

Union Calendar No. 79

110TH CONGRESS
1ST SESSION

H. R. 2082

[Report No. 110-131]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2007

Mr. REYES introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select)

MAY 7, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 1, 2007]

A BILL

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

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

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

4 (a) *SHORT TITLE.*—*This Act may be cited as the “In-*
 5 *telligence Authorization Act for Fiscal Year 2008”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

Sec. 105. Incorporation of reporting requirements.

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

Sec. 201. Authorization of appropriations.

Sec. 202. Technical amendment to mandatory retirement provision.

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

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

Sec. 302. Restriction on conduct of intelligence activities.

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

*Sec. 304. Extension to the intelligence community of authority to delete informa-
tion about receipt and disposition of foreign gifts.*

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

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

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

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

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

Subtitle A—Office of the Director of National Intelligence

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

- Sec. 402. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.*
- Sec. 403. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.*
- Sec. 404. Leadership and location of certain offices and officials.*
- Sec. 405. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.*
- Sec. 406. Multi-level security clearances.*
- Sec. 407. National intelligence estimate on global climate change.*
- Sec. 408. Plan to implement recommendations of the data center efficiency reports.*
- Sec. 409. Comprehensive inventory of special access programs.*
- Sec. 410. Quarterly intelligence reports to Congress on Iran and North Korea.*
- Sec. 411. Accountability in intelligence contracting.*
- Sec. 412. Annual report on foreign language proficiency in the intelligence community.*
- Sec. 413. Intelligence community reports on foreign language proficiency.*

Subtitle B—Central Intelligence Agency

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

Subtitle C—Other Elements

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

TITLE V—OTHER MATTERS

Subtitle A—General Intelligence Matters

- Sec. 501. Aerial reconnaissance platforms.*
- Sec. 502. Extension of National Commission for Review of Research and Development Programs of the United States Intelligence Community.*

Subtitle B—Technical Amendments

- Sec. 511. Technical amendments relating to the multiyear National Intelligence Program.*
- Sec. 512. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.*
- Sec. 513. Technical amendments to the National Security Act of 1947.*
- Sec. 514. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.*
- Sec. 515. Technical amendments to the Executive Schedule.*
- Sec. 516. Technical amendments relating to titles of Central Intelligence Agency positions.*

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

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

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

6 (A) *the Permanent Select Committee on In-*
7 *telligence of the House of Representatives; and*

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

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

14 **TITLE I—INTELLIGENCE**
15 **ACTIVITIES**

16 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

17 *Funds are hereby authorized to be appropriated for fis-*
18 *cal year 2008 for the conduct of the intelligence and intel-*
19 *ligence-related activities of the following elements of the*
20 *United States Government:*

21 (1) *The Office of the Director of National Intel-*
22 *ligence.*

23 (2) *The Central Intelligence Agency.*

24 (3) *The Department of Defense.*

1 (4) *The Defense Intelligence Agency.*

2 (5) *The National Security Agency.*

3 (6) *The Department of the Army, the Depart-*
4 *ment of the Navy, and the Department of the Air*
5 *Force.*

6 (7) *The Coast Guard.*

7 (8) *The Department of State.*

8 (9) *The Department of the Treasury.*

9 (10) *The Department of Energy.*

10 (11) *The Department of Justice.*

11 (12) *The Federal Bureau of Investigation.*

12 (13) *The Drug Enforcement Administration.*

13 (14) *The National Reconnaissance Office.*

14 (15) *The National Geospatial-Intelligence Agen-*
15 *cy.*

16 (16) *The Department of Homeland Security.*

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

18 (a) *SPECIFICATIONS OF AMOUNTS AND PERSONNEL*

19 *CEILINGS.—The amounts authorized to be appropriated*
20 *under section 101, and the authorized personnel ceilings as*
21 *of September 30, 2008, for the conduct of the intelligence*
22 *and intelligence-related activities of the elements listed in*
23 *such section, are those specified in the classified Schedule*
24 *of Authorizations prepared to accompany the bill H.R. 2082*
25 *of the One Hundred Tenth Congress.*

1 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
2 *THORIZATIONS.*—*The Schedule of Authorizations shall be*
3 *made available to the Committees on Appropriations of the*
4 *Senate and House of Representatives and to the President.*
5 *The President shall provide for suitable distribution of the*
6 *Schedule, or of appropriate portions of the Schedule, within*
7 *the executive branch.*

8 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

9 (a) *AUTHORITY FOR ADJUSTMENTS.*—*With the ap-*
10 *proval of the Director of the Office of Management and*
11 *Budget, the Director of National Intelligence may authorize*
12 *employment of civilian personnel in excess of the number*
13 *authorized for fiscal year 2008 under section 102 when the*
14 *Director of National Intelligence determines that such ac-*
15 *tion is necessary to the performance of important intel-*
16 *ligence functions, except that the number of personnel em-*
17 *ployed in excess of the number authorized under such sec-*
18 *tion may not, for any element of the intelligence commu-*
19 *nity, exceed 2 percent of the number of civilian personnel*
20 *authorized under such section for such element.*

21 (b) *NOTICE TO INTELLIGENCE COMMITTEES.*—*The Di-*
22 *rector of National Intelligence shall promptly notify the*
23 *congressional intelligence committees whenever the Director*
24 *exercises the authority granted by this section.*

1 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
2 **COUNT.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
4 *authorized to be appropriated for the Intelligence Commu-*
5 *nity Management Account of the Director of National Intel-*
6 *ligence for fiscal year 2008 the sum of \$737,876,000. Within*
7 *such amount, funds identified in the classified Schedule of*
8 *Authorizations referred to in section 102(a) for advanced*
9 *research and development shall remain available until Sep-*
10 *tember 30, 2009.*

11 (b) *AUTHORIZED PERSONNEL LEVELS.*—*The elements*
12 *within the Intelligence Community Management Account of*
13 *the Director of National Intelligence are authorized 1035*
14 *full-time personnel as of September 30, 2008. Personnel*
15 *-serving in such elements may be permanent employees of*
16 *the Intelligence Community Management Account or per-*
17 *sonnel detailed from other elements of the United States*
18 *Government.*

