

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5020

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## AN ACT

To authorize appropriations for fiscal year 2007 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,*

3 **SECTION. 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
 5 “Intelligence Authorization Act for Fiscal Year 2007”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

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.
- Sec. 105. Incorporation of reporting requirements.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
 DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE  
 COMMUNITY MATTERS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence Activities.
- Sec. 303. Clarification of definition of Intelligence Community under the Na-  
 tional Security Act of 1947.
- Sec. 304. Delegation of authority for travel on common carriers for intelligence  
 collection personnel.
- Sec. 305. Retention and use of amounts paid as debts to Elements of the Intel-  
 ligence Community.
- Sec. 306. Availability of funds for travel and transportation of personal effects,  
 household goods, and automobiles.
- Sec. 307. Purchases by elements of the intelligence community of products of  
 federal prison industries.
- Sec. 308. Accountability in Intelligence Contracting.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE  
 INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Clarification of delegation of transfer or reprogramming authority.
- Sec. 402. Clarification of limitation on co-location of the Office of the Director  
 of National Intelligence.
- Sec. 403. Additional duties of the Director of Science and Technology of the  
 Office of the Director of National Intelligence.

- Sec. 404. Appointment and title of Chief Information Officer of the Intelligence Community.
- Sec. 405. Leadership and location of certain offices and officials.
- Sec. 406. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.
- Sec. 407. Repeal of certain authorities relating to the Office of the national counterintelligence Executive.
- Sec. 408. Membership of the Director of National Intelligence on the transportation security oversight Board.
- Sec. 409. Temporary inapplicability to the Office of the Director of National Intelligence of certain financial reporting requirements.
- Sec. 410. Comprehensive inventory of special access programs.
- Sec. 411. Sense of Congress on multi-level security clearances.
- Sec. 412. Access to information by staff and members of the congressional intelligence committees.
- Sec. 413. Study on revoking pensions of persons who commit unauthorized disclosures of classified information.

#### Subtitle B—Central Intelligence Agency

- Sec. 421. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.
- Sec. 422. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.
- Sec. 423. Additional functions and authorities for protective personnel of the central intelligence agency.
- Sec. 424. Protective services for former officials of the intelligence community.
- Sec. 425. Strategic review process.

#### Subtitle C—Defense Intelligence Components

- Sec. 431. Enhancements of National Security Agency training Program.
- Sec. 432. Codification of authorities of national security agency protective personnel.

#### Subtitle D—Other Elements

- Sec. 441. Clarification of inclusion of Coast Guard and Drug Enforcement Administration elements in the Intelligence Community.
- Sec. 442. Clarifying amendments relating to Section 105 of the Intelligence Authorization Act for Fiscal Year 2004.

### TITLE V—OTHER MATTERS

- Sec. 501. Aerial reconnaissance platforms.
- Sec. 502. Elimination of certain reporting requirements.
- Sec. 503. Technical amendments to the National Security Act of 1947.
- Sec. 504. Technical clarification of certain references to joint military intelligence Program and tactical intelligence and related Activities.
- Sec. 505. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
- Sec. 506. Technical amendment to the Central Intelligence Agency Act of 1949.
- Sec. 507. Technical amendments relating to the multiyear National Intelligence Program.
- Sec. 508. Technical amendments to the Executive Schedule.

Sec. 509. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the national Geospatial-Intelligence Agency.

Sec. 510. Report on authorization to overthrow democratically elected governments.

Sec. 511. Report on intelligence relating to insurgent forces in Iraq.

Sec. 512. Sense of Congress regarding unauthorized disclosure of classified information.

#### TITLE VI—COMMUNICATION OF INFORMATION CONCERNING TERRORIST THREATS

Sec. 601. Identification of best practices.

Sec. 602. Centers of best practices.

## 1                   **TITLE I—INTELLIGENCE** 2                   **ACTIVITIES**

### 3   **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4           Funds are hereby authorized to be appropriated for  
5 fiscal year 2007 for the conduct of the intelligence and  
6 intelligence-related activities of the following elements of  
7 the United States Government:

8                   (1) The Office of the Director of National Intel-  
9           ligence.

10                   (2) The Central Intelligence Agency.

11                   (3) The Department of Defense.

12                   (4) The Defense Intelligence Agency.

13                   (5) The National Security Agency.

14                   (6) The Department of the Army, the Depart-  
15           ment of the Navy, and the Department of the Air  
16           Force.

17                   (7) The Department of State.

18                   (8) The Department of the Treasury.

19                   (9) The Department of Energy.

1 (10) The Department of Justice.

2 (11) The Federal Bureau of Investigation.

3 (12) The National Reconnaissance Office.

4 (13) The National Geospatial-Intelligence Agen-  
5 cy.

6 (14) The Coast Guard.

7 (15) The Department of Homeland Security.

8 (16) The Drug Enforcement Administration.

9 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

10 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL  
11 CEILINGS.—The amounts authorized to be appropriated  
12 under section 101, and the authorized personnel ceilings  
13 as of September 30, 2007, for the conduct of the intel-  
14 ligence and intelligence-related activities of the elements  
15 listed in such section, are those specified in the classified  
16 Schedule of Authorizations prepared to accompany the  
17 conference report on the bill H.R. 5020 of the One Hun-  
18 dred Ninth Congress.

19 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
20 THORIZATIONS.—The Schedule of Authorizations shall be  
21 made available to the Committees on Appropriations of  
22 the Senate and House of Representatives and to the Presi-  
23 dent. The President shall provide for suitable distribution  
24 of the Schedule, or of appropriate portions of the Sched-  
25 ule, within the executive branch.

1 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

2 (a) **AUTHORITY FOR ADJUSTMENTS.**—With the ap-  
3 proval of the Director of the Office of Management and  
4 Budget, the Director of National Intelligence may author-  
5 ize employment of civilian personnel in excess of the num-  
6 ber authorized for fiscal year 2007 under section 102  
7 when the Director of National Intelligence determines that  
8 such action is necessary to the performance of important  
9 intelligence functions, except that the number of personnel  
10 employed in excess of the number authorized under such  
11 section may not, for any element of the intelligence com-  
12 munity, exceed 2 percent of the number of civilian per-  
13 sonnel authorized under such section for such element.

14 (b) **NOTICE TO INTELLIGENCE COMMITTEES.**—The  
15 Director of National Intelligence shall promptly notify the  
16 Select Committee on Intelligence of the Senate and the  
17 Permanent Select Committee on Intelligence of the House  
18 of Representatives whenever the Director exercises the au-  
19 thority granted by this section.

20 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
21 **COUNT.**

22 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
23 authorized to be appropriated for the Intelligence Commu-  
24 nity Management Account of the Director of National In-  
25 telligence for fiscal year 2007 the sum of \$990,000,000.  
26 Within such amount, funds identified in the classified

1 Schedule of Authorizations referred to in section 102(a)  
2 for advanced research and development shall remain avail-  
3 able until September 30, 2008.

4 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-  
5 ments within the Intelligence Community Management  
6 Account of the Director of National Intelligence are au-  
7 thorized 1,539 full-time personnel as of September 30,  
8 2007. Personnel serving in such elements may be perma-  
9 nent employees of the Intelligence Community Manage-  
10 ment Account or personnel detailed from other elements  
11 of the United States Government.

12 (c) CLASSIFIED AUTHORIZATIONS.—

13 (1) AUTHORIZATION OF APPROPRIATIONS.—In  
14 addition to amounts authorized to be appropriated  
15 for the Intelligence Community Management Ac-  
16 count by subsection (a), there are also authorized to  
17 be appropriated for the Intelligence Community  
18 Management Account for fiscal year 2007 such addi-  
19 tional amounts as are specified in the classified  
20 Schedule of Authorizations referred to in section  
21 102(a). Such additional amounts for research and  
22 development shall remain available until September  
23 30, 2007.

24 (2) AUTHORIZATION OF PERSONNEL.—In addi-  
25 tion to the personnel authorized by subsection (b)

1 for elements of the Intelligence Community Manage-  
2 ment Account as of September 30, 2007, there are  
3 also authorized such additional personnel for such  
4 elements as of that date as are specified in the clas-  
5 sified Schedule of Authorizations.

6 (d) REIMBURSEMENT.—Except as provided in section  
7 113 of the National Security Act of 1947 (50 U.S.C.  
8 404h), during fiscal year 2007 any officer or employee of  
9 the United States or a member of the Armed Forces who  
10 is detailed to the staff of the Intelligence Community Man-  
11 agement Account from another element of the United  
12 States Government shall be detailed on a reimbursable  
13 basis, except that any such officer, employee, or member  
14 may be detailed on a nonreimbursable basis for a period  
15 of less than one year as the Director of National Intel-  
16 ligence considers necessary.

17 **SEC. 105. INCORPORATION OF REPORTING REQUIRE-**  
18 **MENTS.**

19 (a) IN GENERAL.—Each requirement to submit a re-  
20 port to the congressional intelligence committees that is  
21 included in the joint explanatory statement to accompany  
22 the conference report on the bill H.R. 5020 of the One  
23 Hundred Ninth Congress, or in the classified annex to this  
24 Act, is hereby incorporated into this Act, and is hereby  
25 made a requirement in law.



1 (b) CONGRESSIONAL INTELLIGENCE COMMITTEES  
2 DEFINED.—In this section, the term “congressional intel-  
3 ligence committees” means—

4 (1) the Select Committee on Intelligence of the  
5 Senate; and

6 (2) the Permanent Select Committee on Intel-  
7 ligence of the House of Representatives.

8 **TITLE II—CENTRAL INTEL-**  
9 **LIGENCE AGENCY RETIRE-**  
10 **MENT AND DISABILITY SYS-**  
11 **TEM**

12 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated for the Cen-  
14 tral Intelligence Agency Retirement and Disability Fund  
15 for fiscal year 2007 the sum of \$256,400,000.

