SA 851. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 852. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 853. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 854. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 855. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 856. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 857. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 858. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 859. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 860. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 861. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 862. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 863. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 864. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 865. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 866. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 867. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 868. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 869. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 870. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 871. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 872. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 873. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 874. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 875. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 876. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 877. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 878. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 879. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 880. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 881. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 882. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 883. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

SA 884. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

SA 843. Mr. ROCKEFELLER (for himself and Mr. BOND) proposed an amendment to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

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

(a) Short Title.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2007”.

(b) Table of Contents.—The table of contents for this Act is as follows:

**TITLE I—INTELLIGENCE ACTIVITIES**

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Incorporation of classified annex. Sec. 104. Personnel ceiling adjustments.

Sec. 105. Intelligence Community Management Account.

Sec. 106. Incorporation of reporting requirements.

Sec. 107. Availability to public of certain intelligence funding information.

Sec. 108. Response of intelligence community to requests from Congress for intelligence documents and information.

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

Sec. 201. Authorization of appropriations.

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

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

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Clarification of definition of intelligence community under the National Security Act of 1947.

Sec. 304. Improvement of notification of Congress regarding intelligence activities of the United States Government.

Sec. 305. Delegation of authority for travel on common carriers for intelligence community personnel.

Sec. 306. Modification of availability of funds for different intelligence community agencies.

Sec. 307. Additional limitation on availability of funds for intelligence and intelligence-related activities.

Sec. 308. Increase in penalties for disclosure of undercover intelligence officers and agents.

Sec. 309. Retention and use of amounts paid as debts to elements of the intelligence community.

Sec. 310. Extension to intelligence community of authority to delete information about receipt and disposition of foreign gifts and decorations.

Sec. 311. Availability of funds for travel and transportation of personal effects, household goods, and accommodations.

Sec. 312. Director of National Intelligence report on compliance with the Detainee Treatment Act of 2005.

Sec. 313. Report on any clandestine detention facilities for individuals captured in the Global War on Terrorism.

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

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Additional authorities of the Director of National Intelligence on intelligence information sharing.

Sec. 402. Modification of limitation on delegation by the Director of National Intelligence of the protection of intelligence sources and methods.

Sec. 403. Authority of the Director of National Intelligence to manage access to human intelligence information.

Sec. 404. Additional administrative authority of the Director of National Intelligence.

Sec. 405. Clarification of limitation on co-location of the Office of the Director of National Intelligence.

Sec. 406. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.

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Sec. 407. Appointment and title of Chief Information Officer of the Intelligence Community.

Sec. 408. Inspector General of the Intelligence Community.

Sec. 409. Leadership and location of certain offices and officials.

Sec. 410. National Geospatial Intelligence Center.

Sec. 411. Operational files in the Office of the Director of National Intelligence.

Sec. 412. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.

Sec. 413. Review of certain authorities relating to the Office of the National Counterintelligence Executive.

Sec. 414. Inapplicability of Federal Advisory Committee Act to advisory committees of the Office of the Director of National Intelligence.

Sec. 415. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.

Sec. 416. Applicability of the Privacy Act to the Director of National Intelligence and the Office of the Director of National Intelligence.

Subtitle B—Central Intelligence Agency.

Sec. 421. Director and Deputy Director of the Central Intelligence Agency.

Sec. 422. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.

Sec. 423. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Sec. 424. Additional functions and authorities for protective personnel of the Central Intelligence Agency.

Sec. 425. Director of National Intelligence report on retirement benefits for former employees of Air America.

Subtitle C—Defense Intelligence Components

Sec. 431. Enhancements of National Security Agency training program.

Sec. 432. Codification of authorities of National Security Agency protective personnel.

Sec. 433. Inspector general matters.

Sec. 434. Confirmation of appointment of heads of certain components of the intelligence community.

Sec. 435. Clarification of national security missions of National Geospatial-Intelligence Agency for analysis and dissemination of certain intelligence information.

Sec. 436. Security clearances in the National Geospatial-Intelligence Agency.

Subtitle D—Other Elements

Sec. 441. Foreign language incentive for certain non-special agent employees of the Federal Bureau of Investigation.

Sec. 442. Authority to secure services by contract for the Bureau of Intelligence and Research of the Department of State.

Sec. 443. Clarification of inclusion of Coast Guard and Drug Enforcement Agency Administration as elements of the intelligence community.


Title V—Other Matters


Sec. 502. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.

Sec. 503. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.


Sec. 505. Technical amendments to the Central Intelligence Agency Act of 1949.

Sec. 506. Technical amendments relating to the multiyear National Intelligence Program.

Sec. 507. Technical amendments to the Executive Office of the President.

Sec. 508. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the National Geospatial-Intelligence Agency.

Title I—Intelligence Activities

Title I—Authorization of Appropriations

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

1. Office of the Director of National Intelligence.
2. The Central Intelligence Agency.
3. The Department of Defense.
4. The Defense Intelligence Agency.
5. The National Security Agency.
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 Department of Justice.
12. The National Reconnaissance Office.
14. The Coast Guard.
16. The Drug Enforcement Administration.

Title II—Classification of Schedules of Authorizations

2. Availability of classified Schedules of Authorizations.
3. Repeal of Authorities.
4. Protection of Personnel.
5. Limitation on Use of Funds.

Authorization of Appropriations—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a) there are authorized to be appropriated by the Director of the National Intelligence Community Management Account for fiscal year 2007 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development and shall remain available until September 30, 2008.

Authorization of Appropriations—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,575 full-time personnel as of September 30, 2007. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

Sec. 103. Incorporation of Classified Annex.

(a) Status of Classified Annex—The Classified Annex prepared by the Select Committee on Intelligence of the Senate to accompany its report on the bill S. 372 of the One Hundred Tenth Congress and transmitted to the President is hereby incorporated into this Act.

(b) Construction With Other Provisions of Division—Unless otherwise specifically stated, the amounts specified in the Classified Annex are not in real amount of amounts authorized to be appropriated by other provisions of this Act.

(c) Limitation on Use of Funds—Funds appropriated pursuant to the authority contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Annex.

(d) Distribution of Classified Annex—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the Annex, within the executive branch of the Government.

Sec. 104. Personnel Ceiling Adjustments.

(a) Authority for Adjustments—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the numbers authorized for under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions and that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) Notice to Intelligence Committees—The Director of National Intelligence shall promptly notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

Sec. 105. Intelligence Community Management Account.

(a) Authorization of Appropriations—There is authorized to be appropriated for Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2007 the sum of $648,952,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2008.

(b) Authorized Personnel Levels.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,575 full-time personnel as of September 30, 2007. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) Classified Authorizations.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated by the Director of the Intelligence Community Management Account for fiscal year 2007 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for research and development shall remain available until September 30, 2008.

Authorization of Appropriations—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community, the Director of National Intelligence may authorize employment of additional personnel in excess of the numbers authorized under such section when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions and that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.
Community Management Account as of September 30, 2007, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Appropriations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 401h), during fiscal year 2007 any costs associated with the United States Government shall be detailed on a reimbursable basis, except that any such employee, employee, or member may be detailed on a nonreimbursable basis for not more than three years for the performance of temporary functions as required by the Director of National Intelligence.

SEC. 106. INCORPORATION OF REPORTING REQUIREMENTS.

(a) In General.—Each requirement to submit a report to the congressional intelligence committees that is included in the joint explanatory statement to accompany the conference report on the bill of the One Hundred Tenth Congress, or in the classified section of this Act, is hereby incorporated into this Act, and is hereby made a requirement in law.

(b) CONGRESSIONAL INTELLIGENCE COMMITTEES.—In this section, the term “congressional intelligence committees” means—

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

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 107. AVAILABILITY TO PUBLIC OF CERTAIN INTELLIGENCE FUNDING INFORMATION.

(a) AMOUNTS REQUESTED EACH FISCAL YEAR.—The President shall disclose, to the public for each fiscal year after fiscal year 2007 the aggregate amount of appropriations requested in the budget of the President for such fiscal year for the National Intelligence Program.

(b) AMOUNTS AUTHORIZED AND APPROPRIATED EACH FISCAL YEAR.—Congress shall disclose to the public for each fiscal year after fiscal year 2006 the aggregate amount of funds authorized to be appropriated, and the aggregate amount of funds appropriated, by Congress for each fiscal year for the National Intelligence Program.

SEC. 108. RESPONSIBILITY OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

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

“RESPONSIBILITY OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

“SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

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

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by amounts not to exceed $1,000,000 or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activities, except as the program of such activities is authorized by the Constitution or the laws of the United States.
"(5) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subordinating or to all members of the congressional intelligence committees, and requests that such information not be provided, the Director shall, in a timely fashion, submit a full report to such committees and the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the covert action covered by such determination, and contain a restriction on access to this notice by all members of the committee.

(3) MODIFICATION OF NATURE OF CHANGE COVERED ACTIVITY TRIGGERING NOTICE REQUIREMENTS.—Subsection (d) of such section is amended by striking "significant" the first place it appears.

SEC. 305. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

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

(1) by inserting "(1)" before "The Director;"

(2) in paragraph (1), by striking "may only delegate" and all that follows and inserting "may delegate in accordance with such authority in subsection (a) to the head of any other element of the intelligence community."); and

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

"(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.

(b) SUBMITTAL OF GUIDELINES TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (a).

SEC. 306. MODIFICATION OF AVAILABILITY OF FUNDS FOR DIFFERENT INTELLIGENCE ACTIVITIES.

Paragraph (4) of section 7342(f) of title 5, United States Code, is amended to read as follows:

"(4)(A) In transmitting such listings for an element of the intelligence community, the head of such element may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the head of such element certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.

(B) Any information not provided to the Secretary of State pursuant to the authority in subparagraph (A) shall be transmitted to the Director of National Intelligence.

(C) In this paragraph, the term 'element of the intelligence community' means an element of the intelligence community listed in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 404s(4)).

SEC. 311. AVAILABILITY OF FUNDS FOR TRAVEL AND TRANSPORTATION OF PERSONAL EFFECTS, HOUSEHOLD GOODS, AND PERSONAL PROPERTY.

(a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.—Funds appropriated to the Office of the Director of National Intelligence and available travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(b) FUNDS OF CENTRAL INTELLIGENCE AGENCY.—Funds appropriated to the Central Intelligence Agency and available travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation may not be completed during such fiscal year.

(c) TRAVEL AND TRANSPORTATION EXPENSES DEFINED.—In this section, the term 'travel and transportation expenses' means the following:

(1) Expenses in connection with travel of personnel, including travel of dependents.

(2) Expenses in connection with transportation of personal effects, household goods, or automobiles of personnel.
SEC. 312. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON COMPLIANCE WITH THE DETAINEE TREATMENT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than May 1, 2007, the Director of National Intelligence shall submit to the congressional intelligence committees a comprehensive report on all measures taken by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with respect to the implementation of the Detainee Treatment Act of 2005 (title V of division A of Public Law 109–148).

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured or detained on or in connection with terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

(F) A statement of the basis for such determination; and

(G) Programs—

(i) directed at the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and

(ii) without regard to any provision of law relating to the transfer, reprogramming, ob- ligation, or expenditure of funds, other than the provisions of this Act and the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458), to expend funds for programs described in subparagraphs (i) and (ii) of this paragraph.

(3) IN GENERAL.—In the report referred to in subparagraph (A), the Director shall include a statement of the basis for each such action.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured or detained on or in connection with terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

(F) A statement of the basis for such determination; and

(G) Programs—

(i) directed at the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and

(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act and the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458), to expend funds for programs described in subparagraphs (i) and (ii) of this paragraph.

(3) IN GENERAL.—In the report referred to in subparagraph (A), the Director shall include a statement of the basis for each such action.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured or detained on or in connection with terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures are or were in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

(F) A statement of the basis for such determination; and

(G) Programs—

(i) directed at the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and

(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act and the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458), to expend funds for programs described in subparagraphs (i) and (ii) of this paragraph.

(3) IN GENERAL.—In the report referred to in subparagraph (A), the Director shall include a statement of the basis for each such action.
subsection: under paragraph (6); and''; and
system (as so defined) complies with the 
of the intelligence community for a major 
sion 506A(e)(3)) by the intelligence commu-
munity; 
sh its effect on research and development projects by research type (basic, advanced, or applied) with esti-
mated funding levels, estimated initiation dates, and estimated completion dates; and 
E) a plan to incorporate technology from research and development projects into Na-
tional Intelligence Program acquisition pro-
gam (8); and
the end; 
"(7) ensure that each acquisition program 
"(5) the Director in establishing goals for the elements of the intelligence 
community to meet the technology needs of the intelligence community; 
"(6) under the direction of the Director, es-
ablish engineering standards and specifica-
tions applicable to each acquisition of a 
major system (as that term is defined in sec-
ction 106A(e)(3)) by the intelligence commu-
ity; 
"(7) ensure that each acquisition program of the intelligence community for a major 
systen (as defined) complies with the 
ards and specifications established under paragraph (6); and''; and 
"(2) by adding at the end the following new subsection: 
"(e) GOALS FOR TECHNOLOGY NEEDS OF IN-
Telligence COMMUNITY.—In carrying out 
subsection (c), the Director of Science and Technology shall— 
"(1) systematically identify and assess the 
most significant intelligence challenges that require 
resolution; 
"(2) examine options to enhance the re-
sponsiveness of research and design pro-
gams of the elements of the intelligence 
community to meet the requirements of the intelligence community for timely support; and 
"(3) assist the Director of National Intel-
ligence in establishing research and develop-
mint priorities and projects for the intel-
ligence community that— 
"(A) are consistent with current or future 
national intelligence requirements; 
"(B) address deficiencies or gaps in the col-
lection, processing, analysis, or dissemi-
nation of national intelligence; 
"(C) take into account funding constraints in program development and acquisition; and 
(D) address system requirements from collection to final dissemination (also known as 'end-to-end architecture')."

(c) Report.—(1) Not later than June 30, 2007, the National Intelligence Program shall submit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2021. 
(2) The report shall include— 
(A) an assessment of the highest priority intelligence 
community intelligence sources and methods described in such programs and operations, and in such relation-
ships; and 
(B) provide a means for keeping the Direc-
tor of National Intelligence fully and cur-
rently informed about— 
"(A) problems and deficiencies relating to the 
administration and implementation of such programs and operations, and to such 
relationships; and 
(B) the necessity for, and the progress of, 
corrective actions; and 
"(4) in the manner prescribed by this sec-
tion, ensure that the congressional intel-
ligence committees are kept similarly in-
formed of— 
"(A) significant problems and deficiencies 
relating to the administration and imple-
mentation of such programs and operations, and to such relationships; and 
(B) the necessity for, and the progress of, corrective actions. 
(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector Gen-
eral of the Intelligence Community, who shall be the head of the Office of the Inspec-
tor General of the Intelligence Community, who shall be appointed by the President, by 
and with the advice and consent of the Sen-
ate. 
(2) The nomination of an individual for appointment as Inspector General shall be made 
"(A) without regard to political affiliation; 
"(B) solely on the basis of integrity, com-
pliance with the security standards of the in-
telligence community to meet the technology needs of the intelligence community; 
"(C) on the basis of demonstrated ability in 
accounting, financial analysis, law, man-
agement analysis, public administration, or auditing. 
(3) The Inspector General shall report di-
rectly to and be under the general super-
vision of the Director of National Intel-
ligence. 
(4) The Inspector General may be removed 
from office only by the President. The Pres-
ident shall immediately in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General. 
(d) DUTIES AND RESPONSIBILITIES.—Sub-
ject to subsections (g) and (h), it shall be the 
duty and responsibility of the Inspector Gen-
eral of the Intelligence Community— 
"(A) to provide policy guidance, and, to the 
collection to final dissemination (also known as 'end-to-end architecture')."
with generally accepted government auditing standards.

"(e) LIMITATIONS ON ACTIVITIES.—(1) The Director of National Intelligence may prohibit the Inspector General of the Intelligence Community from initiating, carrying out, or completing any investigation, inspection, or audit if the Director determines that such prohibition is necessary to protect national security interests of the United States.

"(2) If the Director exercises the authority under paragraph (1), the Director shall submit an appropriately classified statement of the reasons for the exercise of such authority with the report to the congressional intelligence committees.

"(3) The Director shall advise the Inspector General at the time a report under paragraph (3) is submitted, and to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such report.

"(4) The Inspector General may submit to the congressional intelligence committees any comments on a report of which the Inspector General has notice under paragraph (3) that the Inspector General considers appropriate.

"(f) AUTHORITIES.—(1) The Inspector General of the Intelligence Community shall have all necessary access to the National Intelligence Coordinating Board.

"(2) If the Director exercises the authority under paragraph (1), the Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

"(g) COORDINATION AMONG INSPECTORS GENERAL OF INTELLIGENCE COMMUNITY.—(1) In each instance, the Inspector General of the Intelligence Community shall be provided with the name or names of any employees, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

"(h) STAFF AND OTHER SUPPORT.—(1) The Inspector General shall have access to any employees, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

"(i) REPORTS.—(1)(A) The Inspector General shall, annually, prepare and submit a report to the Director of National Intelligence and to the Senate, the House of Representatives, and the President of the United States, including a list of the titles or subjects of each investigation, inspection, or audit conducted by the Inspector General under this section. The report shall be submitted to the Director of National Intelligence not later than 90 days after the end of each fiscal year.

"(B) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Director of National Intelligence and the United States Congress. The report shall be submitted to the Director of National Intelligence not later than 90 days after the end of each fiscal year.

"(C) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(D) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(E) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(F) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(G) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(H) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(I) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(J) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(K) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(L) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(M) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(N) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(O) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(P) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(Q) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(R) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(S) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(T) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(U) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(V) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(W) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(X) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(Y) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(Z) The report shall include a description of the significant work performed by the Inspector General during the fiscal year, a description of the most significant problems, and matters under investigation, inspection, or audit, and a description of significant accomplishments. The report shall also include a report on the performance of the Inspector General, which shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.

"(AA) The report shall be submitted to the Senate, the House of Representatives, and the President of the United States not later than 90 days after the end of each fiscal year.
made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii),

(iv) whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, if corrective action has been completed, a description of such corrective action.

(v) A certification whether or not the Inspector General conducted full and direct access to all information relevant to the performance of the functions of the Inspector General.

(vi) A description of the exercise of the subpoena authority under subsection (f)(3)(B) by the Inspector General during the period covered by such report.

(2) The following shall report under subparagraph (A), the Director shall transmit the report to the congressional intelligence committees:

(A) The Inspector General shall report to the Director a notice of that determination, together with the complaint or information.

(B) The Director shall transmit to the Inspector General during the period covered by such report with respect to the complaint or information to Congress by the Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.

The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103G the following new item:

"Sec. 103H. Inspector General of the Intelligence Community.".

(3) In the event that:

(A) The Inspector General is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the Inspector General;

(B) The Inspector General, or audit carried out by the Inspector General focuses on any current or former intelligence community official who—

(i) holds or held a position in an element of the intelligence community that is subject to appointment by the President, whether or not by and with the advice and consent of the Senate, including such position held on an acting basis;

(ii) holds or held a position in an element of the intelligence community, including a position held on an acting basis, that is appointed by the Director of National Intelligence; or

(iii) holds or held a position as head of an element of the intelligence community or a position covered by subsection (b) or (c) of section 106;

(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former official described in subparagraph (B);

(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any current or former officials described in subparagraph (B); or

(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit, the Inspector General shall immediately notify and submit a report on such matter to the congressional intelligence committees.

(4) Pursuant to title V, the Director shall submit to the congressional intelligence committees any report or findings and recommendations made by the Inspector General, or audit conducted by the office which has been requested by the Chairman or Vice Chairman or Ranking Minority Member of either committee.

