

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3180
OFFERED BY MR. NUNES OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Intelligence Authorization Act for Fiscal Year 2018”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

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

Sec. 201. Authorization of appropriations.

Sec. 202. Computation of annuities for employees of the Central Intelligence
Agency.

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. Congressional oversight of intelligence community contractors.

Sec. 304. Enhanced personnel security programs.

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

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.
- Sec. 402. Designation of the program manager-information sharing environment.
- Sec. 403. Technical correction to the executive schedule.

Subtitle B—Other Elements

- Sec. 411. Requirements relating to appointment of General Counsel of National Security Agency.
- Sec. 412. Transfer or elimination of certain components and functions of the Defense Intelligence Agency.
- Sec. 413. Technical amendments related to the Department of Energy.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 501. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.
- Sec. 502. Foreign counterintelligence and cybersecurity threats to Federal election campaigns.
- Sec. 503. Assessment of threat finance relating to the Russian Federation.

TITLE VI—REPORTS AND OTHER MATTERS

- Sec. 601. Period of overseas assignments for certain foreign service officers.
- Sec. 602. Semiannual reports on investigations of unauthorized public disclosures of classified information.
- Sec. 603. Intelligence community reports on security clearances.
- Sec. 604. Report on expansion of Security Protective Services jurisdiction.
- Sec. 605. Report on role of Director of National Intelligence with respect to certain foreign investments.
- Sec. 606. Report on Cyber Exchange Program.
- Sec. 607. Review of intelligence community participation in vulnerabilities equities process.
- Sec. 608. Review of Intelligence Community whistleblower matters.
- Sec. 609. Sense of Congress on notifications of certain disclosures of classified information.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

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

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

5 **TITLE I—INTELLIGENCE**
6 **ACTIVITIES**

7 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2018 for the conduct of the intelligence and
10 intelligence-related activities of the following elements of
11 the United States Government:

12 (1) The Office of the Director of National Intel-
13 ligence.

14 (2) The Central Intelligence Agency.

15 (3) The Department of Defense.

16 (4) The Defense Intelligence Agency.

17 (5) The National Security Agency.

18 (6) The Department of the Army, the Depart-
19 ment of the Navy, and the Department of the Air
20 Force.

21 (7) The Coast Guard.

22 (8) The Department of State.

23 (9) The Department of the Treasury.

24 (10) The Department of Energy.

25 (11) The Department of Justice.

1 (12) The Federal Bureau of Investigation.

2 (13) The Drug Enforcement Administration.

3 (14) The National Reconnaissance Office.

4 (15) The National Geospatial-Intelligence Agen-
5 cy.

6 (16) The Department of Homeland Security.

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

8 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
9 authorized to be appropriated under section 101 and, sub-
10 ject to section 103, the authorized personnel ceilings as
11 of September 30, 2018, for the conduct of the intelligence
12 activities of the elements listed in paragraphs (1) through
13 (16) of section 101, are those specified in the classified
14 Schedule of Authorizations prepared to accompany this
15 Act.

16 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
17 THORIZATIONS.—

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

23 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
24 ject to paragraph (3), the President shall provide for
25 suitable distribution of the classified Schedule of Au-

1 thorizations referred to in subsection (a), or of ap-
2 propriate portions of such Schedule, within the execu-
3 tive branch.

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

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

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

13 (C) as otherwise required by law.

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

15 (a) AUTHORITY FOR INCREASES.—The Director of
16 National Intelligence may authorize employment of civil-
17 ian personnel in excess of the number authorized for fiscal
18 year 2018 by the classified Schedule of Authorizations re-
19 ferred to in section 102(a) if the Director of National In-
20 telligence determines that such action is necessary to the
21 performance of important intelligence functions, except
22 that the number of personnel employed in excess of the
23 number authorized under such section may not, for any
24 element of the intelligence community, exceed 3 percent

1 of the number of civilian personnel authorized under such
2 schedule for such element.

3 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
4 rector of National Intelligence shall establish guidelines
5 that govern, for each element of the intelligence commu-
6 nity, the treatment under the personnel levels authorized
7 under section 102(a), including any exemption from such
8 personnel levels, of employment or assignment in—

9 (1) a student program, trainee program, or
10 similar program;

11 (2) a reserve corps or as a reemployed annu-
12 itant; or

13 (3) details, joint duty, or long-term, full-time
14 training.

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

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

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated for the Intelligence Commu-
24 nity Management Account of the Director of National In-
25 telligence for fiscal year 2018 the sum of \$526,900,000.

1 Within such amount, funds identified in the classified
2 Schedule of Authorizations referred to in section 102(a)
3 for advanced research and development shall remain avail-
4 able until September 30, 2019.

5 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
6 ments within the Intelligence Community Management
7 Account of the Director of National Intelligence are au-
8 thorized 804 positions as of September 30, 2018. Per-
9 sonnel serving in such elements may be permanent em-
10 ployees of the Office of the Director of National Intel-
11 ligence or personnel detailed from other elements of the
12 United States Government.

13 (c) CLASSIFIED AUTHORIZATIONS.—

14 (1) AUTHORIZATION OF APPROPRIATIONS.—In
15 addition to amounts authorized to be appropriated
16 for the Intelligence Community Management Ac-
17 count by subsection (a), there are authorized to be
18 appropriated for the Intelligence Community Man-
19 agement Account for fiscal year 2018 such addi-
20 tional amounts as are specified in the classified
21 Schedule of Authorizations referred to in section
22 102(a). Such additional amounts made available for
23 advanced research and development shall remain
24 available until September 30, 2019.

1 (2) AUTHORIZATION OF PERSONNEL.—In addi-
2 tion to the personnel authorized by subsection (b)
3 for elements of the Intelligence Community Manage-
4 ment Account as of September 30, 2018, there are
5 authorized such additional personnel for the Com-
6 munity Management Account as of that date as are
7 specified in the classified Schedule of Authorizations
8 referred to in section 102(a).

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

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

14 There is authorized to be appropriated for the Cen-
15 tral Intelligence Agency Retirement and Disability Fund
16 for fiscal year 2018 the sum of \$514,000,000.

