

103^D CONGRESS
1ST SESSION

H. R. 2330

AN ACT

To authorize appropriations for fiscal year 1994 for the intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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To authorize appropriations for fiscal year 1994 for the intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intelligence Authoriza-
5 tion Act for Fiscal Year 1994”.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1994 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.

(2) The Department of Defense.

(3) The Defense Intelligence Agency.

(4) The National Security Agency.

(5) The National Reconnaissance Office.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Department of State.

(8) The Department of the Treasury.

(9) The Department of Energy.

(10) The Federal Bureau of Investigation.

(11) The Drug Enforcement Administration.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1994, for the conduct of the intel-

1 ligence and intelligence-related activities of the elements
2 listed in such section, are those specified in the classified
3 Schedule of Authorizations prepared to accompany the bill
4 H.R. 2330 of the One Hundred Third Congress.

5 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
6 THORIZATIONS.—The Schedule of Authorizations shall be
7 made available to the Committees on Appropriations of
8 the Senate and House of Representatives and to the Presi-
9 dent. The President shall provide for suitable distribution
10 of the Schedule, or of appropriate portions of the Sched-
11 ule, within the executive branch.

12 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

13 (a) AUTHORITY FOR ADJUSTMENTS.—The Director
14 of Central Intelligence may authorize employment for ci-
15 vilian personnel in excess of the number authorized for
16 fiscal year 1994 under section 102 of this Act when the
17 Director determines that such action is necessary to the
18 performance of important intelligence functions, except
19 that such number may not, for any element of the intel-
20 ligence community, exceed 2 percent of the number of ci-
21 vilian personnel authorized under such section for such
22 element.

23 (b) NOTICE TO INTELLIGENCE COMMITTEES.—The
24 Director of Central Intelligence shall promptly notify the
25 Permanent Select Committee on Intelligence of the House

1 of Representatives and the Select Committee on Intel-
2 ligence of the Senate whenever the Director exercises the
3 authority granted by this section.

4 **SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated for the Community Manage-
7 ment Account of the Director of Central Intelligence for
8 fiscal year 1994 the sum of \$110,788,000. Within such
9 amounts authorized, funds identified for the Advanced Re-
10 search and Development Committee shall remain available
11 for two years.

12 (b) AUTHORIZED PERSONNEL LEVELS.—The Com-
13 munity Management Account of the Director of Central
14 Intelligence is authorized 222 full-time personnel as of
15 September 30, 1994. Such personnel of the Community
16 Management Account may be permanent employees of the
17 Community Management Account or personnel detailed
18 from other elements of the United States Government.

19 (c) REIMBURSEMENT.—During fiscal year 1994, any
20 officer or employee of the United States or a member of
21 the Armed Forces who is detailed to the Community Man-
22 agement Staff from another element of the United States
23 Government shall be detailed on a reimbursable basis, ex-
24 cept that any such officer, employee or member may be
25 detailed on a nonreimbursable basis for a period of less

1 than one year for the performance of temporary functions
2 as required by the Director of Central Intelligence.

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

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

8 There is authorized to be appropriated for the
9 Central Intelligence Agency Retirement and Disability
10 Fund for fiscal year 1994 the sum of \$182,300,000.

11 **SEC. 202. TECHNICAL CORRECTIONS.**

12 (a) IN GENERAL.—The Central Intelligence Agency
13 Retirement Act is amended—

14 (1) in section 101(7) (50 U.S.C. 2001(7))—

15 (A) by striking the comma after “basic
16 pay” and inserting in lieu thereof “and”; and

17 (B) by striking “, and interest determined
18 under section 281”;

19 (2) in section 201(c) (50 U.S.C. 2011(c)), by
20 striking “the proviso of section 102(d)(3) of the Na-
21 tional Security Act of 1947 (50 U.S.C. 403(d)(3))”
22 and inserting in lieu thereof “section 103(c)(5) of
23 the National Security Act of 1947 (50 U.S.C. 403-
24 3(c)(5))”;

1 (3) in section 211(c)(2)(B) (50 U.S.C.
2 2021(c)(2)(B)), by striking “the requirement under
3 section 241(b)(4)” and inserting in lieu thereof
4 “prior notification of a current spouse”;

5 (4) in section 221 (50 U.S.C. 2031)—

6 (A) by striking “(or, in the case of an an-
7 nuity computed under section 232 and based on
8 less than 3 years, over the total service)” in
9 subsection (a)(4);

10 (B) in subsection (f)(1)(A)—

11 (i) by inserting “after the partici-
12 pant’s death” before the period in the first
13 sentence;

14 (ii) by striking “after the participant’s
15 death” in the second sentence;

16 (iii) by striking “(or is remarried if”
17 in subsection (g)(1) and inserting in lieu
18 thereof “(or, if remarried,”; and

19 (iv) by striking “(except as provided
20 in paragraph (2))” in subsection (j);

21 (5) in section 222 (50 U.S.C. 2032)—

22 (A) by striking “other” the first place it
23 appears in subsection (a)(7) and inserting in
24 lieu thereof “survivor”;

1 (B) by inserting “the participant” before
2 “or does not qualify” in subsection (c)(3)(C);
3 and