(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General;

(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. In making such determination the Inspector General shall transmit to the Director a notice of that determination, together with the complaint or information.

(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within seven calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

(D)(i) The Inspector General does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accordance with subsection (A), the employee (subject to clause (ii)) may submit the complaint or information to Congress by contacting either or both of the congressional intelligence committees directly.

(ii) An employee may contact the intelligence committees directly as described in clause (i) of this subsection:

(i) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee’s complaint, or information or advice of the employee’s intent to contact the congressional intelligence committees directly; and

(ii) obtains and follows from the Director, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices.

(E) A false statement to Congress, or a violation of law or Executive order, or defiance of Federal criminal law that involves a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

(6) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of law or Executive order, or defiance of Federal criminal law that involves a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

(k) Construction of Duties Regarding Elements of Intelligence Community.—

(1) The President shall instruct the Director of National Intelligence, as the Head of the Intelligence Community, or the Director of the National Counter Proliferation Center, as the Head of the National Counter Proliferation

SEC. 409. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A of the National Security Act of 1947 (50 U.S.C. 404o–1(a)) is amended—

(1) by striking “(a) E STABLISHMENT.—Not later than 18 months after the enactment of the National Security Intelligence Reform Act of 2004, the” and inserting the following:

"(1) ESTABLISHMENT.—The"; and

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

"(i) The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center.

"(j) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall—".

SEC. 103H. Inspector General of the Intelligence Community.
Center, who shall be appointed by the Director of National Intelligence.

(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.

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

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

(9) The Chief Information Officer of the Intelligence Community.

(10) The Inspector General of the Intelligence Community.

(11) The Director of the Counterterrorism Center.

(12) The Director of the National Counter Proliferation Center.

SEC. 410. NATIONAL SPACE INTELLIGENCE CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding after section 119B the following new section:

"NATIONAL SPACE INTELLIGENCE CENTER—''(a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Center.

"(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE CENTER.—The National Intelligence Officer for Science and Technology, or a successor position designated by the Director of National Intelligence, shall act as the Director of the National Space Intelligence Center.

"(c) MISSIONS.—The National Space Intelligence Center shall have the following missions:

"(1) To coordinate and provide policy direction for the management of space-related intelligence assets.

"(2) To prioritize collection activities consistent with the National Intelligence Collection Priorities framework, or a successor framework, or other document designated by the Director of National Intelligence.

"(3) To provide policy direction for programs designed to ensure a sufficient cadre of government and nongovernment personnel in fields relating to space intelligence, including programs to support education, recruitment, hiring, training, and retention of qualified personnel.

"(4) To evaluate independent analytic assessments of threats to classified United States space intelligence systems throughout the development, acquisition, and operation of such systems.

"(d) ACCESS TO INFORMATION.—The Director of National Intelligence shall ensure that the National Space Intelligence Center has access to all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Center to carry out the missions of the Center under subsection (c).

"(e) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall ensure that the National Space Intelligence Program budget a separate line item for the National Space Intelligence Center.

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 119B the following new item:

"Sec. 119C. National Space Intelligence Center.

(b) REPORT ON ORGANIZATION OF CENTER.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Space Intelligence Center shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the organizational structure of the National Space Intelligence Center established by subsection (a) of the National Security Act of 1947 (as added by subsection (a)).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The organizational structure of the National Space Intelligence Center.

(B) An identification of key participants in the Center.

(C) A strategic plan for the Center during the five-year period beginning on the date of the report.

SEC. 411. OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.) is amended by inserting before section 701 the following new section:

"OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—''(a) INFORMATION AND RECORDS PASSING TO OFFICE.—Information and records that are not disseminated or provided to the Office shall be subject to search and review for information concerning any of the following:

"(1) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 522 of title 5, United States Code.

"(2) Any special activity the existence of which is not exempt from disclosure under the provisions of section 522 of title 5, United States Code.

"(3) The specific subject matter of an investigation by any of the following for any improperity, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

"(A) The Select Committee on Intelligence of the Senate.

"(B) The Permanent Select Committee on Intelligence of the House of Representatives.

"(C) The Intelligence Oversight Board.

"(D) The Department of Justice.

"(E) The Office of the Director of National Intelligence.


"(b) CHERAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting before the item relating to section 701 the following new item:

"Sec. 700. Operational files in the Office of the Director of National Intelligence.

SEC. 412. ELIGIBILITY FOR INCENTIVE AWARDS OF PERSONNEL ASSIGNED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

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

"(b) AUTHORITY FOR PAYMENT OF AWARDS.—

(1) The Director of National Intelligence may exercise the authority granted in section 1309 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

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

(b) REPEAL OF OBSOLETE AUTHORITY.—That section is further amended—

(1) by striking subsection (c); and

(2) by redesigning subsection (d) as subsection (c).

(c) EXPEDITIOUS PAYMENT.—That section is further amended by adding at the end the following new subsection:

"(d) EXPEDITIOUS PAYMENT.—Payment of an award under this authority in this section shall be made as expeditiously as is practicable after the making of the award.

(d) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (b), by striking “to the Central Intelligence Agency or to the Intelligence Community Staff” and inserting “to the Office of the Director of National Intelligence or to the Central Intelligence Agency”;

(2) in subsection (c), as redesignated by subsection (b)(2) of this section, by striking “Director of Central Intelligence” and inserting “Director of National Intelligence or Director of the Central Intelligence Agency”;

(3) in subsection (e), by redesigning subsection (b)(2) of that section, by striking “Director of Central Intelligence” and inserting “Director of National Intelligence or Director of the Central Intelligence Agency”;

(e) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—

(1) by inserting “PERSONNEL ELIGIBLE FOR AWARDS.” after “(b)";
(B) by striking “subsection (a) of this section” and inserting “subsection (b)”;

(C) by striking “a date five years before the date of enactment of this section” and inserting “the date of enactment of this Act”;

(2) in subsection (c), as so redesignated, by inserting “PAYMENT AND ACCEPTANCE OF AWARDS” after “subsection (a)”;

SEC. 413. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EX- ECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306, 50 U.S.C. 402c) is amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (a) the following new subparagraph:

“(B) in paragraph (2), by striking “subsection (a) of this section” and inserting “subsection (d)”;

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

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

(2) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking “subsection (e)1)” and inserting “subsection (d)1)”;

(B) in paragraph (2), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”;

SEC. 414. INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO ADVISORY COMMITTEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 4(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking “or”;

(2) in paragraph (2), by striking the period and inserting “; or”;

(3) by striking at the end the following new paragraph:

“(3) the Office of the Director of National Intelligence.”

SEC. 415. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

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

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

SEC. 416. APPLICABILITY OF THE PRIVACY ACT TO THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) AUTHORITY TO EXEMPT.—The Director of National Intelligence may prescribe regulations to exempt any system of records within the Office of the Director of National Intelligence from the applicability of the provisions of subsections (c)(3), (c)(4), and (d) of section 552a of title 5, United States Code.

(b) REQUIREMENTS.—In prescribing any regulations under subsection (a), the Director shall comply with the requirements (including general notice requirements) of subsections (b), (c), and (d) of section 553 of title 5, United States Code.

Subtitle B.—Central Intelligence Agency

SEC. 421. DIRECTOR AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) APPOINTMENT OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Subsection (a) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended by inserting “from civilian life” after “who shall be appointed”.

(b) ESTABLISHMENT OF POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Such section is further amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (a) the following new subparagraph:

“(B) by redesignating subsections (b)(1), (b)(2), and (b)(3) as subsections (a)(2), (a)(3), and (a)(4), respectively; and

(3) in subsection (d), as redesignated by subsection (a), by striking “military pay and allowances. Funds from which such pay and allowances are paid shall be accounted for by the Director of the Central Intelligence Agency” and inserting “the Director of the Central Intelligence Agency”;

(g) EFFECTIVE DATE AND APPLICABILITY.—

(1) DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—The amendment made by subsection (a) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply upon the occurrence of any act creating a vacancy in the position of Director of the Central Intelligence Agency after such date, except that if the vacancy occurs by resignation from such position of the individual serving in such position on such date, that individual shall continue to serve in such position after such resignation until the individual appointed to succeed such resigning individual as Director of the Central Intelligence Agency has given advice and consent of the Senate, assumes the duties of such position;

(2) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—The amendments made by subsections (b) through (e) shall take effect on the date of the enactment of this Act and shall apply upon the occurrence of any act creating a vacancy in the position of Deputy Director of the Central Intelligence Agency after such date, except that if the vacancy occurs by resignation from such position of the individual serving in such position on such date, that individual shall continue to serve in such position after such resignation until the individual appointed to succeed such resigning individual as Deputy Director of the Central Intelligence Agency has given advice and consent of the Senate, assumes the duties of such position;

SEC. 422. ENHANCED PROTECTION OF CENTRAL INTELLIGENCE AGENCY INTEL- LIGENCE SOURCES AND METHODS FROM UNAUTHORIZED DISCLOSURE.

(a) RESPONSIBILITY OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT OF 1947.—Subsection (g) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as redesignated by section 421(b)(1) of this Act, is further amended—

(1) in the subsection caption, by striking “DCI” and inserting “OF DCI’’;

(2) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively; and

(3) by inserting at the end of that subparagraph:

“(f) A commissioned officer described in paragraph (1) who is engaged in administrative performance of the duties of Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act shall not, while continuing in such service, or in the administrative performance of such duties, after that date—

(A) be subject to supervision or control by the Secretary of Defense or by any officer or employee of the Department of Defense; or

(B) exercise, by virtue of his or her status as a commissioned officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law.

(2) Except as provided in subparagraph (A) or (B) of paragraph (1), the service, or the administrative performance of such duties, as described in that paragraph by an officer described in that paragraph shall not affect the status, position, rank, or grade of such officer in the Department of Defense except as monument, perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

(3) A commissioned officer described in paragraph (1), while serving, or continuing in the administrative performance of such duties, as described in that paragraph by an authorized disclosure, consistent with any

(4) protect intelligence sources and methods of the Central Intelligence Agency from unauthorized disclosure, consistent with any

(5) construing with the Central Intelligence Agency Act of 1949 (50 U.S.C. 403–4g) is amended by striking “section 102A(c)” and all that follows through “unauthorized disclosure” and inserting “sections 102A(i) and 104A(e) of the National Security Act of 1947 (50 U.S.C. 403–1(i), 403a–4(a))”;

(c) CONSTRUCTION WITH EXEMPTION FROM REQUIREMENT FOR DISCLOSURE OF INFORMATION.—Section 104A of the National Security Act of 1947, as amended by subsection (a), and section 6 of the Central Intelligence Agency Act of 1949, as amended by subsection (b), apply to all statutes that specifically exempt from disclosure the matters specified in such sections for purposes of section 522(b)(5) of title 5, United States Code.

(d) TECHNICAL AMENDMENTS TO CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—Section 302 of the Central Intelligence Agency Retirement Act (50 U.S. 2011(c)) is amended—

(1) in the subsection caption, by striking “OF DCI’’;

(2) by striking “section 102A(i)” and inserting “sections 102A(i) and 104A(e)’’;
(3) by striking ‘‘of National Intelligence’’;

and

(4) by inserting ‘‘of the Central Intelligence Agency after ‘methods’.

SEC. 423. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) ADDITIONAL EXCEPTION.—Subsection (b) of section 104A of the National Security Act of 1947 (50 U.S.C. 402 note), as amended by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (1)—

(A) by striking ‘‘paragraph (2)’’ and inserting ‘‘paragraphs (2) and (3)’’; and

(B) by striking ‘‘Directorate of Operations’’ and inserting ‘‘National Clandestine Service’’;

(2) in paragraph (2), by striking ‘‘position or category of positions’’ each place it appears and inserting ‘‘individual, individuals, position, or category of positions’’; and

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

‘‘(3) Paragraph (1) shall not apply to any individual in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency who is serving in a position in the Directorate of Intelligence Service that was established after December 23, 2005, regardless of whether such individual is a member of the Senior Intelligence Service.’’.

SEC. 425. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON RETIREMENT BENEFITS OF FORMER EMPLOYEES OF AIR AMERICA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such employees of Air America or an associated company while such company was owned or controlled by the United States Government and operated, or managed by the Central Intelligence Agency.

(b) REPORT ELEMENTS.—(1) The report required by subsection (a) shall include the following:

(A) The history of Air America and associated companies before 1977, including a description—

(i) the relationship between such companies and the Central Intelligence Agency and other elements of the United States Government;

(ii) the workforce of such companies;

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

(iv) the casualties suffered by employees of such companies in the course of their employment with such companies.

(B) The report shall include a description of—

(i) the retirement benefits contracted for or promised to the employees of such companies before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid such employees, the entitlement of such employees to the payment of future retirement benefits, and the likelihood that former employees of such companies will receive any future retirement benefits;

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of such companies have received or will receive by virtue of their employment with such companies; and

(ii) the retirement benefits that such employees would have received and in the future receive if such employees had been, or would now be, treated as employees of the United States whose services while in the employ of such companies had been or would now be credited as Federal service for the purpose of Federal retirement benefits.

(D) The recommendation of the Director regarding the advisability of legislative action to treat employment at such companies as Federal service for the purpose of Federal retirement benefits, the relationship between such companies and the United States Government and the services and sacrifices of such employees to and for the United States, and if legislative action is considered advisable, a proposal for such action and an assessment of its costs.

(b) The Director of National Intelligence shall include in the report any views of the Director of the Central Intelligence Agency on the matters covered by the report that the Director of National Intelligence Agency considers appropriate.

(c) ASSISTANCE OF COMPTROLLER GENERAL.—The Comptroller General of the United States is authorized to assist the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by subsection (a).

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

(e) DEFINITIONS.—In this section:

(1) the term ‘‘Air America’’ means Air America, Incorporated.

(2) The term ‘‘associated company’’ means any company associated with or subsidiary of Air America, including Air Asia Company Limited and the Pacific Division of Southern Air Transport, Incorporated.

Subtitle C—Defense Intelligence Components

SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGENCY PROGRAM.

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

(b) by the Agency due to misconduct by the employee;

(II) by the employee voluntarily; or

(III) by the Agency for the failure of the employee to maintain professional standing in the educational course of training as the Director of the National Security Agency shall have specified in the agreement of the employee under this subsection; and’’.

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF AFFILIATION WITH NSA.—Subsection (e) of section 104A, as amended by section 421(b)(1) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3955) is amended—

(1) by striking the first sentence and inserting the following new sentence: ‘‘The Director of the Central Intelligence Agency shall submit to Congress a report that identifies individuals who, or positions within the Senior Intelligence Service in the Directorate of Intelligence or the National Clandestine Service of the Central Intelligence Agency that, are determined by the Director to require a waiver under subsection (b) of section 104A of the National Security Act of 1947, as added by subsection (a) and redesignated by section 421(b)(1) of the Intelligence Authorization Act for Fiscal Year 2005.’’; and

(2) in the second sentence—

(A) by striking ‘‘section 104A(g)(2), as so added, redesignated by section 104A, as so added and redesignated’’; and

(B) by striking ‘‘position or category of positions’’ and inserting ‘‘individual, individuals, position, or category of positions’’;

SEC. 424. ADDITIONAL FUNCTIONS AND AUTHORITY FOR PROTECTIVE PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a(4)) is amended—

(1) by inserting ‘‘(A)’’ after ‘‘(4)’’;

(2) in subparagraph (A), as so designated—

(A) by redesignating ‘‘the protection’’ as ‘‘the protection’’; and

(B) by striking the semicolon and inserting ‘‘and’’; and

(3) by adding at the end the following new subparagraph:

‘‘(B) Authorize personnel engaged in the performance of protective functions authorized pursuant to paragraph (A), when engaged in the performance of such functions, to make arrests without warrant for any offense against the United States committed in the employ of such personnel, or for any felony cognizable under the laws of the United States, if such personnel have reason-
SEC. 433. COMMITTEE ON APPOINTMENT OF HEADS OF CERTAIN COMPONENTS OF THE INTELLIGENCE COMMUNITY.

(a) DIRECTOR OF NATIONAL SECURITY AGENCY.—The National Security Agency Act of 1993 (50 U.S.C. 402 note) is amended by inserting after the first section the following new section:

``Sec. 2. (a) There is a Director of the National Security Agency.

(b) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

(c) The Director of the National Security Agency shall be head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law.

(b) DIRECTOR OF NATIONAL GEOATERIAL-INTELLIGENCE AGENCY.—Section 44(b) of title 10, United States Code, is amended by inserting after paragraph (2) and (3) as paragraphs (4) and (4), respectively, and (2) by inserting after paragraph (1) the following new paragraph (2):

``(2) The Inspectors General of the National Geospatial-Intelligence Agency shall be appointed by the President, by and with the advice and consent of the Senate.''

(b) DIRECTOR OF NATIONAL GEOATIONAL-INTELLIGENCE AGENCY.—The Director of the National Geospatial-Intelligence Agency shall be appointed by the President, by and with the advice and consent of the Senate.''

(c) DIRECTOR OF NATIONAL SECURITY AGENCEY.—The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.''

(d) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—(1) DESIGNATION OF POSITIONS.—The President may designate any of the positions referred to in subparagraph (2) as positions of importance and responsibility under section 601 of title 5.

(2) COVERED POSITIONS.—The President may designate such positions as the President may from time to time designate by order of the President.

(e) EFFECTIVE DATE AND APPLICATION.—(1) The amendments made by subsections (a) and (b), and subsection (c), shall take effect on the date of the enactment of this Act and shall apply upon the earlier of:

(A) the date of the nomination by the President of an individual to serve in the position concerned, except that the individual serving in such position as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed to such position, by and with the advice and consent of the Senate, assumes the duties of such position;

(B) the date of the cessation of the performance of the duties of such position by the individual performing such duties as of the date of the enactment of this Act.

(2) Subsection (d) shall take effect on the date of the enactment of this Act.

SEC. 434. CLARIFICATION OF NATIONAL SECURITY MISSIONS OF NATIONAL GEOATIONAL-INTELLIGENCE AGENCY FOR ANALYSIS AND DISSEMINATION OF NATIONAL INTELLIGENCE INFORMATION.

Section 42(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

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

``(2) The Director of National Intelligence, the National Geospatial-Intelligence Agency shall also analyze, disseminate, and incorporate into the National Geospatial-Intelligence systems, likenesses, videos, or presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open-source information.

(3) The authority provided by this paragraph does not authorize the Director to manage or direct the tasking of, set requirements and priorities for, set technical requirements related to, or modify any classification or dissemination limitations related to the collection of, handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or any law administered by the Office of Personnel Management.''

SEC. 435. SECURITY CLEARANCES IN THE NATIONAL GEOATIONAL-INTELLIGENCE AGENCY.

The Secretary of Defense shall, during the period commencing on the date of the enactment of this Act and ending on December 31, 2007, delegate to the Director of the National Geospatial-Intelligence Agency personnel security authorizations with respect to the National Geospatial-Intelligence Agency (including authority relating to the use of contractor personnel in investigations and adjudication of the Bureau to protect that is identical to the personnel security authority of the Director of the National Security Agency with respect to the National Security Agency.''

Subtitle D—Other Elements

SEC. 441. FOREIGN LANGUAGE INCENTIVE FOR CERTAIN NON-SPECIAL AGENT EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) AUTHORITY TO PAY INCENTIVE.—The Director of the Federal Bureau of Investigation may pay a cash award authorized by section 5023 of title 5, United States Code, in accordance with the provisions of this section, to any employee of the Federal Bureau of Investigation described in subsection (b) as if such employee were a law enforcement officer as specified in such section.

