued for in fact
9 impairments to independence; and

10 (ii) submits to the congressional intel-
11 ligence committees each such justification;
12 and

13 (D) any other protections the Director de-
14 termines appropriate.

15 (2) COVERED OFFICE OF AN INSPECTOR GEN-
16 ERAL DEFINED.—The term “covered office of an in-
17 spector general” means—

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

20 (B) the office of an inspector general for—

21 (i) the Office of the Director of Na-
22 tional Intelligence;

23 (ii) the Central Intelligence Agency;

24 (iii) the National Security Agency;

25 (iv) the Defense Intelligence Agency;

1 (v) the National Geospatial-Intel-
2 ligence Agency; and

3 (vi) the National Reconnaissance Of-
4 fice.

5 (3) BRIEFING TO THE CONGRESSIONAL INTEL-
6 LIGENCE COMMITTEES.—Prior to the date that the
7 policy required by paragraph (1) takes effect, the
8 Director of National Intelligence shall provide the
9 congressional intelligence committees a briefing on
10 such policy.

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

15 “(D) The mechanisms prescribed under subpara-
16 graph (A) and any other policies of the Director—

17 “(i) may not require an employee of an office
18 of inspector general for an element of the intel-
19 ligence community, including the Office of the In-
20 spector General of the Intelligence Community, to
21 rotate to a position in an office or organization of
22 such an element over which such office of inspector
23 general exercises jurisdiction; and

24 “(ii) shall be implemented in a manner that ex-
25 empts employees of an office of inspector general

1 from a rotation that may impact the independence
2 of such office.”.

3 **SEC. 310. CONGRESSIONAL OVERSIGHT OF POLICY DIREC-**
4 **TIVES AND GUIDANCE.**

5 (a) COVERED POLICY DOCUMENT DEFINED.—In this
6 section, the term “covered policy document” means any
7 classified or unclassified Presidential Policy Directive,
8 Presidential Policy Guidance, or other similar policy docu-
9 ment issued by the President, including any classified or
10 unclassified annex to such a Directive, Guidance, or other
11 document, that assigns tasks, roles, or responsibilities to
12 the intelligence community or an element of the intel-
13 ligence community.

14 (b) SUBMISSIONS TO CONGRESS.—The Director of
15 National Intelligence shall submit to the congressional in-
16 telligence committees the following:

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

21 (2) Not later than 15 days after the date that
22 the Director issues any guidance or direction on im-
23 plementation of a covered policy document or imple-
24 ments a covered policy document, a copy of such

1 guidance or direction or a description of such imple-
2 mentation.

3 (3) Not later than 15 days after the date of the
4 enactment of this Act, for any covered policy docu-
5 ment issued prior to such date that is being imple-
6 mented by any element of the intelligence commu-
7 nity or that is in effect on such date—

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

12 (B) if the Director has issued any guid-
13 ance or direction on implementation of such
14 covered policy document or is implementing
15 such covered policy document, a copy of the
16 guidance or direction or a written description of
17 such implementation.

18 **SEC. 311. NOTIFICATION OF MEMORANDA OF UNDER-**
19 **STANDING.**

20 (a) IN GENERAL.—The head of each element of the
21 intelligence community shall submit to the congressional
22 intelligence committees a copy of each memorandum of
23 understanding or other agreement regarding significant
24 operational activities or policy between or among such ele-

1 ment and any other entity or entities of the United States
2 Government—

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

6 (2) for such a memorandum or agreement en-
7 tered into after such date, in a timely manner and
8 not more than 60 days after the date such memo-
9 randum or other agreement is entered into.

10 (b) ADMINISTRATIVE MEMORANDUM OR AGREE-
11 MENT.—Nothing in this section may be construed to re-
12 quire an element of the intelligence community to submit
13 to the congressional intelligence committees any memo-
14 randum or agreement that is solely administrative in na-
15 ture, including a memorandum or agreement regarding
16 joint duty or other routine personnel assignments.

17 **SEC. 312. ASSISTANCE FOR NATIONALLY SIGNIFICANT**
18 **CRITICAL INFRASTRUCTURE.**

19 (a) DEFINITIONS.—In this section:

20 (1) COVERED CRITICAL INFRASTRUCTURE.—

21 The term “covered critical infrastructure” means the
22 critical infrastructure identified pursuant to section
23 9(a) of Executive Order No. 13636 of February 12,
24 2013 (78 Fed. Reg. 11742; related to improving
25 critical infrastructure cybersecurity).

1 (2) COVERED CYBER ASSET.—The term “cov-
2 ered cyber asset” means an information system or
3 industrial control system that is essential to the op-
4 eration of covered critical infrastructure.

5 (3) PROGRAM.—Except as otherwise specifically
6 provided, the term “program” means the program
7 required by subsection (b).

8 (4) SECTOR-SPECIFIC AGENCY.—The term “sec-
9 tor-specific agency” has the meaning given that term
10 in Presidential Policy Directive-21, issued February
11 12, 2013 (related to critical infrastructure security
12 and resilience), or any successor.

13 (5) VOLUNTARY PARTICIPANT.—The term “vol-
14 untary participant” means an entity eligible to par-
15 ticipate in the program under subsection (b) that
16 has voluntarily elected to participate in the program.

17 (b) REQUIREMENT FOR PROGRAM.—Not later than
18 180 days after the date of the enactment of this Act, the
19 Under Secretary appointed pursuant to section
20 103(a)(1)(H) of the Homeland Security Act of 2002 (6
21 U.S.C. 113(a)(1)(H)), in consultation with appropriate
22 covered critical infrastructure and sector-specific agencies,
23 shall carry out a program to provide assistance to covered
24 critical infrastructure consistent with subsection (f).

1 (c) OBJECTIVE.—The objective of the program shall
2 be to reduce the risk of regional or national catastrophic
3 harm caused by a cyber attack against covered critical in-
4 frastructure.

5 (d) VOLUNTARY PARTICIPATION.—Participation in
6 the program by covered critical infrastructure shall be on
7 a voluntary basis.

8 (e) INTELLIGENCE COMMUNITY PARTICIPATION.—

9 (1) COORDINATION AND MANAGEMENT.—The
10 Under Secretary for Intelligence and Analysis of the
11 Department of Homeland Security shall coordinate
12 and lead the provision of assistance from appro-
13 priate elements of the intelligence community to the
14 Under Secretary appointed pursuant to section
15 103(a)(1)(H) of the Homeland Security Act of 2002
16 (6 U.S.C. 113(a)(1)(H)) to assist the national cyber-
17 security and communications integration center es-
18 tablished under section 227 of the Homeland Secu-
19 rity Act of 2002 (6 U.S.C. 148) to fulfill the re-
20 quirements of this section.

21 (2) ACTIVITIES.—In the manner required by
22 paragraph (1) and subject to the approval of the
23 Under Secretary for Intelligence and Analysis of the
24 Department of Homeland Security, such assistance
25 may include:

1 (A) Activities to develop a national strat-
2 egy to effectively leverage intelligence commu-
3 nity resources made available to support the
4 program.

5 (B) Activities to consult with the Director
6 of National Intelligence and other appropriate
7 intelligence and law enforcement agencies to
8 identify within the existing framework gov-
9 erning intelligence prioritization, intelligence
10 gaps and foreign intelligence collection require-
11 ments relevant to the security of covered cyber
12 assets and covered critical infrastructure.

13 (C) Activities to improve the detection,
14 prevention, and mitigation of espionage con-
15 ducted by foreign actors against or concerning
16 covered critical infrastructure.

17 (D) Activities to identify or provide assist-
18 ance related to the research, design, and devel-
19 opment of protective and mitigation measures
20 for covered cyber assets and the components of
21 covered cyber assets.

22 (E) Activities to provide technical assist-
23 ance and input for testing and exercises related
24 to covered cyber assets.

1 (f) RELATIONSHIP TO EXISTING PROGRAMS.—This
2 section shall be carried out in a manner consistent with
3 the existing roles, responsibilities, authorities, and activi-
4 ties of the United States Government.