4 (C) by inserting “spouse’s death or the”
5 after “month before the” in subsection (c)(4);

6 (6) in section 224(c)(1)(B)(i) (50 U.S.C.
7 2034(c)(1)(B)(i)), by striking “former participant”
8 and inserting in lieu thereof “retired participant”;

9 (7) in section 225(c) (50 U.S.C. 2035(c))—

10 (A) by striking “other” the first place it
11 appears in paragraph (3) and inserting in lieu
12 thereof “survivor”; and

13 (B) by striking “1991” in paragraph
14 (4)(A) and inserting in lieu thereof “1990”;

15 (8) in section 231(d)(2) (50 U.S.C.
16 2051(d)(2)), by striking “241(b)” and inserting in
17 lieu thereof “241(a)”;

18 (9) in section 232(b)(4) (50 U.S.C.
19 2052(b)(4)), by striking “section 222” and inserting
20 in lieu thereof “section 224”;

21 (10) in section 234(b) (50 U.S.C. 2054(b)), by
22 striking “sections 241 and 281” and inserting in
23 lieu thereof “section 241”;

24 (11) in section 241 (50 U.S.C. 2071)—

1 (A) by striking “A lump-sum benefit that
2 would have been payable to a participant,
3 former participant, or annuitant, or to a survi-
4 vor annuitant, authorized by subsection (d) or
5 (e) of this section or by section 234(b) or
6 281(d)” in subsection (c) and inserting in lieu
7 thereof “Lump-sum payments authorized by
8 subsections (d) through (f) of this section or by
9 section 281(d)”; and

10 (B) by redesignating subsection (f) as sub-
11 section (g) and inserting after subsection (e)
12 the following new subsection:

13 “(f) TERMINATION ON DEATH OF PARTICIPANT.—If
14 a retired participant dies, any annuity accrued and unpaid
15 shall be paid in accordance with subsection (c).”;

16 (12) in section 264(b) (50 U.S.C. 2094)—

17 (A) by inserting “and” after the semicolon
18 at the end of paragraph (2);

19 (B) by striking “and to any payment of a
20 return of contributions under section 234(a);
21 and” in paragraph (3) and inserting in lieu
22 thereof “, and the amount of any such pay-
23 ment;”; and

24 (C) by striking paragraph (4);

1 (13) in section 265 (50 U.S.C. 2095), by strik-
 2 ing “Act” in both places it appears and inserting in
 3 lieu thereof “title”;

4 (14) in section 291(b)(2) (50 U.S.C.
 5 2131(b)(2)), by striking “or section 232(c)”; and

6 (15) in section 304(i)(1) (50 U.S.C.
 7 2154(i)(1)), by striking “section 102(a)(3)” and in-
 8 serting in lieu thereof “section 102(a)(4)”.

9 (b) EFFECTIVE DATE.—The amendments made by
 10 subsection (a) shall take effect as of February 1, 1993.

11 **SEC. 203. SURVIVOR ANNUITY, RETIREMENT ANNUITY, AND**
 12 **HEALTH BENEFITS FOR CERTAIN EX-**
 13 **SPOUSES OF CENTRAL INTELLIGENCE AGEN-**
 14 **CY EMPLOYEES.**

15 (a) SURVIVOR ANNUITY.—

16 (1) IN GENERAL.—

17 (A) ENTITLEMENT OF FORMER WIFE OR
 18 HUSBAND.—Any person who was divorced on or
 19 before December 4, 1991, from a participant or
 20 retired participant in the Central Intelligence
 21 Agency Retirement and Disability System and
 22 who was married to such participant for not
 23 less than 10 years during such participant’s
 24 creditable service, at least five years of which
 25 were spent by the participant during the par-

1 participant's service as an employee of the Central
2 Intelligence Agency outside the United States,
3 or otherwise in a position the duties of which
4 qualified the participant for designation by the
5 Director of Central Intelligence as a participant
6 under section 203 of the Central Intelligence
7 Agency Retirement Act (50 U.S.C. 2013), shall
8 be entitled, except to the extent such person is
9 disqualified under paragraph (2), to a survivor
10 annuity equal to 55 percent of the greater of—

11 (i) the unreduced amount of the par-
12 ticipant's annuity, as computed under sec-
13 tion 221(a) of such Act; or

14 (ii) the unreduced amount of what
15 such annuity as so computed would be if
16 the participant had not elected payment of
17 the lump-sum credit under section 294 of
18 such Act.

19 (B) REDUCTION IN SURVIVOR ANNUITY.—

20 A survivor annuity payable under this sub-
21 section shall be reduced by an amount equal to
22 any survivor annuity payments made to the
23 former wife or husband under section 226 of
24 such Act.

1 (2) LIMITATIONS.—A former wife or husband is
2 not entitled to a survivor annuity under this sub-
3 section if—

4 (A) the former wife or husband remarries
5 before age 55, except that the entitlement of
6 the former wife or husband to such a survivor
7 annuity shall be restored on the date such re-
8 marriage is dissolved by death, annulment, or
9 divorce;

10 (B) the former wife or husband is less
11 than 50 years of age; or

12 (C) the former wife or husband meets the
13 definition of “former spouse” that was in effect
14 under section 204(b)(4) of the Central Intel-
15 ligence Agency Retirement Act of 1964 for Cer-
16 tain Employees before December 4, 1991.

