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2<sup>D</sup> SESSION

# H. R. 5020

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IN THE SENATE OF THE UNITED STATES

APRIL 27, 2006

Received and read the first time

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Read the second time and placed on the calendar

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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 National 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 Intelligence 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.

20           (10) The Department of Justice.

21           (11) The Federal Bureau of Investigation.

22           (12) The National Reconnaissance Office.

23           (13) The National Geospatial-Intelligence Agen-  
24           cy.

25           (14) The Coast Guard.

1 (15) The Department of Homeland Security.

2 (16) The Drug Enforcement Administration.

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

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

13 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
14 THORIZATIONS.—The Schedule of Authorizations shall be  
15 made available to the Committees on Appropriations of  
16 the Senate and House of Representatives and to the Presi-  
17 dent. The President shall provide for suitable distribution  
18 of the Schedule, or of appropriate portions of the Sched-  
19 ule, within the executive branch.

20 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

21 (a) AUTHORITY FOR ADJUSTMENTS.—With the ap-  
22 proval of the Director of the Office of Management and  
23 Budget, the Director of National Intelligence may author-  
24 ize employment of civilian personnel in excess of the num-  
25 ber authorized for fiscal year 2007 under section 102

1 when the Director of National Intelligence determines that  
2 such action is necessary to the performance of important  
3 intelligence functions, except that the number of personnel  
4 employed in excess of the number authorized under such  
5 section may not, for any element of the intelligence com-  
6 munity, exceed 2 percent of the number of civilian per-  
7 sonnel authorized under such section for such element.

8 (b) NOTICE TO INTELLIGENCE COMMITTEES.—The  
9 Director of National Intelligence shall promptly notify the  
10 Select Committee on Intelligence of the Senate and the  
11 Permanent Select Committee on Intelligence of the House  
12 of Representatives whenever the Director exercises the au-  
13 thority granted by this section.

14 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
15 **COUNT.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated for the Intelligence Commu-  
18 nity Management Account of the Director of National In-  
19 telligence for fiscal year 2007 the sum of \$990,000,000.  
20 Within such amount, funds identified in the classified  
21 Schedule of Authorizations referred to in section 102(a)  
22 for advanced research and development shall remain avail-  
23 able until September 30, 2008.

24 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-  
25 ments within the Intelligence Community Management

1 Account of the Director of National Intelligence are au-  
2 thorized 1,539 full-time personnel as of September 30,  
3 2007. Personnel serving in such elements may be perma-  
4 nent employees of the Intelligence Community Manage-  
5 ment Account or personnel detailed from other elements  
6 of the United States Government.

7 (c) CLASSIFIED AUTHORIZATIONS.—

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

19 (2) AUTHORIZATION OF PERSONNEL.—In addi-  
20 tion to the personnel authorized by subsection (b)  
21 for elements of the Intelligence Community Manage-  
22 ment Account as of September 30, 2007, there are  
23 also authorized such additional personnel for such  
24 elements as of that date as are specified in the clas-  
25 sified Schedule of Authorizations.

1 (d) REIMBURSEMENT.—Except as provided in section  
2 113 of the National Security Act of 1947 (50 U.S.C.  
3 404h), during fiscal year 2007 any officer or employee of  
4 the United States or a member of the Armed Forces who  
5 is detailed to the staff of the Intelligence Community Man-  
6 agement Account from another element of the United  
7 States Government shall be detailed on a reimbursable  
8 basis, except that any such officer, employee, or member  
9 may be detailed on a nonreimbursable basis for a period  
10 of less than one year as the Director of National Intel-  
11 ligence considers necessary.

12 **SEC. 105. INCORPORATION OF REPORTING REQUIRE-**  
13 **MENTS.**

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

21 (b) CONGRESSIONAL INTELLIGENCE COMMITTEES  
22 DEFINED.—In this section, the term “congressional intel-  
23 ligence committees” means—

24 (1) the Select Committee on Intelligence of the  
25 Senate; and



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

3 **TITLE II—CENTRAL INTEL-**  
4 **LIGENCE AGENCY RETIRE-**  
5 **MENT AND DISABILITY SYS-**  
6 **TEM**

7 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

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

11 **TITLE III—INTELLIGENCE AND**  
12 **GENERAL INTELLIGENCE**  
13 **COMMUNITY MATTERS**

14 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**  
15 **BENEFITS AUTHORIZED BY LAW.**

16 Appropriations authorized by this Act for salary, pay,  
17 retirement, and other benefits for Federal employees may  
18 be increased by such additional or supplemental amounts  
19 as may be necessary for increases in such compensation  
20 or benefits authorized by law.

21 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
22 **ACTIVITIES.**

23 The authorization of appropriations by this Act shall  
24 not be deemed to constitute authority for the conduct of

1 any intelligence activity which is not otherwise authorized  
2 by the Constitution or the laws of the United States.

3 **SEC. 303. CLARIFICATION OF DEFINITION OF INTEL-**  
4 **LIGENCE COMMUNITY UNDER THE NATIONAL**  
5 **SECURITY ACT OF 1947.**

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

9 **SEC. 304. DELEGATION OF AUTHORITY FOR TRAVEL ON**  
10 **COMMON CARRIERS FOR INTELLIGENCE**  
11 **COLLECTION PERSONNEL.**

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

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

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

21 (3) by adding at the end the following new  
22 paragraph:

23 “(2) The head of an element of the intelligence com-  
24 munity to whom the authority in subsection (a) is dele-  
25 gated pursuant to paragraph (1) may further delegate

1 such authority to such senior officials of such element as  
2 are specified in guidelines prescribed by the Director of  
3 National Intelligence for purposes of this paragraph.”.

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

11 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
12 DEFINED.—In this section, the term “congressional intel-  
13 ligence committees” means—

14 (1) the Select Committee on Intelligence of the  
15 Senate; and

16 (2) the Permanent Select Committee on Intel-  
17 ligence of the House of Representatives.

18 **SEC. 305. RETENTION AND USE OF AMOUNTS PAID AS**  
19 **DEBTS TO ELEMENTS OF THE INTELLIGENCE**  
20 **COMMUNITY.**

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

1 “RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO  
2 ELEMENTS OF THE INTELLIGENCE COMMUNITY

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

11 “(b) CREDITING OF AMOUNTS RETAINED.—(1)  
12 Amounts retained under subsection (a) shall be credited  
13 to the current appropriation or account from which such  
14 funds were derived or whose expenditure formed the basis  
15 for the underlying activity from which the debt concerned  
16 arose.

17 “(2) Amounts credited to an appropriation or account  
18 under paragraph (1) shall be merged with amounts in  
19 such appropriation or account, and shall be available in  
20 accordance with subsection (c).

