

110TH CONGRESS
1ST SESSION

H. R. 2082

AN ACT

To authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

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

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Intelligence Authorization Act for Fiscal Year 2008”.

4 (b) **TABLE OF CONTENTS.**—The table of contents of
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

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. Limitation on number of personnel of the Office of the Director of
National Intelligence.

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

Sec. 201. Authorization of appropriations.

Sec. 202. Technical amendment to mandatory retirement provision.

**TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE
COMMUNITY PROVISIONS**

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Clarification of definition of intelligence community under the Na-
tional Security Act of 1947.

Sec. 304. Extension to the intelligence community of authority to delete infor-
mation about receipt and disposition of foreign gifts.

Sec. 305. Modification of requirements for reprogramming of funds for intel-
ligence activities.

Sec. 306. Delegation of authority for travel on common carriers for intelligence
collection personnel.

Sec. 307. Report on proposed pay for performance intelligence community per-
sonnel management system.

Sec. 308. Plan to increase diversity in the intelligence community.

Sec. 309. Modifications to annual report on protection of intelligence identities.

**TITLE IV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY**

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Clarification of limitation on co-location of the Office of the Director
of National Intelligence.

Sec. 402. Membership of the Director of National Intelligence on the transpor-
tation security oversight Board.

- Sec. 403. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.
- Sec. 404. Leadership and location of certain offices and officials.
- Sec. 405. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.
- Sec. 406. Multi-level security clearances.
- Sec. 407. National intelligence estimate on global climate change.
- Sec. 408. Plan to implement recommendations of the data center efficiency reports.
- Sec. 409. Comprehensive inventory of special access programs.
- Sec. 410. Quarterly intelligence reports to Congress on Iran and North Korea.
- Sec. 411. Accountability in intelligence contracting.
- Sec. 412. Annual report on foreign language proficiency in the intelligence community.
- Sec. 413. Intelligence community reports on foreign language proficiency.
- Sec. 414. Report on personnel of the intelligence community.
- Sec. 415. Director of National Intelligence report on retirement benefits for former employees of Air America.

Subtitle B—Central Intelligence Agency

- Sec. 421. Deputy Director of the Central Intelligence Agency.
- Sec. 422. General authorities of the Central Intelligence Agency.
- Sec. 423. Review of covert action programs by Inspector General of the CIA.
- Sec. 424. Report on audited financial statements progress.

Subtitle C—Other Elements

- Sec. 431. Clarifying amendments relating to Section 105 of the Intelligence Authorization Act for Fiscal Year 2004.
- Sec. 432. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.
- Sec. 433. Clarification of inclusion of Coast Guard and Drug Enforcement Administration elements in the Intelligence Community.

TITLE V—OTHER MATTERS

Subtitle A—General Intelligence Matters

- Sec. 501. Aerial reconnaissance platforms.
- Sec. 502. Extension of national commission for review of research and development programs of the United States intelligence community.
- Sec. 503. Report on authorization to overthrow democratically elected governments.
- Sec. 504. Reiteration of the Foreign Intelligence Surveillance Act of 1978 as the exclusive means by which electronic surveillance may be conducted for gathering foreign intelligence information.

Subtitle B—Technical Amendments

- Sec. 511. Technical amendments relating to the multiyear National Intelligence Program.
- Sec. 512. Technical clarification of certain references to joint military intelligence Program and tactical intelligence and related Activities.
- Sec. 513. Technical amendments to the National Security Act of 1947.
- Sec. 514. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.

Sec. 515. Technical amendments to the Executive Schedule.

Sec. 516. Technical amendments relating to titles of Central Intelligence Agency positions.

Sec. 517. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the national Geospatial-Intelligence Agency.

TITLE VI—COMMUNICATION OF INFORMATION CONCERNING
TERRORIST THREATS

Sec. 601. Identification of best practices.

Sec. 602. Centers of best practices.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—The term “congressional intelligence com-
5 mittees” means—

6 (A) the Permanent Select Committee on
7 Intelligence of the House of Representatives;
8 and

9 (B) the Select Committee on Intelligence
10 of the Senate.

11 (2) INTELLIGENCE COMMUNITY.—The term
12 “intelligence community” has the meaning given the
13 term in section 3(4) of the National Security Act of
14 1947 (50 U.S.C. 401a(4)).

15 **TITLE I—INTELLIGENCE**
16 **ACTIVITIES**

17 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2008 for the conduct of the intelligence and

1 intelligence-related activities of the following elements of
2 the United States Government:

3 (1) The Office of the Director of National Intel-
4 ligence.

5 (2) The Central Intelligence Agency.

6 (3) The Department of Defense.

7 (4) The Defense Intelligence Agency.

8 (5) The National Security Agency.

9 (6) The Department of the Army, the Depart-
10 ment of the Navy, and the Department of the Air
11 Force.

12 (7) The Coast Guard.

13 (8) The Department of State.

14 (9) The Department of the Treasury.

15 (10) The Department of Energy.

16 (11) The Department of Justice.

17 (12) The Federal Bureau of Investigation.

18 (13) The Drug Enforcement Administration.

19 (14) The National Reconnaissance Office.

20 (15) The National Geospatial-Intelligence Agen-
21 cy.

22 (16) The Department of Homeland Security.

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

24 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
25 CEILINGS.—Subject to section 106, the amounts author-

1 ized to be appropriated under section 101, and the author-
2 ized personnel ceilings as of September 30, 2008, for the
3 conduct of the intelligence and intelligence-related activi-
4 ties of the elements listed in such section, are those speci-
5 fied in the classified Schedule of Authorizations prepared
6 to accompany the bill H.R. 2082 of the One Hundred
7 Tenth Congress.

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

15 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

16 (a) AUTHORITY FOR ADJUSTMENTS.—Subject to sec-
17 tion 106, with the approval of the Director of the Office
18 of Management and Budget, the Director of National In-
19 telligence may authorize employment of civilian personnel
20 in excess of the number authorized for fiscal year 2008
21 under section 102 when the Director of National Intel-
22 ligence determines that such action is necessary to the per-
23 formance of important intelligence functions, except that
24 the number of personnel employed in excess of the number
25 authorized under such section may not, for any element

1 of the intelligence community, exceed 2 percent of the
2 number of civilian personnel authorized under such section
3 for such element.

4 (b) NOTICE TO INTELLIGENCE COMMITTEES.—The
5 Director of National Intelligence shall promptly notify the
6 congressional intelligence committees whenever the Direc-
7 tor exercises the authority granted by this section.

8 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
9 **COUNT.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated for the Intelligence Commu-
12 nity Management Account of the Director of National In-
13 telligence for fiscal year 2008 the sum of \$737,876,000.
14 Within such amount, funds identified in the classified
15 Schedule of Authorizations referred to in section 102(a)
16 for advanced research and development shall remain avail-
17 able until September 30, 2009.

18 (b) AUTHORIZED PERSONNEL LEVELS.—Subject to
19 section 106, the elements within the Intelligence Commu-
20 nity Management Account of the Director of National In-
21 telligence are authorized 1035 full-time personnel as of
22 September 30, 2008. Personnel serving in such elements
23 may be permanent employees of the Intelligence Commu-
24 nity Management Account or personnel detailed from
25 other elements of the United States Government.

1 (c) CLASSIFIED AUTHORIZATIONS.—

2 (1) AUTHORIZATION OF APPROPRIATIONS.—In
3 addition to amounts authorized to be appropriated
4 for the Intelligence Community Management Ac-
5 count by subsection (a), there are also authorized to
6 be appropriated for the Intelligence Community
7 Management Account for fiscal year 2008 such addi-
8 tional amounts as are specified in the classified
9 Schedule of Authorizations referred to in section
10 102(a). Such additional amounts for advanced re-
11 search and development shall remain available until
12 September 30, 2009.

13 (2) AUTHORIZATION OF PERSONNEL.—Subject
14 to section 106, in addition to the personnel author-
15 ized by subsection (b) for elements of the Intel-
16 ligence Community Management Account as of Sep-
17 tember 30, 2008, there are also authorized such ad-
18 ditional personnel for such elements as of that date
19 as are specified in the classified Schedule of Author-
20 izations.

