

In the Senate of the United States,

September 25, 2002.

Resolved, That the bill from the House of Representatives (H.R. 4628) entitled “An Act to authorize appropriations for fiscal year 2003 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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

2 (a) *SHORT TITLE.*—*This Act may be cited as the “In-*
3 *telligence Authorization Act for Fiscal Year 2003”.*

- 1 **(b) TABLE OF CONTENTS.**—*The table of contents of this*
 2 *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.
Sec. 106. Preparation and submittal of reports, reviews, studies, and plans relating to intelligence activities of Department of Defense or Department of Energy.

**TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
 DISABILITY SYSTEM**

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.*
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Definition of congressional intelligence committees in National Security Act of 1947.
Sec. 304. Specificity of National Foreign Intelligence Program budget amounts for counterterrorism, counterproliferation, counternarcotics, and counterintelligence.
Sec. 305. Modification of authority to make funds for intelligence activities available for other intelligence activities.
Sec. 306. Clarification of authority to furnish information on intelligence activities to Congress.
Sec. 307. Standardized transliteration of names into the Roman alphabet.
Sec. 308. Standards and qualifications for the performance of intelligence activities.
Sec. 309. Modification of David L. Boren National Security Education Program.
Sec. 310. Scholarships and work-study for pursuit of graduate degrees in science and technology.
Sec. 311. National Virtual Translation Center.
Sec. 312. Foreign Terrorist Asset Tracking Center.
Sec. 313. Terrorist Identification Classification System.
Sec. 314. Annual report on foreign companies involved in the proliferation of weapons of mass destruction that raise funds in the United States capital markets.
Sec. 315. Two-year extension of Central Intelligence Agency Voluntary Separation Pay Act.
Sec. 316. Additional one-year suspension of reorganization of Diplomatic Telecommunications Service Program Office.

TITLE IV—REPORTING REQUIREMENTS

Subtitle A—Submittal of Reports to Intelligence Committees

Sec. 401. Dates for submittal of various annual and semi-annual reports to the congressional intelligence committees.

Subtitle B—Recurring Annual Reports

Sec. 411. Annual assessment of satisfaction of intelligence community with collection, analysis, and production of intelligence.

Sec. 412. Annual report on threat of attack on the United States using weapons of mass destruction.

Sec. 413. Annual report on covert leases.

Sec. 414. Annual report on improvement of financial statements of certain elements of the intelligence community for auditing purposes.

Sec. 415. Annual report on activities of Federal Bureau of Investigation personnel outside the United States.

Sec. 416. Annual reports of inspectors general of the intelligence community on proposed resources and activities of their offices.

Sec. 417. Annual report on counterdrug intelligence matters.

Subtitle C—Other Reports

Sec. 431. Report on effect of country-release restrictions on allied intelligence-sharing relationships.

Sec. 432. Evaluation of policies and procedures of Department of State on protection of classified information at department headquarters.

Sec. 433. Study of Department of State Consular Services.

Subtitle D—Repeal of Certain Report Requirements

Sec. 441. Repeal of certain report requirements.

TITLE V—COUNTERINTELLIGENCE ACTIVITIES

Sec. 501. Short title; purpose.

Sec. 502. National Counterintelligence Executive.

Sec. 503. National Counterintelligence Policy Board.

Sec. 504. Office of the National Counterintelligence Executive.

TITLE VI—NATIONAL COMMISSION FOR REVIEW OF RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY

Sec. 601. Findings.

Sec. 602. National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

Sec. 603. Powers of Commission.

Sec. 604. Staff of Commission.

Sec. 605. Compensation and travel expenses.

Sec. 606. Treatment of information relating to national security.

Sec. 607. Final report; termination.

Sec. 608. Assessments of final report.

Sec. 609. Inapplicability of certain administrative provisions.

Sec. 610. Funding.

Sec. 611. Definitions.

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

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

4 *Funds are hereby authorized to be appropriated for fis-*
5 *cal year 2003 for the conduct of the intelligence and intel-*
6 *ligence-related activities of the following elements of the*
7 *United States Government:*

8 (1) *The Central Intelligence Agency.*

9 (2) *The Department of Defense.*

10 (3) *The Defense Intelligence Agency.*

11 (4) *The National Security Agency.*

12 (5) *The Department of the Army, the Depart-*
13 *ment of the Navy, and the Department of the Air*
14 *Force.*

15 (6) *The Department of State.*

16 (7) *The Department of the Treasury.*

17 (8) *The Department of Energy.*

18 (9) *The Federal Bureau of Investigation.*

19 (10) *The National Reconnaissance Office.*

20 (11) *The National Imagery and Mapping Agen-*
21 *cy.*

22 (12) *The Coast Guard.*

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

24 (a) *SPECIFICATIONS OF AMOUNTS AND PERSONNEL*
25 *CEILINGS.—The amounts authorized to be appropriated*

1 *under section 101, and the authorized personnel ceilings as*
2 *of September 30, 2003, for the conduct of the intelligence*
3 *and intelligence-related activities of the elements listed in*
4 *such section, are those specified in the classified Schedule*
5 *of Authorizations prepared to accompany the conference re-*
6 *port on the bill _____ of the One Hundred Seventh Con-*
7 *gress.*

8 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
9 *THORIZATIONS.—The Schedule of Authorizations shall be*
10 *made available to the Committees on Armed Services and*
11 *Appropriations of the Senate and House of Representatives,*
12 *to Members of Congress who so request, and to the President.*
13 *The President shall provide for suitable distribution of the*
14 *Schedule, or of appropriate portions of the Schedule, within*
15 *the executive branch.*

16 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

17 (a) *AUTHORITY FOR ADJUSTMENTS.—With the ap-*
18 *proval of the Director of the Office of Management and*
19 *Budget, the Director of Central Intelligence may authorize*
20 *employment of civilian personnel in excess of the number*
21 *authorized for fiscal year 2003 under section 102 when the*
22 *Director of Central Intelligence determines that such action*
23 *is necessary to the performance of important intelligence*
24 *functions, except that the number of personnel employed in*
25 *excess of the number authorized under such section may not,*

1 *for any element of the intelligence community, exceed 2 per-*
2 *cent of the number of civilian personnel authorized under*
3 *such section for such element.*

4 *(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Di-*
5 *rector of Central Intelligence shall notify promptly the Per-*
6 *manent Select Committee on Intelligence of the House of*
7 *Representatives and the Select Committee on Intelligence of*
8 *the Senate whenever the Director exercises the authority*
9 *granted by this section.*

10 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
11 **COUNT.**

12 *(a) AUTHORIZATION OF APPROPRIATIONS.—There is*
13 *authorized to be appropriated for the Community Manage-*
14 *ment Account of the Director of Central Intelligence for fis-*
15 *cal year 2003 the sum of \$157,979,000. Within such*
16 *amount, funds identified in the classified Schedule of Au-*
17 *thorizations referred to in section 102(a) for advanced re-*
18 *search and development shall remain available until Sep-*
19 *tember 30, 2004.*

20 *(b) AUTHORIZED PERSONNEL LEVELS.—The elements*
21 *within the Intelligence Community Management Account of*
22 *the Director of Central Intelligence are authorized 309 full-*
23 *time personnel as of September 30, 2003. Personnel serving*
24 *in such elements may be permanent employees of the Intel-*

1 *ligence Community Management Account or personnel de-*
2 *tailed from other elements of the United States Government.*

3 (c) *CLASSIFIED AUTHORIZATIONS.—*

4 (1) *AUTHORIZATION OF APPROPRIATIONS.—In*
5 *addition to amounts authorized to be appropriated*
6 *for the Intelligence Community Management Account*
7 *by subsection (a), there are also authorized to be ap-*
8 *propriated for the Intelligence Community Manage-*
9 *ment Account for fiscal year 2003 such additional*
10 *amounts as are specified in the classified Schedule of*
11 *Authorizations referred to in section 102(a). Such ad-*
12 *ditional amounts for research and development shall*
13 *remain available until September 30, 2004.*

14 (2) *AUTHORIZATION OF PERSONNEL.—In addi-*
15 *tion to the personnel authorized by subsection (b) for*
16 *elements of the Intelligence Community Management*
17 *Account as of September 30, 2003, there are hereby*
18 *authorized such additional personnel for such ele-*
19 *ments as of that date as are specified in the classified*
20 *Schedule of Authorizations.*

21 (d) *REIMBURSEMENT.—Except as provided in section*
22 *113 of the National Security Act of 1947 (50 U.S.C. 404h),*
23 *during fiscal year 2003 any officer or employee of the*
24 *United States or a member of the Armed Forces who is de-*
25 *tailed to the staff of the Intelligence Community Manage-*

1 *ment Account from another element of the United States*
2 *Government shall be detailed on a reimbursable basis, ex-*
3 *cept that any such officer, employee, or member may be de-*
4 *tailed on a nonreimbursable basis for a period of less than*
5 *one year for the performance of temporary functions as re-*
6 *quired by the Director of Central Intelligence.*

7 *(e) NATIONAL DRUG INTELLIGENCE CENTER.—*

8 *(1) IN GENERAL.—Of the amount authorized to*
9 *be appropriated in subsection (a), \$32,100,000 shall*
10 *be available for the National Drug Intelligence Cen-*
11 *ter. Within such amount, funds provided for research,*
12 *development, testing, and evaluation purposes shall*
13 *remain available until September 30, 2004, and funds*
14 *provided for procurement purposes shall remain*
15 *available until September 30, 2005.*

16 *(2) TRANSFER OF FUNDS.—The Director of Cen-*
17 *tral Intelligence shall transfer to the Attorney General*
18 *funds available for the National Drug Intelligence*
19 *Center under paragraph (1). The Attorney General*
20 *shall utilize funds so transferred for the activities of*
21 *the National Drug Intelligence Center.*

22 *(3) LIMITATION.—Amounts available for the Na-*
23 *tional Drug Intelligence Center may not be used in*
24 *contravention of the provisions of section 103(d)(1) of*

1 *the National Security Act of 1947 (50 U.S.C. 403–*
2 *3(d)(1)).*

3 (4) *AUTHORITY.*—*Notwithstanding any other*
4 *provision of law, the Attorney General shall retain*
5 *full authority over the operations of the National*
6 *Drug Intelligence Center.*

7 **SEC. 105. INCORPORATION OF REPORTING REQUIREMENTS.**

8 (a) *IN GENERAL.*—*Each requirement to submit a re-*
9 *port to the congressional intelligence committees that is in-*
10 *cluded in the joint explanatory statement to accompany the*
11 *conference report on the bill _____ of the One Hundred*
12 *Seventh Congress, in the classified annex to this Act, in the*
13 *report of the Senate to accompany the bill S. _____ of the*
14 *107th Congress, or in the report of the House of Representa-*
15 *tives to accompany the bill H.R. _____ is hereby incorporated*
16 *into this Act, and is hereby made a requirement in law.*

17 (b) *SUBMITTAL DATE.*—*The date for the submittal to*
18 *the congressional intelligence committees of any report re-*
19 *ferred to in subsection (a), whether an annual report, semi-*
20 *annual report, or non-recurring report, shall be as provided*
21 *for a report of that type in section 507 of the National Secu-*
22 *rity Act of 1947, as added by section 401 of this Act.*

23 (c) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
24 *FINED.*—*In this section, the term “congressional intelligence*
25 *committees” means—*

1 (1) *the Select Committee on Intelligence of the*
2 *Senate; and*

3 (2) *the Permanent Select Committee on Intel-*
4 *ligence of the House of Representatives.*

5 **SEC. 106. PREPARATION AND SUBMITTAL OF REPORTS, RE-**
6 **VIEWS, STUDIES, AND PLANS RELATING TO**
7 **INTELLIGENCE ACTIVITIES OF DEPARTMENT**
8 **OF DEFENSE OR DEPARTMENT OF ENERGY.**

9 (a) *CONSULTATION IN PREPARATION.*—(1) *The Direc-*
10 *tor of Central Intelligence shall ensure that any report, re-*
11 *view, study, or plan required to be prepared or conducted*
12 *by a provision of this Act, including a provision of the clas-*
13 *sified Schedule of Authorizations or a classified annex to*
14 *this Act, that involves the intelligence or intelligence-related*
15 *activities of the Department of Defense or Department of*
16 *Energy is prepared or conducted in consultation with the*
17 *Secretary of Defense or the Secretary of Energy, as appro-*
18 *priate.*

19 (2) *The Secretary of Defense or Secretary of Energy*
20 *may carry out any consultation required by this subsection*
21 *through an official of the Department of Defense or Depart-*
22 *ment of Energy, as the case may be, designated by such*
23 *Secretary for that purpose.*

24 (b) *SUBMITTAL.*—*Any report, review, study, or plan*
25 *referred to in subsection (a) shall be submitted, in addition*

1 *to any other committee of Congress specified for submittal*
2 *in the provision concerned, to the following committees of*
3 *Congress:*

4 (1) *The Committees on Armed Services and Ap-*
5 *propriations and the Select Committee on Intelligence*
6 *of the Senate.*

7 (2) *The Committees on Armed Services and Ap-*
8 *propriations and the Permanent Select Committee on*
9 *Intelligence of the House of Representatives.*

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

14 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

15 *There is authorized to be appropriated for the Central*
16 *Intelligence Agency Retirement and Disability Fund for fis-*
17 *cal year 2003 the sum of \$223,300,000.*

18 **TITLE III—GENERAL**
19 **PROVISIONS**

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

22 *Appropriations authorized by this Act for salary, pay,*
23 *retirement, and other benefits for Federal employees may*
24 *be increased by such additional or supplemental amounts*

1 *as may be necessary for increases in such compensation or*
2 *benefits authorized by law.*

3 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
4 **ACTIVITIES.**

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

9 **SEC. 303. DEFINITION OF CONGRESSIONAL INTELLIGENCE**
10 **COMMITTEES IN NATIONAL SECURITY ACT OF**
11 **1947.**

12 *(a) IN GENERAL.—Section 3 of the National Security*
13 *Act of 1947 (50 U.S.C. 401a) is amended by adding at the*
14 *end the following new paragraph:*

15 *“(7) The term ‘congressional intelligence commit-*
16 *tees’ means—*

17 *“(A) the Select Committee on Intelligence of*
18 *the Senate; and*

19 *“(B) the Permanent Select Committee on*
20 *Intelligence of the House of Representatives.”.*

21 *(b) CONFORMING AMENDMENTS.—(1) That Act is fur-*
22 *ther amended by striking “Select Committee on Intelligence*
23 *of the Senate and the Permanent Select Committee on Intel-*
24 *ligence of the House of Representatives” and inserting “con-*

1 *gressional intelligence committees” in each of the following*
2 *provisions:*

3 (A) *Section 104(d)(4) (50 U.S.C. 403–4(d)(4)).*

4 (B) *Section 603(a) (50 U.S.C. 423(a)).*

5 (2) *That Act is further amended by striking “Perma-*
6 *nent Select Committee on Intelligence of the House of Rep-*
7 *resentatives and the Select Committee on Intelligence of the*
8 *Senate” and inserting “congressional intelligence commit-*
9 *tees” in each of the following provisions:*

10 (A) *Section 113(c) (50 U.S.C. 404h(c)).*

11 (B) *Section 301(j) (50 U.S.C. 409a(j)).*

12 (C) *Section 801(b)(2) (50 U.S.C. 435(b)(2)).*

13 (D) *Section 903 (50 U.S.C. 441b).*

14 (3) *That Act is further amended by striking “intel-*
15 *ligence committees” and inserting “congressional intel-*
16 *ligence committees” in each of the following provisions:*

17 (A) *Section 501 (50 U.S.C. 413).*

18 (B) *Section 502 (50 U.S.C. 413a).*

19 (C) *Section 503 (50 U.S.C. 413b).*

20 (D) *Section 504(d)(2) (50 U.S.C. 414(d)(2)).*

21 (4) *Section 104(d)(5) of that Act (50 U.S.C. 403–*
22 *4(d)(5)) is amended by striking “Select Committee on Intel-*
23 *ligence of the Senate and to the Permanent Select Com-*
24 *mittee on Intelligence of the House of Representatives” and*
25 *inserting “congressional intelligence committees”.*

1 (5) Section 105C(a)(3)(C) of that Act (50 U.S.C. 403–
2 5c(a)(3)(C)) is amended—

3 (A) by striking clauses (i) and (ii) and inserting
4 the following new clause (i):

5 “(i) The congressional intelligence commit-
6 tees.”; and

7 (B) by redesignating clauses (iii), (iv), (v), and
8 (vi) as clauses (ii), (iii), (iv), and (v), respectively.