16 **TITLE III—INTELLIGENCE AND**  
17 **GENERAL INTELLIGENCE**  
18 **COMMUNITY MATTERS**

19 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**  
20 **BENEFITS AUTHORIZED BY LAW.**

21 Appropriations authorized by this Act for salary, pay,  
22 retirement, and other benefits for Federal employees may  
23 be increased by such additional or supplemental amounts  
24 as may be necessary for increases in such compensation  
25 or benefits authorized by law.

1 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
2 **ACTIVITIES.**

3 The authorization of appropriations by this Act shall  
4 not be deemed to constitute authority for the conduct of  
5 any intelligence activity which is not otherwise authorized  
6 by the Constitution or the laws of the United States.

7 **SEC. 303. CLARIFICATION OF DEFINITION OF INTEL-**  
8 **LIGENCE COMMUNITY UNDER THE NATIONAL**  
9 **SECURITY ACT OF 1947.**

10 Subparagraph (L) of section 3(4) of the National Se-  
11 curity Act of 1947 (50 U.S.C. 401a(4)) is amended by  
12 striking “other” the second place it appears.

13 **SEC. 304. DELEGATION OF AUTHORITY FOR TRAVEL ON**  
14 **COMMON CARRIERS FOR INTELLIGENCE**  
15 **COLLECTION PERSONNEL.**

16 (a) DELEGATION OF AUTHORITY.—Section 116(b) of  
17 the National Security Act of 1947 (50 U.S.C. 404k(b))  
18 is amended—

19 (1) by inserting “(1)” before “The Director”;

20 (2) in paragraph (1), by striking “may only del-  
21 egate” and all that follows and inserting “may dele-  
22 gate the authority in subsection (a) to the head of  
23 any other element of the intelligence community.”;  
24 and

25 (3) by adding at the end the following new  
26 paragraph:

1           “(2) The head of an element of the intelligence com-  
2 munity to whom the authority in subsection (a) is dele-  
3 gated pursuant to paragraph (1) may further delegate  
4 such authority to such senior officials of such element as  
5 are specified in guidelines prescribed by the Director of  
6 National Intelligence for purposes of this paragraph.”.

7           (b) SUBMITTAL OF GUIDELINES TO CONGRESS.—Not  
8 later than six months after the date of the enactment of  
9 this Act, the Director of National Intelligence shall pre-  
10 scribe and submit to the congressional intelligence com-  
11 mittees the guidelines referred to in paragraph (2) of sec-  
12 tion 116(b) of the National Security Act of 1947, as added  
13 by subsection (a).

14           (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
15 DEFINED.—In this section, the term “congressional intel-  
16 ligence committees” means—

17                 (1) the Select Committee on Intelligence of the  
18                 Senate; and

19                 (2) the Permanent Select Committee on Intel-  
20                 ligence of the House of Representatives.

1 **SEC. 305. RETENTION AND USE OF AMOUNTS PAID AS**  
2 **DEBTS TO ELEMENTS OF THE INTELLIGENCE**  
3 **COMMUNITY.**

4 (a) IN GENERAL.—Title XI of the National Security  
5 Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding  
6 at the end the following new section:

7 “RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO  
8 ELEMENTS OF THE INTELLIGENCE COMMUNITY

9 “SEC. 1103. (a) AUTHORITY TO RETAIN AMOUNTS  
10 PAID.—Notwithstanding section 3302 of title 31, United  
11 States Code, or any other provision of law, the head of  
12 an element of the intelligence community may retain  
13 amounts paid or reimbursed to the United States, includ-  
14 ing amounts paid by an employee of the Federal Govern-  
15 ment from personal funds, for repayment of a debt owed  
16 to the element of the intelligence community.

17 “(b) CREDITING OF AMOUNTS RETAINED.—(1)  
18 Amounts retained under subsection (a) shall be credited  
19 to the current appropriation or account from which such  
20 funds were derived or whose expenditure formed the basis  
21 for the underlying activity from which the debt concerned  
22 arose.

23 “(2) Amounts credited to an appropriation or account  
24 under paragraph (1) shall be merged with amounts in  
25 such appropriation or account, and shall be available in  
26 accordance with subsection (c).

1       “(c) AVAILABILITY OF AMOUNTS.—Amounts credited  
2 to an appropriation or account under subsection (b) with  
3 respect to a debt owed to an element of the intelligence  
4 community shall be available to the head of such element,  
5 for such time as is applicable to amounts in such appro-  
6 priation or account, or such longer time as may be pro-  
7 vided by law, for purposes as follows:

8               “(1) In the case of a debt arising from lost or  
9 damaged property of such element, the repair of  
10 such property or the replacement of such property  
11 with alternative property that will perform the same  
12 or similar functions as such property.

13               “(2) The funding of any other activities author-  
14 ized to be funded by such appropriation or account.

15       “(d) DEBT OWED TO AN ELEMENT OF THE INTEL-  
16 LIGENCE COMMUNITY DEFINED.—In this section, the  
17 term ‘debt owed to an element of the intelligence commu-  
18 nity’ means any of the following:

19               “(1) A debt owed to an element of the intel-  
20 ligence community by an employee or former em-  
21 ployee of such element for the negligent or willful  
22 loss of or damage to property of such element that  
23 was procured by such element using appropriated  
24 funds.

1           “(2) A debt owed to an element of the intel-  
2           ligence community by an employee or former em-  
3           ployee of such element as repayment for default on  
4           the terms and conditions associated with a scholar-  
5           ship, fellowship, or other educational assistance pro-  
6           vided to such individual by such element, whether in  
7           exchange for future services or otherwise, using ap-  
8           propriated funds.

9           “(3) Any other debt or repayment owed to an  
10          element of the intelligence community by a private  
11          person or entity by reason of the negligent or willful  
12          action of such person or entity, as determined by a  
13          court of competent jurisdiction or in a lawful admin-  
14          istrative proceeding.”.

15          (b) CLERICAL AMENDMENT.—The table of contents  
16          in the first section of that Act is amended by adding at  
17          the end the following new item:

“Sec. 1103. Retention and use of amounts paid as debts to elements of the in-  
telligence community.”.

18 **SEC. 306. AVAILABILITY OF FUNDS FOR TRAVEL AND**  
19 **TRANSPORTATION OF PERSONAL EFFECTS,**  
20 **HOUSEHOLD GOODS, AND AUTOMOBILES.**

21          (a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL  
22 INTELLIGENCE.—Funds appropriated to the Office of the  
23 Director of National Intelligence and available for travel  
24 and transportation expenses shall be available for such ex-

1 penses when any part of the travel or transportation con-  
2 cerned begins in a fiscal year pursuant to travel orders  
3 issued in such fiscal year, notwithstanding that such travel  
4 or transportation is or may not be completed during such  
5 fiscal year.

6 (b) FUNDS OF CENTRAL INTELLIGENCE AGENCY.—  
7 Funds appropriated to the Central Intelligence Agency  
8 and available for travel and transportation expenses shall  
9 be available for such expenses when any part of the travel  
10 or transportation concerned begins in a fiscal year pursu-  
11 ant to travel orders issued in such fiscal year, notwith-  
12 standing that such travel or transportation is or may not  
13 be completed during such fiscal year.

14 (c) TRAVEL AND TRANSPORTATION EXPENSES DE-  
15 FINED.—In this section, the term “travel and transpor-  
16 tation expenses” means the following:

17 (1) Expenses in connection with travel of per-  
18 sonnel, including travel of dependents.

19 (2) Expenses in connection with transportation  
20 of personal effects, household goods, or automobiles  
21 of personnel.

1 **SEC. 307. PURCHASES BY ELEMENTS OF THE INTEL-**  
2 **LIGENCE COMMUNITY OF PRODUCTS OF FED-**  
3 **ERAL PRISON INDUSTRIES.**

4 Section 404 of the Intelligence Authorization Act for  
5 Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2632)  
6 is amended—

7 (1) by striking “by the Central Intelligence  
8 Agency” and inserting “by an element of the intel-  
9 ligence community (as defined in section 3(4) of the  
10 National Security Act of 1947 (50 U.S.C.  
11 401a(4)))”; and

12 (2) by striking “the Director of the Central In-  
13 telligence Agency determines that the product or  
14 service” and inserting “the head of that element de-  
15 termines that the product or service (including a  
16 surveying or mapping service)”.

17 **SEC. 308. ACCOUNTABILITY IN INTELLIGENCE CON-**  
18 **TRACTING.**

19 (a) **REPORT ON REGULATIONS GOVERNING INTEL-**  
20 **LIGENCE COMMUNITY CONTRACTING.—**

21 (1) **REPORT REQUIREMENT.—**Not later than 90  
22 days after the date of the enactment of this Act, the  
23 Director of National Intelligence shall submit to the  
24 Permanent Select Committee on Intelligence of the  
25 House of Representatives and the Select Committee  
26 on Intelligence of the Senate a report on regulations



1 governing covered contracts under the National In-  
2 telligence Program and, at the discretion of the Di-  
3 rector of National Intelligence, the Military Intel-  
4 ligence Program.

5 (2) MATTERS COVERED.—

6 (A) The report required by paragraph (1)  
7 shall include a description of any relevant regu-  
8 lations prescribed by the Director of National  
9 Intelligence or by the heads of agencies in the  
10 intelligence community, including those relating  
11 to the following matters:

12 (i) Types of functions or activities  
13 that may be appropriately carried out by  
14 contractors.

15 (ii) Minimum standards regarding the  
16 hiring, training, security clearance, and as-  
17 signment of contract personnel.