21 “(c) AVAILABILITY OF AMOUNTS.—Amounts credited  
22 to an appropriation or account under subsection (b) with  
23 respect to a debt owed to an element of the intelligence  
24 community shall be available to the head of such element,  
25 for such time as is applicable to amounts in such appro-

1 priation or account, or such longer time as may be pro-  
2 vided by law, for purposes as follows:

3           “(1) In the case of a debt arising from lost or  
4           damaged property of such element, the repair of  
5           such property or the replacement of such property  
6           with alternative property that will perform the same  
7           or similar functions as such property.

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

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

14               “(1) A debt owed to an element of the intel-  
15               ligence community by an employee or former em-  
16               ployee of such element for the negligent or willful  
17               loss of or damage to property of such element that  
18               was procured by such element using appropriated  
19               funds.

20               “(2) A debt owed to an element of the intel-  
21               ligence community by an employee or former em-  
22               ployee of such element as repayment for default on  
23               the terms and conditions associated with a scholar-  
24               ship, fellowship, or other educational assistance pro-  
25               vided to such individual by such element, whether in

1 exchange for future services or otherwise, using ap-  
2 propriated funds.

3 “(3) Any other debt or repayment owed to an  
4 element of the intelligence community by a private  
5 person or entity by reason of the negligent or willful  
6 action of such person or entity, as determined by a  
7 court of competent jurisdiction or in a lawful admin-  
8 istrative proceeding.”.

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

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

12 **SEC. 306. AVAILABILITY OF FUNDS FOR TRAVEL AND**  
13 **TRANSPORTATION OF PERSONAL EFFECTS,**  
14 **HOUSEHOLD GOODS, AND AUTOMOBILES.**

15 (a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL  
16 INTELLIGENCE.—Funds appropriated to the Office of the  
17 Director of National Intelligence and available for travel  
18 and transportation expenses shall be available for such ex-  
19 penses when any part of the travel or transportation con-  
20 cerned begins in a fiscal year pursuant to travel orders  
21 issued in such fiscal year, notwithstanding that such travel  
22 or transportation is or may not be completed during such  
23 fiscal year.

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

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

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

14 (2) Expenses in connection with transportation  
15 of personal effects, household goods, or automobiles  
16 of personnel.

17 **SEC. 307. PURCHASES BY ELEMENTS OF THE INTEL-**  
18 **LIGENCE COMMUNITY OF PRODUCTS OF FED-**  
19 **ERAL PRISON INDUSTRIES.**

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

23 (1) by striking “by the Central Intelligence  
24 Agency” and inserting “by an element of the intel-  
25 ligence community (as defined in section 3(4) of the

1 National Security Act of 1947 (50 U.S.C.  
2 401a(4))”); and

3 (2) by striking “the Director of the Central In-  
4 telligence Agency determines that the product or  
5 service” and inserting “the head of that element de-  
6 termines that the product or service (including a  
7 surveying or mapping service)”.

8 **SEC. 308. ACCOUNTABILITY IN INTELLIGENCE CON-**  
9 **TRACTING.**

10 (a) REPORT ON REGULATIONS GOVERNING INTEL-  
11 LIGENCE COMMUNITY CONTRACTING.—

12 (1) REPORT REQUIREMENT.—Not later than 90  
13 days after the date of the enactment of this Act, the  
14 Director of National Intelligence shall submit to the  
15 Permanent Select Committee on Intelligence of the  
16 House of Representatives and the Select Committee  
17 on Intelligence of the Senate a report on regulations  
18 governing covered contracts under the National In-  
19 telligence Program and, at the discretion of the Di-  
20 rector of National Intelligence, the Military Intel-  
21 ligence Program.

22 (2) MATTERS COVERED.—

23 (A) The report required by paragraph (1)  
24 shall include a description of any relevant regu-  
25 lations prescribed by the Director of National



1 Intelligence or by the heads of agencies in the  
2 intelligence community, including those relating  
3 to the following matters:

4 (i) Types of functions or activities  
5 that may be appropriately carried out by  
6 contractors.

7 (ii) Minimum standards regarding the  
8 hiring, training, security clearance, and as-  
9 signment of contract personnel.

10 (iii) Procedures for conducting over-  
11 sight of covered contracts to ensure identi-  
12 fication and prosecution of criminal viola-  
13 tions; financial waste, fraud, or abuse; or  
14 other abuses committed by contractors or  
15 contract personnel.

16 (B) The report also shall include a descrip-  
17 tion of progress made by the Director of Na-  
18 tional Intelligence in standardizing the regula-  
19 tions described in subparagraph (A) across the  
20 different agencies of the National Intelligence  
21 Program to the extent practicable.

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

1 (b) ACCOUNTABILITY REQUIREMENTS FOR CON-  
2 TRACTS AWARDED BY INTELLIGENCE COMMUNITY AGEN-  
3 CIES.—

4 (1) INFORMATION ON INTELLIGENCE ACTIVI-  
5 TIES TO BE PERFORMED.—Each covered contract in  
6 an amount greater than \$1,000,000 shall require the  
7 contractor to provide to the contracting officer for  
8 the contract, not later than 5 days after award of  
9 the contract, the following information regarding in-  
10 telligence activities performed under the contract:

11 (A) Number of persons to be used to per-  
12 form such functions.

13 (B) A description of how such persons are  
14 trained to carry out tasks specified under the  
15 contract relating to such functions.

16 (C) A description of each category of activ-  
17 ity relating to such functions required by the  
18 contract.

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

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

24 (A) Upon award of the contract, the con-  
25 tractor shall provide to the contracting officer

1 cost estimates of salary, benefits, insurance,  
2 materials, logistics, administrative costs, and  
3 other costs of carrying out intelligence activities  
4 under the contract.

5 (B) Before contract closeout (other than  
6 closeout of a firm, fixed price contract), the  
7 contractor shall provide to the contracting offi-  
8 cer a report on the actual costs of carrying out  
9 intelligence activities under the contract, in the  
10 same categories as provided under subpara-  
11 graph (A).

12 (c) ACCOUNTABILITY REQUIREMENTS FOR CON-  
13 TRACTING AGENCIES OF THE INTELLIGENCE COMMU-  
14 NITY.—

15 (1) REPORT REQUIREMENT.—Not later than 90  
16 days after the date of the enactment of this Act, and  
17 annually thereafter, the Director of National Intel-  
18 ligence shall submit to the Permanent Select Com-  
19 mittee on Intelligence of the House of Representa-  
20 tives and the Select Committee on Intelligence of the  
21 Senate a report containing the information described  
22 in paragraph (2) on contracting activities in the in-  
23 telligence community.

