

***In the Senate of the United States,***

*December 9, 2014.*

*Resolved*, That the bill from the House of Representatives (H.R. 4681) entitled “An Act to authorize appropriations for fiscal years 2014 and 2015 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

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

2       (a) *SHORT TITLE.*—*This Act may be cited as the “In-*  
3 *telligence Authorization Act for Fiscal Year 2015”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

*Sec. 3. Budgetary effects.*

**TITLE I—INTELLIGENCE ACTIVITIES**

*Sec. 101. Authorization of appropriations.*

- Sec. 102. Classified Schedule of Authorizations.*  
*Sec. 103. Personnel ceiling adjustments.*  
*Sec. 104. Intelligence Community Management Account.*

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

- Sec. 201. Authorization of appropriations.*

*TITLE III—GENERAL PROVISIONS*

*Subtitle A—General Matters*

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

*Subtitle B—Reporting*

- Sec. 321. Report on declassification process.*  
*Sec. 322. Report on intelligence community efficient spending targets.*  
*Sec. 323. Annual report on violations of law or executive order.*  
*Sec. 324. Annual report on intelligence activities of the Department of Homeland Security.*  
*Sec. 325. Report on political prison camps in North Korea.*  
*Sec. 326. Assessment of security of domestic oil refineries and related rail transportation infrastructure.*  
*Sec. 327. Enhanced contractor level assessments for the intelligence community.*  
*Sec. 328. Assessment of the efficacy of memoranda of understanding to facilitate intelligence-sharing.*  
*Sec. 329. Report on foreign man-made electromagnetic pulse weapons.*  
*Sec. 330. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.*  
*Sec. 331. Feasibility study on retraining veterans in cybersecurity.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

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

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

8 (B) *the Permanent Select Committee on In-*  
9 *telligence of the House of Representatives.*

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

14 **SEC. 3. BUDGETARY EFFECTS.**

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

1                   **TITLE I—INTELLIGENCE**  
2                   **ACTIVITIES**

3 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4           *Funds are hereby authorized to be appropriated for fis-*  
5 *cal year 2015 for the conduct of the intelligence and intel-*  
6 *ligence-related activities of the following elements of the*  
7 *United States Government:*

8                   (1) *The Office of the Director of National Intel-*  
9                   *ligence.*

10                   (2) *The Central Intelligence Agency.*

11                   (3) *The Department of Defense.*

12                   (4) *The Defense Intelligence Agency.*

13                   (5) *The National Security Agency.*

14                   (6) *The Department of the Army, the Depart-*  
15 *ment of the Navy, and the Department of the Air*  
16 *Force.*

17                   (7) *The Coast Guard.*

18                   (8) *The Department of State.*

19                   (9) *The Department of the Treasury.*

20                   (10) *The Department of Energy.*

21                   (11) *The Department of Justice.*

22                   (12) *The Federal Bureau of Investigation.*

23                   (13) *The Drug Enforcement Administration.*

24                   (14) *The National Reconnaissance Office.*

1           (15) *The National Geospatial-Intelligence Agen-*  
2       *cy.*

3           (16) *The Department of Homeland Security.*

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

5       (a) *SPECIFICATIONS OF AMOUNTS AND PERSONNEL*  
6 *LEVELS.—The amounts authorized to be appropriated*  
7 *under section 101 and, subject to section 103, the authorized*  
8 *personnel ceilings as of September 30, 2015, for the conduct*  
9 *of the intelligence activities of the elements listed in para-*  
10 *graphs (1) through (16) of section 101, are those specified*  
11 *in the classified Schedule of Authorizations prepared to ac-*  
12 *company the bill H.R. 4681 of the One Hundred Thirteenth*  
13 *Congress.*

14       (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*  
15 *THORIZATIONS.—*

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

21           (2) *DISTRIBUTION BY THE PRESIDENT.—Subject*  
22 *to paragraph (3), the President shall provide for suit-*  
23 *able distribution of the classified Schedule of Author-*  
24 *izations, or of appropriate portions of the Schedule,*  
25 *within the executive branch.*

1           (3) *LIMITS ON DISCLOSURE.*—*The President*  
2           *shall not publicly disclose the classified Schedule of*  
3           *Authorizations or any portion of such Schedule ex-*  
4           *cept—*

5                   (A) *as provided in section 601(a) of the Im-*  
6                   *plementing Recommendations of the 9/11 Com-*  
7                   *mission Act of 2007 (50 U.S.C. 3306(a));*

8                   (B) *to the extent necessary to implement the*  
9                   *budget; or*

10                  (C) *as otherwise required by law.*

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

12           (a) *AUTHORITY FOR INCREASES.*—*The Director of Na-*  
13           *tional Intelligence may authorize employment of civilian*  
14           *personnel in excess of the number authorized for fiscal year*  
15           *2015 by the classified Schedule of Authorizations referred*  
16           *to in section 102(a) if the Director of National Intelligence*  
17           *determines that such action is necessary to the performance*  
18           *of important intelligence functions, except that the number*  
19           *of personnel employed in excess of the number authorized*  
20           *under such section may not, for any element of the intel-*  
21           *ligence community, exceed 3 percent of the number of civil-*  
22           *ian personnel authorized under such Schedule for such ele-*  
23           *ment.*

24           (b) *TREATMENT OF CERTAIN PERSONNEL.*—*The Di-*  
25           *rector of National Intelligence shall establish guidelines that*

1 *govern, for each element of the intelligence community, the*  
2 *treatment under the personnel levels authorized under sec-*  
3 *tion 102(a), including any exemption from such personnel*  
4 *levels, of employment or assignment in—*

5           (1) *a student program, trainee program, or simi-*  
6 *lar program;*

7           (2) *a reserve corps or as a reemployed annu-*  
8 *itant; or*

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

11       (c) *NOTICE TO CONGRESSIONAL INTELLIGENCE COM-*  
12 *MITTEES.—The Director of National Intelligence shall no-*  
13 *tify the congressional intelligence committees in writing at*  
14 *least 15 days prior to each exercise of an authority de-*  
15 *scribed in subsection (a).*

16 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
17 **COUNT.**

18       (a) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
19 *authorized to be appropriated for the Intelligence Commu-*  
20 *nity Management Account of the Director of National Intel-*  
21 *ligence for fiscal year 2015 the sum of \$507,400,000. Within*  
22 *such amount, funds identified in the classified Schedule of*  
23 *Authorizations referred to in section 102(a) for advanced*  
24 *research and development shall remain available until Sep-*  
25 *tember 30, 2016.*