17 (3) COMMENCEMENT AND TERMINATION OF AN-
18 NUITY.—

19 (A) COMMENCEMENT OF ANNUITY.—The
20 entitlement of a former wife or husband to a
21 survivor annuity under this subsection shall
22 commence—

23 (i) in the case of a former wife or hus-
24 band of a participant or retired participant

1 who is deceased as of October 1, 1994, be-
2 ginning on the later of—

3 (I) the 60th day after such date;

4 or

5 (II) the date on which the former
6 wife or husband reaches age 50; and

7 (ii) in the case of any other former
8 wife or husband, beginning on the latest
9 of—

10 (I) the date on which the partici-
11 pant or retired participant to whom
12 the former wife or husband was mar-
13 ried dies;

14 (II) the 60th day after October
15 1, 1994; or

16 (III) the date on which the
17 former wife or husband attains age
18 50.

19 (B) TERMINATION OF ANNUITY.—The en-
20 titlement of a former wife or husband to a sur-
21 vivor annuity under this subsection terminates
22 on the last day of the month before the former
23 wife's or husband's death or remarriage before
24 attaining age 55. The entitlement of a former
25 wife or husband to such a survivor annuity shall

1 be restored on the date such remarriage is dis-
2 solved by death, annulment, or divorce.

3 (4) ELECTION OF BENEFITS.—A former wife or
4 husband of a participant or retired participant shall
5 not become entitled under this subsection to a survi-
6 vor annuity or to the restoration of the survivor an-
7 nuity unless the former wife or husband elects to re-
8 ceive it instead of any other survivor annuity to
9 which the former wife or husband may be entitled
10 under the Central Intelligence Agency Retirement
11 and Disability System or any other retirement sys-
12 tem for Government employees on the basis of a
13 marriage to someone other than the participant.

14 (5) APPLICATION.—

15 (A) TIME LIMIT; WAIVER.—A survivor an-
16 nuity under this subsection shall not be payable
17 unless appropriate written application is pro-
18 vided to the Director, complete with any sup-
19 porting documentation which the Director may
20 by regulation require. Any such application
21 shall be submitted not later than October 1,
22 1995. The Director may waive the application
23 deadline under the preceding sentence in any
24 case in which the Director determines that the
25 circumstances warrant such a waiver.

1 (B) RETROACTIVE BENEFITS.—Upon ap-
2 proval of an application provided under sub-
3 paragraph (A), the appropriate survivor annuity
4 shall be payable to the former wife or husband
5 with respect to all periods before such approval
6 during which the former wife or husband was
7 entitled to such annuity under this subsection,
8 but in no event shall a survivor annuity be pay-
9 able under this subsection with respect to any
10 period before October 1, 1994.

11 (6) RESTORATION OF ANNUITY.—Notwithstand-
12 ing paragraph (5)(A), the deadline by which an ap-
13 plication for a survivor annuity must be submitted
14 shall not apply in cases in which a former spouse's
15 entitlement to such a survivor annuity is restored
16 after October 1, 1994, under paragraph (2)(A) or
17 (3)(B).

18 (7) APPLICABILITY IN CASES OF PARTICIPANTS
19 TRANSFERRED TO FERS.—

20 (A) ENTITLEMENT.—Except as provided
21 in paragraph (2), this subsection shall apply to
22 a former wife or husband of a participant under
23 the Central Intelligence Agency Retirement and
24 Disability System who has elected to become

1 subject to chapter 84 of title 5, United States
2 Code.

3 (B) AMOUNT OF ANNUITY.—The survivor
4 annuity of a person covered by subparagraph
5 (A) shall be equal to 50 percent of the
6 unreduced amount of the participant's annuity
7 computed in accordance with section 302(a) of
8 the Federal Employees' Retirement System Act
9 of 1986 and shall be reduced by an amount
10 equal to any survivor annuity payments made
11 to the former wife or husband under section
12 8445 of title 5, United States Code.

13 (b) RETIREMENT ANNUITY.—

14 (1) IN GENERAL.—

15 (A) ENTITLEMENT OF FORMER WIFE OR
16 HUSBAND.—A person described in subsection
17 (a)(1)(A) shall be entitled, except to the extent
18 such former spouse is disqualified under para-
19 graph (2), to an annuity—

20 (i) if married to the participant
21 throughout the creditable service of the
22 participant, equal to 50 percent of the an-
23 nuity of the participant; or

24 (ii) if not married to the participant
25 throughout such creditable service, equal to

1 that former wife's or husband's pro rata
2 share of 50 percent of such annuity (deter-
3 mined in accordance with section
4 222(a)(1)(B) of the Central Intelligence
5 Agency Retirement Act (50 U.S.C. 2032
6 (a)(1)(B)).