5 (g) NO COST TO COVERED CRITICAL INFRASTRUC-
6 TURE PARTICIPANTS.—A voluntary participant in the pro-
7 gram that is covered critical infrastructure shall not be
8 required to reimburse the United States Government for
9 the use of any facility, personnel, contractor, equipment,
10 service, or information of the United States Government
11 utilized in an activity carried out pursuant to the program.

12 (h) PRIORITIZATION OF ASSISTANCE.—The Director
13 of National Intelligence shall consider the national signifi-
14 cance of covered critical infrastructure identified by the
15 Under Secretary appointed pursuant to section
16 103(a)(1)(H) of the Homeland Security Act of 2002 (6
17 U.S.C. 113(a)(1)(H)) in the Director's process for
18 prioritizing requirements and effectively allocating the re-
19 sources of the intelligence community for assisting govern-
20 ment efforts to help protect critical infrastructure owned
21 or operated in the private sector.

22 (i) PARTICIPATION APPROVAL.—Participation in the
23 program by any private entity shall be subject to the ap-
24 proval of the Under Secretary appointed pursuant to sec-
25 tion 103(a)(1)(H) of the Homeland Security Act of 2002

1 (6 U.S.C. 113(a)(1)(H)), and in the case of any support
2 assistance provided by the intelligence community, the ap-
3 proval of the Director of National Intelligence.

4 (j) NO NEW REGULATORY AUTHORITY.—Nothing in
5 this section may be construed to authorize the Director
6 of National Intelligence, the Secretary of Homeland Secu-
7 rity, or any other Federal regulator to promulgate new
8 regulations.

9 (k) BRIEFING.—Not less frequently than once each
10 year, the Under Secretary for Intelligence and Analysis
11 shall brief the congressional intelligence committees, the
12 Committee on Homeland Security and Governmental Af-
13 fairs of the Senate, and Committee on Homeland Security
14 of the House of Representatives on progress and chal-
15 lenges of the program.

16 (k) CONSTRUCTION.—Nothing in this section may be
17 construed to limit any authority or responsibility of an
18 agency or department of the United States under any law
19 in effect on the date of the enactment of this Act.

20 **SEC. 313. TECHNICAL CORRECTION TO EXECUTIVE SCHED-**
21 **ULE.**

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

1 **SEC. 314. MAXIMUM AMOUNT CHARGED FOR DECLASS-**
2 **SIFICATION REVIEWS.**

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

8 (1) may not charge the person reproduction
9 fees in excess of the amount of fees that the head
10 would charge the person for reproduction required in
11 the course of processing a request for information
12 under section 552 of title 5, United States Code
13 (commonly referred to as the “Freedom of Informa-
14 tion Act”); and

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

18 **TITLE IV—MATTERS RELATING**
19 **TO ELEMENTS OF THE INTEL-**
20 **LIGENCE COMMUNITY**

21 **Subtitle A—Office of the Director**
22 **of National Intelligence**

23 **SEC. 401. DESIGNATION OF THE DIRECTOR OF THE NA-**
24 **TIONAL COUNTERINTELLIGENCE AND SECU-**
25 **RITY CENTER.**

26 (a) IN GENERAL.—

1 (1) IN GENERAL.—Section 902 of the Counter-
2 intelligence Enhancement Act of 2002 (50 U.S.C.
3 3382) is amended to read as follows:

4 **“SEC. 902. DIRECTOR OF THE NATIONAL COUNTERINTEL-
5 LIGENCE AND SECURITY CENTER.**

6 “(a) ESTABLISHMENT.—There shall be a Director of
7 the National Counterintelligence and Security Center (re-
8 ferred to in this section as the ‘Director’), who shall be
9 appointed by the President, by and with the advice and
10 consent of the Senate.

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

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

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

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

23 “(3) To act as head of the National Counter-
24 intelligence and Security Center established under
25 section 904.

1 “(4) To participate as an observer on such
2 boards, committees, and entities of the executive
3 branch as the Director of National Intelligence con-
4 siders appropriate for the discharge of the mission
5 and functions of the Director and the National
6 Counterintelligence and Security Center under sec-
7 tion 904.”.

8 (2) TABLE OF CONTENTS AMENDMENT.—The
9 table of contents in section 1(b) of the Intelligence
10 Authorization Act for Fiscal Year 2003 (Public Law
11 107–306; 116 Stat. 2383) is amended by striking
12 the item relating to section 902 and inserting the
13 following:

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

14 (3) TECHNICAL EFFECTIVE DATE.—The
15 amendment made by subsection (a) of section 401 of
16 the Intelligence Authorization Act for Fiscal Year
17 2016 (division M of Public Law 114–113) shall not
18 take effect, or, if the date of the enactment of this
19 Act is on or after the effective date specified in sub-
20 section (b) of such section, such amendment shall be
21 deemed to not have taken effect.

22 (b) NATIONAL COUNTERINTELLIGENCE AND SECU-
23 RITY CENTER.—

1 (1) IN GENERAL.—Section 904 of the Counter-
2 intelligence Enhancement Act of 2002 (50 U.S.C.
3 3383) is amended—

4 (A) by striking the section heading and in-
5 sserting “**NATIONAL COUNTERINTEL-**
6 **LIGENCE AND SECURITY CENTER.**”; and

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

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

11 “(b) HEAD OF CENTER.—The Director of the Na-
12 tional Counterintelligence and Security Center shall be the
13 head of the National Counterintelligence and Security
14 Center.

15 “(c) LOCATION OF CENTER.—The National Counter-
16 intelligence and Security Center shall be located in the Of-
17 fice of the Director of National Intelligence.”.

18 (2) FUNCTIONS.—Section 904(d) of the Coun-
19 terintelligence Enhancement Act of 2002 (50 U.S.C.
20 3383(d)) is amended—

21 (A) in the matter preceding paragraph (1),
22 by striking “National Counterintelligence Exec-
23 utive, the functions of the Office of the Na-
24 tional Counterintelligence Executive” and in-
25 sserting “Director of the National Counterintel-

1 ligence and Security Center, the functions of
2 the National Counterintelligence and Security
3 Center”;

4 (B) in paragraph (5), in the matter pre-
5 ceding subparagraph (A), by striking “In con-
6 sultation with” and inserting “At the direction
7 of”; and

8 (C) in paragraph (6), in the matter pre-
9 ceding subparagraph (A), by striking “Office”
10 and inserting “National Counterintelligence and
11 Security Center”.

12 (3) PERSONNEL.—Section 904(f) of the Coun-
13 terintelligence Enhancement Act of 2002 (50 U.S.C.
14 3383(f)) is amended—

15 (A) in paragraph (1), by striking “Office
16 of the National Counterintelligence Executive
17 may consist of personnel employed by the Of-
18 fice” and inserting “National Counterintel-
19 ligence and Security Center may consist of per-
20 sonnel employed by the Center”; and

21 (B) in paragraph (2), by striking “Na-
22 tional Counterintelligence Executive” and in-
23 serting “Director of the National Counterintel-
24 ligence and Security Center”.

1 (4) TREATMENT OF ACTIVITIES UNDER CER-
2 TAIN ADMINISTRATIVE LAWS.—Section 904(g) of the
3 Counterintelligence Enhancement Act of 2002 (50
4 U.S.C. 3383(g)) is amended by striking “Office shall
5 be treated as operational files of the Central Intel-
6 ligence Agency for purposes of section 701 of the
7 National Security Act of 1947 (50 U.S.C. 431)” and
8 inserting “National Counterintelligence and Security
9 Center shall be treated as operational files of the
10 Central Intelligence Agency for purposes of section
11 701 of the National Security Act of 1947 (50 U.S.C.
12 3141)”.