1       **(b) AUTHORIZED PERSONNEL LEVELS.**—*The elements*  
2 *within the Intelligence Community Management Account of*  
3 *the Director of National Intelligence are authorized 794 po-*  
4 *sitions as of September 30, 2015. Personnel serving in such*  
5 *elements may be permanent employees of the Office of the*  
6 *Director of National Intelligence or personnel detailed from*  
7 *other elements of the United States Government.*

8       **(c) CLASSIFIED AUTHORIZATIONS.**—

9           **(1) AUTHORIZATION OF APPROPRIATIONS.**—*In*  
10 *addition to amounts authorized to be appropriated*  
11 *for the Intelligence Community Management Account*  
12 *by subsection (a), there are authorized to be appro-*  
13 *priated for the Community Management Account for*  
14 *fiscal year 2015 such additional amounts as are spec-*  
15 *ified in the classified Schedule of Authorizations re-*  
16 *ferred to in section 102(a). Such additional amounts*  
17 *for advanced research and development shall remain*  
18 *available until September 30, 2016.*

19           **(2) AUTHORIZATION OF PERSONNEL.**—*In addi-*  
20 *tion to the personnel authorized by subsection (b) for*  
21 *elements of the Intelligence Community Management*  
22 *Account as of September 30, 2015, there are author-*  
23 *ized such additional personnel for the Community*  
24 *Management Account as of that date as are specified*



1 *in the classified Schedule of Authorizations referred to*  
2 *in section 102(a).*

3 **TITLE II—CENTRAL INTEL-**  
4 **LIGENCE AGENCY RETIRE-**  
5 **MENT AND DISABILITY SYS-**  
6 **TEM**

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

8 *There is authorized to be appropriated for the Central*  
9 *Intelligence Agency Retirement and Disability Fund for fis-*  
10 *cal year 2015 the sum of \$514,000,000.*

11 **TITLE III—GENERAL**  
12 **PROVISIONS**

13 **Subtitle A—General Matters**

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

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

21 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
22 **ACTIVITIES.**

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

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

3 **SEC. 303. NATIONAL INTELLIGENCE STRATEGY.**

4 *(a) IN GENERAL.—Title I of the National Security Act*  
5 *of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting*  
6 *after section 108 the following:*

7 **“SEC. 108A. NATIONAL INTELLIGENCE STRATEGY.**

8 *“(a) IN GENERAL.—Beginning in 2017, and once*  
9 *every 4 years thereafter, the Director of National Intel-*  
10 *ligence shall develop a comprehensive national intelligence*  
11 *strategy to meet national security objectives for the fol-*  
12 *lowing 4-year period, or a longer period, if appropriate.*

13 *“(b) REQUIREMENTS.—Each national intelligence*  
14 *strategy required by subsection (a) shall—*

15 *“(1) delineate a national intelligence strategy*  
16 *consistent with—*

17 *“(A) the most recent national security strat-*  
18 *egy report submitted pursuant to section 108;*

19 *“(B) the strategic plans of other relevant de-*  
20 *partments and agencies of the United States;*  
21 *and*

22 *“(C) other relevant national-level plans;*

23 *“(2) address matters related to national and*  
24 *military intelligence, including counterintelligence;*

1           “(3) identify the major national security mis-  
2           sions that the intelligence community is currently  
3           pursuing and will pursue in the future to meet the  
4           anticipated security environment;

5           “(4) describe how the intelligence community  
6           will utilize personnel, technology, partnerships, and  
7           other capabilities to pursue the major national secu-  
8           rity missions identified in paragraph (3);

9           “(5) assess current, emerging, and future threats  
10          to the intelligence community, including threats from  
11          foreign intelligence and security services and insider  
12          threats;

13          “(6) outline the organizational roles and mis-  
14          sions of the elements of the intelligence community as  
15          part of an integrated enterprise to meet customer de-  
16          mands for intelligence products, services, and support;

17          “(7) identify sources of strategic, institutional,  
18          programmatic, fiscal, and technological risk; and

19          “(8) analyze factors that may affect the intel-  
20          ligence community’s performance in pursuing the  
21          major national security missions identified in para-  
22          graph (3) during the following 10-year period.

23          “(c) *SUBMISSION TO CONGRESS.*—The Director of Na-  
24          tional Intelligence shall submit to the congressional intel-  
25          ligence committees a report on each national intelligence

1 *strategy required by subsection (a) not later than 45 days*  
 2 *after the date of the completion of such strategy.”.*

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

*“Sec. 108A. National intelligence strategy.”.*

7 **SEC. 304. SOFTWARE LICENSING.**

8 *Section 109 of the National Security Act of 1947 (50*  
 9 *U.S.C. 3044) is amended—*

10 (1) *in subsection (a)(2), by striking “usage; and”*  
 11 *and inserting “usage, including—*

12 (A) *increasing the centralization of the*  
 13 *management of software licenses;*

14 (B) *increasing the regular tracking and*  
 15 *maintaining of comprehensive inventories of soft-*  
 16 *ware licenses using automated discovery and in-*  
 17 *ventory tools and metrics;*

18 (C) *analyzing software license data to in-*  
 19 *form investment decisions; and*

20 (D) *providing appropriate personnel with*  
 21 *sufficient software licenses management training;*  
 22 *and”;*

23 (2) *in subsection (b)—*

24 (A) *in paragraph (1), by striking “; and”*  
 25 *and inserting a semicolon;*

1           (B) in paragraph (2), by striking “usage.”  
2           and inserting “usage, including—

3           “(A) increasing the centralization of the  
4           management of software licenses;

5           “(B) increasing the regular tracking and  
6           maintaining of comprehensive inventories of soft-  
7           ware licenses using automated discovery and in-  
8           ventory tools and metrics;

9           “(C) analyzing software license data to in-  
10          form investment decisions; and

11          “(D) providing appropriate personnel with  
12          sufficient software licenses management training;  
13          and”;

14          (C) by adding at the end the following new  
15          paragraph:

16          “(3) based on the assessment required under  
17          paragraph (2), make such recommendations with re-  
18          spect to software procurement and usage to the Direc-  
19          tor of National Intelligence as the Chief Information  
20          Officer considers appropriate.”; and

21          (3) by adding at the end the following new sub-  
22          section:

23          “(d) IMPLEMENTATION OF RECOMMENDATIONS.—Not  
24          later than 180 days after the date on which the Director  
25          of National Intelligence receives recommendations from the

1 *Chief Information Officer of the Intelligence Community in*  
2 *accordance with subsection (b)(3), the Director of National*  
3 *Intelligence shall, to the extent practicable, issue guidelines*  
4 *for the intelligence community on software procurement*  
5 *and usage based on such recommendations.”.*