17 **SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
18 **OF THE CENTRAL INTELLIGENCE AGENCY.**

19 (a) COMPUTATION OF ANNUITIES.—

20 (1) IN GENERAL.—Section 221 of the Central
21 Intelligence Agency Retirement Act (50 U.S.C.
22 2031) is amended—

23 (A) in subsection (a)(3)(B), by striking the
24 period at the end and inserting “, as deter-
25 mined by using the annual rate of basic pay

1 that would be payable for full-time service in
2 that position.”;

3 (B) in subsection (b)(1)(C)(i), by striking
4 “12-month” and inserting “2-year”;

5 (C) in subsection (f)(2), by striking “one
6 year” and inserting “two years”;

7 (D) in subsection (g)(2), by striking “one
8 year” and inserting “two years”;

9 (E) by redesignating subsections (h), (i),
10 (j), (k), and (l) as subsections (i), (j), (k), (l),
11 and (m), respectively; and

12 (F) by inserting after subsection (g) the
13 following:

14 “(h) **CONDITIONAL ELECTION OF INSURABLE INTER-**
15 **EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT**
16 **THE TIME OF RETIREMENT.—**

17 “(1) **AUTHORITY TO MAKE DESIGNATION.—**

18 Subject to the rights of former spouses under sub-
19 section (b) and section 222, at the time of retire-
20 ment a married participant found by the Director to
21 be in good health may elect to receive an annuity re-
22 duced in accordance with subsection (f)(1)(B) and
23 designate in writing an individual having an insur-
24 able interest in the participant to receive an annuity
25 under the system after the participant’s death, ex-

1 cept that any such election to provide an insurable
2 interest survivor annuity to the participant's spouse
3 shall only be effective if the participant's spouse
4 waives the spousal right to a survivor annuity under
5 this Act. The amount of the annuity shall be equal
6 to 55 percent of the participant's reduced annuity.

7 “(2) REDUCTION IN PARTICIPANT’S ANNUITY.—
8 The annuity payable to the participant making such
9 election shall be reduced by 10 percent of an annuity
10 computed under subsection (a) and by an additional
11 5 percent for each full 5 years the designated indi-
12 vidual is younger than the participant. The total re-
13 duction under this subparagraph may not exceed 40
14 percent.

15 “(3) COMMENCEMENT OF SURVIVOR ANNU-
16 ITY.—The annuity payable to the designated indi-
17 vidual shall begin on the day after the retired partic-
18 ipant dies and terminate on the last day of the
19 month before the designated individual dies.

20 “(4) RECOMPUTATION OF PARTICIPANT’S AN-
21 NUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
22 annuity which is reduced under this subsection shall,
23 effective the first day of the month following the
24 death of the designated individual, be recomputed

1 and paid as if the annuity had not been so re-
2 duced.”.

3 (2) CONFORMING AMENDMENTS.—

4 (A) CENTRAL INTELLIGENCE AGENCY RE-
5 TIREMENT ACT.—The Central Intelligence
6 Agency Retirement Act (50 U.S.C. 2001 et
7 seq.) is amended—

8 (i) in section 232(b)(1) (50 U.S.C.
9 2052(b)(1)), by striking “221(h),” and in-
10 sserting “221(i),”; and

11 (ii) in section 252(h)(4) (50 U.S.C.
12 2082(h)(4)), by striking “221(k)” and in-
13 sserting “221(l)”.

14 (B) CENTRAL INTELLIGENCE AGENCY ACT
15 OF 1949.—Subsection (a) of section 14 of the
16 Central Intelligence Agency Act of 1949 (50
17 U.S.C. 3514(a)) is amended by striking
18 “221(h)(2), 221(i), 221(l),” and inserting
19 “221(i)(2), 221(j), 221(m),”.

20 (b) ANNUITIES FOR FORMER SPOUSES.—Subpara-
21 graph (B) of section 222(b)(5) of the Central Intelligence
22 Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is
23 amended by striking “one year” and inserting “two
24 years”.

1 (c) PRIOR SERVICE CREDIT.—Subparagraph (A) of
2 section 252(b)(3) of the Central Intelligence Agency Re-
3 tirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by
4 striking “October 1, 1990” both places that term appears
5 and inserting “March 31, 1991”.

6 (d) REEMPLOYMENT COMPENSATION.—Section 273
7 of the Central Intelligence Agency Retirement Act (50
8 U.S.C. 2113) is amended—

9 (1) by redesignating subsections (b) and (c) as
10 subsections (c) and (d), respectively; and

11 (2) by inserting after subsection (a) the fol-
12 lowing:

13 “(b) PART-TIME REEMPLOYED ANNUITANTS.—The
14 Director shall have the authority to reemploy an annuitant
15 in a part-time basis in accordance with section 8344(l) of
16 title 5, United States Code.”.

17 (e) EFFECTIVE DATE AND APPLICATION.—The
18 amendments made by subsection (a)(1)(A) and subsection
19 (c) shall take effect as if enacted on October 28, 2009,
20 and shall apply to computations or participants, respec-
21 tively, as of such date.

1 **TITLE III—GENERAL INTEL-**
2 **LIGENCE COMMUNITY MAT-**
3 **TERS**

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

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

10 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
11 **BENEFITS AUTHORIZED BY LAW.**

12 Appropriations authorized by this Act for salary, pay,
13 retirement, and other benefits for Federal employees may
14 be increased by such additional or supplemental amounts
15 as may be necessary for increases in such compensation
16 or benefits authorized by law.

17 **SEC. 303. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE**
18 **COMMUNITY CONTRACTORS.**

19 (a) OVERSIGHT BY CONGRESS.—

20 (1) IN GENERAL.—Title V of the National Se-
21 curity Act of 1947 (50 U.S.C. 3091 et seq.) is
22 amended by inserting after section 506J the fol-
23 lowing new section:

1 **“SEC. 506K. OVERSIGHT OF INTELLIGENCE COMMUNITY**
2 **CONTRACTORS.**

3 “Notwithstanding the terms of any contract awarded
4 by the head of an element of the intelligence community,
5 the head may not—

6 “(1) prohibit a contractor of such element from
7 contacting or meeting with either of the congress-
8 sional intelligence committees (including a member
9 or an employee thereof) to discuss matters relating
10 to a contract;

11 “(2) take any adverse action against a con-
12 tractor of such element, including by suspending or
13 debarring the contractor or terminating a contract,
14 based on the contractor contacting or meeting with
15 either of the congressional intelligence committees
16 (including a member or an employee thereof) to dis-
17 cuss matters relating to a contract; or

18 “(3) require the approval of the head before a
19 contractor of such element contacts or meets with ei-
20 ther of the congressional intelligence committees (in-
21 cluding a member or an employee thereof) to discuss
22 matters relating to a contract.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents in the first section of the National Security

1 Act of 1947 is amended by inserting after the item
2 relating to section 506J the following new item:

“Sec. 506K. Oversight of intelligence community contractors.”.

3 (b) APPLICATION.—The amendment made by sub-
4 section (a)(1) shall apply with respect to a contract award-
5 ed by the head of an element of the intelligence community
6 on or after the date of the enactment of this Act.

7 **SEC. 304. ENHANCED PERSONNEL SECURITY PROGRAMS.**

8 Section 11001(d) of title 5, United States Code, is
9 amended—

10 (1) in the subsection heading, by striking
11 “AUDIT” and inserting “REVIEW”;

12 (2) in paragraph (1), by striking “audit” and
13 inserting “review”; and

14 (3) in paragraph (2), by striking “audit” and
15 inserting “review”.