13 (5) OVERSIGHT BY CONGRESS.—Section 904(h)
14 of the Counterintelligence Enhancement Act of 2002
15 (50 U.S.C. 3383(h)) is amended—

16 (A) in the matter preceding paragraph (1),
17 by striking “Office of the National Counter-
18 intelligence Executive” and inserting “National
19 Counterintelligence and Security Center”; and

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

23 (6) TABLE OF CONTENTS AMENDMENT.—The
24 table of contents in section 1(b) of the Intelligence
25 Authorization Act for Fiscal Year 2003 (Public Law

1 107–306; 116 Stat. 2383), as amended by sub-
2 section (a)(2), is further amended by striking the
3 item relating to section 904 and inserting the fol-
4 lowing:

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

5 (c) OVERSIGHT OF NATIONAL INTELLIGENCE CEN-
6 TERS.—Section 102A(f)(2) of the National Security Act
7 of 1947 (50 U.S.C. 3024(f)(2)) is amended by inserting
8 “, the National Counterproliferation Center, and the Na-
9 tional Counterintelligence and Security Center” after
10 “National Counterterrorism Center”.

11 (d) DIRECTOR OF THE NATIONAL COUNTERINTEL-
12 LIGENCE AND SECURITY CENTER WITHIN THE OFFICE
13 OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—Para-
14 graph (8) of section 103(c) of the National Security Act
15 of 1947 (50 U.S.C. 3025(c)) is amended to read as fol-
16 lows:

17 “(8) The Director of the National Counterintel-
18 ligence and Security Center.”.

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

21 (1) IN GENERAL.—Section 103F of the Na-
22 tional Security Act of 1947 (50 U.S.C. 3031) is
23 amended—

1 (A) by striking the section heading and in-
2 sserting “DIRECTOR OF THE NATIONAL COUN-
3 TERINTELLIGENCE AND SECURITY CENTER”;

4 (B) in subsection (a)—

5 (i) by striking the subsection heading
6 and inserting “DIRECTOR OF THE NA-
7 TIONAL COUNTERINTELLIGENCE AND SE-
8 CURITY CENTER.—”; and

9 (ii) by striking “National Counter-
10 intelligence Executive under section 902 of
11 the Counterintelligence Enhancement Act
12 of 2002 (title IX of Public Law 107–306;
13 50 U.S.C. 402b et seq.)” and inserting
14 “Director of the National Counterintel-
15 ligence and Security Center appointed
16 under section 902 of the Counterintel-
17 ligence Enhancement Act of 2002 (50
18 U.S.C. 3382)”; and

19 (C) in subsection (b), by striking “Na-
20 tional Counterintelligence Executive” and in-
21 sserting “Director of the National Counterintel-
22 ligence and Security Center”.

23 (2) TABLE OF CONTENTS AMENDMENT.—The
24 table of contents in the first section of the National
25 Security Act of 1947 is amended by striking the

1 item relating to section 103F and inserting the fol-
2 lowing:

“Sec. 103F. Director of the National Counterintelligence and Security Cen-
ter.”.

3 (f) COORDINATION OF COUNTERINTELLIGENCE AC-
4 TIVITIES.—Section 811 of the Counterintelligence and Se-
5 curity Enhancements Act of 1994 (50 U.S.C. 3381) is
6 amended—

7 (1) in subsection (b), by striking “National
8 Counterintelligence Executive under section 902 of
9 the Counterintelligence Enhancement Act of 2002”
10 and inserting “Director of the National Counter-
11 intelligence and Security Center appointed under
12 section 902 of the Counterintelligence Enhancement
13 Act of 2002 (50 U.S.C. 3382)”;

14 (2) in subsection (c)(1), by striking “National
15 Counterintelligence Executive.” and inserting “Di-
16 rector of the National Counterintelligence and Secu-
17 rity Center.”; and

18 (3) in subsection (d)(1)(B)(ii)—

19 (A) by striking “National Counterintel-
20 ligence Executive” and inserting “Director of
21 the National Counterintelligence and Security
22 Center”; and

23 (B) by striking “by the Office of the Na-
24 tional Counterintelligence Executive under sec-

1 tion 904(e)(2) of that Act” and inserting “pur-
2 suant to section 904(d)(2) of that Act (50
3 U.S.C. 3383(d)(2))”.

4 (g) INTELLIGENCE AND NATIONAL SECURITY AS-
5 PECTS OF ESPIONAGE PROSECUTIONS.—Section 341(b) of
6 the Intelligence Authorization Act for Fiscal Year 2004
7 (Public Law 108–177, 28 U.S.C. 519 note) is amended
8 by striking “Office of the National Counterintelligence Ex-
9 ecutive,” and inserting “National Counterintelligence and
10 Security Center,”.

11 **SEC. 402. ANALYSES AND IMPACT STATEMENTS BY DIREC-**
12 **TOR OF NATIONAL INTELLIGENCE REGARD-**
13 **ING INVESTMENT INTO THE UNITED STATES.**

14 Section 102A of the National Security Act of 1947
15 (50 U.S.C. 3024), as amended by section 303, is further
16 amended by adding at the end the following new sub-
17 section:

18 “(z) ANALYSES AND IMPACT STATEMENTS REGARD-
19 ING PROPOSED INVESTMENT INTO THE UNITED
20 STATES.—(1) Not later than 20 days after the completion
21 of a review or an investigation of any proposed investment
22 into the United States for which the Director has prepared
23 analytic materials, the Director shall submit to the Select
24 Committee on Intelligence of the Senate and the Perma-
25 nent Select Committee on Intelligence of the House of

1 Representative copies of such analytic materials, including
2 any supplements or amendments to such analysis made
3 by the Director.

4 “(2) Not later than 60 days after the completion of
5 consideration by the United States Government of any in-
6 vestment described in paragraph (1), the Director shall
7 determine whether such investment will have an oper-
8 ational impact on the intelligence community, and, if so,
9 shall submit a report on such impact to the Select Com-
10 mittee on Intelligence of the Senate and the Permanent
11 Select Committee on Intelligence of the House of Rep-
12 resentatives. Each such report shall—

13 “(A) describe the operational impact of the in-
14 vestment on the intelligence community; and

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

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

20 (a) ASSISTANCE TO RECOGNIZE ONLINE VIOLENT
21 EXTREMIST CONTENT.—Not later than 180 days after the
22 date of the enactment of this Act, and consistent with the
23 protection of intelligence sources and methods, the Direc-
24 tor of National Intelligence shall publish on a publicly
25 available Internet website a list of all logos, symbols, insig-

1 nia, and other markings commonly associated with, or
2 adopted by, an organization designated by the Secretary
3 of State as a foreign terrorist organization under section
4 219(a) of the Immigration and Nationality Act (8 U.S.C.
5 1189(a)).

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

9 **Subtitle B—Central Intelligence** 10 **Agency**

11 **SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL** 12 **OF THE CENTRAL INTELLIGENCE AGENCY.**

13 Section 11 of the Central Intelligence Agency Act of
14 1949 (50 U.S.C. 3511) is amended to read as follows:

15 “BENEFITS AVAILABLE IN EVENT OF THE DEATH OF
16 PERSONNEL

17 “SEC. 11. (a) AUTHORITY.—The Director may pay
18 death benefits substantially similar to those authorized for
19 members of the Foreign Service pursuant to the Foreign
20 Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other
21 provision of law. The Director may adjust the eligibility
22 for death benefits as necessary to meet the unique require-
23 ments of the mission of the Agency.

24 “(b) REGULATIONS.—Regulations issued pursuant to
25 this section shall be submitted to the Select Committee
26 on Intelligence of the Senate and the Permanent Select

1 Committee on Intelligence of the House of Representatives
2 before such regulations take effect.”.

3 **SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE IN-**
4 **SPECTOR GENERAL OF THE CENTRAL INTEL-**
5 **LIGENCE AGENCY.**

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

10 “(C)(i) The Inspector General may designate an offi-
11 cer or employee appointed in accordance with subpara-
12 graph (A) as a law enforcement officer solely for purposes
13 of subchapter III of chapter 83 or chapter 84 of title 5,
14 United States Code, if such officer or employee is ap-
15 pointed to a position with responsibility for investigating
16 suspected offenses against the criminal laws of the United
17 States.