21 (d) REIMBURSEMENT.—Except as provided in section
22 113 of the National Security Act of 1947 (50 U.S.C.
23 404h), during fiscal year 2008 any officer or employee of
24 the United States or a member of the Armed Forces who
25 is detailed to the staff of the Intelligence Community Man-

1 agement Account from another element of the United
2 States Government shall be detailed on a reimbursable
3 basis, except that any such officer, employee, or member
4 may be detailed on a nonreimbursable basis for a period
5 of less than one year for the performance of temporary
6 functions as required by the Director of National Intel-
7 ligence.

8 (e) NATIONAL DRUG INTELLIGENCE CENTER.—

9 (1) IN GENERAL.—Of the amount authorized to
10 be appropriated in subsection (a), \$39,000,000 shall
11 be available for the National Drug Intelligence Cen-
12 ter. Within such amount, funds provided for re-
13 search, development, testing, and evaluation pur-
14 poses shall remain available until September 30,
15 2009, and funds provided for procurement purposes
16 shall remain available until September 30, 2010.

17 (2) TRANSFER OF FUNDS.—The Director of
18 National Intelligence shall transfer to the Attorney
19 General funds available for the National Drug Intel-
20 ligence Center under paragraph (1). The Attorney
21 General shall utilize funds so transferred for the ac-
22 tivities of the National Drug Intelligence Center.

23 (3) LIMITATION.—Amounts available for the
24 National Drug Intelligence Center may not be used

1 for purposes of exercising police, subpoena, or law
2 enforcement powers or internal security functions.

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 REQUIRE-**
8 **MENTS.**

9 Each requirement to submit a report to the congres-
10 sional intelligence committees that is included in the joint
11 explanatory statement to accompany the conference report
12 on the bill H.R. 2082 of the One Hundred Tenth Con-
13 gress, or in the classified annex to this Act, is hereby in-
14 corporated into this Act, and is hereby made a require-
15 ment in law.

16 **SEC. 106. LIMITATION ON NUMBER OF PERSONNEL OF THE**
17 **OFFICE OF THE DIRECTOR OF NATIONAL IN-**
18 **TELLIGENCE.**

19 Notwithstanding any other provision of this Act, the
20 Office of the Director of National Intelligence is author-
21 ized only the number of personnel as were serving in such
22 Office on May 1, 2007.

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

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 for fiscal year 2008 the sum of \$262,500,000.

9 **SEC. 202. TECHNICAL AMENDMENT TO MANDATORY RE-**
10 **TIREMENT PROVISION.**

11 Section 235(b)(1)(A) of the Central Intelligence
12 Agency Retirement Act (50 U.S.C. 2055(b)(1)(A)) is
13 amended to read as follows:

14 “(A) upon reaching age 65, in the case of
15 a participant in the system serving in a position
16 with a Senior Intelligence Service rank of level
17 4 or above;”.

18 **TITLE III—INTELLIGENCE AND**
19 **GENERAL INTELLIGENCE**
20 **COMMUNITY PROVISIONS**

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

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

1 as may be necessary for increases in such compensation
2 or 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
7 any intelligence activity which is not otherwise authorized
8 by the Constitution or the laws of the United States.

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

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

15 **SEC. 304. EXTENSION TO THE INTELLIGENCE COMMUNITY**
16 **OF AUTHORITY TO DELETE INFORMATION**
17 **ABOUT RECEIPT AND DISPOSITION OF FOR-**
18 **EIGN GIFTS.**

19 Section 7342(f)(4) of title 5, United States Code, is
20 amended to read as follows:

21 “(4) In transmitting such listings for an element of
22 the intelligence community (as such term is defined in sec-
23 tion 3(4) of the National Security Act of 1947 (50 U.S.C.
24 401a(4))), the head of such element of the intelligence
25 community may delete the information described in sub-

1 paragraphs (A) and (C) of paragraphs (2) and (3) if the
2 head of such element of the intelligence community cer-
3 tifies in writing to the Secretary of State that the publica-
4 tion of such information could adversely affect United
5 States intelligence sources or methods.”.

6 **SEC. 305. MODIFICATION OF REQUIREMENTS FOR RE-**
7 **PROGRAMMING OF FUNDS FOR INTEL-**
8 **LIGENCE ACTIVITIES.**

9 Section 504(a)(3)(B) of the National Security Act of
10 1947 (50 U.S.C. 414(a)(3)(B)) is amended to read as fol-
11 lows:

12 “(B) the activity to be funded supports an
13 emergent need, improves program effectiveness,
14 or increases efficiency; and”.

15 **SEC. 306. DELEGATION OF AUTHORITY FOR TRAVEL ON**
16 **COMMON CARRIERS FOR INTELLIGENCE**
17 **COLLECTION PERSONNEL.**

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

- 21 (1) by inserting “(1)” before “The Director”;
- 22 (2) in paragraph (1), by striking “may only del-
- 23 egate” and all that follows and inserting “may dele-
- 24 gate the authority in subsection (a) to the head of

1 any other element of the intelligence community.”;
2 and

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

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

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

18 **SEC. 307. REPORT ON PROPOSED PAY FOR PERFORMANCE**
19 **INTELLIGENCE COMMUNITY PERSONNEL**
20 **MANAGEMENT SYSTEM.**

21 (a) PROHIBITION ON PAY FOR PERFORMANCE UNTIL
22 REPORT.—The Director of National Intelligence and the
23 head of each element of the intelligence community may
24 not implement a plan that provides compensation to per-
25 sonnel of an element of the intelligence community based

1 on performance until the date that is 45 days after the
2 date on which the Director of National Intelligence sub-
3 mits a report under subsection (b).

4 (b) REPORT.—The Director of National Intelligence
5 shall submit to the congressional intelligence committees
6 a report on performance-based compensation for the intel-
7 ligence community, including—

8 (1) an implementation time line, by phase and
9 by element of the intelligence community, which in-
10 cludes target dates for completion of—

11 (A) the development of performance ap-
12 praisal plans;

13 (B) establishment of oversight and appeal
14 mechanisms;

15 (C) deployment of information technology
16 systems;

17 (D) management training;

18 (E) employee training;

19 (F) compensation transition; and

20 (G) full operational capacity;

21 (2) an estimated budget, by phase of implemen-
22 tation and element of the intelligence community, for
23 the implementation of the performance-based com-
24 pensation system;

1 (3) an evaluation plan to monitor the imple-
2 mentation of the performance-based compensation
3 system and to improve and modify such system;

4 (4) written standards for measuring the per-
5 formance of employees;

6 (5) a description of the performance-based com-
7 pensation system, including budget oversight mecha-
8 nisms to ensure sufficient funds to pay employees
9 for bonuses;

10 (6) a description of internal and external ac-
11 countability mechanisms to ensure the fair treatment
12 of employees;

13 (7) a plan for initial and ongoing training for
14 senior executives, managers, and employees;

15 (8) a description of the role of any advisory
16 committee or other mechanism designed to gather
17 the input of employees relating to the creation and
18 implementation of the system; and

19 (9) an assessment of the impact of the perform-
20 ance-based compensation system on women, minori-
21 ties, persons with disabilities, and veterans.

22 **SEC. 308. PLAN TO INCREASE DIVERSITY IN THE INTEL-**
23 **LIGENCE COMMUNITY.**

24 (a) STRATEGIC PLAN REQUIRED.—The Director of
25 National Intelligence shall submit to the congressional in-

1 telligence committees a plan to increase diversity across
2 the intelligence community. Such plan shall include—

3 (1) a description of the long term and short
4 term goals for the intelligence community;

5 (2) a description of how the plan will be imple-
6 mented by each element of the intelligence commu-
7 nity, taking into account the unique nature of indi-
8 vidual elements of the intelligence community;

9 (3) training and education programs for senior
10 officials and managers; and

11 (4) performance metrics.