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

4                   (A) A list of contracts awarded for intel-  
5                   ligence activities by each agency in the intel-  
6                   ligence community during the one-year period  
7                   preceding the date of submission of the report.

8                   (B) A description of the activities to be  
9                   performed by contractors in fulfillment of each  
10                  contract on the list under subparagraph (A), in-  
11                  cluding whether such activities are classified or  
12                  unclassified.

13                  (C) The number of personnel carrying out  
14                  work under each such contract.

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

17           (d) RETENTION OF INTELLIGENCE COMMUNITY PRO-  
18           FESSIONALS.—

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

1 ing, promotion, and retention of intelligence commu-  
2 nity professionals.

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

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

11 (B) Recommendations regarding any policy  
12 changes, including changes to policies governing  
13 the awarding of security clearances, that may  
14 promote hiring, promotion, and retention of the  
15 intelligence community professional workforce.

16 (C) A description of any additional author-  
17 ity needed from Congress to implement the rec-  
18 ommendations under subparagraphs (A) and  
19 (B).

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

23 (e) DEFINITIONS.—In this section:

24 (1) INTELLIGENCE COMMUNITY.—The term  
25 “intelligence community” has the meaning given the

1 term in section 3(4) of the National Security Act of  
2 1947 (50 U.S.C. 401a(4)).

3 (2) COVERED CONTRACT.—The term “covered  
4 contract” means—

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

7 (B) a subcontract at any tier under any  
8 prime contract with an office or agency referred  
9 to in subparagraph (A); or

10 (C) a task order issued under a task or de-  
11 livery order contract entered into by an office or  
12 agency referred to in subparagraph (A, if the  
13 work to be performed under the contract, sub-  
14 contract, or task order includes intelligence ac-  
15 tivities to be performed either within or outside  
16 the United States.

17 **TITLE IV—MATTERS RELATING**  
18 **TO ELEMENTS OF THE INTEL-**  
19 **LIGENCE COMMUNITY**  
20 **Subtitle A—Office of the Director**  
21 **of National Intelligence**

22 **SEC. 401. CLARIFICATION OF DELEGATION OF TRANSFER**  
23 **OR REPROGRAMMING AUTHORITY.**

24 Section 102A(d)(5)(B) of the National Security Act  
25 of 1947 (50 U.S.C. 403–1(d)(5)(B)), as added by section

1 1011(a) of the National Security Intelligence Reform Act  
2 of 2004 (title I of Public Law 108–458; 118 Stat. 3643),  
3 is amended in the second sentence by striking “or agency  
4 involved” and inserting “involved or the Director of the  
5 Central Intelligence Agency (in the case of the Central In-  
6 telligence Agency)”.

7 **SEC. 402. CLARIFICATION OF LIMITATION ON CO-LOCATION**  
8 **OF THE OFFICE OF THE DIRECTOR OF NA-**  
9 **TIONAL INTELLIGENCE.**

10 Section 103(e) of the National Security Act of 1947  
11 (50 U.S.C. 403–3(e)) is amended—

12 (1) in the heading, by striking “WITH” and in-  
13 serting “OF HEADQUARTERS WITH HEADQUARTERS  
14 OF” ;

15 (2) by inserting “the headquarters of” before  
16 “the Office”; and

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

19 **SEC. 403. ADDITIONAL DUTIES OF THE DIRECTOR OF**  
20 **SCIENCE AND TECHNOLOGY OF THE OFFICE**  
21 **OF THE DIRECTOR OF NATIONAL INTEL-**  
22 **LIGENCE.**

23 (a) COORDINATION AND PRIORITIZATION OF RE-  
24 SEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE  
25 COMMUNITY.—Subsection (d) of section 103E of the Na-

1 tional Security Act of 1947 (50 U.S.C. 403–3e) is amend-  
2 ed—

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

5 (2) by adding at the end the following new  
6 paragraph:

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

11 (b) DEVELOPMENT OF TECHNOLOGY GOALS.—Such  
12 section is further amended—

13 (1) in subsection (c)—

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

16 (B) by redesignating paragraph (5) as  
17 paragraph (6); and

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

20 “(5) assist the Director in establishing goals for  
21 the elements of the intelligence community to meet  
22 the technology needs of the intelligence community;  
23 and”; and

24 (2) by adding at the end the following new sub-  
25 section:



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

4               “(1) systematically identify and assess the most  
5       significant intelligence challenges that require tech-  
6       nical solutions; and

7               “(2) examine options to enhance the responsive-  
8       ness of research and design programs of elements of  
9       the intelligence community to meet the requirements  
10       of the intelligence community for timely support.”.

11       (c) REPORT.—(1) Not later than June 30, 2007, the  
12       Director of National Intelligence shall submit to Congress  
13       a report containing a strategy for the development and  
14       use of technology in the intelligence community through  
15       2021.

16       (2) The report shall include—

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

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

22               (C) an explanation of how each advanced re-  
23       search and development project funded under the  
24       National Intelligence Program addresses an identi-  
25       fied intelligence gap;

1 (D) a list of all current and projected research  
2 and development projects by research type (basic,  
3 advanced, or applied) with estimated funding levels,  
4 estimated initiation dates, and estimated completion  
5 dates; and

6 (E) a plan to incorporate technology from re-  
7 search and development projects into National Intel-  
8 ligence Program acquisition programs.

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

10 **SEC. 404. APPOINTMENT AND TITLE OF CHIEF INFORMA-**  
11 **TION OFFICER OF THE INTELLIGENCE COM-**  
12 **MUNITY.**

13 (a) APPOINTMENT.—

14 (1) IN GENERAL.—Subsection (a) of section  
15 103G of the National Security Act of 1947 (50  
16 U.S.C. 403–3g) is amended by striking “the Presi-  
17 dent, by and with the advice and consent of the Sen-  
18 ate” and inserting “the Director of National Intel-  
19 ligence”.

20 (2) APPLICABILITY.—The amendment made by  
21 paragraph (1) shall take effect on the date of the en-  
22 actment of this Act, and shall apply with respect to  
23 any nomination of an individual as Chief Informa-  
24 tion Officer of the Intelligence Community that is  
25 made on or after that date.

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

2 (1) in subsection (a), by inserting “of the Intel-  
3 ligence Community” after “Chief Information Offi-  
4 cer”;

5 (2) in subsection (b), by inserting “of the Intel-  
6 ligence Community” after “Chief Information Offi-  
7 cer”;

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

11 (4) in subsection (d), by inserting “of the Intel-  
12 ligence Community” after “Chief Information Offi-  
13 cer”.