18 “(ii) In carrying out clause (i), the Inspector General
19 shall ensure that any authority under such clause is exer-
20 cised in a manner consistent with section 3307 of title 5,
21 United States Code, as it relates to law enforcement offi-
22 cers.

23 “(iii) For purposes of applying sections 3307(d),
24 8335(b), and 8425(b) of title 5, United States Code, the
25 Inspector General may exercise the functions, powers, and

1 duties of an agency head or appointing authority with re-
2 spect to the Office.”.

3 (b) **RULE OF CONSTRUCTION.**—Subparagraph (C) of
4 section 17(e)(7) of the Central Intelligence Agency Act of
5 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a),
6 may not be construed to confer on the Inspector General
7 of the Central Intelligence Agency, or any other officer
8 or employee of the Agency, any police or law enforcement
9 or internal security functions or authorities.

10 **Subtitle C—Other Elements**

11 **SEC. 421. ENHANCING THE TECHNICAL WORKFORCE FOR** 12 **THE FEDERAL BUREAU OF INVESTIGATION.**

13 (a) **REPORT REQUIRED.**—Building on the basic cyber
14 human capital strategic plan provided to the congressional
15 intelligence committees in 2015, not later than 180 days
16 after the date of the enactment of this Act and updated
17 two years thereafter, the Director of the Federal Bureau
18 of Investigation shall submit to the congressional intel-
19 ligence committees, the Committee on the Judiciary of the
20 Senate, and the Committee on the Judiciary of the House
21 of Representatives a comprehensive strategic workforce re-
22 port regarding initiatives to effectively integrate informa-
23 tion technology expertise in the investigative process.

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

1 (1) An assessment, including measurable bench-
2 marks, of progress on initiatives to recruit, train,
3 and retain personnel with the necessary skills and
4 experiences in vital areas, including encryption, cryp-
5 tography, and big data analytics.

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

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

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

21 **SEC. 422. PLAN ON ASSUMPTION OF CERTAIN WEATHER**
22 **MISSIONS BY THE NATIONAL RECONNAIS-**
23 **SANCE OFFICE.**

24 (a) PLAN.—

1 (1) IN GENERAL.—Except as provided in sub-
2 section (c), the Director of the National Reconnaissance
3 Office shall develop a plan for the National
4 Reconnaissance Office to address how to carry out
5 covered space-based environmental monitoring mis-
6 sions. Such plan shall include—

7 (A) a description of the related national se-
8 curity requirements for such missions;

9 (B) a description of the appropriate man-
10 ner to meet such requirements; and

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

16 (2) ACTIVITIES.—In developing the plan under
17 paragraph (1), the Director may conduct pre-acqui-
18 sition activities, including with respect to requests
19 for information, analyses of alternatives, study con-
20 tracts, modeling and simulation, and other activities
21 the Director determines necessary to develop such
22 plan.

23 (3) SUBMISSION.—Not later than July 1, 2017,
24 and except as provided in subsection (c), the Direc-

1 tor shall submit to the appropriate congressional
2 committees the plan under paragraph (1).

3 (b) INDEPENDENT COST ESTIMATE.—The Director
4 of the Cost Assessment Improvement Group of the Office
5 of the Director of National Intelligence, in coordination
6 with the Director of Cost Assessment and Program Eval-
7 uation, shall certify to the appropriate congressional com-
8 mittees that the amounts of funds identified under sub-
9 section (a)(1)(C) as being necessary to transfer are appro-
10 priate and include funding for positions and personnel to
11 support program office costs.

12 (c) WAIVER BASED ON REPORT AND CERTIFICATION
13 OF AIR FORCE ACQUISITION PROGRAM.—The Director of
14 the National Reconnaissance Office may waive the re-
15 quirement to develop a plan under subsection (a), if the
16 Under Secretary of Defense for Acquisition Technology,
17 and Logistics and the Chairman of the Joint Chiefs of
18 Staff jointly submit to the appropriate congressional com-
19 mittees a report by not later than July 1, 2017) that con-
20 tains—

21 (1) a certification that the Secretary of the Air
22 Force is carrying out a formal acquisition program
23 that has received Milestone A approval to address
24 the cloud characterization and theater weather im-

1 agery requirements of the Department of Defense;
2 and

3 (2) an identification of the cost, schedule, re-
4 quirements, and acquisition strategy of such acquisi-
5 tion program.

6 (d) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the congressional intelligence commit-
11 tees; and

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

15 (2) COVERED SPACE-BASED ENVIRONMENTAL
16 MONITORING MISSIONS.—The term “covered space-
17 based environmental monitoring missions” means
18 the acquisition programs necessary to meet the na-
19 tional security requirements for cloud characteriza-
20 tion and theater weather imagery.

21 (3) MILESTONE A APPROVAL.—The term “Mile-
22 stone A approval” has the meaning given that term
23 in section 2366a(d) of title 10, United States Code.

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

3 **SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY**
4 **THE RUSSIAN FEDERATION TO EXERT COV-**
5 **ERT INFLUENCE OVER PEOPLES AND GOV-**
6 **ERNMENTS.**

7 (a) DEFINITIONS.—In this section:

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

17 (A) Establishment or funding of a front
18 group.

19 (B) Covert broadcasting.

20 (C) Media manipulation.

21 (D) Disinformation and forgeries.

22 (E) Funding agents of influence.

23 (F) Incitement and offensive counterintel-
24 ligence.

25 (G) Assassinations.

1 (H) Terrorist acts.

2 (2) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term “appropriate committees of Con-
4 gress” means—

5 (A) the congressional intelligence commit-
6 tees;

7 (B) the Committee on Armed Services and
8 the Committee on Foreign Relations of the Sen-
9 ate; and

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

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

17 (c) MEMBERSHIP.—

18 (1) APPOINTMENT.—Each head of an agency or
19 department of the Government set out under para-
20 graph (2) shall appoint one member of the com-
21 mittee established by subsection (b) from among of-
22 ficials of such agency or department who occupy a
23 position that is required to be appointed by the
24 President, with the advice and consent of the Sen-
25 ate.

1 (2) HEAD OF AN AGENCY OR DEPARTMENT.—

2 The head of an agency or department of the Govern-
3 ment set out under this paragraph are the following:

4 (A) The Director of National Intelligence.

5 (B) The Secretary of State.

6 (C) The Secretary of Defense.

7 (D) The Secretary of the Treasury.

8 (E) The Attorney General.

9 (F) The Secretary of Energy.

10 (G) The Director of the Federal Bureau of
11 Investigation.

12 (H) The head of any other agency or de-
13 partment of the United States Government des-
14 ignated by the President for purposes of this
15 section.

16 (d) MEETINGS.—The committee shall meet on a reg-
17 ular basis.

18 (e) DUTIES.—The duties of the committee estab-
19 lished by subsection (b) shall be as follows:

20 (1) To counter active measures by Russia to
21 exert covert influence, including by exposing false-
22 hoods, agents of influence, corruption, human rights
23 abuses, terrorism, and assassinations carried out by
24 the security services or political elites of the Russian
25 Federation or their proxies.

1 (2) Such other duties as the President may des-
2 ignate for purposes of this section.

3 (f) STAFF.—The committee established by subsection
4 (b) may employ such staff as the members of such com-
5 mittee consider appropriate.

6 (g) BUDGET REQUEST.—A request for funds re-
7 quired for the functioning of the committee established by
8 subsection (b) may be included in each budget for a fiscal
9 year submitted by the President pursuant to section
10 1105(a) of title 31, United States Code.

11 (h) ANNUAL REPORT.—

12 (1) REQUIREMENT.—Not later than 180 days
13 after the date of the enactment of this Act, and an-
14 nually thereafter, and consistent with the protection
15 of intelligence sources and methods, the committee
16 established by subsection (b) shall submit to the ap-
17 propriate committees of Congress a report describing
18 steps being taken by the committee to counter active
19 measures by Russia to exert covert influence.

