

AMENDMENT TO RULES COMMITTEE PRINT 116-

22

OFFERED BY M . _____

Page 11, line 23, strike “son or daughter” and insert “child”.

Page 11, line 24, strike “son or daughter” and insert “child”.

Page 12, line 18, strike “son or daughter” and insert “child”.

Page 16, strike lines 18 through 21 and insert the following:

1 “(g) DEFINITION OF CHILD.—For purposes of this
2 section, the term ‘child’ means a biological, adopted, or
3 foster child, a stepchild, a legal ward, or a child of a per-
4 son standing in loco parentis, who is—
5 “(1) under 18 years of age; or
6 “(2) 18 years of age or older and incapable of
7 self-care because of a mental or physical disability.”.

Page 17, line 6, strike “son or daughter” and insert “child”.

Page 44, after line 17, insert the following new section:

1 **SEC. 403. DEATH BENEFITS FOR SURVIVORS OF CENTRAL**
2 **INTELLIGENCE AGENCY PERSONNEL.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) officers of the Central Intelligence Agency
6 who die during a period of assignment to a duty sta-
7 tion in a foreign country should receive death bene-
8 fits, regardless of whether the officers—

9 (A) were killed on or off duty;

10 (B) were killed due to an act of terrorism;

11 or

12 (C) have surviving dependents;

13 (2) section 8 of the Central Intelligence Agency
14 Act of 1949 (50 U.S.C. 3510) has provided the
15 Agency an appropriate authority for compensating
16 officers who die abroad who fall into any gaps in ex-
17 isting death benefit regulations of the Agency, even
18 before the clarifying amendments made by this Act;

19 (3) notwithstanding that the improved authority
20 provided by section 11(c) of such Act (50 U.S.C.
21 3511(c)), as added by subsection (c) of this section,
22 is permissive, the Director of the Agency should
23 promptly use such authority to modify the regula-

1 tions on death benefits of the Agency to implement
2 such section 11(e);

3 (4) the Director should not modify such regula-
4 tions in a manner that limits or reduces the individ-
5 uals covered by such regulations as in effect on the
6 day before the date of the enactment of this Act;
7 and

8 (5) upon modifying such regulations, the Direc-
9 tor should submit such regulations to the congres-
10 sional intelligence committees pursuant to section
11 11(b) of such Act.

12 (b) CLARIFICATION OF CURRENT AUTHORITY.—Sec-
13 tion 8 of the Central Intelligence Agency Act of 1949 (50
14 U.S.C. 3510) is amended by inserting before “rental of”
15 the following: “payment of death benefits in cases in which
16 the circumstances of the death of an employee of the
17 Agency is not covered by section 11, other similar provi-
18 sions of Federal law, or any regulation issued by the Di-
19 rector providing death benefits, but that the Director de-
20 termines such payment appropriate;”.

21 (c) IMPROVEMENTS TO BENEFITS.—

22 (1) REQUIREMENTS.—Section 11 of such Act
23 (50 U.S.C. 3511) is amended by adding at the end
24 the following new subsections:

1 “(c) PAYMENTS.—(1) In carrying out subsection (a),
2 the Director may pay to the survivor of a deceased covered
3 individual an amount equal to one year’s salary at level
4 II of the Executive Schedule under section 5313 of title
5 5, United States Code.

6 “(2) A covered individual may designate one or more
7 persons to receive all or a portion of the amount payable
8 to a survivor under paragraph (1). The designation of a
9 person to receive a portion of the amount shall indicate
10 the percentage of the amount, to be specified only in 10
11 percent increments, that the designated person may re-
12 ceive. The balance of the amount, if any, shall be paid
13 in accordance with subsection (f)(2)(B).

14 “(d) EXCEPTION.—The Director may not make a
15 payment under subsection (a) if the Director determines
16 that the death was by reason of willful misconduct by the
17 decedent.

18 “(e) FINALITY.—Any determination made by the Di-
19 rector under this section is final and may not be reviewed.

20 “(f) DEFINITIONS.—In this section:

21 “(1) The term ‘covered individual’ means any of
22 the following individuals who die during a period of
23 assignment to a duty station in a foreign country,
24 regardless of whether the death is the result of inju-
25 ries sustained while in the performance of duty:

1 “(A) An employee of the Agency.

2 “(B) An employee of an element of the
3 Federal Government other than the Agency who
4 is detailed or assigned to the Agency at the
5 time of death.

6 “(C) An individual affiliated with the
7 Agency, as determined by the Director.

8 “(2) The term ‘State’ means each of the several
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, the Commonwealth of the Northern
11 Mariana Islands, and any territory or possession of
12 the United States.

13 “(3) The term ‘survivor’ means, with respect to
14 the death of a covered individual—

15 “(A) a person designated by the covered
16 individual under subsection (c)(2); or

17 “(B) if a covered individual does not make
18 such a designation—

19 “(i) the surviving spouse of the cov-
20 ered individual, if any;

21 “(ii) if there is no surviving spouse,
22 any surviving children of the covered indi-
23 vidual and the descendants of any deceased
24 children by representation;

1 “(iii) if there is none of the above, the
2 surviving parents of the covered individual
3 or the survivor of the parents.

4 “(iv) if there is none of the above, the
5 duly-appointed executor or administrator
6 of the estate of the covered individual; or

7 “(v) if there is none of the above,
8 other next of kin of the covered individual
9 entitled under the laws of the last State in
10 which the covered individual was domiciled
11 before the covered individual’s death.”.