6 **SEC. 305. REPORTING OF CERTAIN EMPLOYMENT ACTIVI-**  
7 **TIES BY FORMER INTELLIGENCE OFFICERS**  
8 **AND EMPLOYEES.**

9 *(a) RESTRICTION.—Title III of the National Security*  
10 *Act of 1947 (50 U.S.C. 3071 et seq.) is amended by insert-*  
11 *ing after section 303 the following new section:*

12 **“SEC. 304. REPORTING OF CERTAIN EMPLOYMENT ACTIVI-**  
13 **TIES BY FORMER INTELLIGENCE OFFICERS**  
14 **AND EMPLOYEES.**

15 *“(a) IN GENERAL.—The head of each element of the*  
16 *intelligence community shall issue regulations requiring*  
17 *each employee of such element occupying a covered position*  
18 *to sign a written agreement requiring the regular reporting*  
19 *of covered employment to the head of such element.*

20 *“(b) AGREEMENT ELEMENTS.—The regulations re-*  
21 *quired under subsection (a) shall provide that an agreement*  
22 *contain provisions requiring each employee occupying a*  
23 *covered position to, during the two-year period beginning*  
24 *on the date on which such employee ceases to occupy such*  
25 *covered position—*

1           “(1) report covered employment to the head of  
2           the element of the intelligence community that em-  
3           ployed such employee in such covered position upon  
4           accepting such covered employment; and

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

8           “(c) *DEFINITIONS.*—*In this section:*

9           “(1) *COVERED EMPLOYMENT.*—*The term ‘covered*  
10          *employment’ means direct employment by, represen-*  
11          *tation of, or the provision of advice relating to na-*  
12          *tional security to the government of a foreign country*  
13          *or any person whose activities are directly or indi-*  
14          *rectly supervised, directed, controlled, financed, or*  
15          *subsidized, in whole or in major part, by any govern-*  
16          *ment of a foreign country.*

17          “(2) *COVERED POSITION.*—*The term ‘covered po-*  
18          *sition’ means a position within an element of the in-*  
19          *telligence community that, based on the level of access*  
20          *of a person occupying such position to information*  
21          *regarding sensitive intelligence sources or methods or*  
22          *other exceptionally sensitive matters, the head of such*  
23          *element determines should be subject to the require-*  
24          *ments of this section.*

1           “(3) *GOVERNMENT OF A FOREIGN COUNTRY.*—  
2           *The term ‘government of a foreign country’ has the*  
3           *meaning given the term in section 1(e) of the Foreign*  
4           *Agents Registration Act of 1938 (22 U.S.C. 611(e)).”.*

5           **(b) REGULATIONS AND CERTIFICATION.**—

6           (1) *REGULATIONS.*—*Not later than 90 days after*  
7           *the date of the enactment of this Act, the head of each*  
8           *element of the intelligence community shall issue the*  
9           *regulations required under section 304 of the National*  
10           *Security Act of 1947, as added by subsection (a) of*  
11           *this section.*

12           (2) *CERTIFICATION.*—*Not later than 180 days*  
13           *after the date of the enactment of this Act, the Direc-*  
14           *tor of National Intelligence shall submit to the con-*  
15           *gressional intelligence committees—*

16                   (A) *a certification that each head of an ele-*  
17                   *ment of the intelligence community has pre-*  
18                   *scribed the regulations required under section*  
19                   *304 of the National Security Act of 1947, as*  
20                   *added by subsection (a) of this section; or*

21                   (B) *if the Director is unable to submit the*  
22                   *certification described under subparagraph (A),*  
23                   *an explanation as to why the Director is unable*  
24                   *to submit such certification, including a designa-*  
25                   *tion of which heads of an element of the intel-*



1           *ligence community have prescribed the regula-*  
 2           *tions required under such section 304 and which*  
 3           *have not.*

4           *(c) TABLE OF CONTENTS AMENDMENTS.—The table of*  
 5           *contents in the first section of the National Security Act*  
 6           *of 1947 is amended—*

7                   *(1) by striking the second item relating to section*  
 8           302 *(Under Secretaries and Assistant Secretaries)*  
 9           *and the items relating to sections 304, 305, and 306;*  
 10          *and*

11                   *(2) by inserting after the item relating to section*  
 12          303 *the following new item:*

*“Sec. 304. Reporting of certain employment activities by former intelligence offi-  
 cers and employees.”.*

13   **SEC. 306. INCLUSION OF PREDOMINANTLY BLACK INSTITU-**  
 14                   **TIONS IN INTELLIGENCE OFFICER TRAINING**  
 15                   **PROGRAM.**

16          *Section 1024 of the National Security Act of 1947 (50*  
 17          *U.S.C. 3224) is amended—*

18                   *(1) in subsection (c)(1), by inserting “and Pre-*  
 19          *dominantly Black Institutions” after “universities”;*  
 20          *and*

21                   *(2) in subsection (g)—*

22                           *(A) by redesignating paragraph (4) as*  
 23          *paragraph (5); and*

1                   (B) by inserting after paragraph (3) the fol-  
2                   lowing new paragraph:

3                   “(4) *PREDOMINANTLY BLACK INSTITUTION*.—The  
4                   term ‘Predominantly Black Institution’ has the mean-  
5                   ing given the term in section 318 of the Higher edu-  
6                   cation Act of 1965 (20 U.S.C. 1059e).”.

7   **SEC. 307. MANAGEMENT AND OVERSIGHT OF FINANCIAL IN-**  
8                   **TELLIGENCE.**

9                   (a) *REQUIREMENT FOR PLAN*.—Not later than 90 days  
10 after the date of the enactment of this Act, the Director of  
11 National Intelligence shall prepare a plan for management  
12 of the elements of the intelligence community that carry out  
13 financial intelligence activities.

14                  (b) *CONTENTS OF PLAN*.—The plan required by sub-  
15 section (a) shall establish a governance framework, proce-  
16 dures for sharing and harmonizing the acquisition and use  
17 of financial analytic tools, standards for quality of analytic  
18 products, procedures for oversight and evaluation of re-  
19 source allocations associated with the joint development of  
20 information sharing efforts and tools, and an education and  
21 training model for elements of the intelligence community  
22 that carry out financial intelligence activities.