12 (b) **RESTRICTION ON COMMUNITY MANAGEMENT**
13 **FUNDS UNTIL SUBMISSION OF PLAN.**—The Director of
14 National Intelligence may only obligate or expend 80 per-
15 cent of the funds appropriated to the Intelligence Commu-
16 nity Management Account pursuant to section 104(a)
17 until the date on which the report required under sub-
18 section (a) is submitted.

19 **SEC. 309. MODIFICATIONS TO ANNUAL REPORT ON PRO-**
20 **TECTION OF INTELLIGENCE IDENTITIES.**

21 The first sentence of section 603(a) of the National
22 Security Act of 1947 (50 U.S.C. 423(a)) is amended by
23 inserting “, including an assessment of the need for any
24 modification of this title for the purpose of improving legal

1 protections for covert agents” after “measures to protect
2 the identities of covert agents”.

3 **TITLE IV—MATTERS RELATING**
4 **TO ELEMENTS OF THE INTEL-**
5 **LIGENCE COMMUNITY**

6 **Subtitle A—Office of the Director**
7 **of National Intelligence**

8 **SEC. 401. CLARIFICATION OF LIMITATION ON CO-LOCATION**
9 **OF THE OFFICE OF THE DIRECTOR OF NA-**
10 **TIONAL INTELLIGENCE.**

11 Section 103(e) of the National Security Act of 1947
12 (50 U.S.C. 403–3(e)) is amended—

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

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

18 (3) by inserting “the headquarters of” before
19 “any other element”.

20 **SEC. 402. MEMBERSHIP OF THE DIRECTOR OF NATIONAL**
21 **INTELLIGENCE ON THE TRANSPORTATION**
22 **SECURITY OVERSIGHT BOARD.**

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

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

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

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

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

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

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

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

22 (1) in subsection (c)—

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

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

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

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

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

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

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

17 “(2) examine options to enhance the responsive-
18 ness of research programs; and

19 “(3) ensure that programs are designed to meet
20 the technical requirements of the intelligence com-
21 munity.”.

22 (c) REPORT.—(1) Not later than June 30, 2008, the
23 Director of National Intelligence shall submit to Congress
24 a report containing a strategy for the development and

1 use of technology in the intelligence community through
2 2018.

3 (2) The report shall include—

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

7 (B) goals for basic, advanced, and applied re-
8 search and development and a strategy to achieve
9 such goals;

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

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

19 (E) a plan to transition technology from re-
20 search and development projects into National Intel-
21 ligence Program acquisition programs.

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

1 **SEC. 404. LEADERSHIP AND LOCATION OF CERTAIN OF-**
2 **FICES AND OFFICIALS.**

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

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

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

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

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

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

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

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

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

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

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

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

9 **SEC. 405. ELIGIBILITY FOR INCENTIVE AWARDS OF PER-**
10 **SONNEL ASSIGNED TO THE OFFICE OF THE**
11 **DIRECTOR OF NATIONAL INTELLIGENCE.**

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

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

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

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

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

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

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

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

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

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

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

24 (1) in subsection (b)—

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

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

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

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

11 **SEC. 406. MULTI-LEVEL SECURITY CLEARANCES.**

12 (a) IN GENERAL.—Section 102A of the National Se-
13 curity Act of 1947 (50 U.S.C. 403–1) is amended by add-
14 ing at the end the following new subsection:

15 “(s) MULTI-LEVEL SECURITY CLEARANCES.—The
16 Director of National Intelligence shall establish a multi-
17 level security clearance system for the intelligence commu-
18 nity to enable the intelligence community to more effi-
19 ciently make use of persons proficient in foreign languages
20 or with cultural, linguistic, or other subject matter exper-
21 tise that is critical to national security.”.

22 (b) ESTABLISHMENT DATE.—The Director of Na-
23 tional Intelligence shall establish a multi-level security
24 clearance system under section 102A(s) of the National

1 Security Act of 1947, as added by subsection (a), not later
2 than 180 days after the date of the enactment of this Act.

3 **SEC. 407. NATIONAL INTELLIGENCE ESTIMATE ON GLOBAL**
4 **CLIMATE CHANGE.**

5 (a) NATIONAL INTELLIGENCE ESTIMATE.—Not later
6 than 270 days after the date of enactment of this Act,
7 the Director of National Intelligence shall submit to Con-
8 gress a national intelligence estimate on the anticipated
9 geopolitical effects of global climate change and the impli-
10 cations of such effects on the national security of the
11 United States.

12 (b) CONTENT.—In preparing the national intelligence
13 estimate required by this section, the Director of National
14 Intelligence shall—

15 (1) assess the political, social, agricultural, and
16 economic risks during the 30-year period beginning
17 on the date of enactment of this Act posed by global
18 climate change for countries or regions that are—

19 (A) of strategic national security impor-
20 tance to the United States and at risk of sig-
21 nificant impact due to global climate change; or

22 (B) at significant risk of large-scale hu-
23 manitarian suffering with cross-border implica-
24 tions as predicted on the basis of the assess-
25 ments;

1 (2) assess the capabilities of the countries or re-
2 gions described in subparagraph (A) or (B) of para-
3 graph (1) to respond to adverse national security im-
4 pacts caused by global climate change;

5 (3) assess the strategic challenges and opportu-
6 nities posed to the United States by the risks de-
7 scribed in paragraph (1); and

8 (4) assess the impact of global climate change
9 on the activities of the United States intelligence
10 community throughout the world.

11 (c) COORDINATION.—In preparing the national intel-
12 ligence estimate under this section, the Director of Na-
13 tional Intelligence shall consult with representatives of the
14 scientific community, and, as appropriate, multilateral in-
15 stitutions and allies of the United States that have con-
16 ducted significant research on global climate change.

17 (d) FORM.—The national intelligence estimate re-
18 quired by this section (including key judgments) shall be
19 submitted in unclassified form, but may include a classi-
20 fied annex.

21 **SEC. 408. PLAN TO IMPLEMENT RECOMMENDATIONS OF**
22 **THE DATA CENTER EFFICIENCY REPORTS.**

23 (a) PLAN.—The Director of National Intelligence
24 shall develop a plan to implement the recommendations
25 of the report submitted to Congress under section 1 of

1 the Act entitled “An Act to study and promote the use
2 of energy efficient computer servers in the United States”
3 (Public Law 109–431; 120 Stat. 2920) across the intel-
4 ligence community.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than February 1,
7 2008, the Director of National Intelligence shall
8 submit to Congress a report containing the plan de-
9 veloped under subsection (a).

10 (2) FORM.—The report under paragraph (1)
11 shall be submitted in unclassified form, but may
12 contain a classified annex.

13 **SEC. 409. COMPREHENSIVE INVENTORY OF SPECIAL AC-**
14 **CESS PROGRAMS.**

15 Not later than January 15, 2008, the Director of Na-
16 tional Intelligence shall submit to the congressional intel-
17 ligence committees a classified report providing a com-
18 prehensive inventory of all special access programs under
19 the National Intelligence Program (as defined in section
20 3(6) of the National Security Act of 1947 (50 U.S.C.
21 401a(6))).

22 **SEC. 410. QUARTERLY INTELLIGENCE REPORTS TO CON-**
23 **GRESS ON IRAN AND NORTH KOREA.**

24 (a) IN GENERAL.—

1 “(D) a discussion of any dissents, caveats,
2 gaps in knowledge, or other information that
3 would reduce confidence in the overall assess-
4 ment.

5 “(2) FORM.—Each report submitted under
6 paragraph (1) may be submitted in classified form.

7 “(b) ACCESS TO REPORT.—Each report submitted
8 under subsection (a)(1) shall be made available to all
9 members of the congressional intelligence committees and
10 to all staff of the congressional intelligence committees
11 with appropriate security clearance. Other members of the
12 Senate or the House of Representatives may review the
13 reports in accordance with security procedures established
14 by each of the congressional intelligence committees.”.

15 (2) CONFORMING AMENDMENT.—The table of
16 contents in the first section of such Act is amended
17 by inserting after the item relating to section 507
18 the following new item:

 “Sec. 508. Quarterly intelligence reports to Congress on Iran and North
 Korea.”.