12 (2) APPLICATION.—Section 11 of such Act, as
13 amended by paragraph (1), shall apply with respect
14 to the following:

15 (A) Deaths occurring during the period be-
16 ginning on September 11, 2001, and ending on
17 the day before the date of the enactment of this
18 Act for which the Director of the Central Intel-
19 ligence Agency has not paid a death benefit to
20 the survivors of the decedent equal to or greater
21 than the amount specified in subsection (c)(1)
22 of such section 11, except that the total of any
23 such death benefits may not exceed such
24 amount specified in subsection (c)(1) of such
25 section 11.

1 (B) Deaths occurring on or after the date
2 of the enactment of this Act.

3 (3) DESIGNATIONS.—If the Director carries out
4 subsection (c) of section 11 of such Act, as added
5 by paragraph (1), the Director shall—

6 (A) request all covered individuals (as de-
7 fined in such section 11) to make a designation
8 under paragraph (2) of such subsection (c); and

9 (B) ensure that any new covered individual
10 may make such a designation at the time at
11 which the individual becomes a covered indi-
12 vidual.

13 (d) BRIEFING ON PROVISION OF VA AND DOD
14 HEALTH CARE SERVICES TO CIA OFFICERS.—

15 (1) FINDINGS.—Congress finds that officers of
16 the Central Intelligence Agency—

17 (A) serve, and have served, overseas in
18 dangerous areas or austere environments;

19 (B) may be wounded, incur brain or psy-
20 chological trauma, or suffer from other chronic
21 injuries as a result of such service; and

22 (C) face challenges in getting the expert
23 medical and psychological care the officers need
24 when the officers return to the United States.

1 (2) REQUIREMENT.—Not later than 180 days
2 after the date of the enactment of this Act, the Gen-
3 eral Counsel of the Central Intelligence Agency and
4 the Deputy Director of the Agency for Operations,
5 in coordination with the Under Secretary of Vet-
6 erans Affairs for Health and the Director of the De-
7 fense Health Agency of the Department of Defense,
8 shall jointly provide to the appropriate congressional
9 committees a briefing on—

10 (A) the extent to which the Director of the
11 Agency believes that the officers of the Agency
12 could benefit from health care services provided
13 by the Secretary of Veterans Affairs, the Sec-
14 retary of Defense, or both;

15 (B) the legal and policy constraints with
16 respect to providing such services to such offi-
17 cers; and

18 (C) recommendations with respect to the
19 legislative or regulatory actions that Congress,
20 the Secretary of Veterans Affairs, and the Sec-
21 retary of Defense could implement to facilitate
22 the provision of such services.

23 (3) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES DEFINED.—In this subsection, the term “ap-
25 propriate congressional committees” means—

1 (A) the congressional intelligence commit-
2 tees;

3 (B) the Committee on Armed Services and
4 the Committee on Veterans' Affairs of the
5 House of Representatives; and

6 (C) the Committee on Armed Services and
7 the Committee on Veterans' Affairs of the Sen-
8 ate.

Page 45, line 6, insert “consistent with the protec-
tion of intelligence sources and methods,” after “basis,”.

Page 45, line 9, insert “, the Committee on Foreign
Affairs of the House of Representatives, and the Com-
mittee on Foreign Relations of the Senate” before “a re-
port”.

Page 47, line 22, insert “, the Committee on For-
eign Affairs of the House of Representatives, and the
Committee on Foreign Relations of the Senate” before
“the first report”.

Page 48, line 7, insert “consistent with the protec-
tion of intelligence sources and methods,” after “Act,”.

Page 48, line 9, insert “, the Committee on Foreign
Affairs of the House of Representatives, and the Com-
mittee on Foreign Relations of the Senate” before “a re-
port”.

Page 50, line 5, insert “and consistent with the protection of intelligence sources and methods,” before “not later”.

Page 50, line 8, insert “, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate” before “a report”.

Page 51, line 23, insert “consistent with the protection of intelligence sources and methods,” after “Act,”.

Page 54, line 4, insert “consistent with the protection of intelligence sources and methods,” after “Act,”.

Page 55, line 17, insert “consistent with the protection of intelligence sources and methods,” after “Act,”.

Page 55, line 19, insert “, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate” before “a report”.

Page 70, strike lines 1 through 9 (and redesignate the subsequent subsections accordingly).

Page 71, strike lines 9 through 12 and insert the following new subsection:

1 (e) REPEAL OF REPORTS RELATING TO ENTERTAIN-
2 MENT INDUSTRY.—Section 308 of the Intelligence Au-
3 thorization Act for Fiscal Year 2017 (50 U.S.C. 3332)
4 is amended—

5 (1) in subsection (b)(2)—

6 (A) by striking “paragraph (1) shall—”
7 and all that follows through “permit an ele-
8 ment” and insert “paragraph (1) shall permit
9 an element”;

10 (B) by striking “approval; and” and insert-
11 ing “approval.”; and

12 (C) by striking subparagraph (B); and

13 (2) by striking subsection (c).

Page 84, strike lines 11 and 12 and insert the fol-
lowing: “order to falsely depict events, to falsely depict
the speech or conduct of an individual, or to depict indi-
viduals who do not exist.”.

Page 131, line 6, strike “2020” and insert “2021”.

Page 204, line 4, strike “Report” and insert “re-
port”.