18 (iii) Procedures for conducting over-  
19 sight of covered contracts to ensure identi-  
20 fication and prosecution of criminal viola-  
21 tions; financial waste, fraud, or abuse; or  
22 other abuses committed by contractors or  
23 contract personnel.

24 (B) The report also shall include a descrip-  
25 tion of progress made by the Director of Na-

1           tional Intelligence in standardizing the regula-  
2           tions described in subparagraph (A) across the  
3           different agencies of the National Intelligence  
4           Program to the extent practicable.

5           (3) FORM OF REPORT.—The report required by  
6           paragraph (1) shall be in unclassified form, but may  
7           contain a classified annex if necessary.

8           (b) ACCOUNTABILITY REQUIREMENTS FOR CON-  
9           TRACTS AWARDED BY INTELLIGENCE COMMUNITY AGEN-  
10          CIES.—

11           (1) INFORMATION ON INTELLIGENCE ACTIVI-  
12          TIES TO BE PERFORMED.—Each covered contract in  
13          an amount greater than \$1,000,000 shall require the  
14          contractor to provide to the contracting officer for  
15          the contract, not later than 5 days after award of  
16          the contract, the following information regarding in-  
17          telligence activities performed under the contract:

18                   (A) Number of persons to be used to per-  
19                   form such functions.

20                   (B) A description of how such persons are  
21                   trained to carry out tasks specified under the  
22                   contract relating to such functions.

23                   (C) A description of each category of activ-  
24                   ity relating to such functions required by the  
25                   contract.

1           (2) UPDATES.—The information provided under  
2           paragraph (1) shall be updated during contract per-  
3           formance as necessary.

4           (3) INFORMATION ON COSTS.—Each covered  
5           contract shall include the following requirements:

6                   (A) Upon award of the contract, the con-  
7                   tractor shall provide to the contracting officer  
8                   cost estimates of salary, benefits, insurance,  
9                   materials, logistics, administrative costs, and  
10                  other costs of carrying out intelligence activities  
11                  under the contract.

12                  (B) Before contract closeout (other than  
13                  closeout of a firm, fixed price contract), the  
14                  contractor shall provide to the contracting offi-  
15                  cer a report on the actual costs of carrying out  
16                  intelligence activities under the contract, in the  
17                  same categories as provided under subpara-  
18                  graph (A).

19           (c) ACCOUNTABILITY REQUIREMENTS FOR CON-  
20           TRACTING AGENCIES OF THE INTELLIGENCE COMMU-  
21           NITY.—

22                   (1) REPORT REQUIREMENT.—Not later than 90  
23                   days after the date of the enactment of this Act, and  
24                   annually thereafter, the Director of National Intel-  
25                   ligence shall submit to the Permanent Select Com-

1       mittee on Intelligence of the House of Representa-  
2       tives and the Select Committee on Intelligence of the  
3       Senate a report containing the information described  
4       in paragraph (2) on contracting activities in the in-  
5       telligence community.

6               (2) MATTERS COVERED.—The report required  
7       by paragraph (1) shall include the following informa-  
8       tion:

9               (A) A list of contracts awarded for intel-  
10       ligence activities by each agency in the intel-  
11       ligence community during the one-year period  
12       preceding the date of submission of the report.

13              (B) A description of the activities to be  
14       performed by contractors in fulfillment of each  
15       contract on the list under subparagraph (A), in-  
16       cluding whether such activities are classified or  
17       unclassified.

18              (C) The number of personnel carrying out  
19       work under each such contract.

20              (D) The estimated cost of performance of  
21       the work required by each such contract.

22       (d) RETENTION OF INTELLIGENCE COMMUNITY PRO-  
23       FESSIONALS.—

24              (1) REPORT REQUIREMENT.—Not later than 90  
25       days after the date of the enactment of this Act, the

1 Director of National of Intelligence shall submit to  
2 the Permanent Select Committee on Intelligence of  
3 the House of Representatives and the Select Com-  
4 mittee on Intelligence of the Senate a report on hir-  
5 ing, promotion, and retention of intelligence commu-  
6 nity professionals.

7 (2) MATTERS COVERED.— The report required  
8 by paragraph (1) shall include the following:

9 (A) Recommendations regarding any bo-  
10 nuses, benefits, or other inducements that  
11 would help the intelligence community to hire,  
12 promote, and retain its professional workforce  
13 in order to compete effectively against the at-  
14 traction of private sector opportunities.

15 (B) Recommendations regarding any policy  
16 changes, including changes to policies governing  
17 the awarding of security clearances, that may  
18 promote hiring, promotion, and retention of the  
19 intelligence community professional workforce.

20 (C) A description of any additional author-  
21 ity needed from Congress to implement the rec-  
22 ommendations under subparagraphs (A) and  
23 (B).

1           (3) FORM OF REPORT.—The report required by  
2 paragraph (1) shall be in unclassified form, but may  
3 contain a classified annex if necessary.

4 (e) DEFINITIONS.—In this section:

5           (1) INTELLIGENCE COMMUNITY.—The term  
6 “intelligence community” has the meaning given the  
7 term in section 3(4) of the National Security Act of  
8 1947 (50 U.S.C. 401a(4)).

9           (2) COVERED CONTRACT.—The term “covered  
10 contract” means—

11                   (A) a prime contract with any agency or  
12 office that is part of the intelligence community;

13                   (B) a subcontract at any tier under any  
14 prime contract with an office or agency referred  
15 to in subparagraph (A); or

16                   (C) a task order issued under a task or de-  
17 livery order contract entered into by an office or  
18 agency referred to in subparagraph (A), if the  
19 work to be performed under the contract, sub-  
20 contract, or task order includes intelligence ac-  
21 tivities to be performed either within or outside  
22 the United States.

1 **TITLE IV—MATTERS RELATING**  
2 **TO ELEMENTS OF THE INTEL-**  
3 **LIGENCE COMMUNITY**

4 **Subtitle A—Office of the Director**  
5 **of National Intelligence**

6 **SEC. 401. CLARIFICATION OF DELEGATION OF TRANSFER**  
7 **OR REPROGRAMMING AUTHORITY.**

8 Section 102A(d)(5)(B) of the National Security Act  
9 of 1947 (50 U.S.C. 403–1(d)(5)(B)), as added by section  
10 1011(a) of the National Security Intelligence Reform Act  
11 of 2004 (title I of Public Law 108–458; 118 Stat. 3643),  
12 is amended in the second sentence by striking “or agency  
13 involved” and inserting “involved or the Director of the  
14 Central Intelligence Agency (in the case of the Central In-  
15 telligence Agency)”.

16 **SEC. 402. CLARIFICATION OF LIMITATION ON CO-LOCATION**  
17 **OF THE OFFICE OF THE DIRECTOR OF NA-**  
18 **TIONAL INTELLIGENCE.**

19 Section 103(e) of the National Security Act of 1947  
20 (50 U.S.C. 403–3(e)) is amended—

21 (1) in the heading, by striking “WITH” and in-  
22 serting “OF HEADQUARTERS WITH HEADQUARTERS  
23 OF” ;

24 (2) by inserting “the headquarters of” before  
25 “the Office”; and

1           (3) by striking “any other element” and insert-  
2           ing “the headquarters of any other element”.

3 **SEC. 403. ADDITIONAL DUTIES OF THE DIRECTOR OF**  
4           **SCIENCE AND TECHNOLOGY OF THE OFFICE**  
5           **OF THE DIRECTOR OF NATIONAL INTEL-**  
6           **LIGENCE.**

7           (a) COORDINATION AND PRIORITIZATION OF RE-  
8 SEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE  
9 COMMUNITY.—Subsection (d) of section 103E of the Na-  
10 tional Security Act of 1947 (50 U.S.C. 403–3e) is amend-  
11 ed—

12           (1) in paragraph (3)(A), by inserting “and  
13           prioritize” after “coordinate”; and

14           (2) by adding at the end the following new  
15           paragraph:

16           “(4) In carrying out paragraph (3)(A), the Com-  
17           mittee shall identify basic, advanced, and applied research  
18           programs to be carried out by elements of the intelligence  
19           community.”.

20           (b) DEVELOPMENT OF TECHNOLOGY GOALS.—Such  
21           section is further amended—

22           (1) in subsection (c)—

23           (A) in paragraph (4), by striking “and” at  
24           the end;



1 (B) by redesignating paragraph (5) as  
2 paragraph (6); and

3 (C) by inserting after paragraph (4) the  
4 following new paragraph:

5 “(5) assist the Director in establishing goals for  
6 the elements of the intelligence community to meet  
7 the technology needs of the intelligence community;  
8 and”;

9 (2) by adding at the end the following new sub-  
10 section:

11 “(e) GOALS FOR TECHNOLOGY NEEDS OF INTEL-  
12 LIGENCE COMMUNITY.—In carrying out subsection (c)(5),  
13 the Director of Science and Technology shall—

14 “(1) systematically identify and assess the most  
15 significant intelligence challenges that require tech-  
16 nical solutions; and

17 “(2) examine options to enhance the responsive-  
18 ness of research and design programs of elements of  
19 the intelligence community to meet the requirements  
20 of the intelligence community for timely support.”.

21 (c) REPORT.—(1) Not later than June 30, 2007, the  
22 Director of National Intelligence shall submit to Congress  
23 a report containing a strategy for the development and  
24 use of technology in the intelligence community through  
25 2021.

