

115TH CONGRESS
1ST SESSION

H. R. 3180

AN ACT

To authorize appropriations for fiscal year 2018 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.

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

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 Of-
fice of the Director of National Intelligence.

Sec. 402. Designation of the program manager-information sharing environ-
ment.

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.

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

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

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

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

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

20 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
21 ject to paragraph (3), the President shall provide for
22 suitable distribution of the classified Schedule of Au-
23 thorizations referred to in subsection (a), or of ap-
24 propriate portions of such Schedule, within the exec-
25 utive 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
6 Implementing Recommendations of the 9/11
7 Commission Act of 2007 (50 U.S.C. 3306(a));

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

10 (C) as otherwise required by law.

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

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

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

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

5 (1) a student program, trainee program, or
6 similar 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
12 COMMITTEES.—The Director of National Intelligence
13 shall notify the congressional intelligence committees in
14 writing at least 15 days prior to each exercise of an au-
15 thority described 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 In-
21 telligence for fiscal year 2018 the sum of \$526,900,000.
22 Within such amount, funds identified in the classified
23 Schedule of Authorizations referred to in section 102(a)
24 for advanced research and development shall remain avail-
25 able until September 30, 2019.

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

9 (c) CLASSIFIED AUTHORIZATIONS.—

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

21 (2) AUTHORIZATION OF PERSONNEL.—In addi-
22 tion to the personnel authorized by subsection (b)
23 for elements of the Intelligence Community Manage-
24 ment Account as of September 30, 2018, there are
25 authorized such additional personnel for the Com-

1 community Management Account as of that date as are
 2 specified in the classified Schedule of Authorizations
 3 referred to in section 102(a).

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

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

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

12 **SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
 13 **OF THE CENTRAL INTELLIGENCE AGENCY.**

14 (a) COMPUTATION OF ANNUITIES.—

15 (1) IN GENERAL.—Section 221 of the Central
 16 Intelligence Agency Retirement Act (50 U.S.C.
 17 2031) is amended—

18 (A) in subsection (a)(3)(B), by striking the
 19 period at the end and inserting “, as deter-
 20 mined by using the annual rate of basic pay
 21 that would be payable for full-time service in
 22 that position.”;

23 (B) in subsection (b)(1)(C)(i), by striking
 24 “12-month” and inserting “2-year”;

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

3 (D) in subsection (g)(2), by striking “one
4 year” each place such term appears and insert-
5 ing “two years”;

6 (E) by redesignating subsections (h), (i),
7 (j), (k), and (l) as subsections (i), (j), (k), (l),
8 and (m), respectively; and

9 (F) by inserting after subsection (g) the
10 following:

11 “(h) CONDITIONAL ELECTION OF INSURABLE INTER-
12 EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT
13 THE TIME OF RETIREMENT.—

14 “(1) AUTHORITY TO MAKE DESIGNATION.—

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

1 waives the spousal right to a survivor annuity under
2 this Act. The amount of the annuity shall be equal
3 to 55 percent of the participant's reduced annuity.

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

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

17 “(4) RECOMPUTATION OF PARTICIPANT’S AN-
18 NUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
19 annuity which is reduced under this subsection shall,
20 effective the first day of the month following the
21 death of the designated individual, be recomputed
22 and paid as if the annuity had not been so re-
23 duced.”.

24 (2) CONFORMING AMENDMENTS.—

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

5 (i) in section 232(b)(1) (50 U.S.C.
6 2052(b)(1)), by striking “221(h),” and in-
7 serting “221(i),”; and

8 (ii) in section 252(h)(4) (50 U.S.C.
9 2082(h)(4)), by striking “221(k)” and in-
10 serting “221(l)”.

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

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

22 (c) PRIOR SERVICE CREDIT.—Subparagraph (A) of
23 section 252(b)(3) of the Central Intelligence Agency Re-
24 tirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by

1 striking “October 1, 1990” both places that term appears
 2 and inserting “March 31, 1991”.