20 (2) CONTENT.—Each report required by para-
21 graph (1) shall include the following:

22 (A) A summary of the active measures by
23 the Russian Federation to exert covert influence
24 during the previous year, including significant
25 incidents and notable trends.

1 (B) A description of the key initiatives of
2 the committee.

3 (C) A description of the implementation of
4 the committee's initiatives by the head of an
5 agency or department of the Government set
6 out under subsection (c)(2).

7 (D) An analysis of the impact of the com-
8 mittee's initiatives.

9 (E) Recommendations for changes to the
10 committee's initiatives from the previous year.

11 (3) SEPARATE REPORTING REQUIREMENT.—

12 The requirement to submit an annual report under
13 paragraph (1) is in addition to any other reporting
14 requirements with respect to Russia.

15 **SEC. 502. TRAVEL OF ACCREDITED DIPLOMATIC AND CON-**
16 **SULAR PERSONNEL OF THE RUSSIAN FED-**
17 **ERATION IN THE UNITED STATES.**

18 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
19 FINED.—In this section, the term “appropriate commit-
20 tees of Congress” means—

21 (1) the congressional intelligence committees;

22 (2) the Committee on Foreign Relations and
23 the Committee on the Judiciary of the Senate; and

1 (3) the Committee on Foreign Affairs and the
2 Committee on the Judiciary of the House of Rep-
3 resentatives.

4 (b) ADVANCE NOTIFICATION REQUIREMENT.—The
5 Secretary of State shall, in coordination with the Director
6 of the Federal Bureau of Investigation and the Director
7 of National Intelligence, establish a mandatory advance
8 notification regime governing all travel by accredited dip-
9 lomatic and consular personnel of the Russian Federation
10 in the United States and take necessary action to secure
11 full compliance by Russian personnel and address any
12 noncompliance.

13 (c) INTERAGENCY COOPERATION.—The Secretary of
14 State, the Director of the Federal Bureau of Investigation,
15 and the Director of National Intelligence shall develop
16 written mechanisms to share information—

17 (1) on travel by accredited diplomatic and con-
18 sular personnel of the Russian Federation who are
19 in the United States; and

20 (2) on any known or suspected noncompliance
21 by such personnel with the regime required by sub-
22 section (b).

23 (d) QUARTERLY REPORTS.—Not later than 90 days
24 after the date of the enactment of this Act, and quarterly

1 thereafter, and consistent with the protection of intel-
2 ligence sources and methods—

3 (1) the Secretary of State shall submit to the
4 appropriate committees of Congress a written report
5 detailing the number of notifications submitted
6 under the regime required by subsection (b); and

7 (2) the Secretary of State and the Director of
8 the Federal Bureau of Investigation shall jointly
9 submit to the appropriate committees of Congress a
10 written report detailing the number of known or sus-
11 pected violations of such requirements by any ac-
12 credited diplomatic and consular personnel of the
13 Russian Federation.

14 **SEC. 503. STUDY AND REPORT ON ENHANCED INTEL-**
15 **LIGENCE AND INFORMATION SHARING WITH**
16 **OPEN SKIES TREATY MEMBER STATES.**

17 (a) DEFINITIONS.—In this section:

18 (1) APPROPRIATE COMMITTEES OF CON-
19 GRESS.—The term “appropriate committees of Con-
20 gress” means—

21 (A) congressional intelligence committees;

22 (B) the Committee on Armed Services and
23 the Committee on Foreign Relations of the Sen-
24 ate; and

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

4 (2) COVERED STATE PARTY.—The term “cov-
5 ered state party” means a foreign country, that—

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

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

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

14 (b) FEASIBILITY STUDY.—

15 (1) REQUIREMENT FOR STUDY.—Not later than
16 180 days after the date of the enactment of this Act,
17 the Director of National Intelligence shall conduct
18 and submit to the appropriate committees of Con-
19 gress a study to determine the feasibility of creating
20 an intelligence sharing arrangement and database to
21 provide covered state parties with imagery that is
22 comparable, delivered more frequently, and in equal
23 or higher resolution than imagery available through
24 the database established under the Open Skies Trea-
25 ty.

1 (2) ELEMENTS.—The study required by para-
2 graph (1) shall include an evaluation of the fol-
3 lowing:

4 (A) The methods by which the United
5 States could collect and provide imagery, in-
6 cluding commercial satellite imagery, national
7 technical means, and through other intelligence,
8 surveillance, and reconnaissance platforms,
9 under an information sharing arrangement and
10 database referred to in paragraph (1).

11 (B) The ability of other covered state par-
12 ties to contribute imagery to the arrangement
13 and database.

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

19 (D) Whether imagery of Moscow,
20 Chechnya, the international border between
21 Russia and Georgia, Kaliningrad, or the Repub-
22 lic of Belarus could be provided under such an
23 arrangement.

24 (E) The annual and projected costs associ-
25 ated with the establishment of such an arrange-

1 ment and database, as compared with costs to
2 the United States and other covered state par-
3 ties of being parties to the Open Skies Treaty,
4 including Open Skies Treaty plane mainte-
5 nance, aircraft fuel, crew expenses, mitigation
6 measures necessary associated with Russian
7 Federation overflights over the United States or
8 covered state parties, and new sensor develop-
9 ment and acquisition.

10 (3) SUPPORT FROM OTHER FEDERAL AGEN-
11 CIES.—Each head of a Federal agency shall provide
12 such support to the Director as may be necessary
13 for the Director to conduct the study required by
14 paragraph (1).

15 (c) REPORT.—

16 (1) REQUIREMENT FOR REPORT.—Not later
17 than 180 days after the date of the enactment of
18 this Act, the Director of National Intelligence shall
19 submit to the appropriate committees of Congress
20 the report described in this subsection.

21 (2) CONTENT OF REPORT.—The report re-
22 quired by paragraph (1) shall include the following:

23 (A) An intelligence assessment on Russian
24 Federation warfighting doctrine and the extent

1 to which Russian Federation flights under the
2 Open Skies Treaty contribute to such doctrine.

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

8 (C) A list of intelligence exchanges with
9 covered state parties that have been updated on
10 the information described in subparagraphs (A)
11 and (B) and the date and form such informa-
12 tion was provided.

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

17 **TITLE VI—REPORTS AND OTHER**
18 **MATTERS**

19 **SEC. 601. DECLASSIFICATION REVIEW WITH RESPECT TO**
20 **DETAINEES TRANSFERRED FROM UNITED**
21 **STATES NAVAL STATION, GUANTANAMO BAY,**
22 **CUBA.**

23 (a) IN GENERAL.—For each individual detained at
24 United States Naval Station, Guantanamo Bay, Cuba,
25 who was transferred or released from United States Naval

1 Station, Guantanamo Bay, Cuba, the Director of National
2 Intelligence shall—

3 (1)(A) complete a declassification review of in-
4 telligence reports regarding past terrorist activities
5 of that individual prepared by the National Counter-
6 terrorism Center for the individual's Periodic Review
7 Board sessions, transfer, or release; or

8 (B) if the individual's transfer or release oc-
9 curred prior to the date on which the National
10 Counterterrorism Center first began to prepare such
11 reports regarding detainees, such other intelligence
12 report or reports that contain the same or similar
13 information regarding the individual's past terrorist
14 activities;

15 (2) make available to the public—

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

18 (B) with respect to each individual trans-
19 ferred or released, for whom intelligence reports
20 are declassified as a result of the declassifica-
21 tion review, an unclassified summary which
22 shall be prepared by the President of measures
23 being taken by the country to which the indi-
24 vidual was transferred or released to monitor

1 the individual and to prevent the individual
2 from carrying out future terrorist activities; and
3 (3) submit to the congressional intelligence
4 committees a report setting out the results of the de-
5 classification review, including a description of intel-
6 ligence reports covered by the review that were not
7 declassified.

8 (b) SCHEDULE.—

9 (1) TRANSFER OR RELEASE PRIOR TO ENACT-
10 MENT.—Not later than 210 days after the date of
11 the enactment of this Act, the Director of National
12 Intelligence shall submit the report required by sub-
13 section (a)(3), which shall include the results of the
14 declassification review completed for each individual
15 detained at United States Naval Station, Guanta-
16 namo Bay, Cuba, who was transferred or released
17 from United States Naval Station, Guantanamo
18 Bay, prior to the date of the enactment of this Act.