9 (6) Section 114 of that Act (50 U.S.C. 404i) is amend-
10 ed by striking subsection (c) and inserting the following new
11 subsection (c):

12 “(c) CONGRESSIONAL LEADERSHIP DEFINED.—In this
13 section, the term ‘congressional leadership’ means the
14 Speaker and the minority leader of the House of Represent-
15 atives and the majority leader and the minority leader of
16 the Senate.”.

17 (7) Section 501(a) of that Act (50 U.S.C. 413(a)), as
18 amended by paragraph (3) of this subsection, is further
19 amended—

20 (A) by striking paragraph (2); and

21 (B) by redesignating paragraph (3) as para-
22 graph (2).

23 (8) Section 503(c)(4) of that Act (50 U.S.C.
24 413b(c)(4)) is amended by striking “intelligence committee”
25 and inserting “congressional intelligence committee”.

1 (9) Section 602(c) of that Act (50 U.S.C. 422(c)) is
 2 amended by striking “the Select Committee on Intelligence
 3 of the Senate or to the Permanent Select Committee on In-
 4 telligence of the House of Representatives” and inserting
 5 “either congressional intelligence committee”.

6 (10) Section 701(c)(3) of that Act (50 U.S.C.
 7 431(c)(3)) is amended by striking “intelligence committees
 8 of Congress” and inserting “congressional intelligence com-
 9 mittees”.

10 **SEC. 304. SPECIFICITY OF NATIONAL FOREIGN INTEL-**
 11 **LIGENCE PROGRAM BUDGET AMOUNTS FOR**
 12 **COUNTERTERRORISM, COUNTERPROLIFERA-**
 13 **TION, COUNTERNARCOTICS, AND COUNTER-**
 14 **INTELLIGENCE.**

15 (a) *IN GENERAL.*—Title V of the National Security
 16 Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding
 17 at the end the following new section:

18 “SPECIFICITY OF NATIONAL FOREIGN INTELLIGENCE PRO-
 19 GRAM BUDGET AMOUNTS FOR COUNTERTERRORISM,
 20 COUNTERPROLIFERATION, COUNTERNARCOTICS, AND
 21 COUNTERINTELLIGENCE

22 “SEC. 506. (a) *IN GENERAL.*—The budget justification
 23 materials submitted to Congress in support of the budget
 24 of the President for a fiscal year that is submitted to Con-
 25 gress under section 1105(a) of title 31, United States Code,
 26 shall set forth separately the aggregate amount requested for

1 *that fiscal year for the National Foreign Intelligence Pro-*
 2 *gram for each of the following:*

3 “(1) Counterterrorism.

4 “(2) Counterproliferation.

5 “(3) Counternarcotics.

6 “(4) Counterintelligence.

7 “(b) *ELECTION OF CLASSIFIED OR UNCLASSIFIED*
 8 *FORM.*—Amounts set forth under subsection (a) may be set
 9 *forth in unclassified form or classified form, at the election*
 10 *of the Director of Central Intelligence.”.*

11 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
 12 *that Act is amended by inserting after the item relating*
 13 *to section 505 the following new item:*

*“Sec. 506. Specificity of National Foreign Intelligence Program budget amounts
 for counterterrorism, counterproliferation, counternarcotics, and
 counterintelligence.”.*

14 **SEC. 305. MODIFICATION OF AUTHORITY TO MAKE FUNDS**
 15 **FOR INTELLIGENCE ACTIVITIES AVAILABLE**
 16 **FOR OTHER INTELLIGENCE ACTIVITIES.**

17 (a) *NATURE OF UNFORSEEN REQUIREMENTS.*—*Sec-*
 18 *tion 504(a) of the National Security Act of 1947 (50 U.S.C.*
 19 *414(a)) is amended—*

20 (1) *by redesignating paragraphs (1), (2), and (3)*
 21 *as subparagraphs (A), (B), and (C), respectively;*

22 (2) *in subparagraph (C), as so redesignated—*

1 (A) by redesignating subparagraphs (A),
2 (B), and (C) as clauses (i), (ii), and (iii), respec-
3 tively; and

4 (B) by striking the semicolon at the end and
5 inserting a period;

6 (3) by inserting “(1)” after “(a)”;

7 (4) by striking “(4) nothing” and inserting “(2)
8 Nothing”;

9 (5) by indenting paragraph (2), as designated by
10 paragraph (4) of this section, two ems from the left
11 margin; and

12 (6) by adding at the end the following new para-
13 graph:

14 “(3) For purposes of paragraph (1)(C)(ii), an
15 unforeseen requirement may not include a requirement aris-
16 ing under statute or the request of a committee or Member
17 of Congress.”.

18 (b) *CERTIFICATION REQUIREMENT FOR REPROGRAM-*
19 *MING.*—Paragraph (1)(C)(iii) of that section, as redesign-
20 ated by subsection (a) of this section, is further amended
21 by striking “has notified” and all that follows and inserting
22 “submits to the appropriate congressional committees, be-
23 fore obligation of funds for such activity, a certification that
24 the requirements of clauses (i) and (ii) are met with respect
25 to such activity.”.

1 **SEC. 306. CLARIFICATION OF AUTHORITY TO FURNISH IN-**
2 **FORMATION ON INTELLIGENCE ACTIVITIES**
3 **TO CONGRESS.**

4 (a) *IN GENERAL.*—*Title V of the National Security*
5 *Act of 1947 (50 U.S.C. 413 et seq.) is amended by inserting*
6 *after section 503 the following new section:*

7 “*AUTHORITY TO FURNISH INFORMATION ON INTELLIGENCE*
8 *ACTIVITIES TO CONGRESS*

9 “*SEC. 503A. Notwithstanding any other provision of*
10 *law, and consistent with the obligations of the Director of*
11 *Central Intelligence to protect intelligence sources and*
12 *methods, it shall not be unlawful for the Director, or a des-*
13 *ignee of the Director, to furnish to the congressional intel-*
14 *ligence committees information in the possession of an ele-*
15 *ment of the intelligence community on intelligence activities*
16 *in furtherance of the reporting responsibilities of such ele-*
17 *ment under sections 501, 502, and 503 or any other provi-*
18 *sion of law requiring the reporting of information on intel-*
19 *ligence activities to Congress.*”.

20 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
21 *the National Security Act of 1947 is amended by inserting*
22 *after the item relating to section 503 the following new item:*

“*Sec. 503A. Authority to furnish information on intelligence activities to Con-*
gress.”.

1 **SEC. 307. STANDARDIZED TRANSLITERATION OF NAMES**
2 **INTO THE ROMAN ALPHABET.**

3 (a) *METHOD OF TRANSLITERATION REQUIRED.*—Not
4 later than 90 days after the date of the enactment of this
5 Act, the Director of Central Intelligence shall establish a
6 standardized method for transliterating into the Roman al-
7 phabet personal and place names originally rendered in
8 any language that uses an alphabet other than the Roman
9 alphabet.

10 (b) *USE BY INTELLIGENCE COMMUNITY.*—The Direc-
11 tor shall ensure the use of the method established under sub-
12 section (a) in—

13 (1) all communications among the elements of
14 the intelligence community; and

15 (2) all intelligence products of the intelligence
16 community.

17 **SEC. 308. STANDARDS AND QUALIFICATIONS FOR THE PER-**
18 **FORMANCE OF INTELLIGENCE ACTIVITIES.**

19 Section 104 of the National Security Act of 1947 (50
20 U.S.C. 403–4) is amended—

21 (1) by redesignating subsection (g) as subsection
22 (h); and

23 (2) by inserting after subsection (f) the following
24 new subsection (g):

25 “(g) **STANDARDS AND QUALIFICATIONS FOR PERFORM-**
26 **ANCE OF INTELLIGENCE ACTIVITIES.**—The Director, acting

1 *as the head of the intelligence community, shall, in con-*
2 *sultation with the heads of effected agencies, prescribe*
3 *standards and qualifications for persons engaged in the per-*
4 *formance of intelligence activities within the intelligence*
5 *community.”.*

6 **SEC. 309. MODIFICATION OF DAVID L. BOREN NATIONAL SE-**
7 **CURITY EDUCATION PROGRAM.**

8 (a) *TERMINATION OF SCHOLARSHIP PROGRAM.—*
9 *Paragraph (1) of subsection (a) of section 802 of the David*
10 *L. Boren National Security Education Act of 1991 (title*
11 *VIII of Public Law 102–183; 50 U.S.C. 1902) is amended—*

12 (1) *by striking subparagraph (A); and*

13 (2) *by redesignating subparagraph (B) as sub-*
14 *paragraph (A).*

15 (b) *SUBSTITUTION OF NATIONAL FLAGSHIP LANGUAGE*
16 *INITIATIVE FOR GRANT PROGRAM.—That subsection is fur-*
17 *ther amended—*

18 (1) *in paragraph (1), by striking subparagraph*
19 *(C) and inserting the following new subparagraph*
20 *(B):*

21 “(B) *carrying out activities under para-*
22 *graph (2) relating to proficiency in foreign lan-*
23 *guages.”;*

24 (2) *by striking paragraph (2);*

1 (3) *by redesignating paragraphs (3) and (4) as*
2 *paragraphs (4) and (5), respectively; and*

3 (4) *by inserting after paragraph (1) the fol-*
4 *lowing new paragraph (2):*

5 “(2) *NATIONAL FLAGSHIP LANGUAGE INITIATIVE.—*

6 “(A) *IN GENERAL.—As part of the program*
7 *under paragraph (1), the Secretary shall, in ac-*
8 *cordance with regulations prescribed by the Sec-*
9 *retary, carry out activities at institutions of*
10 *higher education, which activities shall be*
11 *designed—*

12 “(i) *to produce in professionals an ad-*
13 *vanced level of proficiency in foreign lan-*
14 *guages that the Board identifies under sec-*
15 *tion 803(d)(4) as critical to the national se-*
16 *curity of the United States; and*

17 “(ii) *to permit undergraduate and*
18 *graduate students, and employees of the*
19 *United States Government, to undertake*
20 *studies to enhance their foreign language*
21 *proficiency.*

22 “(B) *PARTICIPATION BY FELLOWSHIP RE-*
23 *CIPIENTS.—Recipients of fellowships under para-*
24 *graph (1)(A) may participate in the activities*
25 *carried out under this paragraph.*

1 “(C) *DESIGNATION OF ACTIVITIES.*—*The ac-*
2 *tivities carried out under this paragraph shall be*
3 *known as the ‘National Flagship Language Ini-*
4 *tiative’.*”.

5 (c) *FUNDING ALLOCATION.*—*That subsection is further*
6 *amended by inserting after paragraph (2), as amended by*
7 *subsection (b) of this section, the following new paragraph*
8 (3):

9 “(3) *FUNDING ALLOCATIONS.*—*Of the amount*
10 *available for obligation out of the Fund for any fiscal*
11 *year, the Secretary shall allocate such amount in a*
12 *manner considered appropriate by the Secretary for*
13 *purposes of fellowships under paragraph (1)(A) and*
14 *carrying out activities under paragraph (1)(B).*”.

15 (d) *CONFORMING AMENDMENTS.*—(1) *Section 802 of*
16 *that Act is further amended—*

17 (A) *in subsection (a)(5), as redesignated by sub-*
18 *section (b)(3) of this section, by striking “scholar-*
19 *ships, fellowships, and grants” and inserting “fellow-*
20 *ships, and the carrying out of activities,”;*

21 (B) *in subsection (b)—*

22 (i) *in the matter preceding paragraph (1)—*

23 (I) *by striking “scholarship or”;* and

24 (II) *by striking “or any scholarship”;*

25 and

1 (ii) by striking paragraph (2) and inserting
2 the following new paragraph (2):

3 “(2) shall, upon completion of such recipient’s
4 education under the program, and in accordance with
5 such regulations—

6 “(A) work in a national security position
7 for a period specified by the Secretary, which pe-
8 riod shall be not less than the period for which
9 the fellowship assistance was provided; or

10 “(B) if the recipient demonstrates to the
11 Secretary (in accordance with such regulations)
12 that no national security position is available
13 upon the completion of the degree, work in the
14 field of higher education in a discipline relating
15 to the foreign country, foreign language, area
16 study, counterproliferation study, or inter-
17 national field of study for which the fellowship
18 was awarded for a period specified by the Sec-
19 retary, which period shall be established in ac-
20 cordance with subparagraph (A); and”;

21 (C) in subsection (c)—

22 (i) by striking “scholarship or” each place
23 it appears; and

24 (ii) by striking “scholarships and”;

25 (D) in subsection (d)—

1 (i) by striking “scholarships, fellowships, or
2 grants” and inserting “fellowships, or for the
3 carrying out of activities,”; and

4 (ii) by striking “scholarships, fellowships, or
5 grants (as the case may be)” and inserting “such
6 fellowships or activities, as the case may be,”;

7 (E) in subsection (e), by striking “scholarships,
8 fellowships, and grants” and inserting “fellowships,
9 and carry out activities,”;

10 (F) in subsection (f), by striking “grant, scholar-
11 ship, or”; and

12 (G) in subsection (g)(1), by striking “or scholar-
13 ship”.

14 (2) Section 803(d) of that Act (50 U.S.C. 1903(d)) is
15 amended—

16 (A) in paragraph (1), by striking “scholarships,
17 fellowships, and grants” and inserting “fellowships,
18 and carrying out activities,”;

19 (B) in paragraph (3)—

20 (i) by striking “desiring scholarships or fel-
21 lowships, and institutions of higher education
22 desiring grants under this chapter” and insert-
23 ing “desiring fellowships under section
24 802(a)(1), and institutions of higher education

1 *desiring to carry out activities under section*
2 *802(a)(2)”; and*

3 *(ii) by striking “scholarship or” each place*
4 *it appears;*

5 *(C) in paragraph (4)—*

6 *(i) by striking subparagraphs (A) and (C);*

7 *(ii) by redesignating subparagraphs (B)*
8 *and (D) as subparagraphs (A) and (C), respec-*
9 *tively;*

10 *(iii) in subparagraph (A), as so redesign-*
11 *ated, by striking “section 802(a)(1)(B)” and*
12 *inserting “section 802(a)(1)(A)”;*

13 *(iv) by inserting after subparagraph (A) the*
14 *following new subparagraph (B):*

15 *“(B) which foreign languages are critical to*
16 *the national security interests of the United*
17 *States for purposes of section 802(a)(2); and”;*
18 *and*

19 *(v) in subparagraph (C), as so redesignated,*
20 *by striking “scholarships or”;*

21 *(D) in paragraph (6), by striking “scholarship*
22 *recipients and”;* and

23 *(E) in paragraph (7), by striking “scholarship*
24 *or”.*

1 (3) Section 804(b)(1) of that Act (50 U.S.C.
2 1904(b)(1)) is amended by striking “scholarships, fellow-
3 ships, and grants” and inserting “fellowships and carrying
4 out activities”.

5 (4) The heading for title VIII of the Intelligence Au-
6 thorization Act, Fiscal Year 1992 (Public Law 102–183)
7 is amended to read as follows:

8 **“TITLE VIII—NATIONAL SECU-**
9 **RITY FELLOWSHIPS AND**
10 **OTHER EDUCATIONAL SUP-**
11 **PORT”.**

12 (5) The heading of section 802 of that Act is amended
13 to read as follows:

14 **“SEC. 802. PROGRAM OF FELLOWSHIPS AND OTHER EDU-**
15 **CATIONAL SUPPORT.”.**

16 (e) CONSTRUCTION OF AMENDMENTS.—Nothing in the
17 amendments to the David L. Boren National Security Edu-
18 cation Act of 1991 made by this section shall affect the va-
19 lidity of any scholarship, fellowship, or grant made or
20 awarded under that Act before the date of the enactment
21 of this Act.