23                  (c) *BRIEFING TO CONGRESS*.—Not later than 180 days  
24 after the date of the enactment of this Act, the Director of  
25 National Intelligence shall brief the congressional intel-

1 *ligence committees on the actions the Director proposes to*  
2 *implement the plan required by subsection (a).*

3 **SEC. 308. ANALYSIS OF PRIVATE SECTOR POLICIES AND**  
4 **PROCEDURES FOR COUNTERING INSIDER**  
5 **THREATS.**

6 (a) *ANALYSIS.*—*Not later than 180 days after the date*  
7 *of the enactment of this Act, the Director of National Intel-*  
8 *ligence, in consultation with the National Counterintel-*  
9 *ligence Executive, shall submit to the congressional intel-*  
10 *ligence committees an analysis of private sector policies and*  
11 *procedures for countering insider threats.*

12 (b) *CONTENT.*—*The analysis required by subsection*  
13 *(a) shall include—*

14 (1) *a review of whether and how the intelligence*  
15 *community could utilize private sector hiring and*  
16 *human resources best practices to screen, vet, and*  
17 *validate the credentials, capabilities, and character of*  
18 *applicants for positions involving trusted access to*  
19 *sensitive information;*

20 (2) *an analysis of private sector policies for*  
21 *holding supervisors and subordinates accountable for*  
22 *violations of established security protocols and wheth-*  
23 *er the intelligence community should adopt similar*  
24 *policies for positions of trusted access to sensitive in-*  
25 *formation;*

1           (3) *an assessment of the feasibility and advis-*  
2 *ability of applying mandatory leave policies, similar*  
3 *to those endorsed by the Federal Deposit Insurance*  
4 *Corporation and the Securities and Exchange Com-*  
5 *mission to identify fraud in the financial services in-*  
6 *dustry, to certain positions within the intelligence*  
7 *community; and*

8           (4) *recommendations for how the intelligence*  
9 *community could utilize private sector risk indices,*  
10 *such as credit risk scores, to make determinations*  
11 *about employee access to sensitive information.*

12 **SEC. 309. PROCEDURES FOR THE RETENTION OF INCIDENT-**  
13 **TALLY ACQUIRED COMMUNICATIONS.**

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

15           (1) *COVERED COMMUNICATION.—The term “cov-*  
16 *ered communication” means any nonpublic telephone*  
17 *or electronic communication acquired without the*  
18 *consent of a person who is a party to the communica-*  
19 *tion, including communications in electronic storage.*

20           (2) *HEAD OF AN ELEMENT OF THE INTEL-*  
21 *LIGENCE COMMUNITY.—The term “head of an element*  
22 *of the intelligence community” means, as appro-*  
23 *priate—*

24                   (A) *the head of an element of the intel-*  
25 *ligence community; or*

1           (B) *the head of the department or agency*  
2           *containing such element.*

3           (3) *UNITED STATES PERSON.*—*The term “United*  
4           *States person” has the meaning given that term in*  
5           *section 101 of the Foreign Intelligence Surveillance*  
6           *Act of 1978 (50 U.S.C. 1801).*

7           (b) *PROCEDURES FOR COVERED COMMUNICATIONS.*—

8           (1) *REQUIREMENT TO ADOPT.*—*Not later than 2*  
9           *years after the date of the enactment of this Act each*  
10           *head of an element of the intelligence community shall*  
11           *adopt procedures approved by the Attorney General*  
12           *for such element that ensure compliance with the re-*  
13           *quirements of paragraph (3).*

14           (2) *COORDINATION AND APPROVAL.*—*The proce-*  
15           *dures required by paragraph (1) shall be—*

16           (A) *prepared in coordination with the Di-*  
17           *rector of National Intelligence; and*

18           (B) *approved by the Attorney General prior*  
19           *to issuance.*

20           (3) *PROCEDURES.*—

21           (A) *APPLICATION.*—*The procedures required*  
22           *by paragraph (1) shall apply to any intelligence*  
23           *collection activity not otherwise authorized by*  
24           *court order (including an order or certification*  
25           *issued by a court established under subsection (a)*

1           or (b) of section 103 of the Foreign Intelligence  
2           Surveillance Act of 1978 (50 U.S.C. 1803)), sub-  
3           poena, or similar legal process that is reasonably  
4           anticipated to result in the acquisition of a cov-  
5           ered communication to or from a United States  
6           person and shall permit the acquisition, reten-  
7           tion, and dissemination of covered communica-  
8           tions subject to the limitation in subparagraph  
9           (B).

10           (B) *LIMITATION ON RETENTION.*—A covered  
11           communication shall not be retained in excess of  
12           5 years, unless—

13           (i) the communication has been affirm-  
14           atively determined, in whole or in part, to  
15           constitute foreign intelligence or counter-  
16           intelligence or is necessary to understand or  
17           assess foreign intelligence or counterintel-  
18           ligence;

19           (ii) the communication is reasonably  
20           believed to constitute evidence of a crime  
21           and is retained by a law enforcement agen-  
22           cy;

23           (iii) the communication is enciphered  
24           or reasonably believed to have a secret  
25           meaning;

1           (iv) all parties to the communication  
2           are reasonably believed to be non-United  
3           States persons;

4           (v) retention is necessary to protect  
5           against an imminent threat to human life,  
6           in which case both the nature of the threat  
7           and the information to be retained shall be  
8           reported to the congressional intelligence  
9           committees not later than 30 days after the  
10          date such retention is extended under this  
11          clause;

12          (vi) retention is necessary for technical  
13          assurance or compliance purposes, includ-  
14          ing a court order or discovery obligation, in  
15          which case access to information retained  
16          for technical assurance or compliance pur-  
17          poses shall be reported to the congressional  
18          intelligence committees on an annual basis;  
19          or

20          (vii) retention for a period in excess of  
21          5 years is approved by the head of the ele-  
22          ment of the intelligence community respon-  
23          sible for such retention, based on a deter-  
24          mination that retention is necessary to pro-  
25          tect the national security of the United

1           *States, in which case the head of such ele-*  
2           *ment shall provide to the congressional in-*  
3           *telligence committees a written certification*  
4           *describing—*

5                     *(I) the reasons extended retention*  
6                     *is necessary to protect the national se-*  
7                     *curity of the United States;*

8                     *(II) the duration for which the*  
9                     *head of the element is authorizing re-*  
10                    *tention;*

11                    *(III) the particular information*  
12                    *to be retained; and*

13                    *(IV) the measures the element of*  
14                    *the intelligence community is taking to*  
15                    *protect the privacy interests of United*  
16                    *States persons or persons located inside*  
17                    *the United States.*

18 **SEC. 310. CLARIFICATION OF LIMITATION OF REVIEW TO**  
19                    **RETALIATORY SECURITY CLEARANCE OR AC-**  
20                    **CESS DETERMINATIONS.**

21            *Section 3001(b)(7) of the Intelligence Reform and Ter-*  
22            *rorism Prevention Act of 2004 (50 U.S.C. 3341(b)(7)) is*  
23            *amended—*