19 (c) *CLASSIFIED AUTHORIZATIONS.*—

20 (1) *AUTHORIZATION OF APPROPRIATIONS.*—*In*
21 *addition to amounts authorized to be appropriated*
22 *for the Intelligence Community Management Account*
23 *by subsection (a), there are also authorized to be ap-*
24 *propriated for the Intelligence Community Manage-*
25 *ment Account for fiscal year 2008 such additional*
26 *amounts as are specified in the classified Schedule of*

1 *Authorizations referred to in section 102(a). Such ad-*
2 *ditional amounts for advanced research and develop-*
3 *ment shall remain available until September 30,*
4 *2009.*

5 (2) *AUTHORIZATION OF PERSONNEL.—In addi-*
6 *tion to the personnel authorized by subsection (b) for*
7 *elements of the Intelligence Community Management*
8 *Account as of September 30, 2008, there are also au-*
9 *thorized such additional personnel for such elements*
10 *as of that date as are specified in the classified Sched-*
11 *ule of Authorizations.*

12 (d) *REIMBURSEMENT.—Except as provided in section*
13 *113 of the National Security Act of 1947 (50 U.S.C. 404h),*
14 *during fiscal year 2008 any officer or employee of the*
15 *United States or a member of the Armed Forces who is de-*
16 *tailed to the staff of the Intelligence Community Manage-*
17 *ment Account from another element of the United States*
18 *Government shall be detailed on a reimbursable basis, ex-*
19 *cept that any such officer, employee, or member may be de-*
20 *tailed on a nonreimbursable basis for a period of less than*
21 *one year for the performance of temporary functions as re-*
22 *quired by the Director of National Intelligence.*

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

24 (1) *IN GENERAL.—Of the amount authorized to*
25 *be appropriated in subsection (a), \$39,000,000 shall*

1 *be available for the National Drug Intelligence Cen-*
2 *ter. Within such amount, funds provided for research,*
3 *development, testing, and evaluation purposes shall*
4 *remain available until September 30, 2009, and funds*
5 *provided for procurement purposes shall remain*
6 *available until September 30, 2010.*

7 (2) *TRANSFER OF FUNDS.—The Director of Na-*
8 *tional Intelligence shall transfer to the Attorney Gen-*
9 *eral funds available for the National Drug Intel-*
10 *ligence Center under paragraph (1). The Attorney*
11 *General shall utilize funds so transferred for the ac-*
12 *tivities of the National Drug Intelligence Center.*

13 (3) *LIMITATION.—Amounts available for the Na-*
14 *tional Drug Intelligence Center may not be used for*
15 *purposes of exercising police, subpoena, or law en-*
16 *forcement powers or internal security functions.*

17 (4) *AUTHORITY.—Notwithstanding any other*
18 *provision of law, the Attorney General shall retain*
19 *full authority over the operations of the National*
20 *Drug Intelligence Center.*

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

22 *Each requirement to submit a report to the congres-*
23 *sional intelligence committees that is included in the joint*
24 *explanatory statement to accompany the conference report*
25 *on the bill H.R. 2082 of the One Hundred Tenth Congress,*

1 *or in the classified annex to this Act, is hereby incorporated*
2 *into this Act, and is hereby made a requirement in law.*

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

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

8 *There is authorized to be appropriated for the Central*
9 *Intelligence Agency Retirement and Disability Fund for fis-*
10 *cal year 2008 the sum of \$262,500,000.*

11 **SEC. 202. TECHNICAL AMENDMENT TO MANDATORY RE-**
12 **TIREMENT PROVISION.**

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

16 *“(A) upon reaching age 65, in the case of*
17 *a participant in the system serving in a position*
18 *with a Senior Intelligence Service rank of level*
19 *4 or above;”.*

1 **TITLE III—INTELLIGENCE AND**
2 **GENERAL INTELLIGENCE**
3 **COMMUNITY PROVISIONS**

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

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

11 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
12 **ACTIVITIES.**

13 *The authorization of appropriations by this Act shall*
14 *not be deemed to constitute authority for the conduct of any*
15 *intelligence activity which is not otherwise authorized by*
16 *the Constitution or the laws of the United States.*

17 **SEC. 303. CLARIFICATION OF DEFINITION OF INTEL-**
18 **LIGENCE COMMUNITY UNDER THE NATIONAL**
19 **SECURITY ACT OF 1947.**

20 *Subparagraph (L) of section 3(4) of the National Secu-*
21 *rity Act of 1947 (50 U.S.C. 401a(4)) is amended by striking*
22 *“other” the second place it appears.*

1 **SEC. 304. EXTENSION TO THE INTELLIGENCE COMMUNITY**
2 **OF AUTHORITY TO DELETE INFORMATION**
3 **ABOUT RECEIPT AND DISPOSITION OF FOR-**
4 **EIGN GIFTS.**

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

7 *“(4) In transmitting such listings for an element of*
8 *the intelligence community (as such term is defined in sec-*
9 *tion 3(4) of the National Security Act of 1947 (50 U.S.C.*
10 *401a(4))), the head of such element of the intelligence com-*
11 *munity may delete the information described in subpara-*
12 *graphs (A) and (C) of paragraphs (2) and (3) if the head*
13 *of such element of the intelligence community certifies in*
14 *writing to the Secretary of State that the publication of*
15 *such information could adversely affect United States intel-*
16 *ligence sources or methods.”.*

17 **SEC. 305. MODIFICATION OF REQUIREMENTS FOR RE-**
18 **PROGRAMMING OF FUNDS FOR INTEL-**
19 **LIGENCE ACTIVITIES.**

20 *Section 504(a)(3)(B) of the National Security Act of*
21 *1947 (50 U.S.C. 414(a)(3)(B)) is amended to read as fol-*
22 *lows:*

23 *“(B) the activity to be funded supports an*
24 *emergent need, improves program effectiveness,*
25 *or increases efficiency; and”.*

1 **SEC. 306. DELEGATION OF AUTHORITY FOR TRAVEL ON**
2 **COMMON CARRIERS FOR INTELLIGENCE COL-**
3 **LECTION PERSONNEL.**

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

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

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

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

14 “(2) The head of an element of the intelligence commu-
15 nity to whom the authority in subsection (a) is delegated
16 pursuant to paragraph (1) may further delegate such au-
17 thority to such senior officials of such element as are speci-
18 fied in guidelines prescribed by the Director of National In-
19 telligence for purposes of this paragraph.”.

