

AMENDMENT TO H.R. 1892
OFFERED BY MR. WOLF OF VIRGINIA

At the end of title III, add the following:

1 **SEC. 312. ESTABLISHMENT OF COUNTERTERRORISM COM-**
2 **PETITIVE ANALYSIS COUNCIL.**

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

5 (1) terrorism and domestic radicalization rep-
6 resent evolving, dynamic, multidimensional threats
7 that necessitate a structured, iterative process to
8 continuously revise plans, operations, concepts, orga-
9 nizations, and capabilities; and

10 (2) past federal experience in competitive anal-
11 ysis executed by experts drawn from outside the gov-
12 ernment has helped the intelligence community and
13 policymakers better understand the nature of com-
14 plex threats to the United States.

15 (b) ESTABLISHMENT.—Title I of the National Secu-
16 rity Act of 1947 (50 U.S.C. 401 et. seq.) is amended by
17 adding at the end the following:

18 “COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL
19 “SEC. 120. (a) ESTABLISHMENT.—There is estab-
20 lished a council to be known as the ‘Counterterrorism

1 Competitive Analysis Council’ (in this section referred to
2 as the ‘Council’).

3 “(b) DUTIES.—The Council shall—

4 “(1) advise the Director of National Intelligence
5 on matters of policy relating to the threats of inter-
6 national terrorism and domestic radicalization based
7 on all-source information;

8 “(2) prepare a competitive analysis of each na-
9 tional intelligence estimate concerning al-Qaeda and
10 other foreign terrorist organizations and submit
11 such analysis to the Director of National Intelligence
12 and the National Intelligence Council; and

13 “(3) annually submit to Congress a report in
14 unclassified form, which may include a classified
15 annex, on trends in counterterrorism and domestic
16 radicalization, including a summary of any competi-
17 tive analysis prepared pursuant to paragraph (2).

18 “(c) MEMBERS.—(1) The Council shall be composed
19 of eight members appointed by the Director of National
20 Intelligence, in consultation with the Permanent Select
21 Committee on Intelligence of the House of Representatives
22 and the Select Committee on Intelligence of the Senate.
23 Members shall be selected on the basis of previous experi-
24 ence with matters of policy relating to international ter-
25 rorism and domestic radicalization.

1 “(2)(A) The Director of National Intelligence may
2 not appoint an individual to the Council if such individual
3 has served as an officer or employee of the Federal Gov-
4 ernment within a five-year period of the date of appoint-
5 ment.

6 “(B) The Director of National Intelligence may not
7 appoint an individual to the Council if—

8 “(i) such individual has served as an officer or
9 employee of the Federal Government within a 15-
10 year period of the date of appointment; and

11 “(ii) on the date of appointment, three of the
12 members of the Council have served as officers or
13 employees of the Federal Government within a 15-
14 year period of the date of appointment.

15 “(3) The term of a member is five years, and a mem-
16 ber may not serve more than two terms, except that a
17 member appointed to fill a vacancy may serve two addi-
18 tional terms after the expiration of the term in which that
19 vacancy occurred.

20 “(4) Any member appointed to fill a vacancy occur-
21 ring before the expiration of a term shall be appointed
22 for the remainder of that term.

23 “(5) Every two years, the Council shall select a chair
24 and vice chair from among its members.

1 “(6) To the extent provided in advance in appropria-
2 tion Acts, each member shall be paid at a rate not to ex-
3 ceed the annual rate of basic pay for level V of the Execu-
4 tive Schedule under section 5316 of title 5, United States
5 Code.

6 “(7) Any member of the Council may, if authorized
7 by the Council, take any action which the Council is au-
8 thorized to take by this section.

9 “(d) STAFF OF COUNCIL.—(1) To the extent pro-
10 vided in advance in appropriation Acts, the Council shall
11 appoint and fix the compensation of a Director and such
12 additional staff as may be necessary to enable the Council
13 to carry out its duties.

14 “(2) The Director and staff of the Council may be
15 appointed without regard to the provisions of title 5,
16 United States Code, governing appointments in the com-
17 petitive service, and may be paid without regard to the
18 provisions of chapter 51 and subchapter III of chapter 53
19 of that title relating to classification and General Schedule
20 pay rates, except that the rate of pay fixed for the Director
21 and staff may not exceed the annual rate of basic pay for
22 level V of the Executive Schedule under section 5316 of
23 title 5, United States Code.

24 “(3) In accordance with rules adopted by the Council,
25 and to the extent provided in advance in appropriation

1 Acts, the Council may procure the services of experts and
2 consultants under section 3109(b) of title 5, United States
3 Code, but at rates for individuals not to exceed the daily
4 equivalent of the annual rate of basic pay for level V of
5 the Executive Schedule under section 5316 of title 5,
6 United States Code.

7 “(e) ACCESS TO INTELLIGENCE INFORMATION.—(1)
8 The Director of National Intelligence shall transmit to the
9 Council each national intelligence estimate concerning al-
10 Qaeda and other foreign terrorist organizations.

11 “(2) Upon request of the Council, the Director of Na-
12 tional Intelligence shall make available to the Council any
13 intelligence information in the possession of the intel-
14 ligence community.

15 “(3) The Director of National Intelligence shall en-
16 sure that the appropriate executive departments and agen-
17 cies cooperate with the Council in expeditiously providing
18 to the members and staff appropriate security clearances
19 in a manner consistent with existing procedures and re-
20 quirements.

21 “(f) APPLICABILITY OF FEDERAL ADVISORY COM-
22 MITTEE ACT.—Section 14(a)(2)(B) of the Federal Advi-
23 sory Committee Act (5 U.S.C. App.), relating to the termi-
24 nation of advisory committees, shall not apply to the
25 Council.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section
3 \$5,000,000 for each of fiscal years 2012 through 2017.
4 No amount is authorized to carry out this section for a
5 fiscal year unless the appropriation for the Office of the
6 Director of National Intelligence for such fiscal year is re-
7 duced by an amount equal to the amount appropriated to
8 carry out this section for such fiscal year”.

9 (c) INITIAL REPORT.—The initial report required to
10 be submitted under section 120(b)(2) of the National Se-
11 curity Act of 1947, as added by subsection (a), shall be
12 filed not later than 1 year after the date of the enactment
13 of this Act.

14 (d) CLERICAL AMENDMENT.—The table of contents
15 of the National Security Act of 1947 (50 U.S.C. 401 et.
16 seq.) is amended by inserting after the item relating to
17 section 119B the following:

“Sec. 120. Counterterrorism Competitive Analysis Council.”.