19 (b) EFFECTIVE DATE.—The first report required to
20 be submitted under section 508(a)(1) of the National Se-
21 curity Act of 1947, as added by subsection (a)(1), shall
22 be submitted not later than 30 days after the date of the
23 enactment of this Act.

1 **SEC. 411. ACCOUNTABILITY IN INTELLIGENCE CON-**
2 **TRACTING.**

3 (a) OVERSIGHT REPORT ON IC CONTRACTORS.—

4 (1) REPORT.—

5 (A) IN GENERAL.—Title V of the National
6 Security Act of 1947 (50 U.S.C. 413 et seq.) is
7 further amended by adding at the end the fol-
8 lowing new section:

9 “REPORT ON INTELLIGENCE COMMUNITY CONTRACTORS

10 “SEC. 509. Not later each year than the date pro-
11 vided in section 507, the Director of National Intelligence
12 shall submit to the congressional intelligence committees
13 a report on contractors funded under the National Intel-
14 ligence Program. Such report shall include—

15 “(1) a list of all contractors that—

16 “(A) have been the subject of an investiga-
17 tion completed by the Inspector General of any
18 element of the intelligence community during
19 the preceding fiscal year,

20 “(B) are the subject of an investigation by
21 such an Inspector General during the current
22 fiscal year, or

23 “(C) will be the subject of an investigation
24 that may affect the ability of the contractor to
25 deliver contracted services to the intelligence

1 community by such an Inspector General dur-
2 ing the current fiscal year,
3 either as a corporate entity or an individual em-
4 ployee, for financial waste, fraud, abuse of govern-
5 ment resources, failure to perform a contract, or
6 criminal violations; and

7 “(2) the number of contractors performing
8 services for each element of the intelligence commu-
9 nity.”.

10 (B) REPORT DATE.—Section 507(a)(1) of
11 such Act (50 U.S.C. 415b(a)(1)) is amended
12 by—

13 (i) redesignating subparagraph (N) as
14 subparagraph (J);

15 (ii) adding at the end the following
16 new subparagraph:

17 “(K) The annual report on intelligence commu-
18 nity contractors required by section 509.”.

19 (2) CONFORMING AMENDMENT.—The table of
20 contents in the first section of such Act is further
21 amended by inserting after the item relating to sec-
22 tion 508, as added by section 410, the following new
23 item:

“Sec. 509. Report on intelligence community contractors.”.

1 (b) REPORT ON REGULATIONS AND ACCOUNTABILITY
2 MECHANISMS GOVERNING INTELLIGENCE COMMUNITY
3 CONTRACTORS.—

4 (1) REPORT REQUIREMENT.—Not later than
5 February 1, 2008, the Director of National Intel-
6 ligence shall submit to the congressional intelligence
7 committees a report on accountability mechanisms
8 that govern the ongoing performance of contractors
9 for personal services contracts under the National
10 Intelligence Program.

11 (2) MATTERS COVERED.—The report submitted
12 under paragraph (1) shall include—

13 (A) a list of statutes and regulations that
14 govern the ongoing performance of contractors
15 for services contracts entered into by each ele-
16 ment of the intelligence community;

17 (B) an analysis of accountability mecha-
18 nisms within services contracts awarded for intel-
19 ligence activities by each element of the intel-
20 ligence community during fiscal years 2006 and
21 2007;

22 (C) an analysis of procedures in use in the
23 intelligence community for conducting oversight
24 of contractors to ensure identification and pros-
25 ecution of criminal violations, financial waste,

1 fraud, or other abuses committed by contractors
2 or contract personnel; and

3 (D) an identification of best practices of
4 accountability mechanisms within services con-
5 tracts.

6 (3) FORM.—The report under paragraph (1)
7 shall be submitted in unclassified form, but may
8 contain a classified annex.

9 (c) IMPACT OF CONTRACTORS ON THE INTEL-
10 LIGENCE COMMUNITY WORKFORCE.—

11 (1) REPORT REQUIREMENT.—Not later than
12 March 1, 2008, the Director of National Intelligence
13 shall submit to the congressional intelligence com-
14 mittees a report on the impact of contractors on the
15 intelligence community workforce under the National
16 Intelligence Program.

17 (2) MATTERS COVERED.—The report submitted
18 under paragraph (1) shall include—

19 (A) an identification of contracts where the
20 contractor is providing a substantially similar
21 functions to a government employee;

22 (B) a comparison of the compensation of
23 contract employees and government employees
24 performing substantially similar functions;

1 (C) an analysis of the attrition of govern-
2 ment personnel for contractor positions that
3 provide substantially similar functions; and

4 (D) an estimate of the value of the infra-
5 structure provided to contract employees for
6 government furnished equipment, facilities, or
7 other support, by agency and expenditure cen-
8 ter.

9 (d) USE OF CONTRACTORS FOR INTELLIGENCE AC-
10 TIVITIES.—

11 (1) REPORT.—Not later than April 1, 2008, the
12 Director of National Intelligence shall submit to the
13 congressional intelligence committees a report on
14 personal services activities performed by contractors
15 under the National Intelligence Program and, at the
16 discretion of the Director of National Intelligence,
17 the Military Intelligence Program. Such report shall
18 include—

19 (A) an inventory of the types of functions
20 and activities performed by contractors in ful-
21 fillment of contracts for each element of the in-
22 telligence community;

23 (B) a description of any relevant regula-
24 tions or guidance issued by the Director of Na-
25 tional Intelligence or the head of an element of

1 the intelligence community relating to minimum
2 standards required regarding the hiring, train-
3 ing, security clearance, and assignment of con-
4 tract personnel;

5 (C) an assessment of costs incurred or sav-
6 ings achieved by awarding contracts for the per-
7 formance of such functions referred to in sub-
8 paragraph (A) instead of using full-time em-
9 ployees of the elements of the intelligence com-
10 munity to perform such functions;

11 (D) a description of the types of functions
12 or activities that the Director of National Intel-
13 ligence considers appropriate to be carried out
14 by contractors;

15 (E) a description of the types of functions
16 or activities that the Director of National Intel-
17 ligence considers inappropriate to be carried out
18 by contractors;

19 (F) an assessment of the appropriateness
20 of using contractors to perform the activities
21 described in paragraph (2); and

22 (G) an estimate of the number of con-
23 tracts, and the number of personnel working
24 under such contracts, related to the perform-
25 ance of activities described in paragraph (2).

1 (2) ACTIVITIES.—Activities described in this
2 paragraph are the following:

3 (A) Intelligence collection.

4 (B) Intelligence analysis.

5 (C) Covert actions.

6 (D) Interrogation of a person detained, im-
7 prisoned, or otherwise held in the custody or
8 under the control of the United States Govern-
9 ment.

10 (E) Support for the detention, imprison-
11 ment, or holding of a person under the custody
12 or control of the United States Government, in-
13 cluding activities relating to the detention,
14 transfer, or transportation of such person
15 across international borders.

16 (F) Conduct of electronic or physical sur-
17 veillance or monitoring of United States citizens
18 in the United States.

19 (3) FORM.—The report required under para-
20 graph (1) shall be submitted in unclassified form,
21 but may include a classified annex.

22 **SEC. 412. ANNUAL REPORT ON FOREIGN LANGUAGE PRO-**
23 **FICIENCY IN THE INTELLIGENCE COMMU-**
24 **NITY.**

25 (a) REPORT.—

1 (1) IN GENERAL.—Title V of the National Se-
2 curity Act of 1947 (50 U.S.C. 413 et seq.) is further
3 amended by adding at the end the following new sec-
4 tion:

5 “REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE
6 INTELLIGENCE COMMUNITY

7 “SEC. 510. Not later each year than the date pro-
8 vided in section 507, the Director of National Intelligence
9 shall submit to the congressional intelligence committees
10 a report on the foreign language proficiency of each ele-
11 ment of the intelligence community, including—

12 “(1) the number of positions authorized for
13 such element that require foreign language pro-
14 ficiency and the level of proficiency required;

15 “(2) the number of positions authorized for
16 such element that require foreign language pro-
17 ficiency that are filled by—

18 “(A) military personnel; and

19 “(B) civilian personnel;

20 “(3) the number of applicants for positions in
21 such element in the previous fiscal year that indi-
22 cated foreign language proficiency, including the for-
23 eign language indicated and the proficiency level;

24 “(4) the number of persons hired by such ele-
25 ment with foreign language proficiency, including
26 the foreign language and proficiency level;

1 “(5) the number of personnel of such element
2 currently attending foreign language training, in-
3 cluding the provider of such training;

4 “(6) a description of such element’s efforts to
5 recruit, hire, train, and retain personnel that are
6 proficient in a foreign language; and

7 “(7) an assessment of methods and models for
8 basic, advanced, and intensive foreign language
9 training.”.