3 (d) REEMPLOYMENT COMPENSATION.—Section 273
 4 of the Central Intelligence Agency Retirement Act (50
 5 U.S.C. 2113) is amended—

6 (1) by redesignating subsections (b) and (c) as
 7 subsections (c) and (d), respectively; and

8 (2) by inserting after subsection (a) the fol-
 9 lowing:

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

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

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

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

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

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

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

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

10 **SEC. 303. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE**
11 **COMMUNITY CONTRACTORS.**

12 (a) OVERSIGHT BY CONGRESS.—

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

17 **“SEC. 506K. OVERSIGHT OF INTELLIGENCE COMMUNITY**
18 **CONTRACTORS.**

19 “Notwithstanding the terms of any contract awarded
20 by the head of an element of the intelligence community,
21 the head may not—

22 “(1) prohibit a contractor of such element from
23 contacting or meeting with either of the congres-
24 sional intelligence committees (including a member

1 or an employee thereof) to discuss matters relating
 2 to a contract;

3 “(2) take any adverse action against a con-
 4 tractor of such element, including by suspending or
 5 debarring the contractor or terminating a contract,
 6 based on the contractor contacting or meeting with
 7 either of the congressional intelligence committees
 8 (including a member or an employee thereof) to dis-
 9 cuss matters relating to a contract; or

10 “(3) require the approval of the head before a
 11 contractor of such element contacts or meets with ei-
 12 ther of the congressional intelligence committees (in-
 13 cluding a member or an employee thereof) to discuss
 14 matters relating to a contract.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
 16 tents in the first section of the National Security
 17 Act of 1947 is amended by inserting after the item
 18 relating to section 506J the following new item:

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

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

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

24 Section 11001(d) of title 5, United States Code, is
 25 amended—

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

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

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

7 **TITLE IV—MATTERS RELATING**
8 **TO ELEMENTS OF THE INTEL-**
9 **LIGENCE COMMUNITY**
10 **Subtitle A—Office of the Director**
11 **of National Intelligence**

12 **SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND**
13 **FORMER EMPLOYEES OF THE OFFICE OF THE**
14 **DIRECTOR OF NATIONAL INTELLIGENCE.**

15 Section 5(a)(4) of the Central Intelligence Agency
16 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-
17 ing “such personnel of the Office of the Director of Na-
18 tional Intelligence as the Director of National Intelligence
19 may designate;” and inserting “current and former per-
20 sonnel of the Office of the Director of National Intel-
21 ligence and their immediate families as the Director of Na-
22 tional Intelligence may designate;”.

1 **SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
2 **FORMATION SHARING ENVIRONMENT.**

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

6 (1) in paragraph (1), by striking “President”
7 and inserting “Director of National Intelligence”;
8 and

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

12 (b) PROGRAM MANAGER.—Section 1016(f) of the In-
13 telligence Reform and Terrorism Prevention Act of 2004
14 (6 U.S.C. 485(f)) is amended by striking “The individual
15 designated as the program manager shall serve as pro-
16 gram manager until removed from service or replaced by
17 the President (at the President’s sole discretion).” and in-
18 serting “Beginning on the date of the enactment of the
19 Intelligence Authorization Act for Fiscal Year 2018, each
20 individual designated as the program manager shall be ap-
21 pointed by the Director of National Intelligence.”.

22 **SEC. 403. TECHNICAL CORRECTION TO THE EXECUTIVE**
23 **SCHEDULE.**

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

1 “Director of the National Counterintelligence and Se-
2 curity.”.

3 **Subtitle B—Other Elements**

4 **SEC. 411. REQUIREMENTS RELATING TO APPOINTMENT OF** 5 **GENERAL COUNSEL OF NATIONAL SECURITY** 6 **AGENCY.**

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

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

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

16 (b) EFFECTIVE DATE.—Subsection (c) of section 2
17 of the National Security Agency Act of 1959 (Public Law
18 86–36; 50 U.S.C. 3602) shall apply with respect to any
19 person who is appointed to serve as General Counsel of
20 the National Security Agency on or after January 21,
21 2021.

22 **SEC. 412. TRANSFER OR ELIMINATION OF CERTAIN COMPO-** 23 **NENTS AND FUNCTIONS OF THE DEFENSE IN-** 24 **TELLIGENCE AGENCY.**

25 (a) INFORMATION REVIEW TASK FORCE.—

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

11 (2) TRANSITION PLAN.—

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

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

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

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

12 (b) IDENTITY INTELLIGENCE PROJECT OFFICE.—

13 (1) ELIMINATION.—Effective on the date that
14 is 180 days after the date of the enactment of this
15 Act, the Director of the Defense Intelligence Agency
16 shall eliminate the Identity Intelligence Project Of-
17 fice, including all functions and assigned responsibil-
18 ities performed by the Identity Intelligence Project
19 Office. All personnel and assets pertaining to such
20 Office shall be transferred to other elements of the
21 Defense Intelligence Agency, as determined by the
22 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 carry out the
5 elimination required under paragraph (1).