1 (2) The report shall include—

2 (A) an assessment of the highest priority intel-  
3 ligence gaps across the intelligence community that  
4 may be resolved by the use of technology;

5 (B) goals for advanced research and develop-  
6 ment and a strategy to achieve such goals;

7 (C) an explanation of how each advanced re-  
8 search and development project funded under the  
9 National Intelligence Program addresses an identi-  
10 fied intelligence gap;

11 (D) a list of all current and projected research  
12 and development projects by research type (basic,  
13 advanced, or applied) with estimated funding levels,  
14 estimated initiation dates, and estimated completion  
15 dates; and

16 (E) a plan to incorporate technology from re-  
17 search and development projects into National Intel-  
18 ligence Program acquisition programs.

19 (3) The report may be submitted in classified form.

20 **SEC. 404. APPOINTMENT AND TITLE OF CHIEF INFORMA-**  
21 **TION OFFICER OF THE INTELLIGENCE COM-**  
22 **MUNITY.**

23 (a) APPOINTMENT.—

24 (1) IN GENERAL.—Subsection (a) of section  
25 103G of the National Security Act of 1947 (50

1 U.S.C. 403–3g) is amended by striking “the Presi-  
2 dent, by and with the advice and consent of the Sen-  
3 ate” and inserting “the Director of National Intel-  
4 ligence”.

5 (2) APPLICABILITY.—The amendment made by  
6 paragraph (1) shall take effect on the date of the en-  
7 actment of this Act, and shall apply with respect to  
8 any nomination of an individual as Chief Informa-  
9 tion Officer of the Intelligence Community that is  
10 made on or after that date.

11 (b) TITLE.—Such section is further amended—

12 (1) in subsection (a), by inserting “of the Intel-  
13 ligence Community” after “Chief Information Offi-  
14 cer”;

15 (2) in subsection (b), by inserting “of the Intel-  
16 ligence Community” after “Chief Information Offi-  
17 cer”;

18 (3) in subsection (c), by inserting “of the Intel-  
19 ligence Community” after “Chief Information Offi-  
20 cer”; and

21 (4) in subsection (d), by inserting “of the Intel-  
22 ligence Community” after “Chief Information Offi-  
23 cer”.

1 **SEC. 405. LEADERSHIP AND LOCATION OF CERTAIN OF-**  
2 **FICES AND OFFICIALS.**

3 (a) NATIONAL COUNTER PROLIFERATION CEN-  
4 TER.—Section 119A(a) of the National Security Act of  
5 1947 (50 U.S.C. 404o–1(a)) is amended—

6 (1) by striking “ESTABLISHMENT.—Not later  
7 than 18 months after the date of the enactment of  
8 the National Security Intelligence Reform Act of  
9 2004, the” and inserting “(1) ESTABLISHMENT.—  
10 The”; and

11 (2) by adding at the end the following new  
12 paragraphs:

13 “(2) DIRECTOR.—The head of the National Counter  
14 Proliferation Center shall be the Director of the National  
15 Counter Proliferation Center, who shall be appointed by  
16 the Director of National Intelligence.

17 “(3) LOCATION.—The National Counter Prolifera-  
18 tion Center shall be located within the Office of the Direc-  
19 tor of National Intelligence.”.

20 (b) OFFICERS.—Section 103(c) of that Act (50  
21 U.S.C. 403–3(c)) is amended—

22 (1) by redesignating paragraph (9) as para-  
23 graph (13); and

24 (2) by inserting after paragraph (8) the fol-  
25 lowing new paragraphs:

1           “(9) The Chief Information Officer of the intel-  
2           ligence community.

3           “(10) The Inspector General of the intelligence  
4           community.

5           “(11) The Director of the National  
6           Counterterrorism Center.

7           “(12) The Director of the National Counter  
8           Proliferation Center.”.

9   **SEC. 406. ELIGIBILITY FOR INCENTIVE AWARDS OF PER-**  
10                           **SONNEL ASSIGNED TO THE OFFICE OF THE**  
11                           **DIRECTOR OF NATIONAL INTELLIGENCE.**

12           (a) IN GENERAL.—Subsection (a) of section 402 of  
13           the Intelligence Authorization Act for Fiscal Year 1984  
14           (50 U.S.C. 403e–1) is amended to read as follows:

15           “(a) AUTHORITY FOR PAYMENT OF AWARDS.—(1)  
16           The Director of National Intelligence may exercise the au-  
17           thority granted in section 4503 of title 5, United States  
18           Code, with respect to Federal employees and members of  
19           the Armed Forces detailed or assigned to the Office of  
20           the Director of National Intelligence in the same manner  
21           as such authority may be exercised with respect to per-  
22           sonnel of the Office.

23           “(2) The Director of the Central Intelligence Agency  
24           may exercise the authority granted in section 4503 of title  
25           5, United States Code, with respect to Federal employees

1 and members of the Armed Forces detailed or assigned  
2 to the Central Intelligence Agency in the same manner as  
3 such authority may be exercised with respect to personnel  
4 of the Agency.”.

5 (b) REPEAL OF OBSOLETE AUTHORITY.—Such sec-  
6 tion is further amended—

7 (1) by striking subsection (c); and

8 (2) by redesignating subsection (d) as sub-  
9 section (c).

10 (c) CONFORMING AMENDMENTS.—Such section is  
11 further amended—

12 (1) in subsection (b), by striking “to the Cen-  
13 tral Intelligence Agency or to the Intelligence Com-  
14 munity Staff” and inserting “to the Office of the Di-  
15 rector of National Intelligence or to the Central In-  
16 telligence Agency”; and

17 (2) in subsection (c), as redesignated by sub-  
18 section (b)(2) of this section, by striking “Director  
19 of Central Intelligence” and inserting “Director of  
20 National Intelligence or Director of the Central In-  
21 telligence Agency”.

22 (d) TECHNICAL AND STYLISTIC AMENDMENTS.—  
23 That section is further amended—

24 (1) in subsection (b)—

1 (A) by inserting “PERSONNEL ELIGIBLE  
2 FOR AWARDS.—” after “(b)”;

3 (B) by striking “subsection (a) of this sec-  
4 tion” and inserting “subsection (a)”;

5 (C) by striking “a date five years before  
6 the date of enactment of this section” and in-  
7 serting “December 9, 1978”; and

8 (2) in subsection (c), as so redesignated, by in-  
9 serting “PAYMENT AND ACCEPTANCE OF  
10 AWARDS.—” after “(c)”.

11 **SEC. 407. REPEAL OF CERTAIN AUTHORITIES RELATING TO**  
12 **THE OFFICE OF THE NATIONAL COUNTER-**  
13 **INTELLIGENCE EXECUTIVE.**

14 (a) REPEAL OF CERTAIN AUTHORITIES.—Section  
15 904 of the Counterintelligence Enhancement Act of 2002  
16 (title IX of Public Law 107–306; 50 U.S.C. 402e) is  
17 amended—

18 (1) by striking subsections (d), (g), (h), (i), and  
19 (j); and

20 (2) by redesignating subsections (e), (f), (k),  
21 (l), and (m) as subsections (d), (e), (f), (g), and (h),  
22 respectively.

23 (b) CONFORMING AMENDMENTS.—That section is  
24 further amended—

1 (1) in subsection (d), as redesignated by sub-  
2 section (a)(2) of this section, by striking “subsection  
3 (f)” each place it appears in paragraphs (1) and (2)  
4 and inserting “subsection (e)”; and

5 (2) in subsection (e)(2), as so redesignated, by  
6 striking “subsection (e)(2)” and inserting “sub-  
7 section (d)(2)”.

8 **SEC. 408. MEMBERSHIP OF THE DIRECTOR OF NATIONAL**  
9 **INTELLIGENCE ON THE TRANSPORTATION**  
10 **SECURITY OVERSIGHT BOARD.**

11 Subparagraph (F) of section 115(b)(1) of title 49,  
12 United States Code, is amended to read as follows:

13 “(F) The Director of National Intelligence,  
14 or the Director’s designee.”.

15 **SEC. 409. TEMPORARY INAPPLICABILITY TO THE OFFICE**  
16 **OF THE DIRECTOR OF NATIONAL INTEL-**  
17 **LIGENCE OF CERTAIN FINANCIAL REPORT-**  
18 **ING REQUIREMENTS.**

19 The Director of National Intelligence shall not be re-  
20 quired to submit an audited financial statement under sec-  
21 tion 3515 of title 31, United States Code, for the Office  
22 of the Director of National Intelligence with respect to fis-  
23 cal year 2005 or 2006.



1 **SEC. 410. COMPREHENSIVE INVENTORY OF SPECIAL AC-**  
2 **CESS PROGRAMS.**

3 Not later than January 15, 2007, the Director of Na-  
4 tional Intelligence shall submit to the congressional intel-  
5 ligence committees (as defined in section 3(7) of the Na-  
6 tional Security Act of 1947 (50 U.S.C. 401a(7))) a classi-  
7 fied report providing a comprehensive inventory of all spe-  
8 cial access programs under the National Intelligence Pro-  
9 gram (as defined in section 3(6) of the National Security  
10 Act of 1947 (50 U.S.C. 401a(6))).

11 **SEC. 411. SENSE OF CONGRESS ON MULTI-LEVEL SECURITY**  
12 **CLEARANCES.**

13 It is the sense of Congress that the Director of Na-  
14 tional Intelligence should promptly establish and oversee  
15 the implementation of a multi-level security clearance sys-  
16 tem across the intelligence community to leverage the cul-  
17 tural and linguistic skills of subject matter experts and  
18 individuals proficient in foreign languages critical to na-  
19 tional security.

20 **SEC. 412. ACCESS TO INFORMATION BY STAFF AND MEM-**  
21 **BERS OF THE CONGRESSIONAL INTEL-**  
22 **LIGENCE COMMITTEES.**

23 Not later than 180 days after the date of the enact-  
24 ment of this Act, the Director of National Intelligence  
25 shall provide to the members and staff of the Permanent  
26 Select Committee on Intelligence of the House of Rep-

1 representatives and the Select Committee on Intelligence of  
2 the Senate accounts for and access to the Intelink System  
3 (or any successor system) through the Joint Worldwide  
4 Intelligence Communications System (or any successor  
5 system). Such access shall include access up to and includ-  
6 ing the level of sensitive compartmented information and  
7 shall be provided in the sensitive compartmented informa-  
8 tion facilities of each Committee.