19 (2) TRANSFER OR RELEASE AFTER ENACT-
20 MENT.—Not later than 120 days after the date an
21 individual detained at United States Naval Station,
22 Guantanamo Bay, on or after the date of the enact-
23 ment of this Act is transferred or released from
24 United States Naval Station, Guantanamo Bay, the

1 Director shall submit the report required by sub-
2 section (a)(3) for such individual.

3 (c) PAST TERRORIST ACTIVITIES.—For purposes of
4 this section, the past terrorist activities of an individual
5 shall include all terrorist activities conducted by the indi-
6 vidual before the individual's transfer to the detention fa-
7 cility at United States Naval Station, Guantanamo Bay,
8 including, at a minimum, the following:

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

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

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

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

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

19 (6) A description of the intelligence supporting
20 any matter specified in paragraphs (1) through (5),
21 including the extent to which such intelligence was
22 corroborated, the level of confidence held by the in-
23 telligence community, and any dissent or reassess-
24 ment by an element of the intelligence community.

1 **SEC. 602. CYBER CENTER FOR EDUCATION AND INNOVA-**
2 **TION-HOME OF THE NATIONAL CRYPTOLOGIC**
3 **MUSEUM.**

4 (a) AUTHORITY TO ESTABLISH AND OPERATE CEN-
5 TER.—Chapter 449 of title 10, United States Code, is
6 amended by adding at the end the following new section:

7 **“§ 4781. Cyber Center for Education and Innovation-**
8 **Home of the National Cryptologic Mu-**
9 **seum**

10 “(a) ESTABLISHMENT.—(1) The Secretary of De-
11 fense may establish at a publicly accessible location at
12 Fort George G. Meade the ‘Cyber Center for Education
13 and Innovation-Home of the National Cryptologic Mu-
14 seum’ (in this section referred to as the ‘Center’).

15 “(2) The Center may be used for the identification,
16 curation, storage, and public viewing of materials relating
17 to the activities of the National Security Agency, its prede-
18 cessor or successor organizations, and the history of
19 cryptology.

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

24 “(b) DESIGN, CONSTRUCTION, AND OPERATION.—
25 The Secretary may enter into an agreement with the Na-
26 tional Cryptologic Museum Foundation (in this section re-

1 ferred to as the ‘Foundation’), a nonprofit organization,
2 for the design, construction, and operation of the Center.

3 “(c) ACCEPTANCE AUTHORITY.—(1) If the Founda-
4 tion constructs the Center pursuant to an agreement with
5 the Foundation under subsection (b), upon satisfactory
6 completion of the Center’s construction or any phase
7 thereof, as determined by the Secretary, and upon full sat-
8 isfaction by the Foundation of any other obligations pur-
9 suant to such agreement, the Secretary may accept the
10 Center (or any phase thereof) from the Foundation, and
11 all right, title, and interest in the Center or such phase
12 shall vest in the United States.

13 “(2) Notwithstanding section 1342 of title 31, the
14 Secretary may accept services from the Foundation in con-
15 nection with the design construction, and operation of the
16 Center. For purposes of this section and any other provi-
17 sion of law, employees or personnel of the Foundation
18 shall not be considered to be employees of the United
19 States.

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

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

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

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

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

10 “(B) Any other amounts received by the Sec-
11 retary which are attributable to the operation of the
12 Center.

13 “(3) Amounts in the Fund shall be available to the
14 Secretary for the benefit and operation of the Center, in-
15 cluding the costs of operation and the acquisition of books,
16 manuscripts, works of art, historical artifacts, drawings,
17 plans, models, and condemned or obsolete combat mate-
18 riel.

19 “(4) Amounts in the Fund shall be available without
20 fiscal year limitation.”.

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

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

1 **SEC. 603. REPORT ON NATIONAL SECURITY SYSTEMS.**

2 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
3 FINED.—In this section, the term “appropriate commit-
4 tees of Congress” means—

5 (1) the congressional intelligence committees;

6 (2) the Committee on Appropriations and the
7 Committee on Armed Services of the Senate; and

8 (3) the Committee on Appropriations and the
9 Committee on Armed Services of the House of Rep-
10 resentatives.

11 (b) REPORT.—Not later than 120 days after the date
12 of the enactment of this Act, and annually thereafter, the
13 Director of the National Security Agency, in coordination
14 with the Secretary of Defense and the Chairman of the
15 Joint Chiefs of Staff, shall submit to the appropriate com-
16 mittees of Congress a report on national security systems.

17 (c) CONTENT.—Each report submitted under sub-
18 section (b) shall include information related to—

19 (1) national security systems or components
20 thereof that have been decertified and are still in
21 operational use;

22 (2) extension requests and the current status of
23 any national security systems still in use or compo-
24 nents thereof that have been decertified and are still
25 in use;

1 (3) national security systems known to not be
2 in compliance with the policies, principles, stand-
3 ards, and guidelines issued by the Committee on Na-
4 tional Security Systems established pursuant to Na-
5 tional Security Directive 42, signed by the President
6 on July 5, 1990; and

7 (4) organizations which have not provided ac-
8 cess or information to the Director of the National
9 Security Agency that is adequate to enable the Di-
10 rector to make a determination as to whether such
11 organizations are in compliance with the policies,
12 principles, standards, and guidelines issued by such
13 Committee on National Security Systems.

14 **SEC. 604. JOINT FACILITIES CERTIFICATION.**

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

16 (1) The Director of National Intelligence set a
17 strategic goal to use joint facilities as a means to
18 save costs by consolidating administrative and sup-
19 port functions across multiple elements of the intel-
20 ligence community.

21 (2) The use of joint facilities provides more op-
22 portunities for operational collaboration and infor-
23 mation sharing among elements of the intelligence
24 community.

1 (b) CERTIFICATION.—Before an element of the intel-
2 ligence community purchases, leases, or constructs a new
3 facility that is 20,000 square feet or larger, the head of
4 that element of the intelligence community shall submit
5 to the Director of National Intelligence—

6 (1) a written certification that, to the best of
7 the knowledge of the head of such element, all pro-
8 spective joint facilities in the vicinity have been con-
9 sidered and the element is unable to identify a joint
10 facility that meets the operational requirements of
11 such element; and

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

15 **SEC. 605. LEADERSHIP AND MANAGEMENT OF SPACE AC-**
16 **TIVITIES.**

17 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
18 FINED.—In this section, the term “appropriate commit-
19 tees of Congress” means the congressional intelligence
20 committees, the Committee on Armed Services of the Sen-
21 ate, and the Committee on Armed Services of the House
22 of Representatives.

23 (b) UPDATE TO STRATEGY FOR COMPREHENSIVE
24 INTERAGENCY REVIEW OF THE UNITED STATES NA-
25 TIONAL SECURITY OVERHEAD SATELLITE ARCHITEC-

1 TURE.—Not later than 180 days after the date of the en-
2 actment of this Act, the Director of National Intelligence,
3 in consultation with the Secretary of Defense and the
4 Chairman of the Joint Chiefs of Staff, shall issue a written
5 update to the strategy required by section 312 of the Intel-
6 ligence Authorization Act for Fiscal Year 2016 (division
7 M of Public Law 114–113; 129 Stat. 2919).

8 (c) UNITY OF EFFORT IN SPACE OPERATIONS BE-
9 TWEEN THE INTELLIGENCE COMMUNITY AND DEPART-
10 MENT OF DEFENSE.—

11 (1) REQUIREMENT FOR PLAN.—Not later than
12 180 days after the date of the enactment of this Act,
13 the Director of National Intelligence, in consultation
14 with the Secretary of Defense, shall submit to the
15 appropriate committees of Congress a plan to func-
16 tionally integrate the governance, operations, anal-
17 ysis, collection, policy, and acquisition activities re-
18 lated to space and counterspace carried out by the
19 intelligence community. The plan shall include anal-
20 ysis of no fewer than 2 alternative constructs to im-
21 plement this plan, and an assessment of statutory,
22 policy, organizational, programmatic, and resources
23 changes that may be required to implement each al-
24 ternative construct.