10 (2) REPORT DATE.—Section 507(a)(1) of such
11 Act (50 U.S.C. 415b(a)(1)) is further amended by
12 adding at the end the following new subparagraph:

13 “(L) The annual report on foreign language
14 proficiency in the intelligence community required by
15 section 510.”.

16 (b) CONFORMING AMENDMENT.—The table of con-
17 tents in the first section of such Act is further amended
18 by inserting after the item relating to section 509, as
19 added by section 411, the following new item:

 “Sec. 510. Report on foreign language proficiency in the intelligence commu-
 nity.”.

20 **SEC. 413. INTELLIGENCE COMMUNITY REPORTS ON FOR-**
21 **EIGN LANGUAGE PROFICIENCY.**

22 (a) ANNUAL REPORTS.—

1 (1) IN GENERAL.—Title I of the National Secu-
2 rity Act of 1947 (50 U.S.C. 401 et seq.) is amended
3 by adding at the end the following new section:

4 “ANNUAL REPORTS ON FOREIGN LANGUAGE PROFICIENCY

5 “SEC. 120. (a) IN GENERAL.—The head of each ele-
6 ment of the intelligence community shall annually submit
7 to the Director of National Intelligence a report on the
8 foreign language proficiency of the personnel of such ele-
9 ment.

10 “(b) CONTENTS.—

11 “(1) IN GENERAL.—Each report submitted
12 under subsection (a) shall include, for each foreign
13 language and, where appropriate, dialect of a foreign
14 language—

15 “(A) the number of positions of such ele-
16 ment that require proficiency in the foreign lan-
17 guage or dialect;

18 “(B) the number of personnel of such ele-
19 ment that are serving in a position that—

20 “(i) requires proficiency in the foreign
21 language or dialect to perform the primary
22 duty of the position; and

23 “(ii) does not require proficiency in
24 the foreign language or dialect to perform
25 the primary duty of the position;

1 “(C) the number of personnel that are pro-
2 ficient in the foreign language or dialect that—

3 “(i) are authorized for the element of
4 the intelligence community for which the
5 report is submitted; and

6 “(ii) the head of such element con-
7 siders necessary for such element for each
8 of the five years following the date of the
9 submission of the report;

10 “(D) the number of personnel of such ele-
11 ment rated at each level of proficiency of the
12 Interagency Language Roundtable;

13 “(E) whether the number of personnel at
14 each level of proficiency of the Interagency
15 Language Roundtable meets the requirements
16 of such element;

17 “(F) the number of personnel serving or
18 hired to serve as linguists for such element that
19 are not qualified as linguists under the stand-
20 ards of the Interagency Language Roundtable;

21 “(G) the number of personnel hired to
22 serve as linguists for such element during the
23 preceding calendar year;

1 “(H) the number of personnel serving as
2 linguists that discontinued serving such element
3 during the preceding calendar year;

4 “(I) the percentage of work requiring lin-
5 guistic skills that is fulfilled by an ally of the
6 United States;

7 “(J) the percentage of work requiring lin-
8 guistic skills that is fulfilled by contractors; and

9 “(K) the percentage of work requiring lin-
10 guistic skills that is fulfilled by members of the
11 Armed Forces.

12 “(2) MILITARY PERSONNEL.—Except as pro-
13 vided in paragraph (1)(K), a report submitted under
14 subsection (a) shall not include personnel that are
15 members of the Armed Forces on active duty as-
16 signed to the element for which the report is sub-
17 mitted.

18 “(c) DNI REPORT TO CONGRESS.—The Director of
19 National Intelligence shall annually submit to the Perma-
20 nent Select Committee on Intelligence and the Sub-
21 committee on Defense of the Committee on Appropriations
22 of the House of Representatives and the Select Committee
23 on Intelligence and the Subcommittee on Defense of the
24 Committee on Appropriations of the Senate a report con-
25 taining—

1 “(1) each report submitted to the Director of
2 National Intelligence for a year under subsection
3 (a);

4 “(2) an assessment of the foreign language ca-
5 pacity and capabilities of the intelligence community
6 as a whole; and

7 “(3) recommendations for eliminating required
8 reports relating to foreign-language proficiency that
9 the Director of National Intelligence considers out-
10 dated or no longer relevant.”.

11 (2) TABLE OF CONTENTS.—Such Act is further
12 amended in the table of contents in the first section
13 by inserting after the item relating to section 119B
14 the following new item:

“Sec. 120. Annual reports on foreign language proficiency.”.

15 (b) EFFECTIVE DATE.—

16 (1) REPORT BY HEADS OF ELEMENTS OF THE
17 INTELLIGENCE COMMUNITY.—The first report re-
18 quired to be submitted by the head of each element
19 of the intelligence community under section 120(a)
20 of the National Security Act of 1947, as added by
21 subsection (a)(1), shall be submitted not later than
22 180 days after the date of the enactment of this Act.

23 (2) REPORT BY DNI.—The first report required
24 to be submitted by the Director of National Intel-
25 ligence under section 120(c) of the National Security

1 Act of 1947, as added by subsection (a)(1), shall be
2 submitted not later than 240 days after the date of
3 the enactment of this Act.

4 **SEC. 414. REPORT ON PERSONNEL OF THE INTELLIGENCE**
5 **COMMUNITY.**

6 (a) IN GENERAL.—Not later than 120 days after the
7 date of the enactment of this Act, the Director of National
8 Intelligence shall submit to the congressional intelligence
9 committees a report containing—

10 (1) the number of intelligence collectors and an-
11 alysts employed or contracted by each element of the
12 intelligence community; and

13 (2) a plan to maximize the number of intel-
14 ligence collectors employed or contracted by the in-
15 telligence community.

16 (b) LIMITATION ON PERSONNEL.—

17 (1) LIMITATION.—Subject to paragraph (2),
18 but notwithstanding any other provision of this Act
19 (including the classified Schedule of Authorizations
20 referred to in section 102(a)), the Office of the Di-
21 rector of National Intelligence is authorized not
22 more than—

23 (A) the number of personnel employed or
24 contracted by such Office as of May 9, 2007;
25 and

1 (B) an additional 15 percent of such num-
2 ber of personnel employed or contracted by
3 such Office as of May 9, 2007.

4 (2) TERMINATION OF LIMITATION.—The limita-
5 tion on the number of personnel authorized for the
6 Office of the Director of National Intelligence under
7 paragraph (1) shall no longer apply on or after the
8 date on which the report required under subsection
9 (a) is submitted.

10 **SEC. 415. DIRECTOR OF NATIONAL INTELLIGENCE REPORT**

11 **ON RETIREMENT BENEFITS FOR FORMER EM-**

12 **PLOYEES OF AIR AMERICA.**

13 (a) IN GENERAL.—Not later than 120 days after the
14 date of the enactment of this Act, the Director of National
15 Intelligence shall submit to Congress a report on the ad-
16 visability of providing Federal retirement benefits to
17 United States citizens for the service of such citizens be-
18 fore 1977 as employees of Air America or an associated
19 company while such company was owned or controlled by
20 the United States Government and operated or managed
21 by the Central Intelligence Agency.

22 (b) REPORT ELEMENTS.—

23 (1) IN GENERAL.—The report required by sub-
24 section (a) shall include the following:

1 (A) The history of Air America and associ-
2 ated companies before 1977, including a de-
3 scription of—

4 (i) the relationship between such com-
5 panies and the Central Intelligence Agency
6 and other elements of the United States
7 Government;

8 (ii) the workforce of such companies;

9 (iii) the missions performed by such
10 companies and their employees for the
11 United States; and

12 (iv) the casualties suffered by employ-
13 ees of such companies in the course of
14 their employment with such companies.