16 **TITLE IV—MATTERS RELATING**
17 **TO ELEMENTS OF THE INTEL-**
18 **LIGENCE COMMUNITY**

19 **Subtitle A—Office of the Director**
20 **of National Intelligence**

21 **SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND**
22 **FORMER EMPLOYEES OF THE OFFICE OF THE**
23 **DIRECTOR OF NATIONAL INTELLIGENCE.**

24 Section 5(a)(4) of the Central Intelligence Agency
25 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-

1 ing “such personnel of the Office of the Director of Na-
2 tional Intelligence as the Director of National Intelligence
3 may designate;” and inserting “current and former per-
4 sonnel of the Office of the Director of National Intel-
5 ligence and their immediate families as the Director of Na-
6 tional Intelligence may designate;”.

7 **SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
8 **FORMATION SHARING ENVIRONMENT.**

9 (a) INFORMATION SHARING ENVIRONMENT.—Sec-
10 tion 1016(b) of the Intelligence Reform and Terrorism
11 Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

12 (1) in paragraph (1), by striking “President”
13 and inserting “Director of National Intelligence”;
14 and

15 (2) in paragraph (2), by striking “President”
16 both places that term appears and inserting “Direc-
17 tor of National Intelligence”.

18 (b) PROGRAM MANAGER.—Section 1016(f) of the In-
19 telligence Reform and Terrorism Prevention Act of 2004
20 (6 U.S.C. 485(f)) is amended by striking “The individual
21 designated as the program manager shall serve as pro-
22 gram manager until removed from service or replaced by
23 the President (at the President’s sole discretion).” and in-
24 serting “Beginning on the date of the enactment of the
25 Intelligence Authorization Act for Fiscal Year 2018, each

1 individual designated as the program manager shall be ap-
2 pointed by the Director of National Intelligence.”.

3 **SEC. 403. TECHNICAL CORRECTION TO THE EXECUTIVE**
4 **SCHEDULE.**

5 Section 5313 of title 5, United States Code, is
6 amended by adding at the end the following:

7 “Director of the National Counterintelligence and Se-
8 curity.”.

9 **Subtitle B—Other Elements**

10 **SEC. 411. REQUIREMENTS RELATING TO APPOINTMENT OF**
11 **GENERAL COUNSEL OF NATIONAL SECURITY**
12 **AGENCY.**

13 (a) IN GENERAL.—Section 2 of the National Security
14 Agency Act of 1959 (Public Law 86–36; 50 U.S.C. 3602)
15 is amended by adding at the end the following new sub-
16 section:

17 “(c)(1) There is a General Counsel of the National
18 Security Agency.

19 “(2) The General Counsel of the National Security
20 Agency shall be appointed by the President, by and with
21 the advice and consent of the Senate.”.

22 (b) EFFECTIVE DATE.—Subsection (c) of section 2
23 of the National Security Agency Act of 1959 (Public Law
24 86–36; 50 U.S.C. 3602) shall apply with respect to any
25 person who is appointed to serve as General Counsel of

1 the National Security Agency on or after January 21,
2 2021.

3 **SEC. 412. TRANSFER OR ELIMINATION OF CERTAIN COMPO-**
4 **NENTS AND FUNCTIONS OF THE DEFENSE IN-**
5 **TELLIGENCE AGENCY.**

6 (a) INFORMATION REVIEW TASK FORCE.—

7 (1) TRANSFER REQUIRED.—Effective on the
8 date that is 180 days after the date of the enact-
9 ment of this Act, there is transferred from the Di-
10 rector of the Defense Intelligence Agency to the
11 Chairman of the Joint Chiefs of Staff all functions
12 performed by the Information Review Task Force
13 and all assigned responsibilities performed by the In-
14 formation Review Task Force. Upon such transfer,
15 such Task Force shall be designated as a chairman's
16 controlled activity.

17 (2) TRANSITION PLAN.—

18 (A) CONGRESSIONAL BRIEFING.—Not later
19 than 60 days after the date of the enactment of
20 this Act, the Director of the Defense Intel-
21 ligence Agency and the Chairman of the Joint
22 Chiefs of Staff shall jointly brief the congres-
23 sional intelligence committees and the congres-
24 sional defense committees on the plan to carry
25 out the transfer required under paragraph (1).

1 (B) SUBMITTAL OF FORMAL PLAN.—Not
2 later than 90 days after the date of the enact-
3 ment of this Act, the Director of the Defense
4 Intelligence Agency and the Chairman of the
5 Joint Chiefs of Staff shall jointly submit to the
6 congressional intelligence committees and the
7 congressional defense committees a formal plan
8 for the transfer required under paragraph (1).

9 (3) LIMITATION ON USE OF FUNDS.—The Di-
10 rector of the Defense Intelligence Agency may not
11 obligate or expend any funds authorized to be appro-
12 priated for the Information Review Task Force for
13 fiscal year 2018 after the date that is 180 days after
14 the date of the enactment of this Act. Any such
15 funds that are unobligated or unexpended as of such
16 date shall be transferred to the Chairman of the
17 Joint Chiefs of Staff.

18 (b) IDENTITY INTELLIGENCE PROJECT OFFICE.—

19 (1) ELIMINATION.—Effective on the date that
20 is 180 days after the date of the enactment of this
21 Act, the Director of the Defense Intelligence Agency
22 shall eliminate the Identity Intelligence Project Of-
23 fice, including all functions and assigned responsibil-
24 ities performed by the Identity Intelligence Project
25 Office. All personnel and assets pertaining to such

1 Office shall be transferred to other elements of the
2 Defense Intelligence Agency, as determined by the
3 Director.

4 (2) TRANSITION PLAN.—

5 (A) CONGRESSIONAL BRIEFING.—Not later
6 than 60 days after the date of the enactment of
7 this Act, the Director of the Defense Intel-
8 ligence Agency shall brief the congressional in-
9 telligence committees and the congressional de-
10 fense committees on the plan to carry out the
11 elimination required under paragraph (1).

12 (B) SUBMITTAL OF FORMAL PLAN.—Not
13 later than 90 days after the date of the enact-
14 ment of this Act, the Director of the Defense
15 Intelligence Agency shall submit to the congres-
16 sional intelligence committees and the congres-
17 sional defense committees a formal plan for the
18 elimination required under paragraph (1).

19 (3) LIMITATION ON USE OF FUNDS.—The Di-
20 rector of the Defense Intelligence Agency may not
21 obligate or expend any funds authorized to be appro-
22 priated for the Identity Intelligence Project Office
23 for fiscal year 2018 after the date that is 180 days
24 after the date of the enactment of this Act. Any
25 such funds that are unobligated or unexpended as of

1 such date shall be transferred to other elements of
2 the Defense Intelligence Agency, as determined by
3 the Director.

4 (c) WATCHLISTING BRANCH.—

5 (1) TRANSFER REQUIRED.—Effective on the
6 date that is 180 days after the date of the enact-
7 ment of this Act, there is transferred from the Di-
8 rector of the Defense Intelligence Agency to the Di-
9 rector for Intelligence of the Joint Staff all functions
10 and all assigned responsibilities performed by the
11 Watchlisting Branch.

12 (2) TRANSITION PLAN.—

13 (A) CONGRESSIONAL BRIEFING.—Not later
14 than 60 days after the date of the enactment of
15 this Act, the Director of the Defense Intel-
16 ligence Agency and the Director for Intelligence
17 of the Joint Staff shall jointly brief the congres-
18 sional intelligence committees and the congres-
19 sional defense committees on the plan to carry
20 out the transfer required under paragraph (1).

