

118TH CONGRESS
1ST SESSION

H. R. 4265

To direct the Comptroller General of the United States to conduct a study and submit a report about the effectiveness of the procedural safeguards used by the Secretary of Defense to protect classified information from insider threats, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2023

Mr. RYAN introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Comptroller General of the United States to conduct a study and submit a report about the effectiveness of the procedural safeguards used by the Secretary of Defense to protect classified information from insider threats, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Insider Threat Assess-
5 ment Act” or “ITAA”.

1 **SEC. 2. GAO STUDY ON PROTECTING CLASSIFIED INFORMA-**
2 **TION FROM INSIDER THREATS WITHIN THE**
3 **DEPARTMENT OF DEFENSE.**

4 (a) STUDY.—The Comptroller General of the United
5 States shall conduct a study to assess the ability of the
6 Secretary of Defense to mitigate insider threats to classi-
7 fied information and systems in which classified informa-
8 tion is stored within the Department of Defense, includ-
9 ing—

10 (1) the extent to which the Secretary takes
11 timely action to address each security deficiency
12 identified in each annual report submitted pursuant
13 to the policy of the Director of National Intelligence
14 titled the “National Insider Threat Policy and Min-
15 imum Standards for Executive Branch Insider
16 Threat Programs” to the head of an executive agen-
17 cy by a designated senior official regarding the proc-
18 ess or status of an insider threat program;

19 (2) the extent to which the Secretary uses in-
20 formation system security controls (including audits,
21 limited access controls, and configuration manage-
22 ment) for systems in which classified information is
23 stored;

24 (3) the extent to which the Secretary uses con-
25 trols to limit the ability of individuals who are eligi-
26 ble for access to classified information in accordance

1 with Executive Order 12968 (60 Fed. Reg. 40245;
2 relating to access to classified information), or any
3 successor thereto, and Executive Order 10865 (25
4 Fed. Reg. 1583; relating to safeguarding classified
5 information within industry), or any successor there-
6 to, from removing such classified information from
7 a system or facility in which such classified informa-
8 tion is stored; and

9 (4) any other related matters that the Comp-
10 troller General deems appropriate.

11 (b) PRELIMINARY BRIEFING; FINAL REPORT.—Not
12 later than 180 days after the date of the enactment of
13 this Act, the Comptroller General shall—

14 (1) provide to the Committee on Armed Serv-
15 ices of the House of Representatives a briefing re-
16 garding the preliminary findings of the study con-
17 ducted under subsection (a); and

18 (2) submit to such Committee a final report re-
19 garding the findings of the study conducted under
20 subsection (a) at such time and in such format as
21 is mutually agreed upon by such Committee and the
22 Comptroller General at the time of the briefing de-
23 scribed in paragraph (1).

24 (c) DEFINITIONS.—In this section:

1 (1) The term “designated senior official”
2 means, with respect to an insider threat program, an
3 individual designated by the head of an executive
4 agency to be principally responsible within such
5 agency for establishing a process to gather, inte-
6 grate, centrally analyze, and respond to information
7 from counterintelligence, security, information assur-
8 ance, human resources, law enforcement, and other
9 relevant sources with information indicative of a po-
10 tential insider threat.

11 (2) The term “executive agency” has the mean-
12 ing given to such term in section 105 of title 5,
13 United States Code.

14 (3) The term “insider threat” means, with re-
15 spect to the Department of Defense, a threat pre-
16 sented by a person who—

17 (A) has, or once had, authorized access to
18 information, a facility, a network, a person, or
19 a resource of the Department; and

20 (B) wittingly, or unwittingly, commits—

21 (i) an act in contravention of law or
22 policy that resulted in, or might result in,
23 harm through the loss or degradation of
24 government or company information, re-
25 sources, or capabilities; or

1 (ii) a destructive act, which may in-
2 clude physical harm to another in the
3 workplace.

4 (4) The term “insider threat program” means
5 a program of an executive agency established to
6 deter, detect, and mitigate insider threats within the
7 agency in accordance with the policy set out by the
8 Insider Threat Task Force established under Execu-
9 tive Order 13587 (50 U.S.C. 3161 note; relating to
10 procedures to access classified information).

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