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

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

23 (c) WATCHLISTING BRANCH.—

24 (1) TRANSFER REQUIRED.—Effective on the
25 date that is 180 days after the date of the enact-

1 ment of this Act, there is transferred from the Di-
2 rector of the Defense Intelligence Agency to the Di-
3 rector for Intelligence of the Joint Staff all functions
4 and all assigned responsibilities performed by the
5 Watchlisting Branch.

6 (2) TRANSITION PLAN.—

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

15 (B) SUBMITTAL OF FORMAL PLAN.—Not
16 later than 90 days after the date of the enact-
17 ment of this Act, the Director of the Defense
18 Intelligence Agency and the Director for Intel-
19 ligence of the Joint Staff shall jointly submit to
20 the congressional intelligence committees and
21 the congressional defense committees a formal
22 plan for the transfer required under paragraph
23 (1).

24 (3) LIMITATION ON USE OF FUNDS.—The Di-
25 rector of the Defense Intelligence Agency may not

1 obligate or expend any funds authorized to be appro-
2 priated for the Watchlisting Branch for fiscal year
3 2018 after the date that is 180 days after the date
4 of the enactment of this Act. Any such funds that
5 are unobligated or unexpended as of such date shall
6 be transferred to the Director for Intelligence of the
7 Joint Staff.

8 (d) COUNTER-THREAT FINANCE.—

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

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 shall brief the congressional in-
22 telligence committees and the congressional de-
23 fense committees on the plan to eliminate the
24 Counter-Threat Finance analysis function
25 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 shall submit to the congres-
5 sional intelligence committees and the congres-
6 sional defense committees a formal plan to
7 eliminate such function under paragraph (1).

8 (3) LIMITATION ON USE OF FUNDS.—The Di-
9 rector of the Defense Intelligence Agency may not
10 obligate or expend any funds authorized to be appro-
11 priated for the Counter-Threat Finance analysis
12 function for fiscal year 2018 after the date that is
13 180 days after the date of the enactment of this Act.
14 Any such funds that are unobligated or unexpended
15 as of such date shall be transferred to other ele-
16 ments of the Defense Intelligence Agency, as deter-
17 mined by the Director.

18 (e) NATIONAL INTELLIGENCE UNIVERSITY.—

19 (1) TRANSFER REQUIRED.—Effective on Octo-
20 ber 1, 2020, there is transferred from the Director
21 of the Defense Intelligence Agency to the Director of
22 National Intelligence all functions and all assigned
23 responsibilities performed by the National Intel-
24 ligence University.

25 (2) TRANSITION PLAN.—

1 (A) CONGRESSIONAL BRIEFING.—Not later
2 than October 1, 2018, the Director of the De-
3 fense Intelligence Agency and the Director of
4 National Intelligence shall jointly brief the con-
5 gressional intelligence committees and the con-
6 gressional defense committees on the plan to
7 carry out the transfer required under paragraph
8 (1).

9 (B) SUBMITTAL OF FORMAL PLAN.—Not
10 later than April 1, 2019, the Director of the
11 Defense Intelligence Agency and the Director of
12 National Intelligence shall jointly submit to the
13 congressional intelligence committees and the
14 congressional defense committees a formal plan
15 for the transfer required under paragraph (1).

16 (3) LIMITATION ON USE OF FUNDS.—The Di-
17 rector of the Defense Intelligence Agency may not
18 obligate or expend any funds authorized to be appro-
19 priated for the National Intelligence University after
20 October 1, 2020. Any such funds that are unobli-
21 gated or unexpended as of such date shall be trans-
22 ferred to the Director of National Intelligence.

23 (f) CONGRESSIONAL NOTICE FOR REPROGRAM-
24 MING.—Not later than 30 days before transferring any
25 funds relating to transferring or eliminating any function

1 under this section, the Director of the Defense Intelligence
2 Agency shall submit to the congressional intelligence com-
3 mittees and the congressional defense committees notice
4 in writing of such transfer.

5 (g) TREATMENT OF CERTAIN FUNCTIONS AND RE-
6 SPONSIBILITIES.—

7 (1) IN GENERAL.—In the case of any function
8 or executive agent responsibility that is transferred
9 to the Director of National Intelligence pursuant to
10 this section, the Director of National Intelligence
11 may not delegate such function or responsibility to
12 another element of the intelligence community.

13 (2) EXECUTIVE AGENT RESPONSIBILITY.—In
14 this subsection, the term “executive agent responsi-
15 bility” means the specific responsibilities, functions,
16 and authorities assigned by the Director of National
17 Intelligence to the head of an intelligence community
18 element to provide defined levels of support for intel-
19 ligence operations, or administrative or other des-
20 ignated activities.