9 **SEC. 413. STUDY ON REVOKING PENSIONS OF PERSONS**  
10 **WHO COMMIT UNAUTHORIZED DISCLOSURES**  
11 **OF CLASSIFIED INFORMATION.**

12 (a) STUDY.—The Director of National Intelligence  
13 shall conduct a study on the feasibility of revoking the  
14 pensions of personnel in the intelligence community (as  
15 defined in section 3(4) of the National Security Act of  
16 1947 (50 U.S.C. 401a(4))) who commit unauthorized dis-  
17 closures of classified information, including whether revok-  
18 ing such pensions is feasible under existing law or under  
19 the administrative authority of the Director of National  
20 Intelligence or any other head of an element of the intel-  
21 ligence community.

22 (b) REPORT.—Not later than 90 days after the date  
23 of the enactment of this Act, the Director of National In-  
24 telligence shall submit to the Permanent Select Committee  
25 on Intelligence of the House of Representatives and the

1 Select Committee on Intelligence of the Senate a report  
2 containing the results of the study conducted under sub-  
3 section (a).

4 **Subtitle B—Central Intelligence**  
5 **Agency**

6 **SEC. 421. ENHANCED PROTECTION OF CENTRAL INTEL-**  
7 **LIGENCE AGENCY INTELLIGENCE SOURCES**  
8 **AND METHODS FROM UNAUTHORIZED DIS-**  
9 **CLOSURE.**

10 (a) RESPONSIBILITY OF DIRECTOR OF CENTRAL IN-  
11 TELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT  
12 OF 1947.—Subsection (d) of section 104A of the National  
13 Security Act of 1947 (50 U.S.C. 403–4a) is amended—

14 (1) in paragraph (3), by striking “and” at the  
15 end;

16 (2) by redesignating paragraph (4) as para-  
17 graph (5); and

18 (3) by inserting after paragraph (3) the fol-  
19 lowing new paragraph:

20 “(4) protect intelligence sources and methods of  
21 the Central Intelligence Agency from unauthorized  
22 disclosure, consistent with any direction issued by  
23 the President or the Director of National Intel-  
24 ligence; and”.

1 (b) PROTECTION UNDER CENTRAL INTELLIGENCE  
2 AGENCY ACT OF 1949.—Section 6 of the Central Intel-  
3 ligence Agency Act of 1949 (50 U.S.C. 403g) is amended  
4 by striking “section 102A(i)” and all that follows through  
5 “unauthorized disclosure” and inserting “sections 102A(i)  
6 and 104A(d)(4) of the National Security Act of 1947 (50  
7 U.S.C. 403–1(i), 403–4a(d)(4))”.

8 (c) TECHNICAL AMENDMENTS TO CENTRAL INTEL-  
9 LIGENCE AGENCY RETIREMENT ACT.—Section 201(c) of  
10 the Central Intelligence Agency Retirement Act (50  
11 U.S.C. 2011(c)) is amended—

12 (1) in the subsection heading, by striking “OF  
13 DCF”;

14 (2) by striking “section 102A(i)” and inserting  
15 “sections 102A(i) and 104A(d)(4)”;

16 (3) by striking “of National Intelligence”; and

17 (4) by inserting “of the Central Intelligence  
18 Agency” after “methods”.

19 **SEC. 422. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE**  
20 **PROFICIENCY REQUIREMENT FOR CERTAIN**  
21 **SENIOR LEVEL POSITIONS IN THE CENTRAL**  
22 **INTELLIGENCE AGENCY.**

23 (a) ADDITIONAL EXCEPTION.—Subsection (g) of sec-  
24 tion 104A of the National Security Act of 1947 (50 U.S.C.  
25 403–4a) is amended—

1           (1) in paragraph (1), by striking “paragraph  
2           (2)” and inserting “paragraphs (2) and (3)”;

3           (2) in paragraph (2), by striking “position or  
4           category of positions” each place it appears and in-  
5           serting “individual, individuals, position, or category  
6           of positions”; and

7           (3) by adding at the end the following new  
8           paragraph:

9           “(3) Paragraph (1) shall not apply to any individual  
10          in the Directorate of Intelligence or the Directorate of Op-  
11          erations of the Central Intelligence Agency who is serving  
12          in a Senior Intelligence Service position as of December  
13          23, 2005, regardless of whether such individual is a mem-  
14          ber of the Senior Intelligence Service.”.

15          (b) REPORT ON WAIVERS.—Section 611(c) of the In-  
16          telligence Authorization Act for Fiscal Year 2005 (Public  
17          Law 108–487; 118 Stat. 3955) is amended—

18                 (1) in the first sentence, by inserting “individ-  
19                 uals or” before “positions”; and

20                 (2) in the second sentence, by striking “position  
21                 or category of positions” and inserting “individual,  
22                 individuals, position, or category of positions”.

1 **SEC. 423. ADDITIONAL FUNCTIONS AND AUTHORITIES FOR**  
2 **PROTECTIVE PERSONNEL OF THE CENTRAL**  
3 **INTELLIGENCE AGENCY.**

4 (a) PROTECTION OF CERTAIN PERSONS.—Section  
5 5(a)(4) of the Central Intelligence Agency Act of 1949 (50  
6 U.S.C. 403f(a)(4)) is amended—

7 (1) by striking “and the protection” and insert-  
8 ing “the protection”; and

9 (2) by striking the semicolon and inserting “,  
10 and the protection of the Director of National Intel-  
11 ligence and such personnel of the Office of the Di-  
12 rector of National Intelligence as the Director of Na-  
13 tional Intelligence may designate;”.

14 (b) AUTHORITY TO ARREST.—

15 (1) Chapter 203 of title 18, United States  
16 Code, is amended by adding at the end the fol-  
17 lowing:

18 **“§ 3065. Powers of authorized personnel in the Cen-**  
19 **tral Intelligence Agency**

20 “(a) The Director of the Central Intelligence Agency  
21 may issue regulations to allow personnel designated to  
22 carry out protective functions for the Central Intelligence  
23 Agency under section 5(a)(4) of the Central Intelligence  
24 Agency Act of 1949 (50 U.S.C. 403f) to, while engaged  
25 in such protective functions, make arrests without a war-  
26 rant for any offense against the United States committed

1 in the presence of such personnel, or for any felony cog-  
2 nizable under the laws of the United States, if such per-  
3 sonnel have probable cause to believe that the person to  
4 be arrested has committed or is committing that felony  
5 offense.

6 “(b) The powers granted under subsection (a) may  
7 be exercised only in accordance with guidelines approved  
8 by the Attorney General.”.

9 (2) The table of sections at the beginning of  
10 chapter 203 of title 18, United States Code, is  
11 amended by adding at the end the following:

“3065. Powers of authorized personnel in the Central Intelligence Agency.”.

12 **SEC. 424. PROTECTIVE SERVICES FOR FORMER OFFICIALS**  
13 **OF THE INTELLIGENCE COMMUNITY.**

14 (a) IN GENERAL.—Title III of the National Security  
15 Act of 1947 (50 U.S.C. 409a et seq.) is amended by in-  
16 serting after section 303 the following new section:

17 “PROTECTIVE SERVICES FOR FORMER OFFICIALS OF THE  
18 INTELLIGENCE COMMUNITY

19 “SEC. 304. (a) IN GENERAL.—Subject to subsection  
20 (b), the head of an element of the intelligence community  
21 may not provide personnel for the protection of a former  
22 official of an element of the intelligence community un-  
23 less—

1       “(1) there is a specific and credible threat to such  
2 former official arising from the service of such former offi-  
3 cial to the United States; and

4       “(2) such head of an element of the intelligence com-  
5 munity submits to the Director of National Intelligence  
6 notice of the intention to provide such personnel and an  
7 assessment of—

8               “(A) the threat to such former official; and

9               “(B) the level of protective services necessary to  
10 protect such former official based on such threat.

11       “(b) EXCEPTION FOR RECENT TERMINATION OF EM-  
12 PLOYMENT.—The head of an element of the intelligence  
13 community may provide personnel for the protection of a  
14 former official of an element of the intelligence community  
15 without a specific and credible threat to such former offi-  
16 cial for not more than one year after the termination of  
17 the employment of such former official if such former offi-  
18 cial requests such protection.

19       “(c) THREAT ASSESSMENT UPDATES.—Not later  
20 than 180 days after the date on which the head of an ele-  
21 ment of the intelligence community begins providing per-  
22 sonnel for the protection of a former official of an element  
23 of the intelligence community, and at least every 180 days  
24 thereafter until such head of an element of the intelligence  
25 community determines that there is no longer a threat to



1 such former official, such head of an element of the intel-  
2 ligence community shall submit to the Director of Na-  
3 tional Intelligence an updated assessment of the threat to  
4 such former official and the level of protective services nec-  
5 essary to protect such former official based on such threat.

6       “(d) TERMINATION OF PROTECTIVE SERVICES.—If  
7 the head of an element of the intelligence community that  
8 is providing personnel for the protection of a former offi-  
9 cial of an element of the intelligence community pursuant  
10 to subsection (a) determines that there is no longer a  
11 threat to such former official, such head of an element  
12 of the intelligence community shall cease providing per-  
13 sonnel for the protection of such former official not later  
14 than 30 days after determining such threat no longer ex-  
15 ists.