1           (1) *in the matter preceding subparagraph (A),*  
2 *by striking “2014—” and inserting “2014, and con-*  
3 *sistent with subsection (j)—”;*

4           (2) *in subparagraph (A), by striking “to appeal*  
5 *a determination to suspend or revoke a security clear-*  
6 *ance or access to classified information” and insert-*  
7 *ing “alleging reprisal for having made a protected*  
8 *disclosure (provided the individual does not disclose*  
9 *classified information or other information contrary*  
10 *to law) to appeal any action affecting an employee’s*  
11 *access to classified information”;* and

12           (3) *in subparagraph (B), by striking “informa-*  
13 *tion,” inserting “information following a protected*  
14 *disclosure,”.*

15 **SEC. 311. FEASIBILITY STUDY ON CONSOLIDATING CLASSI-**  
16 **FIED DATABASES OF CYBER THREAT INDICA-**  
17 **TORS AND MALWARE SAMPLES.**

18           (a) *IN GENERAL.—Not later than 180 days after the*  
19 *date of the enactment of this Act, the Director of National*  
20 *Intelligence, in consultation with the Secretary of Home-*  
21 *land Security, the Director of the National Security Agen-*  
22 *cy, the Director of the Central Intelligence Agency, and the*  
23 *Director of the Federal Bureau of Investigation, shall con-*  
24 *duct a feasibility study on consolidating classified data-*

1 *bases of cyber threat indicators and malware samples in*  
2 *the intelligence community.*

3 (b) *ELEMENTS.*—*The feasibility study required by sub-*  
4 *section (a) shall include the following:*

5 (1) *An inventory of classified databases of cyber*  
6 *threat indicators and malware samples in the intel-*  
7 *ligence community.*

8 (2) *An assessment of actions that could be car-*  
9 *ried out to consolidate such databases to achieve the*  
10 *greatest possible information sharing within the intel-*  
11 *ligence community and cost savings for the Federal*  
12 *Government.*

13 (3) *An assessment of any impediments to such*  
14 *consolidation.*

15 (4) *An assessment of whether the Intelligence*  
16 *Community Information Technology Enterprise can*  
17 *support such consolidation.*

18 (c) *REPORT TO CONGRESS.*—*Not later than 30 days*  
19 *after the date on which the Director of National Intelligence*  
20 *completes the feasibility study required by subsection (a),*  
21 *the Director shall submit to the congressional intelligence*  
22 *committees a written report that summarizes the feasibility*  
23 *study, including the information required under subsection*  
24 *(b).*

1 **SEC. 312. SENSE OF CONGRESS ON CYBERSECURITY**  
2 **THREAT AND CYBERCRIME COOPERATION**  
3 **WITH UKRAINE.**

4 *It is the sense of Congress that—*

5 *(1) cooperation between the intelligence and law*  
6 *enforcement agencies of the United States and*  
7 *Ukraine should be increased to improve cybersecurity*  
8 *policies between these two countries;*

9 *(2) the United States should pursue improved ex-*  
10 *tradition procedures among the Governments of the*  
11 *United States, Ukraine, and other countries from*  
12 *which cybercriminals target United States citizens*  
13 *and entities;*

14 *(3) the President should—*

15 *(A) initiate a round of formal United*  
16 *States-Ukraine bilateral talks on cybersecurity*  
17 *threat and cybercrime cooperation, with addi-*  
18 *tional multilateral talks that include other law*  
19 *enforcement partners such as Europol and*  
20 *Interpol; and*

21 *(B) work to obtain a commitment from the*  
22 *Government of Ukraine to end cybercrime di-*  
23 *rected at persons outside Ukraine and to work*  
24 *with the United States and other allies to deter*  
25 *and convict known cybercriminals;*

1           (4) *the President should establish a capacity*  
2 *building program with the Government of Ukraine,*  
3 *which could include—*

4                   (A) *a joint effort to improve cyber capacity*  
5 *building, including intelligence and law enforce-*  
6 *ment services in Ukraine;*

7                   (B) *sending United States law enforcement*  
8 *agents to aid law enforcement agencies in*  
9 *Ukraine in investigating cybercrimes; and*

10                   (C) *agreements to improve communications*  
11 *networks to enhance law enforcement coopera-*  
12 *tion, such as a hotline directly connecting law*  
13 *enforcement agencies in the United States and*  
14 *Ukraine; and*

15           (5) *the President should establish and maintain*  
16 *an intelligence and law enforcement cooperation*  
17 *scorecard with metrics designed to measure the num-*  
18 *ber of instances that intelligence and law enforcement*  
19 *agencies in the United States request assistance from*  
20 *intelligence and law enforcement agencies in Ukraine*  
21 *and the number and type of responses received to such*  
22 *requests.*

1 **SEC. 313. REPLACEMENT OF LOCALLY EMPLOYED STAFF**  
2 **SERVING AT UNITED STATES DIPLOMATIC FA-**  
3 **CILITIES IN THE RUSSIAN FEDERATION.**

4 (a) *EMPLOYMENT REQUIREMENT.*—

5 (1) *IN GENERAL.*—*The Secretary of State shall*  
6 *ensure that, not later than one year after the date of*  
7 *the enactment of this Act, every supervisory position*  
8 *at a United States diplomatic facility in the Russian*  
9 *Federation shall be occupied by a citizen of the*  
10 *United States who has passed, and shall be subject to,*  
11 *a thorough background check.*

12 (2) *EXTENSION.*—*The Secretary of State may ex-*  
13 *tend the deadline under paragraph (1) for up to one*  
14 *year by providing advance written notification and*  
15 *justification of such extension to the appropriate con-*  
16 *gressional committees.*

17 (3) *PROGRESS REPORT.*—*Not later than 180*  
18 *days after the date of the enactment of this Act, the*  
19 *Secretary of State shall submit to the appropriate*  
20 *congressional committees a report on progress made*  
21 *toward meeting the employment requirement under*  
22 *paragraph (1).*

23 (b) *PLAN FOR REDUCED USE OF LOCALLY EMPLOYED*  
24 *STAFF.*—*Not later than 180 days after the date of the enact-*  
25 *ment of this Act, the Secretary of State, in coordination*  
26 *with other appropriate government agencies, shall submit*

1 to the appropriate congressional committees a plan to fur-  
 2 ther reduce the reliance on locally employed staff in United  
 3 States diplomatic facilities in the Russian Federation. The  
 4 plan shall, at a minimum, include cost estimates, timelines,  
 5 and numbers of employees to be replaced.

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

9 (1) the congressional intelligence committees;

10 (2) the Committee on Armed Services, the Com-  
 11 mittee on Foreign Relations, and the Committee on  
 12 Appropriations of the Senate; and

13 (3) the Committee on Armed Services, the Com-  
 14 mittee on Foreign Affairs, and the Committee on Ap-  
 15 propriations of the House of Representatives.