21 (h) DEADLINE FOR POLICY UPDATES.—Not later
22 than October 1, 2020, the Director of National Intel-
23 ligence, the Under Secretary of Defense for Intelligence,
24 and the Chairman of the Joint Chiefs of Staff shall ensure
25 that all relevant policies of the intelligence community and

1 Department of Defense are updated to reflect the trans-
2 fers required to be made pursuant to this section.

3 (i) TREATMENT OF TRANSFERRED FUNCTIONS.—No
4 transferred functions or assigned responsibility referred to
5 in subsection (a), (c), or (e) shall be considered a new start
6 by the receiving element, including in the case of any lapse
7 of appropriation for such transferred function or assigned
8 responsibility.

9 (j) REPORTS ON OTHER ELEMENTS OF DEFENSE IN-
10 TELLIGENCE AGENCY.—

11 (1) NATIONAL CENTER FOR CREDIBILITY AS-
12 SESSMENT.—

13 (A) SENSE OF CONGRESS.—It is the sense
14 of Congress that—

15 (i) the assignment of executive agency
16 for the National Center for Credibility As-
17 sessment to the Director of the Defense
18 Intelligence Agency may be limiting the
19 ability of the Center to effectively serve the
20 Federal customer base of the Center;

21 (ii) the failure of the Director of Na-
22 tional Intelligence, in the role of the Direc-
23 tor as security executive for the Federal
24 Government, to define in policy the term
25 “Executive Agent” may be further limiting

1 the ability of the Center to receive suffi-
2 cient resources to carry out the critical
3 Federal mission of the Center; and

4 (iii) the evolution of the Center from
5 an organization of the Army to an organi-
6 zation serving 27 departments and agen-
7 cies and responsible for all Federal credi-
8 bility assessment training, oversight, and
9 research and development, has resulted in
10 a convoluted oversight structure based on
11 legacy reporting requirements.

12 (B) REPORT.—Not later than October 1,
13 2018, the Director of the Defense Intelligence
14 Agency, the Director of National Intelligence,
15 and the Secretary of Defense shall jointly sub-
16 mit to the congressional intelligence committees
17 and the congressional defense committees a re-
18 port on—

19 (i) the current and projected missions
20 and functions of the National Center for
21 Credibility Assessment;

22 (ii) the effectiveness of the current or-
23 ganizational assignment of the Center to
24 the Director of the Defense Intelligence
25 Agency;

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

(iv) the resources and authorities necessary to most effectively execute the missions and functions of the Center.

(2) UNDERGROUND FACILITIES ANALYSIS CENTER.—

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

(i) the assignment of executive agency for the Underground Facilities Analysis Center to the Director of the Defense Intelligence Agency may be limiting the ability of the Center to effectively serve the broader intelligence community customer base of the Center;

(ii) the failure of the Director of National Intelligence to define in policy the term “Executive Agent” may be further limiting the ability of the Center to receive sufficient resources to carry out the critical mission of the Center; and

1 (iii) the requirements of the intel-
2 ligence community and Department of De-
3 fense with respect to underground facilities
4 are not adequately being met given the
5 scale and complexity of the problem set
6 and the relatively small amount of funding
7 currently received by the Center.

8 (B) REPORT.—Not later than October 1,
9 2018, the Director of the Defense Intelligence
10 Agency, the Director of National Intelligence,
11 and the Chairman of the Joint Chiefs of Staff
12 shall jointly submit to the congressional intel-
13 ligence committees and the congressional de-
14 fense committees a report on—

15 (i) the missions and functions of the
16 Underground Facilities Analysis Center;

17 (ii) the state of the requirements of
18 the intelligence community and Depart-
19 ment of Defense with respect to under-
20 ground facilities and the ability of the Cen-
21 ter to meet such requirements;

22 (iii) the effectiveness of the current
23 organizational assignment of the Center to
24 the Director of the Defense Intelligence
25 Agency;

1 (iv) the effectiveness of the current
 2 oversight structure between the Center, the
 3 Defense Intelligence Agency, the Secretary
 4 of Defense, and the Director of National
 5 Intelligence; and

6 (v) the resources and authorities nec-
 7 essary to most effectively execute the mis-
 8 sions and functions of the Center.

9 (k) CONGRESSIONAL DEFENSE COMMITTEES DE-
 10 FINED.—In this section, the term “congressional defense
 11 committees” means—

12 (1) the Committees on Armed Services of the
 13 Senate and House of Representatives; and

14 (2) the Committees on Appropriations of the
 15 Senate and House of Representatives.