(b) COVERED EMPLOYEES.—An employee of the Federal Bureau of Investigation described in subsection (b) is any employee of the General Services Administration (1) who uses foreign language skills in support of the analyses, investigations, or operations of the Bureau against international terrorism or clandestine intelligence activities (or maintains foreign language skills for purposes of such support); and

(2) whom the Director of the Federal Bureau of Investigation, subject to the joint guidance of the Attorney General and the Director of National Intelligence, may designate for purposes of this section.

SEC. 442. AUTHORITY TO SECURE SERVICES BY CONTRACT FOR THE BUREAU OF INVESTIGATION, AND RESEARCH OF THE DEPARTMENT OF STATE.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is hereby amended by inserting after section 23 the following new section :

``SEC. 23A. (a) AUTHORITY TO ENTER INTO CONTRACTS.—The Secretary may enter into contracts with individuals or organizations for the provision of services in support of the mission of the Bureau of Intelligence and Research of the Department of State if the Secretary determines that—

(1) the services to be procured are urgent or unique; and

(2) it would not be practical for the Department to obtain such services by other means.

(b) TREATMENT AS EMPLOYEES OF THE UNITED STATES GOVERNMENT.—(1) Individuals employed under a contract pursuant to the authority in subsection (a) shall not, by virtue of the performance of services under such contract, be considered employees of the United States Government for purposes of any law administered by the Office of Personnel Management.''

Sec. 2. (a) There is a Director of the National Security Agency.
“(2) The Secretary may provide for the application to individuals described in paragraph (1) of any law administered by the Secretary concerning the employment of such individuals.

“(c) Contract To Be Appropriate Means of Securing Services.—The chief contracting officer of the Department of Defense shall ensure that each contract entered into by the Secretary under this section is the appropriate means of securing the services to be provided under such contract.”

SEC. 443. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION IN ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 34(a) of the National Security Act of 1947 (50 U.S.C. 404(a)) is amended—

(1) in subparagraph (B)—

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

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

(2) in subparagraph (K), by striking “— including the Office of Intelligence of the Coast Guard”.

SEC. 444. CLARIFYING AMENDMENTS RELATING TO TITLE 10 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.


(1) by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

(2) by inserting, for section 313 of such title, after “subsection (a)”, “—

TITLED V—OTHER MATTERS

SEC. 501. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

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

(1) in section 102A (50 U.S.C. 401c–1)—

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

(B) in subsection (d)—

(i) in paragraph (3), by striking “subparagraph (A)” in the matter preceding subparagraph (A) and inserting “paragraph (1)”; and

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

(2) in section 119(c)(2)(B) (50 U.S.C. 401c–2(B)), by striking “subsection (h)” and inserting “subsection (i)”; and

(3) in section 705(e)(2)(D)(i) (50 U.S.C. 432(e)(2)(D)(i)), by striking “responsible” and inserting “responsive.”

SEC. 502. TECHNICAL AMENDMENTS RELEVANT TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

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

(1) by inserting, after “‘Joint Central Intelligence Program’ or ‘Joint Intelligence Program’” and inserting “Military Intelligence Program or any successor program or programs”;

(2) in section (d)(1)(B), by striking “‘Joint Central Intelligence Program’” and inserting “‘Military Intelligence Program or any successor program or programs’;


(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458) is further amended by adding—

(1) in section 101(e)(10)(B) (6 U.S.C. 458(e)(10)(B)), by striking “‘Attorney General’” the second place it appears and inserting “‘Director of National Intelligence’”;

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

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

(B) in subsection (h), by striking “National Intelligence Director” and inserting “Director of National Intelligence”;

(3) in section 1072(b), by inserting “agency” after “intelligence”;

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

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

(A) in subsection (c)(1), by striking “before” an “institutional culture”; and

(B) in subsection (e), by striking “the National Intelligence Director in a manner consistent with section 122(e)” and inserting “the Director of National Intelligence in a manner consistent with applicable law”; and

(c) in subsection (f), by striking “shall” in the matter preceding paragraph (1) and inserting “shall”;

(2) in section 2006 (28 U.S.C. 569 note)—

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

(B) in paragraph (3), by striking “the specific” and inserting “specific”.

SEC. 504. TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE, ARISING FROM ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) REFERENCES TO HEAD OF INTELLIGENCE COMMUNITY.—Title 10, United States Code, is amended by striking “Director of Central Intelligence” each place it appears and inserting “Director of National Intelligence”:

(1) in section 102(h)(2);

(2) in section 193(e);

(3) in section 201(a);

(4) in section 272(a);

(5) in section 203(c)

(6) in section 425(a);

(7) in section 431(b)(1);

(8) in section 514(c);

(9) in section 543(d);

(10) in section 2273(a);

(11) in section 2277(b)(1); and

(12) in section 2723(a).

(b) CEREBRAL AMENDMENTS.—Such title is further amended by striking “’Director of Central Intelligence’” each place it appears in a provision as follows and inserting “’Director of National Intelligence’”:

(1) in section 102(h)(2); and

(2) in section 193(e).

SEC. 505. TECHNICAL AMENDMENTS TO THE CENTRAL INTELLIGENCE ACT OF 1949.

(a) AUTHORIZED.—Title 50, United States Code, is amended by striking “authorized under paragraph (2)” and inserting “authorized under subsections (d), (e), (f), and (g)” of section 101A of the National Security Act of 1947 (50 U.S.C. 403–1).

SEC. 506. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

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

(1) in the subsection caption, by striking “FOREIGN”; and

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

(b) RESPONSIBILITY OF DNI.—That section is further amended—

(1) in subsections (a) and (c), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

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

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

“SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.”

SEC. 507. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

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

“Director of the Central Intelligence Agency.”

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence.

(c) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence and inserting the following new item:

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

SEC. 508. TECHNICAL AMENDMENTS RELATING TO REDESIGNATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY TO THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

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

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

(B) Section 3123(a)(1)(B).

(C) Section 43011 (in clause (ii)).

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

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

(F) Section 5312(a)(1) (in clause (K)).

(G) Section 6339(a)(1)(A).

(H) Section 7323(b)(2)(B)(x)(XIII).

(2) Section 6339(a)(2)(E) of such title is amended by striking “National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency”.

(b) TITLE 44, UNITED STATES CODE.—(1) Section 1336 of title 44, United States Code, is amended by striking “National Imagery and Mapping Agency” both places it appears and inserting “National Geospatial-Intelligence Agency”.

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

The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 1336 and inserting "National Geospatial-Intelligence Agency".


(e) ETHICS IN GOVERNMENT ACT OF 1978.—Section 186(a)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 501 note) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(2) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

SA 844. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 509. PROCUREMENT OF PREDATOR AND GLOBAL HAWK UNMANNED AERIAL VEHICLES AND RELATED SYSTEMS.

(a) REPORT REQUIRED.—Not later than 90 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions being taken by the Department of Defense to address shortages in the procurement of Predator Unmanned Aerial Vehicles and Global Hawk Unmanned Aerial Vehicles and associated orbits for military and intelligence mission requirements.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of any shortages in available Predator Unmanned Aerial Vehicles, Global Hawk Unmanned Aerial Vehicles, and associated orbits to meet requirements of United States military and intelligence forces in the field, including for activities in Iraq, Afghanistan, Colombia, East, South and Southeast Asia.

(2) A description of progress in developing next-generation stealth, medium-altitude unmanned aerial vehicles.

(3) A schedule for addressing such shortages.

(4) An assessment of whether or not the Department of Defense has requested all funds required to keep production lines for such unmanned systems running at maximum capacity until such shortages are fully addressed, and, if not, a statement of the reasons.

(5) A description of the actions required to fully address such shortages.

(6) An assessment of whether or not reliance on a sole-source producer for production of the Predator Unmanned Aerial Vehicle delays the achievement of production and procurement schedules for such vehicle, and if so, recommendations securing one or more additional producers.

(7) A statement of the anticipated overseas requirements for such unmanned aerial vehicles during the first year following the date of the report, including an assessment of the extent to which long-endurance unmanned aerial vehicles, whether armed or for intelligence, surveillance, and reconnaissance purposes, are long-term and growing requirement for the Armed Forces.

(b) FORMAL.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 846. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 512. STRATEGIC AIR CAPABILITY FOR UNITED STATES MILITARY IN THE CENTRAL AND SOUTH PACIFIC OCEAN AREAS.

(a) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions being taken by the Department of Defense to address the strategic capability of the United States military in the Central and South Pacific Ocean areas.

(b) FORMAL.—The report required by subsection (a) shall be submitted in unclassified form.
public safety of the United States; and
(l) a specific date, which may not be later
than 90 days after the date on which such relief
is entered, unless the court finds that such re-
lease in any civil action pertaining to the admin-
istration or enforcement of the immigration
laws of the United States shall automatically
expire on the date that is 90 days after
the date on which such motion is filed unless
the court previously has granted or denied
the Government’s motion.
(2) AUTOMATIC STAYS.—
(A) In general.—A motion to vacate, mod-
ify, dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States shall autom-
atically expire on the date that is 90 days after
the date on which such motion is filed unless
the court previously has granted or denied
the Government’s motion.
(B) DURATION OF AUTOMATIC STAY.—
An automatic stay under subparagraph (A) shall
continue until the date on which the court
enters an order granting or denying the Gov-
ernment’s motion.
(C) POSTPONEMENT.—The court may, for
good cause, postpone an automatic stay under subparagraph (A) for no longer
than 15 days.
(D) PENDING MOTIONS.—
(1) MOTIONS PENDING FOR 45 DAYS OR LESS.—
A motion to vacate, modify, dissolve, or oth-
erwise terminate an order granting prospec-
tive relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for no more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(II) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(II) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(II) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(II) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
(II) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(2) MOTIONS PENDING FOR MORE THAN 45 DAYS.—
(I) In general.—A motion to vacate, modify,
dissolve, or otherwise terminate an order granting
prospective relief in any civil action pertaining to
the administration or enforcement of the immi-
gration laws of the United States that has been pending for more than 45 days on
the date of the enactment of this Act shall be
be treated as if the motion had been filed on the
date of the enactment of this Act for purposes
of this subsection.
II. Duration of Automatic Stay.—An automatic stay under subclause (I) shall continue until the court enters an order granting or denying the Government’s motion.

III. The automatic stay under this clause may not be postponed under subparagraph (C).

E. Automatic stays during removal proceedings.—If a Federal court of appeals orders a decision on a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States to be remanded to a district court, the order granting prospective relief in the district court may be vacated, modified, dissolved, or otherwise barred under paragraph (4)(B) if the court, in the exercise of discretion, determines that the result is not reasonably foreseeable. In no event shall such an order denying prospective relief be vacated, modified, or otherwise barred if the Government fails or refuses to make all reasonable efforts to comply with the removal order.

F. Orders blocking automatic stays.—An order staying, suspending, delaying, or otherwise barring the effective date of an automatic stay, other than an order to postpone the effective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

G. Requirements concerning protective relief affecting expedited removal.—(I) Jurisdiction over orders interfering with the inspection of aliens arriving in the United States. Notwithstanding any other provision of law (statutory or non-statutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, or any other provision of law, no court shall have jurisdiction to grant or continue an order or part of an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall promptly determine whether the court continues to have jurisdiction and shall promptly vacate any order or part of an order granting prospective relief that is not within the jurisdiction of the court.

(II) Applicability. —Paragraphs (I) and (II) shall not apply to an order granting prospective relief that was entered before the date of the enactment of this Act if the prospective relief granted by such order was necessary to remedy the violation of a right guaranteed by the Constitution of the United States.

(III) Settlements. —In any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall not enter, approve, or continue a consent decree unless it complies with the requirements of subsection (b).

(IV) Agreement agreements. —Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the requirements of subsection (b).

II. Definitions.—In this section:

(I) Consent decree. —The term “consent decree” means an order entered by the court that is based in whole or in part on the consent or acquiescence of the parties, but does not include private settlement agreements.

(II) Good cause. —The term “good cause” does not include discovery or congestion of the court’s calendar.

(III) Government. —The term “Government” means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(IV) Permanent relief. —The term “permanent relief” means relief issued in connection with a final decision of a court.

(G) Expedited Proceedings. —If the term “prospective relief” means temporary, preliminary, or permanent relief other than compensatory monetary damages.

H. Expedited Procedures. —It shall be the duty of the court to advance on the docket and to expedite the disposition of any civil action or motion to the provisions of this section as quickly as possible.

I. Effective date. —This section shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

J. Severability. —If any provision of this section or the application of such provision to any person or circumstance is found to be unconstitutional, the remainder of this section and the application of the provisions of this section to any person or circumstance shall not be affected by such finding.

SEC. 5. JUDICIAL REVIEW OF VISAS REVOKED OR NOT ISSUED.

(a) In General. —Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1221(i)) is amended by striking “During” and inserting the following: "(I) fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, or making timely application in good faith for travel or other documents necessary to the departure of the alien; or (ii) conspires or acts to prevent the alien’s removal.

(b) In paragragh (2), by amending subparagraph (C) to read as follows:

"(C) Suspension of Period. —The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien:"

(i) fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, or making timely application in good faith for travel or other documents necessary to the departure of the alien; or (ii) conspires or acts to prevent the alien’s removal.

(c) In paragraph (2), by striking “During” and inserting the following:

"(A) In General.—During"; and

(ii) by adding at the end the following new subparagraph:

"(B) Effect of Stay of Removal.—If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal, the Secretary of Homeland Security in the exercise of discretion may detain the alien during the pendency of such stay of removal."

(d) In paragraph (3), by amending subparagraph (D) to read as follows:

"(D) to obey reasonable restrictions on the alien’s conduct or activities; or to perform affirmative acts that the Secretary of Homeland Security prescribes for the alien, in the interest of public safety, or for the protection of the community, or for other purposes related to the enforcement of the immigration laws.

(e) In paragraph (4), by striking “removal period and, if released,” and inserting “removal period, in the discretion of the Secretary of Homeland Security, without any limitations other than those specified in this section, until the alien is removed. If the alien is released, the alien;” and (f) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9) respectively.

(f) In paragraph (8), by inserting the following:

"(9) Additional Rules for Detention or Release of Certain Aliens Who Have Made Application for Admission."
other alien detained pursuant to paragraph (6): (A) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH THE ATTORNEY GENERAL OR WHO HAVE MADE ALL REASONABLE EFFORTS TO COMPLY WITH A REMOVAL ORDER AND TO COOPERATE FULLY WITH THE SECRETARY OF HOMELAND SECURITY'S EFFORTS TO ESTABLISH THE IDENTITY OF THE ALIEN AND CARRY OUT THE REMOVAL ORDER, INCLUDING MAKING TIMELY APPLICATION IN GOOD FAITH FOR TRAVEL OR OTHER DOCUMENTS NEEDED TO ALLOW THE ALIEN TO REMAIN IN THE UNITED STATES CONTINUOUSLY FOR 2 YEARS OR LONGER; (B) ADDITIONAL 90-DAY PERIOD.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (3)). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Department of State or other Federal agency and any other information available to the Secretary pertaining to the alien's ability to remove the alien; (C) FURTHER DETENTION.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the removal period and the 90-day period authorized by subparagraph (B); (i) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien— (I) will be removed in the reasonably foreseeable future; or (II) would be removed in the reasonably foreseeable future, or would have been removed, but for the failure or refusal of the alien to make all reasonable efforts to comply with the removal order, or to cooperate fully with the efforts of the Secretary to carry out the removal order, including making timely application in good faith for travel or other necessary documents to the departure of the alien, or conspiracies or acts to prevent the alien's removal; (ii) until the alien is removed, if the Secretary determines that the alien has a contagious disease that poses a threat to the public safety; (iii) in consultation with the Secretary of Health and Human Services, that the alien has a contagious disease that poses a threat to the public safety; (iv) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States; (v) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or (vi) that the release of the alien will threaten the safety of the community or any person, and— (aa) the alien has been convicted of one or more crimes that provide a basis for detention under section 101(a)(43)(A), one or more crimes identified by the Secretary of Homeland Security by regulation, or one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, provided that the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (bb) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition, the alien is likely to engage in acts of violence in the future; or (v) that the release of the alien will threaten the safety of the community or any person, and the alien has been convicted of at least one aggravated felony as defined in section 101(a)(43); or (ii) pending a certification under clause (i), if the Secretary has initiated the administrative review process under subparagraph (C) not later than 30 days after the expiration of the alien's removal period (including any extension of the removal period as provided in paragraph (1)(D)); (D) RENEWAL AND DELEGATION OF CERTIFICATION.— (1) IN GENERAL.—The Secretary of Homeland Security may renew a certification under subparagraph (C)(ii) every 180 days without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew such a certification, the Secretary may not continue to detain the alien under subparagraph (C)(ii); (ii) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien— (I) will be removed in the reasonably foreseeable future; or (II) would be removed in the reasonably foreseeable future, or would have been removed, but for the failure or refusal of the alien to make all reasonable efforts to comply with the removal order, or to cooperate fully with the efforts of the Secretary to carry out the removal order, including making timely application in good faith for travel or other necessary documents to the departure of the alien, or conspiracies or acts to prevent the alien's removal; if the Secretary has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right;— (B) CONFORMING AMENDMENTS.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended— (i) in subsection (e)— (I) by striking the “and” and inserting the following: “(II) the alien has not been lawfully admitted for permanent residence under this Act or deportation proceedings against the alien. (III) the alien has not lawfully entered the United States; and (IV) the alien has not been physically present in the United States continuously for the 2-year period immediately prior to the placement of confinement, judicial review of any action or decision pursuant to paragraph (6), (7), or (8) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies of Immigration and Nationality Act; and” (ii) by adding at the end the following new subsection: (C) EFFECT ON DETENTION UNDER SECTION 211.—The length of detention under this section shall not affect the validity of any detention under section 211. (D) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to paragraph (1) or (2) of this subsection shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right;— (I) in general.—The; and (ii) by adding at the end the following new paragraph: (E) RELEASE ON CONDITIONS.—Without regard to the place of confinement, judicial review of any action or decision described in item (bb) of subparagraph (A) or (C) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right; and
that was issued before, on, or after the date of the enactment of this Act; and
(ii) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(B) AMENDMENTS MADE BY PARAGRAPH (2)—The amendments made by paragraph (2) shall take effect on the date of the enactment of this Act.

(2) I MMIGRATION STATUS AS FACTOR IN DETERMINING CONDITIONS OF RELEASE.—Section 314(g)(3) of title 18, United States Code, is amended—
(A) by redesigning paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;
(B) by striking "If, after a hearing" and inserting the following:
(1) IN GENERAL.—If, after a hearing;
(C) by adding "in a case" and inserting the following:
"(2) PRESCRIPTION ARISING FROM OFFENSES DESCRIBED IN SUBSECTION (P) .—In a case;
(D) by striking "subject to rebuttal" and inserting the following:
"(3) PRESCRIPTION ARISING FROM OTHER OFFENSES RELATING TO IMMIGRATION LAW. Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will assure the appearance of the person as required if the judicial officer finds that there is probable cause to believe that the person is an alien and that the person—
(A) has no lawful immigration status in the United States;
(B) is the subject of a final order of removal; or
(C) has committed a felony offense under section 842(c)(5), 911, 922(g)(5), 1015, 1028A, 1028B, 1028C, or 1028D of this title, or any section of chapters 72 and 77 of this title, or section 244, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act. (8 U.S.C. 1252, 1254, 1255, 1256, 1257, and 1258).
(2) SEVERABILITY.—If any provision of this section, or the application of any provision or amendment to any person or circumstance, is held to be invalid for any reason, the remainder of the provisions of this section and the amendments made by this section, and the application of such provisions and amendments to any other person or circumstance shall not be affected by such holding.