16       “(e) REPORT.—Not later than 7 days after the date  
17 on which the head of an element of the intelligence com-  
18 munity begins providing personnel for the protection of  
19 a former official of an element of the intelligence commu-  
20 nity, the Director of National Intelligence shall submit to  
21 the congressional intelligence committees notice of the pro-  
22 vision of personnel for the protection of such former offi-  
23 cial.”.

24       “(b) TABLE OF CONTENTS.—The table of contents of  
25 such Act is amended by—

1           (1) striking the second item relating to section  
2       301;

3           (2) striking the second item relating to section  
4       302;

5           (3) striking the items relating to sections 304,  
6       305, and 306; and

7           (4) inserting after the item relating to section  
8       303 the following new item:

          “Sec. 304. Protective services for former officials of the intelligence commu-  
          nity.”.

9       **SEC. 425. STRATEGIC REVIEW PROCESS.**

10       Section 102A(f) of the National Security Act of 1947  
11       (50 U.S.C. 403–1(f)) is amended by adding at the end  
12       the following new paragraph:

13       “(9) Not later than September 30, 2007, and every  
14       four years thereafter, the Director of National Intelligence  
15       shall, in consultation with the heads of the elements of  
16       the intelligence community, manage and oversee the con-  
17       duct of a strategic review of the intelligence community  
18       to develop intelligence capabilities required to address  
19       threats to national security. Such review shall analyze  
20       near-term, mid-term, and future threats to national secu-  
21       rity and shall include estimates of the allocation of re-  
22       sources and structural change that should be reflected in  
23       future budget requests.”.

1     **Subtitle C—Defense Intelligence**  
2                     **Components**

3     **SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGEN-**  
4                     **CY TRAINING PROGRAM.**

5             (a)   TERMINATION OF EMPLOYEES.—Subsection  
6     (d)(1)(C) of section 16 of the National Security Agency  
7     Act of 1959 (50 U.S.C. 402 note) is amended by striking  
8     “terminated either by” and all that follows and inserting  
9     “terminated—

10                     “(i) by the Agency due to misconduct by  
11             the employee;

12                     “(ii) by the employee voluntarily; or

13                     “(iii) by the Agency for the failure of the  
14             employee to maintain such level of academic  
15             standing in the educational course of training  
16             as the Director of the National Security Agency  
17             shall have specified in the agreement of the em-  
18             ployee under this subsection; and”.

19             (b)   AUTHORITY TO WITHHOLD DISCLOSURE OF AF-  
20     FILIAION WITH NSA.—Subsection (e) of such section is  
21     amended by striking “(1) When an employee” and all that  
22     follows through “(2) Agency efforts” and inserting “Agen-  
23     cy efforts”.

1 **SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL**  
2 **SECURITY AGENCY PROTECTIVE PER-**  
3 **SONNEL.**

4 (a) PROTECTION OF CERTAIN PERSONS.—The Na-  
5 tional Security Agency Act of 1959 (50 U.S.C. 402 note)  
6 is amended by adding at the end the following new section:

7 “SEC. 20. (a) The Director is authorized to designate  
8 personnel of the Agency to perform protective functions  
9 for the Director and for any personnel of the Agency des-  
10 ignated by the Director.

11 “(b) Nothing in this section shall be construed to im-  
12 pair or otherwise affect any authority under any other pro-  
13 vision of law relating to the performance of protective  
14 functions.”.

15 (b) AUTHORITY TO ARREST.—

16 (1) Chapter 203 of title 18, United States  
17 Code, as amended by section 423 of this Act, is  
18 amended by adding at the end the following:

19 **“§ 3066. Powers of authorized personnel in the Na-**  
20 **tional Security Agency**

21 “(a) The Director of the National Security Agency  
22 may issue regulations to allow personnel designated to  
23 carry out protective functions for the Agency to—

24 “(1) carry firearms; and

25 “(2) make arrests without warrant for any of-  
26 fense against the United States committed in the

1 presence of such personnel, or for any felony cog-  
2 nizable under the laws of the United States, if such  
3 personnel have probable cause to believe that the  
4 person to be arrested has committed or is commit-  
5 ting that felony offense.

6 “(b) The powers granted under subsection (a) may  
7 be exercised only in accordance with guidelines approved  
8 by the Attorney General.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-  
10 tions at the beginning of chapter 203 of title 18,  
11 United States Code, as amended by section 423 of  
12 this Act, is amended by adding at the end the fol-  
13 lowing:

“3066. Powers of authorized personnel in the National Security Agency.”.

## 14 **Subtitle D—Other Elements**

### 15 **SEC. 441. CLARIFICATION OF INCLUSION OF COAST GUARD** 16 **AND DRUG ENFORCEMENT ADMINISTRATION** 17 **ELEMENTS IN THE INTELLIGENCE COMMU-** 18 **NITY.**

19 Section 3(4) of the National Security Act of 1947 (50  
20 U.S.C. 401a(4)) is amended—

21 (1) in subparagraph (H), by inserting “the  
22 Coast Guard” after “the Marine Corps”;

23 (2) in subparagraph (K), by striking “, includ-  
24 ing the Office of Intelligence of the Coast Guard”;

1           (3) by redesignating subparagraph (L) as sub-  
2           paragraph (M); and

3           (4) by inserting after subparagraph (K) the fol-  
4           lowing new subparagraph:

5                     “(L) The Office of National Security Intel-  
6                     ligence of the Drug Enforcement Administra-  
7                     tion.”.

8   **SEC. 442. CLARIFYING AMENDMENTS RELATING TO SEC-**  
9                     **TION 105 OF THE INTELLIGENCE AUTHORIZA-**  
10                    **TION ACT FOR FISCAL YEAR 2004.**

11           Section 105(b) of the Intelligence Authorization Act  
12 for Fiscal Year 2004 (Public Law 108–177; 117 Stat.  
13 2603; 31 U.S.C. 311 note) is amended—

14           (1) by striking “Director of Central Intel-  
15           ligence” and inserting “Director of National Intel-  
16           ligence”; and

17           (2) by inserting “or in section 313 of such  
18           title,” after “subsection (a)),”.

19           **TITLE V—OTHER MATTERS**

20   **SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.**

21           (a) **LIMITATION ON TERMINATION OF U–2 AIRCRAFT**  
22 **PROGRAM.**—The Secretary of Defense may not begin the  
23 process to terminate the U–2 aircraft program until the  
24 Secretary certifies in accordance with subsection (b) that  
25 there would be no loss of national or Department of De-

1 fense intelligence, surveillance, and reconnaissance (ISR)  
2 capabilities in transitioning from the U-2 aircraft pro-  
3 gram to the Global Hawk RQ-4 unmanned aerial vehicle  
4 platform.

5 (b) REPORT AND CERTIFICATION.—

6 (1) STUDY.—The Secretary of Defense shall  
7 conduct a study of aerial reconnaissance platforms  
8 to determine whether the Global Hawk RQ-4 un-  
9 manned aerial vehicle has reached mission capability  
10 and has attained collection capabilities on a par with  
11 the collection capabilities of the U-2 Block 20 air-  
12 craft program as of April 1, 2006.

13 (2) REPORT.—The Secretary shall submit to  
14 the congressional committees specified in subsection  
15 (c) a report containing the results of the study. The  
16 Secretary shall include in the report the Secretary's  
17 determination as to whether the Global Hawk RQ-  
18 4 unmanned aerial vehicle—

19 (A) has reached mission capability; and

20 (B) has attained collection capabilities on a  
21 par with the collection capabilities of the U-2  
22 Block 20 aircraft program as of April 1, 2006.

23 (3) CERTIFICATION.—The Secretary shall in-  
24 clude with the report the Secretary's certification,  
25 based on the results of the study, as to whether or

1 not there would be a loss of national or Department  
2 of Defense intelligence, surveillance, and reconnais-  
3 sance capabilities with a transition from the U-2  
4 aircraft program to the Global Hawk RQ-4 un-  
5 manned aerial vehicle platform.

6 (c) SPECIFIED COMMITTEES.—The congressional  
7 committees specified in this subsection are the following:

8 (1) The Committee on Armed Services and the  
9 Select Committee on Intelligence of the Senate.

10 (2) The Committee on Armed Services and the  
11 Permanent Select Committee on Intelligence of the  
12 House of Representatives.

13 **SEC. 502. ELIMINATION OF CERTAIN REPORTING REQUIRE-**  
14 **MENTS.**

15 (a) INTELLIGENCE SHARING WITH UN.—Section  
16 112 of the National Security Act of 1947 (50 U.S.C.  
17 404g) is amended by striking subsection (b).

18 (b) IMPROVEMENT OF FINANCIAL STATEMENTS FOR  
19 AUDITING PURPOSES.—The National Security Act of  
20 1947 (50 U.S.C. 401 et seq.) is amended—

21 (1) by striking section 114A; and

22 (2) in the table of contents in the first section,  
23 by striking the item relating to section 114A.



1 (c) FINANCIAL INTELLIGENCE ON TERRORIST AS-  
2 SETS.—The National Security Act of 1947 (50 U.S.C. 401  
3 et seq.) is amended—

4 (1) by striking section 118; and

5 (2) in the table of contents in the first section,  
6 by striking the item relating to section 118.

7 (d) COUNTERDRUG INTELLIGENCE.—The Intel-  
8 ligence Authorization Act for Fiscal Year 2003 (Public  
9 Law 107–306) is amended—

10 (1) by striking section 826; and

11 (2) in the table of contents in section 1(b), by  
12 striking the item relating to section 826.