16 (d) *RULE OF CONSTRUCTION.*—Nothing in this section  
 17 shall be construed to infringe on the power of the President,  
 18 by and with the advice and consent of the Senate, to ap-  
 19 point ambassadors, other public ministers, and consuls.”

20 **SEC. 314. INCLUSION OF SENSITIVE COMPARTMENTED IN-**  
 21 **FORMATION FACILITIES IN UNITED STATES**  
 22 **DIPLOMATIC FACILITIES IN THE RUSSIAN**  
 23 **FEDERATION AND ADJACENT COUNTRIES.**

24 (a) *SENSITIVE COMPARTMENTED INFORMATION FACIL-*  
 25 *ITY REQUIREMENT.*—Each United States diplomatic facil-

1 *ity that, after the date of the enactment of this Act, is con-*  
2 *structed in, or undergoes a construction upgrade in, the*  
3 *Russian Federation, any country that shares a land border*  
4 *with the Russian Federation, or any country that is a*  
5 *former member of the Soviet Union shall be constructed to*  
6 *include a Sensitive Compartmented Information Facility.*

7       **(b) NATIONAL SECURITY WAIVER.**—*The Secretary of*  
8 *State may waive the requirement under subsection (a) if*  
9 *the Secretary determines that such waiver is in the national*  
10 *security interest of the United States and submits a written*  
11 *justification to the appropriate congressional committees*  
12 *not later than 180 days before exercising such waiver.*

13       **(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
14 **FINED.**—*In this section, the term “appropriate congres-*  
15 *sional committees” means—*

- 16           (1) *the congressional intelligence committees;*  
17           (2) *the Committee on Armed Services, the Com-*  
18 *mittee on Foreign Relations, and the Committee on*  
19 *Appropriations of the Senate; and*  
20           (3) *the Committee on Armed Services, the Com-*  
21 *mittee on Foreign Affairs, and the Committee on Ap-*  
22 *propriations of the House of Representatives.*

## **Subtitle B—Reporting**

### **2 SEC. 321. REPORT ON DECLASSIFICATION PROCESS.**

3 *Not later than December 31, 2016, the Director of Na-*  
4 *tional Intelligence shall submit to Congress a report describ-*  
5 *ing—*

6 *(1) proposals to improve the declassification*  
7 *process throughout the intelligence community; and*

8 *(2) steps the intelligence community could take,*  
9 *or legislation that may be necessary, to enable the Na-*  
10 *tional Declassification Center to better accomplish the*  
11 *missions assigned to the Center by Executive Order*  
12 *No. 13526 (75 Fed. Reg. 707).*

### **13 SEC. 322. REPORT ON INTELLIGENCE COMMUNITY EFFI-** 14 **CIENT SPENDING TARGETS.**

15 *(a) IN GENERAL.—Not later than April 1, 2016, and*  
16 *April 1, 2017, the Director of National Intelligence shall*  
17 *submit to the congressional intelligence committees a report*  
18 *on the status and effectiveness of efforts to reduce adminis-*  
19 *trative costs for the intelligence community during the pre-*  
20 *ceding year.*

21 *(b) ELEMENTS.—Each report under subsection (a)*  
22 *shall include for each element of the intelligence community*  
23 *the following:*

24 *(1) A description of the status and effectiveness*  
25 *of efforts to devise alternatives to government travel*



1       *and promote efficient travel spending, such as tele-*  
2       *conferencing and video conferencing.*

3               *(2) A description of the status and effectiveness*  
4       *of efforts to limit costs related to hosting and attend-*  
5       *ing conferences.*

6               *(3) A description of the status and effectiveness*  
7       *of efforts to assess information technology inventories*  
8       *and usage, and establish controls, to reduce costs re-*  
9       *lated to underutilized information technology equip-*  
10       *ment, software, or services.*

11              *(4) A description of the status and effectiveness*  
12       *of efforts to limit the publication and printing of*  
13       *hard copy documents.*

14              *(5) A description of the status and effectiveness*  
15       *of efforts to improve the performance of Federal fleet*  
16       *motor vehicles and limit executive transportation.*

17              *(6) A description of the status and effectiveness*  
18       *of efforts to limit the purchase of extraneous pro-*  
19       *motional items, such as plaques, clothing, and com-*  
20       *memorative items.*

21              *(7) A description of the status and effectiveness*  
22       *of efforts to consolidate and streamline workforce*  
23       *training programs to focus on the highest priority*  
24       *workforce and mission needs.*

1           (8) *Such other matters relating to efforts to re-*  
2           *duce intelligence community administrative costs as*  
3           *the Director may specify for purposes of this section.*

4 **SEC. 323. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-**  
5           **ECUTIVE ORDER.**

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

9           **“SEC. 511. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-**  
10           **ECUTIVE ORDER.**

11           “(a) *ANNUAL REPORTS REQUIRED.—The Director of*  
12           *National Intelligence shall annually submit to the congres-*  
13           *sional intelligence committees a report on violations of law*  
14           *or executive order relating to intelligence activities by per-*  
15           *sonnel of an element of the intelligence community that*  
16           *were identified during the previous calendar year.*

17           “(b) *ELEMENTS.—Each report submitted under sub-*  
18           *section (a) shall, consistent with the need to preserve ongo-*  
19           *ing criminal investigations, include a description of, and*  
20           *any action taken in response to, any violation of law or*  
21           *executive order (including Executive Order No. 12333 (50*  
22           *U.S.C. 3001 note)) relating to intelligence activities com-*  
23           *mitted by personnel of an element of the intelligence com-*  
24           *munity in the course of the employment of such personnel*  
25           *that, during the previous calendar year, was—*

1           “(1) determined by the director, head, or general  
2           counsel of any element of the intelligence community  
3           to have occurred;

4           “(2) referred to the Department of Justice for  
5           possible criminal prosecution; or

6           “(3) substantiated by the inspector general of  
7           any element of the intelligence community.”.

8           (b) *INITIAL REPORT.*—The first report required under  
9           section 511 of the National Security Act of 1947, as added  
10          by subsection (a), shall be submitted not later than one year  
11          after the date of the enactment of this Act.

12          (c) *GUIDELINES.*—Not later than 180 days after the  
13          date of the enactment of this Act, the Director of National  
14          Intelligence, in consultation with the head of each element  
15          of the intelligence community, shall—

16                 (1) issue guidelines to carry out section 511 of  
17                 the National Security Act of 1947, as added by sub-  
18                 section (a); and

19                 (2) submit such guidelines to the congressional  
20                 intelligence committees.