SA 850. Mr. CORNYN submitted an amendment intended to be proposed by him in the bill S. 372, to authorize appropriated funds for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to be printed on the table; as follows:

At the end, insert the following:

TITLE VI—DETENTION AND REMOVAL OF ALIENS ORDERED REMOVED

SEC. 601. DETENTION OF DEPORTABLE ALIENS TO PROTECT PUBLIC SAFETY.

(a) In General.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—
(1) by striking "Attorney General" each place it appears in paragraphs (4) and (5), for the first reference in paragraph (4)(B)(i), and inserting "Secretary of Homeland Security";
(2) in paragraph (1)—
(A) by amending clause (1) of subparagraph (B) to read as follows:
"(1) If, at the beginning of the removal period, the Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period as provided in paragraph (1)(C),
(B) by striking "subject to rebuttal" and inserting the following:
"(2) EFFECT OF STAY OF REMOVAL.—If a stay of removal is no longer in effect,''
(C) by amending subparagraph (C) to read as follows:
"(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien—
(1) fails or refuses to make all reasonable efforts to fully cooperate with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien; or
(2) conspires or acts to prevent the alien's removal;
(3) in paragraph (2)—
(A) by striking "During" and inserting the following:
"(A) IN GENERAL.—During"; and
(B) by adding at the end the following new subparagraph:
"(C) the person's immigration status; and;
(c) SEVERABILITY.—If any provision of this section or any amendment made by this section, or the application of any such provision or amendment to any person or circumstance, is held to be invalid for any reason, the remainder of this section and the amendments made by this section, and the application of such provisions and amendments to any other person or circumstance shall not be affected by such holding.

"(B) by redesigning paragraph (7) as paragraph (10) and inserting after paragraph (6) the following new paragraphs:

(c) FURTHER DETENTION.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the removal period and the 90-day period authorized by subparagraph (B) if the Secretary determines that there is a significant likelihood that the alien—
(1) will be removed in the reasonably foreseeable future; or
(2) would be removed in the reasonably foreseeable future, or would have been removed, but for the failure or refusal of the alien to comply with the removal order, or to cooperate fully with the efforts of the Secretary to establish the identity of the alien and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the departure of the alien, or conspiracies or acts to prevent the alien's removal; or
"(ii) until the alien is removed, if the Secretary certifies in writing—
(1) IN GENERAL.—The Secretary of Homeland Security, in the exercise of discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if—

(a) the alien has been convicted of one or more aggravated felonies as defined in section 101(a)(41)(A), one or more crimes classified, sensitive, or national security information, or to parole, or any other conditions under which the alien was returned, that there is reason to believe that the release of the alien would threaten the national security of the United States;

(b) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future;

(c) any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person; or

(aa) the alien has been convicted of one or more aggravated felonies as defined in section 101(a)(41)(A), one or more crimes classified, sensitive, or national security information, or to parole, or any other conditions under which the alien was returned, that there is reason to believe that the release of the alien will threaten the safety of the community or any person, and—

(aa) the alien has been convicted of one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(bb) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(cc) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(dd) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(ee) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(ff) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(gg) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(hh) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder, the alien is likely to engage in acts of violence in the future; or

(ii) the alien has not been lawfully admitted into the United States; and

(jj) the alien has been physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act or deportation proceedings against the alien.

(f) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraph (6), (7), or (8) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.

(g) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—(1) IN GENERAL.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following new subsections:

(a) LENGTH OF DETENTION.—

(1) IN GENERAL.—An alien may be detained under this section, without limitation, until the alien is subject to an administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(b) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(h) EFFECT OF DEPORTATION ON LIFETIME PROTECTION OF PRIVACY.—(1) DEFINITION.—In this section—

(A) the term "deportation" means deportation under provisions of sections 235 and 236 of the Immigration and Nationality Act, as amended, shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

(Sec. 602. CRIMINAL DETENTION OF ALIENS TO PROTECT PUBLIC SAFETY.)

(a) IN GENERAL.—Section 314(e) of title 18, United States Code, is amended—

(i) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(ii) by striking "If, after a hearing" and inserting the following—

(1) IN GENERAL.—If, after a hearing; and

(2) by striking "in a case and inserting the following—

(1) IN GENERAL.—in a case; and

(b) by striking "subject to rebuttal" and inserting the following:

"(c) EFFECTIVE DATES.—(1) AMENDMENTS MADE BY SUBSECTION (A)—The amendments made by subsection (b) shall take effect on the date of the enactment of this Act, and sections 235 and 236 of the Immigration and Nationality Act, as amended, shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

(Sec. 602. CRIMINAL DETENTION OF ALIENS TO PROTECT PUBLIC SAFETY.)
SEC. 803. SEVERABILITY. If any provision of this title or any amendment made by this title, the amendments made by this title, and the application of such provisions and amendments to any other person or circumstance shall not be affected by such holding.

SA 851. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___ JUDICIAL REVIEW OF VISA REVOCATION.

(a) In General.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1221(i)) is amended by striking “There shall be no means of judicial review” and all that follows and inserting the following: “Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by another court.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to visas issued before, on, or after such date

SA 852. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___ APPROPRIATE REMEDIES FOR IMMIGRATION ACT.

(a) Limitation on Class Actions.—No court may certify a class under rule 23 of the Federal Rules of Civil Procedure in any civil action that

(1) is filed after the date of the enactment of this Act; and

(2) pertains to the administration or enforcement of the immigration laws of the United States.

(b) Prospective Relief Against the Government.

(1) In General.—If a Federal court determines that a plaintiff should be awarded prospective relief to remedy a violation of the Government in a civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) design the relief as the least intrusive means to correct the violation;

(C) design the relief in a manner to minimize, to the greatest extent practicable, the adverse impact of such relief on the national security, border security, ability to administer the immigration laws of the United States, and public safety of the United States; and

(D) provide for the expiration of the relief on a specific date, which may not be later than the date that is 180 days from the date that is 90 days after the date on which such relief is entered, unless the court finds that such relief meets the requirements described in subparagraphs (A) through (D) of paragraph (1) and shall be sufficiently detailed to allow review by another court.

(2) Executive Relief.—Preliminary injunctive relief ordered by a court in a case related to the immigration laws of the United States shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court finds that such relief meets the requirements described in subparagraphs (A) through (D) of paragraph (1) and for the permanent prospective relief and orders the preliminary relief to become a final order granting prospective relief prior to the expiration of the relief.

(c) Procedure for Motion Affecting Prospective Relief Against the Government.

(1) In General.—(a) A court shall promptly rule on a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(B) Duration of Automatic Stay.—An automatic stay under subparagraph (A) shall continue until the date on which the court enters an order granting or denying the Government’s motion.

(C) Written Explanation.—A court granting or denying the motion shall be automatically stayed until the district court enters an order granting or denying the motion.

(d) Additional Rules Concerning Prospective Relief Against the Government.

(E) Automatic Stay During Remands—An automatic stay under subparagraph (C) shall be automatically stayed until the district court enters an order granting or denying the motion.

(F) Orders Blocking Automatic Stays—An order staying, suspending, delaying, or otherwise compelling the effective date of an order made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief to the administration or enforcement of the immigration laws of the United States that has been pending for more than 45 days on the date of the enactment of this Act, and remains pending 10 days after the date of the enactment of this Act, shall result in an automatic stay, without further order of the court, of that prospective relief that is the subject of the motion.

(G) Duration of Automatic Stay.—An automatic stay under subparagraph (C) shall continue until the court enters an order granting or denying the Government’s motion.

(H) Postponement.—An automatic stay under subparagraph (C) shall be automatically stayed until the district court enters an order granting or denying the motion.

(I) Settlements.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for more than 45 days on the date of the enactment of this Act, and remains pending 10 days after the date of the enactment of this Act, shall result in an automatic stay, without further order of the court, of that prospective relief that is the subject of the motion.

(J) Automatic Stay.—An automatic stay under subparagraph (C) shall continue until the court enters an order granting or denying the Government’s motion.

(K) Postponement.—An automatic stay under subparagraph (C) shall be automatically stayed until the district court enters an order granting or denying the motion.

(L) Settlements.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States that has been pending for more than 45 days on the date of the enactment of this Act, and remains pending 10 days after the date of the enactment of this Act, shall result in an automatic stay, without further order of the court, of that prospective relief that is the subject of the motion.
States, the court shall not enter, approve, or continue a consent decree unless it complies with the requirements of subsection (b).

(2) **PRIVATE SETTLEMENT AGREEMENTS.—** Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the requirements of subsection (b).

(3) **GOOD CAUSE.—** The term "good cause" does not include discovery or congestion of the court's calendar.

(4) **APPLICABILITY.—**This section applies with respect to all orders granting prospective relief in any civil action pertaining to the functional responsibilities of the Intelligence Community management account, and the Central Intelligence Agency retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

- At the end of title V, add the following:

**SEC. 854. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:**

At the end of title V, add the following:

**SEC. 855. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:**

- **SEC. PENALTIES FOR VIOLATIONS OF THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.**

- **Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended to read as follows:**

**SEC. 206. (a) It shall be unlawful for—**

- **(1) a person to violate, or conspire to or attempt to violate, any license, order, regulation, or prohibition issued under this title;**

- **(2) a person to take action on the part of the United States to take any action to evade or avoid, or attempt to evade or avoid, a license, order, regulation, or prohibition issued under this title;**

- **(3) a person subject to the jurisdiction of the United States to provide, or otherwise assist in the provision of, any information, goods, services, or other assistance, in knowing violation of any provision of the International Emergency Economic Powers Act;**

**SEC. 206. (b) A civil penalty not to exceed $250,000 may be imposed on any person who commits an unlawful act described in subsection (a).**

**SEC. 206. (c) A person who willfully, or with the intent to commit, an unlawful act described in subsection (a), shall, upon conviction for such unlawful act—**

- **(1) if a corporation, be fined not more than $500,000;**

- **(2) if a natural person, be fined not more than $50,000, or imprisoned not more than 10 years, or both; or**

- **(3) if an officer, director, or agent of a corporation who knowingly participates, or attempts to participate, in such unlawful act, be fined not more than $500,000, or imprisoned not more than 10 years, or both.**
amended by adding at the end the following:

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"(2) A committee making a request under paragraph (1) may specify a greater number of days for submittal to such committee of information in an initial request that is otherwise provided under that paragraph.

‘‘(b) REQUESTS OF CERTAIN MEMBERS.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of the National Intelligence Center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall respond, in the time specified in subsection (a), to a request described in that subsection from the Chairman or Vice Chairman of the Select Committee on Intelligence of the Senate or the Chairman or Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives.

‘‘(2) Upon making a request covered by paragraph (1)—

"(A) the Chairman or Vice Chairman, as the case may be, of the Select Committee on Intelligence of the Senate shall notify the other of the Chairman or Vice Chairman of such request; and

"(B) the Chairman or Ranking Member, as the case may be, of the Permanent Select Committee on Intelligence of the House of Representatives shall notify the other of the Chairman or Ranking Member of such request.

‘‘(c) RESPONSE TO REQUEST.—In the event that a response to a request covered by subsection (a) or (b) is not provided within the specified time period, the Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government or other organization within the Executive branch that is an element of the intelligence community shall—

(1) inform the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives that a response to a request covered by subsection (a) or (b) is not provided within the specified time period and shall provide a reasonable date certain at which such document or information will be provided.

(2) C LERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to such report the following new item:

“Sec. 508. Response of intelligence community to requests from Congress for intelligence documents and information.”.

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SEC. 304. IMPROVEMENT OF NOTIFICATION OF CONGRESS REGARDING INTELLIGENCE ACTIVITIES OF THE UNITED STATES GOVERNMENT.

(a) CLARIFICATION OF DEFINITION OF CONGRESS REGARDING INTELLIGENCE COMMITTEES TO INCLUDE ALL MEMBERS OF COMMITTEES.—Section 3(7) of the National Security Act of 1947 (50 U.S.C. 410a(7)) is amended—

(1) in subparagraph (A), by inserting ‘‘and’’ before the semicolon, and

(2) in subparagraph (B), by inserting ‘‘and’’ before the semicolon, and includes each member of the Permanent Select Committee ‘‘ before the period.

(b) NOTICE ON INFORMATION NOT DISCLOSED.—

(1) In general.—Section 502 of such Act (50 U.S.C. 412) is amended—

(A) by redesigning subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection:

‘‘(b) NOTICE ON INFORMATION NOT DISCLOSED.—(1) If the Director of National Intelligence or the head of a department, agency, or other entity of the United States Government does not provide information required by subsection (a) in full or to all the members of the congressional intelligence committees and requests that information not be so provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination, and a description that provides the main features of the intelligence activities covered by such determination, and contain no restriction on access to this notice by all members of the committees. Such notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination, and a description that provides the main features of the intelligence activities covered by such determination, and contain no restriction on access to this notice by all members of the committees.

‘‘(2) Nothing in this subsection shall be construed as authorizing less than full and current disclosure to all the members of the Select Committees on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of any information necessary to keep all the members of such committees fully and currently informed on all intelligence activities covered by this section.’’.

(2) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by paragraph (1)(A) of this subsection, is amended by striking ‘‘subsection (b)’’ and inserting ‘‘subsections (b) and (c)’’.

(c) REPORTS AND NOTICE ON COVERT ACTIONS.—

(1) FORM AND CONTENT OF CERTAIN REPORTS.—Subsection 506 of such Act (50 U.S.C. 413b) is amended by inserting ‘‘(1) after ‘‘(1)’’;’’ and

(2) REPORTS AND NOTICE ON COVERT ACTIONS.—

‘‘(2) Any report relating to a covert action that is submitted to the Permanent Select Committee on Intelligence for committees for the purposes of paragraph (1) shall be in writing, and shall contain the following:

‘‘(A) A concise statement of any facts pertinent to such report.

‘‘(B) An explanation of the significance of the covert action covered by such report.’’.

(d) NOTICE ON INFORMATION NOT DISCLOSED.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

‘‘(2) Any report relating to a covert action that is submitted to the Permanent Select Committee on Intelligence for committees for the purposes of paragraph (1) shall be in writing, and shall contain the following:

‘‘(A) A concise statement of any facts pertinent to such report.

‘‘(B) An explanation of the significance of the covert action covered by such report.’’.

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SA 856. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 11, strike line 18 and all that follows through page 12, line 20.

SA 857. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 108 and insert the following:

SEC. 108. RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

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

‘‘RESPONSE OF INTELLIGENCE COMMUNITY TO REQUESTS FROM CONGRESS FOR INTELLIGENCE DOCUMENTS AND INFORMATION.

‘‘(a) REQUESTS OF COMMITTEES.—(1) The Director of National Intelligence, the Director of the National Counterterrorism Center, the Director of a national intelligence center, or the head of any other department, agency, or element of the Federal Government, or other organization within the Executive branch, that is an element of the intelligence community shall, not later than 30 days after receiving a request pursu-
not be so provided, the Director shall, in a timely fashion, notify such committees of the determination not to provide such information in full or to all members of such committees. Such written notice shall be submitted in writing in a classified form, include a statement of the reasons for such determination and a description that provides the main features of the covert action covered by such determination, and contain no restriction on access to this notice by all members of the committee."

(3) MODIFICATION OF NATURE OF CHANGE OF COVERT ACTION TRIGGERING NOTICE REQUIREMENTS.—Subsection (d) of such section is amended by striking "significant" the first place it appears.

SA 859. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 310.

SA 860. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 42, strike line 5 and all that follows through page 43, line 14, and insert the following:

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals globally war on terrorism.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational, and if applicable, the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each operational prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility, including whether a determination has been made that such procedures were or were not in compliance with the United States obligations under the Geneva Conventions and the Convention Against Torture.

SA 861. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 109, strike line 24 and all that follows through page 110, line 6, and insert the following:

"(2) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall also develop a system to facilitate the analysis, dissemination, and incorporation of likenesses, videos, and presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open source information into the National System for Geospatial-Intelligence."

SA 862. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 410 and insert the following:

SECTION 410. NATIONAL SPACE INTELLIGENCE OFFICE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding after section 119B the following new section:

"SEC. 119C. (a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Office.

(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE OFFICE.—The National Intelligence Officer for Space and Defense Intelligence, as the Director of the National Geospatial-Intelligence Agency or during a vacancy in the position of the Director of the National Geospatial-Intelligence Agency or during a vacancy in the position of the Director of National Intelligence shall ensure that the National Space Intelligence Office has access to all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Office to carry out the mission of the Office.

(c) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall include in the National Intelligence Program budget a separate budget line item for the National Space Intelligence Office.

(d) ACCESS TO INFORMATION.—The Director of National Intelligence shall include in the National Intelligence Program budget a separate budget line item for the National Space Intelligence Office.

(2) MODIFICATION OF NATURE OF CHANGE OF ORGANIZATIONAL STRUCTURE.—Subsection (d) of such section is amended—

(1) By redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (d), (e), (f), (g), (h), and (i) respectively; and

(2) By inserting after subsection (a) the following new subsections (b) and (c):

"(b) DEPUTY DIRECTOR OF NATIONAL SPACE INTELLIGENCE AGENCY.—(1) There is a Deputy Director of the Central Intelligence Agency or during a vacancy in the position of the Deputy Director of National Intelligence within the Office of the Director of National Intelligence, by and with the advice and consent of the Senate.

(2) The Deputy Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

(c) MILITARY STATUS OF DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—(1) There is a Military Status of the Director of the Central Intelligence Agency within the Office of the Director of National Intelligence, by and with the advice and consent of the Senate.

(2) The Military Status of the Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

(3) There is a Military Status of the Deputy Director of the Central Intelligence Agency within the Office of the Director of National Intelligence, by and with the advice and consent of the Senate.
Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Section 308 of the bill is amended to read as follows:

SEC. 308. INCREASE IN PENALTIES FOR DISCLOSURE OF UNDERCOVER INTELLIGENCE OFFICERS AND AGENTS.

(a) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking "or imprisoned" and all that follows and inserting the following: "and imprisoned for not less than 2 years nor more than 15 years."

(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking "or imprisoned" and all that follows and inserting the following: "and imprisoned for not less than 2 years nor more than 15 years."

SEC. 865. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. IMPROVEMENTS TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

(a) SHORT TITLE.—This section may be cited as the "Classified Information Procedures Reform Act of 2007".

(b) INTERLOCUTORY APPEALS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 7(a) of the Classified Information Procedures Act (18 U.S.C. App. section 503(a)) is amended by adding at the end the following new paragraph: "(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking "or imprisoned" and all that follows and inserting the following: "and imprisoned for not less than 2 years nor more than 15 years."

SEC. 866. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. UNLAWFUL DISCLOSURE OF CLASSIFIED REPORTS BY ENTRUSTED PERSONS.

(a) IN GENERAL.—It shall be unlawful for any person who is an employee of the Senate or Senate committees, or who is entrusted with or has lawful possession of, access to, or control over any classified information contained in a report submitted to Congress under this Act, the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 192), the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638), or an amendment made by any Act referred to in paragraph (2) of section 5 of the Classified Information Procedures Act (18 U.S.C. App.) to—

(1) knowingly and willfully communicate, furnish, transmit, or otherwise makes available such information to an unauthorized person;

(2) publish such information; or

(3) use such information in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States.

(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, United States Code, or imprisoned not more than 10 years, or both.

(c) INFORMATION TO CONGRESS.—Nothing in this section shall prohibit the furnishing, under lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives, or joint committee thereof.

(d) PENALTIES.—As used in this section—

(1) the term "classified information" means information which, at the time of a violation of this section, is determined to be Confidential, Secret, or Top Secret pursuant to Executive Order 12958, or any successor thereto; and

(2) the term "unauthorized person" means any person who does not have authority or permission to have access to the classified information under the provisions of a statute, Executive Order, regulation, or directive of the head of any department or agency who is empowered to classify information.