7 (B) REDUCTION IN RETIREMENT ANNU-
8 ITIES.—

9 (i) AMOUNT OF REDUCTION.—An an-
10 nuity payable under this subsection shall
11 be reduced by an amount equal to any ap-
12 portionment payments payable to the
13 former wife or husband pursuant to the
14 terms of a court order incident to the dis-
15 solution of the marriage of such former
16 spouse and the participant, former partici-
17 pant, or retired participant.

18 (ii) DEFINITION OF TERMS.—For pur-
19 poses of clause (i):

20 (I) APPORTIONMENT.—The term
21 “apportionment” means a portion of a
22 retired participant's annuity payable
23 to a former wife or husband either by
24 the retired participant or the Govern-

1 ment in accordance with the terms of
2 a court order.

3 (II) COURT ORDER.—The term
4 “court order” means any decree of di-
5 vorce or annulment or any court order
6 or court-approved property settlement
7 agreement incident to such decree.

8 (2) LIMITATIONS.—A former wife or husband is
9 not entitled to an annuity under this subsection if—

10 (A) the former wife or husband remarries
11 before age 55, except that the entitlement of
12 the former wife or husband to an annuity under
13 this subsection shall be restored on the date
14 such remarriage is dissolved by death, annul-
15 ment, or divorce;

16 (B) the former wife or husband is less
17 than 50 years of age; or

18 (C) the former wife or husband meets the
19 definition of “former spouse” that was in effect
20 under section 204(b)(4) of the Central Intel-
21 ligence Agency Retirement Act of 1964 for Cer-
22 tain Employees before December 4, 1991.

23 (3) COMMENCEMENT AND TERMINATION.—

1 (A) RETIREMENT ANNUITIES.—The enti-
2 tlement of a former wife or husband to an an-
3 nuity under this subsection—

4 (i) shall commence on the later of—

5 (I) October 1, 1994;

6 (II) the day the participant upon
7 whose service the right to the annuity
8 is based becomes entitled to an annu-
9 ity under such Act; or

10 (III) such former wife's or hus-
11 band's 50th birthday; and

12 (ii) shall terminate on the earlier of—

13 (I) the last day of the month be-
14 fore the former wife or husband dies
15 or remarries before 55 years of age,
16 except that the entitlement of the
17 former wife or husband to an annuity
18 under this subsection shall be restored
19 on the date such remarriage is dis-
20 solved by death, annulment, or di-
21 vorce; or

22 (II) the date on which the annu-
23 ity of the participant terminates.

24 (B) DISABILITY ANNUITIES.—Notwith-
25 standing subparagraph (A)(i)(II), in the case of

1 a former wife or husband of a disability annu-
2 itant—

3 (i) the annuity of the former wife or
4 husband shall commence on the date on
5 which the participant would qualify on the
6 basis of the participant's creditable service
7 for an annuity under the Central Intel-
8 ligence Agency Retirement Act (other than
9 a disability annuity) or the date the dis-
10 ability annuity begins, whichever is later;
11 and

12 (ii) the amount of the annuity of the
13 former wife or husband shall be calculated
14 on the basis of the annuity for which the
15 participant would otherwise so qualify.

16 (C) ELECTION OF BENEFITS.—A former
17 wife or husband of a participant or retired par-
18 ticipant shall not become entitled under this
19 subsection to an annuity or to the restoration
20 of an annuity unless the former wife or hus-
21 band elects to receive it instead of any survivor
22 annuity to which the former wife or husband
23 may be entitled under the Central Intelligence
24 Agency Retirement and Disability System or
25 any other retirement system for Government

1 employees on the basis of a marriage to some-
2 one other than the participant.

3 (D) APPLICATION.—

4 (i) TIME LIMIT; WAIVER.—An annuity
5 under this subsection shall not be payable
6 unless appropriate written application is
7 provided to the Director of Central Intel-
8 ligence, complete with any supporting doc-
9 umentation which the Director may by reg-
10 ulation require, not later than October 1,
11 1995. The Director may waive the applica-
12 tion deadline under the preceding sentence
13 in any case in which the Director deter-
14 mines that the circumstances warrant such
15 a waiver.

16 (ii) RETROACTIVE BENEFITS.—Upon
17 approval of an application under clause (i),
18 the appropriate annuity shall be payable to
19 the former wife or husband with respect to
20 all periods before such approval during
21 which the former wife or husband was enti-
22 tled to an annuity under this subsection,
23 but in no event shall an annuity be payable
24 under this subsection with respect to any
25 period before October 1, 1994.

1 (4) RESTORATION OF ANNUITIES.—Notwith-
2 standing paragraph (3)(D)(i), the deadline by which
3 an application for a retirement annuity must be sub-
4 mitted shall not apply in cases in which a former
5 spouse's entitlement to such annuity is restored
6 after October 1, 1994, under paragraph (2)(A) or
7 (3)(A)(ii).

8 (5) APPLICABILITY IN CASES OF PARTICIPANTS
9 TRANSFERRED TO FERS.—The provisions of this
10 subsection shall apply to a former wife or husband
11 of a participant under the Central Intelligence Agen-
12 cy Retirement and Disability System who has elected
13 to become subject to chapter 84 of title 5, United
14 States Code. For purposes of this paragraph, any
15 reference in this section to a participant's annuity
16 under the Central Intelligence Agency Retirement
17 and Disability System shall be deemed to refer to
18 the transferred participant's annuity computed in
19 accordance with section 302(a) of the Federal Em-
20 ployees' Retirement System Act of 1986.