22 (f) REPORT ON CONVERSION OF FUNDING FROM
23 TRUST FUND TO ANNUAL APPROPRIATIONS.—(1) Not later
24 than 90 days after the date of the enactment of this Act,
25 the Secretary of Defense shall, in conjunction with the Di-

1 *rector of Central Intelligence, submit to the congressional*
2 *intelligence committees a report on the advisability of con-*
3 *verting the funding of the program of fellowships and other*
4 *educational support under the David L. Boren National Se-*
5 *curity Education Act of 1991, as amended by this section,*
6 *from funding through the National Security Education*
7 *Trust Fund under section 804 of that Act to funding*
8 *through appropriations.*

9 *(2) If the Secretary and the Director determine in the*
10 *report under paragraph (1) that the conversion of funding*
11 *referred to in that paragraph is advisable, the report shall*
12 *include a recommendation for such legislation as the Sec-*
13 *retary and the Director consider appropriate to implement*
14 *the conversion of funding.*

15 *(g) REPORT ON MODIFICATION OF NATIONAL FLAG-*
16 *SHIP LANGUAGE INITIATIVE BEFORE IMPLEMENTATION.—*
17 *If the Secretary, in conjunction with the Director, proposes*
18 *any modification of the National Flagship Language Ini-*
19 *tiative under paragraph (2) of section 802(a) of the David*
20 *L. Boren National Security Education Act of 1991, as*
21 *amended by subsection (c) of this section, between the date*
22 *of the enactment of this Act and the date of the implementa-*
23 *tion of the initiative, the Secretary and the Director shall*
24 *jointly submit to the congressional intelligence committees*
25 *a report on the proposed modification.*

1 (h) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
 2 *FINED.*—*In this section, the term “congressional intelligence*
 3 *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 **SEC. 310. SCHOLARSHIPS AND WORK-STUDY FOR PURSUIT**
 9 **OF GRADUATE DEGREES IN SCIENCE AND**
 10 **TECHNOLOGY.**

11 (a) *PROGRAM REQUIRED.*—*The National Security Act*
 12 *of 1947 is amended—*

13 (1) *by redesignating title X as title XI;*

14 (2) *by redesignating section 1001 as section*
 15 *1101; and*

16 (3) *by inserting after title IX the following new*
 17 *title X:*

18 “*TITLE X—EDUCATION IN SUPPORT OF*
 19 *NATIONAL INTELLIGENCE*

20 “*SCHOLARSHIPS AND WORK-STUDY FOR PURSUIT OF*
 21 *GRADUATE DEGREES IN SCIENCE AND TECHNOLOGY*

22 “*SEC. 1001. (a) PROGRAM REQUIRED.*—*The Director*
 23 *of Central Intelligence shall carry out a program to provide*
 24 *scholarships and work-study for individuals who are pur-*
 25 *suving graduate degrees in fields of study in science and*

1 *technology that are identified by the Director as appro-*
2 *priate to meet the future needs of the intelligence commu-*
3 *nity for qualified scientists and engineers.*

4 “(b) *ADMINISTRATION.*—*The Director shall administer*
5 *the program through the Assistant Director of Central Intel-*
6 *ligence for Administration.*

7 “(c) *IDENTIFICATION OF FIELDS OF STUDY.*—*The Di-*
8 *rector shall identify fields of study under subsection (a) in*
9 *consultation with the other heads of the elements of the intel-*
10 *ligence community.*

11 “(d) *ELIGIBILITY FOR PARTICIPATION.*—*An indi-*
12 *vidual eligible to participate in the program is any indi-*
13 *vidual who—*

14 “(1) *either—*

15 “(A) *is an employee of the intelligence com-*
16 *munity; or*

17 “(B) *meets criteria for eligibility for em-*
18 *ployment in the intelligence community that are*
19 *established by the Director;*

20 “(2) *is accepted in a graduate degree program in*
21 *a field of study in science or technology identified*
22 *under subsection (a); and*

23 “(3) *is eligible for a security clearance at the*
24 *level of Secret or above.*

1 “(e) *REGULATIONS.*—*The Director shall prescribe reg-*
2 *ulations for purposes of the administration of this section.*”.

3 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
4 *the National Security Act of 1947 is amended by striking*
5 *the items relating to title X and section 1001 and inserting*
6 *the following new items:*

 “*TITLE X—EDUCATION IN SUPPORT OF NATIONAL INTELLIGENCE*

 “*Sec. 1001. Scholarships and work-study for pursuit of graduate degrees in*
 science and technology.”

 “*TITLE XI—OTHER PROVISIONS*

 “*Sec. 1101. Applicability to United States intelligence activities of Federal laws*
 implementing international treaties and agreements.”.

7 **SEC. 311. NATIONAL VIRTUAL TRANSLATION CENTER.**

8 (a) *ESTABLISHMENT.*—*The Director of Central Intel-*
9 *ligence, acting as the head of the intelligence community,*
10 *shall establish in the intelligence community an element*
11 *with the function of connecting the elements of the intel-*
12 *ligence community engaged in the acquisition, storage,*
13 *translation, or analysis of voice or data in digital form.*

14 (b) *DESIGNATION.*—*The element established under sub-*
15 *section (a) shall be known as the National Virtual Trans-*
16 *lation Center.*

17 (c) *ADMINISTRATIVE MATTERS.*—(1) *The Director*
18 *shall retain direct supervision and control over the element*
19 *established under subsection (a).*

20 (2) *The element established under subsection (a) shall*
21 *connect elements of the intelligence community utilizing the*

1 *most current available information technology that is ap-*
2 *plicable to the function of the element.*

3 (d) *DEADLINE FOR ESTABLISHMENT.*—*The element re-*
4 *quired by subsection (a) shall be established as soon as prac-*
5 *ticable after the date of the enactment of this Act, but not*
6 *later than 90 days after that date.*

7 **SEC. 312. FOREIGN TERRORIST ASSET TRACKING CENTER.**

8 (a) *ESTABLISHMENT.*—*The Director of Central Intel-*
9 *ligence, acting as the head of the intelligence community,*
10 *shall establish in the Central Intelligence Agency an element*
11 *responsible for conducting all-source intelligence analysis of*
12 *information relating to the financial capabilities, practices,*
13 *and activities of individuals, groups, and nations associ-*
14 *ated with international terrorism in their activities relat-*
15 *ing to international terrorism.*

16 (b) *DESIGNATION.*—*The element established under sub-*
17 *section (a) shall be known as the Foreign Terrorist Asset*
18 *Tracking Center.*

19 (c) *DEADLINE FOR ESTABLISHMENT.*—*The element re-*
20 *quired by subsection (a) shall be established as soon as prac-*
21 *ticable after the date of the enactment of this Act, but not*
22 *later than 90 days after that date.*

1 **SEC. 313. TERRORIST IDENTIFICATION CLASSIFICATION**
2 **SYSTEM.**

3 (a) *REQUIREMENT.*—(1) *The Director of Central Intel-*
4 *ligence, acting as head of the Intelligence Community,*
5 *shall—*

6 (A) *establish and maintain a list of individuals*
7 *who are known or suspected international terrorists,*
8 *and of organizations that are known or suspected*
9 *international terrorist organizations; and*

10 (B) *ensure that pertinent information on the list*
11 *is shared with the departments, agencies, and organi-*
12 *zations described by subsection (c).*

13 (2) *The list under paragraph (1), and the mechanisms*
14 *for sharing information on the list, shall be known as the*
15 *“Terrorist Identification Classification System”.*

16 (b) *ADMINISTRATION.*—(1) *The Director shall pre-*
17 *scribe requirements for the inclusion of an individual or*
18 *organization on the list required by subsection (a), and for*
19 *the deletion or omission from the list of an individual or*
20 *organization currently on the list.*

21 (2) *The Director shall ensure that the information uti-*
22 *lized to determine the inclusion, or deletion or omission,*
23 *of an individual or organization on or from the list is de-*
24 *rived from all-source intelligence.*

25 (3) *The Director shall ensure that the list is main-*
26 *tained in accordance with existing law and regulations gov-*

1 *erning the collection, storage, and dissemination of intel-*
2 *ligence concerning United States persons.*

3 (c) *INFORMATION SHARING.*—*Subject to section*
4 *103(c)(6) of the National Security Act of 1947 (50 U.S.C.*
5 *403–3(c)(6)), relating to the protection of intelligence*
6 *sources and methods, the Director shall provide for the shar-*
7 *ing of the list, and information on the list, with such de-*
8 *partments and agencies of the Federal Government, State*
9 *and local government agencies, and entities of foreign gov-*
10 *ernments and international organizations as the Director*
11 *considers appropriate.*

12 (d) *REPORTING AND CERTIFICATION.*—(1) *The Direc-*
13 *tor shall review on an annual basis the information pro-*
14 *vided by various departments and agencies for purposes of*
15 *the list under subsection (a) in order to determine whether*
16 *or not the information so provided is derived from the*
17 *widest possible range of intelligence available to such de-*
18 *partments and agencies.*

19 (2) *The Director shall, as a result of each review under*
20 *paragraph (1), certify whether or not the elements of the*
21 *intelligence community responsible for the collection of in-*
22 *telligence related to the list have provided information for*
23 *purposes of the list that is derived from the widest possible*
24 *range of intelligence available to such department and agen-*
25 *cies.*

1 (e) *REPORT ON CRITERIA FOR INFORMATION SHAR-*
2 *ING.—(1) Not later than March 1, 2003, the Director shall*
3 *submit to the congressional intelligence committees a report*
4 *describing the criteria used to determine which types of in-*
5 *formation on the list required by subsection (a) are to be*
6 *shared, and which types of information are not to be shared,*
7 *with various departments and agencies of the Federal Gov-*
8 *ernment, State and local government agencies, and entities*
9 *of foreign governments and international organizations.*

10 (2) *The report shall include a description of the cir-*
11 *cumstances in which the Director has determined that shar-*
12 *ing information on the list with the departments and agen-*
13 *cies of the Federal Government, and of State and local gov-*
14 *ernments, described by subsection (c) would be inappro-*
15 *priate due to the concerns addressed by section 103(c)(6)*
16 *of the National Security Act of 1947, relating to the protec-*
17 *tion of sources and methods, and any instance in which*
18 *the sharing on information on the list has been inappro-*
19 *priate in light of such concerns.*

20 (f) *SYSTEM ADMINISTRATION REQUIREMENTS.—(1)*
21 *The Director shall, to the maximum extent practicable, en-*
22 *sure the interoperability of the Terrorist Identification*
23 *Classification System with relevant information systems of*
24 *the departments and agencies of the Federal Government,*

1 *and of State and local governments, described by subsection*
2 *(c).*

3 *(2) The Director shall ensure that the System utilizes*
4 *technologies that are effective in aiding the identification*
5 *of individuals in the field.*

6 *(g) REPORT ON STATUS OF SYSTEM.—(1) Not later*
7 *than one year after the date of the enactment of this Act,*
8 *the Director shall, in consultation with the Director of*
9 *Homeland Security, submit to the congressional intelligence*
10 *committees a report on the status of the Terrorist Identifica-*
11 *tion Classification System. The report shall contain a cer-*
12 *tification on the following:*

13 *(A) Whether or not the System contains the in-*
14 *telligence information necessary to facilitate the con-*
15 *tribution of the System to the domestic security of the*
16 *United States.*

17 *(B) Whether or not the departments and agencies*
18 *having access to the System have access in a manner*
19 *that permits such departments and agencies to carry*
20 *out appropriately their domestic security responsibil-*
21 *ities.*

22 *(C) Whether or not the System is operating in*
23 *a manner that maximizes its contribution to the do-*
24 *mestic security of the United States.*

1 (D) If a certification under subparagraph (A),
 2 (B), or (C) is in the negative, the modifications or en-
 3 hancements of the System necessary to ensure a future
 4 certification in the positive.

5 (2) The report shall be submitted in unclassified form,
 6 but may include a classified annex.

7 (h) CONGRESSIONAL INTELLIGENCE COMMITTEES DE-
 8 FINED.—In this section, the term “congressional intelligence
 9 committees” means—

10 (1) the Select Committee on Intelligence of the
 11 Senate; and

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

14 **SEC. 314. ANNUAL REPORT ON FOREIGN COMPANIES IN-**
 15 **VOLVED IN THE PROLIFERATION OF WEAP-**
 16 **ONS OF MASS DESTRUCTION THAT RAISE**
 17 **FUNDS IN THE UNITED STATES CAPITAL MAR-**
 18 **KETS.**

19 (a) ANNUAL REPORT REQUIRED.—The Director of
 20 Central Intelligence shall submit to the appropriate com-
 21 mittees of Congress on an annual basis a report setting
 22 forth each foreign company described in subsection (b) that
 23 raised or attempted to raise funds in the United States cap-
 24 ital markets during the preceding year.

1 (b) *COVERED FOREIGN COMPANIES.*—A foreign com-
2 pany described in this subsection is any foreign company
3 determined by the Director to be engaged or involved in the
4 proliferation of weapons of mass destruction (including nu-
5 clear, biological, or chemical weapons) or the means to de-
6 liver such weapons.

7 (c) *SUBMITTAL DATES.*—(1) In the case of the appro-
8 priate committees of Congress referred to in paragraph (1)
9 of subsection (e), the date each year for the submittal of
10 the report required by subsection (a) shall be the date pro-
11 vided in section 507 of the National Security Act of 1947,
12 as added by section 401 of this Act.

13 (2) In the case of the appropriate committees of Con-
14 gress referred to in paragraphs (2) and (3) of subsection
15 (e), the date each year for the submittal of the report re-
16 quired by subsection (a) shall be February 1 of such year.

17 (d) *FORM OF REPORTS.*—Each report under sub-
18 section (a) shall be submitted in unclassified form, but may
19 include a classified annex.

20 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.*—In this section, the term “appropriate committees
22 of Congress” means—

23 (1) the Select Committee on Intelligence of the
24 Senate and the Permanent Select Committee on Intel-
25 ligence of the House of Representatives;

1 (2) *the Committees on Armed Services, Banking,*
 2 *Housing, and Urban Affairs, and Governmental Af-*
 3 *fairs of the Senate; and*

4 (3) *the Committees on Armed Services, Finan-*
 5 *cial Services, and Government Reform of the House*
 6 *of Representatives.*

7 **SEC. 315. TWO-YEAR EXTENSION OF CENTRAL INTEL-**
 8 **LIGENCE AGENCY VOLUNTARY SEPARATION**
 9 **PAY ACT.**

10 *Section 2(i) of the Central Intelligence Agency Vol-*
 11 *untary Separation Pay Act (50 U.S.C. 403–4 note) is*
 12 *amended—*

13 (1) *in subsection (f), by striking “September 30,*
 14 *2003” and inserting “September 30, 2005”; and*

15 (2) *in subsection (i), by striking “in fiscal year*
 16 *1998, 1999, 2000, 2001, 2002, or 2003” and inserting*
 17 *“in fiscal years 1998 through 2005”.*

18 **SEC. 316. ADDITIONAL ONE-YEAR SUSPENSION OF REORGA-**
 19 **NIZATION OF DIPLOMATIC TELECOMMUNI-**
 20 **CATIONS SERVICE PROGRAM OFFICE.**

21 *Section 311 of the Intelligence Authorization Act for*
 22 *Fiscal Year 2002 (Public Law 107–108; 115 Stat. 1401;*
 23 *22 U.S.C. 7301 note) is amended by striking “October 1,*
 24 *2002” and inserting “October 1, 2003”.*

1 **TITLE IV—REPORTING**
2 **REQUIREMENTS**
3 **Subtitle A—Submittal of Reports to**
4 **Intelligence Committees**

5 **SEC. 401. DATES FOR SUBMITTAL OF VARIOUS ANNUAL AND**
6 **SEMI-ANNUAL REPORTS TO THE CONGRES-**
7 **SIONAL INTELLIGENCE COMMITTEES.**

8 (a) *IN GENERAL.*—(1) *Title V of the National Security*
9 *Act of 1947 (50 U.S.C. 413 et seq.), as amended by section*
10 *304 of this Act, is further amended by adding at the end*
11 *the following new section:*

12 “*DATES FOR SUBMITTAL OF VARIOUS ANNUAL AND SEMI-*
13 *ANNUAL REPORTS TO THE CONGRESSIONAL INTEL-*
14 *LIGENCE COMMITTEES*

15 “*SEC. 507. (a) ANNUAL REPORTS.*—*The date for the*
16 *submittal to the congressional intelligence committees of the*
17 *following annual reports shall be the date each year pro-*
18 *vided in subsection (c)(1):*

19 “(1) *The annual report on the assessment of the*
20 *satisfaction of the intelligence community with the*
21 *collection, analysis, and production of intelligence re-*
22 *quired by section 102(i).*

23 “(2) *The annual evaluation of the performance*
24 *and responsiveness of certain elements of the intel-*
25 *ligence community required by section 105(d).*

1 “(3) *The annual report on intelligence required*
2 *by section 109.*

3 “(4) *The annual report on the detail of intel-*
4 *ligence community personnel required by section 113.*

5 “(5) *The annual report on intelligence commu-*
6 *nity cooperation with Federal law enforcement agen-*
7 *cies required by section 114(a)(2).*

8 “(6) *The annual report on the safety and secu-*
9 *rity of Russian nuclear facilities and nuclear mili-*
10 *tary forces required by section 114(b).*

11 “(7) *The annual report on the threat of attack*
12 *on the United States from weapons of mass destruc-*
13 *tion required by section 114(c).*