20 (b) *SUBMISSION OF GUIDELINES TO CONGRESS.*—Not
21 later than six months after the date of the enactment of this
22 Act, the Director of National Intelligence shall prescribe
23 and submit to the congressional intelligence committees the
24 guidelines referred to in paragraph (2) of section 116(b)
25 of the National Security Act of 1947, as added by subsection
26 (a).

1 **SEC. 307. REPORT ON PROPOSED PAY FOR PERFORMANCE**
2 **INTELLIGENCE COMMUNITY PERSONNEL**
3 **MANAGEMENT SYSTEM.**

4 (a) *PROHIBITION ON PAY FOR PERFORMANCE UNTIL*
5 *REPORT.*—*The Director of National Intelligence and the*
6 *head of each element of the intelligence community may not*
7 *implement a plan that provides compensation to personnel*
8 *of an element of the intelligence community based on per-*
9 *formance until the date that is 45 days after the date on*
10 *which the Director of National Intelligence submits a report*
11 *under subsection (b).*

12 (b) *REPORT.*—*The Director of National Intelligence*
13 *shall submit to the congressional intelligence committees a*
14 *report on performance-based compensation for the intel-*
15 *ligence community, including—*

16 (1) *an implementation time line, by phase and*
17 *by element of the intelligence community, which in-*
18 *cludes target dates for completion of—*

19 (A) *the development of performance ap-*
20 *praisal plans;*

21 (B) *establishment of oversight and appeal*
22 *mechanisms;*

23 (C) *deployment of information technology*
24 *systems;*

25 (D) *management training;*

26 (E) *employee training;*

- 1 (F) compensation transition; and
- 2 (G) full operational capacity;
- 3 (2) an estimated budget, by phase of implemen-
- 4 tation and element of the intelligence community, for
- 5 the implementation of the performance-based com-
- 6 pensation system;
- 7 (3) an evaluation plan to monitor the implemen-
- 8 tation of the performance-based compensation system
- 9 and to improve and modify such system;
- 10 (4) written standards for measuring the perform-
- 11 ance of employees;
- 12 (5) a description of the performance-based com-
- 13 pensation system, including budget oversight mecha-
- 14 nisms to ensure sufficient funds to pay employees for
- 15 bonuses;
- 16 (6) a description of internal and external ac-
- 17 countability mechanisms to ensure the fair treatment
- 18 of employees;
- 19 (7) a plan for initial and ongoing training for
- 20 senior executives, managers, and employees;
- 21 (8) a description of the role of any advisory com-
- 22 mittee or other mechanism designed to gather the
- 23 input of employees relating to the creation and imple-
- 24 mentation of the system; and

1 (9) *an assessment of the impact of the perform-*
2 *ance-based compensation system on women, minori-*
3 *ties, persons with disabilities, and veterans.*

4 **SEC. 308. PLAN TO INCREASE DIVERSITY IN THE INTEL-**
5 **LIGENCE COMMUNITY.**

6 (a) *STRATEGIC PLAN REQUIRED.—The Director of*
7 *National Intelligence shall submit to the congressional intel-*
8 *ligence committees a plan to increase diversity across the*
9 *intelligence community. Such plan shall include—*

10 (1) *a description of the long term and short term*
11 *goals for the intelligence community;*

12 (2) *a description of how the plan will be imple-*
13 *mented by each element of the intelligence community,*
14 *taking into account the unique nature of individual*
15 *elements of the intelligence community;*

16 (3) *training and education programs for senior*
17 *officials and managers; and*

18 (4) *performance metrics.*

19 (b) *RESTRICTION ON COMMUNITY MANAGEMENT*
20 *FUNDS UNTIL SUBMISSION OF PLAN.—The Director of Na-*
21 *tional Intelligence may only obligate or expend 80 percent*
22 *of the funds appropriated to the Intelligence Community*
23 *Management Account pursuant to section 104(a) until the*
24 *date on which the report required under subsection (a) is*
25 *submitted.*

1 **TITLE IV—MATTERS RELATING**
2 **TO ELEMENTS OF THE INTEL-**
3 **LIGENCE COMMUNITY**

4 **Subtitle A—Office of the Director of**
5 **National Intelligence**

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

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

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

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

16 *(3) by inserting “the headquarters of” before*
17 *“any other element”.*

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

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

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

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

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

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

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

14 “(4) *In carrying out paragraph (3)(A), the Committee*
15 *shall identify basic, advanced, and applied research pro-*
16 *grams to be executed by elements of the intelligence commu-*
17 *nity.”.*

18 (b) *DEVELOPMENT OF TECHNOLOGY GOALS.*—*Such*
19 *section is further amended—*

20 (1) *in subsection (c)—*

21 (A) *in paragraph (4), by striking “and” at*
22 *the end;*

23 (B) *by redesignating paragraph (5) as*
24 *paragraph (6); and*

25 (C) *by inserting after paragraph (4) the fol-*
26 *lowing new paragraph:*

1 “(5) assist the Director in establishing goals for
2 the elements of the intelligence community to meet the
3 technology needs of the intelligence community; and”;
4 and

5 (2) by adding at the end the following new sub-
6 section:

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

10 “(1) systematically identify and assess the most
11 significant intelligence challenges that require tech-
12 nical solutions;

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

15 “(3) ensure that programs are designed to meet
16 the technical requirements of the intelligence commu-
17 nity.”.