15 (B) A description of the retirement bene-
16 fits contracted for or promised to the employees
17 of such companies before 1977, the contribu-
18 tions made by such employees for such benefits,
19 the retirement benefits actually paid such em-
20 ployees, the entitlement of such employees to
21 the payment of future retirement benefits, and
22 the likelihood that former employees of such
23 companies will receive any future retirement
24 benefits.

1 (C) An assessment of the difference be-
2 tween—

3 (i) the retirement benefits that former
4 employees of such companies have received
5 or will receive by virtue of their employ-
6 ment with such companies; and

7 (ii) the retirement benefits that such
8 employees would have received and in the
9 future receive if such employees had been,
10 or would now be, treated as employees of
11 the United States whose services while in
12 the employ of such companies had been or
13 would now be credited as Federal service
14 for the purpose of Federal retirement ben-
15 efits.

16 (D) The recommendations of the Director
17 regarding the advisability of legislative action to
18 treat employment at such companies as Federal
19 service for the purpose of Federal retirement
20 benefits in light of the relationship between
21 such companies and the United States Govern-
22 ment and the services and sacrifices of such
23 employees to and for the United States, and if
24 legislative action is considered advisable, a pro-

1 posal for such action and an assessment of its
2 costs.

3 (2) VIEWS OF DCIA.—The Director of National
4 Intelligence shall include in the report any views of
5 the Director of the Central Intelligence Agency on
6 the matters covered by the report that the Director
7 of the Central Intelligence Agency considers appro-
8 priate.

9 (c) ASSISTANCE OF COMPTROLLER GENERAL.—The
10 Comptroller General shall, upon the request of the Direc-
11 tor of National Intelligence and in a manner consistent
12 with the protection of classified information, assist the Di-
13 rector in the preparation of the report required by sub-
14 section (a).

15 (d) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form, but may include
17 a classified annex.

18 (e) DEFINITIONS.—In this section:

19 (1) AIR AMERICA.—The term “Air America”
20 means Air America, Incorporated.

21 (2) ASSOCIATED COMPANY.—The term “associ-
22 ated company” means any company associated with
23 or subsidiary to Air America, including Air Asia
24 Company Limited and the Pacific Division of South-
25 ern Air Transport, Incorporated.

1 **Subtitle B—Central Intelligence**
 2 **Agency**

3 **SEC. 421. DEPUTY DIRECTOR OF THE CENTRAL INTEL-**
 4 **LIGENCE AGENCY.**

5 (a) ESTABLISHMENT AND DUTIES OF THE POSITION
 6 OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE
 7 AGENCY.—(1) Title I of the National Security Act of 1947
 8 (50 U.S.C. 402 et seq.) is amended by inserting after sec-
 9 tion 104A the following new section:

10 “DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE
 11 AGENCY

12 “SEC. 104B. (a) DEPUTY DIRECTOR OF THE CEN-
 13 TRAL INTELLIGENCE AGENCY.—There is a Deputy Direc-
 14 tor of the Central Intelligence Agency who shall be ap-
 15 pointed by the President, by and with the advice and con-
 16 sent of the Senate.

17 “(b) DUTIES.—The Deputy Director of the Central
 18 Intelligence Agency shall—

19 “(1) assist the Director of the Central Intel-
 20 ligence Agency in carrying out the duties and re-
 21 sponsibilities of the Director; and

22 “(2) act for, and exercise the powers of, the Di-
 23 rector of the Central Intelligence Agency during the
 24 absence or disability of the Director of the Central

1 Intelligence Agency, or during a vacancy in the posi-
2 tion of Director of the Central Intelligence Agency.”.

3 (2) CONFORMING AMENDMENT.—The table of con-
4 tents in the first section of such Act is amended by insert-
5 ing after the item relating to section 104A the following
6 new item:

“Sec. 104B. Deputy Director of the Central Intelligence Agency.”.

7 (b) EXECUTIVE SCHEDULE LEVEL III.—Section
8 5314 of title 5, United States Code, is amended by strik-
9 ing the item relating to the Deputy Directors of Central
10 Intelligence and inserting the following new item:

11 “Deputy Director of the Central Intelligence
12 Agency.”.

13 **SEC. 422. GENERAL AUTHORITIES OF THE CENTRAL INTEL-**
14 **LIGENCE AGENCY.**

15 Section 5(a)(1) of the Central Intelligence Agency
16 Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking
17 “any of the functions or activities authorized under para-
18 graphs (2) and (3) of section 102(a), subsections (e)(7)
19 and (d) of section 103, subsections (a) and (g) of section
20 104, and section 303 of the National Security Act of 1947
21 (50 U.S.C. 403(a)(2), (3), 403–3(e)(7), (d), 403–4(a), (g),
22 and 405),” and inserting “any functions or activities au-
23 thorized by law to be conducted by the Central Intelligence
24 Agency”.

1 **SEC. 423. REVIEW OF COVERT ACTION PROGRAMS BY IN-**
2 **SPECTOR GENERAL OF THE CIA.**

3 (a) IN GENERAL.—Section 503 of the National Secu-
4 rity Act of 1947 (50 U.S.C. 413b) is amended by—

5 (1) redesignating subsection (e) as subsection
6 (g) and transferring such subsection to the end; and

7 (2) by inserting after subsection (d) the fol-
8 lowing new subsection:

9 “(e) INSPECTOR GENERAL AUDITS OF COVERT AC-
10 TIONS.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
12 the Inspector General of the Central Intelligence
13 Agency shall conduct an audit of each covert action
14 at least every three years.

15 “(2) TERMINATED, SUSPENDED PROGRAMS.—
16 The Inspector General of the Central Intelligence
17 Agency is not required to conduct an audit under
18 paragraph (1) of a covert action that has been ter-
19 minated or suspended if such covert action was ter-
20 minated or suspend prior to the last audit of such
21 covert action conducted by the Inspector General
22 and has not been restarted after the date on which
23 such audit was completed.

24 “(3) REPORT.—Not later than 60 days after
25 the completion of an audit conducted pursuant to
26 paragraph (1), the Inspector General of the Central

1 Intelligence Agency shall submit to the congressional
2 intelligence committees a report containing the re-
3 sults of such audit.”.

4 (b) CONFORMING AMENDMENTS.—Title V of the Na-
5 tional Security Act of 1947 (50 U.S.C. 413 et seq.) is
6 amended—

7 (1) in section 501(f) (50 U.S.C. 413(f)), by
8 striking “503(e)” and inserting “503(g)”;

9 (2) in section 502(a)(1) (50 U.S.C.
10 413b(a)(1)), by striking “503(e)” and inserting
11 “503(g)”;

12 (3) in section 504(c) (50 U.S.C. 414(c)), by
13 striking “503(e)” and inserting “503(g)”.

14 **SEC. 424. REPORT ON AUDITED FINANCIAL STATEMENTS**
15 **PROGRESS.**

16 Section 114A of the National Security Act of 1947
17 (50 U.S.C. 404i–1) is amended by striking “the Director
18 of the Central Intelligence Agency,”.

19 **Subtitle C—Other Elements**

20 **SEC. 431. CLARIFYING AMENDMENTS RELATING TO SEC-**
21 **TION 105 OF THE INTELLIGENCE AUTHORIZA-**
22 **TION ACT FOR FISCAL YEAR 2004.**

23 Section 105(b) of the Intelligence Authorization Act
24 for Fiscal Year 2004 (Public Law 108–177; 117 Stat.
25 2603; 31 U.S.C. 311 note) is amended—

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

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

6 **SEC. 432. REPEAL OF CERTAIN AUTHORITIES RELATING TO**
7 **THE OFFICE OF THE NATIONAL COUNTER-**
8 **INTELLIGENCE EXECUTIVE.**

9 (a) REPEAL OF CERTAIN AUTHORITIES.—Section
10 904 of the Counterintelligence Enhancement Act of 2002
11 (title IX of Public Law 107–306; 50 U.S.C. 402e) is
12 amended—

13 (1) by striking subsections (d), (h), (i), and (j);

14 (2) in subsection (g), by striking paragraphs
15 (3) and (4); and

16 (3) by redesignating subsections (e), (f), (g),
17 (k), (l), and (m) as subsections (d), (e), (f), (g), (h),
18 and (i), respectively.