14 “(8) *The annual report on covert leases required*
15 *by section 114(d).*

16 “(9) *The annual report on improvements of the*
17 *financial statements of the intelligence community for*
18 *auditing purposes required by section 114A.*

19 “(10) *The annual report on the protection of the*
20 *identities of covert agents required by section 603.*

21 “(11) *The annual report on transfers of amounts*
22 *for acquisition of land by the Central Intelligence*
23 *Agency required by section 5(c)(2) of the Central In-*
24 *telligence Agency Act of 1949 (50 U.S.C. 403f(c)(2)).*

1 “(12) *The annual audit of the Central Intel-*
2 *ligence Agency central services program required by*
3 *section 21(g) of the Central Intelligence Agency Act of*
4 *1949 (50 U.S.C. 403u(g)).*

5 “(13) *The annual report on the use of National*
6 *Security Agency personnel as special policemen re-*
7 *quired by section 11(a)(5) of the National Security*
8 *Agency Act of 1959 (50 U.S.C. 402 note).*

9 “(14) *The annual report of the Inspectors Gen-*
10 *erals of the intelligence community on proposed re-*
11 *sources and activities of their offices required by sec-*
12 *tion 8H(g) of the Inspector General Act of 1978.*

13 “(15) *The annual report on commercial activi-*
14 *ties as security for intelligence collection required by*
15 *section 437(c) of title 10, United States Code.*

16 “(16) *The annual report on expenditures for*
17 *postemployment assistance for terminated intelligence*
18 *employees required by section 1611(e)(2) of title 10,*
19 *United States Code.*

20 “(17) *The annual report on activities of per-*
21 *sonnel of the Federal Bureau of Investigation outside*
22 *the United States required by section 540C(c)(2) of*
23 *title 28, United States Code.*

24 “(18) *The annual update on foreign industrial*
25 *espionage required by section 809(b) of the Counter-*

1 *intelligence and Security Enhancements Act of 1994*
2 *(title VIII of Public Law 103–359; 50 U.S.C. App.*
3 *2170b(b)).*

4 “(19) *The annual report on coordination of*
5 *counterintelligence matters with the Federal Bureau*
6 *of Investigation required by section 811(c)(6) of the*
7 *Counterintelligence and Security Enhancements Act*
8 *of 1994 (50 U.S.C. 402a(c)(6)).*

9 “(20) *The annual report on intelligence activities*
10 *of the People’s Republic of China required by section*
11 *308(c) of the Intelligence Authorization Act for Fiscal*
12 *Year 1998 (Public Law 105–107; 50 U.S.C. 402a*
13 *note).*

14 “(21) *The annual report on enhancing protection*
15 *of national security at the Department of Justice re-*
16 *quired by section 606(b)(2)(B) of the Counterintel-*
17 *ligence Reform Act of 2000 (title VI of Public Law*
18 *106–567).*

19 “(22) *The annual report on foreign companies*
20 *involved in the proliferation of weapons of mass de-*
21 *struction that raise funds in the United States capital*
22 *markets required by section 314 of the Intelligence*
23 *Authorization Act for Fiscal Year 2003.*

1 “(23) *The annual report on counterdrug intel-*
2 *ligence matters required by section 417 of the Intel-*
3 *ligence Authorization Act for Fiscal Year 2003.*

4 “(24) *The annual report on certifications for im-*
5 *munity in interdiction of aircraft engaged in illicit*
6 *drug trafficking required by section 1012(c)(2) of the*
7 *National Defense Authorization Act for Fiscal Year*
8 *1995 (22 U.S.C. 2291–4(c)(2)).*

9 “(25) *The annual report on exceptions to con-*
10 *sumer disclosure requirements for national security*
11 *investigations under section 604(b)(4)(E) of the Fair*
12 *Credit Reporting Act (15 U.S.C. 1681b(b)(4)(E)).*

13 “(26) *The annual report on activities under the*
14 *David L. Boren National Security Education Act of*
15 *1991 (title VIII of Public Law 102–183; 50 U.S.C.*
16 *1901 et seq.) required by section 806(a) of that Act*
17 *(50 U.S.C. 1906(a)).*

18 “(b) *SEMI-ANNUAL REPORTS.—The dates for the sub-*
19 *mittal to the congressional intelligence committees of the fol-*
20 *lowing semi-annual reports shall be the dates each year pro-*
21 *vided in subsection (c)(2):*

22 “(1) *The periodic reports on intelligence pro-*
23 *vided to the United Nations required by section*
24 *112(b)(3).*

1 “(2) *The semiannual reports on the Office of the*
2 *Inspector General of the Central Intelligence Agency*
3 *required by section 17(d)(1) of the Central Intel-*
4 *ligence Agency Act of 1949 (50 U.S.C. 403q(d)(1)).*

5 “(3) *The semiannual reports on decisions not to*
6 *prosecute certain violations of law under the Classi-*
7 *fied Information Procedures Act (5 U.S.C. App.) as*
8 *required by section 13(b) of that Act.*

9 “(4) *The semiannual reports on the acquisition*
10 *of technology relating to weapons of mass destruction*
11 *and advanced chemical munitions required by section*
12 *721(b) of the Combatting Proliferation of Weapons of*
13 *Mass Destruction Act of 1996 (title VII of Public Law*
14 *104–293; 50 U.S.C. 2366(b)).*

15 “(5) *The semiannual reports on the activities of*
16 *the Diplomatic Telecommunications Service Program*
17 *Office (DTS–PO) required by section 322(a)(6)(D)(ii)*
18 *of the Intelligence Authorization Act for Fiscal Year*
19 *2001 (22 U.S.C. 7302(a)(6)(D)(ii)).*

20 “(6) *The semiannual reports on the disclosure of*
21 *information and consumer reports to the Federal Bu-*
22 *reau of Investigation for counterintelligence purposes*
23 *required by section 624(h)(2) of the Fair Credit Re-*
24 *porting Act (15 U.S.C. 1681u(h)(2)).*

1 “(7) *The semiannual provision of information*
2 *on requests for financial information for foreign coun-*
3 *terintelligence purposes required by section*
4 *1114(a)(5)(C) of the Right to Financial Privacy Act*
5 *of 1978 (12 U.S.C. 3414(a)(5)(C)).*

6 “(c) *SUBMITTAL DATES FOR REPORTS.—(1) Except as*
7 *provided in subsection (d), each annual report listed in sub-*
8 *section (a) shall be submitted not later than February 1.*

9 “(2) *Except as provided in subsection (d), each semi-*
10 *annual report listed in subsection (b) shall be submitted not*
11 *later than February 1 and August 1.*

12 “(d) *POSTPONEMENT OF SUBMITTAL.—(1) Subject to*
13 *paragraph (3), the date for the submittal of an annual re-*
14 *port listed in subsection (a) may be postponed until March*
15 *1, or the date of the submittal of a semiannual report listed*
16 *in subsection (b) may be postponed until March 1 or Sep-*
17 *tember 1, as the case may be, if the official required to sub-*
18 *mit such report submits to the congressional intelligence*
19 *committees a written notification of such postponement.*

20 “(2)(A) *Notwithstanding any other provision of law*
21 *and subject to paragraph (3), the date for the submittal to*
22 *the congressional intelligence committees of any report de-*
23 *scribed in subparagraph (B) may be postponed by not more*
24 *than 30 days from the date otherwise specified in the provi-*
25 *sion of law for the submittal of such report if the official*

1 *required to submit such report submits to the congressional*
2 *intelligence committees a written notification of such post-*
3 *ponement.*

4 “(B) *A report described in this subparagraph is any*
5 *report on intelligence or intelligence-related activities of the*
6 *United States Government that is submitted under a provi-*
7 *sion of law requiring the submittal of only a single report.*

8 “(3)(A) *The date for the submittal of a report whose*
9 *submittal is postponed under paragraph (1) or (2) may be*
10 *postponed beyond the time provided for the submittal of*
11 *such report under such paragraph if the official required*
12 *to submit such report submits to the congressional intel-*
13 *ligence committees a written certification that preparation*
14 *and submittal of such report at such time will impede the*
15 *work of officers or employees of the intelligence community*
16 *in a manner that will be detrimental to the national secu-*
17 *rity of the United States.*

18 “(B) *A certification with respect to a report under sub-*
19 *paragraph (A) shall include a proposed submittal date for*
20 *such report, and such report shall be submitted not later*
21 *than that date.*

22 “(e) *CONSTRUCTION.—The provisions of this section*
23 *shall not affect the date for the submittal of any report cov-*
24 *ered by this section to a Member or committee of Congress*

1 *other than the congressional intelligence committees, or to*
2 *an official of the Executive branch.”.*

3 (2) *The table of sections for the National Security Act*
4 *of 1947, as amended by section 304 of this Act, is further*
5 *amended by inserting after the item relating to section 506*
6 *the following new item:*

“Sec. 507. Dates for submittal of various annual and semi-annual reports to the congressional intelligence committees.”.

7 (b) *REPORT OF GENERAL COUNSEL OF CIA ON EF-*
8 *FORTS TO ENSURE COMPLIANCE WITH REPORTING DEAD-*
9 *LINES.—(1) Not later than December 1, 2002, the General*
10 *Counsel of the Central Intelligence Agency shall submit to*
11 *the congressional intelligence committees a report on the ef-*
12 *forts of the Office of the General Counsel of the Central In-*
13 *telligence Agency to ensure compliance by the elements of*
14 *the intelligence community with the requirements of section*
15 *507 of the National Security Act of 1947, as added by sub-*
16 *section (a).*

17 (c) *CONFORMING AMENDMENTS TO EXISTING REPORT-*
18 *ING REQUIREMENTS.—*

19 (1) *NATIONAL SECURITY ACT OF 1947.—(A) Sub-*
20 *section (d) of section 105 of the National Security Act*
21 *of 1947 (50 U.S.C. 403–5) is amended to read as fol-*
22 *lows:*

23 *“(d) ANNUAL EVALUATION OF PERFORMANCE AND RE-*
24 *SPONSIVENESS OF CERTAIN ELEMENTS OF INTELLIGENCE*

1 *COMMUNITY.—(1) Not later each year than the date pro-*
2 *vided in section 507, the Director shall submit to the con-*
3 *gressional intelligence committees the evaluation described*
4 *in paragraph (3).*

5 *“(2) The Director shall submit each year to the Com-*
6 *mittee on Foreign Intelligence of the National Security*
7 *Council, and to the Committees on Armed Services and Ap-*
8 *propriations of the Senate and House of Representatives,*
9 *the evaluation described in paragraph (3).*

10 *“(3) An evaluation described in this paragraph is an*
11 *evaluation of the performance and responsiveness of the Na-*
12 *tional Security Agency, the National Reconnaissance Office,*
13 *and the National Imagery and Mapping Agency in meeting*
14 *their respective national missions.*

15 *“(4) The Director shall submit each evaluation under*
16 *this subsection in consultation with the Secretary of Defense*
17 *and the Chairman of the Joint Chiefs of Staff.”.*

18 *(B) Section 109 of that Act (50 U.S.C. 404d) is*
19 *amended—*

20 *(i) in subsection (a), by striking paragraph*

21 *(1) and inserting the following new paragraph*

22 *(1):*

23 *“(1)(A) Not later each year than the date provided in*
24 *section 507, the President shall submit to the congressional*
25 *intelligence committees a report on the requirements of the*

1 *United States for intelligence and the activities of the intel-*
2 *ligence community.*

3 “(B) Not later than January 31 each year, and in-
4 cluded with the budget of the President for the next fiscal
5 year under section 1105(a) of title 31, United States Code,
6 the President shall submit to the appropriate congressional
7 committees the report described in subparagraph (A).”;

8 (ii) in subsection (c), as amended by section
9 803(a) of the Intelligence Renewal and Reform
10 Act of 1996 (title VIII of Public Law 104–293;
11 110 Stat. 3475)—

12 (I) in paragraph (1), by striking “The
13 Select Committee on Intelligence of the Sen-
14 ate, the Committee on Appropriations,” and
15 inserting “The Committee on Appropria-
16 tions”; and

17 (II) in paragraph (2), by striking
18 “The Permanent Select Committee on Intel-
19 ligence of the Senate, the Committee on Ap-
20 propriations,” and inserting “The Com-
21 mittee on Appropriations”; and

22 (iii) by striking subsection (c), as added by
23 section 304(a) of the Intelligence Authorization
24 Act for Fiscal Year 1994 (Public Law 103–178;
25 107 Stat. 2034).

1 (C) Section 112(b) of that Act (50 U.S.C.
2 404g(b)) is amended by adding at the end the fol-
3 lowing new paragraph:

4 “(3) In the case of periodic reports required to be sub-
5 mitted under the first sentence of paragraph (1) to the con-
6 gressional intelligence committees, the submittal dates for
7 such reports shall be as provided in section 507.”.

8 (D) Section 113(c) of that Act (50 U.S.C.
9 404h(c)) is amended by striking “Not later than” and
10 all that follows through “a report” and inserting “Not
11 later each year than the date provided in section 507,
12 the Director of Central Intelligence shall submit to the
13 congressional intelligence committees an annual re-
14 port”.

15 (E) Section 114 of that Act (50 U.S.C. 404i) is
16 amended—

17 (i) in subsection (a)—

18 (I) in paragraph (1), by striking “the
19 congressional intelligence committees and”;

20 (II) by redesignating paragraphs (2)
21 and (3) as paragraphs (3) and (4), respec-
22 tively; and

23 (III) by inserting after paragraph (1)
24 the following new paragraph (2):

1 “(2) Not later each year than the date provided in sec-
2 tion 507, the Director shall submit to the congressional in-
3 telligence committees the report required to be submitted
4 under paragraph (1) during the preceding year.”;

5 and

6 (ii) in subsection (b)(1), by striking “, on
7 an annual basis” and all that follows through
8 “leadership” and inserting “submit to the con-
9 gressional leadership on an annual basis, and to
10 the congressional intelligence committees on the
11 date each year provided in section 507,”.

12 (F) Section 603 of that Act (50 U.S.C. 423) is
13 amended—

14 (i) in subsection (a), by adding at the end
15 the following new sentence: “The date for the sub-
16 mittal of the report shall be the date provided in
17 section 507.”; and

18 (ii) in subsection (b), by striking the second
19 sentence.

20 (2) CENTRAL INTELLIGENCE AGENCY ACT OF
21 1949.—(A) Section 5(c)(2) of the Central Intelligence
22 Agency Act of 1949 (50 U.S.C. 403f(c)(2)) is
23 amended—

24 (i) by striking “The Director” and all that
25 follows through “an annual” and inserting “Not

1 *later each year than the date provided in section*
2 *507 of the National Security Act of 1947, the Di-*
3 *rector shall submit to the congressional intel-*
4 *ligence committees (as defined in section 3 of*
5 *that Act (50 U.S.C. 401a)) a”;* and

6 *(ii) by inserting “during the preceding*
7 *year” after “paragraph (1)”.*

8 *(B) Section 17(d)(1) of that Act (50 U.S.C.*
9 *403q(d)(1)) is amended in the second sentence by*
10 *striking “Within thirty days of receipt of such re-*
11 *ports,” and inserting “Not later than the dates each*
12 *year provided for the transmittal of such reports in*
13 *section 507 of the National Security Act of 1947,”.*

14 *(C) Section 21(g) of that Act (50 U.S.C.*
15 *403u(g)) is amended by striking paragraph (3) and*
16 *inserting the following new paragraphs:*

17 *“(3) Not later than 30 days after the completion of*
18 *an audit under paragraph (1), the Inspector General shall*
19 *submit a copy of the audit to the Director of the Office of*
20 *Management and Budget and the Director of Central Intel-*
21 *ligence.*

22 *“(4) Not later each year than the date provided in sec-*
23 *tion 507 of the National Security Act of 1947, the Inspector*
24 *General shall submit to the congressional intelligence com-*
25 *mittees (as defined in section 3 of that Act (50 U.S.C.*

1 401a)) a copy of the audit completed under paragraph (1)
2 during the preceding year.”.

3 (3) NATIONAL SECURITY AGENCY ACT OF 1959.—
4 Section 11(a)(5) of the National Security Agency Act
5 of 1959 (50 U.S.C. 402 note) is amended by striking
6 “Not later than” and all that follows through “the
7 Senate” and inserting “Not later each year than the
8 date provided in section 507 of the National Security
9 Act of 1947, the Director shall submit to the congres-
10 sional intelligence committees (as defined in section 3
11 of that Act (50 U.S.C. 401a)) a report”.