SA 867. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. IMPROVEMENTS TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

(a) SHORT TITLE.—This section may be cited as the "Classified Information Procedures Reform Act of 2007".

(b) INTERLOCUTORY APPEALS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 7(a) of the Classified Information Procedures Act (18 U.S.C. App. section 503(a)) is amended by adding at the end the following new paragraph: "(b) DISCLOSURE OF AGENT AFTER ACCESS TO CLASSIFIED INFORMATION.—Subsection (b) of such section is amended by striking "or imprisoned" and all that follows and inserting the following: "and imprisoned for not less than 2 years nor more than 15 years."

SEC. 865. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. UNLAWFUL DISCLOSURE OF CLASSIFIED REPORTS BY ENTRUSTED PERSONS.

(a) IN GENERAL.—It shall be unlawful for any person who is an employee of the Senate or Senate committees, or who is entrusted with or has lawful possession of, access to, or control over any classified information contained in a report submitted to Congress under this Act, the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 192), the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638), or an amendment made by any Act referred to in paragraph (2) of section 5 of the Classified Information Procedures Act (18 U.S.C. App.) to—

(1) knowingly and willfully communicate, furnish, transmit, or otherwise makes available such information to an unauthorized person;

(2) publish such information; or

(3) use such information in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States.

(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, United States Code, or imprisoned not more than 10 years, or both.

(c) INFORMATION TO CONGRESS.—Nothing in this section shall prohibit the furnishing, under lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives, or joint committee thereof.

(d) PENALTIES.—As used in this section—

(1) the term "classified information" means information which, at the time of a violation of this section, is determined to be Confidential, Secret, or Top Secret pursuant to Executive Order 12958, or any successor thereto; and

(2) the term "unauthorized person" means any person who does not have authority or permission to have access to the classified information under the provisions of a statute, Executive Order, regulation, or directive of the head of any department or agency who is empowered to classify information.
(4) by adding at the end the following:

"(A) COMMITS THE OFFENSE.—Whoever, in a circumstance described in subsection (c), provokes, or attempts or conspires to provide, material support or resources to the perpetrator of an act of international terrorism, or to a family member or other person associated with such perpetrator, with the intent to facilitate, reward, or encourage that act or other acts of international terrorism, shall be fined under this title, imprisoned not more than 25 years, and, if death results, shall be imprisoned for any term of years or for life.

"(B) JURISDICTIONAL BASES.—A circumstance referred to in subsection (b) is that—

(1) the offense occurs in or affects interstate or foreign commerce;
(2) the offense involves the use of mails or a facility of interstate or foreign commerce;
(3) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;
(4) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States, and which was ordered to lie on the table in the Senate and the House of Representatives;
(5) the offense occurs in whole or in part outside the United States; or
(6) the offense occurs in or in part within the United States, and an offender intends to facilitate, reward or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States.

"(5) The term 'serious bodily injury' has the same meaning as in section 1365.

"(6) The term 'perpetrator of an act' includes any person who—

(A) commits the act;
(B) aids, abets, counsels, commands, induces or procures the act; or
(C) attempts, plots, or conspires to commit the act.

"(7) The term 'serious bodily injury' has the same meaning as in section 1365.

"(8) The term 'perpetrator of an act' includes any person who—

(A) commits the act;
(B) aids, abets, counsels, commands, induces or procures the act; or
(C) attempts, plots, or conspires to commit the act.

"(9) The offense occurs in or affects interstate or foreign commerce;
(10) the offense involves the use of mails or a facility of interstate or foreign commerce;
(11) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;
(12) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States, and which was ordered to lie on the table in the Senate and the House of Representatives;
(13) the offense occurs in whole or in part outside the United States; or
(14) the offense occurs in or in part within the United States, and an offender intends to facilitate, reward or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States.

"(10) The term 'serious bodily injury' has the same meaning as in section 1365.

"(11) The term 'perpetrator of an act' includes any person who—

(A) commits the act;
(B) aids, abets, counsels, commands, induces or procures the act; or
(C) attempts, plots, or conspires to commit the act.

SA 866. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. ADDITION OF OFFENSE OF TERRORIST MURDER, KIDNAPPINGS, AND ASSAULTS.

(a) PENALTIES FOR TERRORIST MURDER, KIDNAPPINGS, AND ASSAULTS.—Section 2332 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "punished by death and all that follows and inserting "and punished by death or imprisoned for life"; and

(B) in paragraph (2), by striking "or imprisoned" and all that follows and inserting "and imprisoned for not less than 10 years nor more than 30 years"; and

(2) in subsection (b), by striking "or imprisoned" and all that follows and inserting "and imprisoned for life"; and

(b) ADDITION OF OFFENSE OF TERRORIST MURDER.—Section 2332 of title 18, United States Code, is amended—

(1) by redesigning subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c) KIDNAPPING.—Whoever outside the United States unlawfully seizes, confines, in- decovies, kidnap, abducts, or carries away, or attempts or conspires to seize, confine, inveigle, decoy, kidnap, abduct or carry
away, a national of the United States shall be fined under this title and imprisoned for life.

(c) Addition of Sexual Assault to Definition of Terrorism.—Section 2332(d)(4) of title 18, United States Code, as redesignated by subsection (b) of this section, is amended—

(1) in the definition by inserting “as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242” after “injury”;

(2) in paragraph (3), by inserting “as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242” after “injury”;

(3) in the following paragraph (2), by striking “or imprisoned” and all that follows and inserting “and imprisoned for not less than 10 years nor more than 30 years.”.

SA 870. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 4. NATIONAL INTELLIGENCE ESTIMATE ON PERSONS DEALING WITH STATE SPONSORS OF TERRORISM.

(a) Requirement for National Intelligence Estimate.—

(1) in general.—Except as provided in paragraph (2), not later than 270 days after the date of enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate on business activities carried out with a state sponsor of terrorism.

(2) notice regarding submittal.—If the Director of National Intelligence determines that the National Intelligence Estimate required by paragraph (1) may not be submitted within 270 days after the date of enactment of this Act, the Director shall submit to Congress a notification of such determination that includes—

(A) the reasons that such National Intelligence Estimate may not be submitted by such date; and

(B) an estimated date for the submittal of such National Intelligence Estimate.

(b) contents of national intelligence estimate required by subsection (a) shall include—

(1) a list of persons, including foreign persons, that carry out business activity with the government of, or a private entity located within, a country that is a state sponsor of terrorism;

(2) a description of such business activities carried out by each such person, including estimates of the magnitude of such activities;

(3) an assessment of the importance of such activities to the economy of each state sponsor of terrorism;

(4) an assessment of the likely effect of each such activity, including each decision by a public pension board or governing body of a State that requires divestment from persons who conduct business activity with a state sponsor of terrorism;

(5) an assessment of options available to the United States to reduce such activities and the likely effect that carrying out such options may have on the policies and economies of each state sponsor of terrorism.

(c) State Sponsor of Terrorism Defined.—In this section, the term “state sponsor of terrorism” means any country the government of which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism pursuant to—


(2) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d));

(3) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(4) section 304 of the Arms Export Control Act of 1976 (22 U.S.C. 2784(d));


(6) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(d) Attorney Fees and Costs.—If a person is named as a defendant in a civil lawsuit for making voluntary disclosures of any suspicious transaction or taking actions to mitigate a suspicious matter described in subsection (b), and the person is found to be immune from civil liability under this section, the person shall be entitled to recover from the United States damages and attorney’s fees as allowed by the court.

(e) Retroactive Application.—This section shall apply to activities and claims occurring on or after November 20, 2006.

SA 872. Mr. BOND (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 1, strike “legal opinions” and insert “legal justifications”.

SA 873. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 304.

SA 874. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 314.

SA 875. Mr. CHAMBLISS (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 197.

SA 876. Mr. DE MINT submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 197.
Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. PROHIBITION OF ISSUANCE OF TRANSPORTATION SECURITY CARDS TO CONVICTED FELONS.

(a) In General.—Section 70105 of title 46, United States Code, is amended—

(1) in subsection (b)(1), by striking “decides that the individual poses a security risk under subsection (c)” and inserting “determines under subsection (c) that the individual poses a security risk”; and

(2) in subsection (c), by amending paragraphs (9) and (10) to read as follows:

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(9) The Transportation Security Administration;

(10) The Coast Guard that the applicant is disqualified, in the case of a border security card under subsection (b) unless the Secretary determines that individual—

(i) has been convicted of an offense under clause (v) of subsection (a), but has not been convicted of an offense under clause (ii) unless the applicant has not been convicted of an offense under clause (v) of subsection (a) during the 7-year period ending on the date on which the individual applies for such card, or was released from incarceration during the 5-year period ending on the date on which the individual applies for such card, or had been convicted, or found not guilty by reason of insanity, during the 7-year period ending on the date on which the individual applies for such card, or any of the following felonies:

(i) Unlawful possession, use, sale, manufacture, purchase, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon.

(ii) In any civil or military jurisdiction of any of the following:

(I) Espionage or conspiracy to commit espionage.

(II) Treason or conspiracy to commit treason.

(IV) A Federal crime of terrorism (as defined in section 2332b(g) of title 18), a comparable State law, or conspiracy to commit such crime.

(V) A crime involving a transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following:

(I) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device in this clause, an explosive or explosive device includes—

(I) an explosive (as defined in sections 2255 and 844(j) of title 18);

(II) explosive materials (as defined in subsection (c) through (f) of section 844(i) of title 18); and

(III) a destructive device (as defined in section 921(a)(4) of title 18 and section 886(b) of the Internal Revenue Code of 1986).

(VII) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in a firearm or other weapon. In this clause, a firearm or other weapon does not include—

(I) any firearm that the Secretary of Homeland Security classifies, by regulation, as an firearm disqualifying criminal offenses as a firearm or other weapon;

(II) firearms (as defined in section 921(a)(3) of title 18 and section 5845(f) of the Internal Revenue Code of 1986); and

(III) items contained on the United States Munitions Import List under section 477.21 of title 27, Code of Federal Regulations.

(IX) Exertion.

(X) Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering if the money laundering is related to a crime described in this subparagraph or subparagraph (A).

(XI) False statements, or importation of a controlled substance.

(XII) Arson.

(XIII) Kidnapping or hostage taking.

(XIV) Rape or aggravated sexual abuse.

(XV) Assault with intent to kill.

(XVI) Robbery.

(XVII) Conspiracy or attempt to commit any of the crimes listed in this subparagraph.

(XVIII) Fraudulent entry into a seaport under section 1036 of title 18, or a comparable State law.

(XIX) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.) or a comparable State law, other than any of the violations listed in subparagraph (A).

(X) any other felon that the Secretary of Homeland Security classifies, by regulation, as an firearm disqualifying criminal offenses as a felony listed in this paragraph.

(II) UNLESS WARRANT, OR INDICTMENT.—An applicant who is wanted, or under indictment, in any civilian or military jurisdiction for a felony listed in this paragraph, is disqualified from being issued a biometric transportation security card under subsection (b) unless the arrest did not result in conviction for the disqualifying criminal offenses.

(III) DETERMINATION OF ARREST STATUS.—

(1) IN GENERAL.—If a fingerprint-based check indicates that an arrest has been recorded for a disqualifying crime listed in this section without indicating a disposition, the Transportation Security Administration shall notify the applicant that such arrest is pending, provide the applicant with instructions on how the applicant can clear the disposition, in accordance with clause (ii).

(2) DETERMINATION OF ARREST STATUS.—

(I) IN GENERAL.—If a fingerprint-based check indicates that an arrest has been recorded for a disqualifying crime listed in this section without indicating a disposition, the Transportation Security Administration shall notify the applicant that such arrest is pending, provide the applicant with instructions on how the applicant can clear the disposition, in accordance with clause (ii).

(II) DETERMINATION OF ARREST STATUS.—

(1) IN GENERAL.—If a fingerprint-based check indicates that an arrest has been recorded for a disqualifying crime listed in this section without indicating a disposition, the Transportation Security Administration shall notify the applicant that such arrest is pending, provide the applicant with instructions on how the applicant can clear the disposition, in accordance with clause (ii).

(II) DETERMINATION OF ARREST STATUS.—

(1) IN GENERAL.—If a fingerprint-based check indicates that an arrest has been recorded for a disqualifying crime listed in this section without indicating a disposition, the Transportation Security Administration shall notify the applicant that such arrest is pending, provide the applicant with instructions on how the applicant can clear the disposition, in accordance with clause (ii).
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TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS
Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Clarification of definition of intelligence community under the National Security Act of 1947.
Sec. 304. Improvement of notification of Congress regarding intelligence activities of the United States Government.
Sec. 305. Delegation of authority for travel on common carriers for intelligence collection personnel.
Sec. 306. Modification of availability of funds for different intelligence activities.
Sec. 307. Additional limitation on availability of funds for intelligence and intelligence-related activities.
Sec. 308. Increase in penalties for disclosure of undercover intelligence officers and agents.
Sec. 309. Retention and use of amounts paid as debts to elements of the intelligence community.
Sec. 310. Extension to intelligence community authority to delete information about receipt and disposition of foreign gifts and decorations.
Sec. 311. Availability of funds for travel and transportation of personal effects, household goods, and automobiles.
Sec. 312. Director of National Intelligence report on compliance with the Detainee Treatment Act of 2005.
Sec. 313. Report on any clandestine detention facilities for individuals captured in the Global War on Terrorism.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY
Subtitle A—Office of the Director of National Intelligence
Sec. 401. Additional authorities of the Director of National Intelligence on intelligence information sharing.
Sec. 402. Modification of limitation on delegation to the Director of National Intelligence of the protection of intelligence sources and methods.
Sec. 403. Authority of the Director of National Intelligence to manage access to human intelligence information.
Sec. 404. Additional administrative authority of the Director of National Intelligence.
Sec. 405. Clarification of limitation on co-location of the Office of the Director of National Intelligence.
Sec. 406. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.
Sec. 407. Appointment and title of Chief Information Officer of the Intelligence Community.
Sec. 408. Inspector General of the Intelligence Community.
Sec. 409. Leadership and location of certain offices and officials.
Sec. 410. National Space Intelligence Center.
Sec. 411. Operational files in the Office of the Director of National Intelligence.
Sec. 412. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.

Sec. 413. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.
Sec. 414. Inapplicability of Federal Advisory Committee Act to advisory committees of the Office of the Director of National Intelligence.
Sec. 415. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.
Sec. 416. Applicability of the Privacy Act to the Director of National Intelligence and the Office of the Director of National Intelligence.

Subtitle B—Central Intelligence Agency
Sec. 421. Director and Deputy Director of the Central Intelligence Agency.
Sec. 422. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.
Sec. 423. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.
Sec. 424. Additional functions and authorities for protective personnel of the Central Intelligence Agency.
Sec. 425. Director of National Intelligence report on retirement benefits for former employees of Air America.

Subtitle C—Defense Intelligence Components
Sec. 431. Enhancements of National Security Agency training program.
Sec. 432. Codification of authorities of National Security Agency personnel.
Sec. 433. Inspector general matters.
Sec. 434. Confirmation of appointment of heads of certain components of the intelligence community.
Sec. 435. Clarification of national security missions of National Geospatial-Intelligence Agency for analysis and dissemination of certain intelligence information.
Sec. 436. Security clearances in the National Geospatial-Intelligence Agency.

Subtitle D—Other Elements
Sec. 441. Foreign language incentive for certain non-special agent employees of the Federal Bureau of Investigation.
Sec. 442. Authority to secure services by contract for the Bureau of Intelligence and Research of the Department of State.
Sec. 443. Clarification of inclusion of Coast Guard and Drug Enforcement Administration as elements of the intelligence community.

TITLE V—OTHER MATTERS
Sec. 502. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.
Sec. 503. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 505. Technical amendment to the Central Intelligence Agency Act of 1949.
Sec. 506. Technical amendments relating to the multiyear National Intelligence Program.
Sec. 507. Technical amendments to the Executive Schedule.
Sec. 508. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the National Geospatial-Intelligence Agency.

TITLE I—INTELLIGENCE ACTIVITIES
Sec. 101. Authorization of Appropriations. Funds are hereby authorized to be appropriated for fiscal year 2007 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:
(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Department of the Treasury.
(8) The Department of State.
(9) The Department of Energy.
(10) The Department of Justice.
(12) The National Reconnaissance Office.
(13) The National Geospatial-Intelligence Agency.
(14) The Coast Guard.
(16) 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, 2007, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, and those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill S. 372 of the One Hundred Tenth Congress and in the Classified Annex to such report as incorporated in this Act under section 103.
(b) Availability of Classified Schedule of Authorizations.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

Sec. 103. Incorporation of Classified Annex.
(a) Status of Classified Annex.—The Classified Annex provided by the Select Committee on Intelligence of the Senate to accompany its report on the bill S. 372 of the One Hundred Tenth Congress and transmitted to the President is hereby incorporated into this Act.
(b) Construction With Other Provisions of Division.—Unless otherwise specifically stated, the amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.
(c) Limitation on Use of Funds.—Funds appropriated pursuant to an authorization
contained in this Act that are made avail-
able for a program, project, or activity re-
ferred to in the Classified Annex may only be
expended for such program, project, or activ-
ity in accordance with such terms, condi-
tions, limitations, restrictions, and require-
ments as are set out for that program, project, or activity in the Classified Annex.
(d) CLASSIFIED ANNEX—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 104. PERSONNEL CEILING ADJUSTMENTS.
(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize an increase or decrease in the number of civilian personnel in excess of the number authorized for fiscal year 2007 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall promptly notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 105. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2007 the sum of $649,502,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2008.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,575 full-time personnel as of September 30, 2007. Personnel serving in such elements may be transferred to the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 415 et seq.) is amended by striking ’’other’’ the second place it appears.

Title II—Central Intelligence Agency Retirement and Disability System

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.
There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

Title III—Intelligence and General Intelligence Community Matters

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

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

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.
The authorization of appropriations by this Act shall not be an authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.


Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by inserting ‘‘other’’ the second place it appears.

Title IV—Improvement of Notification of Congress Regarding Intelligence Documents and Information

SEC. 401. IN GENERAL.—Section 302 of such Act (50 U.S.C. 413a) is amended—

(1) in subsection (b) the second place it appears.; and

(2) in subsection (c) by inserting ‘‘other’’ the second place it appears.

Title V—Requests of Committees

SEC. 501. IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 415 et seq.) is amended by inserting ‘‘other’’ the second place it appears.
of the reasons for such determination. The Director shall provide a general description of the nature of the matter notified to all members of such committees, so long as such general description will not jeopardize sensitive intelligence sources and methods or other exceptionally sensitive matters.

"(2) The subsection shall be construed as authorizing less than full and current disclosure to all the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of any information necessary to keep all the members of such committees fully and currently informed of intelligence activities covered by this section.

(2) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by paragraph (1)(A) of this subsection, is amended by striking "subsection (b)" and inserting "subsections (b) and (c)".

SEC. 305. DELEGATION OF AUTHORITY FOR TRAVEL BY INTELLIGENCE OFFICERS AND AGENTS.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 406k(b)) is amended—

(1) by inserting "(1)" before "The Director";

(2) in paragraph (1), by striking "may only delegate" and all that follows and inserting "may delegate the authority in subsection (a) to the head of any other element of the intelligence community."); and

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

"(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) shall provide a general description to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.

(b) SUBMITTAL OF GUIDELINES TO CONGRESS.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall provide a general description to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.