21 (B) SUBMITTAL OF FORMAL PLAN.—Not
22 later than 90 days after the date of the enact-
23 ment of this Act, the Director of the Defense
24 Intelligence Agency and the Director for Intel-
25 ligence of the Joint Staff shall jointly submit to

1 the congressional intelligence committees and
2 the congressional defense committees a formal
3 plan for the transfer required under paragraph
4 (1).

5 (3) LIMITATION ON USE OF FUNDS.—The Di-
6 rector of the Defense Intelligence Agency may not
7 obligate or expend any funds authorized to be appro-
8 priated for the Watchlisting Branch for fiscal year
9 2018 after the date that is 180 days after the date
10 of the enactment of this Act. Any such funds that
11 are unobligated or unexpended as of such date shall
12 be transferred to the Director for Intelligence of the
13 Joint Staff.

14 (d) COUNTER-THREAT FINANCE.—

15 (1) ELIMINATION.—Not later than 180 days
16 after the date of the enactment of this Act, the Di-
17 rector of the Defense Intelligence Agency shall elimi-
18 nate the Counter-Threat Finance analysis function
19 of the Defense Intelligence Agency. All personnel
20 and assets pertaining to such function shall be
21 transferred to other elements of the Defense Intel-
22 ligence Agency, as determined by the Director.

23 (2) TRANSITION PLAN.—

24 (A) CONGRESSIONAL BRIEFING.—Not later
25 than 60 days after the date of the enactment of

1 this Act, the Director of the Defense Intel-
2 ligence Agency shall brief the congressional in-
3 telligence committees and the congressional de-
4 fense committees on the plan to eliminate the
5 Counter-Threat Finance analysis function
6 under paragraph (1).

7 (B) SUBMITTAL OF FORMAL PLAN.—Not
8 later than 90 days after the date of the enact-
9 ment of this Act, the Director of the Defense
10 Intelligence Agency shall submit to the congres-
11 sional intelligence committees and the congres-
12 sional defense committees a formal plan to
13 eliminate such function under paragraph (1).

14 (3) LIMITATION ON USE OF FUNDS.—The Di-
15 rector of the Defense Intelligence Agency may not
16 obligate or expend any funds authorized to be appro-
17 priated for the Counter-Threat Finance analysis
18 function for fiscal year 2018 after the date that is
19 180 days after the date of the enactment of this Act.
20 Any such funds that are unobligated or unexpended
21 as of such date shall be transferred to other ele-
22 ments of the Defense Intelligence Agency, as deter-
23 mined by the Director.

24 (e) NATIONAL INTELLIGENCE UNIVERSITY.—

1 (1) TRANSFER REQUIRED.—Effective on Octo-
2 ber 1, 2020, there is transferred from the Director
3 of the Defense Intelligence Agency to the Director of
4 National Intelligence all functions and all assigned
5 responsibilities performed by the National Intel-
6 ligence University.

7 (2) TRANSITION PLAN.—

8 (A) CONGRESSIONAL BRIEFING.—Not later
9 than October 1, 2018, the Director of the De-
10 fense Intelligence Agency and the Director of
11 National Intelligence shall jointly brief the con-
12 gressional intelligence committees and the con-
13 gressional defense committees on the plan to
14 carry out the transfer required under paragraph
15 (1).

16 (B) SUBMITTAL OF FORMAL PLAN.—Not
17 later than April 1, 2019, the Director of the
18 Defense Intelligence Agency and the Director of
19 National Intelligence shall jointly submit to the
20 congressional intelligence committees and the
21 congressional defense committees a formal plan
22 for the transfer required under paragraph (1).

23 (3) LIMITATION ON USE OF FUNDS.—The Di-
24 rector of the Defense Intelligence Agency may not
25 obligate or expend any funds authorized to be appro-

1 priated for the National Intelligence University after
2 October 1, 2020. Any such funds that are unobli-
3 gated or unexpended as of such date shall be trans-
4 ferred to the Director of National Intelligence.

5 (f) CONGRESSIONAL NOTICE FOR REPROGRAM-
6 MING.—Not later than 30 days before transferring any
7 funds relating to transferring or eliminating any function
8 under this section, the Director of the Defense Intelligence
9 Agency shall submit to the congressional intelligence com-
10 mittees and the congressional defense committees notice
11 in writing of such transfer.

12 (g) TREATMENT OF CERTAIN FUNCTIONS AND RE-
13 SPONSIBILITIES.—

14 (1) IN GENERAL.—In the case of any function
15 or executive agent responsibility that is transferred
16 to the Director of National Intelligence pursuant to
17 this section, the Director of National Intelligence
18 may not delegate such function or responsibility to
19 another element of the intelligence community.

20 (2) EXECUTIVE AGENT RESPONSIBILITY.—In
21 this subsection, the term “executive agent responsi-
22 bility” means the specific responsibilities, functions,
23 and authorities assigned by the Director of National
24 Intelligence to the head of an intelligence community
25 element to provide defined levels of support for intel-

1 intelligence operations, or administrative or other des-
2 ignated activities.

3 (h) DEADLINE FOR POLICY UPDATES.—Not later
4 than October 1, 2020, the Director of National Intel-
5 ligence, the Under Secretary of Defense for Intelligence,
6 and the Chairman of the Joint Chiefs of Staff shall ensure
7 that all relevant policies of the intelligence community and
8 Department of Defense are updated to reflect the trans-
9 fers required to be made pursuant to this section.

10 (i) TREATMENT OF TRANSFERRED FUNCTIONS.—No
11 transferred functions or assigned responsibility referred to
12 in subsection (a), (c), or (e) shall be considered a new start
13 by the receiving element, including in the case of any lapse
14 of appropriation for such transferred function or assigned
15 responsibility.

16 (j) REPORTS ON OTHER ELEMENTS OF DEFENSE IN-
17 TELLIGENCE AGENCY.—

18 (1) NATIONAL CENTER FOR CREDIBILITY AS-
19 SESSMENT.—

20 (A) SENSE OF CONGRESS.—It is the sense
21 of Congress that—

22 (i) the assignment of executive agency
23 for the National Center for Credibility As-
24 sessment to the Director of the Defense
25 Intelligence Agency may be limiting the

1 ability of the Center to effectively serve the
2 Federal customer base of the Center;

3 (ii) the failure of the Director of Na-
4 tional Intelligence, in the role of the Direc-
5 tor as security executive for the Federal
6 Government, to define in policy the term
7 “Executive Agent” may be further limiting
8 the ability of the Center to receive suffi-
9 cient resources to carry out the critical
10 Federal mission of the Center; and

11 (iii) the evolution of the Center from
12 an organization of the Army to an organi-
13 zation serving 27 departments and agen-
14 cies and responsible for all Federal credi-
15 bility assessment training, oversight, and
16 research and development, has resulted in
17 a convoluted oversight structure based on
18 legacy reporting requirements.