12 (4) CLASSIFIED INFORMATION PROCEDURES
13 ACT.—Section 13 of the Classified Information Proce-
14 dures Act (5 U.S.C. App.) is amended—

15 (A) by redesignating subsection (b) as sub-
16 section (c); and

17 (B) by inserting after subsection (a) the fol-
18 lowing new subsection (b):

19 “(b) In the case of the semiannual reports (whether
20 oral or written) required to be submitted under subsection
21 (a) to the Permanent Select Committee on Intelligence of
22 the House of Representatives and the Select Committee on
23 Intelligence of the Senate, the submittal dates for such re-
24 ports shall be as provided in section 507 of the National
25 Security Act of 1947.”.

1 (5) *TITLE 10, UNITED STATES CODE.—(A) Sec-*
2 *tion 437 of title 10, United States Code, is*
3 *amended—*

4 *(i) in subsection (c), by striking “Not later*
5 *than” and all that follows through “of Congress”*
6 *and inserting “Not later each year than the date*
7 *provided in section 507 of the National Security*
8 *Act of 1947, the Secretary shall submit to the*
9 *congressional intelligence committees (as defined*
10 *in section 3 of that Act (50 U.S.C. 401a))”;* and

11 *(ii) by striking subsection (d).*

12 *(B) Section 1611(e) of that title is amended—*

13 *(i) in paragraph (1), by striking “para-*
14 *graph (2)” and inserting “paragraph (3)”;*

15 *(ii) by redesignating paragraph (2) as*
16 *paragraph (3); and*

17 *(iii) by inserting after paragraph (1) the*
18 *following new paragraph (2):*

19 *“(2) In the case of a report required to be submitted*
20 *under paragraph (1) to the Permanent Select Committee*
21 *on Intelligence of the Senate and the Select Committee on*
22 *Intelligence of the House of Representatives, the date for the*
23 *submittal of such report shall be as provided in section 507*
24 *of the National Security Act of 1947.”.*

1 (6) *INTELLIGENCE AUTHORIZATION ACTS.—(A)*
2 *Section 809 of the Counterintelligence and Security*
3 *Enhancements Act of 1994 (title VIII of Public Law*
4 *103–359; 108 Stat. 3454; 50 U.S.C. 2170b) is*
5 *amended—*

6 *(i) by striking subsection (b) and inserting*
7 *the following new subsection (b):*

8 “(b) *ANNUAL UPDATE.—*

9 “(1) *SUBMITTAL TO CONGRESSIONAL INTEL-*
10 *LIGENCE COMMITTEES.—Not later each year than the*
11 *date provided in section 507 of the National Security*
12 *Act of 1947, the President shall submit to the congress-*
13 *sional intelligence committees a report updating the*
14 *information referred to in subsection (a)(1)(D).*

15 “(2) *SUBMITTAL TO CONGRESSIONAL LEADER-*
16 *SHIP.—Not later than April 14 each year, the Presi-*
17 *dent shall submit to the congressional leadership a re-*
18 *port updating the information referred to in sub-*
19 *section (a)(1)(D).*

20 “(3) *DEFINITIONS.—In this subsection:*

21 “(A) *CONGRESSIONAL INTELLIGENCE COM-*
22 *MITTEES.—The term ‘congressional intelligence*
23 *committees’ has the meaning given that term in*
24 *section 3 of the National Security Act of 1947*
25 *(50 U.S.C. 401a).*

1 “(B) *CONGRESSIONAL LEADERSHIP.*—*The*
2 *term ‘congressional leadership’ means the Speak-*
3 *er and the minority leader of the House of Rep-*
4 *resentatives and the majority leader and the mi-*
5 *nority leader of the Senate.’; and*

6 *(ii) by redesignating subsection (e) as sub-*
7 *section (d).*

8 *(B) Paragraph (6) of section 811(c) of that Act*
9 *(50 U.S.C. 402a(c)) is amended to read as follows:*

10 “(6)(A) *Not later each year than the date provided in*
11 *section 507 of the National Security Act of 1947, the Direc-*
12 *tor of the Federal Bureau of Investigation shall submit to*
13 *the congressional intelligence committees (as defined in sec-*
14 *tion 3 of that Act (50 U.S.C. 401a)) a report with respect*
15 *to compliance with paragraphs (1) and (2) during the pre-*
16 *vious calendar year.*

17 “(B) *Not later than February 1 each year, the Director*
18 *shall, in accordance with applicable security procedures,*
19 *submit to the Committees on the Judiciary of the Senate*
20 *and House of Representatives a report with respect to com-*
21 *pliance with paragraphs (1) and (2) during the previous*
22 *calendar year.*

23 “(C) *The Director of the Federal Bureau of Investiga-*
24 *tion shall submit each report under this paragraph in con-*

1 *sultation with the Director of Central Intelligence and the*
2 *Secretary of Defense.”.*

3 (C) *Section 721 of the Combatting Proliferation*
4 *of Weapons of Mass Destruction Act of 1996 (title VII*
5 *of Public Law 104–293; 110 Stat. 3474; 50 U.S.C.*
6 *236) is amended—*

7 (i) *in subsection (a), by striking “Not later*
8 *than” and all that follows through “the Director”*
9 *and inserting “The Director”;*

10 (ii) *by redesignating subsection (b) as sub-*
11 *section (c);*

12 (iii) *by inserting after subsection (a) the*
13 *following new subsection (b):*

14 “(b) *SUBMITTAL DATES.—(1) The report required by*
15 *subsection (a) shall be submitted each year to the congres-*
16 *sional intelligence committees on a semiannual basis on the*
17 *dates provided in section 507 of the National Security Act*
18 *of 1947.*

19 “(2) *The report required by subsection (a) shall be sub-*
20 *mitted each year to the congressional leadership on April*
21 *11 and October 11 of such year.*

22 “(3) *In this subsection:*

23 “(A) *The term ‘congressional intelligence com-*
24 *mittees’ has the meaning given that term in section*

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

3 “(B) The term ‘congressional leadership’ means
4 the Speaker and the minority leader of the House of
5 Representatives and the majority leader and the mi-
6 nority leader of the Senate.”; and

7 (iv) in subsection (c), as so redesignated, by
8 striking “The reports” and inserting “Each re-
9 port”.

10 (D) Section 308 of the Intelligence Authorization
11 Act for Fiscal Year 1998 (Public Law 105–107; 111
12 Stat. 2253; 50 U.S.C. 402a note) is amended—

13 (i) in subsection (a)—

14 (I) by striking “Not later than” and
15 all that follows through “the Director of
16 Central Intelligence” and inserting “The
17 Director of Central Intelligence”; and

18 (II) by inserting “on an annual basis”
19 after “to Congress”; and

20 (ii) by adding at the end the end the fol-
21 lowing new subsection (c):

22 “(c) *SUBMITTAL DATE OF REPORT TO LEADERSHIP*
23 *OF CONGRESSIONAL INTELLIGENCE COMMITTEES.*—The
24 date each year for the submittal to the Chairman and Rank-
25 ing Member of the Permanent Select Committee on Intel-

1 *ligence of the House of Representatives and the Chairman*
2 *and Ranking Member of the Select Committee on Intel-*
3 *ligence of the Senate of the report required by subsection*
4 *(a) shall be the date provided in section 507 of the National*
5 *Security Act of 1947.”.*

6 *(E) Section 322(a)(6)(D) of the Intelligence Au-*
7 *thorization Act for Fiscal Year 2001 (Public Law*
8 *105–567; 114 Stat. 2844; 22 U.S.C. 7302(a)(6)(D)) is*
9 *amended—*

10 *(i) in clause (i), by striking “Beginning*
11 *on” and inserting “Except as provided in clause*
12 *(ii), beginning on”;*

13 *(ii) by redesignating clause (ii) as clause*
14 *(iii);*

15 *(iii) by inserting after clause (i) the fol-*
16 *lowing new clause (ii):*

17 *“(i) SUBMITTAL DATE OF REPORTS TO*
18 *CONGRESSIONAL INTELLIGENCE COMMITTEES.—*
19 *In the case of reports required to be submitted*
20 *under clause (i) to the congressional intelligence*
21 *committees (as defined in section 3 of the Na-*
22 *tional Security Act of 1947 (50 U.S.C. 401a)),*
23 *the submittal dates for such reports shall be as*
24 *provided in section 507 of that Act.”; and*

1 (iv) in clause (iii), as so redesignated, by
2 striking “report” and inserting “reports”.

3 (F) Section 606(b)(2) of the Counterintelligence
4 Reform Act of 2000 (title VI of Public Law 106–567;
5 114 Stat. 2854) is amended—

6 (i) in subparagraph (A), by striking “sub-
7 paragraph (B)” and inserting “subparagraph
8 (C)”;

9 (ii) by redesignating subparagraph (B) as
10 subparagraph (C); and

11 (iii) by inserting after subparagraph (A)
12 the following new subparagraph (B):

13 “(B) In the case of a report required to be submitted
14 under subparagraph (A) to the congressional intelligence
15 committees (as defined in section 3 of the National Security
16 Act of 1947 (50 U.S.C. 401a)), the submittal date for such
17 report shall be as provided in section 507 of that Act.”.

18 (7) PUBLIC LAW 103–337.—Section 1012(c) of the
19 National Defense Authorization Act for Fiscal Year
20 1995 (22 U.S.C. 2291–4(c)) is amended—

21 (A) in paragraph (1), by striking “Not later
22 than” and inserting “Except as provided in
23 paragraph (2), not later than”;

24 (B) by redesignating paragraph (2) as
25 paragraph (3); and

1 (C) by inserting after paragraph (1) the fol-
2 lowing new paragraph (2):

3 “(2) In the case of a report required to be submitted
4 under paragraph (1) to the congressional intelligence com-
5 mittees (as defined in section 3 of the National Security
6 Act of 1947 (50 U.S.C. 401a)), the submittal date for such
7 report shall be as provided in section 507 of that Act.”.

8 (8) *DAVID L. BOREN NATIONAL SECURITY EDU-*
9 *CATION ACT OF 1991.—The David L. Boren National*
10 *Security Education Act of 1991 (title VIII of Public*
11 *Law 102–183; 50 U.S.C. 1901 et seq.) is amended—*

12 (A) in section 806(a) (50 U.S.C. 1906(a))—

13 (i) by inserting “(1)” before “The Sec-
14 retary”;

15 (ii) in paragraph (1), as so designated,
16 by striking “the Congress” and inserting
17 “the congressional intelligence committees”;

18 (iii) by designating the second sentence
19 as paragraph (2) and indenting the left
20 margin of such paragraph, as so designated,
21 two ems;

22 (iv) in paragraph (2), as so des-
23 ignated, by inserting “submitted to the
24 President” after “The report”; and

1 (v) by adding at the end the following
2 new paragraph (3):

3 “(3) *The report submitted to the congressional intel-*
4 *ligence committees shall be submitted on the date provided*
5 *in section 507 of the National Security Act of 1947.”; and*

6 (B) in section 808 (50 U.S.C. 1908), by
7 adding at the end the following new paragraph
8 (5):

9 “(5) *The term ‘congressional intelligence commit-*
10 *tees’ means—*

11 “(A) *the Select Committee on Intelligence of*
12 *the Senate; and*

13 “(B) *the Permanent Select Committee on*
14 *Intelligence of the House of Representatives.”.*

15 (9) *FAIR CREDIT REPORTING ACT.—(A) Section*
16 *604(b)(4) of the Fair Credit Reporting Act (15 U.S.C.*
17 *1681b(b)(4)) is amended—*

18 (i) in subparagraph (D), by striking “*Not*
19 *later than*” and inserting “*Except as provided in*
20 *subparagraph (E), not later than*”;

21 (ii) by redesignating subparagraph (E) as
22 *subparagraph (F); and*

23 (iii) by inserting after subparagraph (D)
24 *the following new subparagraph (E):*

1 “(E) *REPORTS TO CONGRESSIONAL INTEL-*
2 *LIGENCE COMMITTEES.*—*In the case of a report*
3 *to be submitted under subparagraph (D) to the*
4 *congressional intelligence committees (as defined*
5 *in section 3 of the National Security Act of 1947*
6 *(50 U.S.C. 401a)), the submittal date for such*
7 *report shall be as provided in section 507 of that*
8 *Act.”.*

9 (B) *Section 624(h) of that Act (15 U.S.C.*
10 *1681u(h)) is amended—*

11 (i) *by inserting “(1)” before “On a semi-*
12 *annual basis,”; and*

13 (ii) *by adding at the end the following new*
14 *paragraph:*

15 “(2) *In the case of the semiannual reports required to*
16 *be submitted under paragraph (1) to the Permanent Select*
17 *Committee on Intelligence of the House of Representatives*
18 *and the Select Committee on Intelligence of the Senate, the*
19 *submittal dates for such reports shall be as provided in sec-*
20 *tion 507 of the National Security Act of 1947.”.*

21 (10) *RIGHT TO FINANCIAL PRIVACY ACT OF*
22 *1978.*—*Section 1114(a)(5)(C) of the Right to Finan-*
23 *cial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(C)) is*
24 *amended by striking “On a semiannual” and all that*
25 *follows through “the Senate” and inserting “On the*

1 *dates provided in section 507 of the National Security*
2 *Act of 1947, the Attorney General shall fully inform*
3 *the congressional intelligence committees (as defined*
4 *in section 3 of that Act (50 U.S.C. 401a))”.*

5 ***Subtitle B—Recurring Annual***
6 ***Reports***

7 ***SEC. 411. ANNUAL ASSESSMENT OF SATISFACTION OF IN-***
8 ***TELLIGENCE COMMUNITY WITH COLLECTION,***
9 ***ANALYSIS, AND PRODUCTION OF INTEL-***
10 ***LIGENCE.***

11 *Section 102 of the National Security Act of 1947 (50*
12 *U.S.C. 403) is amended by adding at the end the following*
13 *new subsection:*

14 “(i) *ANNUAL ASSESSMENT OF SATISFACTION OF IN-*
15 *TELLIGENCE COMMUNITY WITH COLLECTION, ANALYSIS,*
16 *AND PRODUCTION OF INTELLIGENCE.—(1) The Assistant*
17 *Director of Central Intelligence for Collection and the As-*
18 *stant Director of Central Intelligence for Analysis and*
19 *Production shall conduct each year a comprehensive review*
20 *of the satisfaction of the elements of the intelligence commu-*
21 *nity with the collection, analysis, and production of intel-*
22 *ligence during the preceding year.*

23 “(2) *Each review for a year under paragraph (1) shall*
24 *include—*

1 “(A) an evaluation of the effectiveness of the in-
2 telligence collection, analysis, and production pro-
3 grams of the intelligence community in such year in
4 meeting the requirements of the intelligence commu-
5 nity for intelligence, including whether or not gaps
6 exist in such programs; and

7 “(B) an assessment of the allocation of resources
8 for the collection, analysis, and production of intel-
9 ligence in such year to determine whether or not an
10 alternative allocation of such resources would better
11 meet the requirements of the intelligence community
12 for intelligence.

13 “(3) The Assistant Directors shall jointly submit to the
14 Director of Central Intelligence a report on each review con-
15 ducted under paragraph (1). Each report shall—

16 “(A) set forth the results of the evaluation and
17 assessment under paragraph (2);

18 “(B) describe any significant successes or fail-
19 ures in the collection, analysis, or production of intel-
20 ligence in the year covered by such report; and

21 “(C) include any recommendations regarding the
22 collection, analysis, or production of intelligence that
23 the Assistant Directors consider appropriate.

24 “(4) The Director of Central Intelligence shall trans-
25 mit to the congressional intelligence committees each report

1 *submitted under paragraph (3). The Director shall include*
 2 *in the transmittal of such report any comments and rec-*
 3 *ommendations regarding such report that the Director con-*
 4 *siders appropriate.*

5 “(5) *The submittal date for a report under paragraph*
 6 *(4) each year shall be the date provided in section 507.”.*

7 **SEC. 412. ANNUAL REPORT ON THREAT OF ATTACK ON THE**
 8 **UNITED STATES USING WEAPONS OF MASS**
 9 **DESTRUCTION.**

10 *Section 114 of the National Security Act of 1947, as*
 11 *amended by section 303(b)(6) of this Act, is further*
 12 *amended—*

13 *(1) by redesignating subsection (c) as subsection*
 14 *(d); and*

15 *(2) by inserting after subsection (b) the following*
 16 *new subsection (c):*

17 “(c) **ANNUAL REPORT ON THREAT OF ATTACK ON THE**
 18 **UNITED STATES USING WEAPONS OF MASS DESTRUC-**
 19 **TION.—(1) Not later each year than the date provided in**
 20 **section 507, the Director shall submit to the congressional**
 21 **intelligence committees a report assessing the following:**

22 “(A) *The current threat of attack on the United*
 23 *States using ballistic missiles or cruise missiles.*

24 “(B) *The current threat of attack on the United*
 25 *States using a chemical, biological, or nuclear weapon*

1 *delivered by a system other than a ballistic missile or*
2 *cruise missile.*

3 “(2) *Each report under paragraph (1) shall be a na-*
4 *tional intelligence estimate, or have the formality of a na-*
5 *tional intelligence estimate.*”.