18 (c) REPORT.—(1) Not later than June 30, 2008, the
19 Director of National Intelligence shall submit to Congress
20 a report containing a strategy for the development and use
21 of technology in the intelligence community through 2018.

22 (2) The report shall include—

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

1 (B) goals for basic, advanced, and applied re-
2 search and development and a strategy to achieve
3 such goals;

4 (C) an explanation of how each advanced re-
5 search and development project funded under the Na-
6 tional Intelligence Program addresses an identified
7 intelligence gap;

8 (D) a list of all current and projected research
9 and development projects by research type (basic, ad-
10 vanced, or applied) with estimated funding levels, es-
11 timated initiation dates, and estimated completion
12 dates; and

13 (E) a plan to transition technology from re-
14 search and development projects into National Intel-
15 ligence Program acquisition programs.

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

17 **SEC. 404. LEADERSHIP AND LOCATION OF CERTAIN OF-**
18 **FICES AND OFFICIALS.**

19 (a) NATIONAL COUNTER PROLIFERATION CENTER.—
20 Section 119A(a) of the National Security Act of 1947 (50
21 U.S.C. 4040–1(a)) is amended—

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

1 (2) *by adding at the end the following new para-*
2 *graphs:*

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

7 “(3) *LOCATION.*—*The National Counter Proliferation*
8 *Center shall be located within the Office of the Director of*
9 *National Intelligence.*”.

10 (b) *OFFICERS.*—*Section 103(c) of that Act (50 U.S.C.*
11 *403–3(c)) is amended—*

12 (1) *by redesignating paragraph (9) as para-*
13 *graph (13); and*

14 (2) *by inserting after paragraph (8) the fol-*
15 *lowing new paragraphs:*

16 “(9) *The Chief Information Officer of the intel-*
17 *ligence community.*

18 “(10) *The Inspector General of the intelligence*
19 *community.*

20 “(11) *The Director of the National*
21 *Counterterrorism Center.*

22 “(12) *The Director of the National Counter Pro-*
23 *liferation Center.*”.

1 **SEC. 405. ELIGIBILITY FOR INCENTIVE AWARDS OF PER-**
2 **SONNEL ASSIGNED TO THE OFFICE OF THE**
3 **DIRECTOR OF NATIONAL INTELLIGENCE.**

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

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

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

21 (b) *REPEAL OF OBSOLETE AUTHORITY.*—*Such section*
22 *is further amended—*

23 (1) *by striking subsection (c); and*

24 (2) *by redesignating subsection (d) as subsection*
25 *(c).*

1 (c) *CONFORMING AMENDMENTS.*—*Such section is fur-*
2 *ther amended—*

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

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

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

15 (1) *in subsection (b)—*

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

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

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

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

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

2 (a) *IN GENERAL.*—Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended by adding
3 at the end the following new subsection:
4

5 “(s) *MULTI-LEVEL SECURITY CLEARANCES.*—The Director of National Intelligence shall establish a multi-level
6 security clearance system for the intelligence community to
7 enable the intelligence community to more efficiently make
8 use of persons proficient in foreign languages or with cultural, linguistic, or other subject matter expertise that is
9 critical to national security.”.
10

11 (b) *ESTABLISHMENT DATE.*—The Director of National
12 Intelligence shall establish a multi-level security clearance
13 system under section 102A(s) of the National Security Act
14 of 1947, as added by subsection (a), not later than 180 days
15 after the date of the enactment of this Act.
16

17 **SEC. 407. NATIONAL INTELLIGENCE ESTIMATE ON GLOBAL**
18 **CLIMATE CHANGE.**

19 (a) *NATIONAL INTELLIGENCE ESTIMATE.*—Not later
20 than 270 days after the date of enactment of this Act, the
21 Director of National Intelligence shall submit to Congress
22 a national intelligence estimate on the anticipated geopolitical effects of global climate change and the implications of such effects on the national security of the United
23 States.
24
25

1 (b) *CONTENT.*—*In preparing the national intelligence*
2 *estimate required by this section, the Director of National*
3 *Intelligence shall—*

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

8 (A) *of strategic national security impor-*
9 *tance to the United States and at risk of signifi-*
10 *cant impact due to global climate change; or*

11 (B) *at significant risk of large-scale human-*
12 *itarian suffering with cross-border implications*
13 *as predicted on the basis of the assessments;*

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

18 (3) *assess the strategic challenges and opportuni-*
19 *ties posed to the United States by the risks described*
20 *in paragraph (1); and*

21 (4) *assess the impact of global climate change on*
22 *the activities of the United States intelligence commu-*
23 *nity throughout the world.*

24 (c) *COORDINATION.*—*In preparing the national intel-*
25 *ligence estimate under this section, the Director of National*

1 *Intelligence shall consult with representatives of the sci-*
2 *entific community, and, as appropriate, multilateral insti-*
3 *tutions and allies of the United States that have conducted*
4 *significant research on global climate change.*

5 (d) *FORM.—The national intelligence estimate re-*
6 *quired by this section (including key judgments) shall be*
7 *submitted in unclassified form, but may include a classified*
8 *annex.*

9 **SEC. 408. PLAN TO IMPLEMENT RECOMMENDATIONS OF**
10 **THE DATA CENTER EFFICIENCY REPORTS.**

11 (a) *PLAN.—The Director of National Intelligence shall*
12 *develop a plan to implement the recommendations of the*
13 *report submitted to Congress under section 1 of the Act enti-*
14 *tled “An Act to study and promote the use of energy effi-*
15 *cient computer servers in the United States” (Public Law*
16 *109–431; 120 Stat. 2920) across the intelligence commu-*
17 *nity.*

18 (b) *REPORT.—*

19 (1) *IN GENERAL.—Not later than February 1,*
20 *2008, the Director of National Intelligence shall sub-*
21 *mit to Congress a report containing the plan devel-*
22 *oped under subsection (a).*

23 (2) *FORM.—The report under paragraph (1)*
24 *shall be submitted in unclassified form, but may con-*
25 *tain a classified annex.*