13 **SEC. 503. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**  
14 **CURITY ACT OF 1947.**

15 The National Security Act of 1947 (50 U.S.C. 401  
16 et seq.) is amended as follows:

17 (1) In section 102A (50 U.S.C. 403–1)—

18 (A) in subsection (c)(7)(A), by striking  
19 “section” and inserting “subsection”;

20 (B) in subsection (d)—

21 (i) in paragraph (3), by striking “sub-  
22 paragraph (A)” in the matter preceding  
23 subparagraph (A) and inserting “para-  
24 graph (1)(A)”; and

1 (ii) in paragraph (5)(A), by striking  
2 “or personnel” in the matter preceding  
3 clause (i); and

4 (C) in subsection (1)(2)(B), by striking  
5 “section” and inserting “paragraph”.

6 (2) In section 119(c)(2)(B) (50 U.S.C.  
7 404o(c)(2)(B)), by striking “subsection (h)” and in-  
8 serting “subsection (i)”.

9 **SEC. 504. TECHNICAL CLARIFICATION OF CERTAIN REF-**  
10 **ERENCES TO JOINT MILITARY INTELLIGENCE**  
11 **PROGRAM AND TACTICAL INTELLIGENCE**  
12 **AND RELATED ACTIVITIES.**

13 Section 102A of the National Security Act of 1947  
14 (50 U.S.C. 403–1) is amended—

15 (1) in subsection (c)(3)(A), by striking “annual  
16 budgets for the Joint Military Intelligence Program  
17 and for Tactical Intelligence and Related Activities”  
18 and inserting “annual budget for the Military Intel-  
19 ligence Program or any successor program or pro-  
20 grams”; and

21 (2) in subsection (d)(1)(B), by striking “Joint  
22 Military Intelligence Program” and inserting “Mili-  
23 tary Intelligence Program or any successor program  
24 or programs”.

1 **SEC. 505. TECHNICAL AMENDMENTS TO THE INTEL-**  
2 **LIGENCE REFORM AND TERRORISM PREVEN-**  
3 **TION ACT OF 2004.**

4 (a) AMENDMENTS TO NATIONAL SECURITY INTEL-  
5 LIGENCE REFORM ACT OF 2004.—The National Security  
6 Intelligence Reform Act of 2004 (title I of Public Law  
7 108–458) is amended as follows:

8 (1) In section 1016(e)(10)(B) (6 U.S.C.  
9 458(e)(10)(B)), by striking “Attorney General” the  
10 second place it appears and inserting “Department  
11 of Justice”.

12 (2) In section 1061 (5 U.S.C. 601 note)—

13 (A) in subsection (d)(4)(A), by striking  
14 “National Intelligence Director” and inserting  
15 “Director of National Intelligence”; and

16 (B) in subsection (h), by striking “Na-  
17 tional Intelligence Director” and inserting “Di-  
18 rector of National Intelligence”.

19 (3) In section 1071(e), by striking “(1)”.

20 (4) In section 1072(b), by inserting “AGENCY”  
21 after “INTELLIGENCE”.

22 (b) OTHER AMENDMENTS TO INTELLIGENCE RE-  
23 FORM AND TERRORISM PREVENTION ACT OF 2004.—The  
24 Intelligence Reform and Terrorism Prevention Act of  
25 2004 (Public Law 108–458) is amended as follows:

26 (1) In section 2001 (28 U.S.C. 532 note)—

1 (A) in subsection (c)(1), by inserting “of”  
2 before “an institutional culture”;

3 (B) in subsection (e)(2), by striking “the  
4 National Intelligence Director in a manner con-  
5 sistent with section 112(e)” and inserting “the  
6 Director of National Intelligence in a manner  
7 consistent with applicable law”; and

8 (C) in subsection (f), by striking “shall,”  
9 in the matter preceding paragraph (1) and in-  
10 sserting “shall”.

11 (2) In section 2006 (28 U.S.C. 509 note)—

12 (A) in paragraph (2), by striking “the  
13 Federal” and inserting “Federal”; and

14 (B) in paragraph (3), by striking “the spe-  
15 cific” and inserting “specific”.

16 **SEC. 506. TECHNICAL AMENDMENT TO THE CENTRAL IN-**  
17 **TELLIGENCE AGENCY ACT OF 1949.**

18 Section 5(a)(1) of the Central Intelligence Agency  
19 Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking  
20 “authorized under paragraphs (2) and (3) of section  
21 102(a), subsections (c)(7) and (d) of section 103, sub-  
22 sections (a) and (g) of section 104, and section 303 of  
23 the National Security Act of 1947 (50 U.S.C. 403(a)(2),  
24 (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)” and insert-  
25 ing “authorized under subsections (c), (d), (e), and (f) of

1 section 104A of the National Security Act of 1947 (50  
2 U.S.C. 403–4a)”.

3 **SEC. 507. TECHNICAL AMENDMENTS RELATING TO THE**  
4 **MULTIYEAR NATIONAL INTELLIGENCE PRO-**  
5 **GRAM.**

6 (a) **IN GENERAL.**—Subsection (a) of section 1403 of  
7 the National Defense Authorization Act for Fiscal Year  
8 1991 (50 U.S.C. 404b) is amended—

9 (1) in the subsection heading, by striking  
10 “FOREIGN”; and

11 (2) by striking “foreign” each place it appears.

12 (b) **RESPONSIBILITY OF DNI.**—That section is fur-  
13 ther amended—

14 (1) in subsections (a) and (c), by striking “Di-  
15 rector of Central Intelligence” and inserting “Direc-  
16 tor of National Intelligence”; and

17 (2) in subsection (b), by inserting “of National  
18 Intelligence” after “Director”.

19 (c) **CONFORMING AMENDMENT.**—The heading of  
20 that section is amended to read as follows:

1 **“SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PRO-**  
2 **GRAM.”.**

3 **SEC. 508. TECHNICAL AMENDMENTS TO THE EXECUTIVE**  
4 **SCHEDULE.**

5 (a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313  
6 of title 5, United States Code, is amended by striking the  
7 item relating to the Director of Central Intelligence and  
8 inserting the following new item:

9 “Director of the Central Intelligence Agen-  
10 cy.”.

11 (b) EXECUTIVE SCHEDULE LEVEL IV.—Section  
12 5315 of title 5, United States Code, is amended by strik-  
13 ing the item relating to the General Counsel of the Office  
14 of the National Intelligence Director and inserting the fol-  
15 lowing new item:

16 “General Counsel of the Office of the Di-  
17 rector of National Intelligence.”.

18 **SEC. 509. TECHNICAL AMENDMENTS RELATING TO REDES-**  
19 **IGNATION OF THE NATIONAL IMAGERY AND**  
20 **MAPPING AGENCY AS THE NATIONAL**  
21 **GEOSPATIAL-INTELLIGENCE AGENCY.**

22 (a) TITLE 5, UNITED STATES CODE.—(1) Title 5,  
23 United States Code, is amended by striking “National Im-  
24 agery and Mapping Agency” each place it appears in a  
25 provision as follows and inserting “National Geospatial-  
26 Intelligence Agency”:

1 (A) Section 2302(a)(2)(C)(ii).

2 (B) Section 3132(a)(1)(B).

3 (C) Section 4301(1) (in clause (ii)).

4 (D) Section 4701(a)(1)(B).

5 (E) Section 5102(a)(1) (in clause (x)).

6 (F) Section 5342(a)(1) (in clause (K)).

7 (G) Section 6339(a)(1)(E).

8 (H) Section 7323(b)(2)(B)(i)(XIII).

9 (2) Section 6339(a)(2)(E) of such title is amended  
10 by striking “National Imagery and Mapping Agency, the  
11 Director of the National Imagery and Mapping Agency”  
12 and inserting “National Geospatial-Intelligence Agency,  
13 the Director of the National Geospatial-Intelligence Agen-  
14 cy”.

15 (b) TITLE 44, UNITED STATES CODE.—(1)(A) Sec-  
16 tion 1336 of title 44, United States Code, is amended by  
17 striking “National Imagery and Mapping Agency” both  
18 places it appears and inserting “National Geospatial-Intel-  
19 ligence Agency”.

20 (B) The heading of such section is amended to read  
21 as follows:

1 **“§ 1336. National Geospatial-Intelligence Agency: spe-**  
2 **cial publications”.**

3 (2) The table of sections at the beginning of chapter  
4 13 of such title is amended by striking the item relating  
5 to section 1336 and inserting the following new item:

“1336. National Geospatial-Intelligence Agency: special publications.”.

6 (c) HOMELAND SECURITY ACT OF 2002.—Section  
7 201(f)(2)(E) of the Homeland Security Act of 2002 (6  
8 U.S.C. 121(f)(2)(E)) is amended by striking “National  
9 Imagery and Mapping Agency” and inserting “National  
10 Geospatial-Intelligence Agency”.

11 (d) INSPECTOR GENERAL ACT OF 1978.—Section 8H  
12 of the Inspector General Act of 1978 (5 U.S.C. App.) is  
13 amended by striking “National Imagery and Mapping  
14 Agency” each place it appears and inserting “National  
15 Geospatial-Intelligence Agency”.

16 (e) ETHICS IN GOVERNMENT ACT OF 1978.—Section  
17 105(a)(1) of the Ethics in Government Act of 1978 (5  
18 U.S.C. App.) is amended by striking “National Imagery  
19 and Mapping Agency” and inserting “National  
20 Geospatial-Intelligence Agency”.

21 (f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the  
22 Employee Polygraph Protection Act of 1988 (29 U.S.C.  
23 2006(b)(2)(A)(i)) is amended by striking “National Im-  
24 agery and Mapping Agency” and inserting “National  
25 Geospatial-Intelligence Agency”.



1           (2) Section 207(a)(2)(B) of the Legislative Branch  
2 Appropriations Act, 1993 (44 U.S.C. 501 note) is amend-  
3 ed by striking “National Imagery and Mapping Agency”  
4 and inserting “National Geospatial-Intelligence Agency”.