6 **SEC. 413. ANNUAL REPORT ON COVERT LEASES.**

7 *Section 114 of the National Security Act of 1947, as*
8 *amended by section 412 of this Act, is further amended—*

9 *(1) by redesignating subsection (d) as subsection*
10 *(e); and*

11 *(2) by inserting after subsection (c) the following*
12 *new subsection (d):*

13 “(d) *ANNUAL REPORT ON COVERT LEASES.—(1) Not*
14 *later each year than the date provided in section 507, the*
15 *Director shall submit to the congressional intelligence com-*
16 *mittees a report on each covert lease of an element of the*
17 *intelligence community that is in force as of the end of the*
18 *preceding year.*

19 “(2) *Each report under paragraph (1) shall include*
20 *the following:*

21 “(A) *A list of each lease described by that para-*
22 *graph.*

23 “(B) *For each lease—*

24 “(i) *the cost of such lease;*

25 “(ii) *the duration of such lease;*

1 “(iii) the purpose of such lease; and
2 “(iv) the directorate or office that controls
3 such lease.”.

4 **SEC. 414. ANNUAL REPORT ON IMPROVEMENT OF FINAN-**
5 **CIAL STATEMENTS OF CERTAIN ELEMENTS**
6 **OF THE INTELLIGENCE COMMUNITY FOR AU-**
7 **DITING PURPOSES.**

8 (a) *IN GENERAL.*—Title I of the National Security Act
9 of 1947 (50 U.S.C. 402 et seq.) is amended by inserting
10 after section 114 the following new section:

11 “ANNUAL REPORT ON IMPROVEMENT OF FINANCIAL
12 STATEMENTS FOR AUDITING PURPOSES

13 “SEC. 114A. Not later each year than the date pro-
14 vided in section 507, the Director of Central Intelligence,
15 Director of the National Security Agency, Director of the
16 Defense Intelligence Agency, and Director of the National
17 Imagery and Mapping Agency shall each submit to the con-
18 gressional intelligence committees a report describing the
19 activities being undertaken by such official to ensure that
20 the financial statements of such agency can be audited in
21 accordance with applicable law and requirements of the Of-
22 fice of Management and Budget.”.

23 (b) *CLERICAL AMENDMENT.*—The table of sections for
24 the National Security Act of 1947 is amended by inserting
25 after the item relating to section 114 the following new item:

“Sec. 114A. Annual report on improvement of financial statements for auditing purposes.”.

1 **SEC. 415. ANNUAL REPORT ON ACTIVITIES OF FEDERAL BU-**
2 **REAU OF INVESTIGATION PERSONNEL OUT-**
3 **SIDE THE UNITED STATES.**

4 (a) *ANNUAL REPORT.*—Chapter 33 of title 28, United
5 States Code, is amended by adding at the end the following
6 new section:

7 **“§ 540C. Annual report on activities of Federal Bu-**
8 **reau of Investigation personnel outside**
9 **the United States**

10 “(a) *The Director of the Federal Bureau of Investiga-*
11 *tion shall submit to the appropriate committees of Congress*
12 *each year a report on the activities of personnel of the Fed-*
13 *eral Bureau of Investigation outside the United States.*

14 “(b) *The report under subsection (a) shall include the*
15 *following:*

16 “(1) *For the year preceding the year in which*
17 *the report is required to be submitted—*

18 “(A) *the number of personnel of the Bureau*
19 *posted or detailed outside the United States dur-*
20 *ing the year;*

21 “(B) *a description of the coordination of the*
22 *investigations, asset handling, liaison, and oper-*
23 *ational activities of the Bureau during the year*

1 *with other elements of the intelligence commu-*
2 *nity; and*

3 “(C) a description of the extent to which in-

4 *formation derived from activities described in*

5 *subparagraph (B) was shared with other ele-*

6 *ments of the intelligence community.*

7 “(2) For the year in which the report is required

8 *to be submitted—*

9 “(A) a description of the plans, if any, of

10 *the Director—*

11 “(i) to modify the number of personnel

12 *of the Bureau posted or detailed outside the*

13 *United States; or*

14 “(ii) to modify the scope of the activi-

15 *ties of personnel of the Bureau posted or de-*

16 *tailed outside the United States; and*

17 “(B) a description of the manner and extent

18 *to which information derived from activities of*

19 *the Bureau described in paragraph (1)(B) dur-*

20 *ing the year will be shared with other elements*

21 *of the intelligence community.*

22 “(c)(1) In the case of the committees of Congress speci-

23 *fied in subsection (d)(1), the date of the submittal each year*

24 *of the report required by subsection (a) shall be February*

25 *1 of such year.*

1 “(2) *In the case of the committees of Congress specified*
 2 *in subsection (d)(2), the date of the submittal each year of*
 3 *the report required by subsection (a) shall be the date pro-*
 4 *vided in section 507 of the National Security Act of 1947.*

5 “(d) *In this section, the term ‘appropriate committees*
 6 *of Congress’ means—*

7 “(1) *the Committees on the Judiciary of the Sen-*
 8 *ate and House of Representatives; and*

9 “(2) *the congressional intelligence committees (as*
 10 *defined in section 3 of the National Security Act of*
 11 *1947 (50 U.S.C. 401a)).”.*

12 (b) *CLERICAL AMENDMENT.—The table of sections at*
 13 *the beginning of chapter 33 of that title is amended by in-*
 14 *serting after the item relating to section 540B the following*
 15 *new item:*

*“540C. Annual report on activities of Federal Bureau of Investigation personnel
 outside the United States.”.*

16 **SEC. 416. ANNUAL REPORTS OF INSPECTORS GENERAL OF**
 17 **THE INTELLIGENCE COMMUNITY ON PRO-**
 18 **POSED RESOURCES AND ACTIVITIES OF**
 19 **THEIR OFFICES.**

20 *Section 8H of the Inspector General Act of 1978 (5*
 21 *U.S.C. App.) is amended—*

22 (1) *in subsection (f), by striking “this section”*
 23 *and inserting “subsections (a) through (e)”;*

1 (2) by redesignating subsection (g) as subsection
2 (h); and

3 (3) by inserting after subsection (f) the following
4 new subsection (g):

5 “(g)(1) *The Inspector General of the Defense Intel-*
6 *ligence Agency, the National Imagery and Mapping Agen-*
7 *cy, the National Reconnaissance Office, and the National*
8 *Security Agency shall each submit to the congressional in-*
9 *telligence committees each year a report that sets forth the*
10 *following:*

11 “(A) *The personnel and funds requested by such*
12 *Inspector General for the fiscal year beginning in*
13 *such year for the activities of the office of such Inspec-*
14 *tor General in such fiscal year.*

15 “(B) *The plan of such Inspector General for such*
16 *activities, including the programs and activities*
17 *scheduled for review by the office of such Inspector*
18 *General during such fiscal year.*

19 “(C) *An assessment of the current ability of such*
20 *Inspector General to hire and retain qualified per-*
21 *sonnel for the office of such Inspector General.*

22 “(D) *Any matters that such Inspector General*
23 *considers appropriate regarding the independence and*
24 *effectiveness of the office of such Inspector General.*

1 *vided in section 507 of the National Security Act of 1947,*
2 *as added by section 401 of this Act.*

3 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
4 *FINED.—In this section, the term “appropriate committees*
5 *of Congress” means—*

6 (1) *the Committees on Appropriations of the*
7 *Senate and House of Representatives; and*

8 (2) *the congressional intelligence committees (as*
9 *defined in section 3 of the National Security Act of*
10 *1947 (50 U.S.C. 401a)).*

11 ***Subtitle C—Other Reports***

12 ***SEC. 431. REPORT ON EFFECT OF COUNTRY-RELEASE RE-*** 13 ***STRICTIONS ON ALLIED INTELLIGENCE-*** 14 ***SHARING RELATIONSHIPS.***

15 (a) *REPORT.—Not later than 90 days after the date*
16 *of the enactment of this Act, the Director of Central Intel-*
17 *ligence shall, in consultation with the Secretary of Defense,*
18 *submit to the congressional intelligence committees a report*
19 *containing an assessment of the effect of the use of*
20 *“NOFORN” classifications, and of other country-release*
21 *policies, procedures, and classification restrictions, on intel-*
22 *ligence-sharing relationships and coordinated intelligence*
23 *operations and military operations between the United*
24 *States and its allies. The report shall include an assessment*
25 *of the effect of the use of such classifications, and of such*

1 *policies, procedures, and restrictions, on counterterrorism*
2 *operations in Afghanistan and elsewhere.*

3 (b) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
4 *FINED.—In this section, the term “congressional intelligence*
5 *committee” means—*

6 (1) *the Select Committee on Intelligence of the*
7 *Senate; and*

8 (2) *the Permanent Select Committee on Intel-*
9 *ligence of the House of Representatives.*

10 **SEC. 432. EVALUATION OF POLICIES AND PROCEDURES OF**
11 **DEPARTMENT OF STATE ON PROTECTION OF**
12 **CLASSIFIED INFORMATION AT DEPARTMENT**
13 **HEADQUARTERS.**

14 (a) *EVALUATION REQUIRED.—Not later than Decem-*
15 *ber 31 of 2002, 2003, and 2004, the Inspector General of*
16 *the Department of State shall conduct an evaluation of the*
17 *policies and procedures of the Department on the protection*
18 *of classified information at the Headquarters of the Depart-*
19 *ment, including compliance with the directives of the Direc-*
20 *tor of Central Intelligence (DCIDs) regarding the storage*
21 *and handling of Sensitive Compartmented Information*
22 *(SCI) material.*

23 (b) *ANNUAL REPORT.—Except as provided in sub-*
24 *section (c), not later than February 1 of 2003, 2004, and*
25 *2005, the Inspector General shall submit to the congress-*

1 sional intelligence committees a report on the evaluation
2 conducted under subsection (a) during the preceding year.

3 (c) *EXCEPTION.*—The date each year for the submittal
4 of a report under subsection (b) may be postponed in ac-
5 cordance with section 507(d) of the National Security Act
6 of 1947, as added by section 401 of this Act.

7 (d) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
8 *FINED.*—In this section, the term “congressional intelligence
9 committees” means—

10 (1) the Select Committee on Intelligence of the
11 Senate; and

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

14 **SEC. 433. STUDY OF DEPARTMENT OF STATE CONSULAR**
15 **SERVICES.**

16 (a) *SENSE OF CONGRESS.*—Congress compliments the
17 officers of the Consular Service on the important role they
18 perform daily, many times under difficult conditions, at
19 United States embassies throughout the world. However,
20 Congress is concerned that Consular Service officers, who
21 provide the first line of defense against the admission of
22 undesirable persons into the United States, are entry-level
23 personnel and rotate out of Consular Service assignments
24 as soon as possible.

1 (b) *STUDY.*—*The Secretary of State shall conduct a*
2 *study of—*

3 (1) *the Consular Services program of the Depart-*
4 *ment of State and the organizational structure of the*
5 *Consular Service within the Department, including*
6 *promotion and training policies, rotation frequency,*
7 *level of experience and seniority, level of oversight*
8 *provided by senior Consular Service personnel, and*
9 *consistency of consular services provided among the*
10 *various United States embassies and consulates; and*

11 (2) *the feasibility of establishing a separate em-*
12 *ployment track within the Department of State for*
13 *employees who would serve in the Consular Service on*
14 *a permanent basis and not rotate out of Consular*
15 *Service assignments.*

16 (c) *REPORT.*—*Not later than 6 months after the date*
17 *of the enactment of this Act, the Secretary shall submit to*
18 *the appropriate committees of Congress a report containing*
19 *the findings of the study conducted under subsection (b).*

20 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.*—*In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committee on Foreign Relations and the*
24 *Select Committee on Intelligence of the Senate; and*

1 (2) *the Committee on International Relations*
 2 *and the Permanent Select Committee on Intelligence*
 3 *of the House of Representatives.*

4 ***Subtitle D—Repeal of Certain***
 5 ***Report Requirements***

6 **SEC. 441. REPEAL OF CERTAIN REPORT REQUIREMENTS.**

7 (a) *ANNUAL REPORT ON EXERCISE OF NATIONAL SE-*
 8 *CURITY AGENCY VOLUNTARY SEPARATION PAY AUTHOR-*
 9 *ITY.—Section 301(j) of the National Security Act of 1947*
 10 *(50 U.S.C. 409a(j)), as amended by section 303(b)(2)(B)*
 11 *of this Act, is further amended—*

12 (1) *by striking “REPORTING REQUIRE-*
 13 *MENTS.—” and all that follows through “The Direc-*
 14 *tor” and inserting “NOTIFICATION OF EXERCISE OF*
 15 *AUTHORITY.—The Director”;* and

16 (2) *by striking paragraph (2).*

17 (b) *ANNUAL REPORT ON USE OF CIA PERSONNEL AS*
 18 *SPECIAL POLICEMEN.—Section 15(a) of the Central Intel-*
 19 *ligence Agency Act of 1949 (50 U.S.C. 4030(a)) is amended*
 20 *by striking paragraph (5).*

21 ***TITLE*** ***V—COUNTERINTELLI-***
 22 ***IGENCE ACTIVITIES***

23 **SEC. 501. SHORT TITLE; PURPOSE.**

24 (a) *SHORT TITLE.—This title may be cited as the*
 25 *“Counterintelligence Enhancement Act of 2002”.*

1 (b) *PURPOSE.*—*The purpose of this title is to facilitate*
2 *the enhancement of the counterintelligence activities of the*
3 *United States Government by—*

4 (1) *enabling the counterintelligence community*
5 *of the United States Government to fulfill better its*
6 *mission of identifying, assessing, prioritizing, and*
7 *countering the intelligence threats to the United*
8 *States;*

9 (2) *ensuring that the counterintelligence commu-*
10 *nity of the United States Government acts in an effi-*
11 *cient and effective manner; and*

12 (3) *providing for the integration of all the coun-*
13 *terintelligence activities of the United States Govern-*
14 *ment.*

15 **SEC. 502. NATIONAL COUNTERINTELLIGENCE EXECUTIVE.**

16 (a) *ESTABLISHMENT.*—(1) *There shall be a National*
17 *Counterintelligence Executive, who shall be appointed by*
18 *the President.*

19 (2) *It is the sense of Congress that the President should*
20 *seek the views of the Attorney General, Secretary of Defense,*
21 *and Director of Central Intelligence in selecting an indi-*
22 *vidual for appointment as the Executive.*

23 (b) *MISSION.*—*The mission of the National Counter-*
24 *intelligence Executive shall be to serve as the head of na-*

1 *tional counterintelligence for the United States Govern-*
2 *ment.*

3 (c) *DUTIES.*—*Subject to the direction and control of*
4 *the President, the duties of the National Counterintelligence*
5 *Executive are as follows:*

6 (1) *To carry out the mission referred to in sub-*
7 *section (c).*

8 (2) *To act as chairperson of the National Coun-*
9 *terintelligence Policy Board under section 811 of the*
10 *Counterintelligence and Security Enhancements Act*
11 *of 1994 (title VIII of Public Law 103–359; 50 U.S.C.*
12 *402a), as amended by section 503 of this Act.*

13 (3) *To act as head of the Office of the National*
14 *Counterintelligence Executive under section 504.*

15 (4) *To participate as an observer on such boards,*
16 *committees, and entities of the Executive branch as*
17 *the President considers appropriate for the discharge*
18 *of the mission and functions of the Executive and the*
19 *Office of the National Counterintelligence Executive*
20 *under section 504.*

21 **SEC. 503. NATIONAL COUNTERINTELLIGENCE POLICY**
22 **BOARD.**

23 (a) *CHAIRPERSON.*—*Section 811 of the Counterintel-*
24 *ligence and Security Enhancements Act of 1994 (title VII*
25 *of Public Law 103–359; 50 U.S.C. 402a) is amended—*

1 (1) *by striking subsection (b);*

2 (2) *by redesignating subsection (c) as subsection*
3 *(e); and*

4 (3) *by inserting after subsection (a) the following*
5 *new subsection (b):*

6 “(b) *CHAIRPERSON.—The National Counterintel-*
7 *ligence Executive under section 502 of the Counterintel-*
8 *ligence Enhancement Act of 2002 shall serve as the chair-*
9 *person of the Board.*”.