1 **SEC. 409. COMPREHENSIVE INVENTORY OF SPECIAL AC-**
2 **CESS PROGRAMS.**

3 *Not later than January 15, 2008, the Director of Na-*
4 *tional Intelligence shall submit to the congressional intel-*
5 *ligence committees a classified report providing a com-*
6 *prehensive inventory of all special access programs under*
7 *the National Intelligence Program (as defined in section*
8 *3(6) of the National Security Act of 1947 (50 U.S.C.*
9 *401a(6))).*

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

12 *(a) IN GENERAL.—*

13 *(1) REPORT.—Title V of the National Security*
14 *Act of 1947 (50 U.S.C. 413 et seq.) is amended by*
15 *adding at the end the following new section:*

16 *“QUARTERLY INTELLIGENCE REPORTS TO CONGRESS ON*
17 *IRAN AND NORTH KOREA*

18 *“SEC. 508. (a) REPORT.—*

19 *“(1) IN GENERAL.—On a quarterly basis, the Di-*
20 *rector of National Intelligence shall submit to the con-*
21 *gressional intelligence committees a report on the cur-*
22 *rent intentions and capabilities of the Islamic Repub-*
23 *lic of Iran and Democratic People’s Republic of*
24 *Korea (North Korea) with regard to the nuclear pro-*
25 *grams of Iran and North Korea, respectively, includ-*
26 *ing—*

1 “(A) *an assessment of nuclear weapons pro-*
2 *grams;*

3 “(B) *an evaluation, consistent with existing*
4 *reporting standards and practices, of the sources*
5 *upon which the intelligence is based, including*
6 *the number of sources and the reliability of each*
7 *source;*

8 “(C) *a summary of any new intelligence*
9 *gathered or developed since the previous report,*
10 *including intelligence collected from both open*
11 *and clandestine sources; and*

12 “(D) *a discussion of any dissents, caveats,*
13 *gaps in knowledge, or other information that*
14 *would reduce confidence in the overall assess-*
15 *ment.*

16 “(2) *FORM.—Each report submitted under para-*
17 *graph (1) may be submitted in classified form.*

18 “(b) *ACCESS TO REPORT.—Each report submitted*
19 *under subsection (a)(1) shall be made available to all mem-*
20 *bers of the congressional intelligence committees and to all*
21 *staff of the congressional intelligence committees with ap-*
22 *propriate security clearance. Other members of the Senate*
23 *or the House of Representatives may review the reports in*
24 *accordance with security procedures established by each of*
25 *the congressional intelligence committees.”.*

1 (2) *CONFORMING AMENDMENT.*—*The table of*
 2 *contents in the first section of such Act is amended*
 3 *by inserting after the item relating to section 507 the*
 4 *following new item:*

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

5 (b) *EFFECTIVE DATE.*—*The first report required to be*
 6 *submitted under section 508(a)(1) of the National Security*
 7 *Act of 1947, as added by subsection (a)(1), shall be sub-*
 8 *mitted not later than 30 days after the date of the enact-*
 9 *ment of this Act.*

10 **SEC. 411. ACCOUNTABILITY IN INTELLIGENCE CON-**
 11 **TRACTING.**

12 (a) *OVERSIGHT REPORT ON IC CONTRACTORS.*—

13 (1) *REPORT.*—

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

18 “*REPORT ON INTELLIGENCE COMMUNITY CONTRACTORS*

19 “*SEC. 509. Not later each year than the date provided*
 20 *in section 507, the Director of National Intelligence shall*
 21 *submit to the congressional intelligence committees a report*
 22 *on contractors funded under the National Intelligence Pro-*
 23 *gram. Such report shall include—*

24 “*(1) a list of all contractors that—*

1 “(A) have been the subject of an investiga-
2 tion completed by the Inspector General of any
3 element of the intelligence community during the
4 preceding fiscal year,

5 “(B) are the subject of an investigation by
6 such an Inspector General during the current fis-
7 cal year, or

8 “(C) will be the subject of an investigation
9 that may affect the ability of the contractor to
10 deliver contracted services to the intelligence
11 community by such an Inspector General during
12 the current fiscal year,

13 either as a corporate entity or an individual em-
14 ployee, for financial waste, fraud, abuse of govern-
15 ment resources, failure to perform a contract, or
16 criminal violations; and

17 “(2) the number of contractors performing serv-
18 ices for each element of the intelligence community.”.

19 (B) *REPORT DATE*.—Section 507(a)(1) of
20 such Act (50 U.S.C. 415b(a)(1)) is amended
21 by—

22 (i) redesignating subparagraph (N) as
23 subparagraph (J);

24 (ii) adding at the end the following
25 new subparagraph:

1 “(K) *The annual report on intelligence commu-*
2 *nity contractors required by section 509.*”.

3 (2) *CONFORMING AMENDMENT.*—*The table of*
4 *contents in the first section of such Act is further*
5 *amended by inserting after the item relating to sec-*
6 *tion 508, as added by section 410, the following new*
7 *item:*

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

8 (b) *REPORT ON REGULATIONS AND ACCOUNTABILITY*
9 *MECHANISMS GOVERNING INTELLIGENCE COMMUNITY CON-*
10 *TRACTORS.*—

11 (1) *REPORT REQUIREMENT.*—*Not later than*
12 *February 1, 2008, the Director of National Intel-*
13 *ligence shall submit to the congressional intelligence*
14 *committees a report on accountability mechanisms*
15 *that govern the ongoing performance of contractors for*
16 *personal services contracts under the National Intel-*
17 *ligence Program.*

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

20 (A) *a list of statutes and regulations that*
21 *govern the ongoing performance of contractors*
22 *for services contracts entered into by each ele-*
23 *ment of the intelligence community;*

24 (B) *an analysis of accountability mecha-*
25 *nisms within services contracts awarded for in-*

1 *telligence activities by each element of the intel-*
2 *ligence community during fiscal years 2006 and*
3 *2007;*