21 (6) SAVINGS PROVISION.—Nothing in this sub-
22 section shall be construed to impair, reduce, or oth-
23 erwise affect the annuity or the entitlement to an
24 annuity of a participant or former participant under

1 title II or III of the Central Intelligence Agency Re-
2 tirement Act.

3 (c) HEALTH BENEFITS.—

4 (1) IN GENERAL.—Section 16 of the Central
5 Intelligence Agency Act of 1949 (50 U.S.C. 403p) is
6 amended—

7 (A) by redesignating subsections (c)
8 through (e) as subsections (e) through (g), re-
9 spectively; and

10 (B) by inserting after subsection (b) the
11 following:

12 “(c) ELIGIBILITY OF FORMER WIVES OR HUS-
13 BANDS.—(1) Notwithstanding subsections (a) and (b) and
14 except as provided in subsections (d), (e), and (f), an indi-
15 vidual—

16 “(A) who was divorced on or before December
17 4, 1991, from a participant or retired participant in
18 the Central Intelligence Agency Retirement and Dis-
19 ability System or the Federal Employees Retirement
20 System Special Category;

21 “(B) who was married to such participant for
22 not less than ten years during the participant’s cred-
23 itable service, at least five years of which were spent
24 by the participant during the participant’s service as
25 an employee of the Agency outside the United

1 States, or otherwise in a position the duties of which
2 qualified the participant for designation by the Di-
3 rector of Central Intelligence as a participant under
4 section 203 of the Central Intelligence Agency Re-
5 tirement Act (50 U.S.C. 2013); and

6 “(C) who was enrolled in a health benefits plan
7 as a family member at any time during the 18-
8 month period before the date of dissolution of the
9 marriage to such participant;

10 is eligible for coverage under a health benefits plan.

11 “(2) A former spouse eligible for coverage under
12 paragraph (1) may enroll in a health benefits plan in ac-
13 cordance with subsection (b)(1), except that the election
14 for such enrollment must be submitted within 60 days
15 after the date on which the Director notifies the former
16 spouse of such individual’s eligibility for health insurance
17 coverage under this subsection.

18 “(d) CONTINUATION OF ELIGIBILITY.—Notwith-
19 standing subsections (a), (b), and (c) and except as pro-
20 vided in subsections (e) and (f), an individual divorced on
21 or before December 4, 1991, from a participant or retired
22 participant in the Central Intelligence Agency Retirement
23 and Disability System or Federal Employees’ Retirement
24 System Special Category who enrolled in a health benefits
25 plan following the dissolution of the marriage to such par-

1 ticipant may continue enrollment following the death of
2 such participant notwithstanding the termination of the
3 retirement annuity of such individual.”.

4 (2) CONFORMING AMENDMENTS.—(A) Sub-
5 section (a) of such section is amended by striking
6 “subsection (c)(1)” and inserting in lieu thereof
7 “subsection (e)”.

8 (B) Subsection (e)(2) of such section (as redes-
9 igned by paragraph (1) of this section) is amended
10 by inserting “or to subsection (d)” after “subsection
11 (b)(1)”.

12 (d) SOURCE OF PAYMENT FOR ANNUITIES.—Annu-
13 ities provided under subsections (a) and (b) shall be pay-
14 able from the Central Intelligence Agency Retirement and
15 Disability Fund maintained under section 202 of the
16 Central Intelligence Agency Retirement Act (50 U.S.C.
17 2012).

18 (e) EFFECTIVE DATE.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), subsections (a) and (b) shall take effect
21 as of October 1, 1994, the amendments made by
22 subsection (c) shall apply to individuals on and after
23 October 1, 1994, and no benefits provided pursuant
24 to those subsections shall be payable with respect to
25 any period before October 1, 1994.

1 (2) Section 16(d) of the Central Intelligence
2 Agency Act of 1949 (as added by subsection (c) of
3 this section) shall apply to individuals beginning on
4 the date of enactment of this Act.

5 **SEC. 204. CROSS-REFERENCE CORRECTIONS TO REVISED**
6 **CIARDS STATUTE.**

7 (a) ANNUAL INTELLIGENCE AUTHORIZATION
8 ACTS.—Section 306 of the Intelligence Authorization Act,
9 Fiscal Year 1990 (50 U.S.C. 403r-1) is amended by strik-
10 ing “section 303 of the Central Intelligence Agency Retire-
11 ment Act of 1964 for Certain Employees” and inserting
12 in lieu thereof “section 303 of the Central Intelligence
13 Agency Retirement Act (50 U.S.C. 2153)”.