10 (b) *MEMBERSHIP.—That section is further amended*
11 *by inserting after subsection (b), as amended by subsection*
12 *(a)(3) of this section, the following new subsection (c):*

13 “(c) *MEMBERSHIP.—The membership of the National*
14 *Counterintelligence Policy Board shall consist of the fol-*
15 *lowing:*

16 “(1) *The National Counterintelligence Executive.*

17 “(2) *Senior personnel of departments and ele-*
18 *ments of the United States Government, appointed by*
19 *the head of the department or element concerned, as*
20 *follows:*

21 “(A) *The Department of Justice, including*
22 *the Federal Bureau of Investigation.*

23 “(B) *The Department of Defense, including*
24 *the Joint Chiefs of Staff.*

25 “(C) *The Department of State.*

1 “(D) *The Department of Energy.*

2 “(E) *The Central Intelligence Agency.*

3 “(F) *Any other department, agency, or ele-*
4 *ment of the United States Government specified*
5 *by the President.”.*

6 (c) *FUNCTIONS AND DISCHARGE OF FUNCTIONS.—*

7 *That section is further amended by inserting after sub-*
8 *section (c), as amended by subsection (b) of this section,*
9 *the following new subsection:*

10 “(d) *FUNCTIONS AND DISCHARGE OF FUNCTIONS.—(1)*

11 *The Board shall—*

12 “(A) *serve as the principal mechanism for—*

13 “(i) *developing policies and procedures for*
14 *the approval of the President to govern the con-*
15 *duct of counterintelligence activities; and*

16 “(ii) *upon the direction of the President, re-*
17 *solving conflicts that arise between elements of*
18 *the Government conducting such activities; and*

19 “(B) *act as an interagency working group to—*

20 “(i) *ensure the discussion and review of*
21 *matters relating to the implementation of the*
22 *Counterintelligence Enhancement Act of 2002;*
23 *and*

24 “(ii) *provide advice to the National Coun-*
25 *terintelligence Executive on priorities in the im-*

1 *plementation of the National Counterintelligence*
2 *Strategy produced by the Office of the National*
3 *Counterintelligence Executive under section*
4 *504(e)(2) of that Act.*

5 *“(2) The Board may, for purposes of carrying out its*
6 *functions under this section, establish such interagency*
7 *boards and working groups as the Board considers appro-*
8 *priate.”.*

9 **SEC. 504. OFFICE OF THE NATIONAL COUNTERINTEL-**
10 **LIGENCE EXECUTIVE.**

11 *(a) ESTABLISHMENT.—There shall be an Office of the*
12 *National Counterintelligence Executive.*

13 *(b) HEAD OF OFFICE.—The National Counterintel-*
14 *ligence Executive shall be the head of the Office of the Na-*
15 *tional Counterintelligence Executive.*

16 *(c) LOCATION OF OFFICE.—The Office of the National*
17 *Counterintelligence Executive shall be located in the Execu-*
18 *tive Office of the President.*

19 *(d) GENERAL COUNSEL.—(1) There shall be in the Of-*
20 *fice of the National Counterintelligence Executive a general*
21 *counsel who shall serve as principal legal advisor to the Na-*
22 *tional Counterintelligence Executive.*

23 *(2) The general counsel shall—*

24 *(A) provide legal advice and counsel to the Exec-*
25 *utive on matters relating to functions of the Office;*

1 (B) ensure that the Office complies with all ap-
2 plicable laws, regulations, Executive orders, and
3 guidelines; and

4 (C) carry out such other duties as the Executive
5 may specify.

6 (e) *FUNCTIONS.*—Subject to the direction and control
7 of the National Counterintelligence Executive, the functions
8 of the Office of the National Counterintelligence Executive
9 shall be as follows:

10 (1) *NATIONAL THREAT IDENTIFICATION AND*
11 *PRIORITIZATION ASSESSMENT.*—Subject to subsection
12 (f), in consultation with appropriate department and
13 agencies of the United States Government, and pri-
14 vate sector entities, to produce on an annual basis a
15 strategic planning assessment of the counterintel-
16 ligence requirements of the United States to be known
17 as the National Threat Identification and
18 Prioritization Assessment.

19 (2) *NATIONAL COUNTERINTELLIGENCE STRAT-*
20 *EGY.*—Subject to subsection (f), in consultation with
21 appropriate department and agencies of the United
22 States Government, and private sector entities, and
23 based on the most current National Threat Identifica-
24 tion and Prioritization Assessment under paragraph
25 (1), to produce on an annual basis a strategy for the

1 *counterintelligence programs and activities of the*
2 *United States Government to be known as the Na-*
3 *tional Counterintelligence Strategy.*

4 (3) *IMPLEMENTATION OF NATIONAL COUNTER-*
5 *INTELLIGENCE STRATEGY.—To evaluate on an on-*
6 *going basis the implementation of the National Coun-*
7 *terintelligence Strategy and to submit to the Presi-*
8 *dent periodic reports on such evaluation, including a*
9 *discussion of any shortfalls in the implementation of*
10 *the Strategy and recommendations for remedies for*
11 *such shortfalls.*

12 (4) *NATIONAL COUNTERINTELLIGENCE STRA-*
13 *TEGIC ANALYSES.—As directed by the Director of*
14 *Central Intelligence and in consultation with appro-*
15 *priate elements of the departments and agencies of the*
16 *United States Government, to oversee and coordinate*
17 *the production of strategic analyses of counterintel-*
18 *ligence matters, including the production of counter-*
19 *intelligence damage assessments and assessments of*
20 *lessons learned from counterintelligence activities.*

21 (5) *NATIONAL COUNTERINTELLIGENCE PROGRAM*
22 *BUDGET.—In consultation with the Director of Cen-*
23 *tral Intelligence—*

24 (A) *to coordinate the development of budgets*
25 *and resource allocation plans for the counter-*

1 *intelligence programs and activities of the De-*
2 *partment of Defense, the Federal Bureau of In-*
3 *vestigation, the Central Intelligence Agency, and*
4 *other appropriate elements of the United States*
5 *Government;*

6 *(B) to ensure that the budgets and resource*
7 *allocations plans developed under subparagraph*
8 *(A) address the objectives and priorities for coun-*
9 *terintelligence under the National Counterintel-*
10 *ligence Strategy; and*

11 *(C) to submit to the National Security*
12 *Council periodic reports on the activities under-*
13 *taken by the Office under subparagraphs (A) and*
14 *(B).*

15 *(6) NATIONAL COUNTERINTELLIGENCE COLLEC-*
16 *TION AND TARGETING COORDINATION.—To develop*
17 *priorities for counterintelligence investigations and*
18 *operations, and for collection of counterintelligence,*
19 *for purposes of the National Counterintelligence*
20 *Strategy, except that the Office may not—*

21 *(A) carry out any counterintelligence inves-*
22 *tigations or operations; or*

23 *(B) establish its own contacts, or carry out*
24 *its own activities, with foreign intelligence serv-*
25 *ices.*

1 (7) *NATIONAL COUNTERINTELLIGENCE OUT-*
2 *REACH, WATCH, AND WARNING.—*

3 (A) *COUNTERINTELLIGENCE VULNERABILITY*
4 *SURVEYS.—To carry out and coordinate surveys*
5 *of the vulnerability of the United States Govern-*
6 *ment, and the private sector, to intelligence*
7 *threats in order to identify the areas, programs,*
8 *and activities that require protection from such*
9 *threats.*

10 (B) *OUTREACH.—To carry out and coordi-*
11 *nate outreach programs and activities on coun-*
12 *terintelligence to other elements of the United*
13 *States Government, and the private sector, and*
14 *to coordinate the dissemination to the public of*
15 *warnings on intelligence threats to the United*
16 *States.*

17 (C) *RESEARCH AND DEVELOPMENT.—To*
18 *ensure that research and development programs*
19 *and activities of the United States Government,*
20 *and the private sector, direct attention to the*
21 *needs of the counterintelligence community for*
22 *technologies, products, and services.*

23 (D) *TRAINING AND PROFESSIONAL DEVEL-*
24 *OPMENT.—To develop policies and standards for*
25 *training and professional development of indi-*

1 *viduals engaged in counterintelligence activities*
2 *and to manage the conduct of joint training ex-*
3 *ercises for such personnel.*

4 (f) *ADDITIONAL REQUIREMENTS REGARDING NA-*
5 *TIONAL THREAT IDENTIFICATION AND PRIORITIZATION AS-*
6 *SESSMENT AND NATIONAL COUNTERINTELLIGENCE STRAT-*
7 *EGY.—(1) A National Threat Identification and*
8 *Prioritization Assessment under subsection (e)(1), and any*
9 *modification of such assessment, shall not go into effect*
10 *until approved by the President.*

11 (2) *A National Counterintelligence Strategy under*
12 *subsection (e)(2), and any modification of such strategy,*
13 *shall not go into effect until approved by the President.*

14 (3) *The National Counterintelligence Executive shall*
15 *submit to the congressional intelligence committees each Na-*
16 *tional Threat Identification and Prioritization Assessment,*
17 *or modification thereof, and each National Counterintel-*
18 *ligence Strategy, or modification thereof, approved under*
19 *this section.*

20 (4) *In this subsection, the term “congressional intel-*
21 *ligence committees” means—*

22 (A) *the Select Committee on Intelligence of the*
23 *Senate; and*

24 (B) *the Permanent Select Committee on Intel-*
25 *ligence of the House of Representatives.*

1 (g) *PERSONNEL.*—(1) *Personnel of the Office of the Na-*
2 *tional Counterintelligence Executive may consist of per-*
3 *sonnel employed by the Office or personnel on detail from*
4 *any other department, agency, or element of the Federal*
5 *Government. Any such detail may be on a reimbursable or*
6 *non-reimbursable basis, at the election of the head of the*
7 *agency detailing such personnel.*

8 (2) *Notwithstanding section 104(d) or any other provi-*
9 *sion of law limiting the period of the detail of personnel*
10 *on a non-reimbursable basis, the detail of an officer or em-*
11 *ployee of United States or a member of the Armed Forces*
12 *under paragraph (1) on a non-reimbursable basis may be*
13 *for any period in excess of one year that the National Coun-*
14 *terintelligence Executive and the head of the department,*
15 *agency, or element concerned consider appropriate.*

16 (3) *The employment of personnel by the Office, includ-*
17 *ing the appointment, compensation and benefits, manage-*
18 *ment, and separation of such personnel, shall be governed*
19 *by the provisions of law on such matters with respect to*
20 *the personnel of the Central Intelligence Agency, except that,*
21 *for purposes of the applicability of such provisions of law*
22 *to personnel of the Office, the National Counterintelligence*
23 *Executive shall be treated as the head of the Office.*

24 (4) *Positions in the Office shall be excepted service po-*
25 *sitions for purposes of title 5, United States Code.*

1 (h) *SUPPORT.*—(1) *The Attorney General, Secretary of*
2 *Defense, and Director of Central Intelligence may each pro-*
3 *vide the Office of the National Counterintelligence Executive*
4 *such support as may be necessary to permit the Office to*
5 *carry out its functions under this section.*

6 (2) *Subject to any terms and conditions specified by*
7 *the Director of Central Intelligence, the Director may pro-*
8 *vide administrative and contract support to the Office as*
9 *if the Office were an element of the Central Intelligence*
10 *Agency.*

11 (3) *Support provided under this subsection may be*
12 *provided on a reimbursable or non-reimbursable basis, at*
13 *the election of the official providing such support.*

14 (i) *AVAILABILITY OF FUNDS FOR REIMBURSEMENT.*—
15 *The National Counterintelligence Executive may, from*
16 *amounts available for the Office, transfer to a department*
17 *or agency detailing personnel under subsection (g), or pro-*
18 *viding support under subsection (h), on a reimbursable*
19 *basis amounts appropriate to reimburse such department*
20 *or agency for the detail of such personnel or the provision*
21 *of such support, as the case may be.*

22 (j) *CONTRACTS.*—(1) *Subject to paragraph (2), the Na-*
23 *tional Counterintelligence Executive may enter into any*
24 *contract, lease, cooperative agreement, or other transaction*
25 *that the Executive considers appropriate to carry out the*

1 *functions of the Office of the National Counterintelligence*
2 *Executive under this section.*

3 (2) *The authority under paragraph (1) to enter into*
4 *contracts, leases, cooperative agreements, and other trans-*
5 *actions shall be subject to any terms, conditions, and limi-*
6 *tations applicable to the Central Intelligence Agency under*
7 *law with respect to similar contracts, leases, cooperative*
8 *agreements, and other transactions.*

9 (k) *TREATMENT OF ACTIVITIES UNDER CERTAIN AD-*
10 *MINISTRATIVE LAWS.—(1) The provisions of the Federal*
11 *Advisory Committee Act (5 U.S.C. App.) shall not apply*
12 *to the activities of the Office of the National Counterintel-*
13 *ligence Executive.*

14 (2) *The files of the Office shall be treated as operational*
15 *files of the Central Intelligence Agency for purposes of sec-*
16 *tion 701 of the National Security Act of 1947 (50 U.S.C.*
17 *431) to the extent such files meet criteria under subsection*
18 *(b) of that section for treatment of files as operational files*
19 *of an element of the Agency.*

20 (l) *OVERSIGHT BY CONGRESS.—The location of the Of-*
21 *fice of the National Counterintelligence Executive within*
22 *the Executive Office of the President shall not be construed*
23 *as affecting access by Congress, or any committee of Con-*
24 *gress, to—*

1 (1) *any information, document, record, or paper*
2 *in the possession of the Office; or*

3 (2) *any personnel of the Office.*

4 (m) *DESIGNATION OF OFFICE AS ELEMENT OF INTEL-*
5 *LIGENCE COMMUNITY.—Section 3(4) of the National Secu-*
6 *rity Act of 1947 (50 U.S.C. 401a(4)) is amended—*

7 (1) *in subparagraph (I), by striking “and” at*
8 *the end;*

9 (2) *by redesignating subparagraph (J) as sub-*
10 *paragraph (K); and*

11 (3) *by inserting after subparagraph (I) the fol-*
12 *lowing new subparagraph (J):*

13 *“(J) the Office of the National Counterintel-*
14 *ligence Executive; and”.*

15 **TITLE VI—NATIONAL COMMIS-**
16 **SION FOR REVIEW OF RE-**
17 **SEARCH AND DEVELOPMENT**
18 **PROGRAMS OF THE UNITED**
19 **STATES INTELLIGENCE COM-**
20 **MUNITY**

21 **SEC. 601. FINDINGS.**

22 *Congress makes the following findings:*

23 (1) *Research and development efforts under the*
24 *purview of the intelligence community are vitally im-*
25 *portant to the national security of the United States.*

1 (2) *The intelligence community must operate in*
2 *a dynamic, highly-challenging environment, charac-*
3 *terized by rapid technological growth, against a grow-*
4 *ing number of hostile, technically-sophisticated*
5 *threats. Research and development programs under*
6 *the purview of the intelligence community are critical*
7 *to ensuring that intelligence agencies, and their per-*
8 *sonnel, are provided with important technological ca-*
9 *pabilities to detect, characterize, assess, and ulti-*
10 *imately counter the full range of threats to the na-*
11 *tional security of the United States.*

12 (3) *There is a need to review the full range of*
13 *current research and development programs under the*
14 *purview of the intelligence community, evaluate such*
15 *programs against the scientific and technological*
16 *fields judged to be of most importance, and articulate*
17 *program and resource priorities for future research*
18 *and development activities to ensure a unified and co-*
19 *herent research and development program across the*
20 *entire intelligence community.*

1 **SEC. 602. NATIONAL COMMISSION FOR THE REVIEW OF THE**
2 **RESEARCH AND DEVELOPMENT PROGRAMS**
3 **OF THE UNITED STATES INTELLIGENCE COM-**
4 **MUNITY.**

5 (a) *ESTABLISHMENT.*—*There is established a commis-*
6 *sion to be known as the “National Commission for the Re-*
7 *view of the Research and Development Programs of the*
8 *United States Intelligence Community” (in this title re-*
9 *ferred to as the “Commission”).*

10 (b) *COMPOSITION.*—*The Commission shall be composed*
11 *of 12 members, as follows:*

12 (1) *The Deputy Director of Central Intelligence*
13 *for Community Management.*

14 (2) *A senior intelligence official of the Office of*
15 *the Secretary of Defense, as designated by the Sec-*
16 *retary of Defense.*

17 (3) *Three members appointed by the Majority*
18 *Leader of the Senate, in consultation with the Chair-*
19 *man of the Select Committee on Intelligence of the*
20 *Senate, one from Members of the Senate and two from*
21 *private life.*