4 *(C) an analysis of procedures in use in the*
5 *intelligence community for conducting oversight*
6 *of contractors to ensure identification and pros-*
7 *ecution of criminal violations, financial waste,*
8 *fraud, or other abuses committed by contractors*
9 *or contract personnel; and*

10 *(D) an identification of best practices of ac-*
11 *countability mechanisms within services con-*
12 *tracts.*

13 *(3) FORM.—The report under paragraph (1)*
14 *shall be submitted in unclassified form, but may con-*
15 *tain a classified annex.*

16 *(c) IMPACT OF CONTRACTORS ON THE INTELLIGENCE*
17 *COMMUNITY WORKFORCE.—*

18 *(1) REPORT REQUIREMENT.—Not later than*
19 *March 1, 2008, the Director of National Intelligence*
20 *shall submit to the congressional intelligence commit-*
21 *tees a report on the impact of contractors on the intel-*
22 *ligence community workforce under the National In-*
23 *telligence Program.*

24 *(2) MATTERS COVERED.—The report submitted*
25 *under paragraph (1) shall include—*

1 (A) an identification of contracts where the
2 contractor is providing a substantially similar
3 functions to a government employee;

4 (B) a comparison of the compensation of
5 contract employees and government employees
6 performing substantially similar functions;

7 (C) an analysis of the attrition of govern-
8 ment personnel for contractor positions that pro-
9 vide substantially similar functions; and

10 (D) an estimate of the value of the infra-
11 structure provided to contract employees for gov-
12 ernment furnished equipment, facilities, or other
13 support, by agency and expenditure center.

14 **SEC. 412. ANNUAL REPORT ON FOREIGN LANGUAGE PRO-**
15 **FICIENCY IN THE INTELLIGENCE COMMU-**
16 **NITY.**

17 (a) *REPORT.*—

18 (1) *IN GENERAL.*—Title V of the National Secu-
19 rity Act of 1947 (50 U.S.C. 413 et seq.) is further
20 amended by adding at the end the following new sec-
21 tion:

22 “*REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE*
23 *INTELLIGENCE COMMUNITY*”

24 “*SEC. 510. Not later each year than the date provided*
25 *in section 507, the Director of National Intelligence shall*
26 *submit to the congressional intelligence committees a report*

1 *on the foreign language proficiency of each element of the*
2 *intelligence community, including—*

3 “(1) *the number of positions authorized for such*
4 *element that require foreign language proficiency and*
5 *the level of proficiency required;*

6 “(2) *the number of positions authorized for such*
7 *element that require foreign language proficiency that*
8 *are filled by—*

9 “(A) *military personnel; and*

10 “(B) *civilian personnel;*

11 “(3) *the number of applicants for positions in*
12 *such element in the previous fiscal year that indicated*
13 *foreign language proficiency, including the foreign*
14 *language indicated and the proficiency level;*

15 “(4) *the number of persons hired by such element*
16 *with foreign language proficiency, including the for-*
17 *foreign language and proficiency level;*

18 “(5) *the number of personnel of such element*
19 *currently attending foreign language training, includ-*
20 *ing the provider of such training;*

21 “(6) *a description of such element’s efforts to re-*
22 *cruit, hire, train, and retain personnel that are pro-*
23 *ficient in a foreign language; and*

1 “(b) *CONTENTS.*—

2 “(1) *IN GENERAL.*—*Each report submitted under*
3 *subsection (a) shall include, for each foreign language*
4 *and, where appropriate, dialect of a foreign lan-*
5 *guage—*

6 “(A) *the number of positions of such ele-*
7 *ment that require proficiency in the foreign lan-*
8 *guage or dialect;*

9 “(B) *the number of personnel of such ele-*
10 *ment that are serving in a position that—*

11 “(i) *requires proficiency in the foreign*
12 *language or dialect to perform the primary*
13 *duty of the position; and*

14 “(ii) *does not require proficiency in*
15 *the foreign language or dialect to perform*
16 *the primary duty of the position;*

17 “(C) *the number of personnel that are pro-*
18 *ficient in the foreign language or dialect that—*

19 “(i) *are authorized for the element of*
20 *the intelligence community for which the re-*
21 *port is submitted; and*

22 “(ii) *the head of such element considers*
23 *necessary for such element for each of the*
24 *five years following the date of the submis-*
25 *sion of the report;*

1 “(D) the number of personnel of such ele-
2 ment rated at each level of proficiency of the
3 Interagency Language Roundtable;

4 “(E) whether the number of personnel at
5 each level of proficiency of the Interagency Lan-
6 guage Roundtable meets the requirements of such
7 element;

8 “(F) the number of personnel serving or
9 hired to serve as linguists for such element that
10 are not qualified as linguists under the stand-
11 ards of the Interagency Language Roundtable;

12 “(G) the number of personnel hired to serve
13 as linguists for such element during the pre-
14 ceding calendar year;

15 “(H) the number of personnel serving as
16 linguists that discontinued serving such element
17 during the preceding calendar year;

18 “(I) the percentage of work requiring lin-
19 guistic skills that is fulfilled by an ally of the
20 United States;

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

23 “(K) the percentage of work requiring lin-
24 guistic skills that is fulfilled by members of the
25 Armed Forces.