19 (B) REPORT.—Not later than October 1,
20 2018, the Director of the Defense Intelligence
21 Agency, the Director of National Intelligence,
22 and the Secretary of Defense shall jointly sub-
23 mit to the congressional intelligence committees
24 and the congressional defense committees a re-
25 port on—

1 (i) the current and projected missions
2 and functions of the National Center for
3 Credibility Assessment;

4 (ii) the effectiveness of the current or-
5 ganizational assignment of the Center to
6 the Director of the Defense Intelligence
7 Agency;

8 (iii) the effectiveness of the current
9 oversight structure between the Center, the
10 Defense Intelligence Agency, the Under
11 Secretary of Defense for Intelligence, and
12 the Director of National Intelligence; and

13 (iv) the resources and authorities nec-
14 essary to most effectively execute the mis-
15 sions and functions of the Center.

16 (2) UNDERGROUND FACILITIES ANALYSIS CEN-
17 TER.—

18 (A) SENSE OF CONGRESS.—It is the sense
19 of Congress that—

20 (i) the assignment of executive agency
21 for the Underground Facilities Analysis
22 Center to the Director of the Defense In-
23 telligence Agency may be limiting the abil-
24 ity of the Center to effectively serve the

1 broader intelligence community customer
2 base of the Center;

3 (ii) the failure of the Director of Na-
4 tional Intelligence to define in policy the
5 term “Executive Agent” may be further
6 limiting the ability of the Center to receive
7 sufficient resources to carry out the critical
8 mission of the Center; and

9 (iii) the requirements of the intel-
10 ligence community and Department of De-
11 fense with respect to underground facilities
12 are not adequately being met given the
13 scale and complexity of the problem set
14 and the relatively small amount of funding
15 currently received by the Center.

16 (B) REPORT.—Not later than October 1,
17 2018, the Director of the Defense Intelligence
18 Agency, the Director of National Intelligence,
19 and the Chairman of the Joint Chiefs of Staff
20 shall jointly submit to the congressional intel-
21 ligence committees and the congressional de-
22 fense committees a report on—

23 (i) the missions and functions of the
24 Underground Facilities Analysis Center;

1 (ii) the state of the requirements of
2 the intelligence community and Depart-
3 ment of Defense with respect to under-
4 ground facilities and the ability of the Cen-
5 ter to meet such requirements;

6 (iii) the effectiveness of the current
7 organizational assignment of the Center to
8 the Director of the Defense Intelligence
9 Agency;

10 (iv) the effectiveness of the current
11 oversight structure between the Center, the
12 Defense Intelligence Agency, the Secretary
13 of Defense, and the Director of National
14 Intelligence; and

15 (v) the resources and authorities nec-
16 essary to most effectively execute the mis-
17 sions and functions of the Center.

18 (k) CONGRESSIONAL DEFENSE COMMITTEES DE-
19 FINED.—In this section, the term “congressional defense
20 committees” means—

21 (1) the Committees on Armed Services of the
22 Senate and House of Representatives; and

23 (2) the Committees on Appropriations of the
24 Senate and House of Representatives.

1 **SEC. 413. TECHNICAL AMENDMENTS RELATED TO THE DE-**
2 **PARTMENT OF ENERGY.**

3 (a) **ATOMIC ENERGY DEFENSE ACT.**—Section
4 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
5 2674(b)(2)) is amended by inserting “Intelligence and”
6 after “The Director of”.

7 (b) **NATIONAL SECURITY ACT OF 1947.**—Paragraph
8 (2) of section 106(b) of the National Security Act of 1947
9 (50 U.S.C. 3041(b)(2)) is amended—

10 (1) in subparagraph (E), by inserting “and
11 Counterintelligence” after “Office of Intelligence”;

12 (2) by striking subparagraph (F);

13 (3) by redesignating subparagraphs (G), (H),
14 and (I) as subparagraphs (F), (G), and (H), respec-
15 tively; and

16 (4) in subparagraph (I), by realigning the mar-
17 gin of such subparagraph two ems to the left.

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

20 **SEC. 501. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
21 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
22 **ELECTIONS AND REFERENDA.**

23 (a) **ASSESSMENT REQUIRED.**—Not later than 60
24 days after the date of the enactment of this Act, the Direc-
25 tor of National Intelligence shall submit to the congres-
26 sional intelligence committees a report containing an ana-

1 lytical assessment of the most significant Russian influ-
2 ence campaigns, if any, conducted during the 3-year pe-
3 riod preceding the date of the enactment of this Act, as
4 well as the most significant current or planned such Rus-
5 sian influence campaigns, if any. Such assessment shall
6 include—

7 (1) a summary of such significant Russian in-
8 fluence campaigns, including, at a minimum, the
9 specific means by which such campaigns were con-
10 ducted, are being conducted, or likely will be con-
11 ducted, as appropriate, and the specific goal of each
12 such campaign;

13 (2) a summary of any defenses against or re-
14 sponses to such Russian influence campaigns by the
15 foreign state holding the elections or referenda;

16 (3) a summary of any relevant activities by ele-
17 ments of the intelligence community undertaken for
18 the purpose of assisting the government of such for-
19 eign state in defending against or responding to
20 such Russian influence campaigns; and

21 (4) an assessment of the effectiveness of such
22 defenses and responses described in paragraphs (2)
23 and (3).

1 (b) FORM.—The report required by subsection (a)
2 may be submitted in classified form, but if so submitted,
3 shall contain an unclassified summary.

4 (c) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In
5 this section, the term “Russian influence campaign”
6 means any effort, covert or overt, and by any means, at-
7 tributable to the Russian Federation directed at an elec-
8 tion, referendum, or similar process in a country other
9 than the Russian Federation or the United States.

10 **SEC. 502. FOREIGN COUNTERINTELLIGENCE AND**
11 **CYBERSECURITY THREATS TO FEDERAL**
12 **ELECTION CAMPAIGNS.**

13 (a) REPORTS REQUIRED.—

14 (1) IN GENERAL.—As provided in paragraph
15 (2), for each Federal election, the Director of Na-
16 tional Intelligence, in coordination with the Under
17 Secretary of Homeland Security for Intelligence and
18 Analysis and the Director of the Federal Bureau of
19 Investigation, shall make publicly available on an
20 internet website an advisory report on foreign coun-
21 terintelligence and cybersecurity threats to election
22 campaigns for Federal offices. Each such report
23 shall include, consistent with the protection of
24 sources and methods, each of the following:

1 (A) A description of foreign counterintel-
2 ligence and cybersecurity threats to election
3 campaigns for Federal offices.

4 (B) A summary of best practices that elec-
5 tion campaigns for Federal offices can employ
6 in seeking to counter such threats.

7 (C) An identification of any publicly avail-
8 able resources, including United States Govern-
9 ment resources, for countering such threats.

10 (2) SCHEDULE FOR SUBMITTAL.—A report
11 under this subsection shall be made available as fol-
12 lows:

13 (A) In the case of a report regarding an
14 election held for the office of Senator or Mem-
15 ber of the House of Representatives during
16 2018, not later than the date that is 60 days
17 after the date of the enactment of this Act.