16 **SEC. 413. TECHNICAL AMENDMENTS RELATED TO THE DE-**
 17 **PARTMENT OF ENERGY.**

18 (a) ATOMIC ENERGY DEFENSE ACT.—Section
 19 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
 20 2674(b)(2)) is amended by inserting “Intelligence and”
 21 after “The Director of”.

22 (b) NATIONAL SECURITY ACT OF 1947.—Paragraph
 23 (2) of section 106(b) of the National Security Act of 1947
 24 (50 U.S.C. 3041(b)(2)) is amended—

- 1 (1) in subparagraph (E), by inserting “and
- 2 Counterintelligence” after “Office of Intelligence”;
- 3 (2) by striking subparagraph (F);
- 4 (3) by redesignating subparagraphs (G), (H),
- 5 and (I) as subparagraphs (F), (G), and (H), respec-
- 6 tively; and
- 7 (4) in subparagraph (H), as redesignated by
- 8 paragraph (3), by realigning the margin of such sub-
- 9 paragraph two ems to the left.

10 **TITLE V—MATTERS RELATING**

11 **TO FOREIGN COUNTRIES**

12 **SEC. 501. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**

13 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**

14 **ELECTIONS AND REFERENDA.**

15 (a) ASSESSMENT REQUIRED.—Not later than 60

16 days after the date of the enactment of this Act, the Direc-

17 tor of National Intelligence shall submit to the congres-

18 sional intelligence committees a report containing an ana-

19 lytical assessment of the most significant Russian influ-

20 ence campaigns, if any, conducted during the 3-year pe-

21 riod preceding the date of the enactment of this Act, as

22 well as the most significant current or planned such Rus-

23 sian influence campaigns, if any. Such assessment shall

24 include—

1 (1) a summary of such significant Russian in-
2 fluence campaigns, including, at a minimum, the
3 specific means by which such campaigns were con-
4 ducted, are being conducted, or likely will be con-
5 ducted, as appropriate, and the specific goal of each
6 such campaign;

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

10 (3) a summary of any relevant activities by ele-
11 ments of the intelligence community undertaken for
12 the purpose of assisting the government of such for-
13 eign state in defending against or responding to
14 such Russian influence campaigns; and

15 (4) an assessment of the effectiveness of such
16 defenses and responses described in paragraphs (2)
17 and (3).

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

21 (c) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In
22 this section, the term “Russian influence campaign”
23 means any effort, covert or overt, and by any means, at-
24 tributable to the Russian Federation directed at an elec-

1 tion, referendum, or similar process in a country other
2 than the Russian Federation or the United States.

3 **SEC. 502. FOREIGN COUNTERINTELLIGENCE AND CYBERSE-**
4 **CURITY THREATS TO FEDERAL ELECTION**
5 **CAMPAIGNS.**

6 (a) REPORTS REQUIRED.—

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

18 (A) A description of foreign counterintel-
19 ligence and cybersecurity threats to election
20 campaigns for Federal offices.

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

1 (C) An identification of any publicly avail-
2 able resources, including United States Govern-
3 ment resources, for countering such threats.

4 (2) SCHEDULE FOR SUBMITTAL.—A report
5 under this subsection shall be made available as fol-
6 lows:

7 (A) In the case of a report regarding an
8 election held for the office of Senator or Mem-
9 ber of the House of Representatives during
10 2018, not later than the date that is 60 days
11 after the date of the enactment of this Act.

12 (B) In the case of a report regarding an
13 election for a Federal office during any subse-
14 quent year, not later than the date that is 1
15 year before the date of the election.

16 (3) INFORMATION TO BE INCLUDED.—A report
17 under this subsection shall reflect the most current
18 information available to the Director of National In-
19 telligence regarding foreign counterintelligence and
20 cybersecurity threats.

21 (b) TREATMENT OF CAMPAIGNS SUBJECT TO
22 HEIGHTENED THREATS.—If the Director of the Federal
23 Bureau of Investigation and the Under Secretary of
24 Homeland Security for Intelligence and Analysis jointly
25 determine that an election campaign for Federal office is

1 subject to a heightened foreign counterintelligence or cy-
2 bersecurity threat, the Director and the Under Secretary,
3 consistent with the protection of sources and methods,
4 may make available additional information to the appro-
5 priate representatives of such campaign.

6 **SEC. 503. ASSESSMENT OF THREAT FINANCE RELATING TO**
7 **THE RUSSIAN FEDERATION.**

8 (a) REPORT.—Not later than 60 days after the date
9 of the enactment of this Act, the Director of National In-
10 telligence, acting through the National Intelligence Man-
11 ager for Threat Finance, shall submit to the congressional
12 intelligence committees a report containing an assessment
13 of the financing of threat activity by the Russian Federa-
14 tion.