14 **SEC. 405. LEADERSHIP AND LOCATION OF CERTAIN OF-**  
15 **FICES AND OFFICIALS.**

16 (a) NATIONAL COUNTER PROLIFERATION CEN-  
17 TER.—Section 119A(a) of the National Security Act of  
18 1947 (50 U.S.C. 404o–1(a)) is amended—

19 (1) by striking “ESTABLISHMENT.—Not later  
20 than 18 months after the date of the enactment of  
21 the National Security Intelligence Reform Act of  
22 2004, the” and inserting “(1) ESTABLISHMENT.—  
23 The”; and

24 (2) by adding at the end the following new  
25 paragraphs:

1       “(2) DIRECTOR.—The head of the National Counter  
2 Proliferation Center shall be the Director of the National  
3 Counter Proliferation Center, who shall be appointed by  
4 the Director of National Intelligence.

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

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

10           (1) by redesignating paragraph (9) as para-  
11 graph (13); and

12           (2) by inserting after paragraph (8) the fol-  
13 lowing new paragraphs:

14           “(9) The Chief Information Officer of the intel-  
15 ligence community.

16           “(10) The Inspector General of the intelligence  
17 community.

18           “(11) The Director of the National  
19 Counterterrorism Center.

20           “(12) The Director of the National Counter  
21 Proliferation Center.”.

1 **SEC. 406. ELIGIBILITY FOR INCENTIVE AWARDS OF PER-**  
2 **SONNEL ASSIGNED TO THE OFFICE OF THE**  
3 **DIRECTOR OF NATIONAL INTELLIGENCE.**

4 (a) IN GENERAL.—Subsection (a) of section 402 of  
5 the Intelligence Authorization Act for Fiscal Year 1984  
6 (50 U.S.C. 403e–1) is amended to read as follows:

7 “(a) AUTHORITY FOR PAYMENT OF AWARDS.—(1)  
8 The Director of National Intelligence may exercise the au-  
9 thority granted in section 4503 of title 5, United States  
10 Code, with respect to Federal employees and members of  
11 the Armed Forces detailed or assigned to the Office of  
12 the Director of National Intelligence in the same manner  
13 as such authority may be exercised with respect to per-  
14 sonnel of the Office.

15 “(2) The Director of the Central Intelligence Agency  
16 may exercise the authority granted in section 4503 of title  
17 5, United States Code, with respect to Federal employees  
18 and members of the Armed Forces detailed or assigned  
19 to the Central Intelligence Agency in the same manner as  
20 such authority may be exercised with respect to personnel  
21 of the Agency.”.

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

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

25 (2) by redesignating subsection (d) as sub-  
26 section (c).

1 (c) CONFORMING AMENDMENTS.—Such section is  
2 further amended—

3 (1) in subsection (b), by striking “to the Cen-  
4 tral Intelligence Agency or to the Intelligence Com-  
5 munity Staff” and inserting “to the Office of the Di-  
6 rector of National Intelligence or to the Central In-  
7 telligence Agency”; and

8 (2) in subsection (c), as redesignated by sub-  
9 section (b)(2) of this section, by striking “Director  
10 of Central Intelligence” and inserting “Director of  
11 National Intelligence or Director of the Central In-  
12 telligence Agency”.

13 (d) TECHNICAL AND STYLISTIC AMENDMENTS.—  
14 That section is further amended—

15 (1) in subsection (b)—

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

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

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

23 (2) in subsection (c), as so redesignated, by in-  
24 serting “PAYMENT AND ACCEPTANCE OF  
25 AWARDS.—” after “(c)”.

1 **SEC. 407. REPEAL OF CERTAIN AUTHORITIES RELATING TO**  
2 **THE OFFICE OF THE NATIONAL COUNTER-**  
3 **INTELLIGENCE EXECUTIVE.**

4 (a) REPEAL OF CERTAIN AUTHORITIES.—Section  
5 904 of the Counterintelligence Enhancement Act of 2002  
6 (title IX of Public Law 107–306; 50 U.S.C. 402e) is  
7 amended—

8 (1) by striking subsections (d), (g), (h), (i), and  
9 (j); and

10 (2) by redesignating subsections (e), (f), (k),  
11 (l), and (m) as subsections (d), (e), (f), (g), and (h),  
12 respectively.

13 (b) CONFORMING AMENDMENTS.—That section is  
14 further amended—

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

19 (2) in subsection (e)(2), as so redesignated, by  
20 striking “subsection (e)(2)” and inserting “sub-  
21 section (d)(2)”.

22 **SEC. 408. MEMBERSHIP OF THE DIRECTOR OF NATIONAL**  
23 **INTELLIGENCE ON THE TRANSPORTATION**  
24 **SECURITY OVERSIGHT BOARD.**

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

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

3 **SEC. 409. TEMPORARY INAPPLICABILITY TO THE OFFICE**  
4                   **OF THE DIRECTOR OF NATIONAL INTEL-**  
5                   **LIGENCE OF CERTAIN FINANCIAL REPORT-**  
6                   **ING REQUIREMENTS.**

7           The Director of National Intelligence shall not be re-  
8           quired to submit an audited financial statement under sec-  
9           tion 3515 of title 31, United States Code, for the Office  
10          of the Director of National Intelligence with respect to fis-  
11          cal year 2005 or 2006.

12 **SEC. 410. COMPREHENSIVE INVENTORY OF SPECIAL AC-**  
13                  **CESS PROGRAMS.**

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

22 **SEC. 411. SENSE OF CONGRESS ON MULTI-LEVEL SECURITY**  
23                  **CLEARANCES.**

24          It is the sense of Congress that the Director of Na-  
25          tional Intelligence should promptly establish and oversee



1 the implementation of a multi-level security clearance sys-  
2 tem across the intelligence community to leverage the cul-  
3 tural and linguistic skills of subject matter experts and  
4 individuals proficient in foreign languages critical to na-  
5 tional security.

6 **SEC. 412. ACCESS TO INFORMATION BY STAFF AND MEM-**  
7 **BERS OF THE CONGRESSIONAL INTEL-**  
8 **LIGENCE COMMITTEES.**

9 Not later than 180 days after the date of the enact-  
10 ment of this Act, the Director of National Intelligence  
11 shall provide to the members and staff of the Permanent  
12 Select Committee on Intelligence of the House of Rep-  
13 resentatives and the Select Committee on Intelligence of  
14 the Senate accounts for and access to the Intelink System  
15 (or any successor system) through the Joint Worldwide  
16 Intelligence Communications System (or any successor  
17 system). Such access shall include access up to and includ-  
18 ing the level of sensitive compartmented information and  
19 shall be provided in the sensitive compartmented informa-  
20 tion facilities of each Committee.