19 (b) CONFORMING AMENDMENTS.—That section is
20 further amended—

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

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

4 **SEC. 433. CLARIFICATION OF INCLUSION OF COAST GUARD**
5 **AND DRUG ENFORCEMENT ADMINISTRATION**
6 **ELEMENTS IN THE INTELLIGENCE COMMU-**
7 **NITY.**

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

10 (1) in subparagraph (H)—

11 (A) by inserting “the Coast Guard,” after
12 “the Marine Corps,”; and

13 (B) by inserting “the Drug Enforcement
14 Administration,” after “the Federal Bureau of
15 Investigation,”; and

16 (2) in subparagraph (K), by striking “, includ-
17 ing the Office of Intelligence of the Coast Guard”.

18 **TITLE V—OTHER MATTERS**

19 **Subtitle A—General Intelligence**
20 **Matters**

21 **SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.**

22 (a) **LIMITATION ON TERMINATION OF U–2 AIRCRAFT**
23 **PROGRAM.**—The Secretary of Defense may not begin the
24 process to terminate the U–2 aircraft program until the
25 Secretary certifies in accordance with subsection (b) that

1 there would be no loss of national or Department of De-
2 fense intelligence, surveillance, and reconnaissance (ISR)
3 capabilities in transitioning from the U-2 aircraft pro-
4 gram to the Global Hawk RQ-4 unmanned aerial vehicle
5 platform.

6 (b) REPORT AND CERTIFICATION.—

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

14 (2) REPORT.—The Secretary shall submit to
15 the congressional committees specified in subsection
16 (c) a report containing the results of the study. The
17 Secretary shall include in the report the Secretary's
18 determination as to whether the Global Hawk RQ-
19 4 unmanned aerial vehicle—

20 (A) has reached mission capability; and

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

24 (3) CERTIFICATION.—The Secretary shall in-
25 clude with the report the Secretary's certification,

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

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

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

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

14 **SEC. 502. EXTENSION OF NATIONAL COMMISSION FOR RE-**
15 **VIEW OF RESEARCH AND DEVELOPMENT**
16 **PROGRAMS OF THE UNITED STATES INTEL-**
17 **LIGENCE COMMUNITY.**

18 (a) EXTENSION.—

19 (1) IN GENERAL.—Section 1007(a) of the Intel-
20 ligence Authorization Act for Fiscal Year 2003
21 (Public Law 107-306; 50 U.S.C. 401 note) is
22 amended by striking “September 1, 2004” and in-
23 serting “September 1, 2008”.

24 (2) EFFECTIVE DATE.—The amendment made
25 by subsection (a)(1) shall take effect as if included

1 in the enactment of section 1007 of the Intelligence
2 Authorization Act for Fiscal Year 2003.

3 (b) FUNDING.—

4 (1) IN GENERAL.—Of the amounts authorized
5 to be appropriated by this Act for the Intelligence
6 Community Management Account, the Director of
7 National Intelligence shall make \$2,000,000 avail-
8 able to the National Commission for the Review of
9 the Research and Development Programs of the
10 United States Intelligence Community (in this sub-
11 section referred to as the “Commission”) established
12 under section 1002(a) of the Intelligence Authoriza-
13 tion Act for Fiscal Year 2003 (Public Law 107–306;
14 116 Stat. 2438; 50 U.S.C. 401 note) to carry out
15 title X of such Act.

16 (2) AVAILABILITY.—Amounts made available to
17 the Commission under paragraph (1) shall remain
18 available until expended.

19 **SEC. 503. REPORT ON AUTHORIZATION TO OVERTHROW**
20 **DEMOCRATICALLY ELECTED GOVERNMENTS.**

21 Not later than 120 days after the date of the enact-
22 ment of this Act, the President shall submit to the con-
23 gressional intelligence committees a report describing any
24 authorization granted during the 10-year period ending on
25 the date of the enactment of this Act to engage in intel-

1 lligence activities related to the overthrow of a democrat-
2 ically elected government.

3 **SEC. 504. REITERATION OF THE FOREIGN INTELLIGENCE**
4 **SURVEILLANCE ACT OF 1978 AS THE EXCLU-**
5 **SIVE MEANS BY WHICH ELECTRONIC SUR-**
6 **VEILLANCE MAY BE CONDUCTED FOR GATH-**
7 **ERING FOREIGN INTELLIGENCE INFORMA-**
8 **TION.**

9 (a) **EXCLUSIVE MEANS.**—Notwithstanding any other
10 provision of law, the Foreign Intelligence Surveillance Act
11 of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive
12 means by which electronic surveillance may be conducted
13 for the purpose of gathering foreign intelligence informa-
14 tion.

15 (b) **SPECIFIC AUTHORIZATION REQUIRED FOR EX-**
16 **CEPTION.**—Subsection (a) shall apply until specific statu-
17 tory authorization for electronic surveillance, other than
18 as an amendment to the Foreign Intelligence Surveillance
19 Act of 1978 (50 U.S.C. 1801 et seq.), is enacted. Such
20 specific statutory authorization shall be the only exception
21 to subsection (a).

22 (c) **DEFINITIONS.**—In this section:

23 (1) **ELECTRONIC SURVEILLANCE.**—The term
24 “electronic surveillance” has the meaning given the

1 term in section 101(f) of the Foreign Intelligence
2 Surveillance Act of 1978 (50 U.S.C. 1801(f)).

3 (2) FOREIGN INTELLIGENCE INFORMATION.—

4 The term “foreign intelligence information” has the
5 meaning given the term in section 101(e) of such
6 Act (50 U.S.C. 1801(e)).

7 **Subtitle B—Technical Amendments**

8 **SEC. 511. TECHNICAL AMENDMENTS RELATING TO THE**

9 **MULTIYEAR NATIONAL INTELLIGENCE PRO-**

10 **GRAM.**

11 (a) IN GENERAL.—Subsection (a) of section 1403 of
12 the National Defense Authorization Act for Fiscal Year
13 1991 (50 U.S.C. 404b) is amended—

14 (1) in the subsection heading, by striking
15 “FOREIGN”; and

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

17 (b) RESPONSIBILITY OF DNI.—That section is fur-
18 ther amended—

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

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

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

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

3 **SEC. 512. TECHNICAL CLARIFICATION OF CERTAIN REF-**
4 **ERENCES TO JOINT MILITARY INTELLIGENCE**
5 **PROGRAM AND TACTICAL INTELLIGENCE**
6 **AND RELATED ACTIVITIES.**

7 Section 102A of the National Security Act of 1947
8 (50 U.S.C. 403–1) is amended—

9 (1) in subsection (c)(3)(A), by striking “annual
10 budgets for the Joint Military Intelligence Program
11 and for Tactical Intelligence and Related Activities”
12 and inserting “annual budget for the Military Intel-
13 ligence Program or any successor program or pro-
14 grams”; and

15 (2) in subsection (d)(1)(B), by striking “Joint
16 Military Intelligence Program” and inserting “Mili-
17 tary Intelligence Program or any successor program
18 or programs”.

19 **SEC. 513. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**
20 **CURITY ACT OF 1947.**

21 The National Security Act of 1947 (50 U.S.C. 401
22 et seq.) is amended—

23 (1) in section 102A (50 U.S.C. 403–1)—

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

26 (B) in subsection (d)—

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

5 (ii) in paragraph (5)(A), by striking
6 “or personnel” in the matter preceding
7 clause (i);

8 (C) in subsection (l)(2)(B), by striking
9 “section” and inserting “paragraph”; and

10 (D) in the heading of subsection (n), by
11 striking “ACQUISITION AUTHORITIES” and in-
12 sserting “ACQUISITION AND OTHER AUTHORI-
13 TIES”;

14 (2) in section 119(c)(2)(B) (50 U.S.C.
15 404o(c)(2)(B)), by striking “subsection (h)” and in-
16 sserting “subsection (i)”.