14 (b) FOREIGN SERVICE ACT OF 1980.—The Foreign
15 Service Act of 1980 is amended—

16 (1) in section 853 (22 U.S.C. 4071b), by strik-
17 ing “title II of the Central Intelligence Agency Re-
18 tirement Act of 1964 for Certain Employees” in
19 subsection (c) and inserting in lieu thereof “title II
20 of the Central Intelligence Agency Retirement Act
21 (50 U.S.C. 2011 et seq.)”;

22 (2) in section 854 (22 U.S.C. 4071c)—

23 (A) by striking “title II of the Central In-
24 telligence Agency Retirement Act of 1964 for
25 Certain Employees” in subsection (a)(3) and in-

1 serting in lieu thereof “title II of the Central
2 Intelligence Agency Retirement Act (50 U.S.C.
3 2011 et seq.)”; and

4 (B) by striking “title III of the Central In-
5 telligence Agency Retirement Act of 1964 for
6 Certain Employees” in subsection (d) and in-
7 serting in lieu thereof “title III of the Central
8 Intelligence Agency Retirement Act (50 U.S.C.
9 2151 et seq.)”; and

10 (3) in section 855 (22 U.S.C. 4071d), by strik-
11 ing “under title II of the Central Intelligence Agency
12 Retirement Act of 1964 for Certain Employees or
13 under section 302(a) or 303(b) of that Act” in sub-
14 section (b)(2)(A)(ii) and inserting in lieu thereof
15 “under title II of the Central Intelligence Agency
16 Retirement Act (50 U.S.C. 2011 et seq.) or under
17 section 302(a) or 303(b) of that Act (50 U.S.C.
18 2152(a), 2153(b))”.

19 (c) INTERNAL REVENUE CODE OF 1986.—Section
20 3121(b)(5)(H)(i) of the Internal Revenue Code of 1986
21 is amended by striking “section 307 of the Central Intel-
22 ligence Agency Retirement Act of 1964 for Certain Em-
23 ployees” and inserting in lieu thereof “section 307 of the
24 Central Intelligence Agency Retirement Act (50 U.S.C.
25 2157)”.

1 (d) SOCIAL SECURITY ACT.—Section 210(a)(5)(H)(i)
2 of the Social Security Act (42 U.S.C. 410(a)(5)(H)(i)) is
3 amended by striking “section 307 of the Central Intel-
4 ligence Agency Retirement Act of 1964 for Certain Em-
5 ployees” and inserting in lieu thereof “section 307 of the
6 Central Intelligence Agency Retirement Act (50 U.S.C.
7 2157)”.

8 **TITLE III—GENERAL** 9 **PROVISIONS**

10 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND** 11 **BENEFITS AUTHORIZED BY LAW.**

12 Appropriations authorized by this Act for salary, pay,
13 retirement, and other benefits for Federal employees may
14 be increased by such additional or supplemental amounts
15 as may be necessary for increases in such compensation
16 or benefits authorized by law.

17 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE** 18 **ACTIVITIES.**

19 The authorization of appropriations by this Act shall
20 not be deemed to constitute authority for the conduct of
21 any intelligence activity which is not otherwise authorized
22 by the Constitution or laws of the United States.

1 **SEC. 303. NATIONAL SECURITY SCHOLARSHIPS, FELLOW-**
2 **SHIPS, AND GRANTS.**

3 (a) REPEAL.—Title VIII of Public Law 102–183 (50
4 U.S.C. 1901 et seq.) is repealed.

5 (b) RETURN OF FUNDS TO TREASURY.—All amounts
6 in the National Security Education Trust Fund estab-
7 lished pursuant to section 804 of such public law that are
8 not obligated on the date of enactment of this Act are
9 transferred to the Treasury of the United States as mis-
10 cellaneous receipts.

11 **SEC. 304. ANNUAL REPORT ON INTELLIGENCE COMMUNITY**

12 (a) ANNUAL DCI REPORT.—Title I of the National
13 Security Act of 1947 is amended by adding at the end
14 the following new section:

15 “ANNUAL REPORT ON INTELLIGENCE COMMUNITY
16 ACTIVITIES

17 “SEC. 109. (a) IN GENERAL.—The Director of
18 Central Intelligence shall submit to Congress an annual
19 report on the activities of the intelligence community. The
20 annual report under this section shall be unclassified.

21 “(b) MATTERS TO BE COVERED IN ANNUAL RE-
22 PORT.—Each report under this section shall describe—

23 “(1) the activities of the intelligence community
24 during the preceding fiscal year, including signifi-
25 cant successes and failures that can be described in
26 an unclassified manner; and

1 “(2) the areas of the world and the issues that
2 the Director expects will require increased or un-
3 usual attention from the intelligence community dur-
4 ing the next fiscal year.

5 “(c) TIME FOR SUBMISSION.—The report under this
6 section for any year shall be submitted at the same time
7 that the President submits the budget for the next fiscal
8 year pursuant to section 1105 of title 31, United States
9 Code.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in the first section of such Act is amended by inserting
12 after the item relating to section 108 the following new
13 item:

 “Sec. 109. Annual report on intelligence community activities.”.

14 **SEC. 305. SECURITY REVIEWS.**

15 (a) FINDINGS.—The Congress finds that—

16 (1) the President directed the Director of the
17 Information Security Oversight Office to review Ex-
18 ecutive Order 12356 and other directives relating to
19 the protection of national security information and
20 to report no later than November 30, 1993; and

21 (2) the Secretary of Defense and the Director
22 of Central Intelligence have established a joint secu-
23 rity commission to conduct a review of security prac-
24 tices and procedures at the Department of Defense
25 and the Central Intelligence Agency and to report

1 within 1 year of the establishment of the commis-
2 sion.