21 **SEC. 413. STUDY ON REVOKING PENSIONS OF PERSONS**  
22 **WHO COMMIT UNAUTHORIZED DISCLOSURES**  
23 **OF CLASSIFIED INFORMATION.**

24 (a) STUDY.—The Director of National Intelligence  
25 shall conduct a study on the feasibility of revoking the

1 pensions of personnel in the intelligence community (as  
2 defined in section 3(4) of the National Security Act of  
3 1947 (50 U.S.C. 401a(4))) who commit unauthorized dis-  
4 closures of classified information, including whether revok-  
5 ing such pensions is feasible under existing law or under  
6 the administrative authority of the Director of National  
7 Intelligence or any other head of an element of the intel-  
8 ligence community.

9 (b) REPORT.—Not later than 90 days after the date  
10 of the enactment of this Act, the Director of National In-  
11 telligence shall submit to the Permanent Select Committee  
12 on Intelligence of the House of Representatives and the  
13 Select Committee on Intelligence of the Senate a report  
14 containing the results of the study conducted under sub-  
15 section (a).

## 16 **Subtitle B—Central Intelligence** 17 **Agency**

18 **SEC. 421. ENHANCED PROTECTION OF CENTRAL INTEL-**  
19 **LIGENCE AGENCY INTELLIGENCE SOURCES**  
20 **AND METHODS FROM UNAUTHORIZED DIS-**  
21 **CLOSURE.**

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

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

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

5           (3) by inserting after paragraph (3) the fol-  
6           lowing new paragraph:

7           “(4) protect intelligence sources and methods of  
8           the Central Intelligence Agency from unauthorized  
9           disclosure, consistent with any direction issued by  
10          the President or the Director of National Intel-  
11          ligence; and”.

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

19          (c) TECHNICAL AMENDMENTS TO CENTRAL INTEL-  
20          LIGENCE AGENCY RETIREMENT ACT.—Section 201(c) of  
21          the Central Intelligence Agency Retirement Act (50  
22          U.S.C. 2011(c)) is amended—

23                 (1) in the subsection heading, by striking “OF  
24                 DCI”;

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

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

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

6 **SEC. 422. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE**  
7 **PROFICIENCY REQUIREMENT FOR CERTAIN**  
8 **SENIOR LEVEL POSITIONS IN THE CENTRAL**  
9 **INTELLIGENCE AGENCY.**

10 (a) **ADDITIONAL EXCEPTION.**—Subsection (g) of sec-  
11 tion 104A of the National Security Act of 1947 (50 U.S.C.  
12 403–4a) is amended—

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

15 (2) in paragraph (2), by striking “position or  
16 category of positions” each place it appears and in-  
17 serting “individual, individuals, position, or category  
18 of positions”; and

19 (3) by adding at the end the following new  
20 paragraph:

21 “(3) Paragraph (1) shall not apply to any individual  
22 in the Directorate of Intelligence or the Directorate of Op-  
23 erations of the Central Intelligence Agency who is serving  
24 in a Senior Intelligence Service position as of December

1 23, 2005, regardless of whether such individual is a mem-  
2 ber of the Senior Intelligence Service.”.

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

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

8 (2) in the second sentence, by striking “position  
9 or category of positions” and inserting “individual,  
10 individuals, position, or category of positions”.

11 **SEC. 423. ADDITIONAL FUNCTIONS AND AUTHORITIES FOR**  
12 **PROTECTIVE PERSONNEL OF THE CENTRAL**  
13 **INTELLIGENCE AGENCY.**

14 (a) PROTECTION OF CERTAIN PERSONS.—Section  
15 5(a)(4) of the Central Intelligence Agency Act of 1949 (50  
16 U.S.C. 403f(a)(4)) is amended—

17 (1) by striking “and the protection” and insert-  
18 ing “the protection”; and

19 (2) by striking the semicolon and inserting “,  
20 and the protection of the Director of National Intel-  
21 ligence and such personnel of the Office of the Di-  
22 rector of National Intelligence as the Director of Na-  
23 tional Intelligence may designate;”.

24 (b) AUTHORITY TO ARREST.—

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

4           **“§ 3065. Powers of authorized personnel in the Cen-**  
5                                   **tral Intelligence Agency**

6           “(a) The Director of the Central Intelligence Agency  
7           may issue regulations to allow personnel designated to  
8           carry out protective functions for the Central Intelligence  
9           Agency under section 5(a)(4) of the Central Intelligence  
10          Agency Act of 1949 (50 U.S.C. 403f) to, while engaged  
11          in such protective functions, make arrests without a war-  
12          rant for any offense against the United States committed  
13          in the presence of such personnel, or for any felony cog-  
14          nizable under the laws of the United States, if such per-  
15          sonnel have probable cause to believe that the person to  
16          be arrested has committed or is committing that felony  
17          offense.

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

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

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

1 **SEC. 424. PROTECTIVE SERVICES FOR FORMER OFFICIALS**  
2 **OF THE INTELLIGENCE COMMUNITY.**

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

6 “PROTECTIVE SERVICES FOR FORMER OFFICIALS OF THE  
7 INTELLIGENCE COMMUNITY

8 “SEC. 304. (a) IN GENERAL.—Subject to subsection  
9 (b), the head of an element of the intelligence community  
10 may not provide personnel for the protection of a former  
11 official of an element of the intelligence community un-  
12 less—

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

16 “(2) such head of an element of the intelligence com-  
17 munity submits to the Director of National Intelligence  
18 notice of the intention to provide such personnel and an  
19 assessment of—

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

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

23 “(b) EXCEPTION FOR RECENT TERMINATION OF EM-  
24 PLOYMENT.—The head of an element of the intelligence  
25 community may provide personnel for the protection of a  
26 former official of an element of the intelligence community

1 without a specific and credible threat to such former offi-  
2 cial for not more than one year after the termination of  
3 the employment of such former official if such former offi-  
4 cial requests such protection.

5       “(c) THREAT ASSESSMENT UPDATES.—Not later  
6 than 180 days after the date on which the head of an ele-  
7 ment of the intelligence community begins providing per-  
8 sonnel for the protection of a former official of an element  
9 of the intelligence community, and at least every 180 days  
10 thereafter until such head of an element of the intelligence  
11 community determines that there is no longer a threat to  
12 such former official, such head of an element of the intel-  
13 ligence community shall submit to the Director of Na-  
14 tional Intelligence an updated assessment of the threat to  
15 such former official and the level of protective services nec-  
16 essary to protect such former official based on such threat.