22 (4) *Two members appointed by the Minority*
23 *Leader of the Senate, in consultation with the Vice*
24 *Chairman of the Select Committee on Intelligence of*
25 *the Senate, one from Members of the Senate and one*
26 *from private life.*

1 (5) *Three members appointed by the Speaker of*
2 *the House of Representatives, in consultation with the*
3 *Chairman of the Permanent Select Committee on In-*
4 *telligence of the House of Representatives, one from*
5 *Members of the House of Representatives and two*
6 *from private life.*

7 (6) *Two members appointed by the Minority*
8 *Leader of the House of Representatives, in consulta-*
9 *tion with the ranking member of the Permanent Se-*
10 *lect Committee on Intelligence of the House of Rep-*
11 *resentatives, one from Members of the House of Rep-*
12 *resentatives and one from private life.*

13 (c) *MEMBERSHIP.—(1) The individuals appointed*
14 *from private life as members of the Commission shall be*
15 *individuals who are nationally recognized for expertise,*
16 *knowledge, or experience in—*

17 (A) *research and development programs;*

18 (B) *technology discovery and insertion;*

19 (C) *use of intelligence information by national*
20 *policymakers and military leaders; or*

21 (D) *the implementation, funding, or oversight of*
22 *the national security policies of the United States.*

23 (2) *An official who appoints members of the Commis-*
24 *sion may not appoint an individual as a member of the*
25 *Commission if, in the judgment of the official, such indi-*

1 *vidual possesses any personal or financial interest in the*
2 *discharge of any of the duties of the Commission.*

3 (3) *All members of the Commission appointed from*
4 *private life shall possess an appropriate security clearance*
5 *in accordance with applicable laws and regulations con-*
6 *cerning the handling of classified information.*

7 (d) *CO-CHAIRS.—(1) The Commission shall have two*
8 *co-chairs, selected from among the members of the Commis-*
9 *sion.*

10 (2) *One co-chair of the Commission shall be a member*
11 *of the Democratic Party, and one co-chair shall be a mem-*
12 *ber of the Republican Party.*

13 (3) *The individuals who serve as the co-chairs of the*
14 *Commission shall be jointly agreed upon by the President,*
15 *the Majority Leader of the Senate, the Minority Leader of*
16 *the Senate, the Speaker of the House of Representatives, and*
17 *the Minority Leader of the House of Representatives.*

18 (e) *APPOINTMENT; INITIAL MEETING.—(1) Members of*
19 *the Commission shall be appointed not later than 45 days*
20 *after the date of the enactment of this Act.*

21 (2) *The Commission shall hold its initial meeting on*
22 *the date that is 60 days after the date of the enactment*
23 *of this Act.*

1 (f) *MEETINGS; QUORUM; VACANCIES.*—(1) *After its*
2 *initial meeting, the Commission shall meet upon the call*
3 *of the co-chairs of the Commission.*

4 (2) *Six members of the Commission shall constitute a*
5 *quorum for purposes of conducting business, except that two*
6 *members of the Commission shall constitute a quorum for*
7 *purposes of receiving testimony.*

8 (3) *Any vacancy in the Commission shall not affect*
9 *its powers, but shall be filled in the same manner in which*
10 *the original appointment was made.*

11 (4) *If vacancies in the Commission occur on any day*
12 *after 45 days after the date of the enactment of this Act,*
13 *a quorum shall consist of a majority of the members of the*
14 *Commission as of such day.*

15 (g) *ACTIONS OF COMMISSION.*—(1) *The Commission*
16 *shall act by resolution agreed to by a majority of the mem-*
17 *bers of the Commission voting and present.*

18 (2) *The Commission may establish panels composed of*
19 *less than the full membership of the Commission for pur-*
20 *poses of carrying out the duties of the Commission under*
21 *this title. The actions of any such panel shall be subject*
22 *to the review and control of the Commission. Any findings*
23 *and determinations made by such a panel shall not be con-*
24 *sidered the findings and determinations of the Commission*
25 *unless approved by the Commission.*

1 (3) *Any member, agent, or staff of the Commission*
2 *may, if authorized by the co-chairs of the Commission, take*
3 *any action which the Commission is authorized to take pur-*
4 *suant to this title.*

5 (h) *DUTIES.—The duties of the Commission shall be—*

6 (1) *to conduct, until not later than the date on*
7 *which the Commission submits the report under sec-*
8 *tion 607(a), the review described in subsection (i);*
9 *and*

10 (2) *to submit to the congressional intelligence*
11 *committees, the Director of Central Intelligence, and*
12 *the Secretary of Defense a final report on the results*
13 *of the review.*

14 (i) *REVIEW.—The Commission shall review the status*
15 *of research and development programs and activities within*
16 *the intelligence community, including—*

17 (1) *an assessment of the advisability of modi-*
18 *fying the scope of research and development for pur-*
19 *poses of such programs and activities;*

20 (2) *a review of the particular individual re-*
21 *search and development activities under such pro-*
22 *grams;*

23 (3) *an evaluation of the current allocation of re-*
24 *sources for research and development, including*

1 *whether the allocation of such resources for that pur-*
2 *pose should be modified;*

3 *(4) an identification of the scientific and techno-*
4 *logical fields judged to be of most importance to the*
5 *intelligence community;*

6 *(5) an evaluation of the relationship between the*
7 *research and development programs and activities of*
8 *the intelligence community and the research and de-*
9 *velopment programs and activities of other depart-*
10 *ments and agencies of the Federal Government; and*

11 *(6) an evaluation of the relationship between the*
12 *research and development programs and activities of*
13 *the intelligence community and the research and de-*
14 *velopment programs and activities of the private sec-*
15 *tor.*

16 **SEC. 603. POWERS OF COMMISSION.**

17 *(a) IN GENERAL.—(1) The Commission or, on the au-*
18 *thorization of the Commission, any subcommittee or mem-*
19 *ber thereof, may, for the purpose of carrying out the provi-*
20 *sions of this title—*

21 *(A) hold such hearings and sit and act at such*
22 *times and places, take such testimony, receive such*
23 *evidence, and administer such oaths; and*

24 *(B) require, by subpoena or otherwise, the at-*
25 *tendance and testimony of such witnesses and the pro-*

1 *duction of such books, records, correspondence, memo-*
2 *randa, papers, and documents, as the Commission or*
3 *such designated subcommittee or designated member*
4 *considers necessary.*

5 *(2) Subpoenas may be issued under subparagraph*
6 *(1)(B) under the signature of the co-chairs of the Commis-*
7 *sion, and may be served by any person designated by such*
8 *co-chairs.*

9 *(3) The provisions of sections 102 through 104 of the*
10 *Revised Statutes of the United States (2 U.S.C. 192–194)*
11 *shall apply in the case of any failure of a witness to comply*
12 *with any subpoena or to testify when summoned under au-*
13 *thority of this section.*

14 *(b) CONTRACTING.—The Commission may, to such ex-*
15 *tent and in such amounts as are provided in advance in*
16 *appropriation Acts, enter into contracts to enable the Com-*
17 *mission to discharge its duties under this title.*

18 *(c) INFORMATION FROM FEDERAL AGENCIES.—The*
19 *Commission may secure directly from any executive depart-*
20 *ment, agency, bureau, board, commission, office, inde-*
21 *pendent establishment, or instrumentality of the Govern-*
22 *ment information, suggestions, estimates, and statistics for*
23 *the purposes of this title. Each such department, agency,*
24 *bureau, board, commission, office, establishment, or instru-*
25 *mentality shall, to the extent authorized by law, furnish*

1 *such information, suggestions, estimates, and statistics di-*
2 *rectly to the Commission, upon request of the co-chairs of*
3 *the Commission. The Commission shall handle and protect*
4 *all classified information provided to it under this section*
5 *in accordance with applicable statutes and regulations.*

6 *(d) ASSISTANCE FROM FEDERAL AGENCIES.—(1) The*
7 *Director of Central Intelligence shall provide to the Com-*
8 *mission, on a nonreimbursable basis, such administrative*
9 *services, funds, staff, facilities, and other support services*
10 *as are necessary for the performance of the Commission’s*
11 *duties under this title.*

12 *(2) The Secretary of Defense may provide the Commis-*
13 *sion, on a nonreimbursable basis, with such administrative*
14 *services, staff, and other support services as the Commission*
15 *may request.*

16 *(3) In addition to the assistance set forth in para-*
17 *graphs (1) and (2), other departments and agencies of the*
18 *United States may provide the Commission such services,*
19 *funds, facilities, staff, and other support as such depart-*
20 *ments and agencies consider advisable and as may be au-*
21 *thorized by law.*

22 *(4) The Commission shall receive the full and timely*
23 *cooperation of any official, department, or agency of the*
24 *United States Government whose assistance is necessary for*
25 *the fulfillment of the duties of the Commission under this*

1 *title, including the provision of full and current briefings*
2 *and analyses.*

3 (e) *PROHIBITION ON WITHHOLDING INFORMATION.*—

4 *No department or agency of the Government may withhold*
5 *information from the Commission on the grounds that pro-*
6 *viding the information to the Commission would constitute*
7 *the unauthorized disclosure of classified information or in-*
8 *formation relating to intelligence sources or methods.*

9 (f) *POSTAL SERVICES.*—*The Commission may use the*
10 *United States mails in the same manner and under the*
11 *same conditions as the departments and agencies of the*
12 *United States.*

13 (g) *GIFTS.*—*The Commission may accept, use, and*
14 *dispose of gifts or donations of services or property in car-*
15 *rying out its duties under this title.*

16 **SEC. 604. STAFF OF COMMISSION.**

17 (a) *IN GENERAL.*—(1) *The co-chairs of the Commis-*
18 *sion, in accordance with rules agreed upon by the Commis-*
19 *sion, shall appoint and fix the compensation of a staff di-*
20 *rector and such other personnel as may be necessary to en-*
21 *able the Commission to carry out its duties, without regard*
22 *to the provisions of title 5, United States Code, governing*
23 *appointments in the competitive service, and without re-*
24 *gard to the provisions of chapter 51 and subchapter III or*
25 *chapter 53 of such title relating to classification and Gen-*

1 eral Schedule pay rates, except that no rate of pay fixed
2 under this subsection may exceed the equivalent of that pay-
3 able to a person occupying a position at level V of the Exec-
4 utive Schedule under section 5316 of such title.

5 (2) Any Federal Government employee may be detailed
6 to the Commission without reimbursement from the Com-
7 mission, and such detailee shall retain the rights, status,
8 and privileges of his or her regular employment without
9 interruption.

10 (3) All staff of the Commission shall possess a security
11 clearance in accordance with applicable laws and regula-
12 tions concerning the handling of classified information.

13 (b) CONSULTANT SERVICES.—(1) The Commission
14 may procure the services of experts and consultants in ac-
15 cordance with section 3109 of title 5, United States Code,
16 but at rates not to exceed the daily rate paid a person occu-
17 pying a position at level IV of the Executive Schedule under
18 section 5315 of such title.

19 (2) All experts and consultants employed by the Com-
20 mission shall possess a security clearance in accordance
21 with applicable laws and regulations concerning the han-
22 dling of classified information.

23 **SEC. 605. COMPENSATION AND TRAVEL EXPENSES.**

24 (a) COMPENSATION.—(1) Except as provided in para-
25 graph (2), each member of the Commission may be com-

1 *pensated at not to exceed the daily equivalent of the annual*
2 *rate of basic pay in effect for a position at level IV of the*
3 *Executive Schedule under section 5315 of title 5, United*
4 *States Code, for each day during which that member is en-*
5 *gaged in the actual performance of the duties of the Com-*
6 *mission under this title.*

7 (2) *Members of the Commission who are officers or em-*
8 *ployees of the United States or Members of Congress shall*
9 *receive no additional pay by reason of their service on the*
10 *Commission.*

11 (b) *TRAVEL EXPENSES.*—*While away from their*
12 *homes or regular places of business in the performance of*
13 *services for the Commission, members of the Commission*
14 *may be allowed travel expenses, including per diem in lieu*
15 *of subsistence, in the same manner as persons employed*
16 *intermittently in the Government service are allowed ex-*
17 *penses under section 5703(b) of title 5, United States Code.*

18 **SEC. 606. TREATMENT OF INFORMATION RELATING TO NA-**
19 **TIONAL SECURITY.**

20 (a) *IN GENERAL.*—(1) *The Director of Central Intel-*
21 *ligence shall assume responsibility for the handling and dis-*
22 *position of any information related to the national security*
23 *of the United States that is received, considered, or used*
24 *by the Commission under this title.*

1 (2) *Any information related to the national security*
2 *of the United States that is provided to the Commission*
3 *by a congressional intelligence committee may not be fur-*
4 *ther provided or released without the approval of the chair-*
5 *man of such committee.*

6 (b) *ACCESS AFTER TERMINATION OF COMMISSION.—*
7 *Notwithstanding any other provision of law, after the ter-*
8 *mination of the Commission under section 607, only the*
9 *Members and designated staff of the congressional intel-*
10 *ligence committees, the Director of Central Intelligence (and*
11 *the designees of the Director), and such other officials of*
12 *the executive branch as the President may designate shall*
13 *have access to information related to the national security*
14 *of the United States that is received, considered, or used*
15 *by the Commission.*

16 **SEC. 607. FINAL REPORT; TERMINATION.**

17 (a) *FINAL REPORT.—Not later than September 1,*
18 *2003, the Commission shall submit to the congressional in-*
19 *telligence committees, the Director of Central Intelligence,*
20 *and the Secretary of Defense a final report as required by*
21 *section 602(h)(2).*

22 (b) *TERMINATION.—(1) The Commission, and all the*
23 *authorities of this title, shall terminate at the end of the*
24 *120-day period beginning on the date on which the final*

1 report under subsection (a) is transmitted to the congress-
2 sional intelligence committees.

3 (2) The Commission may use the 120-day period re-
4 ferred to in paragraph (1) for the purposes of concluding
5 its activities, including providing testimony to Congress
6 concerning the final report referred to in that paragraph
7 and disseminating the report.

8 **SEC. 608. ASSESSMENTS OF FINAL REPORT.**

9 Not later than 60 days after receipt of the final report
10 under section 607(a), the Director of Central Intelligence
11 and the Secretary of Defense shall each submit to the con-
12 gressional intelligence committees an assessment by the Di-
13 rector or the Secretary, as the case may be, of the final re-
14 port. Each assessment shall include such comments on the
15 findings and recommendations contained in the final report
16 as the Director or Secretary, as the case may be, considers
17 appropriate.

18 **SEC. 609. INAPPLICABILITY OF CERTAIN ADMINISTRATIVE**
19 **PROVISIONS.**

20 (a) **FEDERAL ADVISORY COMMITTEE ACT.**—The provi-
21 sions of the Federal Advisory Committee Act (5 U.S.C.
22 App.) shall not apply to the activities of the Commission
23 under this title.

24 (b) **FREEDOM OF INFORMATION ACT.**—The provisions
25 of section 552 of title 5, United States Code (commonly re-

1 *ferred to as the Freedom of Information Act), shall not*
2 *apply to the activities, records, and proceedings of the Com-*
3 *mission under this title.*

4 **SEC. 610. FUNDING.**

5 (a) *TRANSFER FROM THE COMMUNITY MANAGEMENT*
6 *ACCOUNT.—Of the amounts authorized to be appropriated*
7 *by this Act for the Intelligence Technology Innovation Cen-*
8 *ter of the Community Management Account, the Deputy Di-*
9 *rector of Central Intelligence for Community Management*
10 *shall transfer to the Director of Central Intelligence*
11 *\$2,000,000 for purposes of the activities of the Commission*
12 *under this title.*

13 (b) *AVAILABILITY IN GENERAL.—The Director of Cen-*
14 *tral Intelligence shall make available to the Commission,*
15 *from the amount transferred to the Director under sub-*
16 *section (a), such amounts as the Commission may require*
17 *for purposes of the activities of the Commission under this*
18 *title.*

19 (c) *DURATION OF AVAILABILITY.—Amounts made*
20 *available to the Commission under subsection (b) shall re-*
21 *main available until expended.*

22 **SEC. 611. DEFINITIONS.**

23 *In this title:*

1 (1) *CONGRESSIONAL INTELLIGENCE COMMIT-*
2 *TEES.—The term “congressional intelligence commit-*
3 *tees” means—*

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

6 *(B) the Permanent Select Committee on In-*
7 *telligence of the House of Representatives.*

8 (2) *INTELLIGENCE COMMUNITY.—The term “in-*
9 *telligence community” has the meaning given that*
10 *term in section 3 of the National Security Act of 1947*
11 *(50 U.S.C. 401a).*

Attest:

Secretary.

107TH CONGRESS
2D SESSION

H. R. 4628

AMENDMENT