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

17 (1) A summary of leading examples from the 3-
18 year period prior to the date of the report of any
19 threat finance activities conducted by, for the benefit
20 of, or at the behest of officials of the Government
21 of Russia, persons subject to sanctions under any
22 provision of law imposing sanctions with respect to
23 Russia, or Russian nationals subject to sanctions
24 under any other provision of law.

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

5 (3) A summary of engagement and coordination
6 with international partners on threat finance relat-
7 ing to Russia, especially in Europe, including exam-
8 ples of such engagement and coordination.

9 (4) An identification of any resource and collec-
10 tion gaps.

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

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

15 (1) the financing of cyber operations, global in-
16 fluence campaigns, intelligence service activities, pro-
17 liferation, terrorism, or transnational crime and
18 drug organizations;

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

22 (3) sanctions evasion; or

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

1 **TITLE VI—REPORTS AND OTHER**
2 **MATTERS**

3 **SEC. 601. PERIOD OF OVERSEAS ASSIGNMENTS FOR CER-**
4 **TAIN FOREIGN SERVICE OFFICERS.**

5 (a) LENGTH OF PERIOD OF ASSIGNMENT.—Sub-
6 section (a) of section 502 of the Foreign Service Act of
7 1980 (22 U.S.C. 3982) is amended by adding at the end
8 the following new paragraph:

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

14 (b) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
15 MENTS.—Section 702 of the Foreign Service Act of 1980
16 (22 U.S.C. 4022) is amended by—

17 (1) redesignating subsection (c) as subsection
18 (d); and

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

21 “(c) FOREIGN LANGUAGE DEPLOYMENT REQUIRE-
22 MENTS.—

23 “(1) IN GENERAL.—The Secretary of State,
24 with the assistance of other relevant officials, shall
25 require all members of the Service who receive for-

1 eign language training in Arabic, Farsi, Chinese
2 (Mandarin or Cantonese), Turkish, Korean, and
3 Japanese by the institution or otherwise in accord-
4 ance with subsection (b) to serve three successive
5 tours in positions in which the acquired language is
6 both relevant and determined to be a benefit to the
7 Department.

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

12 “(3) WAIVER.—The Secretary of State may
13 waive the application of paragraph (1) for medical
14 or family hardship or in the interest of national se-
15 curity.

16 “(4) CONGRESSIONAL NOTIFICATION.—The
17 Secretary of State shall notify the Committees on
18 Appropriations and Foreign Affairs of the House of
19 Representatives and Committees on Appropriations
20 and Foreign Relations of the Senate at the end of
21 each fiscal year of any instances during the prior
22 twelve months in which the waiver authority de-
23 scribed in paragraph (3) was invoked.”.

1 **SEC. 602. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
2 **UNAUTHORIZED PUBLIC DISCLOSURES OF**
3 **CLASSIFIED INFORMATION.**

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

7 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
8 **UNAUTHORIZED PUBLIC DISCLOSURES OF**
9 **CLASSIFIED INFORMATION.**

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

14 “(1) the number of investigations opened by the
15 covered official regarding an unauthorized public
16 disclosure of classified information;

17 “(2) the number of investigations completed by
18 the covered official regarding an unauthorized public
19 disclosure of classified information; and

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

24 “(b) DEFINITIONS.—In this section:

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

1 “(A) the heads of each element of the in-
2 telligence community; and

3 “(B) the inspectors general with oversight
4 responsibility for an element of the intelligence
5 community.

6 “(2) The term ‘investigation’ means any in-
7 quiry, whether formal or informal, into the existence
8 of an unauthorized public disclosure of classified in-
9 formation.

10 “(3) The term ‘unauthorized public disclosure
11 of classified information’ means the unauthorized
12 disclosure of classified information to a journalist or
13 media organization.”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 in the first section of the National Security Act of 1947
16 is amended by inserting after the item relating to section
17 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized public disclo-
sures of classified information.”.

18 **SEC. 603. INTELLIGENCE COMMUNITY REPORTS ON SECU-**
19 **RITY CLEARANCES.**

20 Section 506H of the National Security Act of 1947
21 (50 U.S.C. 3104) is amended—

22 (1) in subsection (a)(1)—

23 (A) in subparagraph (A)(ii), by inserting

24 “and” after the semicolon;

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

3 (C) by striking subparagraph (C);

4 (2) by redesignating subsection (b) as sub-
5 section (c);

6 (3) by inserting after subsection (a) the fol-
7 lowing new subsection (b):

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

9 Not later than March 1 of each year, the Director of Na-
10 tional Intelligence shall submit to the congressional intel-
11 ligence committees a report on the security clearances
12 processed by each element of the intelligence community
13 during the preceding calendar year. Each such report shall
14 separately identify security clearances processed by each
15 such element and shall cover Federal employees and con-
16 tractor employees.