18 (B) In the case of a report regarding an
19 election for a Federal office during any subse-
20 quent year, not later than the date that is one
21 year before the date of the election.

22 (3) INFORMATION TO BE INCLUDED.—A report
23 under this subsection shall reflect the most current
24 information available to the Director of National In-

1 intelligence regarding foreign counterintelligence and
2 cybersecurity threats.

3 (b) TREATMENT OF CAMPAIGNS SUBJECT TO
4 HEIGHTENED THREATS.—If the Director of the Federal
5 Bureau of Investigation and the Under Secretary of
6 Homeland Security for Intelligence and Analysis jointly
7 determine that an election campaign for Federal office is
8 subject to a heightened foreign counterintelligence or
9 cybersecurity threat, the Director and the Under Sec-
10 retary, consistent with the protection of sources and meth-
11 ods, may make available additional information to the ap-
12 propriate representatives of such campaign.

13 **SEC. 503. ASSESSMENT OF THREAT FINANCE RELATING TO**
14 **THE RUSSIAN FEDERATION.**

15 (a) REPORT.—Not later than 60 days after the date
16 of the enactment of this Act, the Director of National In-
17 telligence, acting through the National Intelligence Man-
18 ager for Threat Finance, shall submit to the congressional
19 intelligence committees a report containing an assessment
20 of the financing of threat activity by the Russian Federa-
21 tion.

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

24 (1) A summary of leading examples from the 3-
25 year period prior to the date of the report of any

1 threat finance activities conducted by, for the benefit
2 of, or at the behest of officials of the Government
3 of Russia, persons subject to sanctions under any
4 provision of law imposing sanctions with respect to
5 Russia, or Russian nationals subject to sanctions
6 under any other provision of law.

7 (2) An assessment with respect to any trends or
8 patterns in threat finance activities relating to Rus-
9 sia, including common methods of conducting such
10 activities.

11 (3) A summary of engagement and coordination
12 with international partners on threat finance relat-
13 ing to Russia, especially in Europe, including exam-
14 ples of such engagement and coordination.

15 (4) An identification of any resource and collec-
16 tion gaps.

17 (c) FORM.—The report submitted under subsection
18 (a) may be submitted in classified form.

19 (d) THREAT FINANCE DEFINED.—In this section,
20 the term “threat finance” means—

21 (1) the financing of cyber operations, global in-
22 fluence campaigns, intelligence service activities, pro-
23 liferation, terrorism, or transnational crime and
24 drug organizations;

1 (2) the methods and entities used to spend,
2 store, move, raise, or conceal money or value on be-
3 half of threat actors;

4 (3) sanctions evasion; or

5 (4) other forms of threat financing domestically
6 or internationally, as defined by the President.

7 **TITLE VI—REPORTS AND OTHER** 8 **MATTERS**

9 **SEC. 601. PERIOD OF OVERSEAS ASSIGNMENTS FOR CER-** 10 **TAIN FOREIGN SERVICE OFFICERS.**

11 (a) LENGTH OF PERIOD OF ASSIGNMENT.—Sub-
12 section (a) of section 502 of the Foreign Service Act of
13 1980 (22 U.S.C. 3982) is amended by adding at the end
14 the following new paragraph:

15 “(3) In making assignments under paragraph (1),
16 and in accordance with section 903, and, if applicable, sec-
17 tion 503, the Secretary shall assure that a member of the
18 Service may serve at a post for a period of not more than
19 six consecutive years.”.

20 (b) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
21 MENTS.—Section 702 of the Foreign Service Act of 1980
22 (22 U.S.C. 4022) is amended by—

23 (1) redesignating subsection (c) as subsection
24 (d); and

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
4 MENTS.—

5 “(1) IN GENERAL.—The Secretary of State,
6 with the assistance of other relevant officials, shall
7 require all members of the Service who receive for-
8 eign language training in Arabic, Farsi, Chinese
9 (Mandarin or Cantonese), Turkish, Korean, and
10 Japanese by the institution or otherwise in accord-
11 ance with subsection (b) to serve three successive
12 tours in positions in which the acquired language is
13 both relevant and determined to be a benefit to the
14 Department.

15 “(2) OVERSEAS DEPLOYMENTS.—In carrying
16 out paragraph (1), at least one of the three succes-
17 sive tours referred to in such paragraph shall be an
18 overseas deployment.

19 “(3) WAIVER.—The Secretary of State may
20 waive the application of paragraph (1) for medical
21 or family hardship or in the interest of national se-
22 curity.

23 “(4) CONGRESSIONAL NOTIFICATION.—The
24 Secretary of State shall notify the Committees on
25 Appropriations and Foreign Affairs of the House of

1 Representatives and Committees on Appropriations
2 and Foreign Relations of the Senate at the end of
3 each fiscal year of any instances during the prior
4 twelve months in which the waiver authority de-
5 scribed in paragraph (3) was invoked.”.

6 **SEC. 602. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
7 **UNAUTHORIZED PUBLIC DISCLOSURES OF**
8 **CLASSIFIED INFORMATION.**

9 (a) IN GENERAL.—Title XI of the National Security
10 Act of 1947 (50 U.S.C. 3091 et seq.) is amended by add-
11 ing at the end the following new section:

12 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
13 **UNAUTHORIZED PUBLIC DISCLOSURES OF**
14 **CLASSIFIED INFORMATION.**

15 “(a) IN GENERAL.—On a semiannual basis, each cov-
16 ered official shall submit to the congressional intelligence
17 committees a report that includes, with respect to the pre-
18 ceding 6-month period—

19 “(1) the number of investigations opened by the
20 covered official regarding an unauthorized public
21 disclosure of classified information;

22 “(2) the number of investigations completed by
23 the covered official regarding an unauthorized public
24 disclosure of classified information; and

1 “(3) of the number of such completed investiga-
2 tions identified under paragraph (2), the number re-
3 ferred to the Attorney General for criminal inves-
4 tigation.

5 “(b) DEFINITIONS.—In this section:

6 “(1) The term ‘covered official’ means—

7 “(A) the heads of each element of the in-
8 telligence community; and

9 “(B) the inspectors general with oversight
10 responsibility for an element of the intelligence
11 community.

12 “(2) The term ‘investigation’ means any in-
13 quiry, whether formal or informal, into the existence
14 of an unauthorized public disclosure of classified in-
15 formation.

16 “(3) The term ‘unauthorized public disclosure
17 of classified information’ means the unauthorized
18 disclosure of classified information to a journalist or
19 media organization.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 in the first section of the National Security Act of 1947
22 is amended by inserting after the item relating to section
23 1104 the following new item:

 “Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of
 classified information.”.