"(c) CONGRESSIONAL INTELLIGENCE COMMITTEE DEFINED.—In this section, the term "congressional intelligence committees" means—

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

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) MODIFICATION OF NATURE OF CHANGE OF INTELLIGENCE ACTIVITIES.—Subparagraph (b) of section 504(a) of the National Security Act of 1947 (50 U.S.C. 415(a)(3)) is amended—

(1) by inserting "(1)" before "The Director";

(2) by redesignating subsections (b), (c), (d) and (e) as subsections (c), (d), (e) and (f), respectively;

and

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

"(b) In any case in which notice to the congressional intelligence committees or the President of the Senate of the need to associate with a scholarship, fellowship, or other education assistance provided to such individual by such element, whether in exchange for future services or otherwise, using appropriated funds.

(5) Any other debt or repayment owed to an element of the intelligence community by an employee or former employee of such element for repayment for default on the terms and conditions of a scholarship, fellowship, or other education assistance provided to such individual by such element, whether in exchange for future services or otherwise, using appropriated funds.

(6) RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SEC. 1103. AUTHORITY TO RETAIN AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SEC. 310. EXTENSION TO DEPARTMENT OF STATE OF AUTHORITY TO DELETE INFORMATION ABOUT RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS.

Paragraph (4) of section 7342(f) of title 5, United States Code, is amended to read as follows:

"(4)(A) In transmitting such listings for an element of the intelligence community,
head of such element may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the head of such element certifies in writing to the Secretary of State that such deletion is consistent with the purpose of the Detainee Treatment Act of 2005.

(c) Form.—The report required by subsection (a) shall be submitted in classified form.

(d) Definitions.—In this section:

(1) The term ‘Congressional intelligence committees’ means—

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

(B) the Permanent Select Committee of' the House of Representatives.

(2) The term ‘intelligence community’ shall include the elements of the intelligence community listed in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 311. AVAILABILITY OF FUNDS FOR TRAVEL AND TRANSPORTATION OF PERSONNEL, EFFECTS, HOUSEHOLDS, AND AUTOMOBILES.

(a) Funds of Office of Director of National Intelligence.—Funds appropriated to the Office of the Director of National Intelligence and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal calendar year pursuant to travel orders issued in such fiscal year concerning that such travel or transportation is or may not be completed during such fiscal year.

(b) Funds of Central Intelligence Agency.—Funds available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(c) Travel and Transportation Expenses Defined.—In this section, the term ‘travel and transportation expenses’ means the following:

(1) Expenses in connection with travel of personnel, including travel of dependents.

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

SEC. 312. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON COMPLIANCE WITH THE DETAINEE TREATMENT ACT OF 2005.

(a) Report Required.—Not later than May 1, 2007, the Director of National Intelligence shall submit to the congressional intelligence committees a comprehensive report on all measures taken by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with relevant responsibilities to comply with the provisions of the Detainee Treatment Act of 2005 (title X of division A of Public Law 109-148).

(b) Elements.—The report required by subsection (a) shall include the following:

(1) A description of the detention or interrogation methods, if any, that have been determined by the Office of the Director of National Intelligence and by each element, if any, of the intelligence community with relevant responsibilities to comply with the provisions of the Detainee Treatment Act of 2005 (119 Stat. 2739; 42 U.S.C. 2000a-4), and, with respect to each such method, a statement of the general basis for such determination.

(2) A description of the detention or interrogation methods, if any, whose use has been discontinued pursuant to the Detainee Treatment Act of 2005, and, with respect to each such method, a statement of the general basis for such determination.

(3) A description of any actions that have been taken pursuant to section 308 of the Detainee Treatment Act of 2005 (119 Stat. 2740; 42 U.S.C. 2000a-10), and, with respect to each such action, a statement of the basis for such action.

(4) Any other matters that the Director considers necessary to fully and currently inform the congressional intelligence committees about the implementation of the Detainee Treatment Act of 2005.

(c) Form.—The report required by subsection (a) shall be submitted in classified form.

(d) Definitions.—In this section:

(1) The term ‘Congressional intelligence committees’ means—

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

(B) the Permanent Select Committee of the House of Representatives.

(2) The term ‘intelligence community’ means the elements of the intelligence community listed in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 313. REPORT ON ANY CLANDESTINE DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) In General.—The President shall ensure that the United States Government continues to comply with the authorization, reporting, and notification requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

(b) Director of National Intelligence Report.—

(1) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on any clandestine prison or detention facility currently or formerly operated by the United States Government for individuals captured in the global war on terrorism.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) The date each prison or facility became operational and, if applicable, the date on which each prison or facility ceased its operations.

(B) The total number of prisoners or detainees held at each prison or facility during its operation.

(C) The current number of prisoners or detainees held at each prison or facility.

(D) The total and average annual costs of each prison or facility during its operation.

(E) A description of the interrogation procedures used or formerly used on detainees at each prison or facility.

(F) A description of any determination made by the United States Government, whether or not it was in compliance with United States obligations under the Geneva Conventions and the Convention Against Torture.

(3) Form of Report.—The report required by paragraph (1) shall be submitted in classified form.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. ADDITIONAL AUTHORITIES OF THE DIRECTOR OF NATIONAL INTELLIGENCE FOR HUMAN INTELLIGENCE INFORMATION SHARING.

Section 102a(g)(1) of the National Security Act of 1947 (50 U.S.C. 403-1(g)(1)) is amended—

(1) in subparagraph (E), by striking ‘and’ at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ‘;’; and

(3) by adding at the end the following new subparagraph:

(G) in carrying out this subsection, have the authority to—

(i) direct the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence and

(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act, the National Security Intelligence Reform Act of 2004 (title I of Public Law 108-458), to expend funds for purposes associated with the development, deployment, and utilization of such systems, which funds may be received and utilized by any department, agency, or other element of the United States Government for such purposes; and

(H) for purposes of addressing critical gaps in intelligence information sharing or access capabilities, have the authority to transfer funds appropriated for a program within the National Intelligence Program to a program funded by appropriations not within the National Intelligence Program, consistent with paragraphs (3) through (7) of subsection (d).”.

SEC. 402. MODIFICATION OF LIMITATION ON DELIVERY BY THE DIRECTOR OF NATIONAL INTELLIGENCE OF INFORMATION TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 102a(b)(3) of the National Security Act of 1947 (50 U.S.C. 403-1(b)(3)) is amended by inserting before the period following the preceding semicolon the following:

‘‘(i) any Deputy Director of National Intelligence, or the Chief Information Officer of the Intelligence Community;’’.

SEC. 403. AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE TO MANAGE ACCESS TO HUMAN INTELLIGENCE INFORMATION.

Section 102a(b) of the National Security Act of 1947 (50 U.S.C. 403-1(b)) is amended—

(1) by inserting ‘‘before’’ ‘‘Unless’’; and

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

‘‘(2) The Director of National Intelligence shall—

(A) have access to all national intelligence, including intelligence reports, operational data, and other associated information, concerning the human intelligence operations of any element of the intelligence community authorized to undertake such collection;

(B) consistent with the protection of intelligence sources and methods and applicable requirements in Executive Order 12333 (or any successor order) regarding the retention and dissemination of information concerning United States persons, ensure maximum access to the intelligence information contained in the information referred to in subparagraph (A) through the intelligence community; and

(C) consistent with subparagraph (B), provide within the Office of the Director of National Intelligence a mechanism for intelligence sharing with such other officers with appropriate clearances and an official need-to-know to gain access to information referred to in subparagraph (A) or (B) when relevant to their official responsibilities.’’.

SEC. 404. ADDITIONAL ADMINISTRATIVE AUTHORITY OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 102a of the National Security Act of 1947 (50 U.S.C. 403-1) is amended by adding at the end the following new subsection:

‘‘(a) ADDITIONAL ADMINISTRATIVE AUTHORITIES.—(1) Notwithstanding section 1532 of title 31, United States Code, or any other provision of law prohibiting the interference with the integrity of an activity, the Director may—

(i) direct the development, deployment, and utilization of systems of common concern for elements of the intelligence community, or that support the activities of such elements, related to the collection, processing, analysis, exploitation, and dissemination of intelligence and

(ii) without regard to any provision of law relating to the transfer, reprogramming, obligation, or expenditure of funds, other than the provisions of this Act, the National Security Intelligence Reform Act of 2004 (title I of Public Law 108-458), to expend funds for purposes associated with the development, deployment, and utilization of such systems, which funds may be received and utilized by any department, agency, or other element of the United States Government for such purposes; and

(H) for purposes of addressing critical gaps in intelligence information sharing or access capabilities, have the authority to transfer funds appropriated for a program within the National Intelligence Program to a program funded by appropriations not within the National Intelligence Program, consistent with paragraphs (3) through (7) of subsection (d).’’.”
duties of the Director of National Intelligence or the Office of the Director of National Intelligence—

"(A) the Director may authorize the use of information derived from—

"(i) national intelligence centers established by the Director under section 1193; and

"(ii) boards, commissions, councils, committees, and similar groups established by the Director; and

"(B) upon the authorization of the Director, any department, agency, or element of the United States Government, including any element of the intelligence community, may fund or participate in the funding of such activities.

"(2) No provision of law enacted after the date of enactment of this subsection shall be deemed to limit or supersede the authority in paragraph (1) unless such provision makes specific reference to the authority in that paragraph.

SEC. 405. CLARIFICATION OF LIMITATION ON CO-LOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

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

(1) by striking ""(A) in subsection (a), by inserting ""and"" after ""and"" and before ""of the Office""; and

(2) by adding at the end the following new subsection:

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

SEC. 407. APPOINTMENT AND TITLE OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

(a) APPOINTMENT.—

""(1) The Chief Information Officer of the Intelligence Community shall be appointed as Inspector General of the Intelligence Community.

""(2) The nomination of an individual for appointment as Chief Information Officer shall be the head of the Office of the Director of National Intelligence and shall be submitted to the President at any time during the term of the Director of National Intelligence.

""(B) solely on the basis of integrity, competence, and qualifications.

""(C) the necessity for, and the progress of, corrective actions.

""(D) in the manner prescribed by this section, ensure that the congressional intelligence committees are kept similarly informed of—

""(i) significant problems and deficiencies relating to the administration and implementation of such programs and operations, and to such relationships; and

""(ii) the necessity for, and the progress of, corrective actions.

""(c) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—(1) There is an Inspector General of the Intelligence Community, which shall be appointed by the President, by and with the advice and consent of the Senate.

""(2) The nomination of an individual for appointment as Inspector General shall be made—

""(A) without regard to political affiliation;

""(B) solely on the basis of integrity, competence, and qualifications.

""(c) in the field of intelligence or national security;

""(D) in the field of intelligence or national security; and

""(E) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

""(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

""(4) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of any individual from the position of Inspector General.

""(1) to provide policy direction for, and to appropriately accountable to Congress, to initiate and conduct independently investigations, inspections, and audits relating to—

""(A) the programs and operations of the intelligence community;

""(B) the elements of the intelligence community within the National Intelligence Program; and

""(C) the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community;
and operations of the intelligence community, the elements of the intelligence community within the National Intelligence Program, and the relationships between the elements of the intelligence community and the National Intelligence Program and the other elements of the intelligence community to ensure they are conducted efficiently and in accordance with applicable law and regulations:

“(2) to keep the Director of National Intelligence fully and currently informed concerning the declaration of law and regulations, violations of civil liberties and privacy, and fraud and other serious problems, abuses, and deficiencies that may occur in such programs, operations, and activities and to report the progress made in implementing corrective action;

“(3) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Inspector General, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

“(4) to the execution of the duties and responsibilities under this section, to comply with generally accepted government auditing standards.

“SEC. 4540. AUTHORITY TO OBTAIN INFORMATION, DOCUMENTS, REPORTS, ANSWERS, RECORDS, ACCOUNTS, PAPERS, AND OTHER DATA AND INFORMATION

“(e) LIMITATIONS ON ACTIVITIES.—(1) The Inspector General shall conduct such investigation, inspection, or audit by both the Inspector General and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to minimize the disclosure of intelligence sources and methods described in such reports; and

“(2)(A) The Inspector General shall have the authority to administer to any person an oath, affirmation, or affidavit, whenever necessary in the performance of the duties of the Inspector General, which oath, affirmation, or affidavit, when administered or taken by or before an employee of the Office of the Inspector General of the Intelligence Community designated by the Inspector General, shall have the same force and effect as if administered or taken by or before an officer having a seal.

“(g) COORDINATION AMONG INSPECTORS GENERAL.—(1) If an investigation, inspection, or audit of an element or elements of the intelligence community or the relationships between the elements of the intelligence community within the National Intelligence Program and the other elements of the intelligence community is undertaken; and

“(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit, and the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit, which the Inspector General of the Intelligence Community determines that such initial investigation, inspection, or audit was deficient in some manner or that further investigation, inspection, or audit is required.

“(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matters covered by such investigation, inspection, or audit.

“(B) The Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matters covered by such investigation, inspection, or audit.

“(3)(A) The Inspector General is authorized to delegate to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

“(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, communications, or other material which are under the control of any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

“(C) The Inspector General shall ensure that any officer or employee so selected, appointed, or employed has security clearances appropriate for the position to be held.

“(D) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, communications, or other material which are under the control of any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

“(2) The Inspector General conducting an investigation, inspection, or audit covered by paragraph (1) shall submit the results of such investigation, inspection, or audit to the Inspector General of the Intelligence Community, with jurisdiction to conduct such investigation, inspection, or audit, which the Inspector General of the Intelligence Community determines that such initial investigation, inspection, or audit was deficient in some manner or that further investigation, inspection, or audit is required.

“(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matters covered by such investigation, inspection, or audit.

“(B) The Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matters covered by such investigation, inspection, or audit.

“(3)(A) If an investigation, inspection, or audit covered by paragraph (1) is conducted by an Inspector General other than the Inspector General of the Intelligence Community, the Inspector General of the Intelligence Community may, upon completion of such investigation, inspection, or audit by such other Inspector General, conduct under this section a separate investigation, inspection, or audit of the matters covered by such investigation, inspection, or audit.

“(3)(A) The Inspector General is authorized to delegate to any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.

“(B) The Inspector General shall have direct access to all records, reports, audits, reviews, documents, papers, communications, or other material which are under the control of any employee, or any employee of a contractor, of any element of the intelligence community whose testimony is needed for the performance of the duties of the Inspector General.
“(I) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than January 31 and July 31 of each year, prepare and submit to the Director of National Intelligence an audit, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community. The initial report shall cover the 6-month period ending December 31 (of the preceding year) and June 30, respectively.

(2) Each report under this paragraph shall include, at a minimum, the following:

(i) A list of the title or subject of each investigation, inspection, or audit conducted during the period covered by such report, including a summary of the progress of each particular investigation, inspection, or audit since the preceding report of the Inspector General under this paragraph.

(ii) A description of significant problems, abuses, and deficiencies relating to the administration and implementation of programs and operations of the intelligence community, and in the relationships between elements of the intelligence community, identified by the Inspector General during the period covered by such report.

(iii) A description of the recommendations for corrective or disciplinary action made by the Inspector General during the period covered by such report with respect to significant problems, abuses, or deficiencies identified in clause (ii).

(iv) A statement whether or not corrective or disciplinary action has been completed on each significant recommendation described in previous semiannual reports, and, in a case where corrective action has been completed, a description of such corrective action.

(v) A certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General.

(vi) A description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report.

(2) The Inspector General shall transmit to the congressional intelligence committees, together with any comments the Director considers appropriate.

(3) The Inspector General shall transmit to the congressional intelligence committees each report under subparagraph (A) within seven calendar days of receipt of such report, together with such comments as the Director considers appropriate.

(4) In the event that—

(A) the Inspector General is unable to resolve with the Director any serious or flagrant problems, abuses, or deficiencies relating to the administration and implementation of programs or operations of the intelligence community, or the relationships between elements of the intelligence community.

(B) The Inspector General receives a complaint or information under subparagraph (A), or does not transmit the complaint or information submitted under subparagraph (A), or transmitted the complaint or information contained in such a report, within 30 days after the date of receipt of such report, does so in that member or employee of the intelligence community.

(C) The Inspector General becomes aware of particular, serious, or flagrant problem relating to such element.

The Director, acting through the Inspector General, shall report to the congressional intelligence committees in accordance with appropriate security practices.

(II) obtains and the Director, through the Inspector General, shall report the congressional intelligence committees in accordance with appropriate security practices.

(III) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee of such committee.

(E) The Inspector General shall notify the congressional intelligence committees in accordance with appropriate security practices.

(II) The Inspector General shall notify the congressional intelligence committees in accordance with appropriate security practices.

(III) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee of such committee.

(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

(II) The term ‘urgent concern’ means any of the following:

(v) a serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operation of an intelligence activity that does not include differences of opinions concerning public policy matters.

(G) The term ‘false statement’ means any of the following:

(i) a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

(III) An action, including a personnel action described in section 2302(a)(2)(A) of title 5, United States Code, constituting reprisal or threat of reprisal prohibited under subsection (f)(3)(B) of this section in response to a complaint or information submitted by a member or employee of a committee, does not include differences of opinions concerning public policy matters.

(H) The term ‘whistleblower’ means any of the following:

(i) an employee who reports a complaint or information under subsection (j) or (k).

(ii) an employee who reports a complaint or information under subsection (j) or (k) with respect to such element.

(iii) a member or employee of one of the congressional intelligence committees.

(J) SEPARATE BUDGET ACCOUNT.—The Director of National Intelligence shall, in accordance with procedures to be issued by the Director in consultation with the congressional intelligence committees, include in the National Intelligence Program budget a separate budget account for the Director General of the Intelligence Community.

(K) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF INTELLIGENCE COMMUNITY.—Except as provided in subsection (g), the performance by the Director General of the Intelligence Community of any duty, responsibility, or function regarding an element of the intelligence community shall not be construed to modify or effect the duties and responsibilities of any other Inspector General, whether statutory or administrative, having duties and responsibilities relating to such element.

(L) The table of contents in the first section of this title of the United States Code, as amended by section 1012 of the Intelligence Reform and Terrorism Prevention Act of 2004, is amended by inserting after the item relating to section 103G the following new item:
SEC. 409. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 118A(a) of the National Security Act of 1947 (50 U.S.C. 403a-1(a)) is amended—

(1) by striking “(a) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of this section” and inserting the following:

“(a) ESTABLISHMENT.—The”;

(2) by striking “(c) MISSIONS.—The National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be appointed by the Director of National Intelligence.”; and

(3) by adding the following new paragraph:

“(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be designated by the Director of National Intelligence.”

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

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraphs:

“(9) The Chief Intelligence Officer of the Intelligence Community.

(10) The Inspector General of the Intelligence Community.

(11) The Director of the National Counterterrorism Center.

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

SEC. 410. NATIONAL SPACE INTELLIGENCE CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by inserting after section 119B the following new section:

“NATIONAL SPACE INTELLIGENCE CENTER

Sec. 119C. (a) ESTABLISHMENT.—There is established within the Office of the Director of National Intelligence a National Space Intelligence Center.

(b) DIRECTOR OF NATIONAL SPACE INTELLIGENCE CENTER.—The National Intelligence Office for Science and Technology, or a successor position designated by the Director of National Intelligence, shall act as the Director of the National Space Intelligence Center.

(c) MISSIONS.—The National Space Intelligence Center shall have the following missions:

(1) To coordinate and provide policy direction for the management of space-related intelligence assets.

(2) To prioritize collection activities consistent with the National Intelligence Collection Priorities framework, or a successor framework or other document designated by the Director of National Intelligence.

(3) To develop the policy direction for programs designed to ensure a sufficient cadre of government and nongovernment personnel in fields related to space intelligence, including to support education, recruitment, hiring, training, and retention of qualified personnel.

(4) To evaluate independent analytic assessments of threats to classified United States space intelligence systems throughout all phases of the development, acquisition, and operation of such systems.