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

20 “(A) The total number of initial security clear-
21 ance background investigations opened for new ap-
22 plicants.

23 “(B) The total number of security clearance
24 periodic re-investigations opened for existing employ-
25 ees.

1 “(C) The total number of initial security clear-
2 ance background investigations for new applicants
3 that were finalized and adjudicated with notice of a
4 determination provided to the prospective applicant,
5 including—

6 “(i) the total number that were adju-
7 dicated favorably and granted access to classi-
8 fied information; and

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

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

16 “(i) the total number that were adju-
17 dicated favorably; and

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

21 “(E) The total number of pending security
22 clearance background investigations, including initial
23 applicant investigations and periodic re-investiga-
24 tions, that were not finalized and adjudicated as of

1 the last day of such year and that remained pending
2 as follows:

3 “(i) For 180 days or less.

4 “(ii) For 180 days or longer, but less than
5 12 months.

6 “(iii) For 12 months or longer, but less
7 than 18 months.

8 “(iv) For 18 months or longer, but less
9 than 24 months.

10 “(v) For 24 months or longer.

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

16 “(i) the cause of the delay for such deter-
17 minations; and

18 “(ii) the number of such determinations
19 for which polygraph examinations were re-
20 quired.

21 “(G) The percentage of security clearance in-
22 vestigations, including initial and periodic re-inves-
23 tigations, that resulted in a denial or revocation of
24 a security clearance.

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

3 “(I) The percentage of security clearance inves-
4 tigations that did not result in enough information
5 to make a decision on potentially adverse informa-
6 tion.

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

10 (4) in subsection (c), as redesignated by para-
11 graph (2), by inserting “and (b)” after “subsection
12 (a)(1)”.

13 **SEC. 604. REPORT ON EXPANSION OF SECURITY PROTEC-**
14 **TIVE SERVICES JURISDICTION.**

15 (a) REPORT.—Not later than 60 days after the date
16 of the enactment of this Act, the Director of the Central
17 Intelligence Agency shall submit to the congressional intel-
18 ligence committees a report on the feasibility, justification,
19 costs, and benefits of expanding the jurisdiction of the
20 protective services of the Central Intelligence Agency
21 under section 15(a)(1) of the Central Intelligence Agency
22 Act of 1949 (50 U.S.C. 3515(a)). The report shall in-
23 clude—

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

4 (2) an identification of any comparable depart-
5 ments or agencies of the Federal Government in the
6 Washington metropolitan region (as defined in sec-
7 tion 8301 of title 40, United States Code) whose
8 protective services jurisdictions exceed 500 feet.

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

11 **SEC. 605. REPORT ON ROLE OF DIRECTOR OF NATIONAL IN-**
12 **TELLIGENCE WITH RESPECT TO CERTAIN**
13 **FOREIGN INVESTMENTS.**

14 (a) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Director of National In-
16 telligence, in consultation with the heads of the elements
17 of the intelligence community determined appropriate by
18 the Director, shall submit to the congressional intelligence
19 committees a report on the role of the Director in pre-
20 paring analytic materials in connection with the evaluation
21 by the Federal Government of national security risks asso-
22 ciated with potential foreign investments into the United
23 States.

24 (b) MATTERS INCLUDED.—The report under sub-
25 section (a) shall—

1 (1) describe the current process for the provi-
2 sion of the analytic materials described in subsection
3 (a);

4 (2) identify the most significant benefits and
5 drawbacks of such process with respect to the role
6 of the Director, including any benefits or drawbacks
7 relating to the time allotted to the Director to pre-
8 pare such materials; and

9 (3) include recommendations to improve such
10 process.

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

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

19 (1) an employee of an element of the intel-
20 ligence community with demonstrated expertise and
21 work experience in cybersecurity or related dis-
22 ciplines may elect to be temporarily detailed to a pri-
23 vate technology company that has elected to receive
24 the detailee; and

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

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

9 (1) The feasibility of establishing the exchange
10 program described in such subsection.

11 (2) Identification of any challenges in estab-
12 lishing the exchange program.

13 (3) An evaluation of the benefits to the intel-
14 ligence community that would result from the ex-
15 change program.