5 **SEC. 510. REPORT ON AUTHORIZATION TO OVERTHROW**  
6 **DEMOCRATICALLY ELECTED GOVERNMENTS.**

7           Not later than 120 days after the date of the enact-  
8 ment of this Act, the President shall submit to the Perma-  
9 nent Select Committee on Intelligence of the House of  
10 Representatives and the Select Committee on Intelligence  
11 of the Senate a report describing any authorization grant-  
12 ed during the 10-year period ending on the date of the  
13 enactment of this Act to engage in intelligence activities  
14 related to the overthrow of a democratically elected gov-  
15 ernment.

16 **SEC. 511. REPORT ON INTELLIGENCE RELATING TO INSUR-**  
17 **GENT FORCES IN IRAQ.**

18           Not later than 90 days after the date of the enact-  
19 ment of this Act, and every 90 days thereafter, the Direc-  
20 tor of National Intelligence shall submit to Congress a re-  
21 port, in classified form, on intelligence relating to the dis-  
22 position of insurgent forces in Iraq fighting against Coali-  
23 tion forces and the forces of the Government of Iraq, in-  
24 cluding—

- 1 (1) an estimate of the number of insurgent  
2 forces;
- 3 (2) an estimate of the number of insurgent  
4 forces that are—
  - 5 (A) former members of the Ba’ath Party;
  - 6 and
  - 7 (B) members of al Qaeda or other terrorist  
8 organizations;
- 9 (3) a description of where in Iraq the insurgent  
10 forces are located;
- 11 (4) a description of the capability of the insur-  
12 gent forces; and
- 13 (5) a description of how the insurgent forces  
14 are funded.

15 **SEC. 512. SENSE OF CONGRESS REGARDING UNAUTHOR-**  
16 **IZED DISCLOSURE OF CLASSIFIED INFORMA-**  
17 **TION.**

18 (a) FINDINGS.—Congress finds the following:

- 19 (1) The Supreme Court has unequivocally rec-  
20 ognized that the Constitution vests the President  
21 with the authority to protect national security infor-  
22 mation as head of the Executive Branch and as  
23 Commander-in-Chief.

1           (2) The Supreme Court has recognized a com-  
2           pelling government interest in withholding national  
3           security information from unauthorized persons.

4           (3) The Supreme Court has recognized that se-  
5           crecy agreements for government employees are a  
6           reasonable means for protecting this vital interest.

7           (4) The Supreme Court has noted that “It  
8           should be obvious that no one has a ‘right’ to a se-  
9           curity clearance”.

10          (5) Unauthorized disclosures of classified infor-  
11          mation relating to national security are most dam-  
12          aging when they have the potential to compromise  
13          intelligence sources and methods and ongoing intel-  
14          ligence operations.

15          (6) Potential unauthorized disclosures of classi-  
16          fied information have impeded relationships with for-  
17          eign intelligence services and the effectiveness of the  
18          Global War on Terrorism.

19          (7) Media corporations and journalists have im-  
20          properly profited financially from publishing pur-  
21          ported unauthorized disclosures of classified infor-  
22          mation.

23          (b) SENSE OF CONGRESS.—It is the sense of Con-  
24          gress that the President should utilize the constitutional  
25          authority of the President to the fullest practicable extent,

1 where warranted, to classify and protect national security  
2 information relating to intelligence activities and informa-  
3 tion and to take effective action against persons who com-  
4 mit unauthorized disclosures of classified information re-  
5 lating to intelligence activities and information contrary  
6 to law and voluntary secrecy agreements.

7 **TITLE VI—COMMUNICATION OF**  
8 **INFORMATION CONCERNING**  
9 **TERRORIST THREATS**

10 **SEC. 601. IDENTIFICATION OF BEST PRACTICES.**

11 (a) STUDY.—The Secretary of Homeland Security  
12 and the Director of National Intelligence shall conduct  
13 jointly, or contract with an entity to conduct, a study of  
14 the operations of Federal, State, and local government en-  
15 tities to identify best practices for the communication of  
16 information concerning a terrorist threat.

17 (b) CONTENTS.—

18 (1) IDENTIFICATION OF BEST PRACTICES.—The  
19 study conducted under this section shall be focused  
20 on an analysis and identification of the best prac-  
21 tices of the information sharing processes of the fol-  
22 lowing government entities:

23 (A) Joint Terrorism Task Forces, which  
24 are operated by the Federal Bureau of Inves-

1           tigitations with the participation of local law en-  
2           forcement agencies.

3           (B) State Homeland Security Fusion Cen-  
4           ters, which are established by a State and share  
5           information with Federal departments.

6           (C) The Homeland Security Operations  
7           Center, which is operated by the Department of  
8           Homeland Security for the purposes of coordi-  
9           nating information.

10          (D) State and local law enforcement agen-  
11          cies that collect, utilize, and disseminate infor-  
12          mation on potential terrorist attacks.

13          (E) The appropriate elements of the intel-  
14          ligence community, as defined in section 3 of  
15          the National Security Act of 1947 (50 U.S.C.  
16          401a), involved in the sharing of counter-ter-  
17          rorism information.

18          (2) COORDINATION OF GOVERNMENT ENTI-  
19          TIES.—The study conducted under this section shall  
20          include an examination of methods for coordinating  
21          the activities of Federal, State, and local entities in  
22          responding to a terrorist threat, and specifically the  
23          communication to the general public of information  
24          concerning the threat. The study shall not include

1 an examination of the sources and methods used in  
2 the collection of the information.

3 (c) OBTAINING OFFICIAL DATA.—In conducting the  
4 study, the Secretary, in conjunction with the Director,  
5 with due regard for the protection of classified informa-  
6 tion, may secure directly from any department or agency  
7 of the United States information necessary to enable the  
8 Secretary to carry out this section. Classified information  
9 shall be handled through established methods for control-  
10 ling such information.

11 (d) TEMPORARY DUTY OF FEDERAL PERSONNEL.—  
12 The Secretary, in conjunction with the Director, may re-  
13 quest the head of any department or agency of the United  
14 States to detail to temporary duty personnel within the  
15 administrative jurisdiction of the head of the department  
16 or agency that the Secretary may need to carry out this  
17 section, each detail to be without loss of seniority, pay,  
18 or other employee status.

19 (e) REPORT.—

20 (1) IN GENERAL.—Not later than 6 months  
21 after the date of enactment of this Act, the Sec-  
22 retary, in conjunction with the Director, shall submit  
23 to Congress a report that contains—

24 (A) a detailed statement of the findings  
25 and conclusions of the study, including identi-

1           fication of the best practices for the processing,  
2           analysis, and dissemination of information be-  
3           tween the government entities referred to in  
4           subsection (b)(1); and

5                   (B) recommendations for a formalized  
6           process of consultation, communication, and  
7           confidentiality between Federal, State, and local  
8           governments, incorporating the best practices of  
9           the various entities studied, to facilitate com-  
10          munication and help prevent the unauthorized  
11          dissemination of information and criticism of  
12          decisions concerning terrorist threats.

13           (2) CLASSIFIED INFORMATION.—To the extent  
14          determined appropriate by the Secretary, in conjunc-  
15          tion with the Director, the Secretary may submit a  
16          portion of the report in classified form.

17           (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
18          authorized to be appropriated to carry out this section  
19          \$5,000,000 for fiscal year 2007.

20   **SEC. 602. CENTERS OF BEST PRACTICES.**

21           (a) IN GENERAL.—The Secretary of Homeland Secu-  
22          rity, in consultation with the Director of National Intel-  
23          ligence, shall make grants for the establishment and oper-  
24          ation of 3 centers to implement the best practices, identi-  
25          fied by the study conducted under section 601, for the

1 processing, analysis, and dissemination of information  
2 concerning a terrorist threat (in this section, each referred  
3 to as a “Center”).

4 (b) LOCATION OF CENTERS.—In carrying out sub-  
5 section (a), the Secretary, in consultation with the Direc-  
6 tor, shall make grants to—

7 (1) the State of New York for the establishment  
8 of a Center to be located in New York City;

9 (2) the State of Michigan for the establishment  
10 of a Center to be located in Detroit; and

11 (3) the State of California for the establishment  
12 of a Center to be located in Los Angeles.

13 (c) PURPOSE OF CENTERS.—Each Center shall—

14 (1) implement the best practices, identified by  
15 the study conducted under section 601, for informa-  
16 tion sharing concerning a terrorist threat;

17 (2) coordinate the communication of these best  
18 practices with other metropolitan areas;

19 (3) coordinate with the Secretary and the Di-  
20 rector to develop a training curriculum to implement  
21 these best practices;

22 (4) provide funding and technical assistance to  
23 other metropolitan areas to assist the metropolitan  
24 areas in the implementation of the curriculum devel-  
25 oped under paragraph (3); and



1           (5) coordinate with the Secretary and the Di-  
2           rector to establish a method to advertise and dis-  
3           seminate these best practices.

4           (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
5           authorized to be appropriated for making grants under  
6           this section—

7           (1) \$10,000,000 for fiscal year 2007 for the es-  
8           tablishment of the Centers; and

9           (2) \$3,000,000 for each of fiscal years 2008  
10          through 2012 for the operation of the Centers.

11          (e) REPORT TO CONGRESS.—Not later than March  
12          31, 2010, the Secretary, in consultation with the Director,  
13          shall submit to Congress a report evaluating the oper-  
14          ations of the Centers and making recommendations for fu-  
15          ture funding.

Passed the House of Representatives April 26, 2006.

Attest:

*Clerk.*

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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# H. R. 5020

## AN ACT

To authorize appropriations for fiscal year 2007 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.