1 **SEC. 603. INTELLIGENCE COMMUNITY REPORTS ON SECU-**
2 **RITY CLEARANCES.**

3 Section 506H of the National Security Act of 1947
4 (50 U.S.C. 3104) is amended—

5 (1) in subsection (a)(1)—

6 (A) in subparagraph (A)(ii), by inserting
7 “and” after the semicolon;

8 (B) in subparagraph (B)(ii), by striking “;
9 and” and inserting a period; and

10 (C) by striking subparagraph (C);

11 (2) by redesignating subsection (b) as sub-
12 section (c);

13 (3) by inserting after subsection (a) the fol-
14 lowing new subsection (b):

15 “(b) INTELLIGENCE COMMUNITY REPORTS.—(1)

16 Not later than March 1 of each year, the Director of Na-
17 tional Intelligence shall submit to the congressional intel-
18 ligence committees a report on the security clearances
19 processed by each element of the intelligence community
20 during the preceding calendar year. Each such report shall
21 separately identify security clearances processed by each
22 such element and shall cover Federal employees and con-
23 tractor employees.

24 “(2) Each report submitted under paragraph (1)
25 shall include each of the following for each element of the
26 intelligence community for the year covered by the report:

1 “(A) The total number of initial security clear-
2 ance background investigations opened for new ap-
3 plicants.

4 “(B) The total number of security clearance
5 periodic re-investigations opened for existing employ-
6 ees.

7 “(C) The total number of initial security clear-
8 ance background investigations for new applicants
9 that were finalized and adjudicated with notice of a
10 determination provided to the prospective applicant,
11 including—

12 “(i) the total number that were adju-
13 dicated favorably and granted access to classi-
14 fied information; and

15 “(ii) the total number that were adju-
16 dicated unfavorably and resulted in a denial or
17 revocation of a security clearance.

18 “(D) The total number of security clearance
19 periodic background investigations that were final-
20 ized and adjudicated with notice of a determination
21 provided to the existing employee, including—

22 “(i) the total number that were adju-
23 dicated favorably; and

1 “(ii) the total number that were adju-
2 dicated unfavorably and resulted in a denial or
3 revocation of a security clearance.

4 “(E) The total number of pending security
5 clearance background investigations, including initial
6 applicant investigations and periodic re-investiga-
7 tions, that were not finalized and adjudicated as of
8 the last day of such year and that remained pending
9 as follows:

10 “(i) For 180 days or less.

11 “(ii) For 180 days or longer, but less than
12 12 months.

13 “(iii) For 12 months or longer, but less
14 than 18 months.

15 “(iv) For 18 months or longer, but less
16 than 24 months.

17 “(v) For 24 months or longer.

18 “(F) In the case of security clearance deter-
19 minations completed or pending during the year pre-
20 ceding the year for which the report is submitted
21 that have taken longer than 12 months to com-
22 plete—

23 “(i) the cause of the delay for such deter-
24 minations; and

1 “(ii) the number of such determinations
2 for which polygraph examinations were re-
3 quired.

4 “(G) The percentage of security clearance in-
5 vestigations, including initial and periodic re-inves-
6 tigations, that resulted in a denial or revocation of
7 a security clearance.

8 “(H) The percentage of security clearance in-
9 vestigations that resulted in incomplete information.

10 “(I) The percentage of security clearance inves-
11 tigations that did not result in enough information
12 to make a decision on potentially adverse informa-
13 tion.

14 “(3) The report required under this subsection shall
15 be submitted in unclassified form, but may include a clas-
16 sified annex.”; and

17 (4) in subsection (c), as redesignated by para-
18 graph (2), by inserting “and (b)” after “subsection
19 (a)(1)”.

20 **SEC. 604. REPORT ON EXPANSION OF SECURITY PROTEC-**
21 **TIVE SERVICES JURISDICTION.**

22 (a) REPORT.—Not later than 60 days after the date
23 of the enactment of this Act, the Director of the Central
24 Intelligence Agency shall submit to the congressional intel-
25 ligence committees a report on the feasibility, justification,

1 costs, and benefits of expanding the jurisdiction of the
2 protective services of the Central Intelligence Agency
3 under section 15(a)(1) of the Central Intelligence Agency
4 Act of 1949 (50 U.S.C. 3515(a)). The report shall in-
5 clude—

6 (1) an explanation of the need for expanding
7 such jurisdiction beyond the 500-foot limit specified
8 in such section 15(a)(1); and

9 (2) an identification of any comparable depart-
10 ments or agencies of the Federal Government in the
11 Washington metropolitan region (as defined in sec-
12 tion 8301 of title 40, United States Code) whose
13 protective services jurisdictions exceed 500 feet.

14 (b) FORM.—The report under subsection (a) may be
15 submitted in classified form.

16 **SEC. 605. REPORT ON ROLE OF DIRECTOR OF NATIONAL IN-**
17 **TELLIGENCE WITH RESPECT TO CERTAIN**
18 **FOREIGN INVESTMENTS.**

19 (a) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Director of National In-
21 telligence, in consultation with the heads of the elements
22 of the intelligence community determined appropriate by
23 the Director, shall submit to the congressional intelligence
24 committees a report on the role of the Director in pre-
25 paring analytic materials in connection with the evaluation

1 by the Federal Government of national security risks asso-
2 ciated with potential foreign investments into the United
3 States.

4 (b) MATTERS INCLUDED.—The report under sub-
5 section (a) shall—

6 (1) describe the current process for the provi-
7 sion of the analytic materials described in subsection
8 (a);

9 (2) identify the most significant benefits and
10 drawbacks of such process with respect to the role
11 of the Director, including any benefits or drawbacks
12 relating to the time allotted to the Director to pre-
13 pare such materials; and

14 (3) include recommendations to improve such
15 process.

16 **SEC. 606. REPORT ON CYBER EXCHANGE PROGRAM.**

17 (a) REPORT.—Not later than 90 days after the date
18 of the enactment of this Act, the Director of National In-
19 telligence shall submit to the congressional intelligence
20 committees a report on the potential establishment of a
21 fully voluntary exchange program between elements of the
22 intelligence community and private technology companies
23 under which—

24 (1) an employee of an element of the intel-
25 ligence community with demonstrated expertise and

1 work experience in cybersecurity or related dis-
2 ciplines may elect to be temporarily detailed to a pri-
3 vate technology company that has elected to receive
4 the detailee; and

5 (2) an employee of a private technology com-
6 pany with demonstrated expertise and work experi-
7 ence in cybersecurity or related disciplines may elect
8 to be temporarily detailed to an element of the intel-
9 ligence community that has elected to receive the
10 detailee.

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

13 (1) The feasibility of establishing the exchange
14 program described in such subsection.

15 (2) Identification of any challenges in estab-
16 lishing the exchange program.

17 (3) An evaluation of the benefits to the intel-
18 ligence community that would result from the ex-
19 change program.

20 **SEC. 607. REVIEW OF INTELLIGENCE COMMUNITY PARTICI-**
21 **PATION IN VULNERABILITIES EQUITIES**
22 **PROCESS.**

23 (a) REVIEW.—Not later than 180 days after the date
24 of the enactment of this Act, the Inspector General of the
25 Intelligence Community shall review, with respect to the

1 3-year period preceding the date of the review, the roles
2 and responsibilities of the elements of the intelligence com-
3 munity in the process of the Federal Government for de-
4 termining whether, when, how, and to whom information
5 about a vulnerability that is not publicly known will be
6 shared with or released to a non-Federal entity or the pub-
7 lic.