17       “(d) TERMINATION OF PROTECTIVE SERVICES.—If  
18 the head of an element of the intelligence community that  
19 is providing personnel for the protection of a former offi-  
20 cial of an element of the intelligence community pursuant  
21 to subsection (a) determines that there is no longer a  
22 threat to such former official, such head of an element  
23 of the intelligence community shall cease providing per-  
24 sonnel for the protection of such former official not later



1 than 30 days after determining such threat no longer ex-  
2 ists.

3       “(e) REPORT.—Not later than 7 days after the date  
4 on which the head of an element of the intelligence com-  
5 munity begins providing personnel for the protection of  
6 a former official of an element of the intelligence commu-  
7 nity, the Director of National Intelligence shall submit to  
8 the congressional intelligence committees notice of the pro-  
9 vision of personnel for the protection of such former offi-  
10 cial.”.

11       (b) TABLE OF CONTENTS.—The table of contents of  
12 such Act is amended by—

13           (1) striking the second item relating to section  
14       301;

15           (2) striking the second item relating to section  
16       302;

17           (3) striking the items relating to sections 304,  
18       305, and 306; and

19           (4) inserting after the item relating to section  
20       303 the following new item:

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

21 **SEC. 425. STRATEGIC REVIEW PROCESS.**

22       Section 102A(f) of the National Security Act of 1947  
23 (50 U.S.C. 403–1(f)) is amended by adding at the end  
24 the following new paragraph:

1 “(9) Not later than September 30, 2007, and every  
2 four years thereafter, the Director of National Intelligence  
3 shall, in consultation with the heads of the elements of  
4 the intelligence community, manage and oversee the con-  
5 duct of a strategic review of the intelligence community  
6 to develop intelligence capabilities required to address  
7 threats to national security. Such review shall analyze  
8 near-term, mid-term, and future threats to national secu-  
9 rity and shall include estimates of the allocation of re-  
10 sources and structural change that should be reflected in  
11 future budget requests.”.

## 12 **Subtitle C—Defense Intelligence** 13 **Components**

### 14 **SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGEN-** 15 **CY TRAINING PROGRAM.**

16 (a) **TERMINATION OF EMPLOYEES.**—Subsection  
17 (d)(1)(C) of section 16 of the National Security Agency  
18 Act of 1959 (50 U.S.C. 402 note) is amended by striking  
19 “terminated either by” and all that follows and inserting  
20 “terminated—

21 “(i) by the Agency due to misconduct by  
22 the employee;

23 “(ii) by the employee voluntarily; or

24 “(iii) by the Agency for the failure of the  
25 employee to maintain such level of academic

1 standing in the educational course of training  
2 as the Director of the National Security Agency  
3 shall have specified in the agreement of the em-  
4 ployee under this subsection; and”.

5 (b) **AUTHORITY TO WITHHOLD DISCLOSURE OF AF-**  
6 **FILIATION WITH NSA.**—Subsection (e) of such section is  
7 amended by striking “(1) When an employee” and all that  
8 follows through “(2) Agency efforts” and inserting “Agen-  
9 cy efforts”.

10 **SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL**  
11 **SECURITY AGENCY PROTECTIVE PER-**  
12 **SONNEL.**

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

16 “SEC. 20. (a) The Director is authorized to designate  
17 personnel of the Agency to perform protective functions  
18 for the Director and for any personnel of the Agency des-  
19 ignated by the Director.

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

24 (b) **AUTHORITY TO ARREST.**—

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

4   **“§ 3066. Powers of authorized personnel in the Na-**  
5                                   **tional Security Agency**

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

9                               “(1) carry firearms; and

10                              “(2) make arrests without warrant for any of-  
11           fense against the United States committed in the  
12           presence of such personnel, or for any felony cog-  
13           nizable under the laws of the United States, if such  
14           personnel have probable cause to believe that the  
15           person to be arrested has committed or is commit-  
16           ting that felony offense.

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

20                              (2) CLERICAL AMENDMENT.—The table of sec-  
21           tions at the beginning of chapter 203 of title 18,  
22           United States Code, as amended by section 423 of  
23           this Act, is amended by adding at the end the fol-  
24           lowing:

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

1           **Subtitle D—Other Elements**

2   **SEC. 441. CLARIFICATION OF INCLUSION OF COAST GUARD**  
3                   **AND DRUG ENFORCEMENT ADMINISTRATION**  
4                   **ELEMENTS IN THE INTELLIGENCE COMMU-**  
5                   **NITY.**

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

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

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

12                   (3) by redesignating subparagraph (L) as sub-  
13           paragraph (M); and

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

16                           “(L) The Office of National Security Intel-  
17           ligence of the Drug Enforcement Administra-  
18           tion.”.

19   **SEC. 442. CLARIFYING AMENDMENTS RELATING TO SEC-**  
20                   **TION 105 OF THE INTELLIGENCE AUTHORIZA-**  
21                   **TION ACT FOR FISCAL YEAR 2004.**

22           Section 105(b) of the Intelligence Authorization Act  
23 for Fiscal Year 2004 (Public Law 108–177; 117 Stat.  
24 2603; 31 U.S.C. 311 note) is amended—

1           (1) by striking “Director of Central Intel-  
2           ligence” and inserting “Director of National Intel-  
3           ligence”; and

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

## 6           **TITLE V—OTHER MATTERS**

### 7           **SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.**

8           (a) **LIMITATION ON TERMINATION OF U-2 AIRCRAFT**  
9           **PROGRAM.**—The Secretary of Defense may not begin the  
10          process to terminate the U-2 aircraft program until the  
11          Secretary certifies in accordance with subsection (b) that  
12          there would be no loss of national or Department of De-  
13          fense intelligence, surveillance, and reconnaissance (ISR)  
14          capabilities in transitioning from the U-2 aircraft pro-  
15          gram to the Global Hawk RQ-4 unmanned aerial vehicle  
16          platform.

17          (b) **REPORT AND CERTIFICATION.**—

18                 (1) **STUDY.**—The Secretary of Defense shall  
19                 conduct a study of aerial reconnaissance platforms  
20                 to determine whether the Global Hawk RQ-4 un-  
21                 manned aerial vehicle has reached mission capability  
22                 and has attained collection capabilities on a par with  
23                 the collection capabilities of the U-2 Block 20 air-  
24                 craft program as of April 1, 2006.

1           (2) REPORT.—The Secretary shall submit to  
2 the congressional committees specified in subsection  
3 (c) a report containing the results of the study. The  
4 Secretary shall include in the report the Secretary’s  
5 determination as to whether the Global Hawk RQ–  
6 4 unmanned aerial vehicle—

7                   (A) has reached mission capability; and

8                   (B) has attained collection capabilities on a  
9 par with the collection capabilities of the U–2  
10 Block 20 aircraft program as of April 1, 2006.