16 **SEC. 607. REVIEW OF INTELLIGENCE COMMUNITY PARTICI-**
17 **PATION IN VULNERABILITIES EQUITIES**
18 **PROCESS.**

19 (a) REVIEW.—Not later than 180 days after the date
20 of the enactment of this Act, the Inspector General of the
21 Intelligence Community shall review, with respect to the
22 3-year period preceding the date of the review, the roles
23 and responsibilities of the elements of the intelligence com-
24 munity in the process of the Federal Government for de-
25 termining whether, when, how, and to whom information

1 about a vulnerability that is not publicly known will be
2 shared with or released to a non-Federal entity or the pub-
3 lic.

4 (b) REPORT.—

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

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

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

19 (B) The criteria used by the Federal Gov-
20 ernment, including elements of the intelligence
21 community, in making such determination.

22 (C) With respect to the period covered by
23 the review—

24 (i) a summary of vulnerabilities
25 known to elements of the intelligence com-

1 munity that were reviewed by the Federal
2 Government pursuant to such process, in-
3 cluding—

4 (I) the number of vulnerabilities
5 known to the intelligence community
6 that were reviewed; and

7 (II) of such number of reviewed
8 vulnerabilities, the number for which
9 information was shared with or re-
10 leased to a non-Federal entity or the
11 public;

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

18 (iii) a summary of the most signifi-
19 cant incidents in which a vulnerability
20 known to the intelligence community, but
21 not shared with or released to a non-Fed-
22 eral entity or the public, was exploited by
23 an individual, an entity, or a foreign coun-
24 try in the course of carrying out a cyber
25 intrusion.

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

3 (E) Recommendations to improve the effi-
4 ciency, effectiveness, accountability, and, con-
5 sistent with national security, transparency of
6 such process.

7 (F) Any other matters the Inspector Gen-
8 eral determines appropriate.

9 (3) FORM.—The report may be submitted in
10 classified form.

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

17 **SEC. 608. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
18 **TLBLOWER MATTERS.**

19 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
20 Inspector General of the Intelligence Community, in con-
21 sultation with the inspectors general for the Central Intel-
22 ligence Agency, the National Security Agency, the Na-
23 tional Geospatial-Intelligence Agency, the Defense Intel-
24 ligence Agency, and the National Reconnaissance Office,
25 shall conduct a review of the authorities, policies, inves-

1 tigatory standards, and other practices and procedures re-
2 lating to intelligence community whistleblower matters,
3 with respect to such inspectors general.

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

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

17 (d) REPORT.—Not later than 270 days after the date
18 of the enactment of this Act, the Inspector General of the
19 Intelligence Community shall submit to the congressional
20 intelligence committees a written report containing the re-
21 sults of the review required under subsection (a), along
22 with recommendations to improve the timely and effective
23 reporting of Intelligence Community whistleblower mat-
24 ters to inspectors general and to the congressional intel-

1 ligence committees and the fair and expeditious investiga-
2 tion and resolution of such matters.

3 **SEC. 609. SENSE OF CONGRESS ON NOTIFICATIONS OF CER-**
4 **TAIN DISCLOSURES OF CLASSIFIED INFOR-**
5 **MATION.**

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

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

18 (1) the authorities described in subsection (a),
19 together with other intelligence community authori-
20 ties, obligate an element of the intelligence commu-
21 nity to submit to the congressional intelligence com-
22 mittees written notification, by not later than 7 days
23 after becoming aware, that an individual in the exec-
24 utive branch has disclosed covered classified infor-
25 mation to an official of an adversary foreign govern-

1 ment using methods other than established intel-
2 ligence channels; and

3 (2) each such notification should include—

4 (A) the date and place of the disclosure of
5 classified information covered by the notifica-
6 tion;

7 (B) a description of such classified infor-
8 mation;

9 (C) identification of the individual who
10 made such disclosure and the individual to
11 whom such disclosure was made; and

12 (D) a summary of the circumstances of
13 such disclosure.

14 (c) DEFINITIONS.—In this section:

15 (1) The term “adversary foreign government”
16 means the government of any of the following for-
17 eign countries:

18 (A) North Korea.

19 (B) Iran.

20 (C) China.

21 (D) Russia.

22 (E) Cuba.

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

1 (A) collected by an element of the intel-
2 ligence community; or

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

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

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

17 (A) occupying a position specified in article
18 II of the Constitution;

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

21 (C) serving in the civil service or the senior
22 executive service (or similar service for senior

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

Passed the House of Representatives July 28, 2017.

Attest:

Clerk.

115TH CONGRESS
1ST SESSION

H. R. 3180

AN ACT

To authorize appropriations for fiscal year 2018 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.