1 (2) APPOINTMENT BY THE DIRECTOR OF NA-
2 TIONAL INTELLIGENCE.—Not later than 30 days
3 after the date of the enactment of this Act, the Di-
4 rector of National Intelligence, in consultation with
5 the Secretary of Defense, shall appoint a single offi-
6 cial to oversee development of the plan required by
7 paragraph (1).

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

11 (A) the National Reconnaissance Office;

12 (B) the functional managers for signals in-
13 telligence and geospatial intelligence;

14 (C) the Office of the Director of National
15 Intelligence;

16 (D) other Intelligence Community elements
17 with space-related programs;

18 (E) joint interagency efforts; and

19 (F) other entities as identified by the Di-
20 rector of National Intelligence in coordination
21 with the Secretary of Defense.

22 (d) INTELLIGENCE COMMUNITY SPACE WORK-
23 FORCE.—Not later than 180 days after the date of the
24 enactment of this Act, the Director of National Intel-
25 ligence shall submit to the congressional intelligence com-

1 mitted a workforce plan to recruit, develop, and retain
2 personnel in the intelligence community with skills and ex-
3 perience in space and counterspace operations, analysis,
4 collection, policy, and acquisition.

5 (e) JOINT INTERAGENCY COMBINED SPACE OPER-
6 ATIONS CENTER.—

7 (1) SUBMISSION TO CONGRESS.—The Director
8 of the National Reconnaissance Office and the Com-
9 mander of the United States Strategic Command, in
10 consultation with the Director of National Intel-
11 ligence, the Under Secretary of Defense for Intel-
12 ligence, and the Chairman of the Joint Chiefs of
13 Staff, shall submit to the appropriate committees of
14 Congress concept of operations and requirements
15 documents for the Joint Interagency Combined
16 Space Operations Center by the date that is the ear-
17 lier of—

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

20 (B) 30 days after the date of the enact-
21 ment of this Act.

22 (2) QUARTERLY BRIEFINGS.—The Director of
23 the National Reconnaissance Office and the Com-
24 mander of the United States Strategic Command, in
25 coordination with the Director of National Intel-

1 ligence and Under Secretary of Defense for Intel-
2 ligence, shall provide to the appropriate committees
3 of Congress briefings providing updates on activities
4 and progress of the Joint Interagency Combined
5 Space Operations Center to begin 30 days after the
6 date of the enactment of this Act. Such briefings
7 shall be quarterly for the first year following enact-
8 ment, and annually thereafter.

9 **SEC. 606. ADVANCES IN LIFE SCIENCES AND BIO-**
10 **TECHNOLOGY.**

11 (a) **REQUIREMENT FOR PLAN.**—Not later than 180
12 days after the date of the enactment of this Act, the Direc-
13 tor of National Intelligence shall brief the congressional
14 intelligence committees on a proposed plan to monitor ad-
15 vances in life sciences and biotechnology to be carried out
16 by the Director.

17 (b) **CONTENTS OF PLAN.**—The plan required by sub-
18 section (a) shall include—

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

24 (2) an assessment of the current collection and
25 analytical posture of the life sciences and bio-

1 technology portfolio as it relates to United States
2 competitiveness and the global bio-economy, the
3 risks and threats evolving with advances in genetic
4 editing technologies, and the implications of such ad-
5 vances on future biodefense requirements; and

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

9 (c) REPORT TO CONGRESS.—Not later than 180 days
10 after the date of the enactment of this Act, the Director
11 of National Intelligence shall submit to the congressional
12 intelligence committees, the Committee on Armed Services
13 of the Senate, and the Committee on Armed Services of
14 the House of Representatives a report and provide a brief-
15 ing on the role of the intelligence community in the event
16 of a biological attack on the United States, including an
17 assessment of the capabilities and gaps in technical capa-
18 bilities that exist to address the potential circumstance of
19 a novel unknown pathogen.

20 **SEC. 607. REPORTS ON DECLASSIFICATION PROPOSALS.**

21 (a) COVERED STUDIES DEFINED.—In this section,
22 the term “covered studies” means the studies that the Di-
23 rector of National Intelligence requested that the elements
24 of the intelligence community produce in the course of pro-
25 ducing the fundamental classification guidance review for

1 fiscal year 2017 required by Executive Order No. 13526
2 (50 U.S.C. 3161 note), as follows:

3 (1) A study of the feasibility of reducing the
4 number of original classification authorities in each
5 element of the intelligence community to the min-
6 imum number required and any negative impacts
7 that reduction could have on mission capabilities.

8 (2) A study of the actions required to imple-
9 ment a proactive discretionary declassification pro-
10 gram distinct from the systematic, automatic, and
11 mandatory declassification review programs outlined
12 in part 2001 of title 32, Code of Federal Regula-
13 tions, including section 2001.35 of such part.

14 (3) A study of the benefits and drawbacks of
15 implementing a single classification guide that could
16 be used by all elements of the intelligence commu-
17 nity in the nonoperational and more common areas
18 of such elements.

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

24 (b) REPORTS AND BRIEFINGS TO CONGRESS.—

1 (1) **PROGRESS REPORT.**—Not later than 30
2 days after the date of the enactment of this Act, the
3 Director of National Intelligence shall submit a re-
4 port to the congressional intelligence committees and
5 provide the congressional intelligence committees a
6 briefing on the progress of the elements of the intel-
7 ligence community in producing the covered studies.

8 (2) **FINAL REPORT.**—Not later than the earlier
9 of 120 days after the date of the enactment of this
10 Act or June 30, 2017, the Director of National In-
11 telligence shall submit a report and provide a brief-
12 ing to the congressional intelligence committees on—

13 (A) the final versions of the covered stud-
14 ies that have been provided to the Director by
15 the elements of the intelligence community; and

16 (B) a plan for implementation of each ini-
17 tiative included in each such covered study.

18 **SEC. 608. IMPROVEMENT IN GOVERNMENT CLASSIFICA-**
19 **TION AND DECLASSIFICATION.**

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

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

1 (2) develop recommendations—

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

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

7 (C) to support the appropriate declassifica-
8 tion of information; and

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

11 (A) the findings of the Director with re-
12 spect to the review conducted under paragraph
13 (1); and

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

16 (b) ANNUAL CERTIFICATION OF CONTROLLED AC-
17 CESS PROGRAMS.—

18 (1) IN GENERAL.—Not less frequently than
19 once each year, the Director of National Intelligence
20 shall certify in writing to the congressional intel-
21 ligence committees whether the creation, validation,
22 or substantial modification, including termination,
23 for all existing and proposed controlled access pro-
24 grams, and the compartments and subcompartments

1 within each, are substantiated and justified based on
2 the information required by paragraph (2).

3 (2) INFORMATION REQUIRED.—Each certifi-
4 cation pursuant to paragraph (1) shall include—

5 (A) the rationale for the revalidation, vali-
6 dation, or substantial modification, including
7 termination, of each controlled access program,
8 compartment and subcompartment;

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

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

13 **SEC. 609. REPORT ON IMPLEMENTATION OF RESEARCH**
14 **AND DEVELOPMENT RECOMMENDATIONS.**

15 Not later than 120 days after the date of the enact-
16 ment of this Act, the Director of National Intelligence
17 shall submit to the congressional intelligence committees
18 a report that includes the following:

19 (1) An assessment of the actions each element
20 of the intelligence community has completed to im-
21 plement the recommendations made by the National
22 Commission for the Review of the Research and De-
23 velopment Programs of the United States Intel-
24 ligence Community established under section 1002

1 of the Intelligence Authorization Act for Fiscal Year
2 2003 (Public Law 107–306; 50 U.S.C. 3001 note).