11           (3) CERTIFICATION.—The Secretary shall in-  
12 clude with the report the Secretary’s certification,  
13 based on the results of the study, as to whether or  
14 not there would be a loss of national or Department  
15 of Defense intelligence, surveillance, and reconnais-  
16 sance capabilities with a transition from the U–2  
17 aircraft program to the Global Hawk RQ–4 un-  
18 manned aerial vehicle platform.

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

21                   (1) The Committee on Armed Services and the  
22 Select Committee on Intelligence of the Senate.

23                   (2) The Committee on Armed Services and the  
24 Permanent Select Committee on Intelligence of the  
25 House of Representatives.

1 **SEC. 502. ELIMINATION OF CERTAIN REPORTING REQUIRE-**  
2 **MENTS.**

3 (a) INTELLIGENCE SHARING WITH UN.—Section  
4 112 of the National Security Act of 1947 (50 U.S.C.  
5 404g) is amended by striking subsection (b).

6 (b) IMPROVEMENT OF FINANCIAL STATEMENTS FOR  
7 AUDITING PURPOSES.—The National Security Act of  
8 1947 (50 U.S.C. 401 et seq.) is amended—

9 (1) by striking section 114A; and

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

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

15 (1) by striking section 118; and

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

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

21 (1) by striking section 826; and

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



1 **SEC. 503. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**  
2 **CURITY ACT OF 1947.**

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

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

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

8 (B) in subsection (d)—

9 (i) in paragraph (3), by striking “sub-  
10 paragraph (A)” in the matter preceding  
11 subparagraph (A) and inserting “para-  
12 graph (1)(A)”;

13 (ii) in paragraph (5)(A), by striking  
14 “or personnel” in the matter preceding  
15 clause (i); and

16 (C) in subsection (l)(2)(B), by striking  
17 “section” and inserting “paragraph”.

18 (2) In section 119(c)(2)(B) (50 U.S.C.  
19 404o(c)(2)(B)), by striking “subsection (h)” and in-  
20 serting “subsection (i)”.

21 **SEC. 504. TECHNICAL CLARIFICATION OF CERTAIN REF-**  
22 **ERENCES TO JOINT MILITARY INTELLIGENCE**  
23 **PROGRAM AND TACTICAL INTELLIGENCE**  
24 **AND RELATED ACTIVITIES.**

25 Section 102A of the National Security Act of 1947  
26 (50 U.S.C. 403–1) is amended—

1           (1) in subsection (c)(3)(A), by striking “annual  
2           budgets for the Joint Military Intelligence Program  
3           and for Tactical Intelligence and Related Activities”  
4           and inserting “annual budget for the Military Intel-  
5           ligence Program or any successor program or pro-  
6           grams”; and

7           (2) in subsection (d)(1)(B), by striking “Joint  
8           Military Intelligence Program” and inserting “Mili-  
9           tary Intelligence Program or any successor program  
10          or programs”.

11 **SEC. 505. TECHNICAL AMENDMENTS TO THE INTEL-**  
12 **LIGENCE REFORM AND TERRORISM PREVEN-**  
13 **TION ACT OF 2004.**

14           (a) AMENDMENTS TO NATIONAL SECURITY INTEL-  
15 LIGENCE REFORM ACT OF 2004.—The National Security  
16 Intelligence Reform Act of 2004 (title I of Public Law  
17 108–458) is amended as follows:

18           (1) In section 1016(e)(10)(B) (6 U.S.C.  
19           458(e)(10)(B)), by striking “Attorney General” the  
20           second place it appears and inserting “Department  
21           of Justice”.

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

23           (A) in subsection (d)(4)(A), by striking  
24           “National Intelligence Director” and inserting  
25           “Director of National Intelligence”; and

1 (B) in subsection (h), by striking “Na-  
2 tional Intelligence Director” and inserting “Di-  
3 rector of National Intelligence”.

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

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

7 (b) OTHER AMENDMENTS TO INTELLIGENCE RE-  
8 FORM AND TERRORISM PREVENTION ACT OF 2004.—The  
9 Intelligence Reform and Terrorism Prevention Act of  
10 2004 (Public Law 108–458) is amended as follows:

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

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

14 (B) in subsection (e)(2), by striking “the  
15 National Intelligence Director in a manner con-  
16 sistent with section 112(e)” and inserting “the  
17 Director of National Intelligence in a manner  
18 consistent with applicable law”; and

19 (C) in subsection (f), by striking “shall,”  
20 in the matter preceding paragraph (1) and in-  
21 serting “shall”.

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

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

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

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

5 Section 5(a)(1) of the Central Intelligence Agency  
6 Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking  
7 “authorized under paragraphs (2) and (3) of section  
8 102(a), subsections (c)(7) and (d) of section 103, sub-  
9 sections (a) and (g) of section 104, and section 303 of  
10 the National Security Act of 1947 (50 U.S.C. 403(a)(2),  
11 (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)” and insert-  
12 ing “authorized under subsections (c), (d), (e), and (f) of  
13 section 104A of the National Security Act of 1947 (50  
14 U.S.C. 403–4a)”.

15 **SEC. 507. TECHNICAL AMENDMENTS RELATING TO THE**  
16 **MULTIYEAR NATIONAL INTELLIGENCE PRO-**  
17 **GRAM.**

18 (a) IN GENERAL.—Subsection (a) of section 1403 of  
19 the National Defense Authorization Act for Fiscal Year  
20 1991 (50 U.S.C. 404b) is amended—

21 (1) in the subsection heading, by striking  
22 “FOREIGN”; and

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

24 (b) RESPONSIBILITY OF DNI.—That section is fur-  
25 ther amended—

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

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

6       (c) CONFORMING AMENDMENT.—The heading of  
 7       that section is amended to read as follows:

8       **“SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PRO-**  
 9                           **GRAM.”.**

10       **SEC. 508. TECHNICAL AMENDMENTS TO THE EXECUTIVE**  
 11                           **SCHEDULE.**

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

16                        “Director of the Central Intelligence Agen-  
 17                        cy.”.

18       (b) EXECUTIVE SCHEDULE LEVEL IV.—Section  
 19       5315 of title 5, United States Code, is amended by strik-  
 20       ing the item relating to the General Counsel of the Office  
 21       of the National Intelligence Director and inserting the fol-  
 22       lowing new item:

23                        “General Counsel of the Office of the Di-  
 24                        rector of National Intelligence.”.