(5) To develop a database that includes all national intelligence information (as appropriate), and such other information (as appropriate and practical), necessary for the Center to carry out the mission of the Center.

(6) To ensure that the National Space Intelligence Center has access to any information from all national intelligence agencies that is not otherwise restricted by the Central Intelligence Act (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraphs:

“(9) The Chief Intelligence Officer of the Intelligence Community.

(10) The Inspector General of the Intelligence Community.

(11) The Director of the National Counterterrorism Center.

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

(b) OPERATIONS IN ORGANIZATION OF CENTER.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Space Intelligence Center shall submit to the Senate Select Committee on Intelligence and the Permanent Select Committee on Intelligence of the House of Representatives a report on the establishment of the National Space Intelligence Center established by section 119C of the National Security Act of 1947 (as added by subsection (a)).

(2) EXEMPTION.—The report required by paragraph (1) shall include the following:

(A) The proposed organizational structure of the National Space Intelligence Center.

(B) An identification of key participants in the Center.

(C) A strategic plan for the Center during the five-year period beginning on the date of the report.

SEC. 411. OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Title VII of the National Security Act of 1947 (50 U.S.C. 431 et seq.) is amended by inserting before section 701 the following new section:

“OPERATIONAL FILES IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Sec. 700. (a) EXEMPTION OF CERTAIN FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) Information and records described in paragraph (1) of section 4503 of title 5, United States Code, that is subject to the provisions of section 552 of title 5, United States Code, are not exempt from search, review, publication, or disclosure under section 4503 of title 5, United States Code, to the extent the operational files described in such section are not exempt from search, review, publication, or disclosure under sections 552 and 552a of title 5, United States Code.

(b) SEARCH AND REVIEW OF CERTAIN FILES.—Information disseminated or otherwise provided to the Office of the Director of National Intelligence by another element of the intelligence community may not be exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code, to the extent the operational files described in paragraphs (3) and (4) of section 552a of title 5, United States Code are not exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code.

(c) SEARCH AND REVIEW FOR CERTAIN PURPOSES.—Notwithstanding subsection (a), exempt operational files shall continue to be inspected, reviewed, and examined upon request of the Office of the Director of National Intelligence by any of the following for any purpose:

(1) United States citizens or aliens lawfully admitted for permanent resident status who are employees or members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence.

(2) Any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code.

(3) Any specific subject matter of an investigation by any of the following for any purpose:

(A) The Department of Justice.

(B) The Permanent Select Committee on Intelligence of the House of Representatives.

(C) The Intelligence Oversight Board.

(D) The Office of the Director of National Intelligence.

(E) The Office of the Inspector General of the Intelligence Community.

(F) The Office of the Director of the Intelligence Community.

(g) ELIGIBILITY FOR INCENTIVE AWARDS.

(a) AUTHORITY FOR PAYMENT OF AWARDS.—The Director of National Intelligence may exercise the authority granted in section 4505 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

(b) The Director of the Central Intelligence Agency may exercise the authority granted in section 4505 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency in the same manner as such authority may be exercised with respect to personnel of the Agency.”.
(b) REPEAL OF OBSOLETE AUTHORITY.—That section is further amended—
(1) by striking subsection (c); and
(2) by redesignating subsection (d) as subsection (c).

(d) EXPEDITIOUS PAYMENT.—That section is further amended by adding at the end the following new paragraph:

(1) by redesigning subsections (b), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(e) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—
(1) by inserting “PERSONNEL ELIGIBLE FOR AWARD” after “(b);”
(2) by striking subsection (a) of this section and inserting “section 553 of title 5, United States Code.”

SEC. 413. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c) is amended—
(1) by striking subsections (d), (g), (h), (i), and (j); and
(2) by redesignating subsections (e), (f), (k), (l), and (m) as subsections (d), (e), (f), and (g), respectively.

(b) CONFORMING AMENDMENTS.—That section is further amended—
(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking “subsection (i)” each place it appears in paragraphs (1), (2), and (3) and inserting “subsection (e)”; and
(2) in subsection (e), as so redesignated—
(A) in paragraph (1), by striking “subsection (e)” and inserting “subsection (d)(1)”; and
(B) in paragraph (2), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”.

SEC. 414. INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO ADVISORY COMMITTEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 4(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—
(1) in paragraph (1), by striking “or”; and
(2) in paragraph (2), by striking the period and inserting “and”; and
(3) by adding at the end the following new paragraph:

“(3) The Office of the Director of National Intelligence.”

SEC. 415. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPARENCY SECURITY OVERSIGHT BOARD.

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

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

SEC. 416. APPLICABILITY OF THE PRIVACY ACT TO THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) AUTHORITY TO EXEMPT.—The Director of National Intelligence may exempt any system of records to which notification is required under the Privacy Act of 1974 (5 U.S.C. 552a) from the requirements of that Act with respect to the Director of National Intelligence to the extent that any system is maintained for any purpose related to the national security or the national defense.

(b) PROMULGATION REQUIREMENTS.—In prescribing any regulations under subsection (a), the Director shall consult with the Office of Management and Budget and with the advice and consent of the Senate Committee on Governmental Affairs or the Committee on Appropriations as the Senate Committee on Governmental Affairs or the Committee on Appropriations determines appropriate.

SUBTITLE B—Central Intelligence Agency

SEC. 421. DIRECTOR AND DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) ESTABLISHMENT OF POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—Section 104A of the National Security Act of 1947 (50 U.S.C. 403a–1a) is amended—
(1) by redesigning subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively; and
(2) by inserting after subsection (a) the following new paragraph:

“(b) DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) The Deputy Director of the Central Intelligence Agency shall assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director.

“(2) The Deputy Director of the Central Intelligence Agency shall—
(A) be subject to supervision and control by the Secretary of Defense or by any officer or employee of the Department of Defense; or
(B) exercise, by reason of the officer’s status, position, rank, or grade, any perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

“(3) A commissioned officer described in paragraph (1), while performing in the administrative performance of duties, as described in that paragraph and while remaining on active duty, shall continue to receive military pay and allowances, and funds to which such pay and allowances are paid shall be reimbursed from funds available to the Director of the Central Intelligence Agency.

(c) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act.

SEC. 422. ENHANCED PROTECTION OF CENTRAL INTELLIGENCE AGENCY INTELLIGENCE SOURCES FROM UNAUTHORIZED DISCLOSURE.

(a) RESPONSIBILITY OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT OF 1947.—Subsection (e) of section 104A of the National Security Act of 1947 (50 U.S.C. 403a–4a), as redesignated by section 421(b)(1) of this Act, is further amended—
(1) in paragraph (5), by striking “and” at the end;
(2) by redesignating paragraph (4) as paragraph (5); and
(3) by inserting after paragraph (5) the following new paragraph:

“(4) protect intelligence sources and methods of the Central Intelligence Agency from unauthorized disclosure, consistent with any direction issued by the President or the Director of National Intelligence; and”;

(b) PROTECTION UNDER CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended by striking “section 102A(i)” and all that follows through “unauthorized disclosure of sections 102A(i) and 104A(e)(4) of the National Security Act of 1947 (50 U.S.C. 403–11, 403a–4a(e)(4)).”

(c) CONSTRUCTION WITH EXEMPTION FROM REQUIREMENT FOR DISCLOSURE OF INFORMATION TO PUBLIC.—Section 104A(a)(4) of the National Security Act of 1947, as amended by subsection (a), and section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) are amended by striking “unauthorized disclosure of sections 102A(i) and 104A(e)(4) of the National Security Act of 1947 (50 U.S.C. 403–11, 403a–4a(e)(4)).”

(d) TECHNICAL AMENDMENTS TO CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—Section 203(c) of the Central Intelligence Agency Retirement and Disability Act (50 U.S.C. 403–4a) is amended—
(1) in the subsection caption, by striking “of DCI”;
(2) by striking “sections 102A(i) and 104A(e)(4)”;
(3) by striking “of National Intelligence”; and
(4) by inserting “of the Central Intelligence Agency” after “methods”.

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April 16, 2007
CONGRESSIONAL RECORD — SENATE
SEC. 423. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL PERSONNEL IN THE CENTRAL INTELLIGENCE AGENCY.

(a) ADDITIONAL EXCEPTION.—Subsection (h) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a), as amended by section 421(b)(1) of this Act, is further amended—

(1) in paragraph (1)—

(A) by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(B) by striking “Directorate of Operations” and inserting “National Clandestine Service”;

(2) in paragraph (2), by striking “position or category of positions” each place it appears and inserting “individual, individuals, position, or category of positions”; and

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

“(4) The term “individual” means any individual, individual, individual, or category of positions.”

SEC. 425. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the President a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such individuals before 1977 as employees of any company or companies associated with or related to Air America, including Air Asia Company Limited and the Pacific Division of Southern Air Transport, Incorporated.

(b) REPORT ELEMENTS.—(1) The report required by subsection (a) shall include the following:

(A) The history of Air America and associated companies before 1977, including a description of—

(i) the relationship between such companies and other elements of the United States Government;

(ii) the workforce of such companies;

(iii) the misconduct suffered by such companies and their employees for the United States; and

(iv) the casualties suffered by employees of such companies in the course of their employment with such companies.

(B) A description of the retirement benefits contracted for or promised to the employees of such companies before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid such employees, the entitlement of such employees to the payment of future retirement benefits, and the likelihood that former employees of such companies will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of such companies have received or will receive by virtue of their employment with such companies; and

(ii) the retirement benefits that such employees would have received and in the future would receive if such employees had been, or would now be, treated as employees of the United States whose services while in the employ of such companies had been or would now be credited as Federal service for the purpose of Federal retirement benefits.

(D) The recommendations of the Director regarding the advisability of legislative action to treat employment at such companies as Federal service for the purpose of Federal retirement benefits in light of the relationship between such companies and the United States before 1977, the contributions made and sacrifices of such employees to and for the United States, and if legislative action is considered advisable, a proposal for such action and an assessment of its costs.

(E) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(F) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(F) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(G) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(H) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(I) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(J) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(K) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(L) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(M) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(N) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(O) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(P) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(Q) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(R) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(S) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(T) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(U) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(V) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(W) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(X) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(Y) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(Z) The authority, in the manner consistent with the protection of the Director of National Intelligence, to provide a service for the purpose of Federal retirement benefits.

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF PERSONNEL AFFILIATION WITH NSA.—Subsection (e) of section 611 of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended by inserting “the protection of the National Intelligence shall now be credited as Federal service for the purpose of Federal retirement benefits.”

SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL SECURITY AGENCY PROTECTIVE PERSONNEL.

(a) COVERAGE UNDER INSPECTOR GENERAL ACT.—Subsection (a)(4) of section 104A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403–4a(4)) is amended—

(1) by inserting “(A)” after “(A)”;

(2) in subparagraph (A), as so designated—

(A) by striking “and the protection” and inserting “the protection”; and

(B) by striking the semicolon and inserting “; and”;

and

(3) by adding at the end the following new subparagraph:

“(B) Authorize personnel engaged in the performance of protective functions authorized pursuant to subparagraph (A), when engaged in the performance of such functions, to make arrests without warrant for any offense against the United States committed in the course of their employment or for any felony cognizable under the laws of the United States, if such personnel have reasonable grounds to believe that the person to be arrested is engaged in, or is committed by, such felony, except that any authority pursuant to this subparagraph may be exercised only in accordance with guidelines approved by the Director and the Attorney General and such personnel may not exercise any authority for the service of civil process or for the investigation of criminal offenses.”

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF PERSONNEL AFFILIATION WITH NSA.—Subsection (e) of section 611 of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended by inserting “the protection of the National Intelligence shall now be credited as Federal service for the purpose of Federal retirement benefits.”

(c) REPORT TO CONGRESS.—The National Security Agency Act of 1959 (50 U.S.C. 403–4a) is amended by adding a new section 423 to read as follows:

“SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL SECURITY AGENCY PROTECTIVE PERSONNEL.

The National Security Agency Act of 1959 (50 U.S.C. 403–4a) is amended—

(1) by adding at the end the following new section:

“SEC. 402. AUTHORITY TO WITHHOLD DISCLOSURE OF PERSONNEL AFFILIATION WITH NSA.—Subsection (e) of section 611 of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended by inserting “the protection of the National Intelligence shall now be credited as Federal service for the purpose of Federal retirement benefits.”

SEC. 433. INSPECTOR GENERAL MATTERS.

(a) COVERAG UNDER INSPECTOR GENERAL ACT.—Subsection (a)(2) of section 8G of the Inspector General Act of 1978 (3 U.S.C. App. 8G) is amended—

(1) by inserting “the Defense Intelligence Agency,” after “the Corporation for Public Broadcasting;”;

(2) by inserting “the National Geospatial-Intelligence Agency,” after “the National Endowment for the Arts;”;

and

(3) by inserting “the National Reconnaissance Office, the National Security Agency,” after “the National Labor Relations Board.”
(b) CERTAIN DESIGNATIONS UNDER INSPECTOR GENERAL ACT OF 1978.—Subsection (a) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App. 8H) is amended by adding at the end the new paragraph Act or other provision of law—

‘‘(3) The Inspector General of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, and the National Security Agency shall be designated as the Inspector General of the Department of Defense for purposes of this section.’’.

(c) POWERS OF HEADS OF ELEMENTS OVER INVESTIGATIONS.—Subsection (d) of section 8G of that Act—

(1) by inserting ‘‘(1)’’ after ‘‘(d)’’;
(2) in the second sentence of paragraph (1), as designated by paragraph (1) of this subsection, by striking ‘‘The head’’ and inserting ‘‘as provided in paragraph (2), the head’’; and
(3) by adding at the end the following new paragraph:

‘‘(2) The Director of National Intelligence or the Secretary of Defense may prohibit the Inspector General of an element of the intelligence community specified in subparagraph (D) from initiating, carrying out, or completing any audit or investigation if the Director or the Secretary, as the case may be, determines that the prohibition is necessary to protect vital national security interests of the United States.

(B) If the Director or the Secretary exercises the authority under subparagraph (A), the Director or the Secretary, as the case may be, shall submit to the Committees on Appropriations of Congress specified in subparagraph (E) a statement on the exercise of the authority not later than seven days after the exercise of the authority."

(2) At the same time the Director or the Secretary submits under subparagraph (B) a statement on the exercise of the authority in subparagraph (A) to the Committees on Appropriations of Congress specified in subparagraph (E), the Director or the Secretary, as the case may be, shall notify the Inspector General of such element of the submittal of such statement and, to the extent consistent with the protection of intelligence sources and methods, provide the Inspector General with a copy of such statement.

(3) By the same token, the Inspector General specified in such section, to the extent consistent with the protection of intelligence sources and methods, shall provide the Director or the Secretary, as the case may be, with a statement on the exercise of the authority specified in paragraph (1) of such section.

(4) The Director of National Intelligence may designate for purposes of this section—

(A) the Office of the Director of National Intelligence; and
(B) the Office of the Director of National Reconnaissance Office.

(5) EFFECTIVE DATE AND APPLICABILITY.—

(1) The amendments made by paragraphs (a) and (b), and subsection (c), shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve in the position concerned, except that the individual serving in such position as of the date of the enactment of this Act shall continue to perform such duties after such date of nomination and until the individual appointed to such position, by and with the advice and consent of the Senate, assumes the duties of such position; or

(B) the date of the cessation of the performance of the duties of such position by the individual serving in such position as of the date of the enactment of this Act.

(2) Subsection (d) shall take effect on the date of the enactment of this Act.

SEC. 435. CLASSIFICATION OF NATIONAL SECURITY MISSIONS OF NATIONAL GEOSSPATIAL-INTELLIGENCE AGENCY AND THE NATIONAL RECONNAISSANCE OFFICE.

Section 452(a) of title 10, United States Code, is amended—

(1) by redesigning paragraph (2) as paragraph (3);
(2) by inserting after paragraph (1) the following new paragraph:

‘‘(2)(A) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall classify, declassify, and incorporate into the National Geospatial-Intelligence information system, classified information derived from imagery, videos, or presentations produced by ground-based platforms, including hand-held or clandestine photography taken by or on behalf of human intelligence collection organizations."

SEC. 436. SECURITY CLEARANCES IN THE NATIONAL GEOSSPATIAL-INTELLIGENCE AGENCY.

The Secretary of Defense shall, during the period beginning on the enactment of this Act and ending on December 31, 2015, delegate to the Director of the National Geospatial-Intelligence Agency personnel security authority with respect to the National Geospatial-Intelligence Agency (including authority relating to the use of contract personnel in investigations and adjudication for security clearances) that is identical to the personnel security authority of the Director of the National Security Agency with respect to the National Security Agency.

Subtitle D—Other Elements

SEC. 441. FOREIGN LANGUAGE INCENTIVE FOR CERTAIN NON-SPECIAL AGENT EMPLOYEES.

(a) AUTHORITY TO PAY INCENTIVE.—The Director of the National Geospatial-Intelligence Agency may pay a cash award authorized by section 4523 of title 5, United States Code, in accordance with the provisions of such section, to any employee of the National Geospatial-Intelligence Agency described in paragraph (b) as if such employee were a law enforcement officer as defined in section 7002 of title 28, United States Code.

(b) COVERED EMPLOYEES.—An employee of the National Geospatial-Intelligence Agency described in paragraph (a) is an employee of the National Geospatial-Intelligence Agency if the employee was employed under a contract pursuant to the Federal Law Enforcement Intelligence Act of 2007 on or after the date of the enactment of this Act.

SEC. 442. AUTHORITY TO CONTRACT FOR SERVICES OF THE NATIONAL GEOSSPATIAL-INTELLIGENCE AGENCY.

(a) AUTHORITY TO CONTRACT FOR SERVICES.—The Director of the National Geospatial-Intelligence Agency may enter into contracts with individuals or organizations for the provision of services in support of the mission of the National Geospatial-Intelligence Agency that are identical to the personnel security authority of the Director of National Security Agency with respect to the National Security Agency.

(b) COVERED EMPLOYEES.—An employee of the National Geospatial-Intelligence Agency described in paragraph (a) is an employee of the National Geospatial-Intelligence Agency if the employee was employed under a contract pursuant to the Federal Law Enforcement Intelligence Act of 2007 on or after the date of the enactment of this Act.
shall ensure that each contract entered into by the Secretary under this section is the appropriate means of securing the services to be provided under such contract.

SEC. 442. CLARIFICATION OF CONCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION AS ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 3(4) of the National Security Act of 1947 (50 U.S.C. 404) is amended—
(1) in subparagraph (H)—
(A) by inserting “the Coast Guard,” after the “Marine Corps,” and
(B) by inserting “the Drug Enforcement Administration,” after “the Federal Bureau of Investigation,”; and
(2) in subparagraph (K), by striking “, including the Office of Intelligence of the Coast Guard”.

SEC. 444. CLARIFYING AMENDMENTS RELATING TO THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

(1) by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and
(2) by inserting “or in section 313 of such title,” after “section(s) (a),”.

TITLE V—OTHER MATTERS

SEC. 501. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

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

(a) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.

(1) in section 101(e)(10)(B) (6 U.S.C. 458(e)(10)(B)), by striking “Attorney General” the place it appears and inserting “Department of Justice”;
(2) in section 104 of the National Security Act of 1947 (50 U.S.C. 404) note—
(A) in subsection (d)(4)(A), by striking “National Intelligence Director” and inserting “Director of National Intelligence”;
(B) in subsection (d)(1), by striking “National Intelligence Director” and inserting “Director of National Intelligence”;
(3) in section 107(e), by striking “(1)”;
(4) in section 111(b), by inserting “AGENCY” after “INTELLIGENCE”;
(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108–458) is amended as follows:
(1) In section 2001 (28 U.S.C. 532 note)—
(A) in subsection (c)(1), by inserting “of” before “an institutional culture”;
(B) in subsection (e)(2), by striking “the National Intelligence Director in a manner consistent with section 112(c)” and inserting “the Director of National Intelligence in a manner consistent with applicable law”; and
(C) in subsection (f), by striking “shall,” in the matter preceding paragraph (1) and inserting “shall”;
(2) In section 2006 (28 U.S.C. 509 note)—
(A) in paragraph (2), by striking “the Federal” and inserting “National”;
and
(B) in paragraph (3), by striking “the specific” and inserting “specific”.

SEC. 504. TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE, ARISING FROM ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) REFERENCES TO HEAD OF INTELLIGENCE COMMUNITY:—The United States Code is amended by striking “Director of Central Intelligence” each place it appears in a provision as follows and inserting “Director of National Intelligence”:
(1) Section 193(d)(2).
(2) Section 193(e).
(3) Section 201(a).
(4) Section 201(b).
(5) Section 201(c)(1).
(6) Section 425(a).
(7) Section 431(b)(1).
(8) Section 1131(a).
(9) Section 441(d).
(10) Section 443(d).
(11) Section 2373(b)(1).
(12) Section 2373(b)(2).
(b) CLERICAL AMENDMENTS.—Such title is further amended by striking “Director of Central Intelligence” each place it appears in a provision as follows and inserting “Director of National Intelligence”:
(1) Section 441(c).
(2) Section 443(c).
(c) REFERENCE TO HEAD OF CENTRAL INTELLIGENCE AGENCY:—Section 444 of such title is amended by striking “Director of Central Intelligence” each place it appears and inserting “Director of the Central Intelligence Agency”.

SEC. 505. TECHNICAL AMENDMENT TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a(a)(1)) is amended by striking “authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of such section, subsections (a) and (g) of such section, and section 303 of the National Security Act of 1947 (50 U.S.C. 403a(2), 403–3(c)(7), 403–4(a), (g), and 405) and inserting authorized under paragraphs (2), (3), (4), and (5) of section 104A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403–4a(1)).”.

SEC. 506. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subtitle (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—
(1) in the subsection caption, by striking “FOREIGN”;
and
(2) by striking “foreign” each place it appears
(b) RESPONSIBILITY OF DNI.—That section is further amended—
(1) in subsections (a) and (c), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and
(2) in subsection (b), by inserting “of National Intelligence” after “Director of”.
(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows: “SEC. 1405. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.”

SEC. 507. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

(a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new text: “Director of the Central Intelligence Agency.”
(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence.

SEC. 508. TECHNICAL AMENDMENTS RELATING TO REDESIGNATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY AS THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) TITLE 5, UNITED STATES CODE.—(1) Title 5, United States Code, is amended by striking “National Imagery and Mapping Agency” each place it appears in a provision as follows and inserting “National Geospatial- Intelligence Agency”:
(A) Section 2302(a)(2)(C)(ii).
(B) Section 3132(a)(1)(B).
(C) Section 4303(1).
(D) Section 4701(a)(1)(B).
(E) Section 5102(a)(1) (in clause (x)).
(F) Section 5102(a)(1) (in clause (K)).
(G) Section 6396(a)(2)(E).
(H) Section 7232(b)(2)(B)(x)(XIII).
(I) Section 6398(a)(2)(E) of such title is amended by striking “National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency”.

SEC. 509. TECHNICAL AMENDMENTS TO SPECIAL Publications.

(a) IN GENERAL.—Section 1336 of the National Geospatial-Intelligence Agency: special publications is amended by striking “National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency”.
(b) HOMELAND SECURITY ACT OF 2002.—Section 201(2)(E) of the Homeland Security Act of 2002.

SEC. 510. TECHNICAL AMENDMENTS RELATING TO THE NATIONAL IMAGERY AND MAPPING AGENCY AS THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY PROGRAM.

(a) TITLES 5 AND 31, UNITED STATES CODE.—The National Imagery and Mapping Agency Act of 2002 (title 5 of Pub. L. 108–158) is further amended as follows:


SEC. 878. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert:

SEC. JURISDICTION OVER INTELLIGENCE APPROPRIATIONS.

Notwithstanding subparagraph (b) of paragraph 1 of rule XVIII, the Standing Rules of the Senate, the Select Committee on Intelligence shall have jurisdiction over all proposed legislation, messages, petitions, memorials, and other matters relating to appropriation, resiction of appropriations, and new spending authority related to funding for intelligence matters.

SA 879. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the following:

SEC. SENSE OF CONGRESS REGARDING PRESIDENTIAL AUTHORITY TO CONTROL FOREIGN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Article II, section 1 of the Constitution of the United States grants “executive Power” to the President of the United States.

(2) James Madison wrote in Federalist No. 47 that Charles de Montesquieu was “[t]he oracle who is always consulted and cited” on issues dealing with separation of powers, and, in “The Spirit of the Laws”, Montesquieu defined the executive power “in respect to the law of nations” and as the power by which the “magistrate . . . makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions”.

(3) In a speech to Congress in 1789, James Madison noted that the “association of the President with the other branches . . . [the appointment function], is an exception to this general rule [that executive power is vested solely in the President]; and exceptions to general rules . . . are ever to be taken strictly”.

(4) In 1790, Thomas Jefferson wrote, “The transaction of business with foreign nations is exclusively the business of the head of that department, except as to such portions of it as are specially submitted to the Senate. Exceptions are to be construed strictly.”

(5) Alexander Hamilton reaffirmed this view in 1793, asserting “that as the participation of the Senate in the execution of treaties, and the power of the legislature to declare war, are exceptions out of the general ‘executive power’ vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution.”

(6) John Marshall, during his congressional term in 1799, said the President was “the sole organ of the nation in its external relations” because “[h]e possesses the whole Executive Power”.

(7) In 1956, the Supreme Court, in United States v. Curtiss-Wright Export Corporation, 299 U.S. 304, stated, “Not only, as we have already shown, have treaties over foreign affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a mediator between nations that makes treaties with the advise and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it.”

(8) Section 953 of title 18, United States Code, originally enacted in 1799 as the Logan Act (1 Stat. 613), states, “Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government, officer or agent thereof, with intent to influence the measures or conduct of any foreign government or officer, or in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both. This section shall not abridge the right of a citizen to apply himself, or his agent, to any foreign government, or to the Government of the United States for redress of any injury which he may have sustained from such government or any of its agents or subjects.”

(9) In 1952, Senator Arthur Vandenberg asserted that “politics stop at the water’s edge”.

(10) Intrusions on the executive power of the President by Members of Congress have had negative effects on foreign policy, and, in the past, some Members of Congress have tried to subvert the goals and aims of the executive branch by pursuing foreign policy goals that are contrary to those of the President.

(11) In 1987 and 1988, Speaker of the House Jim Wright attempted to engage in diplomacy in the war against Nicaragua, but the American people did not understand the war without the knowledge of the President. The book “Charlie Wilson’s War”, written by George Crile, asserts that Representative Wilson thus violated the Logan Act.

(12) In 1983, the decision of Congress to attach a stipulation to legislation authorizing the extension of the presence of the Marine Barracks which an amendment could be withdrawn if fatalities continued, possibly led to the suicide bombing of the Marine barracks on October 23, 1983, causing the deaths of 241 members of the Armed Forces of the United States.

(13) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy.

(14) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy.

(15) The offices of the Speaker of the House of Representatives and the Majority Leader of the Senate are positions of special responsibility. It is important that “executive branch” foreign governments and, thus, the Speaker of the House and the Majority Leader of the Senate should be held accountable for actions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

(16) Recent actions by Speaker of the House Nancy Pelosi, whether intentionally or unintentionally, have undermined the President’s foreign policy toward Syria by giving a false impression of the positions of the United States and the House in negotiations with the Government of Syria.

(17) It is essential that Members of Congress be viewed as supportive of the President’s execution of foreign policy.

(18) It is harmful and dangerous for the executive power of the President to be subjugated by Congress.

(b) Sense of Congress.—It is the sense of Congress that—

(1) it is not in the interests of the United States for Members of Congress to intervene in disputes between the United States Government and governments of foreign countries without the authorization of the President; and

(2) Members of Congress should heed the foreign policies of the President while traveling outside the United States and meeting with foreign governments.

SA 880. Mr. INHOFE (for himself and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the following:

SEC. SENSE OF CONGRESS REGARDING PRESIDENTIAL AUTHORITY TO CONTROL FOREIGN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Article II, section 1 of the Constitution of the United States grants “executive Power” to the President of the United States.

(2) In 1989, the National Geospatial-Intelligence Agency Retirement and Disability System was created by Congress.

(3) Representative Charles Wilson began urging the Central Intelligence Agency to arm Afghan mujahideen fighters. The decision to double funding to Afghanistan, which was not allowed, could be withdrawn if fatalities continued, possibly led to the suicide bombing of the Marine barracks on October 23, 1983, causing the deaths of 241 members of the Armed Forces of the United States.

(4) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy.

(5) The offices of the Speaker of the House of Representatives and the Majority Leader of the Senate are positions of special responsibility. It is important that “executive branch” foreign governments and, thus, the Speaker of the House and the Majority Leader of the Senate should be held accountable for actions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

(6) Recent actions by Speaker of the House Nancy Pelosi, whether intentionally or unintentionally, have undermined the President’s foreign policy toward Syria by giving a false impression of the positions of the United States and the House in negotiations with the Government of Syria.

(7) It is essential that Members of Congress be viewed as supportive of the President’s execution of foreign policy.

(8) It is harmful and dangerous for the executive power of the President to be subjugated by Congress.

(9) The offices of the Speaker of the House of Representatives and the Majority Leader of the Senate are positions of special responsibility. It is important that “executive branch” foreign governments and, thus, the Speaker of the House and the Majority Leader of the Senate should be held accountable for actions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

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issues dealing with separation of powers, and, in “The Spirit of the Laws”, Montesquieu defined the executive power “in respect to things dependent on the law of nations” as “all power by which governments administrate . . . makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions”.

(3) In 1787, James Madison noted that the “association of the Senate with the President in exercising [the appointment] function, is an exception to this general executive vested solely in the President”; and exceptions to general rules . . . are ever to be taken as exceptions to general rules.

(4) In 1790, Thomas Jefferson wrote, “The transaction of business with foreign nations is executive altogether. It belongs, then, to the head of that department, except to such portions of it as are specially submitted to the Senate. Exceptions are to be construed strictly.”

(5) Alexander Hamilton reaffirmed this view in 1791, asserting “that as the participation of the Senate in the making of treaties, and the power of the legislature to declare war, are exceptions out of the general ‘executive power’ vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution.”

(6) John Marshall, during his congressional term in 1799, reaffirmed that the President was the “sole organ of the nation in its external relations” because “[i]t possesses the whole Executive Power.”

(7) In 1836, the Supreme Court, in United States v. Curtiss-Wright Export Corporation, 299 U.S. 304, stated, “Not only, as we have shown, is the federal power over external affairs in origin and essential character different from or internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a representative of the nation. He makes treaties with the advice and consent of the Senate, but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invoke it.”

(8) Section 305 of title 18, United States Code, as enacted in 1799 as the Logan Act (1 Stat. 613), states, “Any citizen of the United States, wherever he may be, who, without the authority of the United States, shall make or attempt to make or authorize or engage in negotiation with foreign governments or any officer or agent thereof, for the purpose of irregularly communicating any policy, or measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both. This section shall not abridge the right of a citizen of the United States to apply himself or his agent, to any foreign government, or the agents thereof, for redress of any injury which he may have sustained from such government or any of its agents or subjects.”

(9) In 1952, Senator Arthur Vandenberg asserted that “politics stop at the water’s edge”.

(10) Intrusions on the executive power of the President by Members of Congress have had negative effects on foreign policy, and, in the past, some Members of Congress have tried to intrude on the foreign policy process by pursuing foreign policy goals that are contrary to those of the President.

(11) In 1987 and 1988, Speaker of the House Jim Wright attempted to engage in diplomacy between the Sandinista Government of Nicaragua and the Contra regime against the expressed aims of President Ronald Reagan. Speaker Wright’s actions undermined the authority and leveraging power of the President in the history and also ignored the finding of the Permanent Select Committee on Intelligence of the House of Representatives that the Government of Nicaragua was planning to use military force against coterminous states.

(12) In 1980, Representative Charlie Wilson began urging the Central Intelligence Agency to assist the Contras in their effort to overthrow the Sandinista Government of Nicaragua. The decision to double funding to Afghanistan was unsolicited and was made without the knowledge of the President. The book “Charlie Wilson’s War”, written by George Crile, asserts that Representative Wilson thus violated the Logan Act.

(13) In 1983, the decision of Congress to attach a stipulation to legislation authorizing the extension of the presence of the Marines in Beirut, which stated that the extension could be withdrawn if fatalities continued, possibly led to the suicide bombing of the Marine barracks on October 23, 1983, causing the deaths of 241 members of the Armed Forces of the United States.

(14) It is essential that the President alone have the ability to formulate foreign policy and engage in diplomacy. The offices of the Speaker of the House of Representatives and the Majority Leader of the House and the Majority Leader of the Senate should be held separate from positions that may be seen by foreign governments as contrary to the foreign policy goals of the President.

(15) Recent actions by Speaker of the House Nancy Pelosi, whether intentionally or unintentionally, have undermined the President’s foreign policy toward Syria by giving a false impression of the positions of the United States and Israel on negotiations with the Government of Syria.

(16) It is essential that Members of Congress be viewed as supportive of the President’s execution of foreign policy. It is harmful and dangerous for the executive power of the President to be subjugated by Members of Congress.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is not in the interests of the United States for Members of Congress to intervene in disputes between the United States Government and governments of foreign countries without the authorization of the President; and

(2) Members of Congress should heed the foreign policies of the President while traveling outside the United States and meeting with foreign governments.

SA 881. Mr. WYDEN (for himself, Mr. BOND, and Mr. ROCKEFELLER) submitted an amendment intended to be adopted by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 426. AVAILABILITY OF THE EXECUTIVE SUMMARY OF THE REPORT ENTITLED “CIA ACCOUNTABILITY WITH RESPECT TO THE INTERNATIONAL CRIMINAL COURT.”

(a) PUBLIC AVAILABILITY.—Not later than 30 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the public an unclassified version of the Executive Summary of the report of the Inspector General of the Central Intelligence Agency entitled “Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusion of the Report of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attack of September 11, 2001,” issued in June 2005 that redacts any classified material contained in the Executive Summary.

(b) REPORT TO CONGRESS.—The Director of the Central Intelligence Agency shall submit to Congress a classified annex to the redacted Executive Summary made available under subsection (a) that explains the reason that any redacted material in the Executive Summary was withheld from the public.

SA 882. Mr. KYL submitted an amendment intended to be adopted by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 14, strike the period and insert “; if the Director of National Intelligence determines that publication of such description or determination would not endanger national security.”

SA 883. Mr. ENSIGN submitted an amendment intended to be adopted by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 442. PROHIBITION OF WAR CRIMES PROSECUTION.

(a) SHORT TITLE.—This section may be cited as the “Prohibition of Foreign War Crimes Prosecutions Act of 2007”.

(b) IN GENERAL.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

“4242. International criminal court

“(a) OFFENSE.—Except as provided under subsection (b), it shall be unlawful for any person, acting under the authority of the International Criminal Court, another international organization, or a foreign government, to knowingly indict, apprehend, detain, prosecute, convict, or participate in the trial of any person on or convicted of any crime or other penalty on, any American in connection with any proceeding by or before the International Criminal Court, another international organization, or a foreign government in which that American is accused of a war crime.”
"(b) EXCEPTION.—Subsection (a) shall not apply in connection with a criminal proceeding instituted by the government of a foreign country within the courts of such country with respect to a war crime allegedly committed—

"(1) on territory subject to the sovereign jurisdiction of such government; or

"(2) who were nationals of such country at the time that the war crime is alleged to have been committed.

"(c) CRIMINAL PENALTY.—

"(1) by general.—Any person who violates subsection (a) shall be fined not more than $5,000,000, imprisoned under paragraph (2), or both.

"(2) PRISON SENTENCE.—The maximum term of imprisonment for an offense under this section is the greater of—

"(A) 5 years; or

"(B) the maximum term that could be imposed on the American in the criminal proceeding described in subsection (a) with respect to which the violation took place.

"(d) EXTRATERRITORIAL JURISDICTION.—

There is extraterritorial jurisdiction over an offense under this section.

"(e) CIVIL REMEDY.—Any person who is aggrieved by a violation described in subsection (a) may, in a civil action, obtain appropriate relief, including—

"(1) punitive damages; and

"(2) a reasonable attorney’s fee as part of the costs.

"(f) DEFINITIONS.—In this section—

"(1) the term ‘American’ means any citizen or national of the United States, or any other person employed by or working under the direction of the United States Government;

"(2) the term ‘indict’ includes—

"(A) the formal submission of an order or request for the prosecution or arrest of a person; and

"(B) the issuance of a warrant or other order for the arrest of a person, by an official of the International Criminal Court, another international organization, or a foreign government;


"(4) the term ‘war crime’ means any offense that is within the jurisdiction of the International Criminal Court at the time the offense was committed;

"(c) CERICAL AMENDMENT.—The table of sections in chapter 118 of title 18, United States Code, is amended by adding at the end the following:

"2422. International criminal court.”.

SA 884. Mr. ENSIGN submitted an amendment in his name to be in order and to be proposed by him to the bill S. 372, to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 2906. AUTHORITY FOR COMMITTEES TO MEET.

"PENALTIES

"SEC. 206. (a) It shall be unlawful for—

"(1) a person to violate, or conspire to or attempt to violate, any license, order, regulation, or prohibition issued under this title;

"(2) a person subject to the jurisdiction of the United States to take any action to evade or avoid, or attempt to evade or avoid, a license, order, regulation, or prohibition issued under this title; or

"(3) a person to subject the jurisdiction of the United States to approve, facilitate, or provide financing for any action, regardless of who initiates or controls the action, if it would be unlawful for such person to initiate or complete the action.

"(b) A civil penalty not to exceed $250,000 may be imposed on any person who commits an unlawful act described in subsection (a).

"(c) A person who willfully commits, or willfully attempts to commit, an unlawful act described in subsection (a), shall, upon conviction for such unlawful act—

"(1) if a corporation, be fined not more than $500,000;

"(2) if a natural person, be fined not more than $50,000, or imprisoned not more than 10 years, or both; or

"(3) if an officer, director, or agent of a corporation who knowingly participates, or attempts to participate, in such unlawful act, be fined not more than $50,000, or imprisoned not more than 10 years, or both.”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, April 18, 2007, at 10 a.m., to conduct a hearing on Repealing Limitation on Party Expenditures on Behalf of Candidates in General Elections.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee on 224–6352.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy, Committee on Energy and Natural Resources.

The hearing will be held on April 23, 2007 at 3 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 731, National Carbon Dioxide Storage Capacity Assessment Act of 2007 and S. 962, Department of Energy Carbon Capture and Storage Research, Development, and Demonstration Act of 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The chair, on behalf of the Republican leader, pursuant to Section 154 of Public Law 108–199, appoints the following Senator as Vice Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: the Honorable TRENT LOTT of Mississippi.

The Chair, on behalf of the Majority Leader, pursuant to Section 154 of Public Law 108–199, appoints the following Senator as Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 110th Congress: the Honorable E. BENJAMIN NELSON of Nebraska.

ORDERS FOR TUESDAY, APRIL 17, 2007

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, April 17, that on Tuesday, following the prayer and the pledge, the Journal