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

6 **SEC. 610. REPORT ON INTELLIGENCE COMMUNITY RE-**
7 **SEARCH AND DEVELOPMENT CORPS.**

8 Not later than 120 days after the date of the enact-
9 ment of this Act, the Director of National Intelligence
10 shall submit to the congressional intelligence committees
11 a report and provide a briefing on a plan, with milestones
12 and benchmarks, to implement an Intelligence Community
13 Research and Development Corps, as recommended in the
14 Report of the National Commission for the Review of the
15 Research and Development Programs of the United States
16 Intelligence Community, including an assessment—

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

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

1 **SEC. 611. REPORT ON INFORMATION RELATING TO ACA-**
2 **DEMIC PROGRAMS, SCHOLARSHIPS, FELLOW-**
3 **SHIPS, AND INTERNSHIPS SPONSORED, AD-**
4 **MINISTERED, OR USED BY THE INTEL-**
5 **LIGENCE COMMUNITY.**

6 (a) REPORT.—Not later than 120 days after the date
7 of the enactment of this Act, the Director of National In-
8 telligence shall submit to the congressional intelligence
9 committees a report by the intelligence community regard-
10 ing covered academic programs. Such report shall in-
11 clude—

12 (1) a description of the extent to which the Di-
13 rector and the heads of the elements of the intel-
14 ligence community independently collect information
15 on covered academic programs, including with re-
16 spect to—

17 (A) the number of applicants for such pro-
18 grams;

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

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

25 (2) to the extent that the Director and the
26 heads independently collect the information de-

1 scribed in paragraph (1), a chart, table, or other
2 compilation illustrating such information for each
3 covered academic program and element of the intel-
4 ligence community, as appropriate, during the three-
5 year period preceding the date of the report; and

6 (3) to the extent that the Director and the
7 heads do not independently collect the information
8 described in paragraph (1) as of the date of the re-
9 port—

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

13 (B) the personnel, tools, and other re-
14 sources required by the Director and the heads
15 to independently collect such information.

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

19 (1) the Federal Cyber Scholarship-for-Service
20 Program under section 302 of the Cybersecurity En-
21 hancement Act of 2014 (15 U.S.C. 7442);

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

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

4 (4) the National Centers of Academic Excel-
5 lence in Information Assurance and Cyber Defense
6 of the National Security Agency and the Depart-
7 ment of Homeland Security; and

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

12 **SEC. 612. REPORT ON INTELLIGENCE COMMUNITY EM-**
13 **PLOYEES DETAILED TO NATIONAL SECURITY**
14 **COUNCIL.**

15 Not later than 60 days after the date of the enact-
16 ment of this Act, the Director of National Intelligence
17 shall submit to the congressional intelligence committees
18 a report, in writing, listing, by year, the number of em-
19 ployees of an element of the intelligence community who
20 have been detailed to the National Security Council during
21 the 10-year period preceding the date of the report. Such
22 report may be submitted in classified form.

1 **SEC. 613. INTELLIGENCE COMMUNITY REPORTING TO CON-**
2 **GRESS ON FOREIGN FIGHTER FLOWS.**

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

10 (b) **CONTENTS.**—Each report submitted under sub-
11 section (a) shall include, with respect to each terrorist safe
12 haven, the following:

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

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

19 (3) The total number of foreign fighters who
20 have left the terrorist safe haven or whose where-
21 abouts are unknown.

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

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

4 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congress-
6 sional committees” means—

7 (1) in the Senate—

8 (A) the Committee on Armed Services;

9 (B) the Select Committee on Intelligence;

10 (C) the Committee on the Judiciary;

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

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

15 (F) the Committee on Foreign Relations;

16 and

17 (G) the Committee on Appropriations; and

18 (2) in the House of Representatives—

19 (A) the Committee on Armed Services;

20 (B) the Permanent Select Committee on
21 Intelligence;

22 (C) the Committee on the Judiciary;

23 (D) the Committee on Homeland Security;

24 (E) the Committee on Financial Services;

25 (F) the Committee on Foreign Affairs; and

1 (G) the Committee on Appropriations.

2 **SEC. 614. REPORT ON CYBERSECURITY THREATS TO SEA-**
3 **PORTS OF THE UNITED STATES AND MARI-**
4 **TIME SHIPPING.**

5 (a) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Under Secretary of
7 Homeland Security for Intelligence and Analysis, in con-
8 sultation with the Director of National Intelligence, and
9 consistent with the protection of sources and methods,
10 shall submit to the appropriate congressional committees
11 a report on the cybersecurity threats to, and the cyber
12 vulnerabilities within, the software, communications net-
13 works, computer networks, or other systems employed
14 by—

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

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

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

21 (b) MATTERS INCLUDED.—The report under sub-
22 section (a) shall include the following:

23 (1) A description of any recent and significant
24 cyberattacks or cybersecurity threats directed
25 against software, communications networks, com-

1 puter networks, or other systems employed by the
2 entities and concerns described in paragraphs (1)
3 through (3) of subsection (a).

4 (2) An assessment of—

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

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

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

11 (3) An update on the status of the efforts of
12 the Coast Guard to include cybersecurity concerns in
13 the National Response Framework, Emergency Sup-
14 port Functions, or both, relating to the shipping or
15 ports of the United States.

16 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means—

19 (1) the congressional intelligence committees;

20 (2) the Committee on Homeland Security and
21 Governmental Affairs and the Committee on Com-
22 merce, Science, and Transportation of the Senate;
23 and

1 (3) the Committee on Homeland Security and
2 the Committee on Transportation and Infrastructure
3 of the House of Representatives.

4 **SEC. 615. REPORT ON PROGRAMS TO COUNTER TERRORIST**
5 **NARRATIVES.**

6 (a) REPORT.—Not later than 60 days after the date
7 of the enactment of this Act, the Secretary of Homeland
8 Security shall submit to the appropriate congressional
9 committees a report on the programs of the Department
10 of Homeland Security to counter the narratives of the Is-
11 lamic State and other extremist groups.

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

14 (1) A description of whether, and to what ex-
15 tent, the Secretary, in carrying out programs to
16 counter the narratives of the Islamic State and other
17 extremist groups, consults or coordinates with the
18 Secretary of State regarding the counter-messaging
19 activities undertaken by the Department of State
20 with respect to the Islamic State and other extremist
21 groups, including counter-messaging activities con-
22 ducted by the Global Engagement Center of the De-
23 partment of State.

24 (2) Any criteria employed by the Secretary of
25 Homeland Security for selecting, developing, promul-

1 gating, or changing the programs of the Department
2 of Homeland Security to counter the narratives of
3 the Islamic State and other extremist groups.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congres-
6 sional committees” means—

7 (1) the congressional intelligence committees;

8 (2) the Committee on Homeland Security and
9 Governmental Affairs and the Committee on the Ju-
10 diciary of the Senate; and

11 (3) the Committee on Homeland Security and
12 the Committee on the Judiciary of the House of
13 Representatives.

14 **SEC. 616. REPORT ON REPRISALS AGAINST CONTRACTORS**
15 **OF THE INTELLIGENCE COMMUNITY.**

16 (a) REPORT.—Not later than 180 days after the date
17 of the enactment of this Act, the Inspector General of the
18 Intelligence Community, consistent with the protection of
19 sources and methods, shall submit to the congressional in-
20 telligence committees a report on reprisals made against
21 covered contractor employees.

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

24 (1) Identification of the number of known or
25 claimed reprisals made against covered contractor

1 employees during the 3-year period preceding the
2 date of the report and any evaluation of such reprisals.
3

4 (2) An evaluation of the usefulness of establishing a prohibition on reprisals against covered
5 contractor employees as a means of encouraging
6 such contractors to make protected disclosures.
7

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

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

20 (5) Any recommendations the Inspector General
21 determines appropriate.

22 (c) DEFINITIONS.—In this section:

23 (1) COVERED CONTRACTOR EMPLOYEE.—The
24 term “covered contractor employee” means an em-

1 ployee of a contractor of an element of the intel-
2 ligence community.

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