1 **SEC. 509. TECHNICAL AMENDMENTS RELATING TO REDES-**  
2 **IGNATION OF THE NATIONAL IMAGERY AND**  
3 **MAPPING AGENCY AS THE NATIONAL**  
4 **GEOSPATIAL-INTELLIGENCE AGENCY.**

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

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

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

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

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

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

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

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

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

18 (2) Section 6339(a)(2)(E) of such title is amended  
19 by striking “National Imagery and Mapping Agency, the  
20 Director of the National Imagery and Mapping Agency”  
21 and inserting “National Geospatial-Intelligence Agency,  
22 the Director of the National Geospatial-Intelligence Agen-  
23 cy”.

24 (b) TITLE 44, UNITED STATES CODE.—(1)(A) Sec-  
25 tion 1336 of title 44, United States Code, is amended by  
26 striking “National Imagery and Mapping Agency” both

1 places it appears and inserting “National Geospatial-Intel-  
2 ligence Agency”.

3 (B) The heading of such section is amended to read  
4 as follows:

5 **“§ 1336. National Geospatial-Intelligence Agency: spe-  
6 cial publications”.**

7 (2) The table of sections at the beginning of chapter  
8 13 of such title is amended by striking the item relating  
9 to section 1336 and inserting the following new item:

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

10 (c) HOMELAND SECURITY ACT OF 2002.—Section  
11 201(f)(2)(E) of the Homeland Security Act of 2002 (6  
12 U.S.C. 121(f)(2)(E)) is amended by striking “National  
13 Imagery and Mapping Agency” and inserting “National  
14 Geospatial-Intelligence Agency”.

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

20 (e) ETHICS IN GOVERNMENT ACT OF 1978.—Section  
21 105(a)(1) of the Ethics in Government Act of 1978 (5  
22 U.S.C. App.) is amended by striking “National Imagery  
23 and Mapping Agency” and inserting “National  
24 Geospatial-Intelligence Agency”.

1 (f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the  
2 Employee Polygraph Protection Act of 1988 (29 U.S.C.  
3 2006(b)(2)(A)(i)) is amended by striking “National Im-  
4 agery and Mapping Agency” and inserting “National  
5 Geospatial-Intelligence Agency”.

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

10 **SEC. 510. REPORT ON AUTHORIZATION TO OVERTHROW**  
11 **DEMOCRATICALLY ELECTED GOVERNMENTS.**

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

21 **SEC. 511. REPORT ON INTELLIGENCE RELATING TO INSUR-**  
22 **GENT FORCES IN IRAQ.**

23 Not later than 90 days after the date of the enact-  
24 ment of this Act, and every 90 days thereafter, the Direc-  
25 tor of National Intelligence shall submit to Congress a re-



1 port, in classified form, on intelligence relating to the dis-  
2 position of insurgent forces in Iraq fighting against Coali-  
3 tion forces and the forces of the Government of Iraq, in-  
4 cluding—

5 (1) an estimate of the number of insurgent  
6 forces;

7 (2) an estimate of the number of insurgent  
8 forces that are—

9 (A) former members of the Ba’ath Party;  
10 and

11 (B) members of al Qaeda or other terrorist  
12 organizations;

13 (3) a description of where in Iraq the insurgent  
14 forces are located;

15 (4) a description of the capability of the insur-  
16 gent forces; and

17 (5) a description of how the insurgent forces  
18 are funded.

19 **SEC. 512. SENSE OF CONGRESS REGARDING UNAUTHOR-**  
20 **IZED DISCLOSURE OF CLASSIFIED INFORMA-**  
21 **TION.**

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

23 (1) The Supreme Court has unequivocally rec-  
24 ognized that the Constitution vests the President  
25 with the authority to protect national security infor-

1       mation as head of the Executive Branch and as  
2       Commander-in-Chief.

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

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

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

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

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

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

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the President should utilize the constitutional  
3 authority of the President to the fullest practicable extent,  
4 where warranted, to classify and protect national security  
5 information relating to intelligence activities and informa-  
6 tion and to take effective action against persons who com-  
7 mit unauthorized disclosures of classified information re-  
8 lating to intelligence activities and information contrary  
9 to law and voluntary secrecy agreements.

10 **TITLE VI—COMMUNICATION OF**  
11 **INFORMATION CONCERNING**  
12 **TERRORIST THREATS**

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

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

20 (b) CONTENTS.—

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

1           (A) Joint Terrorism Task Forces, which  
2           are operated by the Federal Bureau of Inves-  
3           tigations with the participation of local law en-  
4           forcement agencies.

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

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

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

15          (E) The appropriate elements of the intel-  
16          ligence community, as defined in section 3 of  
17          the National Security Act of 1947 (50 U.S.C.  
18          401a), involved in the sharing of counter-ter-  
19          rorism information.

20          (2) COORDINATION OF GOVERNMENT ENTI-  
21          TIES.—The study conducted under this section shall  
22          include an examination of methods for coordinating  
23          the activities of Federal, State, and local entities in  
24          responding to a terrorist threat, and specifically the  
25          communication to the general public of information

1 concerning the threat. The study shall not include  
2 an examination of the sources and methods used in  
3 the collection of the information.

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

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

20 (e) REPORT.—

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

1 (A) a detailed statement of the findings  
2 and conclusions of the study, including identi-  
3 fication of the best practices for the processing,  
4 analysis, and dissemination of information be-  
5 tween the government entities referred to in  
6 subsection (b)(1); and

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

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

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 authorized to be appropriated to carry out this section  
21 \$5,000,000 for fiscal year 2007.

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

23 (a) IN GENERAL.—The Secretary of Homeland Secu-  
24 rity, in consultation with the Director of National Intel-  
25 ligence, shall make grants for the establishment and oper-

1 ation of 3 centers to implement the best practices, identi-  
2 fied by the study conducted under section 601, for the  
3 processing, analysis, and dissemination of information  
4 concerning a terrorist threat (in this section, each referred  
5 to as a “Center”).

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

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

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

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

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

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

19 (2) coordinate the communication of these best  
20 practices with other metropolitan areas;

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

24 (4) provide funding and technical assistance to  
25 other metropolitan areas to assist the metropolitan

1 areas in the implementation of the curriculum devel-  
2 oped under paragraph (3); and

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

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

9 (1) \$10,000,000 for fiscal year 2007 for the es-  
10 tablishment of the Centers; and

11 (2) \$3,000,000 for each of fiscal years 2008  
12 through 2012 for the operation of the Centers.

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

Passed the House of Representatives April 26, 2006.

Attest:

KAREN L. HAAS,

*Clerk.*





Calendar No. 418

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.

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MAY 1, 2006

Read the second time and placed on the calendar