21          (d) *TABLE OF CONTENTS AMENDMENT.*—The table of  
22          sections in the first section of the National Security Act  
23          of 1947 is amended by adding after the item relating to  
24          section 510 the following new item:

“Sec. 511. Annual report on violations of law or executive order.”.

1       (e) *RULE OF CONSTRUCTION.*—*Nothing in this section*  
2 *or the amendments made by this section shall be construed*  
3 *to alter any requirement existing on the date of the enact-*  
4 *ment of this Act to submit a report under any provision*  
5 *of law.*

6 **SEC. 324. ANNUAL REPORT ON INTELLIGENCE ACTIVITIES**  
7                   **OF THE DEPARTMENT OF HOMELAND SECU-**  
8                   **RITY.**

9       (a) *IN GENERAL.*—*For each fiscal year and along with*  
10 *the budget materials submitted in support of the budget of*  
11 *the Department of Homeland Security pursuant to section*  
12 *1105(a) of title 31, United States Code, the Under Secretary*  
13 *for Intelligence and Analysis of the Department shall sub-*  
14 *mit to the congressional intelligence committees a report for*  
15 *such fiscal year on each intelligence activity of each intel-*  
16 *ligence component of the Department, as designated by the*  
17 *Under Secretary, that includes the following:*

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

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

22           (3) *The number of full-time contractor employees*  
23 *(or the equivalent of full-time in the case of part-time*  
24 *contractor employees) funded to perform or in sup-*  
25 *port of each such intelligence activity.*

1           (4) *A determination as to whether each such in-*  
2 *telligence activity is predominantly in support of na-*  
3 *tional intelligence or departmental missions.*

4           (5) *The total number of analysts of the Intel-*  
5 *ligence Enterprise of the Department that perform—*

6                   (A) *strategic analysis; or*

7                   (B) *operational analysis.*

8           (b) *FEASIBILITY AND ADVISABILITY REPORT.—Not*  
9 *later than 120 days after the date of the enactment of this*  
10 *Act, the Secretary of Homeland Security, acting through*  
11 *the Under Secretary for Intelligence and Analysis, shall*  
12 *submit to the congressional intelligence committees a report*  
13 *that—*

14                   (1) *examines the feasibility and advisability of*  
15 *including the budget request for all intelligence activi-*  
16 *ties of each intelligence component of the Department*  
17 *that predominantly support departmental missions,*  
18 *as designated by the Under Secretary for Intelligence*  
19 *and Analysis, in the Homeland Security Intelligence*  
20 *Program; and*

21                   (2) *includes a plan to enhance the coordination*  
22 *of department-wide intelligence activities to achieve*  
23 *greater efficiencies in the performance of the Depart-*  
24 *ment of Homeland Security intelligence functions.*

1       (c) *INTELLIGENCE COMPONENT OF THE DEPART-*  
2 *MENT.—In this section, the term “intelligence component*  
3 *of the Department” has the meaning given that term in*  
4 *section 2 of the Homeland Security Act of 2002 (6 U.S.C.*  
5 *101).*

6 **SEC. 325. REPORT ON POLITICAL PRISON CAMPS IN NORTH**  
7                   **KOREA.**

8       (a) *IN GENERAL.—The Director of National Intel-*  
9 *ligence, in consultation with the Secretary of State, shall*  
10 *submit to the congressional intelligence committees, the*  
11 *Committee on Foreign Relations of the Senate, and the*  
12 *Committee on Foreign Affairs of the House of Representa-*  
13 *tives a report on political prison camps in North Korea.*

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

16           (1) *describe the actions the United States is tak-*  
17 *ing to support implementation of the recommenda-*  
18 *tions of the United Nations Commission of Inquiry*  
19 *on Human Rights in the Democratic People’s Repub-*  
20 *lic of Korea, including the eventual establishment of*  
21 *a tribunal to hold individuals accountable for abuses;*  
22 *and*

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

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

3           (B) *the geographical coordinates of each*  
4 *such camp;*

5           (C) *the reasons for confinement of the pris-*  
6 *oners at each such camp;*

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

10          (E) *information regarding involvement of*  
11 *any non-North Korean entity or individual in-*  
12 *volved in the operations of each such camp, in-*  
13 *cluding as an end user or source of any good or*  
14 *products used in, or produced by, in such camp;*

15          (F) *information identifying individuals*  
16 *and agencies responsible for conditions in each*  
17 *such camp at all levels of the Government of*  
18 *North Korea;*

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

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

1       (c) *FORM.*—*The report required by subsection (a) shall*  
2 *be submitted in an unclassified form and may include a*  
3 *classified annex if necessary.*

4 **SEC. 326. ASSESSMENT OF SECURITY OF DOMESTIC OIL RE-**  
5 **FINERIES AND RELATED RAIL TRANSPOR-**  
6 **TATION INFRASTRUCTURE.**

7       (a) *ASSESSMENT.*—*The Under Secretary of Homeland*  
8 *Security for Intelligence and Analysis shall conduct an in-*  
9 *telligence assessment of the security of domestic oil refineries*  
10 *and related rail transportation infrastructure.*

11       (b) *SUBMISSION.*—*Not later than 180 days after the*  
12 *date of the enactment of this Act, the Under Secretary of*  
13 *Homeland Security for Intelligence and Analysis shall sub-*  
14 *mit to the congressional intelligence committees—*

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

17             (2) *any recommendations with respect to intel-*  
18 *ligence sharing or intelligence collection to improve*  
19 *the security of domestic oil refineries and related rail*  
20 *transportation infrastructure to protect the commu-*  
21 *nities surrounding such refineries or such infrastruc-*  
22 *ture from potential harm that the Under Secretary*  
23 *considers appropriate.*



1 **SEC. 327. ENHANCED CONTRACTOR LEVEL ASSESSMENTS**  
2 **FOR THE INTELLIGENCE COMMUNITY.**

3 *Section 506B(c) of the National Security Act of 1947*  
4 *(50 U.S.C. 3098(c)) is amended—*

5 *(1) in paragraph (11), by striking “or con-*  
6 *tracted”;*

7 *(2) by redesignating paragraph (12) as para-*  
8 *graph (13); and*

9 *(3) by inserting after paragraph (11) the fol-*  
10 *lowing:*

11 *“(12) The best estimate of the number of intel-*  
12 *ligence collectors and analysts contracted by each ele-*  
13 *ment of the intelligence community and a description*  
14 *of the functions performed by such contractors.”.*

15 **SEC. 328. ASSESSMENT OF THE EFFICACY OF MEMORANDA**  
16 **OF UNDERSTANDING TO FACILITATE INTEL-**  
17 **LIGENCE-SHARING.**

