

CRS Insights

Intelligence Authorization Legislation for FY2016: Selected Provisions

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The congressional intelligence committees include the Senate Select Committee on Intelligence (SSCI) and the House Permanent Select Committee on Intelligence (HPSCI) (50 U.S.C. §401(a)(6)). The HPSCI recently reported [H.R. 2596](#), the Intelligence Authorization Act for Fiscal Year 2016 (IAA for FY2016), for consideration by the House of Representatives. The bill provides guidance to, and authorizes appropriations for, components of the U.S. Intelligence Community (IC) as defined in 50 U.S.C. §401a(4).

Each intelligence authorization bill is accompanied by a "Classified Annex" that contains a schedule of authorization budget numbers as well as committee guidance and requirements that directly pertain to the classified material and cannot be disclosed publicly. Both intelligence committees make the Annex available for review by Members of their respective chambers, subject to appropriate disclosure restrictions. The SSCI has not yet released its version of the intelligence bill.

Selected Legislative Provisions in [H.R. 2596](#)

Table 1 highlights a number of provisions in [H.R. 2596](#). In several cases, similar or complementary language exists in other legislation already passed by the House. Sections 304, 305, and 321-323 correspond to sections in [H.R. 1735](#), the National Defense Authorization Act (NDAA) for FY2016, passed by the House of Representatives on May 15, 2015. Section 309 corresponds to a section in [H.R. 1560](#), the Protecting Cyber Networks Act, passed by the House of Representatives on April 22, 2015. A list of acronyms used in **Table 1** is provided in the table notes.

Table 1. The IAA for FY2016 (H.R. 2596): Selected Provisions

(to include analogous provisions in other House bills in the 114th Congress)

Section and Focus	Provision Summary	Related provisions in House bills
§304. JIEDDO and CTP intelligence-related fund transfers. ^a	Requires notification to the congressional intelligence committees before transferring funds from the JIEDDO and CTP funds for intelligence activities.	H.R. 1735 §1542, the House version of the NDAA for FY2016, is related to the JIEDDO fund.
§305. Designation of lead intelligence officer for tunnels.	Requires the DNI to designate an official to manage the collection and analysis of intelligence regarding the tactical use of tunnels by State and non-State actors.	H.R. 1735 §1267 is related to U.S.-Israel anti-tunnel defense cooperation.
§306. PCLOB and access to information related to covert action.	Clarifies the Intelligence Reform and Terrorism Prevention Act of 2004 to direct that nothing in the statute authorizing the PCLOB should be construed to allow that Board to gain access to information the executive branch deems to be related to covert	No corresponding provision.

	action.	
§309. National CTIIC.	Establishes the CTIIC within the ODNI. Specifies the missions of the CTIIC and imposes certain limitations regarding the center's personnel and location.	H.R. 1560 §4 establishes a CTIIC within the ODNI with virtually identical mission and limitation provisions.
§321. Transfer from GTMO to U.S.	Prohibits use of funds to transfer, or release, or assist in the transfer or release of individuals detained at GTMO to, or within the United States, its territories, or possessions.	H.R. 1735 §1036 is virtually identical.
§322. GTMO facilities.	Prohibits use of funds to construct or modify facilities in the United States to house detainees transferred from GTMO.	H.R. 1735 §1037 is virtually identical.
§323. Transfer from GTMO to combat zone.	Prohibits the use of funds during calendar year 2016 to be used to transfer, or release, an individual detained at GTMO, who is in the custody or control of the DOD, to a combat zone.	H.R. 1735 §1038 is virtually identical.
§331. A report on the prisoner population at GTMO.	Requires the Director of DIA, in coordination with the DNI, to submit a report to the Majority and Minority Leaders of the House and Senate, intelligence committees, armed services committees and appropriations committees. The report requirements are extensive.	No corresponding provision.
§332. Reports on Foreign Fighters.	Requires the DNI to submit a report every 60 days for the three years following the enactment of this act to the congressional intelligence committees on foreign fighter flows to and from Syria and Iraq. The report requirements are extensive and include total numbers for both foreign fighters and U.S. persons who have traveled or attempted to travel to Syria or Iraq since January 1, 2011. (The DNI is directed to define the term "foreign fighter" in such reports.)	No corresponding provision.
§334. Report on use of certain business concerns.	Requires the DNI to submit to the congressional intelligence committees a report on the representation of covered business concerns—including minority-owned, women-owned, small disadvantaged, service-disabled	No corresponding provision.

veteran-owned, and veteran-owned small businesses—among the contractors that are awarded contracts by the intelligence community for goods, equipment, tools and services.

Source: CRS based on [H.R. 2596](#), [H.R. 1735](#), [H.R. 1560](#) and [H.Rept. 114-144](#).

Notes:

a. Acronyms: CTIIC—Cyber Threat Intelligence Integration Center; CTP—Counterterrorism Partnerships fund; DNI—Director of National Intelligence; GTMO—U.S. Naval Station, Guantanamo Bay, Cuba; JIEDDO—Joint Improvised Explosive Device Defeat Organization; NDAA—National Defense Authorization Act; ODNI—Office of the Director of National Intelligence; PCLOB—Privacy and Civil Liberties Oversight Board.