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

5 (1) the Director of Central Intelligence, the
6 Secretary of Defense, and the Director of the Infor-
7 mation Security Oversight Office should conduct the
8 reviews referred to in subsection (a) with maximum
9 consultation with each other; and

10 (2) the results of these reviews should be incor-
11 porated into a consolidated recommendation for the
12 President.

13 **SEC. 306. NATIONAL TASK FORCE ON**
14 **COUNTERTERRORISM.**

15 (a) ESTABLISHMENT.—It is the sense of the Con-
16 gress that the President should establish a National Task
17 Force on Counterterrorism comprised of the following nine
18 members: the Deputy Attorney General of the United
19 States, the Deputy Director of Central Intelligence, the
20 Coordinator for Terrorism of the Department of State, an
21 Assistant Secretary of Commerce as designated by the
22 Secretary of Commerce, the National Security Advisor or
23 the Deputy National Security Advisor for Special Oper-
24 ations Low Intensity Conflict, the Assistant Secretary of
25 Treasury for Enforcement, the Director of the Federal

1 Bureau of Investigation, the Vice Chairman of the Joint
2 Chiefs of Staff, and an Assistant Secretary of Transpor-
3 tation appointed by the Secretary of Transportation. The
4 Deputy Attorney General and the Deputy Director of
5 Central Intelligence should serve as the Co-Chairs of the
6 Task Force which will review all counterterrorism activi-
7 ties of the intelligence community of the United States
8 Government.

9 (b) DUTIES.—The National Task Force on
10 Counterterrorism should prepare a report to the Congress
11 which should—

12 (1) define terrorism, both domestic and inter-
13 national;

14 (2) identify federal government activities, pro-
15 grams, and assets, which may be utilized to counter
16 terrorism;

17 (3) assess the processing, analysis, and dis-
18 tribution of intelligence on terrorism and make rec-
19 ommendations for improvement;

20 (4) make recommendations on appropriate na-
21 tional policies, both preventive and reactive, to
22 counter terrorism;

23 (5) assess the coordination among law enforce-
24 ment, intelligence and defense agencies involved in
25 counterterrorism activities and make recommenda-

1 tions concerning how coordination can be improved;
2 and

3 (6) assess whether there should be more cen-
4 tralized operational control over federal government
5 activities, programs, and assets utilized to counter
6 terrorism, and if so, make recommendations con-
7 cerning how that should be achieved.

8 (c) SUPPORT.—Sufficient full-time staff to support
9 and fulfill duties outlined in paragraph (b) should be pro-
10 vided.

11 (d) REPORT.—The Task Force will report to Con-
12 gress no later than six months after the date of enactment
13 of this Act as to the review and recommendations outlined
14 in paragraph (b) and how those recommendations might
15 be implemented. Each 120 days thereafter for the remain-
16 der of the two year period beginning on the date of the
17 initial Report, the Task Force will report to Congress on
18 the progress of the implementation of any recommenda-
19 tions.

20 **SEC. 307. DISCLOSURE OF CLASSIFIED INFORMATION BY**
21 **MEMBERS OF CONGRESS AND EXECUTIVE**
22 **BRANCH OFFICERS AND EMPLOYEES.**

23 During the fiscal year 1994, no element of the United
24 States Government for which funds are authorized in this
25 Act may provide any classified information concerning or

1 derived from the intelligence or intelligence-related activi-
 2 ties of such element to a Member of Congress or to an
 3 officer or employee of the executive branch of the United
 4 States Government unless and until a copy of the following
 5 oath of secrecy has been signed by that Member, or officer
 6 or employee, as the case may be, and has been published,
 7 in an appropriate manner, in the Congressional Record:

“I do solemnly swear that I will not willfully directly or indirectly disclose to any unauthorized person any classified information received from any department of the Government funded in the Intelligence Authorization Act for Fiscal Year 1994 in the course of my duties as a Member of Congress (except pursuant to the rules and procedures of the appropriate House of the Congress), or as an officer or employee in the executive branch of the Government, as the case may be.”.

8 As used in this section, the term “Member of Congress”
 9 means a Member of the Senate or a Representative in,
 10 or a Delegate or Resident Commissioner to, the House of
 11 Representatives.

12 **TITLE IV—CENTRAL** 13 **INTELLIGENCE AGENCY**

14 **SEC. 401. SUPPORT FOR SCIENCE, MATHEMATICS, AND EN-** 15 **GINEERING EDUCATION.**

16 Section 5 of the Central Intelligence Agency Act of
 17 1949 (50 U.S.C. 403f) is amended—

18 (1) by striking out “and” at the end of para-
 19 graph (e);

20 (2) by striking out the period at the end of
 21 paragraph (f) and inserting in lieu thereof “; and”;
 22 and

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

3 “(g) In recognition of the importance of science,
4 mathematics, and engineering to the national security and
5 in order to encourage students to pursue studies in
6 science, mathematics, and engineering, the Director may
7 carry out a program to award cash prizes and visits to
8 the Agency (including the payment of costs associated
9 with such visits) for students who participate in high
10 school science fairs within the United States.”.

11 **TITLE V—DEPARTMENT OF**
12 **DEFENSE**

13 **SEC. 501. REPORTING ON INTELLIGENCE ACTIVITIES**
14 **OTHER THAN COVERT ACTIONS.**

15 Section 502 of the National Security Act of 1947 (50
16 U.S.C. 413a) is amended—

17 (1) by inserting “(a)” after “SEC. 502.”; and

18 (2) by adding at the end the following:

19 “(b) For the purposes of this section, the term ‘intel-
20 ligence activity’ includes any deployment of military intel-
21 ligence personnel serving in clandestine intelligence collec-
22 tion units.”.

**TITLE VI—ADDITIONAL
TECHNICAL AMENDMENTS**

SEC. 601. CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

The Central Intelligence Agency Act of 1949 is amended—

(1) in section 5(a) (50 U.S.C. 403f(a)), by striking “sections 102 and 303 of the National Security Act of 1947 (Public Law 253, Eightieth Congress)” in the first sentence and inserting in lieu thereof “sections 103 and 104 of the National Security Act of 1947 (50 U.S.C. 403–3, 403–4)”;

(2) in the first sentence of section 6 (50 U.S.C. 403g), by striking “the proviso of section 102(d)(3) of the National Security Act of 1947 (Public Law 253, Eightieth Congress, first session)” and inserting in lieu thereof “section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(5))”; and

(3) in section 19(b) (50 U.S.C. 403s(b))—

(A) by striking “SECTION 231” in the heading after “(b)” and inserting in lieu thereof “SECTION 232”; and

(B) by striking “section 231” in the matter following paragraph (4) and inserting in lieu thereof “section 232”.

1 **SEC. 602. NATIONAL SECURITY ACT OF 1947.**

2 Section 103(d)(3) of the National Security Act of
3 1947 (50 U.S.C. 403–3(d)(3)) is amended by striking
4 “providing” and inserting in lieu thereof “provide”.

5 **SEC. 603. CODIFICATION IN TITLE 10, UNITED STATES**
6 **CODE, OF CERTAIN PERMANENT PROVI-**
7 **SIONS.**

8 (a) INTELLIGENCE-RELATED PROVISION.—(1) Chap-
9 ter 21 of title 10, United States Code, is amended by in-
10 serting after section 424 the following new section:

11 **“§ 425. Disclosure of personnel information: exemp-**
12 **tion for National Reconnaissance Office**

13 “(a) EXEMPTION FROM DISCLOSURE.—Except as re-
14 quired by the President or as provided in subsection (b),
15 no provision of law shall be construed to require the disclo-
16 sure of the name, title, or salary of any person employed
17 by, or assigned or detailed to, the National Reconnaiss-
18 sance Office or the disclosure of the number of such per-
19 sons.

20 “(b) PROVISION OF INFORMATION TO CONGRESS.—
21 Subsection (a) does not apply with respect to the provision
22 of information to Congress.”.

23 (2) The table of sections at the beginning of sub-
24 chapter I of such chapter is amended by adding at the
25 end the following new item:

“425. Disclosure of personnel information: exemption for National Reconnaissance Office.”.

1 (b) CONFORMING REPEAL.—Section 406 of the Intel-
2 ligence Authorization Act for Fiscal Year 1993 (Public
3 Law 102–496; 10 U.S.C. 424 note) is repealed.

4 **SEC. 604. COMPLIANCE WITH BUY AMERICAN ACT.**

5 No funds authorized pursuant to this Act may be ex-
6 pended by an entity unless the entity agrees that in ex-
7 pending the assistance the entity will comply with sections
8 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
9 10c, popularly known as the “Buy American Act”).

10 **SEC. 605. SENSE OF CONGRESS; REQUIREMENT REGARD-**
11 **ING NOTICE.**

12 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
13 AND PRODUCTS.—In the case of any equipment or prod-
14 ucts that may be authorized under this Act, it is the sense
15 of the Congress that entities receiving such assistance
16 should, in expending the assistance, purchase only Amer-
17 ican-made equipment and products.

18 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
19 providing financial assistance under this Act, the Director
20 of the Central Intelligence Agency shall provide to each
21 recipient of the assistance a notice describing the state-
22 ment made in subsection (a) by the Congress.

1 **SEC. 606. PROHIBITION OF CONTRACTS.**

2 If it has been finally determined by a court or Federal
3 agency that any person intentionally affixed a fraudulent
4 label bearing a “Made in America” inscription, or any in-
5 scription with the same meaning, to any product sold in
6 or shipped to the United States, that was not made in
7 the United States, such person shall be ineligible to receive
8 any contract or subcontract made with funds provided
9 pursuant to this Act, pursuant to the debarment, suspen-
10 sion, and ineligibility procedures described in section
11 9.400 through 9.409 of title 48, Code of Federal Regula-
12 tions.

 Passed the House of Representatives August 4,
1993.

Attest:

Clerk.

HR 2330 EH—2

HR 2330 EH—3

HR 2330 EH—4