8 (b) REPORT.—

9 (1) SUBMISSION.—Not later than 240 days
10 after the date of the enactment of this Act, the In-
11 spector General shall submit to the congressional in-
12 telligence committees a report on the results of the
13 review under subsection (a).

14 (2) ELEMENTS.—The report under paragraph
15 (1) shall include the following:

16 (A) A description of the roles and respon-
17 sibilities of the elements of the intelligence com-
18 munity in the process of determining whether,
19 when, how, and to whom information about a
20 vulnerability that is not publicly known will be
21 shared or released to a non-Federal entity or
22 the public.

23 (B) The criteria used by the Federal Gov-
24 ernment, including elements of the intelligence
25 community, in making such determination.

1 (C) With respect to the period covered by
2 the review—

3 (i) a summary of vulnerabilities
4 known to elements of the intelligence com-
5 munity that were reviewed by the Federal
6 Government pursuant to such process, in-
7 cluding—

8 (I) the number of vulnerabilities
9 known to the intelligence community
10 that were reviewed; and

11 (II) of such number of reviewed
12 vulnerabilities, the number for which
13 information was shared with or re-
14 leased to a non-Federal entity or the
15 public;

16 (ii) an assessment of whether there
17 were any vulnerabilities known to elements
18 of the intelligence community that were
19 not reviewed pursuant to such process, and
20 if so, the basis and rationale for not con-
21 ducting such a review; and

22 (iii) a summary of the most signifi-
23 cant incidents in which a vulnerability
24 known to the intelligence community, but
25 not shared with or released to a non-Fed-

1 eral entity or the public, was exploited by
2 an individual, an entity, or a foreign coun-
3 try in the course of carrying out a cyber
4 intrusion.

5 (D) A description of any current mecha-
6 nisms for overseeing such process.

7 (E) Recommendations to improve the effi-
8 ciency, effectiveness, accountability, and, con-
9 sistent with national security, transparency of
10 such process.

11 (F) Any other matters the Inspector Gen-
12 eral determines appropriate.

13 (3) FORM.—The report may be submitted in
14 classified form.

15 (c) VULNERABILITY DEFINED.—In this section, the
16 term “vulnerability” means, with respect to information
17 technology, a design, configuration, or implementation
18 weakness in a technology, product, system, service, or ap-
19 plication that can be exploited or triggered to cause unex-
20 pected or unintended behavior.

21 **SEC. 608. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
22 **TLEBLOWER MATTERS.**

23 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
24 Inspector General of the Intelligence Community, in con-
25 sultation with the inspectors general for the Central Intel-

1 lligence Agency, the National Security Agency, the Na-
2 tional Geospatial-Intelligence Agency, the Defense Intel-
3 ligence Agency, and the National Reconnaissance Office,
4 shall conduct a review of the authorities, policies, inves-
5 tigatory standards, and other practices and procedures re-
6 lating to intelligence community whistleblower matters,
7 with respect to such inspectors general.

8 (b) OBJECTIVE OF REVIEW.—The objective of the re-
9 view required under subsection (a) is to identify any dis-
10 crepancies, inconsistencies, or other issues, which frustrate
11 the timely and effective reporting of intelligence commu-
12 nity whistleblower matters to appropriate inspectors gen-
13 eral and to the congressional intelligence committees, and
14 the fair and expeditious investigation and resolution of
15 such matters.

16 (c) CONDUCT OF REVIEW.—The Inspector General of
17 the Intelligence Community shall take such measures as
18 the Inspector General determines necessary in order to en-
19 sure that the review required by subsection (a) is con-
20 ducted in an independent and objective fashion.

21 (d) REPORT.—Not later than 270 days after the date
22 of the enactment of this Act, the Inspector General of the
23 Intelligence Community shall submit to the congressional
24 intelligence committees a written report containing the re-
25 sults of the review required under subsection (a), along

1 with recommendations to improve the timely and effective
2 reporting of Intelligence Community whistleblower mat-
3 ters to inspectors general and to the congressional intel-
4 ligence committees and the fair and expeditious investiga-
5 tion and resolution of such matters.

6 **SEC. 609. SENSE OF CONGRESS ON NOTIFICATIONS OF CER-**
7 **TAIN DISCLOSURES OF CLASSIFIED INFOR-**
8 **MATION.**

9 (a) FINDINGS.—Congress finds that section 502 of
10 the National Security Act of 1947 (50 U.S.C. 3092) re-
11 quires elements of the intelligence community to keep the
12 congressional intelligence committees “fully and currently
13 informed” about all “intelligence activities” of the United
14 States, and to “furnish to the congressional intelligence
15 committees any information or material concerning intel-
16 ligence activities. . . which is requested by either of the
17 congressional intelligence committees in order to carry out
18 its authorized responsibilities.”.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the authorities described in subsection (a),
22 together with other intelligence community authori-
23 ties, obligate an element of the intelligence commu-
24 nity to submit to the congressional intelligence com-
25 mittees written notification, by not later than 7 days

1 after becoming aware, that an individual in the execu-
2 tive branch has disclosed covered classified infor-
3 mation to an official of an adversary foreign govern-
4 ment using methods other than established intel-
5 ligence channels; and

6 (2) each such notification should include—

7 (A) the date and place of the disclosure of
8 classified information covered by the notifica-
9 tion;

10 (B) a description of such classified infor-
11 mation;

12 (C) identification of the individual who
13 made such disclosure and the individual to
14 whom such disclosure was made; and

15 (D) a summary of the circumstances of
16 such disclosure.

17 (c) DEFINITIONS.—In this section:

18 (1) The term “adversary foreign government”
19 means the government of any of the following for-
20 eign countries:

21 (A) North Korea.

22 (B) Iran.

23 (C) China.

24 (D) Russia.

25 (E) Cuba.

1 (2) The term “covered classified information”
2 means classified information that was—

3 (A) collected by an element of the intel-
4 ligence community; or

5 (B) provided by the intelligence service or
6 military of a foreign country to an element of
7 the intelligence community.

8 (3) The term “established intelligence chan-
9 nels” means methods to exchange intelligence to co-
10 ordinate foreign intelligence relationships, as estab-
11 lished pursuant to law by the Director of National
12 Intelligence, the Director of the Central Intelligence
13 Agency, the Director of the National Security Agen-
14 cy, or other head of an element of the intelligence
15 community.

16 (4) The term “individual in the executive
17 branch” means any officer or employee of the execu-
18 tive branch, including individuals—

19 (A) occupying a position specified in article
20 II of the Constitution;

21 (B) appointed to a position by an indi-
22 vidual described in subparagraph (A); or

23 (C) serving in the civil service or the senior
24 executive service (or similar service for senior

1 executives of particular departments or agen-
2 cies).