1 “(2) *MILITARY PERSONNEL.*—*Except as provided*
2 *in paragraph (1)(K), a report submitted under sub-*
3 *section (a) shall not include personnel that are mem-*
4 *bers of the Armed Forces on active duty assigned to*
5 *the element for which the report is submitted.*

6 “(c) *DNI REPORT TO CONGRESS.*—*The Director of*
7 *National Intelligence shall annually submit to the Perma-*
8 *nent Select Committee on Intelligence and the Sub-*
9 *committee on Defense of the Committee on Appropriations*
10 *of the House of Representatives and the Select Committee*
11 *on Intelligence and the Subcommittee on Defense of the*
12 *Committee on Appropriations of the Senate a report con-*
13 *taining—*

14 “(1) *each report submitted to the Director of Na-*
15 *tional Intelligence for a year under subsection (a);*

16 “(2) *an assessment of the foreign language ca-*
17 *capacity and capabilities of the intelligence community*
18 *as a whole; and*

19 “(3) *recommendations for eliminating required*
20 *reports relating to foreign-language proficiency that*
21 *the Director of National Intelligence considers out-*
22 *dated or no longer relevant.”.*

23 “(2) *TABLE OF CONTENTS.*—*Such Act is further*
24 *amended in the table of contents in the first section*

1 *by inserting after the item relating to section 119B*
 2 *the following new item:*

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

3 (b) *EFFECTIVE DATE.—*

4 (1) *REPORT BY HEADS OF ELEMENTS OF THE*
 5 *INTELLIGENCE COMMUNITY.—The first report required*
 6 *to be submitted by the head of each element of the in-*
 7 *telligence community under section 120(a) of the Na-*
 8 *tional Security Act of 1947, as added by subsection*
 9 *(a)(1), shall be submitted not later than 180 days*
 10 *after the date of the enactment of this Act.*

11 (2) *REPORT BY DNI.—The first report required*
 12 *to be submitted by the Director of National Intel-*
 13 *ligence under section 120(c) of the National Security*
 14 *Act of 1947, as added by subsection (a)(1), shall be*
 15 *submitted not later than 240 days after the date of*
 16 *the enactment of this Act.*

17 ***Subtitle B—Central Intelligence***
 18 ***Agency***

19 ***SEC. 421. DEPUTY DIRECTOR OF THE CENTRAL INTEL-***
 20 ***LIGENCE AGENCY.***

21 (a) *ESTABLISHMENT AND DUTIES OF THE POSITION*
 22 *OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGEN-*
 23 *CY.—(1) Title I of the National Security Act of 1947 (50*
 24 *U.S.C. 402 et seq.) is amended by inserting after section*
 25 *104A the following new section:*

1 **SEC. 422. GENERAL AUTHORITIES OF THE CENTRAL INTEL-**
2 **LIGENCE AGENCY.**

3 *Section 5(a)(1) of the Central Intelligence Agency Act*
4 *of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking “any*
5 *of the functions or activities authorized under paragraphs*
6 *(2) and (3) of section 102(a), subsections (c)(7) and (d) of*
7 *section 103, subsections (a) and (g) of section 104, and sec-*
8 *tion 303 of the National Security Act of 1947 (50 U.S.C.*
9 *403(a)(2), (3), 403–3(c)(7), (d), 403–4(a), (g), and 405),”*
10 *and inserting “any functions or activities authorized by*
11 *law to be conducted by the Central Intelligence Agency”.*

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

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

16 *(1) redesignating subsection (e) as subsection (g)*
17 *and transferring such subsection to the end;*

18 *(2) by inserting after subsection (d) the following*
19 *new subsection:*

20 *“(e) INSPECTOR GENERAL AUDITS OF COVERT AC-*
21 *TIONS.—*

22 *“(1) IN GENERAL.—Subject to paragraph (2), the*
23 *Inspector General of the Central Intelligence Agency*
24 *shall conduct an audit of each covert action at least*
25 *every three years.*

1 “(2) *TERMINATED, SUSPENDED PROGRAMS.*—*The*
2 *Inspector General of the Central Intelligence Agency*
3 *is not required to conduct an audit under paragraph*
4 *(1) of a covert action that has been terminated or sus-*
5 *pending if such covert action was terminated or sus-*
6 *pend prior to the last audit of such covert action con-*
7 *ducted by the Inspector General and has not been re-*
8 *started after the date on which such audit was com-*
9 *pleted.*”

10 “(3) *REPORT.*—*Not later than 60 days after the*
11 *completion of an audit conducted pursuant to para-*
12 *graph (1), the Inspector General of the Central Intel-*
13 *ligence Agency shall submit to the congressional intel-*
14 *ligence committees a report containing the results of*
15 *such audit.*”

16 “(b) *CONFORMING AMENDMENTS.*—*Title V of the Na-*
17 *tional Security Act of 1947 (50 U.S.C. 413 et seq.) is*
18 *amended—*

19 (1) *in section 501(f) (50 U.S.C. 413(f)), by strik-*
20 *ing “503(e)” and inserting “503(g)”;*

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

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

1 **SEC. 424. REPORT ON AUDITED FINANCIAL STATEMENTS**
2 **PROGRESS.**

3 *Section 114A of the National Security Act of 1947 (50*
4 *U.S.C. 404i-1) is amended by striking “the Director of the*
5 *Central Intelligence Agency,”.*

6 **Subtitle C—Other Elements**

7 **SEC. 431. CLARIFYING AMENDMENTS RELATING TO SEC-**
8 **TION 105 OF THE INTELLIGENCE AUTHORIZA-**
9 **TION ACT FOR FISCAL YEAR 2004.**

10 *Section 105(b) of the Intelligence Authorization Act for*
11 *Fiscal Year 2004 (Public Law 108-177; 117 Stat. 2603;*
12 *31 U.S.C. 311 note) is amended—*

13 *(1) by striking “Director of Central Intelligence”*
14 *and inserting “Director of National Intelligence”; and*
15 *(2) by inserting “or in section 313 of such title,”*
16 *after “subsection (a)),”.*

17 **SEC. 432. REPEAL OF CERTAIN AUTHORITIES RELATING TO**
18 **THE OFFICE OF THE NATIONAL COUNTER-**
19 **INTELLIGENCE EXECUTIVE.**

20 *(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904*
21 *of the Counterintelligence Enhancement Act of 2002 (title*
22 *IX of Public Law 107-306; 50 U.S.C. 402c) is amended—*

23 *(1) by striking subsections (d), (h), (i), and (j);*
24 *(2) in subsection (g), by striking paragraphs (3)*
25 *and (4); and*

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

4 (b) *CONFORMING AMENDMENTS.*—That section is fur-
5 *ther amended—*

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

10 (2) in subsection (e)(2), as so redesignated, by
11 striking “subsection (e)(2)” and inserting “subsection
12 (d)(2)”.