17 **SEC. 514. TECHNICAL AMENDMENTS TO THE INTEL-**
18 **LIGENCE REFORM AND TERRORISM PREVEN-**
19 **TION ACT OF 2004.**

20 (a) AMENDMENTS TO NATIONAL SECURITY INTEL-
21 LIGENCE REFORM ACT OF 2004.—The National Security
22 Intelligence Reform Act of 2004 (title I of Public Law
23 108–458) is amended as follows:

24 (1) In section 1016(e)(10)(B) (6 U.S.C.
25 485(e)(10)(B)), by striking “Attorney General” the

1 second place it appears and inserting “Department
2 of Justice”.

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

4 (A) in subsection (d)(4)(A), by striking
5 “National Intelligence Director” and inserting
6 “Director of National Intelligence”; and

7 (B) in subsection (h), by striking “Na-
8 tional Intelligence Director” and inserting “Di-
9 rector of National Intelligence”.

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

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

13 (b) OTHER AMENDMENTS TO INTELLIGENCE RE-
14 FORM AND TERRORISM PREVENTION ACT OF 2004.—The
15 Intelligence Reform and Terrorism Prevention Act of
16 2004 (Public Law 108–458) is amended as follows:

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

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

20 (B) in subsection (e)(2), by striking “the
21 National Intelligence Director in a manner con-
22 sistent with section 112(e)” and inserting “the
23 Director of National Intelligence in a manner
24 consistent with applicable law”; and

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

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

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

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

9 **SEC. 515. TECHNICAL AMENDMENTS TO THE EXECUTIVE**
10 **SCHEDULE.**

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

15 “Director of the Central Intelligence Agency.”.

16 (b) EXECUTIVE SCHEDULE LEVEL IV.—Section
17 5315 of title 5, United States Code, is amended by strik-
18 ing the item relating to the General Counsel of the Office
19 of the National Intelligence Director and inserting the fol-
20 lowing new item:

21 “General Counsel of the Office of the Director
22 of National Intelligence.”.

1 **SEC. 516. TECHNICAL AMENDMENTS RELATING TO TITLES**
2 **OF CENTRAL INTELLIGENCE AGENCY POSI-**
3 **TIONS.**

4 Section 17(d)(3)(B)(ii) of the Central Intelligence
5 Agency Act of 1949 (50 U.S.C. 403q(d)(3)(B)(ii)) is
6 amended—

7 (1) in subclause (I), by striking “Executive Di-
8 rector” and inserting “Associate Deputy Director”;

9 (2) in subclause (II), by striking “Deputy Di-
10 rector for Operations” and inserting “Director of
11 the National Clandestine Service”; and

12 (3) in subclause (IV), by striking “Deputy Di-
13 rector for Administration” and inserting “Director
14 for Support”.

15 **SEC. 517. TECHNICAL AMENDMENTS RELATING TO REDES-**
16 **IGNATION OF THE NATIONAL IMAGERY AND**
17 **MAPPING AGENCY AS THE NATIONAL**
18 **GEOSPATIAL-INTELLIGENCE AGENCY.**

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

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

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

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

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

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

3 (F) Section 5342(a)(1)(K).

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

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

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

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

17 (B) The heading of such section is amended to read
18 as follows:

19 **“§ 1336. National Geospatial-Intelligence Agency: spe-
20 cial publications”.**

21 (2) The table of sections at the beginning of chapter
22 13 of such title is amended by striking the item relating
23 to section 1336 and inserting the following new item:

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

24 (c) HOMELAND SECURITY ACT OF 2002.—Section
25 201(f)(2)(E) of the Homeland Security Act of 2002 (6

1 U.S.C. 121(f)(2)(E)) is amended by striking “National
2 Imagery and Mapping Agency” and inserting “National
3 Geospatial-Intelligence Agency”.

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

9 (e) ETHICS IN GOVERNMENT ACT OF 1978.—Section
10 105(a)(1) of the Ethics in Government Act of 1978 (5
11 U.S.C. App.) is amended by striking “National Imagery
12 and Mapping Agency” and inserting “National
13 Geospatial-Intelligence Agency”.

14 (f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the
15 Employee Polygraph Protection Act of 1988 (29 U.S.C.
16 2006(b)(2)(A)(i)) is amended by striking “National Im-
17 agery and Mapping Agency” and inserting “National
18 Geospatial-Intelligence Agency”.

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

1 **TITLE VI—COMMUNICATION OF**
2 **INFORMATION CONCERNING**
3 **TERRORIST THREATS**

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

5 (a) STUDY.—The Secretary of Homeland Security
6 and the Director of National Intelligence shall conduct
7 jointly, or contract with an entity to conduct, a study of
8 the operations of Federal, State, and local government en-
9 tities to identify best practices for the communication of
10 information concerning a terrorist threat.

11 (b) CONTENTS.—

12 (1) IDENTIFICATION OF BEST PRACTICES.—The
13 study conducted under this section shall be focused
14 on an analysis and identification of the best prac-
15 tices of the information sharing processes of the fol-
16 lowing government entities:

17 (A) Joint Terrorism Task Forces, which
18 are operated by the Federal Bureau of Inves-
19 tigation with the participation of local law en-
20 forcement agencies.

21 (B) State Homeland Security Fusion Cen-
22 ters, which are established by a State and share
23 information with Federal departments.

24 (C) The Homeland Security Operations
25 Center, which is operated by the Department of

1 Homeland Security for the purposes of coordi-
2 nating information.

3 (D) State and local law enforcement agen-
4 cies that collect, utilize, and disseminate infor-
5 mation on potential terrorist attacks.

6 (E) The appropriate elements of the intel-
7 ligence community (as defined in section 3(4) of
8 the National Security Act of 1947 (50 U.S.C.
9 401a(4))) involved in the sharing of counter-
10 terrorism information.

11 (F) The Interagency Threat Assessment
12 Coordination Group at the National
13 Counterterrorism Center.

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

23 (c) OBTAINING OFFICIAL DATA.—In conducting the
24 study, the Secretary, in conjunction with the Director,
25 with due regard for the protection of classified informa-

1 tion, may secure directly from any department or agency
2 of the United States information necessary to enable the
3 Secretary to carry out this section. Classified information
4 shall be handled through established methods for control-
5 ling such information.

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

14 (e) REPORT.—

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

19 (A) a detailed statement of the findings
20 and conclusions of the study, including identi-
21 fication of the best practices for the processing,
22 analysis, and dissemination of information be-
23 tween the government entities referred to in
24 subsection (b)(1); and

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

9 (2) CLASSIFIED INFORMATION.—To the extent
10 determined appropriate by the Secretary, in conjunc-
11 tion with the Director, the Secretary may submit a
12 portion of the report in classified form.

13 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$5,000,000 for fiscal year 2008.

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

17 (a) IN GENERAL.—The Secretary of Homeland Secu-
18 rity, in consultation with the Director of National Intel-
19 ligence, shall make grants for the establishment and oper-
20 ation of 3 centers to implement the best practices, identi-
21 fied by the study conducted under section 601, for the
22 processing, analysis, and dissemination of information
23 concerning a terrorist threat (in this section, each referred
24 to as a “Center”).

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

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

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

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

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

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

14 (2) coordinate the communication of these best
15 practices with other metropolitan areas;

16 (3) coordinate with the Secretary and the Di-
17 rector to develop a training curriculum to implement
18 these best practices;

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

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

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated for making grants under
3 this section—

4 (1) \$10,000,000 for fiscal year 2008 for the es-
5 tablishment of the Centers; and

6 (2) \$3,000,000 for each of fiscal years 2009
7 through 2013 for the operation of the Centers.

8 (e) REPORT TO CONGRESS.—Not later than March
9 31, 2010, the Secretary, in consultation with the Director,
10 shall submit to Congress a report evaluating the oper-
11 ations of the Centers and making recommendations for fu-
12 ture funding.

Passed the House of Representatives May 11 (legis-
lative day May 10), 2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 2082

AN ACT

To authorize appropriations for fiscal year 2008 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.