18 *Not later than 90 days after the date of the enactment*  
19 *of this Act, the Under Secretary of Homeland Security for*  
20 *Intelligence and Analysis, in consultation with the Director*  
21 *of the Federal Bureau of Investigation and the Program*  
22 *Manager of the Information Sharing Environment, shall*  
23 *submit to the congressional intelligence committees, the*  
24 *Committee on Homeland Security and Governmental Af-*  
25 *airs of the Senate, the Committee on Homeland Security*  
26 *of the House of Representatives, the Committee on the Judi-*

1 *ciary of the Senate, and the Committee on the Judiciary*  
2 *of the House of Representatives an assessment of the efficacy*  
3 *of the memoranda of understanding signed between Federal,*  
4 *State, local, tribal, and territorial agencies to facilitate in-*  
5 *telligence-sharing within and separate from the Joint Ter-*  
6 *rorism Task Force. Such assessment shall include—*

7           (1) *any language within such memoranda of un-*  
8 *derstanding that prohibited or may be construed to*  
9 *prohibit intelligence-sharing between Federal, State,*  
10 *local, tribal, and territorial agencies; and*

11           (2) *any recommendations for memoranda of un-*  
12 *derstanding to better facilitate intelligence-sharing be-*  
13 *tween Federal, State, local, tribal, and territorial*  
14 *agencies.*

15 **SEC. 329. REPORT ON FOREIGN MAN-MADE ELECTRO-**  
16 **MAGNETIC PULSE WEAPONS.**

17           (a) *REPORT.—Not later than 180 days after the date*  
18 *of the enactment of this Act, the Director of National Intel-*  
19 *ligence shall submit to the congressional intelligence com-*  
20 *mittees, the Committee on Armed Services of the Senate,*  
21 *and the Committee on Armed Services of the House of Rep-*  
22 *resentatives a report on the threat posed by man-made elec-*  
23 *tromagnetic pulse weapons to United States interests*  
24 *through 2025, including threats from foreign countries and*  
25 *foreign non-State actors.*

1       (b) *FORM.*—*The report required under subsection (a)*  
2 *shall be submitted in unclassified form, but may include*  
3 *a classified annex.*

4 **SEC. 330. REPORT ON UNITED STATES COUNTERTER-**  
5 **RORISM STRATEGY TO DISRUPT, DISMANTLE,**  
6 **AND DEFEAT AL-QAEDA AND ITS AFFILIATED**  
7 **OR ASSOCIATED GROUPS.**

8       (a) *REPORT.*—

9           (1) *IN GENERAL.*—*Not later than 180 days after*  
10 *the date of the enactment of this Act, the Director of*  
11 *National Intelligence shall submit to the appropriate*  
12 *committees of Congress a comprehensive report on the*  
13 *United States counterterrorism strategy to disrupt,*  
14 *dismantle, and defeat al-Qaeda and its affiliated or*  
15 *associated groups.*

16           (2) *COORDINATION.*—*The report required by*  
17 *paragraph (1) shall be prepared in coordination with*  
18 *the Secretary of State, the Secretary of the Treasury,*  
19 *the Attorney General, and the Secretary of Defense,*  
20 *and the head of any other department or agency of*  
21 *the United States Government that has responsibility*  
22 *for activities directed at combating al-Qaeda and its*  
23 *affiliated or associated groups.*

24           (3) *ELEMENTS.*—*The report required by para-*  
25 *graph (1) shall include the following:*

1 (A) *A definition of—*

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

5 (ii) *an affiliated group of al-Qaeda,*  
6 *including a list of which known groups con-*  
7 *stitute an affiliate group of al-Qaeda;*

8 (iii) *an associated group of al-Qaeda,*  
9 *including a list of which known groups con-*  
10 *stitute an associated group of al-Qaeda; and*

11 (iv) *a group aligned with al-Qaeda, in-*  
12 *cluding a description of what actions a*  
13 *group takes or statements it makes that*  
14 *qualify it as a group aligned with al-*  
15 *Qaeda.*

16 (B) *A list of any other group, including the*  
17 *organization that calls itself the Islamic State*  
18 *(also known as “ISIS” or “ISIL”), that adheres*  
19 *to the core mission of al-Qaeda, or who espouses*  
20 *the same violent jihad ideology as al-Qaeda.*

21 (C) *An assessment of the relationship be-*  
22 *tween al-Qaeda core and the groups referred to*  
23 *in subparagraph (B).*

24 (D) *An assessment of the strengthening or*  
25 *weakening of al-Qaeda and the groups referred to*

1           in subparagraph (B) from January 1, 2010, to  
2           the present, including a description of the  
3           metrics that are used to assess strengthening or  
4           weakening and an assessment of the relative in-  
5           crease or decrease in violent attacks attributed to  
6           such entities.

7           (E) An assessment of whether or not an in-  
8           dividual can be a member of al-Qaeda core if  
9           such individual is not located in Afghanistan or  
10          Pakistan.

11          (F) An assessment of whether or not an in-  
12          dividual can be a member of al-Qaeda core as  
13          well as a member of a group referred to in sub-  
14          paragraph (B).

15          (G) A definition of defeat of core al-Qaeda.

16          (H) An assessment of the extent or coordi-  
17          nation, command, and control between core al-  
18          Qaeda and the groups referred to in subpara-  
19          graph (B), specifically addressing each such  
20          group.

21          (I) An assessment of the effectiveness of  
22          counterterrorism operations against core al-  
23          Qaeda and the groups referred to in subpara-  
24          graph (B), and whether such operations have

1           *had a sustained impact on the capabilities and*  
2           *effectiveness of core al-Qaeda and such groups.*

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

6           (b) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
7           *FINED.*—*In this section, the term “appropriate committees*  
8           *of Congress” means—*

9           (1) *the congressional intelligence committees;*

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

12          (3) *the Committee on Foreign Affairs and the*  
13          *Committee on Armed Services of the House of Rep-*  
14          *resentatives.*

15   **SEC. 331. FEASIBILITY STUDY ON RETRAINING VETERANS**  
16                           **IN CYBERSECURITY.**

17          *Not later than 180 days after the date of the enactment*  
18          *of this Act, the Director of National Intelligence, in con-*  
19          *sultation with the Secretary of Defense, the Secretary of Vet-*  
20          *erans Affairs, and the Secretary of Homeland Security,*  
21          *shall submit to Congress a feasibility study on retraining*

- 1 *veterans and retired members of elements of the intelligence*
- 2 *community in cybersecurity.*

Attest:

*Secretary.*

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 4681**

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**AMENDMENT**