13 **SEC. 433. CLARIFICATION OF INCLUSION OF COAST GUARD**
14 **AND DRUG ENFORCEMENT ADMINISTRATION**
15 **ELEMENTS IN THE INTELLIGENCE COMMU-**
16 **NITY.**

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

19 (1) in subparagraph (H)—

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

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

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

3 **TITLE V—OTHER MATTERS**
4 **Subtitle A—General Intelligence**
5 **Matters**

6 **SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.**

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

15 (2) *REPORT AND CERTIFICATION.—*

16 (1) *STUDY.—The Secretary of Defense shall con-*
17 *duct a study of aerial reconnaissance platforms to de-*
18 *termine whether the Global Hawk RQ–4 unmanned*
19 *aerial vehicle has reached mission capability and has*
20 *attained collection capabilities on a par with the col-*
21 *lection capabilities of the U–2 Block 20 aircraft pro-*
22 *gram as of April 1, 2006.*

23 (2) *REPORT.—The Secretary shall submit to the*
24 *congressional committees specified in subsection (c) a*
25 *report containing the results of the study. The Sec-*

1 *retary shall include in the report the Secretary's de-*
2 *termination as to whether the Global Hawk RQ-4 un-*
3 *manned aerial vehicle—*

4 *(A) has reached mission capability; and*

5 *(B) has attained collection capabilities on a*
6 *par with the collection capabilities of the U-2*
7 *Block 20 aircraft program as of April 1, 2006.*

8 *(3) CERTIFICATION.—The Secretary shall include*
9 *with the report the Secretary's certification, based on*
10 *the results of the study, as to whether or not there*
11 *would be a loss of national or Department of Defense*
12 *intelligence, surveillance, and reconnaissance capa-*
13 *bilities with a transition from the U-2 aircraft pro-*
14 *gram to the Global Hawk RQ-4 unmanned aerial ve-*
15 *hicle platform.*

16 *(c) SPECIFIED COMMITTEES.—The congressional com-*
17 *mittees specified in this subsection are the following:*

18 *(1) The Committee on Armed Services and the*
19 *Select Committee on Intelligence of the Senate.*

20 *(2) The Committee on Armed Services and the*
21 *Permanent Select Committee on Intelligence of the*
22 *House of Representatives.*

1 **SEC. 502. EXTENSION OF NATIONAL COMMISSION FOR RE-**
2 **VIEW OF RESEARCH AND DEVELOPMENT PRO-**
3 **GRAMS OF THE UNITED STATES INTEL-**
4 **LIGENCE COMMUNITY.**

5 (a) *EXTENSION.*—

6 (1) *IN GENERAL.*—Section 1007(a) of the Intel-
7 *ligence Authorization Act for Fiscal Year 2003 (Pub-*
8 *lic Law 107–306; 50 U.S.C. 401 note) is amended by*
9 *striking “September 1, 2004” and inserting “Sep-*
10 *tember 1, 2008”.*

11 (2) *EFFECTIVE DATE.*—The amendment made by
12 *subsection (a)(1) shall take effect as if included in the*
13 *enactment of section 1007 of the Intelligence Author-*
14 *ization Act for Fiscal Year 2003.*

15 (b) *FUNDING.*—

16 (1) *IN GENERAL.*—Of the amounts authorized to
17 *be appropriated by this Act for the Intelligence Com-*
18 *munity Management Account, the Director of Na-*
19 *tional Intelligence shall make \$2,000,000 available to*
20 *the National Commission for the Review of the Re-*
21 *search and Development Programs of the United*
22 *States Intelligence Community (in this subsection re-*
23 *ferred to as the “Commission”) established under sec-*
24 *tion 1002(a) of the Intelligence Authorization Act for*
25 *Fiscal Year 2003 (Public Law 107–306; 116 Stat.*

1 2438; 50 U.S.C. 401 note) to carry out title X of such
2 Act.

3 (2) *AVAILABILITY.*—Amounts made available to
4 the Commission under paragraph (1) shall remain
5 available until expended.

6 **Subtitle B—Technical Amendments**

7 **SEC. 511. TECHNICAL AMENDMENTS RELATING TO THE** 8 **MULTIYEAR NATIONAL INTELLIGENCE PRO-** 9 **GRAM.**

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

13 (1) in the subsection heading, by striking “FOR-
14 EIGN”; and

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

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

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

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

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

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

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

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

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

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

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

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

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

24 *(A) in subsection (c)(7)(A), by striking “sec-*
 25 *tion” and inserting “subsection”;*

26 *(B) in subsection (d)—*

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

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

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

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

14 (2) in section 119(c)(2)(B) (50 U.S.C.
15 4040(c)(2)(B)), by striking “subsection (h)” and in-
16 serting “subsection (i)”.

17 **SEC. 514. TECHNICAL AMENDMENTS TO THE INTELLIGENCE**

18 **REFORM AND TERRORISM PREVENTION ACT**

19 **OF 2004.**

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

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

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

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

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

7 (B) *in subsection (h), by striking “National*
8 *Intelligence Director” and inserting “Director of*
9 *National Intelligence”.*

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

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

13 (b) *OTHER AMENDMENTS TO INTELLIGENCE REFORM*
14 *AND TERRORISM PREVENTION ACT OF 2004.—The Intel-*
15 *ligence Reform and Terrorism Prevention Act of 2004 (Pub-*
16 *lic Law 108–458) is amended as follows:*

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

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

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

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

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

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

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

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

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

15 “Director of the Central Intelligence Agency.”.

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

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

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

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

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

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

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

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

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

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

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

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

1 *agery and Mapping Agency” and inserting “National*
2 *Geospatial-Intelligence Agency”.*

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

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

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

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

Union Calendar No. 79

110TH CONGRESS
1ST Session

H. R. 2082

[Report No. 110-131]

A BILL

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

MAY 7, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed