

108TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

---

IN THE SENATE OF THE UNITED STATES

Mr. ROBERTS introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

**A BILL**

To reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, 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 “9–  
5 11 National Security Protection Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—REFORM OF INTELLIGENCE COMMUNITY MANAGEMENT

Subtitle A—Reform of Management

Sec. 101. National Intelligence Director.

## 2

- Sec. 102. Responsibilities and authorities of National Intelligence Director.
- Sec. 103. Office of the National Intelligence Director.
- Sec. 104. Deputy National Intelligence Director.
- Sec. 105. National Intelligence Council.
- Sec. 106. National intelligence centers.
- Sec. 107. Assistant National Intelligence Director for Collection.
- Sec. 108. Assistant National Intelligence Director for Analysis and Production.
- Sec. 109. Assistant National Intelligence Director for Research, Development, and Acquisition.
- Sec. 110. Assistant National Intelligence Director for Military Support.
- Sec. 111. Inspector General of the National Intelligence Service.
- Sec. 112. General Counsel of the National Intelligence Service.
- Sec. 113. Chief Information Officer of the National Intelligence Service.
- Sec. 114. Chief Financial Officer of the National Intelligence Service.

## Subtitle B—Redesignation of Certain Elements

- Sec. 121. Redesignation of intelligence community as national intelligence service.
- Sec. 122. Redesignation of National Foreign Intelligence program as National Intelligence Program.

## Subtitle C—Other Matters

- Sec. 131. Sense of Congress on availability to public of certain intelligence funding information.

## TITLE II—MODIFICATIONS OF LAW RELATING TO REFORM OF INTELLIGENCE COMMUNITY MANAGEMENT

## Subtitle A—Administration of Certain Elements and Components of National Intelligence Service

- Sec. 201. Redesignation and modification of responsibilities of the Central Intelligence Agency.
- Sec. 202. National Security Agency.
- Sec. 203. National Geospatial-Intelligence Agency.
- Sec. 204. National Reconnaissance Office.
- Sec. 205. Redesignation and modification of responsibilities of Directorate of Operations of the Central Intelligence Agency.
- Sec. 206. Redesignation and modification of responsibilities of Directorate of Science and Technology of the Central Intelligence Agency.
- Sec. 207. Directorate for Human Intelligence.
- Sec. 208. Military intelligence.
- Sec. 209. Reserve for Contingencies of the National Intelligence Director.
- Sec. 210. Transfer of Terrorist Threat Integration Center.
- Sec. 211. Preservation of intelligence capabilities.

## Subtitle B—Other Modifications of Law

- Sec. 221. Amendments relating to roles of National Intelligence Director and Director of the Central Intelligence Agency.
- Sec. 222. Other amendments relating to modification of management of national intelligence service.
- Sec. 223. Treatment of Office of National Intelligence Director as element of the national intelligence service.

- Sec. 224. Coordination with Secretary of Defense regarding intelligence and intelligence-related activities.
- Sec. 225. Role of National Intelligence Director in certain recommendations to the President on appointments to the national intelligence service.
- Sec. 226. Repeal of superseded authority on collection tasking.
- Sec. 227. Modification of requirements and limitations on funding of intelligence activities.
- Sec. 228. Transmittal dates of semiannual reports of Inspector General of the National Intelligence Service.
- Sec. 229. Conforming amendment relating to dual service of Under Secretary of Defense for Intelligence.
- Sec. 230. Oversight of combat support agencies of the national intelligence service.
- Sec. 231. Limitations and authorities on military status of National Intelligence Director and Deputy National Intelligence Director.
- Sec. 232. Clerical amendments to National Security Act of 1947.
- Sec. 233. Executive Schedule matters.
- Sec. 234. General references.

#### TITLE III—OTHER MATTERS

- Sec. 301. Report on establishment of national intelligence university.
- Sec. 302. Appointment of General Counsel of the Central Intelligence Agency.
- Sec. 303. Repeal of limitation on length of service as member of the Select Committee on Intelligence of the Senate.

## 1 **TITLE I—REFORM OF INTEL-** 2 **LIGENCE COMMUNITY MAN-** 3 **AGEMENT**

### 4 **Subtitle A—Reform of Management**

#### 5 **SEC. 101. NATIONAL INTELLIGENCE DIRECTOR.**

6 Title I of the National Security Act of 1947 (50  
 7 U.S.C. 402 et seq.) is amended by striking sections 102  
 8 through 104 and inserting the following new section:

9 “NATIONAL INTELLIGENCE DIRECTOR

10 “SEC. 102. (a) NATIONAL INTELLIGENCE DIREC-  
 11 TOR.—There is a National Intelligence Director who shall  
 12 be appointed by the President, by and with the advice and  
 13 consent of the Senate.

1       “(b) REQUIREMENT RELATING TO NOMINATION.—  
2 Any individual nominated as National Intelligence Direc-  
3 tor shall have extensive national security expertise or other  
4 expertise necessary for the management of the national  
5 intelligence service.

6       “(c) PRINCIPAL RESPONSIBILITIES.—The National  
7 Intelligence Director shall—

8           “(1) serve as head of the national intelligence  
9 service;

10          “(2) act as the principal adviser to the Presi-  
11 dent for intelligence matters related to the national  
12 security; and

13          “(3) manage and oversee the execution of the  
14 National Intelligence Program.

15       “(d) GENERAL RESPONSIBILITIES AND AUTHORI-  
16 TIES.—In carrying out the responsibilities set forth in sub-  
17 section (c), the National Intelligence Director shall have  
18 the responsibilities set forth in section 102A and the au-  
19 thorities set forth in section 102B.”.

20 **SEC. 102. RESPONSIBILITIES AND AUTHORITIES OF NA-**  
21 **TIONAL INTELLIGENCE DIRECTOR.**

22       Title I of the National Security Act of 1947, as  
23 amended by section 101 of this Act, is further amended  
24 by inserting after section 102 the following new sections:

1 “RESPONSIBILITIES OF THE NATIONAL INTELLIGENCE  
2 DIRECTOR

3 “SEC. 102A. (a) PROVISION OF NATIONAL INTEL-  
4 LIGENCE.—(1) Under the direction of the National Secu-  
5 rity Council, the National Intelligence Director shall be  
6 responsible for providing national intelligence—

7 “(A) to the President;

8 “(B) to the heads of departments and agencies  
9 of the executive branch;

10 “(C) to the Chairman of the Joint Chiefs of  
11 Staff and senior military commanders; and

12 “(D) where appropriate, to the Senate and  
13 House of Representatives and the committees there-  
14 of.

15 “(2) National intelligence provided under this sub-  
16 section should be timely, objective, independent of political  
17 considerations, and based upon all sources available to the  
18 national intelligence service.

19 “(b) RESPONSIBILITIES AS HEAD OF NATIONAL IN-  
20 TELLIGENCE SERVICE.—The National Intelligence Direc-  
21 tor shall—

22 “(1) prepare an annual budget for intelligence  
23 and intelligence-related activities of the United  
24 States by—

1           “(A) providing budget guidance to each  
2 element of the national intelligence service re-  
3 garding the intelligence and intelligence-related  
4 activities of such element;

5           “(B) developing and presenting to the  
6 President an annual budget for the National  
7 Intelligence Program; and

8           “(C) participating in the development by  
9 the Secretary of Defense of the annual budgets  
10 for the Joint Military Intelligence Program and  
11 the Tactical Intelligence and Related Activities  
12 Program;

13           “(2) manage and oversee the execution of the  
14 National Intelligence Program, including—

15           “(A) managing and overseeing the Na-  
16 tional Intelligence Program in accordance with  
17 102B(e);

18           “(B) managing and overseeing the re-  
19 programming of funds appropriated or other-  
20 wise made available to the National Intelligence  
21 Program in accordance with section 102B(d);  
22 and

23           “(C) transferring funds and personnel  
24 under the National Intelligence Program in ac-  
25 cordance with section 102B(e);

1           “(3) establish the requirements and priorities to  
2           govern the collection, analysis, and dissemination of  
3           national intelligence by elements of the national in-  
4           telligence service;

5           “(4) approve and determine collection, analysis,  
6           and dissemination requirements and priorities, in-  
7           cluding collection priorities for and requirements lev-  
8           ied on national imagery collection assets, and resolve  
9           conflicts in collection and analysis priorities levied on  
10          national collection assets and national intelligence  
11          service analytic assets, except as otherwise agreed  
12          with the Secretary of Defense pursuant to the direc-  
13          tion of the President;

14          “(5) promote and evaluate the utility of na-  
15          tional intelligence to consumers within the United  
16          States Government;

17          “(6) eliminate waste and unnecessary duplica-  
18          tion within the national intelligence service;

19          “(7) ensure that intelligence (including  
20          unevaluated intelligence), the source of such intel-  
21          ligence, and the method used to collect such intel-  
22          ligence is disseminated in a timely and efficient  
23          manner that promotes comprehensive all-source  
24          analysis by appropriately cleared officers and em-  
25          ployees of the United States Government, notwith-

1 standing the element of the national intelligence  
2 service that collected such intelligence or the location  
3 of such collection;

4 “(8) establish requirements and priorities for  
5 foreign intelligence information to be collected under  
6 the Foreign Intelligence Surveillance Act of 1978  
7 (50 U.S.C. 1801 et seq.), and provide assistance to  
8 the Attorney General to ensure that information de-  
9 rived from electronic surveillance or physical  
10 searches under that Act is disseminated so it may be  
11 used efficiently and effectively for foreign intel-  
12 ligence purposes, except that the Director shall have  
13 no authority to direct, manage, or undertake elec-  
14 tronic surveillance or physical search operations pur-  
15 suant to that Act unless otherwise authorized by  
16 statute or Executive order;

17 “(9) protect intelligence sources and methods  
18 from unauthorized disclosure;

19 “(10) develop and implement, as necessary, a  
20 common personnel system and a common retirement  
21 and disability system for the elements of the na-  
22 tional intelligence service;

23 “(11) review, approve, and manage the research  
24 and development efforts of the national intelligence  
25 service;



1           “(12) review, approve, and manage each acqui-  
2           sition of a major system (as that term is defined in  
3           section 506A(e)), which responsibility may be dele-  
4           gated only to the Assistant National Intelligence Di-  
5           rector for Research, Development, and Acquisition;

6           “(13) establish and enforce policies and proce-  
7           dures relating to the intelligence and intelligence-re-  
8           lated activities of the United States Government;

9           “(14) ensure compliance by elements of the na-  
10          tional intelligence service with the Constitution and  
11          all laws, regulations, Executive orders, and imple-  
12          menting guidelines of the United States applicable to  
13          the intelligence and intelligence-related activities of  
14          the United States Government, including the provi-  
15          sions of the Constitution and all laws, regulations,  
16          Executive orders, and implementing guidelines of the  
17          United States applicable to the protection of the pri-  
18          vacy and civil liberties of United States persons; and

19          “(15) perform such other functions as the  
20          President or the National Security Council may di-  
21          rect.

22          “(c) SECURITY AND ACCESS TO CLASSIFIED INFOR-  
23          MATION.—The President, acting through the National In-  
24          telligence Director, shall—



1 national security which is collected by any department,  
2 agency, or other element of the United States Govern-  
3 ment.

4 “(b) PREPARATION AND APPROVAL OF INTEL-  
5 LIGENCE BUDGETS.—(1) The National Intelligence Direc-  
6 tor shall prepare and present to the President an annual  
7 budget for the intelligence and intelligence-related activi-  
8 ties of the United States.

9 “(2)(A) In preparing and presenting an annual budg-  
10 et under paragraph (1), the Director shall develop the an-  
11 nual budget for the elements of the national intelligence  
12 service within the National Intelligence Program.

13 “(B) If any portion of the budget for an element of  
14 the national intelligence service is prepared outside the Of-  
15 fice of the National Intelligence Director, the Director—

16 “(i) shall approve such budget before submis-  
17 sion to the President; and

18 “(ii) may require modifications of such budget  
19 to meet the requirements and priorities of the Direc-  
20 tor before approving such budget under clause (i).

21 “(3) The Director shall provide guidance to elements  
22 of the national intelligence service for the preparation of  
23 the portions of their annual budgets included in the Joint  
24 Military Intelligence Program and the Tactical Intel-  
25 ligence and Related Activities Program.

1           “(c) MANAGEMENT AND OVERSIGHT OF NATIONAL  
2 INTELLIGENCE PROGRAM.—(1) Notwithstanding any  
3 other provision of law and consistent with section 504, any  
4 amounts appropriated or otherwise made available for the  
5 National Intelligence Program shall be considered to be  
6 appropriated or otherwise made available to, and under  
7 the direct management and oversight of, the National In-  
8 telligence Director.

9           “(2) The Director shall manage and oversee the exe-  
10 cution by each element of the national intelligence service  
11 of any amounts appropriated or otherwise made available  
12 to such element under the National Intelligence Program.

13           “(3) Consistent with subsections (d) and (e), the Di-  
14 rector may modify the resource and personnel allocations  
15 of any element of the national intelligence service.

16           “(d) ROLE IN REPROGRAMMING OF FUNDS.—(1)  
17 Consistent with section 504, no funds appropriated or oth-  
18 erwise made available under the National Intelligence Pro-  
19 gram may be reprogrammed by any element of the na-  
20 tional intelligence service without the prior approval of the  
21 National Intelligence Director except in accordance with  
22 procedures issued by the Director.

23           “(2) Consistent with section 504, the Secretary of  
24 Defense shall consult with the Director before reprogram-

1 ming funds appropriated or otherwise made available  
2 under the Joint Military Intelligence Program.

3 “(e) TRANSFER OF FUNDS OR PERSONNEL WITHIN  
4 NATIONAL INTELLIGENCE PROGRAM.—(1) In addition to  
5 any other authorities available under law for such pur-  
6 poses and consistent with section 504, the National Intel-  
7 ligence Director may—

8 “(A) with the approval of the Director of the  
9 Office of Management and Budget, transfer funds  
10 appropriated or otherwise made available for a pro-  
11 gram within the National Intelligence Program to  
12 another such program; and

13 “(B) in accordance with procedures to be devel-  
14 oped by the National Intelligence Director, transfer  
15 personnel authorized for an element of the national  
16 intelligence service to another such element for peri-  
17 ods up to a year.

18 “(2) A transfer of funds or personnel may be made  
19 under this subsection only if—

20 “(A) the funds or personnel are being trans-  
21 ferred to an activity that is a higher priority intel-  
22 ligence activity; and

23 “(B) the transfer does not involve a transfer of  
24 funds to the Reserve for Contingencies of the Na-

1            tional Intelligence Director under section 209 of the  
2            9–11 National Security Protection Act.

3            “(3) Funds transferred under this subsection shall  
4 remain available for the same period as the appropriations  
5 account or subaccount to which transferred.

6            “(4) Any transfer of funds under this subsection shall  
7 be carried out in accordance with existing procedures ap-  
8 plicable to reprogramming notifications for the appro-  
9 priate congressional committees. Any proposed transfer  
10 for which notice is given to the appropriate congressional  
11 committees shall be accompanied by a report explaining  
12 the nature of the proposed transfer and how it satisfies  
13 the requirements of this subsection. In addition, the con-  
14 gressional intelligence committees shall be promptly noti-  
15 fied of any transfer of funds made pursuant to this sub-  
16 section in any case in which the transfer would not have  
17 otherwise required reprogramming notification under pro-  
18 cedures in effect as of enacted October 24, 1992.

19            “(5) The National Intelligence Director shall prompt-  
20 ly submit to the congressional intelligence committees and,  
21 in the case of the transfer of personnel to or from the  
22 Department of Defense, the Committee on Armed Services  
23 of the Senate and the Committee on Armed Services of  
24 the House of Representatives, a report on any transfer  
25 of personnel made pursuant to this subsection. The Direc-

1 tor shall include in any such report an explanation of the  
2 nature of the transfer and how it satisfies the require-  
3 ments of this subsection.

4 “(6) The National Intelligence Director may delegate  
5 a duty or authority of the Director under this subsection  
6 only to the Deputy National Intelligence Director.

7 “(f) COORDINATION WITH FOREIGN GOVERN-  
8 MENTS.—Under the direction of the National Security  
9 Council and in a manner consistent with section 207 of  
10 the Foreign Service Act of 1980 (22 U.S.C. 3927), the  
11 National Intelligence Director shall coordinate the rela-  
12 tionships between elements of the national intelligence  
13 service and the intelligence or security services of foreign  
14 governments on all matters involving intelligence related  
15 to the national security or involving intelligence acquired  
16 through clandestine means.

17 “(g) PERSONNEL MATTERS.—The National Intel-  
18 ligence Director shall, in coordination with the heads of  
19 departments and agencies with elements in the national  
20 intelligence service, institute policies and programs within  
21 the national intelligence service—

22 “(1) to provide for the rotation of personnel be-  
23 tween the elements of the national intelligence serv-  
24 ice, where appropriate, and to make such rotation in

1 service a requirement for promotion to senior posi-  
2 tions; and

3 “(2) to consolidate, wherever possible, per-  
4 sonnel, administrative, and security programs to re-  
5 duce the overall costs of activities under such pro-  
6 grams within the national intelligence service.

7 “(h) STANDARDS AND QUALIFICATIONS FOR PER-  
8 FORMANCE OF INTELLIGENCE ACTIVITIES.—The Na-  
9 tional Intelligence Director shall, in consultation with the  
10 heads of the departments and agencies of the United  
11 States Government concerned, develop standards and  
12 qualifications for persons engaged in the performance of  
13 intelligence activities within the national intelligence serv-  
14 ice.

15 “(i) TERMINATION OR REASSIGNMENT OF OFFICERS  
16 AND EMPLOYEES OF NATIONAL INTELLIGENCE SERV-  
17 ICE.—(1)(A) Notwithstanding any other provision of law,  
18 the National Intelligence Director may, at the discretion  
19 of the Director, terminate the employment of any civilian  
20 officer or employee of any element of the national intel-  
21 ligence service whenever the Director considers the termi-  
22 nation of employment of such officer or employee nec-  
23 essary or advisable in the interests of the United States.

24 “(B) Any termination of employment of an officer or  
25 employee under subparagraph (A) shall not affect the



1 right of the officer or employee to seek or accept employ-  
2 ment in any other department or agency of the United  
3 States Government if declared eligible for such employ-  
4 ment by the Office of Personnel Management.

5       “(2) The Secretary of Defense shall, upon the request  
6 of the Director, reassign any member of the Armed Forces  
7 serving in a position within the national intelligence serv-  
8 ice to a position outside the national intelligence service  
9 whenever the Director considers the reassignment of such  
10 member necessary or advisable in the interests of the  
11 United States.

12       “(3) Any action of the Director under this subsection  
13 shall not be subject to judicial review.

14       “(j) DELEGATION OF CERTAIN ADMINISTRATIVE AU-  
15 THORITIES.—(1) Notwithstanding any other provision of  
16 law, the National Intelligence Director may delegate to the  
17 head of any other element of the national intelligence serv-  
18 ice any authority of the Director of the Office of National  
19 Assessments with respect to the Office of National Assess-  
20 ments under a provision of the Central Intelligence Agency  
21 Act of 1949 as follows:

22               “(A) Section 3 (50 U.S.C. 403c), relating to  
23 procurement.

24               “(B) Section 4 (50 U.S.C. 403e), relating to  
25 travel allowances and related expenses.



1 further amended by inserting after section 102B the fol-  
2 lowing new section:

3 “OFFICE OF THE NATIONAL INTELLIGENCE DIRECTOR  
4 “SEC. 103. (a) OFFICE OF NATIONAL INTELLIGENCE  
5 DIRECTOR.—There is an Office of the National Intel-  
6 ligence Director.

7 “(b) FUNCTION.—The function of the Office of the  
8 National Intelligence Director is to assist the National In-  
9 telligence Director in carrying out the duties and respon-  
10 sibilities of the Director under this Act and to carry out  
11 such other duties as may be prescribed by law.

12 “(c) COMPOSITION.—The Office of the National In-  
13 telligence Director is composed of the following:

14 “(1) The National Intelligence Director.

15 “(2) The Deputy National Intelligence Director.

16 “(3) The National Intelligence Council.

17 “(4) The national intelligence centers, including  
18 the National Counterterrorism Center.

19 “(5) The Assistant National Intelligence Direc-  
20 tor for Collection.

21 “(6) The Assistant National Intelligence Direc-  
22 tor for Analysis and Production.

23 “(7) The Assistant National Intelligence Direc-  
24 tor for Research, Development, and Acquisition.

25 “(8) The Assistant National Intelligence Direc-  
26 tor for Military Support.

1           “(9) The Inspector General of the National In-  
2           telligence Service.

3           “(10) The General Counsel of the National In-  
4           telligence Service.

5           “(11) The Chief Information Officer of the Na-  
6           tional Intelligence Service.

7           “(12) The Chief Financial Officer of the Na-  
8           tional Intelligence Service.

9           “(13) Such other offices and officials as may be  
10          established by law or as the National Intelligence  
11          Director shall establish or designate in the Office.

12          “(d) STAFF.—To assist the National Intelligence Di-  
13          rector in fulfilling the responsibilities of the Director  
14          under this Act, the Director shall employ and utilize in  
15          the Office of the National Intelligence Director a profes-  
16          sional staff having an expertise in matters relating to such  
17          responsibilities, and shall establish permanent positions  
18          and appropriate rates of pay with respect to that staff.

19          “(e) ADMINISTRATIVE AUTHORITIES.—The National  
20          Intelligence Director may utilize for purposes of the ad-  
21          ministration of the Office of the National Intelligence Di-  
22          rector any authority available to the Director of the Office  
23          of National Assessments for purposes of the administra-  
24          tion of the Office of National Assessments under the Cen-

1 tral Intelligence Agency Act of 1949 (50 U.S.C. 403 et  
2 seq.) or any other provision of law.”.

3 (b) LIMITATION ON CO-LOCATION OF OFFICE WITH  
4 OTHER ELEMENTS OF NATIONAL INTELLIGENCE SERV-  
5 ICE.—(1) Except as provided in paragraph (2), com-  
6 mencing as of October 1, 2006, the Office of the National  
7 Intelligence Director under section 103 of the National Se-  
8 curity Act of 1947 (as amended by subsection (a)) may  
9 not be co-located with any other element of the national  
10 intelligence service.

11 (2) The National Intelligence Director may co-locate  
12 a portion of the Office with another element of the na-  
13 tional intelligence service after the date specified in para-  
14 graph (1) if the Director determines that the co-location  
15 of such portion of the Office with such element is nec-  
16 essary for the efficient management of such element.

17 (3) In this subsection, the term “element of the na-  
18 tional intelligence service” means an element of the na-  
19 tional intelligence service set forth or designated under  
20 section 3(4) of the National Security Act of 1947, as  
21 amended by this Act.

22 **SEC. 104. DEPUTY NATIONAL INTELLIGENCE DIRECTOR.**

23 Title I of the National Security Act of 1947, as  
24 amended by section 103(a) of this Act, is further amended  
25 by inserting after section 103 the following new section:

1           “DEPUTY NATIONAL INTELLIGENCE DIRECTOR

2           “SEC. 103A. (a) DEPUTY NATIONAL INTELLIGENCE  
3 DIRECTOR.—There is a Deputy National Intelligence Di-  
4 rector who shall be appointed by the President, by and  
5 with the advice and consent of the Senate.

6           “(b) REQUIREMENT RELATING TO NOMINATION.—  
7 Any individual nominated for appointment as Deputy Na-  
8 tional Intelligence Director shall have extensive national  
9 security expertise.

10          “(c) RESPONSIBILITIES.—The Deputy National In-  
11 telligence Director shall assist the National Intelligence  
12 Director in carrying out the responsibilities of the Director  
13 under this Act.

14          “(d) SERVICE AS ACTING NATIONAL INTELLIGENCE  
15 DIRECTOR.—The Deputy National Intelligence Director  
16 shall act for, and exercise the powers of, the National In-  
17 telligence Director during the Director’s absence or dis-  
18 ability or during a vacancy in the position of National In-  
19 telligence Director.

20          “(e) PRECEDENCE IN OFFICE OF NATIONAL INTEL-  
21 LIGENCE DIRECTOR.—The Deputy National Intelligence  
22 Director takes precedence in the Office of the National  
23 Intelligence Director immediately after the National Intel-  
24 ligence Director.”.

1 **SEC. 105. NATIONAL INTELLIGENCE COUNCIL.**

2 Title I of the National Security Act of 1947, as  
3 amended by section 104 of this Act, is further amended  
4 by inserting after section 103A the following new section:

5 “NATIONAL INTELLIGENCE COUNCIL

6 “SEC. 103B. (a) NATIONAL INTELLIGENCE COUN-  
7 CIL.—There is within the Office of the National Intel-  
8 ligence Director the National Intelligence Council.

9 “(b) HEAD OF COUNCIL.—Subject to the direction  
10 and control of the National Intelligence Director, the As-  
11 sistant National Intelligence Director for Analysis and  
12 Production shall be the head of the National Intelligence  
13 Council.

14 “(c) COMPOSITION.—(1) The National Intelligence  
15 Council shall be composed of senior analysts within the  
16 national intelligence service and substantive experts from  
17 the public and private sector, who shall be appointed by,  
18 report to, and serve at the pleasure of the Assistant Na-  
19 tional Intelligence Director for Analysis and Production.

20 “(2) The National Intelligence Director shall pre-  
21 scribe appropriate security requirements for personnel ap-  
22 pointed from the private sector as a condition of service  
23 on the Council, or as contractors of the Council or employ-  
24 ees of such contractors, to ensure the protection of intel-  
25 ligence sources and methods while avoiding, wherever pos-

1 sible, unduly intrusive requirements which the Director  
2 considers to be unnecessary for such purpose.

3 “(d) RESPONSIBILITIES.—(1) The National Intel-  
4 ligence Council shall—

5 “(A) produce national intelligence estimates for  
6 the United States Government which meet the re-  
7 quirements of paragraph (2);

8 “(B) evaluate community-wide collection and  
9 production of intelligence by the national intelligence  
10 service and the requirements and resources of such  
11 collection and production; and

12 “(C) otherwise assist the Assistant National In-  
13 telligence Director for Analysis and Production in  
14 carrying out the responsibilities of the Director and  
15 the Assistant National Intelligence Director for  
16 Analysis and Production under this Act.

17 “(2) Each national intelligence estimate under para-  
18 graph (1)(A) shall—

19 “(A) include any alternative views held on such  
20 estimate by elements of the national intelligence  
21 service;

22 “(B) separately state, and distinguish between,  
23 the intelligence underlying such estimate and the as-  
24 sumptions and judgments of the analysts contained  
25 in such estimate;



1           “(C) describe the quality and reliability of the  
2 intelligence underlying such estimate; and

3           “(D) present and explain any alternative con-  
4 clusions by elements of the national intelligence serv-  
5 ice with respect to such estimate.

6           “(e) SERVICE AS SENIOR INTELLIGENCE ADVIS-  
7 ERS.—Within their respective areas of expertise and under  
8 the direction of the Assistant National Intelligence Direc-  
9 tor for Analysis and Production, the members of the Na-  
10 tional Intelligence Council shall constitute the senior intel-  
11 ligence advisers of the national intelligence service for pur-  
12 poses of representing the views of the national intelligence  
13 service within the United States Government.

14           “(f) AUTHORITY TO CONTRACT.—Subject to the di-  
15 rection and control of the Assistant National Intelligence  
16 Director for Analysis and Production, the National Intel-  
17 ligence Council may carry out its responsibilities under  
18 this section by contract, including contracts for sub-  
19 stantive experts necessary to assist the Council with par-  
20 ticular assessments under this section.

21           “(f) STAFF.—The National Intelligence Director  
22 shall make available to the National Intelligence Council  
23 such staff as may be necessary to permit the Council to  
24 carry out its responsibilities under this section.

1           “(g) AVAILABILITY OF MEMBERS AND STAFF.—(1)  
2 The Assistant National Intelligence Director for Analysis  
3 and Production shall take appropriate measures to ensure  
4 that the National Intelligence Council and its staff satisfy  
5 the needs of policymaking officials and other consumers  
6 of intelligence.

7           “(2) The Council shall be readily accessible to policy-  
8 making officials and other appropriate individuals not oth-  
9 erwise associated with the national intelligence service.

10          “(h) SUPPORT.—The heads of the elements of the na-  
11 tional intelligence service shall, as appropriate, furnish  
12 such support to the National Intelligence Council, includ-  
13 ing the preparation of intelligence analyses, as may be re-  
14 quired by the National Intelligence Director or the Assist-  
15 ant National Intelligence Director for Analysis and Pro-  
16 duction.”.

17 **SEC. 106. NATIONAL INTELLIGENCE CENTERS.**

18          (a) IN GENERAL.—Title I of the National Security  
19 Act of 1947, as amended by section 105 of this Act, is  
20 further amended by inserting after section 103B the fol-  
21 lowing new section:

22                   “NATIONAL INTELLIGENCE CENTERS

23           “SEC. 103C. (a) NATIONAL INTELLIGENCE CEN-  
24 TERS.—(1) The National Intelligence Director may estab-  
25 lish within the Office of the National Intelligence Director

1 a national intelligence center for each substantive intel-  
2 ligence mission of the national intelligence service.

3 “(2) National intelligence centers shall be established  
4 at the direction of the President, as prescribed by law,  
5 or upon the initiative of the Director.

6 “(b) HEADS OF NATIONAL INTELLIGENCE CEN-  
7 TERS.—Each national intelligence center shall be headed  
8 by a Director who shall be appointed by the National In-  
9 telligence Director.

10 “(c) RESPONSIBILITIES.—Within the area of its sub-  
11 stantive responsibility, a national intelligence center  
12 shall—

13 “(1) direct the tasking of national intelligence  
14 collection using technical and human means;

15 “(2) coordinate the intelligence and intelligence-  
16 related operations of the United States Government;

17 “(3) provide advice and assistance to the Presi-  
18 dent, the National Security Council, the National In-  
19 telligence Director, and the heads of other appro-  
20 priate departments, agencies, and elements of the  
21 United States Government on the strategic direction  
22 of civilian and military affairs;

23 “(4) ensure that intelligence (including  
24 unevaluated intelligence), the source of such intel-  
25 ligence, and the method used to collect such intel-

1 intelligence is disseminated in a timely and efficient  
2 manner that promotes comprehensive all-source  
3 analysis by appropriately cleared officers and em-  
4 ployees of the United States Government, notwith-  
5 standing the element of the national intelligence  
6 service that collected such intelligence or the location  
7 of such collection;

8 “(5) direct the tasking of analysis and produc-  
9 tion of intelligence and the dissemination of such in-  
10 telligence by the elements of the national intelligence  
11 service;

12 “(6) identify intelligence requirements and pri-  
13 orities;

14 “(7) in a manner consistent with the guidance  
15 of the Director, coordinate the development of the  
16 budget for the National Intelligence Program;

17 “(8) assess the performance of elements of the  
18 national intelligence service with respect to the col-  
19 lection, analysis, and dissemination of intelligence;  
20 and

21 “(9) perform such other duties as the Presi-  
22 dent, the National Security Council, or the Director  
23 may direct.

24 “(d) NATIONAL COUNTERTERRORISM CENTER.—(1)  
25 One of the national intelligence centers established under

1 subsection (a) shall have counterterrorism as its sub-  
2 stantive intelligence mission. Such national intelligence  
3 center shall be known as the ‘National Counterterrorism  
4 Center’.

5 “(2) In addition to the responsibilities under sub-  
6 section (c) with respect to counterterrorism, the National  
7 Counterterrorism Center shall—

8 “(A) conduct strategic analysis of terrorist  
9 threats; and

10 “(B) carry out the duties of the Terrorist  
11 Threat Integration Center (TTIC) as of the date of  
12 the enactment of the 9–11 National Security Protec-  
13 tion Act.”.

14 (b) SEPARATE BUDGET ACCOUNT FOR NATIONAL  
15 COUNTERTERRORISM CENTER.—(1) Beginning with fiscal  
16 year 2006 and in accordance with procedures to be issued  
17 by the National Intelligence Director in consultation with  
18 the congressional intelligence committees, the Director  
19 shall include in the National Intelligence Program budget  
20 a separate account for the National Counterterrorism  
21 Center.

22 (2) In this subsection, the terms “congressional intel-  
23 ligence committees” and “National Intelligence Program”  
24 have the meanings given such terms in section 3 of the  
25 National Security Act of 1947, as amended by this Act.

1 (c) SENSE OF CONGRESS ON ESTABLISHMENT OF  
2 ADDITIONAL CENTERS.—It is the sense of Congress  
3 that—

4 (1) the National Intelligence Director should  
5 consider the establishment under section 103C of  
6 the National Security Act of 1947 (as added by sub-  
7 section (a)) of a national intelligence center on  
8 counterproliferation matters, a national intelligence  
9 center on counterintelligence matters, and a national  
10 intelligence center on counternarcotics matters; and

11 (2) the duties and responsibilities of the na-  
12 tional intelligence center on counterintelligence mat-  
13 ters, as so established, may include, but not be lim-  
14 ited to, the duties and responsibilities of the Na-  
15 tional Counterintelligence Executive under section  
16 902 of the Counterintelligence Enhancements Act of  
17 2002 (title IX of Public Law 107–306; 50 U.S.C.  
18 402b).

19 **SEC. 107. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR**  
20 **FOR COLLECTION.**

21 Title I of the National Security Act of 1947, as  
22 amended by section 106(a) of this Act, is further amended  
23 by inserting after section 103C the following new section:

1 “ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR  
2 COLLECTION

3 “SEC. 103D. (a) ASSISTANT NATIONAL INTEL-  
4 LIGENCE DIRECTOR FOR COLLECTION.—There is an As-  
5 sistant National Intelligence Director for Collection who  
6 shall be appointed by the President, by and with the advice  
7 and consent of the Senate.

8 “(b) DIRECTION.—The Assistant National Intel-  
9 ligence Director for Collection shall report to the National  
10 Intelligence Director regarding the activities of the Assist-  
11 ant Director.

12 “(c) PRINCIPAL RESPONSIBILITIES.—The Assistant  
13 National Intelligence Director for Collection shall—

14 “(1) ensure the efficient and effective collection  
15 of national intelligence using technical means,  
16 human sources, and other lawful techniques;

17 “(2) as directed by the National Intelligence  
18 Director—

19 “(A) provide overall direction for the col-  
20 lection of national intelligence through human  
21 sources by elements of the national intelligence  
22 service authorized to undertake such collection;  
23 and

24 “(B) coordinate with other departments,  
25 agencies, and elements of the United States

1 Government which are authorized to undertake  
2 such collection and ensure that the most effec-  
3 tive use is made of the resources of such de-  
4 partments, agencies, and elements with respect  
5 to such collection; and

6 “(3) as directed by the Director in cooperation  
7 with the Attorney General, ensure that the collection  
8 of national intelligence by all elements of the na-  
9 tional intelligence service complies fully with the  
10 Constitution and all applicable laws, regulations, Ex-  
11 ecutive orders, and implementing guidelines of the  
12 United States.

13 “(d) SUPERVISION OF CERTAIN ELEMENTS OF NA-  
14 TIONAL INTELLIGENCE SERVICE.—(1) The Assistant Na-  
15 tional Intelligence Director for Collection shall direct, su-  
16 pervise, and control each element or component of the na-  
17 tional intelligence service as follows:

18 “(A) The National Security Agency.

19 “(B) The National Geospatial-Intelligence  
20 Agency.

21 “(C) The National Clandestine Service (con-  
22 sisting of the component of the Central Intelligence  
23 Agency known, as of the date of the enactment of  
24 the 9–11 National Security Protection Act, as the  
25 Directorate of Operations and made an independent



1 establishment by section 205 of that Act and such  
2 other components as are provided for under that sec-  
3 tion).

4 “(D) The Directorate for Human Intelligence  
5 (consisting of the components of the Defense Intel-  
6 ligence Agency known, as of the date of the enact-  
7 ment of the 9–11 National Security Protection Act,  
8 as the Directorate for Human Intelligence and the  
9 Directorate for MASINT and Technical Collection  
10 and made an independent establishment by section  
11 207 of that Act).

12 “(E) The elements of the Federal Bureau of In-  
13 vestigation performing intelligence and intelligence-  
14 related functions.

15 “(2)(A) The Director of the Federal Bureau of Inves-  
16 tigation shall, in coordination with the National Intel-  
17 ligence Director, ensure that the elements of the Federal  
18 Bureau of Investigation referred to in paragraph (1)(E)  
19 are provided all administrative resources necessary to per-  
20 form their intelligence and intelligence-related functions.

21 “(B) The Attorney General shall ensure through the  
22 National Intelligence Director that the domestic intel-  
23 ligence operations of the elements of the Bureau referred  
24 to in paragraph (1)(E), and any intelligence operations of  
25 such elements of the Bureau directed against United

1 States persons, comply with the Constitution and all laws,  
2 regulations, Executive orders, and implementing guide-  
3 lines of the United States applicable to such operations.

4 “(3) The Director of each element or component of  
5 the national intelligence service specified in subparagraphs  
6 (A) through (D) of paragraph (1) shall report directly to  
7 the Assistant National Intelligence Director for Collection  
8 regarding the activities of such element or component.

9 “(e) RESPONSIBILITY FOR PERFORMANCE OF SPE-  
10 CIFIC FUNCTIONS.—In carrying out responsibilities under  
11 this section, the Assistant National Intelligence Director  
12 for Collection shall ensure—

13 “(1) through the National Security Agency (ex-  
14 cept as otherwise directed by the President, the Na-  
15 tional Security Council, or the National Intelligence  
16 Director), the continued operation of an effective  
17 unified organization for the conduct of signals intel-  
18 ligence activities and shall ensure that the product  
19 is disseminated in a timely manner to authorized re-  
20 cipients;

21 “(2) through the National Geospatial-Intel-  
22 ligence Agency (except as otherwise directed by the  
23 President, the National Security Council, or the Na-  
24 tional Intelligence Director), with appropriate rep-  
25 resentation from the national intelligence service, the

1 continued operation of an effective unified  
2 organization—

3 “(A) for carrying out tasking of imagery  
4 collection;

5 “(B) for the coordination of imagery proc-  
6 essing and exploitation activities;

7 “(C) for ensuring the dissemination of im-  
8 agery in a timely manner to authorized recipi-  
9 ents; and

10 “(D) notwithstanding any other provision  
11 of law and consistent with the policies, proce-  
12 dures, standards, and other directives of the  
13 National Intelligence Director and the Chief In-  
14 formation Officer of the National Intelligence  
15 Service, for—

16 “(i) prescribing technical architecture  
17 and standards related to imagery intel-  
18 ligence and geospatial information and en-  
19 suring compliance with such architecture  
20 and standards; and

21 “(ii) developing and fielding systems  
22 of common concern related to imagery in-  
23 telligence and geospatial information; and

24 “(3) through the Directorate for Human Intel-  
25 ligence (except as otherwise directed by the Presi-

1 dent, the National Security Council, or the National  
2 Intelligence Director), effective management of  
3 human intelligence activities and other intelligence  
4 activities, including defense attaches, performed by  
5 the Directorate.”.

6 **SEC. 108. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR**  
7 **FOR ANALYSIS AND PRODUCTION.**

8 Title I of the National Security Act of 1947, as  
9 amended by section 107 of this Act, is further amended  
10 by inserting after section 103D the following new section:

11 “ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR  
12 ANALYSIS AND PRODUCTION

13 “SEC. 103E. (a) ASSISTANT NATIONAL INTEL-  
14 LIGENCE DIRECTOR FOR ANALYSIS AND PRODUCTION.—  
15 There is an Assistant National Intelligence Director for  
16 Analysis and Production who shall be appointed by the  
17 President, by and with the advice and consent of the Sen-  
18 ate.

19 “(b) REQUIREMENT RELATING TO NOMINATION.—  
20 Any individual nominated as Assistant National Intel-  
21 ligence Director for Analysis and Production shall have  
22 extensive expertise in national security or extensive exper-  
23 tise in the analysis and dissemination of complex and sen-  
24 sitive information.

25 “(c) DIRECTION.—The Assistant National Intel-  
26 ligence Director for Analysis and Production shall report

1 to the National Intelligence Director regarding the activi-  
2 ties of the Assistant Director.

3 “(d) PRINCIPAL RESPONSIBILITIES.—The Assistant  
4 Director for Analysis and Production shall—

5 “(1) serve as the head of the National Intel-  
6 ligence Council;

7 “(2) manage and oversee the analysis and pro-  
8 duction of intelligence by elements of the national  
9 intelligence service;

10 “(3) establish standards and priorities relating  
11 to the analysis and production of intelligence by the  
12 elements of the national intelligence service;

13 “(4) prevent unnecessary duplication and ineffi-  
14 cient allocation of resources relating to the analysis  
15 and production of intelligence by the elements of the  
16 national intelligence service;

17 “(5) direct competitive analysis of analytical  
18 products having national importance;

19 “(6) identify intelligence to be collected for pur-  
20 poses of the Assistant National Intelligence Director  
21 for Collection;

22 “(7) develop and implement a training program  
23 for intelligence analysts that includes mandatory ex-  
24 posure to the analytic methods of elements of the

1 national intelligence service other than the home ele-  
2 ment of such analysts; and

3 “(8) provide such additional analysis and pro-  
4 duction of intelligence as the President or the Na-  
5 tional Security Council may require.

6 “(e) SUPERVISION OF OFFICE OF NATIONAL ASSESS-  
7 MENTS.—(1) The Assistant National Intelligence Director  
8 for Analysis and Production shall direct, supervise, and  
9 control the Office of National Assessments (consisting of  
10 the component of the Central Intelligence Agency known,  
11 as of the date of the enactment of the 9–11 National Secu-  
12 rity Protection Act, as the Directorate of Intelligence and  
13 such other components of that Agency as are not made  
14 independent establishments by sections 205 and 206 of  
15 that Act).

16 “(2) The Director of the Office of National Assess-  
17 ments shall report directly to the Assistant Director re-  
18 garding the activities of the Office.”.

19 **SEC. 109. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR**  
20 **FOR RESEARCH, DEVELOPMENT, AND ACQUI-**  
21 **SITION.**

22 Title I of the National Security Act of 1947, as  
23 amended by section 108 of this Act, is further amended  
24 by inserting after section 103E the following new section:

1 “ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR  
2 RESEARCH, DEVELOPMENT, AND ACQUISITION

3 “SEC. 103F. (a) ASSISTANT NATIONAL INTEL-  
4 LIGENCE DIRECTOR FOR RESEARCH, DEVELOPMENT,  
5 AND ACQUISITION.—There is an Assistant National Intel-  
6 ligence Director for Research, Development, and Acquisi-  
7 tion who shall be appointed by the President, by and with  
8 the advice and consent of the Senate.

9 “(b) DIRECTION.—The Assistant National Intel-  
10 ligence Director for Research, Development, and Acquisi-  
11 tion shall report to the National Intelligence Director re-  
12 garding the activities of the Assistant Director.

13 “(c) PRINCIPAL RESPONSIBILITIES.—The Assistant  
14 National Intelligence Director for Research, Development,  
15 and Acquisition shall—

16 “(1) manage and oversee the research and de-  
17 velopment activities of the national intelligence serv-  
18 ice with respect to the intelligence and intelligence-  
19 related activities of the United States Government;

20 “(2) ensure that research and development  
21 projects are consistent with national intelligence re-  
22 quirements;

23 “(3) establish priorities among such projects in  
24 order to address deficiencies in the collection, anal-  
25 ysis, and dissemination of national intelligence;

1           “(4) account for funding constraints in pro-  
2           gram development and acquisition;

3           “(5) address system requirements from collec-  
4           tion to final dissemination (also known as ‘end-to-  
5           end architecture’); and

6           “(6) in consultation with the Assistant National  
7           Intelligence Director for Military Support and the  
8           Chief Information Officer of the National Intel-  
9           ligence Service, ensure that tactical military intel-  
10          ligence systems, military systems, and national intel-  
11          ligence systems are sufficiently interoperable.

12          “(d) SUPERVISION OF CERTAIN ELEMENT OF NA-  
13          TIONAL INTELLIGENCE SERVICE.—(1) The Assistant Na-  
14          tional Intelligence Director for Research, Development,  
15          and Acquisition shall direct, supervise, and control the ele-  
16          ments and components of the national intelligence service  
17          as follows:

18                 “(A) The National Reconnaissance Office.

19                 “(B) The Office of Technical Support (con-  
20                 sisting of the component of the Central Intelligence  
21                 Agency known, as of the date of the enactment of  
22                 the 9–11 National Security Protection Act, as the  
23                 Directorate of Science and Technology and made an  
24                 independent establishment by section 206 of that



1 Act and such other components as are provided for  
2 under that section).

3 “(2) The Director of each element and component of  
4 the national intelligence service referred to in paragraph  
5 (1) shall report directly to the Assistant Director regard-  
6 ing the activities of such element or component.

7 “(e) RESPONSIBILITY FOR PERFORMANCE OF SPE-  
8 CIFIC FUNCTION.—In carrying out responsibilities under  
9 this section, the Assistant National Intelligence Director  
10 Research, Development, and Acquisition shall ensure  
11 through the National Reconnaissance Office (except as  
12 otherwise directed by the President, the National Security  
13 Council, or the National Intelligence Director) the contin-  
14 ued operation of an effective unified organization for the  
15 research and development, acquisition, and operation of  
16 overhead reconnaissance systems necessary to satisfy—

17 “(1) the requirements of all elements of the na-  
18 tional intelligence service; and

19 “(2) the needs of the Department of Defense,  
20 including the Chairman of the Joint Chiefs of Staff  
21 and the commanders of the unified and specified  
22 commands.”.

1 **SEC. 110. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR**  
2 **FOR MILITARY SUPPORT.**

3 Title I of the National Security Act of 1947, as  
4 amended by section 109 of this Act, is further amended  
5 by inserting after section 103F the following new section:

6 “ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR  
7 MILITARY SUPPORT

8 “SEC. 103G. (a) ASSISTANT NATIONAL INTEL-  
9 LIGENCE DIRECTOR FOR MILITARY SUPPORT.—The  
10 Under Secretary of Defense for Intelligence under section  
11 137 of title 10, United States Code, also serves as the  
12 Assistant National Intelligence Director for Military Sup-  
13 port.

14 “(b) PRINCIPAL RESPONSIBILITIES.—In the capacity  
15 as Assistant National Intelligence Director for Military  
16 Support, the Assistant Director shall—

17 “(1) ensure that the resource needs and intel-  
18 ligence requirements of the Department of Defense,  
19 including the Chairman of the Joint Chiefs of Staff  
20 and the commanders of the unified and specified  
21 commands, and the military departments are fully  
22 considered in the oversight and management of the  
23 National Intelligence Program; and

24 “(2) ensure that any intelligence of significance  
25 as national intelligence when collected by elements of  
26 the national intelligence service within the Depart-



1           “(2) to recommend policies designed to promote  
2           economy, efficiency, and effectiveness in the admin-  
3           istration of such programs and operations, and to  
4           detect fraud and abuse in such programs and oper-  
5           ations;

6           “(3) to provide a means for keeping the Na-  
7           tional Intelligence Director fully and currently in-  
8           formed about problems, deficiencies, and significant  
9           failures relating to the administration of such pro-  
10          grams and operations, and the necessity for, and the  
11          progress of, corrective actions; and

12          “(4) in the manner prescribed by this section,  
13          to ensure that the congressional intelligence commit-  
14          tees are kept similarly informed of significant prob-  
15          lems and deficiencies in such programs and oper-  
16          ations as well as the necessity for and the progress  
17          of corrective actions.

18          “(c) INSPECTOR GENERAL OF NATIONAL INTEL-  
19          LIGENCE SERVICE.—(1)(A) There is at the head of the  
20          Office of the Inspector General of the National Intel-  
21          ligence Service an Inspector General of the National Intel-  
22          ligence Service who shall be appointed by the President,  
23          by and with the advice and consent of the Senate.

24          “(B) The nomination of an individual as Inspector  
25          General shall be made—

1           “(i) without regard to political affiliation;

2           “(ii) solely on the basis of integrity, compliance  
3 with security standards of the national intelligence  
4 service, and prior experience in the field of intel-  
5 ligence; and

6           “(iii) on the basis of demonstrated ability in ac-  
7 counting, financial analysis, law, management anal-  
8 ysis, public administration, or auditing.

9           “(2) The Inspector General shall report to the Na-  
10 tional Intelligence Director directly, or through the Dep-  
11 uty National Intelligence Director, and shall be under the  
12 general supervision of the Director.

13           “(3) The Inspector General may be removed from of-  
14 fice only by the President. The President shall imme-  
15 diately communicate in writing to the congressional intel-  
16 ligence committees the reasons for the removal of an In-  
17 spector General from office.

18           “(d) DUTIES AND RESPONSIBILITIES.—(1) The In-  
19 spector General of the National Intelligence Service shall  
20 act as inspector general of the national intelligence service.

21           “(2) In carrying out the duties and responsibilities  
22 of the Inspector General of the National Intelligence Serv-  
23 ice under this section, the Inspector General of the Na-  
24 tional Intelligence Service shall coordinate with the In-

1 spectors General of the elements of the national intel-  
2 ligence service.

3 “(3) It shall be the duty and responsibility of the In-  
4 spector General of the National Intelligence Service—

5 “(A) to provide policy direction for, and to plan,  
6 conduct, supervise, and coordinate independently, in-  
7 vestigations, inspections, reviews, and audits relating  
8 to the programs and operations of the national intel-  
9 ligence service to ensure they are conducted effi-  
10 ciently and in accordance with applicable law and  
11 regulations;

12 “(B) to independently investigate, audit, or re-  
13 view each significant failure by an element or ele-  
14 ments of the national intelligence service relating to  
15 the performance of an intelligence or intelligence-re-  
16 lated activity of such element or elements;

17 “(C) to evaluate the compliance of the elements  
18 of the national intelligence service with the policies  
19 and procedures developed by the Director for pur-  
20 poses of section 102A(b)(7) or 102A(c) or by the  
21 Chief Information Officer of the National Intel-  
22 ligence Service for purposes of section 103J(c)(3);

23 “(D) to identify means for improving the per-  
24 formance of the intelligence and intelligence-related  
25 activities of the national intelligence service;

1           “(E) to keep the National Intelligence Director  
2 fully and currently informed concerning—

3           “(i) any significant failures by an element  
4 or elements of the national intelligence service  
5 relating to the performance of an intelligence or  
6 intelligence-related activity of such element or  
7 elements; and

8           “(ii) any violations of law and regulations,  
9 fraud and other serious problems, abuses and  
10 deficiencies that may occur in the intelligence  
11 or intelligence-related programs and operations  
12 of the national intelligence service; and

13           “(F) to report the necessity for any corrective  
14 action and progress made in implementing such cor-  
15 rective action;

16           “(G) to take due regard for the protection of  
17 intelligence sources and methods in the preparation  
18 of all reports issued by the Office of the Inspector  
19 General of the National Intelligence Service, and, to  
20 the extent consistent with the purpose and objective  
21 of such reports, take such measures as may be ap-  
22 propriate to further minimize the disclosure of intel-  
23 ligence sources and methods described in such re-  
24 ports;

1           “(H) to conduct reviews of the analytic product  
2           or products of the National Intelligence Council, of  
3           an element or elements of the national intelligence  
4           service, or of any division, office, or officer or em-  
5           ployee of an element of the national intelligence  
6           service; and

7           “(I) in the execution of the responsibilities set  
8           forth under this paragraph, to comply with generally  
9           accepted government auditing standards.

10          “(e) INITIATION OF INVESTIGATIONS, INSPECTIONS,  
11          REVIEWS, OR AUDITS.—(1) The Inspector General of the  
12          National Intelligence Service shall commence an investiga-  
13          tion, inspection, review, or audit as follows:

14                 “(A) Upon the request of the President.

15                 “(B) Upon the request of the National Intel-  
16          ligence Director.

17                 “(C) Subject to paragraph (2)—

18                         “(i) upon the initiative of the Inspector  
19                         General of the National Intelligence Service;

20                         “(ii) upon the request of the head of an  
21                         element of the national intelligence service  
22                         (other than the Director);

23                         “(iii) upon the request of a congressional  
24                         intelligence committee, the Committee on  
25                         Armed Services of the Senate, or the Com-



1           committee on Armed Services of the House of Rep-  
2           resentatives;

3           “(iv) upon the request of any designee of  
4           the President; or

5           “(v) at the discretion of the Inspector Gen-  
6           eral, upon the request of an Inspector General  
7           of an element of the national intelligence serv-  
8           ice.

9           “(2)(A) The Director may prohibit the Inspector  
10          General from initiating, carrying out, or completing any  
11          investigation, inspection, review, or audit if the Director  
12          determines that the prohibition is necessary to protect  
13          vital national security interests of the United States.

14          “(B) If the Director exercises the authority under  
15          subparagraph (A), the Director shall submit to the con-  
16          gressional intelligence committees an appropriately classi-  
17          fied statement of the reasons for the exercise of the au-  
18          thority within seven days of the exercise of the authority.

19          “(C) The Director shall advise the Inspector General  
20          at the time a report is submitted under subparagraph (B),  
21          and, to the extent consistent with the protection of intel-  
22          ligence sources and methods, provide the Inspector Gen-  
23          eral with a copy of such report.

24          “(D) If advised of a report under subparagraph (C),  
25          the Inspector General may submit to the congressional in-

1 telligence committees such comments with respect to such  
2 report as the Inspector General considers appropriate.

3 “(f) AUTHORITIES OF INSPECTOR GENERAL.—(1)

4 The Inspector General of the National Intelligence Service  
5 shall have direct and prompt access to the National Intel-  
6 ligence Director when necessary for any purpose per-  
7 taining to the performance of the duties of the Inspector  
8 General.

9 “(2)(A) The Inspector General shall have access to  
10 any employee of any element of the national intelligence  
11 service, or to any employee of any contractor of any ele-  
12 ment of the national intelligence service, whose testimony  
13 is needed for the performance of the duties of the Inspec-  
14 tor General.

15 “(B) The Inspector General shall have direct access  
16 to all records, reports, audits, reviews, documents, papers,  
17 recommendations, or other material which relate to the  
18 programs and operations with respect to which the Inspec-  
19 tor General has responsibilities under this section.

20 “(C) Failure on the part of any employee or con-  
21 tractor to cooperate with the Inspector General shall be  
22 grounds for appropriate administrative actions by the Di-  
23 rector, including loss of employment or the termination  
24 of an existing contractual relationship.

1           “(3)(A) The Inspector General may receive and inves-  
2 tigate complaints or information from any person con-  
3 cerning the existence of an activity constituting a violation  
4 of laws, rules, or regulations, or mismanagement, gross  
5 waste of funds, abuse of authority, or a substantial and  
6 specific danger to the public health and safety.

7           “(B) Once the Inspector General has received a com-  
8 plaint or information described by subparagraph (A) from  
9 an employee of an element of the national intelligence  
10 service—

11                 “(i) the Inspector General shall not disclose the  
12 identity of the employee without the consent of the  
13 employee, unless the Inspector General determines  
14 that such disclosure is unavoidable during the course  
15 of the investigation or the disclosure is made to an  
16 official of the Department of Justice responsible for  
17 determining whether a prosecution should be under-  
18 taken; and

19                 “(ii) no action constituting a reprisal, or threat  
20 of reprisal, for making such complaint may be taken  
21 by any officer or employee of any element of the na-  
22 tional intelligence service in a position to take such  
23 action, unless the complaint was made or the infor-  
24 mation was disclosed with the knowledge that it was  
25 false or with willful disregard for its truth or falsity.

1           “(4) The Inspector General shall have authority to  
2 administer to or take from any person an oath, affirma-  
3 tion, or affidavit, whenever necessary in the performance  
4 of the duties of the Inspector General, which oath affirma-  
5 tion, or affidavit when administered or taken by or before  
6 an employee of the Office of the Inspector General of the  
7 National Intelligence Service designated by the Inspector  
8 General shall have the same force and effect as if adminis-  
9 tered or taken by or before an officer having a seal.

10           “(5)(A) Except as provided in subparagraph (B), the  
11 Inspector General is authorized to require by subpoena the  
12 production of all information, documents, reports, an-  
13 swers, records, accounts, papers, and other data and docu-  
14 mentary evidence necessary in the performance of the du-  
15 ties and responsibilities of the Inspector General.

16           “(B) In the case of United States Government agen-  
17 cies, the Inspector General shall obtain information, docu-  
18 ments, reports, answers, records, accounts, papers, and  
19 other data and evidence for the purpose specified in sub-  
20 paragraph (A) using procedures other than by subpoenas.

21           “(C) The Inspector General may not issue a subpoena  
22 for or on behalf of any other element or component of an  
23 element of the national intelligence service.

24           “(D) In the case of contumacy or refusal to obey a  
25 subpoena issued under this paragraph, the subpoena shall

1 be enforceable by order of any appropriate district court  
2 of the United States.

3 “(6) The Inspector General shall be provided with ap-  
4 propriate and adequate office space at central and field  
5 office locations, together with such equipment, office sup-  
6 plies, maintenance services, and communications facilities  
7 and services as may be necessary for the operation of such  
8 offices.

9 “(7)(A) Subject to applicable law and the policies of  
10 the Director, the Inspector General shall select, appoint  
11 and employ such officers and employees as may be nec-  
12 essary to carry out the functions of the Inspector General.

13 “(B) In making selections of officers and employees  
14 under subparagraph (A), the Inspector General shall en-  
15 sure that such officers and employees have the requisite  
16 training and experience to enable the Inspector General  
17 to carry out the duties of the Inspector General effectively.

18 “(C) The Inspector General shall create within the  
19 Office a career cadre of sufficient size to provide appro-  
20 priate continuity and objectivity needed for the effective  
21 performance of the duties of the Inspector General.

22 “(8)(A) Subject to the provisions of this paragraph,  
23 the Inspector General may request such information or as-  
24 sistance as may be necessary for carrying out the duties  
25 and responsibilities of the Inspector General from any de-

1 department, agency, or element of the United States Govern-  
2 ment.

3 “(B) Upon request of the Inspector General for infor-  
4 mation or assistance, the head of the department, agency,  
5 or element concerned shall, insofar as is practicable and  
6 not in contravention of any existing statutory restriction  
7 or regulation of the department, agency, or element, fur-  
8 nish to the Inspector General, or to an authorized des-  
9 ignee, such information or assistance.

10 “(C) Each Inspector General of an element of the na-  
11 tional intelligence service shall comply fully with a request  
12 for information or assistance from the Inspector General  
13 of the National Intelligence Service.

14 “(D) The Inspector General, upon reasonable notice  
15 to the head of any element of the national intelligence  
16 service, may conduct, as authorized by this section, an in-  
17 vestigation, inspection, review, or audit of such element  
18 and may enter into any place occupied by an element of  
19 the national intelligence service for purposes of conducting  
20 any duty or responsibility authorized by this section.

21 “(E) With respect to requests for information or as-  
22 sistance from a department, agency, or element of the  
23 United States Government that is not an element of the  
24 national intelligence service, the Inspector General shall

1 receive the concurrence of the Director before making a  
2 request under this paragraph.

3       “(g) REPORTS.—(1)(A) The Inspector General of the  
4 National Intelligence Service shall, not later than January  
5 31 and July 31 each year, submit to the National Intel-  
6 ligence Director a classified report summarizing the activi-  
7 ties of the Office of the Inspector General of the National  
8 Intelligence Service during the 6-month period ending De-  
9 cember 31 (of the preceding year) and June 30, respec-  
10 tively.

11       “(B) Each report of the Inspector General under sub-  
12 paragraph (A) shall include—

13           “(i) a list of the title or subject of each inves-  
14 tigation, inspection, review, or audit conducted dur-  
15 ing the period covered by such report;

16           “(ii) a description of significant problems,  
17 abuses, and deficiencies relating to the administra-  
18 tion of programs and operations of the national intel-  
19 ligence service identified by the Inspector General  
20 during the period covered by such report;

21           “(iii) a description of the recommendations for  
22 corrective action made by the Inspector General dur-  
23 ing the period covered by such report with respect  
24 to significant problems, abuses, or deficiencies de-  
25 scribed by clause (ii);

1           “(iv) a statement whether corrective action has  
2           been completed on each significant recommendation  
3           described in previous semiannual reports, and, in a  
4           case where corrective action has been completed, a  
5           description of such corrective action;

6           “(v) a certification whether or not the Inspector  
7           General has had full and direct access to all infor-  
8           mation relevant to the performance of the functions  
9           of the Inspector General;

10          “(vi) a description of the exercise of the sub-  
11          poena authority under subsection (f)(5) by the In-  
12          spector General during the period covered by such  
13          report; and

14          “(vii) such recommendations as the Inspector  
15          General considers appropriate concerning legislation  
16          to promote economy and efficiency in the adminis-  
17          tration of programs and operations undertaken by  
18          elements of the national intelligence service, and to  
19          detect and eliminate fraud and abuse in such pro-  
20          grams and operations.

21          “(2) Not later than the dates each year provided for  
22          the transmittal of semiannual reports in section 507, the  
23          Director shall transmit to the congressional intelligence  
24          committees each report under paragraph (1), together  
25          with any comments the Director considers appropriate.



1       “(3)(A) The Inspector General shall report imme-  
2 diately to the Director whenever the Inspector General be-  
3 comes aware of particularly serious or flagrant problems,  
4 abuses, deficiencies, or failures relating to the administra-  
5 tion of programs or operations of the national intelligence  
6 service.

7       “(B) The Director shall transmit to the intelligence  
8 committees any report under subparagraph (A) not later  
9 than seven calendar days after receipt of such report, to-  
10 gether with such comments on such report as the Director  
11 considers appropriate.

12       “(4) In the event that—

13               “(A) the Inspector General is unable to resolve  
14 any differences with the Director affecting the exe-  
15 cution of the duties or responsibilities of the Inspec-  
16 tor General;

17               “(B) an investigation, inspection, review, or  
18 audit carried out by the Inspector General should  
19 focus on any current or former official of the na-  
20 tional intelligence service who—

21                       “(i) holds or held a position in an element  
22 of the national intelligence service that is sub-  
23 ject to appointment by the President, by and  
24 with the advice and consent of the Senate, in-

1 cluding such a position held on an acting basis;

2 or

3 “(ii) holds or held the position in an ele-  
4 ment of the national intelligence service, includ-  
5 ing such a position held on an acting basis, that  
6 is appointed by the National Intelligence Direc-  
7 tor;

8 “(C) a matter requires a report by the Inspec-  
9 tor General to the Department of Justice on possible  
10 criminal conduct by a current or former official de-  
11 scribed in subparagraph (B);

12 “(D) the Inspector General receives notice from  
13 the Department of Justice declining or approving  
14 prosecution of possible criminal conduct of a current  
15 or former official described in subparagraph (B);

16 “(E) the Inspector General, pursuant to para-  
17 graph (6), files a report with the Attorney General  
18 on a matter relating to the intelligence or intel-  
19 ligence-related programs and operations of the  
20 United States Government; or

21 “(F) the Inspector General, after exhausting all  
22 possible alternatives, is unable to obtain significant  
23 documentary information in the course of an inves-  
24 tigation, inspection, review, or audit,

1 the Inspector General shall immediately notify and submit  
2 to the congressional intelligence committees a report on  
3 such matter.

4 “(5) Pursuant to title V, the Director shall submit  
5 to the congressional intelligence committees any report or  
6 findings and recommendations of an inspection, investiga-  
7 tion, or audit conducted by the Office which has been re-  
8 quested by the Chairman or Ranking Minority Member  
9 of either committee.

10 “(6) In accordance with section 535 of title 28,  
11 United States Code, the Inspector General shall report to  
12 the Attorney General any information, allegation, or com-  
13 plaint received by the Inspector General relating to viola-  
14 tions of Federal criminal law that involve a program or  
15 operation of the national intelligence service, consistent  
16 with such guidelines as may be issued by the Attorney  
17 General pursuant to subsection (b)(2) of such section. A  
18 copy of each such report shall be furnished to the Director.

19 “(7)(A) An employee of any element of the national  
20 intelligence community service, or of a contractor to any  
21 element of the national intelligence service, who intends  
22 to report to Congress a complaint or information with re-  
23 spect to an urgent concern may report such complaint or  
24 information to the Inspector General.

1           “(B) Not later than the end of the 14-calendar day  
2 period beginning on the date of receipt from an employee  
3 of a complaint or information under subparagraph (A),  
4 the Inspector General shall determine whether the com-  
5 plaint or information appears credible. Upon making such  
6 a determination, the Inspector General shall transmit to  
7 the Director notice of that determination, together with  
8 the complaint or information.

9           “(C) Upon receipt of a transmittal from the Inspector  
10 General under subparagraph (B), the Director shall, with-  
11 in 7 calendar days of such receipt, forward such trans-  
12 mittal to the congressional intelligence committees, to-  
13 gether with any comments the Director considers appro-  
14 priate.

15           “(D)(i) If the Inspector General does not find cred-  
16 ible under subparagraph (B) a complaint or information  
17 submitted under subparagraph (A), or does not transmit  
18 the complaint or information to the Director in accurate  
19 form under subparagraph (B), the employee (subject to  
20 clause (ii)) may submit the complaint or information to  
21 Congress by contacting either or both of the congressional  
22 intelligence committees directly.

23           “(ii) An employee may contact the congressional in-  
24 telligence committees directly as described in clause (i)  
25 only if the employee—

1           “(I) before making such a contact, furnishes to  
2           the Director, through the Inspector General, a state-  
3           ment of the employee’s complaint or information and  
4           notice of the employee’s intent to contact the con-  
5           gressional intelligence committees directly; and

6           “(II) obtains and follows from the Director,  
7           through the Inspector General, direction on how to  
8           contact the congressional intelligence committees in  
9           accordance with appropriate security practices.

10          “(iii) A member or employee of one of the congres-  
11          sional intelligence committees who receives a complaint or  
12          information under clause (i) does so in that member or  
13          employee’s official capacity as a member or employee of  
14          that committee.

15          “(E) The Inspector General shall notify an employee  
16          who reports a complaint or information to the Inspector  
17          General under this paragraph of each action taken under  
18          this paragraph with respect to the complaint or informa-  
19          tion. Such notice shall be provided not later than 3 days  
20          after any such action is taken.

21          “(F) An action taken by the Director or the Inspector  
22          General under this paragraph shall not be subject to judi-  
23          cial review.

24          “(G) In this paragraph, the term ‘urgent concern’  
25          means any of the following:

1           “(i) A serious or flagrant problem, abuse, viola-  
2           tion of law or Executive order, or deficiency relating  
3           to the funding, administration, or operations of an  
4           intelligence activity involving classified information,  
5           but does not include differences of opinions con-  
6           cerning public policy matters.

7           “(ii) A false statement to Congress, or a willful  
8           withholding from Congress, on an issue of material  
9           fact relating to the funding, administration, or oper-  
10          ation of an intelligence activity.

11          “(iii) An action, including a personnel action  
12          described in section 2302(a)(2)(A) of title 5, United  
13          States Code, constituting reprisal or threat of re-  
14          prisal prohibited under subsection (e)(3)(B) in re-  
15          sponse to an employee’s reporting an urgent concern  
16          in accordance with this paragraph.

17          “(h) ANALYTIC REVIEW UNIT.—(1) There is within  
18          the Office of the Inspector General of the National Intel-  
19          ligence Service the Analytic Review Unit.

20          “(2) The Analytic Review Unit shall assist the In-  
21          spector General of the National Intelligence Service in per-  
22          forming the duties and responsibilities of the Inspector  
23          General set forth in subsection (d)(3)(G).

24          “(3) The Inspector General shall provide the Analytic  
25          Review Unit a staff who possess an expertise in intel-

1 ligenance analysis that is appropriate for the function of the  
2 Unit.

3 “(4) In assisting the Inspector General, the Analytic  
4 Review Unit shall, subject to the direction and control of  
5 the National Intelligence Director and the Inspector Gen-  
6 eral, conduct regular detailed evaluations of intelligence  
7 analysis by the following:

8 “(A) The National Intelligence Council.

9 “(B) The elements of the national intelligence  
10 service.

11 “(C) The divisions, offices, officers, and employ-  
12 ees of the national intelligence service.

13 “(5) The results of the evaluations under paragraph  
14 (4) shall be provided to the congressional intelligence com-  
15 mittees and, upon request, to other appropriate policy-  
16 makers.

17 “(i) CONSTRUCTION OF DUTIES REGARDING ELE-  
18 MENTS OF NATIONAL INTELLIGENCE SERVICE.—The per-  
19 formance by the Inspector General of the National Intel-  
20 ligenance Service of any duty, responsibility, or function re-  
21 garding an element or elements of the national intelligence  
22 service shall not be construed to modify or affect the du-  
23 ties or responsibilities of any other Inspector General hav-  
24 ing duties or responsibilities relating to such element or  
25 elements.”.

1 (b) SEPARATE BUDGET ACCOUNT FOR OFFICE OF  
2 INSPECTOR GENERAL.—(1) Beginning with fiscal year  
3 2006, and in accordance with procedures to be issued by  
4 the National Intelligence Director in consultation with the  
5 congressional intelligence committees, the Director shall  
6 include in the National Intelligence Program budget a sep-  
7 arate account for the Office of the Inspector General of  
8 the National Intelligence Service.

9 (2) In this subsection, the terms “congressional intel-  
10 ligence committees” and “National Intelligence Program”  
11 have the meanings given such terms in section 3 of the  
12 National Security Act of 1947, as amended by this Act.

13 **SEC. 112. GENERAL COUNSEL OF THE NATIONAL INTEL-**  
14 **LIGENCE SERVICE.**

15 Title I of the National Security Act of 1947, as  
16 amended by section 111(a) of this Act, is further amended  
17 by inserting after section 103H the following new section:

18 “GENERAL COUNSEL OF THE NATIONAL INTELLIGENCE  
19 SERVICE

20 “SEC. 103I. (a) GENERAL COUNSEL OF NATIONAL  
21 INTELLIGENCE SERVICE.—There is within the Office of  
22 the National Intelligence Director a General Counsel of  
23 the National Intelligence Service who shall be appointed  
24 by the National Intelligence Director.

25 “(b) CHIEF LEGAL OFFICER OF NATIONAL INTEL-  
26 LIGENCE SERVICE.—The General Counsel of the National



1 Intelligence Service is the chief legal officer of the national  
2 intelligence service and is the chief legal authority of the  
3 executive branch on the effect of any guidance, policy, reg-  
4 ulation, statute, treaty, or other international agreement  
5 on the intelligence or intelligence-related activities of the  
6 United States Government.

7 “(c) DUTIES AND RESPONSIBILITIES.—The General  
8 Counsel of the National Intelligence Service shall—

9 “(1) assist the National Intelligence Director in  
10 carrying out the responsibilities of the Director to  
11 ensure that—

12 “(A) the national intelligence service is op-  
13 erating as authorized by the Constitution and  
14 all laws, regulations, Executive orders, and im-  
15 plementing guidelines of the United States;

16 “(B) the national intelligence service is op-  
17 erating in compliance with any directives, poli-  
18 cies, standards, and guidelines issued by the Di-  
19 rector; and

20 “(C) the national intelligence service has  
21 all authorities necessary to provide timely and  
22 relevant intelligence information to the Presi-  
23 dent, other policymakers, and military com-  
24 manders;

1           “(2) coordinate the legal programs of the var-  
2           ious elements of the national intelligence service;

3           “(3) coordinate with the Department of Justice  
4           to ensure that the activities of the national intel-  
5           ligence service are consistent with the obligations of  
6           the Constitution and all laws, regulations, Executive  
7           orders, and implementing guidelines of the United  
8           States;

9           “(4) in consultation with the Department of  
10          Justice, interpret, and resolve conflicts in the inter-  
11          pretation or application of, the Constitution and all  
12          laws, regulations, Executive orders, and imple-  
13          menting guidelines of the United States to the intel-  
14          ligence and intelligence-related activities of the  
15          United States Government;

16          “(5) provide legal guidance, which shall be dis-  
17          positive within the executive branch, to the Depart-  
18          ment of State, Department of Justice, and other de-  
19          partments, agencies, elements of the United States  
20          Government on the effect of the implementation and  
21          interpretation of treaties and other international  
22          agreements on the intelligence and intelligence re-  
23          lated activities of the United States Government;



1 in the management, operation, and maintenance of com-  
2 plex information networks, including the use of advanced  
3 information technology applications and products to pro-  
4 mote the efficient and secure exchange of information  
5 across such networks.

6 “(c) DUTIES AND RESPONSIBILITIES.—The Chief In-  
7 formation Officer of the National Intelligence Service  
8 shall—

9 “(1) develop an integrated information tech-  
10 nology network that provides for the efficient and  
11 secure exchange of intelligence information among  
12 the elements of the national intelligence service and,  
13 as directed by the President, other departments and  
14 agencies of the Federal Government and of State  
15 and local governments;

16 “(2) develop an enterprise architecture for the  
17 national intelligence service and ensure that ele-  
18 ments of the national intelligence service comply  
19 with such architecture;

20 “(3) ensure that the elements of the national  
21 intelligence service have direct and continuous elec-  
22 tronic access to all information (including  
23 unevaluated intelligence) necessary for appropriately  
24 cleared analysts to conduct comprehensive all-source

1 analysis and for appropriately cleared policymakers  
2 to perform their duties;

3 “(4) review and provide recommendations to  
4 the National Intelligence Director on national intel-  
5 ligence service budget requests for information tech-  
6 nology and national security systems;

7 “(5) ensure the interoperability of information  
8 technology and national security systems throughout  
9 the national intelligence service;

10 “(6) promulgate and enforce standards on in-  
11 formation technology and national security systems  
12 that apply throughout the national intelligence serv-  
13 ice;

14 “(7) provide for the elimination of duplicate in-  
15 formation technology and national security systems  
16 within and between the elements of the national in-  
17 telligence service; and

18 “(8) maintain a consolidated inventory of mis-  
19 sion critical and mission essential information sys-  
20 tems for the national intelligence service, identify  
21 interfaces between such systems and other informa-  
22 tion systems, and develop and maintain contingency  
23 plans for responding to a disruption in the operation  
24 of any of such systems.”.

1 **SEC. 114. CHIEF FINANCIAL OFFICER OF THE NATIONAL IN-**  
2 **TELLIGENCE SERVICE.**

3 Title I of the National Security Act of 1947, as  
4 amended by section 113 of this Act, is further amended  
5 by inserting after section 103J the following new section:

6 “CHIEF FINANCIAL OFFICER OF THE NATIONAL  
7 INTELLIGENCE SERVICE

8 “SEC. 103K. (a) CHIEF FINANCIAL OFFICER OF NA-  
9 TIONAL INTELLIGENCE SERVICE.—There is in the Office  
10 of the National Intelligence Director a Chief Financial Of-  
11 ficer of the National Intelligence Service who shall be ap-  
12 pointed from civilian life by the National Intelligence Di-  
13 rector.

14 “(b) SUPERVISION.—The Chief Financial Officer of  
15 the National Intelligence Service shall report directly to  
16 the National Intelligence Director.

17 “(c) DUTIES AND RESPONSIBILITIES.—The Chief Fi-  
18 nancial Officer of the National Intelligence Service shall—

19 “(1) assist the National Intelligence Director in  
20 the preparation and execution of the budget of the  
21 national intelligence service under the National In-  
22 telligence Program;

23 “(2) assist the Secretary of Defense in the  
24 preparation and execution of the budget of the De-  
25 partment of Defense insofar as such budget relates  
26 to the elements of the national intelligence service

1 within the Joint Military Intelligence Program and  
2 the Tactical Intelligence and Related Activities Pro-  
3 gram; and

4 “(3) provide unfettered access to the Director  
5 to financial information under the National Intel-  
6 ligence Program.

7 “(d) STAFF.—The staff of the Chief Financial Offi-  
8 cer of the National Intelligence Service shall consist of  
9 personnel of the national intelligence service who are as-  
10 signed to the staff by the National Intelligence Director.”.

## 11 **Subtitle B—Redesignation of** 12 **Certain Elements**

### 13 **SEC. 121. REDESIGNATION OF INTELLIGENCE COMMUNITY** 14 **AS NATIONAL INTELLIGENCE SERVICE.**

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

17 (1) in the matter preceding subparagraph (A),  
18 by striking “‘intelligence community’” and inserting  
19 “‘national intelligence service’”; and

20 (2) in subparagraph (L), by striking “‘intel-  
21 ligence community’” and inserting “‘national intel-  
22 ligence service’”.

1 **SEC. 122. REDESIGNATION OF NATIONAL FOREIGN INTEL-**  
2 **LIGENCE PROGRAM AS NATIONAL INTEL-**  
3 **LIGENCE PROGRAM.**

4 (a) REDESIGNATION.—Section 3(6) of the National  
5 Security Act of 1947 (50 U.S.C. 401a(6)) is amended by  
6 striking “‘National Foreign Intelligence Program’” and  
7 inserting “‘National Intelligence Program’”.

8 (b) CONFORMING AMENDMENTS.—(1) The National  
9 Security Act of 1947, as amended by this Act, is further  
10 amended by striking “National Foreign Intelligence Pro-  
11 gram” each place it appears in the following provisions  
12 and inserting “National Intelligence Program”:

13 (A) Section 105(a)(2) (50 U.S.C. 403–5(a)(2)).

14 (B) Section 105(a)(3) (50 U.S.C. 403–5(a)(3)).

15 (C) Section 506(a) (50 U.S.C. 415a(a)).

16 (2) Section 17(f) of the Central Intelligence Agency  
17 Act of 1949 (50 U.S.C. 403q(f)) is amended by striking  
18 “National Foreign Intelligence Program” and inserting  
19 “National Intelligence Program”.

20 (c) HEADING AMENDMENTS.—(1) The heading of  
21 section 105 of that Act is amended to read as follows:

22 “RESPONSIBILITIES OF THE SECRETARY OF DEFENSE  
23 PERTAINING TO THE NATIONAL INTELLIGENCE PRO-  
24 GRAM”.

25 (2) The heading of section 506 of that Act is amend-  
26 ed to read as follows:



1 “SPECIFICITY OF NATIONAL INTELLIGENCE PROGRAM  
2 BUDGET AMOUNTS FOR COUNTERTERRORISM,  
3 COUNTERPROLIFERATION, COUNTERNARCOTICS, AND  
4 COUNTERINTELLIGENCE”.

## 5 **Subtitle C—Other Matters**

### 6 **SEC. 131. SENSE OF CONGRESS ON AVAILABILITY TO PUB- 7 LIC OF CERTAIN INTELLIGENCE FUNDING IN- 8 FORMATION.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-  
10 gress that the President should, for each fiscal year after  
11 fiscal year 2005, make available to the public the informa-  
12 tion described in subsection (b) unless the President cer-  
13 tifies that public disclosure of such information would  
14 cause damage to the national security of the United  
15 States.

16 (b) COVERED INFORMATION.—The information de-  
17 scribed in this subsection is as follows:

18 (1) The aggregate amount of appropriations re-  
19 quested in the budget of the President for the fiscal  
20 year concerned for the intelligence and intelligence-  
21 related activities of the United States Government.

22 (2) The aggregate amount of funds authorized  
23 to be appropriated, and the aggregate amount of  
24 funds appropriated, by Congress for the fiscal year

1       concerned for the intelligence and intelligence-related  
2       activities of the United States Government.

3       **TITLE II—MODIFICATIONS OF**  
4       **LAW RELATING TO REFORM**  
5       **OF INTELLIGENCE COMMU-**  
6       **NITY MANAGEMENT**

7       **Subtitle A—Administration of Cer-**  
8       **tain Elements and Components**  
9       **of National Intelligence Service**

10       **SEC. 201. REDESIGNATION AND MODIFICATION OF RESPON-**  
11               **SIBILITIES OF THE CENTRAL INTELLIGENCE**  
12               **AGENCY.**

13       Title I of the National Security Act of 1947, as  
14       amended by section 114 of this Act, is further amended  
15       by inserting after section 103K the following new sections:

16       “DIRECTOR OF THE OFFICE OF NATIONAL ASSESSMENTS

17               “SEC. 104. (a) DIRECTOR OF OFFICE OF NATIONAL  
18       ASSESSMENTS.—There is a Director of the Office of Na-  
19       tional Assessments who shall be appointed by the Presi-  
20       dent, by and with the advice and consent of the Senate.

21               “(b) HEAD OF OFFICE OF NATIONAL ASSESS-  
22       MENTS.—The Director of the Office of National Assess-  
23       ments shall serve as the head of the Office of National  
24       Assessments.

25               “(c) SUPERVISION.—The Director of the Office of  
26       National Assessments shall report directly to the Assistant

1 National Intelligence Director for Analysis and Production  
2 with respect to the activities of the Office of National As-  
3 sessments.

4 “(d) DUTIES AND RESPONSIBILITIES.—The Director  
5 of the Office of National Assessments shall—

6 “(1) correlate and evaluate intelligence related  
7 to the national security and provide appropriate dis-  
8 semination of such intelligence;

9 “(2) perform such additional services as are of  
10 common concern to the elements of the national in-  
11 telligence service, which services the National Intel-  
12 ligence Director determines can be more efficiently  
13 accomplished centrally; and

14 “(3) perform such other functions and duties as  
15 the National Intelligence Director or the Assistant  
16 National Intelligence Director for Analysis and Pro-  
17 duction may direct.

18 “(e) TERMINATION OF EMPLOYMENT OF EMPLOY-  
19 EES.—(1) Notwithstanding any other provision of law, the  
20 Director of the Office of National Assessments may, in  
21 the discretion of the Director, terminate the employment  
22 of any officer or employee of the Office of National Assess-  
23 ments whenever the Director considers the termination of  
24 employment necessary or advisable in the interests of the  
25 United States.

1           “(2) Any termination of employment of an officer or  
2 employee under paragraph (1) shall not affect the right  
3 of such officer or employee to seek or accept employment  
4 in any other department or agency of the United States  
5 Government if declared eligible for such employment by  
6 the Office of Personnel Management.

7           “OFFICE OF NATIONAL ASSESSMENTS

8           “SEC. 104A. (a) OFFICE OF NATIONAL ASSESS-  
9 MENTS.—There is an Office of National Assessments.

10          “(b) COMPONENTS.—The Office of National Assess-  
11 ments shall consist of the components as follows:

12           “(1) The component of the Central Intelligence  
13 Agency known, as of the date of the enactment of  
14 the 9–11 National Security Protection Act, as the  
15 Directorate of Intelligence.

16           “(2) Such other components of the Central In-  
17 telligence Agency as of that date as are not made  
18 independent establishments by sections 205 and 206  
19 of that Act.

20           “(3) Such other components as the National In-  
21 telligence Director may designate or are provided by  
22 law.

23          “(c) FUNCTION.—The function of the Office of Na-  
24 tional Assessments shall be to assist the Director of the  
25 Office of National Assessments in carrying out the respon-  
26 sibilities of the Director under section 104.”.

1 **SEC. 202. NATIONAL SECURITY AGENCY.**

2 The National Security Agency Act of 1959 (50  
3 U.S.C. 402 note) is amended by inserting after the first  
4 section the following new sections:

5 “SEC. 2. There is a National Security Agency.

6 “SEC. 3. (a) The Director of the National Security  
7 Agency is the head of the National Security Agency.

8 “(b)(1) The Director of the National Security Agency  
9 shall be under the direction, supervision, and control of  
10 the Assistant National Intelligence Director for Collection.

11 “(2) The Director of the National Security Agency  
12 shall report directly to the Assistant National Intelligence  
13 Director for Collection regarding the activities of the Na-  
14 tional Security Agency.”.

15 **SEC. 203. NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.**

16 (a) SUPERVISION AND CONTROL BY ASSISTANT NA-  
17 TIONAL INTELLIGENCE DIRECTOR FOR COLLECTION.—

18 (1) Section 441 of title 10, United States Code, is amend-  
19 ed by striking subsection (c) and inserting the following  
20 new subsection (c):

21 “(c) SUPERVISION.—(1) The Director of the National  
22 Geospatial-Intelligence Agency shall be under the direc-  
23 tion, supervision, and control of the Assistant National In-  
24 telligence Director for Collection.

25 “(2) The Director of the National Geospatial-Intel-  
26 ligence Agency shall report directly to the Assistant Na-

1 tional Intelligence Director for Collection regarding the ac-  
2 tivities of the National Geospatial-Intelligence Agency.”.

3 (2) Such title is further amended by striking “Sec-  
4 retary of Defense” each place it appears in the following  
5 provisions and inserting “Assistant National Intelligence  
6 Director for Collection”:

7 (A) Section 453(a).

8 (B) Section 453(b)(1).

9 (C) Section 454.

10 (D) Section 455(b)(1), both places it appears.

11 (E) Section 462, the first place it appears.

12 (b) SUPPORT.—(1) Section 444 of such title is  
13 amended by striking “Director of Central Intelligence”  
14 each place it appears (other than in subsection (b)(3)) and  
15 inserting “Director of the Office of National Assess-  
16 ments”.

17 (2) Such section is further amended by striking  
18 “Central Intelligence Agency” each place it appears (other  
19 than the first place in subsection (b)(2)) and inserting  
20 “Office of National Assessments”.

21 (3) Subsection (b)(3) of such section is amended by  
22 striking “Secretary of Defense and the Director of Central  
23 Intelligence” and inserting “Director of the National  
24 Geospatial-Intelligence Agency and the Director of the Of-  
25 fice of National Assessments”.

1 (4)(A) The heading of such section is amended to  
2 read as follows:

3 **“§ 444. Support from Office of National Assessments”.**

4 (B) The table of sections at the beginning of sub-  
5 chapter I of chapter 22 of title 10, United States Code,  
6 is amended by striking the item relating to section 444  
7 and inserting the following new item:

“444. Support from Office of National Assessments.”.

8 (c) OTHER AMENDMENTS.—(1) Subsection (d) of  
9 section 441 of such title is amended by striking “The Sec-  
10 retary of Defense, in consultation with the Director of  
11 Central Intelligence,” and inserting “The National Intel-  
12 ligence Director”.

13 (2) Section 442(b) of such title is amended by strik-  
14 ing “Secretary of Defense” and inserting “Assistant Na-  
15 tional Intelligence Director for Collection, in coordination  
16 with the Secretary of Defense”.

17 (3) Section 443(d) of such title is amended—

18 (A) in the subsection caption, by striking “CEN-  
19 TRAL INTELLIGENCE” and inserting “OFFICE OF  
20 NATIONAL ASSESSMENTS”; and

21 (B) by striking “of the Agency shall coordinate  
22 with the Director of Central Intelligence” and insert-  
23 ing “of the National Geospatial-Intelligence Agency  
24 shall coordinate with the Director of the Office of  
25 National Assessments”.

1 (4) Section 451 of such title is amended by striking  
2 “Secretary of Defense” and inserting “Assistant National  
3 Intelligence Director for Collection, in coordination with  
4 the Secretary of Defense,”.

5 (5) Section 452(a) of such title is amended—

6 (A) by striking “of the Department of De-  
7 fense”; and

8 (B) by striking “Secretary of Defense” and in-  
9 serting “National Intelligence Director”.

10 (6) Section 455(b)(1) of such title is amended by  
11 striking “Department of Defense” and inserting “United  
12 States Government”.

13 (7) Section 457(a) of such title is amended by strik-  
14 ing “Secretary of Defense” and inserting “Director of the  
15 National Geospatial-Intelligence Agency, in coordination  
16 with the National Intelligence Director,”.

17 (8) Section 462 of such title is further amended by  
18 striking “by the Secretary of Defense”.

19 **SEC. 204. NATIONAL RECONNAISSANCE OFFICE.**

20 (a) SUPERVISION.—(1) The Director of the National  
21 Reconnaissance Office shall be under the direction, super-  
22 vision, and control of the Assistant National Intelligence  
23 Director for Research, Development, and Acquisition.

24 (2) The Director of the National Reconnaissance Of-  
25 fice shall report directly to the Assistant National Intel-



1 ligen ce Director for Research, Development, and Acquisi-  
2 tion regarding the activities of the Office.

3 (b) ADMINISTRATIVE AUTHORITIES.—The Assistant  
4 National Intelligence Director for Research, Development,  
5 and Acquisition may exercise with respect to the National  
6 Reconnaissance Office any authority of the Director of the  
7 Office of National Assessments with respect to the Office  
8 of National Assessments under a provision of the Central  
9 Intelligence Agency Act of 1949 as follows:

10 (1) Section 3 (50 U.S.C. 403c), relating to pro-  
11 curement.

12 (2) Section 4 (50 U.S.C. 403e), relating to  
13 travel allowances and related expenses.

14 (3) Section 5 (50 U.S.C. 403f), relating to ad-  
15 ministration of funds.

16 (4) Section 6 (50 U.S.C. 403g), relating to ex-  
17 emptions from certain information disclosure re-  
18 quirements.

19 (5) Section 8 (50 U.S.C. 403j), relating to  
20 availability of appropriations.

21 (6) Section 11 (50 U.S.C. 403k), relating to  
22 payment of death gratuities.

23 (7) Section 12 (50 U.S.C. 403l), relating to ac-  
24 ceptance of gifts, devises, and bequests.

1           (8) Section 21 (50 U.S.C. 403u), relating to op-  
2           eration of a central services program.

3 **SEC. 205. REDESIGNATION AND MODIFICATION OF RESPON-**  
4           **SIBILITIES OF DIRECTORATE OF OPER-**  
5           **ATIONS OF THE CENTRAL INTELLIGENCE**  
6           **AGENCY.**

7           (a) INDEPENDENT ESTABLISHMENT.—The compo-  
8           nent of the Central Intelligence Agency known, as of the  
9           date of the enactment of this Act, as the Directorate of  
10          Operations shall, after that date, be an independent estab-  
11          lishment within the executive branch known as the Na-  
12          tional Clandestine Service.

13          (b) SUPERVISION.—(1) The Director of the National  
14          Clandestine Service shall be under the direction, super-  
15          vision, and control of the Assistant National Intelligence  
16          Director for Collection.

17          (2) The Director of the National Clandestine Service  
18          shall report directly to the Assistant National Intelligence  
19          Director for Collection regarding the activities of the Na-  
20          tional Clandestine Service.

21          (c) COMPONENT ELEMENTS.—The National Clandes-  
22          tine Service shall consist of components as follows:

23                (1) The components of the Directorate of Oper-  
24                ations of the Central Intelligence Agency as of the  
25                date of the enactment of this Act.

1           (2) Such portions of the Directorate of Science  
2           and Technology of the Central Intelligence Agency  
3           as of that date that directly support the collection of  
4           intelligence through human sources and by other ap-  
5           propriate means.

6           (3) Such other components or elements of the  
7           national intelligence service as the Assistant Na-  
8           tional Intelligence Director for Collection, with the  
9           approval of the National Intelligence Director, may  
10          designate or are designated by law.

11          (d) FUNCTIONS.—The functions of the National  
12          Clandestine Service shall include the following:

13                 (1) The collection of intelligence through  
14                 human sources and by other appropriate means, ex-  
15                 cept that the Directorate shall have no police, sub-  
16                 poena, or law enforcement powers or internal secu-  
17                 rity functions.

18                 (2) Such other functions relating to intelligence  
19                 affecting the national security as the President, the  
20                 National Security Council, or the National Intel-  
21                 ligence Director may direct.

22          (e) DELEGATION OF CERTAIN ADMINISTRATIVE AU-  
23          THORITIES.—(1) Notwithstanding any other provision of  
24          law, the National Intelligence Director may delegate to the  
25          Director of the National Clandestine Service any authority

1 of the Director of the Office of National Assessments with  
2 respect to the Office of National Assessments under a pro-  
3 vision of the Central Intelligence Agency Act of 1949 as  
4 follows:

5 (A) Section 3 (50 U.S.C. 403c), relating to pro-  
6 curement.

7 (B) Section 4 (50 U.S.C. 403e), relating to  
8 travel allowances and related expenses.

9 (C) Section 5 (50 U.S.C. 403f), relating to ad-  
10 ministration of funds.

11 (D) Section 6 (50 U.S.C. 403g), relating to ex-  
12 emptions from certain information disclosure re-  
13 quirements.

14 (E) Section 8 (50 U.S.C. 403j), relating to  
15 availability of appropriations.

16 (F) Section 11 (50 U.S.C. 403k), relating to  
17 payment of death gratuities.

18 (G) Section 12 (50 U.S.C. 403l), relating to ac-  
19 ceptance of gifts, devises, and bequests.

20 (H) Section 21 (50 U.S.C. 403u), relating to  
21 operation of a central services program.

22 (2) Notwithstanding any other provision of law, the  
23 Director of the National Clandestine Service may exercise  
24 an authority delegated under paragraph (1) with respect  
25 to the Service to the same extent that the Director of the

1 Office of National Assessments may exercise such author-  
2 ity with respect to the Office of National Assessments.

3 **SEC. 206. REDESIGNATION AND MODIFICATION OF RESPON-**  
4 **SIBILITIES OF DIRECTORATE OF SCIENCE**  
5 **AND TECHNOLOGY OF THE CENTRAL INTEL-**  
6 **LIGENCE AGENCY.**

7 (a) INDEPENDENT ESTABLISHMENT.—The compo-  
8 nent of the Central Intelligence Agency known, as of the  
9 date of the enactment of this Act, as the Directorate of  
10 Science and Technology shall, after that date, be an inde-  
11 pendent establishment within the executive branch and  
12 shall be known as the Office of Technical Support.

13 (b) SUPERVISION.—(1) The Director of the Office of  
14 Technical Support shall be under the direction, super-  
15 vision, and control of the Assistant National Intelligence  
16 Director for Research, Development, and Acquisition.

17 (2) The Director of the Office of Technical Support  
18 shall report directly to the Assistant National Intelligence  
19 Director for Research, Development, and Acquisition re-  
20 garding the activities of the Office of Technical Support.

21 (c) COMPONENT ELEMENTS.—The Office of Tech-  
22 nical Support shall consist of components as follows:

23 (1) Such components of the Directorate of  
24 Science and Technology of the Central Intelligence  
25 Agency as of the date of the enactment of this Act

1 as are not within the National Clandestine Service  
2 under section 205.

3 (2) Such other components or elements of the  
4 national intelligence service as the Assistant Na-  
5 tional Intelligence Director for Research, Develop-  
6 ment, and Acquisition, with the approval of the Na-  
7 tional Intelligence Director, may designate or are  
8 designated by law.

9 (d) DELEGATION OF CERTAIN ADMINISTRATIVE AU-  
10 THORITIES.—(1) Notwithstanding any other provision of  
11 law, the National Intelligence Director may delegate to the  
12 Director of the Office of Technical Support any authority  
13 of the Director of the Office of National Assessments with  
14 respect to the Office of National Assessments under a pro-  
15 vision of the Central Intelligence Agency Act of 1949 as  
16 follows:

17 (A) Section 3 (50 U.S.C. 403c), relating to pro-  
18 curement.

19 (B) Section 4 (50 U.S.C. 403e), relating to  
20 travel allowances and related expenses.

21 (C) Section 5 (50 U.S.C. 403f), relating to ad-  
22 ministration of funds.

23 (D) Section 6 (50 U.S.C. 403g), relating to ex-  
24 emptions from certain information disclosure re-  
25 quirements.

1 (E) Section 8 (50 U.S.C. 403j), relating to  
2 availability of appropriations.

3 (F) Section 11 (50 U.S.C. 403k), relating to  
4 payment of death gratuities.

5 (G) Section 12 (50 U.S.C. 403l), relating to ac-  
6 ceptance of gifts, devises, and bequests.

7 (H) Section 21 (50 U.S.C. 403u), relating to  
8 operation of a central services program.

9 (2) Notwithstanding any other provision of law, the  
10 Director of the Office of Technical Support may exercise  
11 an authority delegated under paragraph (1) with respect  
12 to the Office to the same extent that the Director of the  
13 Office of National Assessments may exercise such author-  
14 ity with respect to the Office of National Assessments.

15 **SEC. 207. DIRECTORATE FOR HUMAN INTELLIGENCE.**

16 (a) INDEPENDENT ESTABLISHMENT.—The compo-  
17 nents of the Defense Intelligence Agency known, as of the  
18 date of the enactment of this Act, as the Directorate for  
19 Human Intelligence and the Directorate for MASINT and  
20 Technical Collection shall, after that date, be an inde-  
21 pendent establishment within the executive branch and  
22 shall together be known as the Directorate for Human In-  
23 telligence.

24 (b) SUPERVISION.—(1) The Director of the Direc-  
25 torate for Human Intelligence shall be under the direction,

1 supervision, and control of the Assistant National Intel-  
2 ligence Director for Collection.

3 (2) The Director of the Directorate for Human Intel-  
4 ligence shall report directly to the Assistant National In-  
5 telligence Director for Collection regarding the activities  
6 of the Directorate for Human Intelligence.

7 (c) DELEGATION OF CERTAIN ADMINISTRATIVE AU-  
8 THORITIES.—(1) Notwithstanding any other provision of  
9 law, the National Intelligence Director may delegate to the  
10 Director of the Directorate for Human Intelligence any  
11 authority of the Director of the Office of National Assess-  
12 ments with respect to the Office of National Assessments  
13 under a provision of the Central Intelligence Agency Act  
14 of 1949 as follows:

15 (A) Section 3 (50 U.S.C. 403c), relating to pro-  
16 curement.

17 (B) Section 4 (50 U.S.C. 403e), relating to  
18 travel allowances and related expenses.

19 (C) Section 5 (50 U.S.C. 403f), relating to ad-  
20 ministration of funds.

21 (D) Section 6 (50 U.S.C. 403g), relating to ex-  
22 emptions from certain information disclosure re-  
23 quirements.

24 (E) Section 8 (50 U.S.C. 403j), relating to  
25 availability of appropriations.



1 (F) Section 11 (50 U.S.C. 403k), relating to  
2 payment of death gratuities.

3 (G) Section 12 (50 U.S.C. 403l), relating to ac-  
4 ceptance of gifts, devises, and bequests.

5 (H) Section 21 (50 U.S.C. 403u), relating to  
6 operation of a central services program.

7 (2) Notwithstanding any other provision of law, the  
8 Director of the Directorate of Human Intelligence may ex-  
9 ercise an authority delegated under paragraph (1) with re-  
10 spect to the Directorate to the same extent that the Direc-  
11 tor of the Office of National Assessments may exercise  
12 such authority with respect to the Office of National As-  
13 sessments.

14 **SEC. 208. MILITARY INTELLIGENCE.**

15 Title I of the National Security Act of 1947, as  
16 amended by this Act, is further amended—

17 (1) by redesignating sections 105A and 105B  
18 as sections 105B and 105C, respectively; and

19 (2) by inserting after section 105 the following  
20 new section 105A:

21 “MILITARY INTELLIGENCE

22 “SEC. 105A. (a) IN GENERAL.—The Director of Mili-  
23 tary Intelligence shall supervise, direct, and command the  
24 forces and personnel assigned to the Director under sub-  
25 section (d)—

1           “(1) in carrying out assigned intelligence and  
2 intelligence-related activities and missions under the  
3 Joint Military Intelligence Program and the Tactical  
4 Intelligence and Related Activities Program; and

5           “(2) in carrying out intelligence and intel-  
6 ligence-related activities under the National Intel-  
7 ligence Program when directed by the National In-  
8 telligence Director, with the concurrence of the Sec-  
9 retary of Defense.

10          “(b) GRADE OF DIRECTOR.—The Director of Mili-  
11 tary Intelligence shall hold the grade of general or, in the  
12 case of an officer of the Navy, admiral while serving in  
13 that position, without vacating the permanent grade of  
14 such officer. The Director shall be appointed to that grade  
15 by the President, by and with the advice and consent of  
16 the Senate, for service in that position.

17          “(c) SUPERVISION AND CONTROL.—In carrying out  
18 responsibilities under subsection (a), the Director of Mili-  
19 tary Intelligence shall be subject to supervision and control  
20 of the Secretary of Defense, acting through the Under  
21 Secretary of Defense for Intelligence.

22          “(d) ASSIGNMENT OF FORCES AND PERSONNEL.—  
23 Unless otherwise directed by the Secretary of Defense or  
24 by the National Intelligence Director (when exercising the  
25 responsibilities and authorities provided under this Act or

1 any other provision of law), there shall be assigned to the  
2 Director of Military Intelligence the following:

3 “(1) All active and reserve forces of the Armed  
4 Forces performing intelligence or intelligence-related  
5 functions.

6 “(2) All civilian officers and employees of the  
7 elements of the national intelligence service specified  
8 in subsection (e).

9 “(e) COVERED ELEMENTS.—The elements of the na-  
10 tional intelligence service specified in this subsection are  
11 as follows:

12 “(1) The Defense Intelligence Agency.

13 “(2) The intelligence elements of the Army, the  
14 Navy, the Air Force, and the Marine Corps.

15 “(3) Other offices within the Department of  
16 Defense for the collection of specialized national in-  
17 telligence through reconnaissance programs.

18 “(4) Any other element of the Department of  
19 Defense used by the Secretary of Defense under  
20 subsection (c) of section 105 for a function described  
21 in such section.

22 “(f) TREATMENT AS UNIFIED COMBATANT COM-  
23 MAND.—With the approval of the President and utilizing  
24 the advice and assistance of the Chairman of the Joint

1 Chiefs of Staff, the Director of Military Intelligence  
2 shall—

3           “(1) treat the forces and personnel assigned to  
4           the Director under subsection (d) as a unified com-  
5           batant command under chapter 6 of title 10, United  
6           States Code; and

7           “(2) in a manner consistent with the exercise of  
8           the authorities set forth in subsection (h), exercise  
9           with respect to such forces and personnel the powers  
10          and authorities of a commander of a unified combat-  
11          ant command under such chapter.

12          “(g) COMMAND OF ACTIVITY OR MISSION.—(1) Ex-  
13          cept as provided under paragraph (2) and unless otherwise  
14          directed by the President, the Secretary of Defense, or the  
15          National Intelligence Director (when exercising the re-  
16          sponsibilities and authorities provided under this Act or  
17          any other provision of law), any intelligence or intel-  
18          ligence-related activity or mission conducted by the forces  
19          or personnel assigned to the Director of Military Intel-  
20          ligence under subsection (d) shall be conducted under the  
21          supervision, control, or command of the Director.

22          “(2) In any case where the President or the Secretary  
23          of Defense determines that an intelligence or intelligence-  
24          related activity or mission is a tactical intelligence or intel-  
25          ligence-related activity or mission that can be conducted

1 more efficiently and effectively under the commander of  
2 the unified combatant command in whose geographic area  
3 such activity or mission is to be conducted, such activity  
4 or mission shall be conducted by the commander of such  
5 unified combatant command.

6 “(h) SPECIFIED AUTHORITIES.—(1) In exercising  
7 with respect to the forces and personnel assigned to the  
8 Director of Military Intelligence under subsection (d) the  
9 powers and authorities of a commander of a unified com-  
10 batant, the Director shall have the authority prescribed  
11 in section 164(c) of title 10, United States Code.

12 “(2) Subject to the Secretary of Defense and the Na-  
13 tional Intelligence Director (when exercising the respon-  
14 sibilities and authorities provided under this Act or any  
15 other provision of law), the Director of Military Intel-  
16 ligence shall be responsible for, and shall have the author-  
17 ity to conduct, all affairs relating to intelligence and intel-  
18 ligence-related activities and missions of the forces and  
19 personnel assigned to the Director of Military Intelligence  
20 under subsection (d).

21 “(3) Consistent with the authorities of the National  
22 Intelligence Director (under this Act or any other provi-  
23 sion of law) and the Secretary of Defense, the Director  
24 of Military Intelligence shall be responsible for, and shall  
25 have the authority to conduct, the following functions re-

1 relating to intelligence and intelligence-related activities  
2 (whether or not relating to the forces or personnel as-  
3 signed to the Director of Military Intelligence under sub-  
4 section (d)):

5           “(A) Developing strategy, doctrine, and tactics.

6           “(B) Providing program and budget rec-  
7 ommendations for the intelligence and intelligence-  
8 related activities and missions of such forces and  
9 personnel to the National Intelligence Director (for  
10 those activities and missions under the National In-  
11 telligence Program) and to the Secretary of Defense  
12 (for those activities or missions under the Joint Mili-  
13 tary Intelligence Program or the Tactical Intel-  
14 ligence and Related Activities Program).

15           “(C) Exercising authority, direction, and con-  
16 trol over the expenditure of funds—

17                   “(i) for the forces assigned to the Director  
18 of Military Intelligence under subsection (d);

19                   “(ii) for the civilian personnel assigned to  
20 the Director of Military Intelligence under that  
21 subsection; and

22                   “(iii) for intelligence and intelligence-re-  
23 lated forces and civilian officers and employees  
24 assigned to any unified combatant command,  
25 with respect to all matters covered by para-

1 graph (4) and, with respect to a matter not cov-  
2 ered by paragraph (4), to the extent directed by  
3 the Secretary of Defense or the National Intel-  
4 ligence Director (when exercising the respon-  
5 sibilities and authorities provided under this  
6 Act or any other provision of law).

7 “(D) Training forces and personnel.

8 “(E) Conducting specialized courses of instruc-  
9 tion for commissioned and noncommissioned officers.

10 “(F) Validating requirements.

11 “(G) Establishing priorities for requirements.

12 “(H) In cooperation with the Chief Information  
13 Officer of the National Intelligence Service with re-  
14 spect to matters for which the Chief Information Of-  
15 ficer is responsible under this Act (or any other pro-  
16 vision of law), ensuring the interoperability of equip-  
17 ment and forces.

18 “(I) Formulating and submitting requirements  
19 for intelligence support.

20 “(J) Monitoring the promotions, assignments,  
21 retention, training, and professional military edu-  
22 cation of members of the Armed Forces and civilian  
23 officers and employees assigned to the Director of  
24 Military Intelligence under subsection (d).

1           “(4) Consistent with the authorities of the National  
2 Intelligence Director (under this Act or any other provi-  
3 sion of law) and the Secretary of Defense, the Director  
4 of Military Intelligence shall be responsible for—

5           “(A) ensuring the readiness of forces and per-  
6 sonnel assigned to the Director of Military Intel-  
7 ligence under subsection (d); and

8           “(B) monitoring the preparedness of forces as-  
9 signed to any unified combatant command to carry  
10 out intelligence and intelligence-related activities and  
11 missions.

12           “(5) Consistent with the authorities of the National  
13 Intelligence Director (under this Act or any other provi-  
14 sion of law) and the Secretary of Defense, the Director  
15 of Military Intelligence—

16           “(A) shall be responsible for, and shall have the  
17 authority to conduct—

18           “(i) development and acquisition of equip-  
19 ment peculiar to the performance of the intel-  
20 ligence and intelligence-related activities and  
21 missions of the forces and personnel assigned to  
22 the Director of Military Intelligence under sub-  
23 section (d); and

24           “(ii) acquisition of material, supplies, and  
25 services peculiar to the performance of the in-



1 intelligence and intelligence-related activities and  
2 missions of such forces and personnel; and

3 “(B) in carrying out functions under subpara-  
4 graph (A), shall have authority to exercise the func-  
5 tions of the head of an agency under chapter 137 of  
6 title 10, United States Code.

7 “(i) BUDGET PROPOSALS.—A budget proposal under  
8 section 166(a) of title 10, United States Code, for the  
9 funding of activities under the National Intelligence Pro-  
10 gram of the forces or personnel assigned to the Director  
11 of Military Intelligence under subsection (d) shall include  
12 proposals for such activities of such forces and personnel  
13 as the National Intelligence Director determines to be ap-  
14 propriate for inclusion.

15 “(j) INTELLIGENCE AND SPECIAL ACTIVITIES.—This  
16 section does not constitute authority to conduct any activ-  
17 ity which, if carried out as an intelligence activity by the  
18 Department of Defense, would require a notice to the Se-  
19 lect Committee on Intelligence of the Senate and the Per-  
20 manent Select Committee on Intelligence of the House of  
21 Representatives under title V.

22 “(k) REGULATIONS.—The Secretary of Defense shall,  
23 in consultation with the National Intelligence Director,  
24 prescribe regulations for the activities and missions of

1 forces and personnel assigned to the Director of Military  
2 Intelligence under this section.”.

3 **SEC. 209. RESERVE FOR CONTINGENCIES OF THE NA-**  
4 **TIONAL INTELLIGENCE DIRECTOR.**

5 (a) ESTABLISHMENT.—There is hereby established  
6 on the books of the Treasury an account to be known as  
7 the Reserve for Contingencies of the National Intelligence  
8 Director.

9 (b) ELEMENTS.—The Reserve shall consist of the fol-  
10 lowing elements:

11 (1) Amounts authorized to be appropriated to  
12 the Reserve.

13 (2) Any amounts authorized to be transferred  
14 to or deposited in the Reserve by law.

15 (c) AVAILABILITY.—Amounts in the Reserve shall be  
16 available for such purposes as are provided by law.

17 (d) TRANSFER OF FUNDS OF RESERVE FOR CONTIN-  
18 GENCIES OF CIA.—There shall be transferred to the Re-  
19 serve for Contingencies of the National Intelligence Direc-  
20 tor all unobligated balances of the Reserve for Contin-  
21 gencies of the Central Intelligence Agency as of the date  
22 of the enactment of this Act.

23 (e) CONFORMING AMENDMENT.—Section 504(a)(2)  
24 of the National Security Act of 1947 (50 U.S.C.  
25 414(a)(2)) is amended by striking “Reserve for Contin-

1 gencies of the Central Intelligence Agency” and inserting  
2 “Reserve for Contingencies of the National Intelligence  
3 Director”.

4 **SEC. 210. TRANSFER OF TERRORIST THREAT INTEGRATION**  
5 **CENTER.**

6 (a) **TRANSFER.**—There shall be transferred to the  
7 National Counterterrorism Center all functions, programs,  
8 and activities of the Terrorist Threat Integration Center  
9 (TTIC).

10 (b) **ADMINISTRATION.**—The Director of the National  
11 Counterterrorism Center shall administer the Terrorist  
12 Threat Integration Center after the date of the enactment  
13 of this Act within the National Counterterrorism Center  
14 under section 103C(d) of the National Security Act of  
15 1947 (as added by section 106 of this Act).

16 **SEC. 211. PRESERVATION OF INTELLIGENCE CAPABILITIES.**

17 (a) **IN GENERAL.**—The Secretary of Defense, the Na-  
18 tional Intelligence Director, and the Director of the Office  
19 of National Assessments shall jointly take such actions as  
20 are appropriate to preserve the intelligence capabilities of  
21 the United States during the development of the National  
22 Clandestine Service, the Office of Technical Support, and  
23 the Directorate for Human Intelligence as independent es-  
24 tablishments under this subtitle.

1 (b) USE OF ADMINISTRATIVE SERVICES.—(1) In tak-  
2 ing actions under subsection (a), the Secretary of Defense,  
3 the National Intelligence Director, and the Director of the  
4 Office of National Assessments may permit a component  
5 referred to in that subsection to continue to utilize the  
6 administrative services of the Office of National Assess-  
7 ments, of the element of the national intelligence service  
8 from which such component is drawn, or of any other ele-  
9 ment of the national intelligence service.

10 (2) The authority under paragraph (1) shall expire  
11 on September 30, 2006.

12 (3) In this subsection, the term “element of the na-  
13 tional intelligence service” means an element of the na-  
14 tional intelligence service set forth in or designated under  
15 section 3(4) of the National Security Act of 1947, as  
16 amended by this Act.

17 **Subtitle B—Other Modifications of**  
18 **Law**

19 **SEC. 221. AMENDMENTS RELATING TO ROLES OF NA-**  
20 **TIONAL INTELLIGENCE DIRECTOR AND DI-**  
21 **RECTOR OF THE CENTRAL INTELLIGENCE**  
22 **AGENCY.**

23 (a) NATIONAL SECURITY ACT OF 1947.—(1) The  
24 National Security Act of 1947, as amended by this Act,  
25 is further amended by striking “Director of Central Intel-

1 ligence” and inserting “National Intelligence Director”

2 each place it appears in the following provisions:

3 (A) Section 3(4)(L) (50 U.S.C. 401(4)(L)).

4 (B) Section 3(5)(B) (50 U.S.C. 401a(5)(B)).

5 (C) Section 3(6) (50 U.S.C. 401a(6)).

6 (D) Section 101(h)(2)(A) (50 U.S.C.  
7 402(h)(2)(A)).

8 (E) Section 101(h)(5) (50 U.S.C. 402(h)(5)).

9 (F) Section 101(i)(2)(A) (50 U.S.C.  
10 402(i)(2)(A)).

11 (G) Section 101(j) (50 U.S.C. 402(j)).

12 (H) Section 105(a) (50 U.S.C. 403–5(a)), in  
13 the matter preceding paragraph (1).

14 (I) Section 105(b)(6)(A) (50 U.S.C. 403–  
15 5(b)(6)(A)).

16 (J) Section 105B(a)(1) (50 U.S.C. 403–  
17 5b(a)(1)).

18 (K) Section 110(b) (50 U.S.C. 404e(b)).

19 (L) Section 110(c) (50 U.S.C. 404e(c)).

20 (M) Section 112(a)(1) (50 U.S.C. 404g(a)(1)).

21 (N) Section 113(b)(2)(A) (50 U.S.C.  
22 404h(b)(2)(A)).

23 (O) Section 114(a)(1) (50 U.S.C. 404i(a)(1)).

24 (P) Section 115(a)(1) (50 U.S.C. 404j(a)(1)).

25 (Q) Section 116(a) (50 U.S.C. 404k(a)).

- 1 (R) Section 117(a)(1) (50 U.S.C. 404l(a)(1)).
- 2 (S) Section 303(a) (50 U.S.C. 405(a)), both  
3 places it appears.
- 4 (T) Section 501(d) (50 U.S.C. 413(d)).
- 5 (U) Section 502(a) (50 U.S.C. 413a(a)), in the  
6 matter preceding paragraph (1).
- 7 (V) Section 503(b) (50 U.S.C. 413b(b)).
- 8 (W) Section 504(a)(2) (50 U.S.C. 414(a)(2)).
- 9 (X) Section 504(d)(2) (50 U.S.C. 414(d)(2)).
- 10 (Y) Section 506(b) (50 U.S.C. 415a(b)).
- 11 (Z) Section 506A(a)(1) (50 U.S.C. 415a-1(a)).
- 12 (AA) Section 603(a) (50 U.S.C. 423(a)).
- 13 (BB) Section 702(a)(1) (50 U.S.C. 432(a)(1)).
- 14 (CC) Section 702(a)(6)(B)(viii) (50 U.S.C.  
15 432(a)(6)(B)(viii)).
- 16 (DD) Section 702(b)(1) (50 U.S.C. 432(b)(1)),  
17 both places it appears.
- 18 (EE) Section 703(a)(1) (50 U.S.C. 432a(a)(1)).
- 19 (FF) Section 703(a)(6)(B)(viii) (50 U.S.C.  
20 432a(a)(6)(B)(viii)).
- 21 (GG) Section 703(b)(1) (50 U.S.C. 432a(b)(1)),  
22 both places it appears.
- 23 (HH) Section 704(a)(1) (50 U.S.C.  
24 432b(a)(1)).

1 (II) Section 704(f)(2)(H) (50 U.S.C.  
2 432b(f)(2)(H)).

3 (JJ) Section 704(g)(1) (50 U.S.C.  
4 432b(g)(1)), both places it appears.

5 (KK) Section 1001(a) (50 U.S.C. 441g(a)).

6 (LL) Section 1102(a)(1) (50 U.S.C.  
7 442a(a)(1)).

8 (2) That Act is further amended by striking “of Cen-  
9 tral Intelligence” each place it appears in the following  
10 provisions:

11 (A) Section 105(a)(2) (50 U.S.C. 403–5(a)(2)).

12 (B) Subsections (a)(2) and (b) of section 105B  
13 (50 U.S.C. 403–5b).

14 (C) Section 112(d)(1) (50 U.S.C. 404g(d)(1)).

15 (D) Section 114(b) (50 U.S.C. 404i(b)).

16 (E) Subsections (b) and (c)(1)(B) of section  
17 115 (50 U.S.C. 404j).

18 (F) Section 502(c) (50 U.S.C. 413a(c)).

19 (G) Subsections (b), (c), and (d) of section  
20 1102 (50 U.S.C. 442a).

21 (3) Section 114A of that Act (50 U.S.C. 404i–1) is  
22 amended by striking “Director of Central Intelligence”  
23 and inserting “Director of the Office of National Assess-  
24 ments”.

1 (4) Section 701 of that Act (50 U.S.C. 431) is  
2 amended—

3 (A) in subsection (a), by striking “Director of  
4 Central Intelligence” and inserting “Director of the  
5 Office of National Assessments, with the coordina-  
6 tion of the National Intelligence Director,”;

7 (B) in subsection (c)(3), by striking “or the Of-  
8 fice of the Director of Central Intelligence” and in-  
9 serting “the Office of the National Intelligence Di-  
10 rector, the Office of the Inspector General of the  
11 National Intelligence Service, or the Office of the  
12 Director of the Office of National Assessments”; and

13 (C) in subsection (g)(1), by striking “Director  
14 of Central Intelligence” and inserting “Director of  
15 the Office of National Assessments, with the coordi-  
16 nation of the National Intelligence Director,”.

17 (5) Section 702(a)(3)(C) of that Act (50 U.S.C.  
18 432(a)(3)(C)) is amended by adding at the end the fol-  
19 lowing new clauses:

20 “(vi) The Office of the National Intel-  
21 ligence Director.

22 “(vii) The Office of the Inspector General  
23 of the National Intelligence Service.”.



1           (6) Section 703(a)(3)(C) of that Act (50 U.S.C.  
2 432a(a)(3)(C)) is amended by adding at the end the fol-  
3 lowing new clauses:

4                   “(vi) The Office of the National Intel-  
5                   ligence Director.

6                   “(vii) The Office of the Inspector General  
7                   of the National Intelligence Service.”.

8           (7) Section 704(c)(3) of that Act (50 U.S.C.  
9 432b(c)(3)) is amended by adding at the end the following  
10 new subparagraphs:

11                   “(H) The Office of the National Intel-  
12                   ligence Director.

13                   “(I) The Office of the Inspector General of  
14                   the National Intelligence Service.”.

15           (8) The heading of section 114 of that Act (50 U.S.C.  
16 404i) is amended to read as follows:

17           “ADDITIONAL ANNUAL REPORTS FROM THE NATIONAL  
18                   INTELLIGENCE DIRECTOR”.

19           (b) CENTRAL INTELLIGENCE AGENCY ACT OF  
20 1949.—(1) Section 6 of the Central Intelligence Agency  
21 Act of 1949 (50 U.S.C. 403g) is amended by striking “Di-  
22 rector of Central Intelligence and inserting “National In-  
23 telligence Director”.

24           (2) That Act is further amended by striking “Director  
25 of Central Intelligence” each place it appears in the fol-

1 lowing provisions and inserting “Director of the Office of  
2 National Assessments”:

3 (A) Section 14(b) (50 U.S.C. 403n(b)).

4 (B) Section 16(b)(2) (50 U.S.C. 403p(b)(2)).

5 (C) Section 16(b)(3) (50 U.S.C. 403p(b)(3)),

6 both places it appears.

7 (D) Section 21(g)(1) (50 U.S.C. 403u(g)(1)).

8 (E) Section 21(g)(2) (50 U.S.C. 403u(g)(2)).

9 (3) That Act is further amended by striking “of Cen-  
10 tral Intelligence” in each of the following provisions:

11 (A) Section 16(c)(1)(B) (50 U.S.C.  
12 403p(c)(1)(B)).

13 (B) Section 17(d)(1) (50 U.S.C. 403q(d)(1)).

14 (C) Section 17(f) (50 U.S.C. 403q(f)), both  
15 places it appears.

16 (D) Section 20(c) (50 U.S.C. 403t(c)).

17 (e) CENTRAL INTELLIGENCE AGENCY RETIREMENT  
18 ACT.—(1) Paragraph (2) of section 101 of the Central  
19 Intelligence Agency Retirement Act (50 U.S.C. 2001) is  
20 amended to read as follows:

21 “(2) DIRECTOR.—The term ‘Director’ means  
22 the Director of the Office of National Assess-  
23 ments.”.

24 (2) Section 201 of that Act (50 U.S.C. 2011) is  
25 amended—

1 (A) in the captions for paragraph (2) of sub-  
2 section (a) and subsection (c), by striking “DCI”  
3 and inserting “DCIA”; and

4 (B) in subsection (c), by striking “paragraph  
5 (6) of section 103(c) of the National Security Act of  
6 1947 (50 U.S.C. 403–3(c)) that the Director of Cen-  
7 tral Intelligence” and inserting “section 102A(b)(9)  
8 of the National Security Act of 1947 that the Na-  
9 tional Intelligence Director”.

10 (d) CIA VOLUNTARY SEPARATION PAY ACT.—Sub-  
11 section (a)(1) of section 2 of the Central Intelligence  
12 Agency Voluntary Separation Pay Act (50 U.S.C. 2001  
13 note) is amended to read as follows:

14 “(1) the term ‘Director’ means the Director of  
15 the Office of National Assessments;”.

16 (e) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF  
17 1978.—The Foreign Intelligence Surveillance Act of 1978  
18 (50 U.S.C. 1801 et seq.) is amended by striking “Director  
19 of Central Intelligence” each place it appears and insert-  
20 ing “National Intelligence Director”.

21 (f) CLASSIFIED INFORMATION PROCEDURES ACT.—  
22 Section 9(a) of the Classified Information Procedures Act  
23 (5 U.S.C. App.) is amended by striking “Director of Cen-  
24 tral Intelligence” and inserting “National Intelligence Di-  
25 rector”.

1 (g) INTELLIGENCE AUTHORIZATION ACTS.—

2 (1) PUBLIC LAW 103–359.—Section 811(c)(6)(C)  
3 of the Counterintelligence and Security Enhance-  
4 ments Act of 1994 (title VIII of Public Law 103–  
5 359) is amended by striking “Director of Central In-  
6 telligence” and inserting “National Intelligence Di-  
7 rector”.

8 (2) PUBLIC LAW 107–306.—(A) Section 313(a)  
9 of the Intelligence Authorization Act for Fiscal Year  
10 2003 (Public Law 107–306; 50 U.S.C. 404n) is  
11 amended by striking “Director of Central Intel-  
12 ligence, acting as the head of the intelligence com-  
13 munity,” and inserting “National Intelligence Direc-  
14 tor”.

15 (B) Section 341 of that Act (50 U.S.C. 404n–  
16 1) is amended by striking “Director of Central Intel-  
17 ligence, acting as the head of the intelligence com-  
18 munity, shall establish in the Central Intelligence  
19 Agency” and inserting “National Intelligence Direc-  
20 tor shall establish within the national intelligence  
21 service”.

22 (C) Section 343(a)(1) of that Act (50 U.S.C.  
23 404n–2(a)(1)) is amended by striking “Director of  
24 Central Intelligence, acting as the head of the Intel-

1       ligence Community,” and inserting “National Intel-  
2       ligence Director”.

3               (D) Section 352(b) of that Act (50 U.S.C. 404–  
4       3 note) is amended by striking “The Director” and  
5       inserting “The National Intelligence Director”.

6               (E) That Act is further amended by striking  
7       “Director of Central Intelligence” each place it ap-  
8       pears in the following provisions and inserting “Na-  
9       tional Intelligence Director”:

10               (i) Section 902(a)(2) (50 U.S.C.  
11       402b(a)(2)).

12               (ii) Section 904(e)(4) (50 U.S.C.  
13       402c(e)(4)).

14               (iii) Section 904(e)(5) (50 U.S.C.  
15       402c(e)(5)).

16               (iv) Section 904(h)(1) (50 U.S.C.  
17       402c(h)(1)).

18               “(v) Section 904(m) (50 U.S.C. 402c(m)).

19               (F) That Act is further amended by striking  
20       “Office of the Director of Central Intelligence” each  
21       place it appears in the following provisions and in-  
22       serting “Office of the National Intelligence Direc-  
23       tor”:

24               (i) Section 904(c).

25               (ii) Section 904(l).

1           (3) PUBLIC LAW 108–177.—(A) The Intelligence  
2           Authorization Act for Fiscal Year 2004 (Public Law  
3           108–177) is amended by striking “Director of Cen-  
4           tral Intelligence” each place it appears in the fol-  
5           lowing provisions and inserting “National Intel-  
6           ligence Director”:

7                   (i) Section 317(a) (50 U.S.C. 403–3 note).

8                   (ii) Section 317(h)(1).

9                   (iii) Section 318(a) (50 U.S.C. 441g note).

10                  (iv) Section 319(b) (50 U.S.C. 403 note).

11                  (v) Section 341(b) (28 U.S.C. 519 note).

12                  (vi) Section 357(a) (50 U.S.C. 403 note).

13                  (vii) Section 504(a) (117 Stat. 2634), both  
14                  places it appears.

15           (B) Section 319(f)(2) of that Act (50 U.S.C.  
16           403 note) is amended by striking “Director” the  
17           first place it appears and inserting “National Intel-  
18           ligence Director”.

19           (C) Section 404 of that Act (18 U.S.C. 4124  
20           note) is amended by striking “Director of Central  
21           Intelligence” and inserting “Director of the Office of  
22           National Assessments”.

23           (i) USA PATRIOT ACT OF 2001.—The USA PA-  
24           TRIOT Act of 2001 (Public Law 107–56) is amended by  
25           striking “Director of Central Intelligence” and inserting

1 “National Intelligence Director” each place it appears in  
2 the following provisions:

3 (1) Section 203(d)(1) (50 U.S.C. 403–5d(d)(1))

4 both places it appears.

5 (2) Section 908(a) (115 Stat. 391).

6 (3) Section 1006(b) (115 Stat. 394).

7 (j) HOMELAND SECURITY ACT OF 2002.—The  
8 Homeland Security Act of 2002 (Public Law 107–296)  
9 is amended by striking “Director of Central Intelligence”  
10 and inserting “National Intelligence Director” each place  
11 it appears in the following provisions:

12 (1) Section 201(d)(10).

13 (2) Section 201(d)(12)(B).

14 (3) Section 202(c).

15 (4) Section 202(d)(2).

16 (5) Section 601(c)(6).

17 (6) Section 601(e).

18 (7) Section 601(f).

19 (8) Section 892(b)(7).

20 (9) Section 892(c)(3)(D).

21 (10) Section 1001(c)(1)(A).

22 (k) TITLE 18, UNITED STATES CODE.—(1) Section  
23 2517(8) of title 18, United States Code, is amended by  
24 striking “Director of Central Intelligence” and inserting  
25 “National Intelligence Director”.

1           (2) Subsections (d)(7)(B)(iv) and (i)(5)(B)(iv) of  
2 such title are each amended by striking “Director of Cen-  
3 tral Intelligence” and inserting “National Intelligence Di-  
4 rector, or the head of another element of the national in-  
5 telligence service”.

6           (1) TITLE 44, UNITED STATES CODE.—Section  
7 3535(g)(3) of title 44, United States Code, as added by  
8 section 1001 of the Federal Information Security Manage-  
9 ment Act of 2002 (title X of Public Law 107–296), is fur-  
10 ther amended by striking “Director of Central Intel-  
11 ligence” and inserting “National Intelligence Director”.

12           (m) FEDERAL RULES OF CRIMINAL PROCEDURE.—  
13 Paragraphs (2) and (3) of section 6(e) of the Federal  
14 Rules of Criminal Procedure are each amended by striking  
15 “Director of Central Intelligence” and inserting “National  
16 Intelligence Director”.

17 **SEC. 222. OTHER AMENDMENTS RELATING TO MODIFICA-**  
18 **TION OF MANAGEMENT OF NATIONAL INTEL-**  
19 **LIGENCE SERVICE.**

20           (a) NATIONAL SECURITY ACT OF 1947.—The Na-  
21 tional Security Act of 1947, as amended by this Act, is  
22 further amended as follows:

23           (1) In section 101(j) (50 U.S.C. 402(j)), by  
24 striking “Deputy Director of Central Intelligence”



1 and inserting “Deputy National Intelligence Direc-  
2 tor”.

3 (2) In section 105(b) (50 U.S.C. 403–5(b)), by  
4 striking “sections 103 and 104 of this Act” in the  
5 matter preceding paragraph (1) and inserting “sec-  
6 tions 102A and 102B”.

7 (3) In section 112(d)(1) (50 U.S.C.  
8 404g(d)(1)), by striking “section 103(c)(6) of this  
9 Act” and inserting “section 102A(b)(9)”.

10 (4) In section 116(b) (50 U.S.C. 404k(b)), by  
11 striking “Deputy Director of Central Intelligence”  
12 and all that follows and inserting “Deputy National  
13 Intelligence Director, the Assistant National Intel-  
14 ligence Director for Collection, the Assistant Na-  
15 tional Intelligence Director for Analysis and Produc-  
16 tion, or the Assistant National Intelligence Director  
17 for Research, Development, and Acquisition when  
18 necessary for officers or employees of the element  
19 under the direction, supervision, and control of such  
20 official.”.

21 (5) In section 506A(b) (50 U.S.C. 415a–1(b)),  
22 by striking “Office of the Deputy Director of Cen-  
23 tral Intelligence for Community Management” and  
24 inserting “Office of the National Intelligence Direc-  
25 tor”.

1           (6) In section 1001(b) (50 U.S.C. 441g(b)), by  
2           striking “Assistant Director of Central Intelligence  
3           for Administration” and inserting “Assistant Na-  
4           tional Intelligence Director for Analysis and Produc-  
5           tion”.

6           (b) CENTRAL INTELLIGENCE AGENCY OF 1949.—  
7           The Central Intelligence Agency Act of 1949, as amended  
8           by this Act, is further amended as follows:

9           (1) In section 5(1) (50 U.S.C. 403f(1)), by  
10          striking “paragraphs (2) and (3)” and all that fol-  
11          lows through “and 405)” and inserting “section  
12          104(d) of the National Security Act of 1947”.

13          (2) In section 6, by striking “section 103(e)(6)  
14          of the National Security Act of 1947 (50 U.S.C.  
15          403–3(e)(6))” and inserting “section 102A(b)(9) of  
16          the National Security Act of 1947”.

17          (c) NATIONAL SECURITY AGENCY ACT OF 1959.—  
18          (1) The National Security Agency Act of 1959, as amend-  
19          ed by this Act, is further amended by striking “Secretary  
20          of Defense” each place it appears in the following provi-  
21          sions and inserting “Assistant National Intelligence Direc-  
22          tor for Collection”:

23                (A) Section 5.

24                (B) Section 9(a).

25                (C) Section 9(b), each place it appear.

- 1 (D) Section 9(e).  
2 (E) Section 9(d).  
3 (F) Section 10(i).  
4 (G) Section 12(a), each place it appears.  
5 (H) Section 12(b), each place it appears.  
6 (I) Section 16(b).  
7 (J) Section 16(d)(3), each place it appears.  
8 (K) Section 16(g).  
9 (L) Section 18(a).

10 (2) Section 9(b)(1)(B) of that Act is amended by  
11 striking “Director of Central Intelligence” and inserting  
12 “Director of the Office of National Assessments”.

13 (3) Section 10(e)(1) of such Act is amended by strik-  
14 ing “To the extent not inconsistent, in the opinion of the  
15 Secretary of Defense,” and inserting “To the extent re-  
16 quired, and to the extent considered by the Assistant Na-  
17 tional Intelligence Director for Collection (in consultation  
18 with the Assistant National Intelligence for Military Sup-  
19 port) to be not inconsistent”.

20 (d) TITLE 18, UNITED STATES CODE.—Section  
21 115(e)(4) of title 18, United States Code, is amended by  
22 striking “Director of the Central Intelligence Agency” and  
23 inserting “National Intelligence Director”.

24 (e) TITLE 31, UNITED STATES CODE.—Section  
25 1344(b)(6) of title 31, United States Code, is amended

1 by striking “Director of the Central Intelligence Agency”  
2 and inserting “National Intelligence Director”.

3 (f) TITLE 49, UNITED STATES CODE.—Section  
4 115(b)(1)(F) of title 49, United States Code, is amended  
5 by striking “Director of the Central Intelligence Agency”  
6 and inserting “National Intelligence Director”.

7 (g) INSPECTOR GENERAL ACT OF 1978.—Section  
8 8H(a)(1) of the Inspector General Act of 1978 (5 U.S.C.  
9 App. 8H(a)(1)) is amended—

10 (1) in subparagraph (A), by striking “the Na-  
11 tional Geospatial-Intelligence Agency, the National  
12 Reconnaissance Office, or the National Security  
13 Agency, or of contractor of any of those Agencies,”  
14 and inserting “or of a contractor of that Agency,”;  
15 and

16 (2) in subparagraph (C), by striking “other em-  
17 ployee of, or contractor to, an executive agency,”  
18 and inserting “employee of, or contractor to, the Na-  
19 tional Geospatial-Intelligence Agency, the National  
20 Reconnaissance Office, or the National Security  
21 Agency, or any other executive agency,”.

22 (h) PUBLIC LAW 107–306.—Section 343 of the Intel-  
23 ligence Authorization Act for Fiscal Year 2003, as amend-  
24 ed by this Act, is further amended—

1           (1) in subsection (c), by striking “section  
2           103(c)(6) of the National Security Act of 1947 (50  
3           U.S.C. 403–3(c)(6))” and inserting “section  
4           102A(b)(9) of the National Security Act of 1947”;  
5           and

6           (2) in subsection (e)(2), by striking “section  
7           103(c)(6)” and inserting “section 102A(b)(9)”.

8           (i) PUBLIC LAW 108–177.—The Intelligence Author-  
9           ization Act for Fiscal Year 2004, as amended by this Act,  
10          is further amended by striking “Assistant Director of Cen-  
11          tral Intelligence for Analysis and Production” each place  
12          it appears in the following provisions and inserting Assist-  
13          ant National Intelligence Director for Analysis and Pro-  
14          duction”:

15               (1) Section 317(g).

16               (2) Section 318(e).

17          (j) PUBLIC LAW 94–479.—Section 5(c) of the Na-  
18          tional Materials and Minerals Policy, Research, and Devel-  
19          opment Act of 1980 (Public Law 94–479; 94 Stat. 2308;  
20          30 U.S.C. 1604) is amended by striking “Director of the  
21          Central Intelligence Agency,” and inserting “National In-  
22          telligence Director,”.

1 **SEC. 223. TREATMENT OF OFFICE OF NATIONAL INTEL-**  
2 **LIGENCE DIRECTOR AS ELEMENT OF THE NA-**  
3 **TIONAL INTELLIGENCE SERVICE.**

4 Subparagraph (A) of section 3(4) of the National Se-  
5 curity Act of 1947 (50 U.S.C. 401a(4)) is amended to  
6 read as follows:

7 “(A) the Office of the National Intelligence Di-  
8 rector;”.

9 **SEC. 224. COORDINATION WITH SECRETARY OF DEFENSE**  
10 **REGARDING INTELLIGENCE AND INTEL-**  
11 **LIGENCE-RELATED ACTIVITIES.**

12 (a) IN GENERAL.—Subsection (a) of section 105 of  
13 the National Security Act of 1947 (50 U.S.C. 403–5) is  
14 amended—

15 (1) by redesignating paragraphs (2) through  
16 (6) as paragraphs (3) through (7), respectively;

17 (2) by striking paragraph (1) and inserting the  
18 following new paragraphs:

19 “(1) ensure that—

20 “(A) the budgets of the elements of the na-  
21 tional intelligence service within the Depart-  
22 ment of Defense relating to the tactical intel-  
23 ligence activities of such elements are adequate  
24 to satisfy the tactical intelligence needs of the  
25 Department of Defense, including the needs of  
26 the chairman of the Joint Chiefs of Staff and

1 the commanders of the unified and specified  
2 commands; and

3 “(B) the budgets of the elements of the  
4 national intelligence service within the Depart-  
5 ment of Defense relating to the intelligence and  
6 intelligence-related activities of such elements—

7 “(i) comply with the requirements and  
8 priorities specified by the Director with re-  
9 spect to the National Intelligence Program;  
10 and

11 “(ii) conform, to the maximum extent, to  
12 the guidance provided by the Director to  
13 such elements on those portions of their  
14 budgets in the Joint Military Intelligence  
15 Program and the Tactical Intelligence and  
16 Related Activities Program;

17 “(2) ensure, through the Assistant National In-  
18 telligence Director for Military Support, that the na-  
19 tional intelligence needs of the Department of De-  
20 fense, including the needs of the chairman of the  
21 Joint Chiefs of Staff and the commanders of the  
22 unified and specified commands, are conveyed to the  
23 Director for purposes of setting requirements and  
24 priorities for national intelligence;”;

1           (3) in paragraph (3), as so redesignated, by  
2 striking “appropriate”; and

3           (4) in paragraph (5), as so redesignated, by in-  
4 sserting “and comply with the national intelligence  
5 decisions of the Director” before the semicolon.

6           (b) SPECIFIC FUNCTIONS.—Subsection (b) of such  
7 section is amended—

8           (1) by striking paragraphs (1), (2), (3), and  
9 (5);

10           (2) by redesignating paragraphs (4) and (6) as  
11 paragraphs (1) and (2), respectively; and

12           (3) in paragraph (1), as so redesignated—

13           (A) by striking “or the National Security  
14 Council)” and inserting “, the National Secu-  
15 rity Council, or the National Intelligence Direc-  
16 tor (when exercising the responsibilities and au-  
17 thorities provided under this Act or any other  
18 provision of law))”; and

19           (B) by adding “and” at the end.

20           (c) ANNUAL EVALUATION OF PERFORMANCE OF  
21 CERTAIN OFFICIALS.—Such section is further amended  
22 by adding at the end the following new subsection:

23           “(d) ANNUAL EVALUATION OF PERFORMANCE OF  
24 CERTAIN OFFICIALS.—(1) The Secretary of Defense shall,  
25 in consultation with the Chairman of the Joint Chiefs of



1 Staff, submit each year to the National Security Council,  
2 the National Intelligence Director, and the appropriate  
3 committees of Congress an evaluation of the performance  
4 and responsiveness to military intelligence requirements of  
5 the officials specified in paragraph (2).

6 “(2) The officials specified in this paragraph are as  
7 follows:

8 “(A) The Assistant National Intelligence Direc-  
9 tor for Collection.

10 “(B) The Director of the National Security  
11 Agency.

12 “(C) The Director of the National Geospatial-  
13 Intelligence Agency.

14 “(D) The Director of the National Reconnaissance  
15 Office.

16 “(3) In this subsection, the term ‘appropriate com-  
17 mittees of Congress’ means—

18 “(A) the Committees on Armed Service and Ap-  
19 propriations and the Select Committee on Intel-  
20 ligence of the Senate; and

21 “(B) the Committees on Armed Service and Ap-  
22 propriations and the Permanent Select Committee  
23 on Intelligence of the House of Representatives.”.

1 **SEC. 225. ROLE OF NATIONAL INTELLIGENCE DIRECTOR IN**  
2 **CERTAIN RECOMMENDATIONS TO THE PRESI-**  
3 **DENT ON APPOINTMENTS TO THE NATIONAL**  
4 **INTELLIGENCE SERVICE.**

5 Section 106 of the National Security Act of 1947 (50  
6 U.S.C. 403–6) is amended to read as follows:

7 “ROLE OF NATIONAL INTELLIGENCE DIRECTOR IN CER-  
8 TAIN RECOMMENDATIONS TO THE PRESIDENT ON  
9 APPOINTMENTS TO THE NATIONAL INTELLIGENCE  
10 SERVICE

11 “SEC. 106. (a) RECOMMENDATIONS ON CERTAIN AP-  
12 POINTMENTS.—(1) In the event of a vacancy in a position  
13 referred to in paragraph (2), the National Intelligence Di-  
14 rector shall recommend to the President an individual for  
15 appointment to the position.

16 “(2) Paragraph (1) applies to the following positions:

17 “(A) The Director of the National Security  
18 Agency.

19 “(B) The Director of the Defense Intelligence  
20 Agency.

21 “(C) The Director of the National Geospatial-  
22 Intelligence Agency.

23 “(D) The Director of the National Reconnaissance  
24 Office.

25 “(b) CONCURRENCE IN CERTAIN APPOINTMENTS.—  
26 (1) In the event of a vacancy in a position referred to

1 in paragraph (2), the head of the department or agency  
2 having jurisdiction over the position shall obtain the con-  
3 currence of the National Intelligence Director before rec-  
4 ommending to the President an individual for appointment  
5 to the Position. If the Director does not concur in the rec-  
6 ommendation, the head of the department or agency may  
7 make the recommendation to the President without the  
8 concurrence of the Director, but shall include in the rec-  
9 ommendation a statement that the Director does not con-  
10 cur in the recommendation.

11 “(2) Paragraph (1) applies to the following positions:

12 “(A) The Under Secretary of Defense for Intel-  
13 ligence.

14 “(B) The Under Secretary of Homeland Secu-  
15 rity for Information Analysis and Infrastructure  
16 Protection.

17 “(C) The Assistant Secretary of State for Intel-  
18 ligence and Research.

19 “(D) The Assistant Secretary for Intelligence  
20 and Analysis of the Department of the Treasury.

21 “(E) The Assistant Secretary for Terrorist Fi-  
22 nancing of the Department of the Treasury.

23 “(F) The Director of the Office of Intelligence  
24 of the Department of Energy.

1           “(G) The Director of the Office of Counterintel-  
2           ligence of the Department of Energy.

3           “(H) The Executive Assistant Director for  
4           Counterterrorism and Counterintelligence of the  
5           Federal Bureau of Investigation.

6           “(I) The Assistant Commandant of the Coast  
7           Guard for Intelligence.”.

8   **SEC. 226. REPEAL OF SUPERSEDED AUTHORITY ON COL-**  
9                           **LECTION TASKING.**

10          Section 111 of the National Security Act of 1947 (50  
11   U.S.C. 404f) is repealed.

12   **SEC. 227. MODIFICATION OF REQUIREMENTS AND LIMITA-**  
13                           **TIONS ON FUNDING OF INTELLIGENCE AC-**  
14                           **TIVITIES.**

15          Paragraph (3) of section 504(a) of the National Se-  
16   curity Act of 1947 (50 U.S.C. 414(a)) is amended to read  
17   as follows:

18           “(3) in the case of funds specifically authorized  
19           by the Congress for a specific activity—

20                   “(A) if the funds are appropriated to the  
21           National Intelligence Director under section  
22           102B(c), such funds are reprogrammed under  
23           section 102B(d) or transferred under section  
24           102B(e); or

1           “(B) if the funds are for an intelligence or  
2 intelligence-related activity but not appropriated  
3 to the National Intelligence Director under sec-  
4 tion 102B(c)—

5           “(i) the activity to be funded is a  
6 higher priority intelligence or intelligence-  
7 related activity; and

8           “(ii) the National Intelligence Direc-  
9 tor, the Secretary of Defense, the Attorney  
10 General, or other appropriate official has  
11 notified the appropriate congressional com-  
12 mittees of the intent to make such funds  
13 available for such activity.”.

14 **SEC. 228. TRANSMITTAL DATES OF SEMIANNUAL REPORTS**  
15 **OF INSPECTOR GENERAL OF THE NATIONAL**  
16 **INTELLIGENCE SERVICE.**

17       Section 507(d) of the National Security Act of 1947  
18 (50 U.S.C. 415f(d)) is amended—

19           (1) by redesignating paragraphs (1) through  
20 (6) as paragraphs (2) through (7), respectively; and

21           (2) by inserting before paragraph (2), as so re-  
22 designated, the following new paragraph (1):

23           “(1) The semiannual reports of the Inspector  
24 General of the National Intelligence Service required

1 to be transmitted by the National Intelligence Direc-  
2 tor under section 103H(g)(2).”.

3 **SEC. 229. CONFORMING AMENDMENT RELATING TO DUAL**  
4 **SERVICE OF UNDER SECRETARY OF DEFENSE**  
5 **FOR INTELLIGENCE.**

6 Section 137(b) of title 10, United States Code, is  
7 amended—

8 (1) by inserting “(1)” after “(b)”; and

9 (2) by adding at the end the following new  
10 paragraph:

11 “(2) In addition to the duties and powers under para-  
12 graph (1), the Under Secretary of Defense for Intelligence  
13 serves as Assistant National Intelligence Director for Mili-  
14 tary Support under section 103G of the National Security  
15 Act of 1947, and, in that capacity, has the responsibilities  
16 specified in subsection (b) of such section.”.

17 **SEC. 230. OVERSIGHT OF COMBAT SUPPORT AGENCIES OF**  
18 **THE NATIONAL INTELLIGENCE SERVICE.**

19 (a) OVERSIGHT.—(1) Chapter 8 of title 10, United  
20 States Code, is amended by inserting after section 193 the  
21 following new section:

22 **“§ 193a. Combat support agencies of the national in-**  
23 **telligence service: oversight**

24 “(a) COMBAT READINESS.—(1) Every two years (or  
25 sooner, if approved by the National Intelligence Director),

1 the Chairman of the Joint Chiefs of Staff shall, in con-  
2 sultation with the Secretary of Defense, submit to the Na-  
3 tional Intelligence Director a report on the combat support  
4 agencies of the national intelligence service. Each report  
5 shall include—

6           “(A) a determination with respect to the re-  
7 sponsiveness and readiness of each such agency to  
8 support operating forces in the event of a war or  
9 threat to national security; and

10           “(B) any recommendations that the Chairman  
11 considers appropriate.

12           “(2) In preparing each report, the Chairman shall re-  
13 view the plans of each combat support agency of the na-  
14 tional intelligence service with respect to its support of op-  
15 erating forces in the event of a war or threat to national  
16 security. After consultation with the Secretaries of the  
17 military departments and the commanders of the unified  
18 and specified combatant commands, as appropriate, the  
19 Chairman may, with the approval of the Secretary of De-  
20 fense, provide the National Intelligence Director any rec-  
21 ommendations for modifications of such plans that the  
22 Chairman considers appropriate.

23           “(b) PARTICIPATION IN JOINT TRAINING EXER-  
24 CISES.—The Chairman shall, through the Assistant Na-

1 tional Intelligence Director for Military Support and with  
2 the cooperation of the National Intelligence Director—

3 “(1) provide for the participation of the combat  
4 support agencies of the national intelligence service  
5 in joint training exercises to the extent necessary to  
6 ensure that such agencies are capable of performing  
7 their support missions with respect to a war or  
8 threat to national security; and

9 “(2) assess the performance in joint training  
10 exercises of each combat support agency of the na-  
11 tional intelligence service and, in accordance with  
12 guidelines established by the Secretary of Defense,  
13 take steps to provide the National Intelligence Direc-  
14 tor recommendations for any change that the Chair-  
15 man considers appropriate to improve that perform-  
16 ance.

17 “(c) READINESS REPORTING SYSTEM.—The Chair-  
18 man shall develop, in consultation with the director of each  
19 combat support agency of the national intelligence service,  
20 a uniform system for reporting to the Secretary of De-  
21 fense, the commanders of the unified and specified com-  
22 batant commands, and the Secretaries of the military de-  
23 partments concerning the readiness of each combat sup-  
24 port agency of the national intelligence service to perform  
25 with respect to a war or threat to national security.



1           “(d) REVIEW OF NSA, NGA, AND NRO.—(1) Sub-  
2 sections (a), (b), and (c) shall apply to the National Secu-  
3 rity Agency, the National Geospatial-Intelligence Agency,  
4 and the National Reconnaissance Office, but only with re-  
5 spect to combat support functions that such agencies per-  
6 form for the Department of Defense.

7           “(2) The Secretary of Defense shall, in coordination  
8 with the National Intelligence Director, establish policies  
9 and procedures with respect to the application of sub-  
10 sections (a), (b), and (c) to the National Security Agency,  
11 the National Geospatial-Intelligence Agency, and the Na-  
12 tional Reconnaissance Office.

13           “(e) COMBAT SUPPORT CAPABILITIES OF DIA, NSA,  
14 NGA, AND NRO.—The Secretary of Defense and the Na-  
15 tional Intelligence Director shall jointly develop and imple-  
16 ment such policies and programs as they determine nec-  
17 essary to correct such deficiencies as the Chairman of the  
18 Joint Chiefs of Staff and other officials of the Department  
19 of Defense may identify in the capabilities of the Defense  
20 Intelligence Agency, the National Security Agency, the  
21 National Geospatial-Intelligence Agency, and the National  
22 Reconnaissance Office to accomplish assigned missions in  
23 support of military combat operations.

24           “(f) COMBAT SUPPORT AGENCY OF THE NATIONAL  
25 INTELLIGENCE SERVICE DEFINED.—In this section, the

1 term ‘combat support agency of the national intelligence  
2 service’ means any of the following agencies:

3 “(1) The National Security Agency.

4 “(2) The Defense Intelligence Agency.

5 “(3) The National Geospatial-Intelligence Agen-  
6 cy.

7 “(4) The National Reconnaissance Office.”.

8 (2) The table of sections at the beginning of sub-  
9 chapter I of chapter 8 of such title is amended by inserting  
10 after the item relating to section 193 the following new  
11 item:

“193a. Combat support agencies of the national intelligence service: oversight.”.

12 (b) CONFORMING AMENDMENT.—Section 193(f) of  
13 such title is amended—

14 (1) by striking paragraphs (2) and (4); and

15 (2) by redesignating paragraphs (3) and (5) as  
16 paragraphs (2) and (3), respectively.

17 **SEC. 231. LIMITATIONS AND AUTHORITIES ON MILITARY**  
18 **STATUS OF NATIONAL INTELLIGENCE DIREC-**  
19 **TOR AND DEPUTY NATIONAL INTELLIGENCE**  
20 **DIRECTOR.**

21 (a) LIMITATION ON SIMULTANEOUS SERVICE IN  
22 MILITARY STATUS.—Not more than one of the individuals  
23 serving in the positions specified in subsection (b) may be  
24 a commissioned officer of the Armed Forces, whether in  
25 active or retired status.

1 (b) COVERED POSITIONS.—The positions referred to  
2 in this subsection are the following:

3 (1) The National Intelligence Director.

4 (2) The Deputy National Intelligence Director.

5 (c) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that, under ordinary circumstances, it is desirable  
7 that one of the individuals serving in the positions referred  
8 to in subsection (b)—

9 (1) be a commissioned officer of the Armed  
10 Forces, whether in active or retired status; or

11 (2) have, by training or experience, an apprecia-  
12 tion of military intelligence activities and require-  
13 ments.

14 (d) PROHIBITION ON MILITARY SUPERVISION OR  
15 CONTROL.—A commissioned officer of the Armed Forces,  
16 while serving in a position referred to in subsection (b)—

17 (1) shall not be subject to supervision or control  
18 by the Secretary of Defense or by any officer or em-  
19 ployee of the Department of Defense;

20 (2) shall not exercise, by reason of the officer's  
21 status as a commissioned officer, any supervision or  
22 control with respect to any of the military or civilian  
23 personnel of the Department of Defense except as  
24 otherwise authorized by law; and



1           (1) by striking the items relating to sections  
2           102 through 104 and inserting the following new  
3           items:

- “Sec. 102. National Intelligence Director.
- “Sec. 102A. Responsibilities of the National Intelligence Director.
- “Sec. 102B. Authorities of the National Intelligence Director.
- “Sec. 103. Office of the National Intelligence Director.
- “Sec. 103A. Deputy National Intelligence Director.
- “Sec. 103B. National Intelligence Council.
- “Sec. 103C. National intelligence centers.
- “Sec. 103D. Assistant National Intelligence Director for Collection.
- “Sec. 103E. Assistant National Intelligence Director for Analysis and Production.
- “Sec. 103F. Assistant National Intelligence Director for Research, Development, and Acquisition.
- “Sec. 103G. Assistant National Intelligence Director for Military Support.
- “Sec. 103H. Inspector General of the National Intelligence Service.
- “Sec. 103I. General Counsel of the National Intelligence Service.
- “Sec. 103J. Chief Information Officer of the National Intelligence Service.
- “Sec. 103K. Chief Financial Officer of the National Intelligence Service.
- “Sec. 104. Director of the Office of National Assessments.
- “Sec. 104A. Office of National Assessments.”;

4           (2) by striking the items relating to sections  
5           105, 105A, and 105B and inserting the following  
6           new items:

- “Sec. 105. Responsibilities of the Secretary of Defense pertaining to the National Intelligence Program.
- “Sec. 105A. Military intelligence.
- “Sec. 105B. Assistance to United States law enforcement agencies.
- “Sec. 105C. Disclosure of foreign intelligence acquired in criminal investigations; notice of criminal investigations of foreign intelligence sources.”;

7           (3) by striking the item relating to section 106  
8           and inserting the following new item:

- “Sec. 106. Role of National Intelligence Director in certain recommendations to the President on appointments to the national intelligence service.”;

9           (4) by striking the item relating to section 111;

1 (5) by striking the item relating to section 114  
2 and inserting the following new item

“Sec. 114. Additional annual reports from the National Intelligence Director.”;

3 and

4 (6) by striking the item relating to section 506  
5 and inserting the following new item:

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

6 **SEC. 233. EXECUTIVE SCHEDULE MATTERS.**

7 (a) EXECUTIVE SCHEDULE LEVEL I.—Section 5312  
8 of title 5, United States Code, is amended by adding at  
9 the end the following new item:

10 “National Intelligence Director.”.

11 (b) EXECUTIVE SCHEDULE LEVEL II.—Section 5313  
12 of title 5, United States Code, is amended—

13 (1) by striking the item relating to the Director  
14 of Central Intelligence; and

15 (2) by adding at the end the following new  
16 item:

17 “Deputy National Intelligence Director.”.

18 (c) EXECUTIVE SCHEDULE LEVEL III.—Section  
19 5314 of title 5, United States Code, is amended—

20 (1) by striking the item relating to the Deputy  
21 Directors of Central Intelligence; and

22 (2) by adding at the end the following new  
23 items:

1           “Assistant National Intelligence Director for  
2           Collection.

3           “Assistant National Intelligence Director for  
4           Analysis and Production.

5           “Assistant National Intelligence Director for  
6           Research, Development, and Acquisition.”.

7           (d) EXECUTIVE SCHEDULE LEVEL IV.—Section  
8           5315 of title 5, United States Code, is amended—

9           (1) by striking the item relating to the Assist-  
10          ant Directors of Central Intelligence;

11          (2) by striking the item relating to the General  
12          Counsel of the Central Intelligence Agency; and

13          (3) by adding at the end the following new  
14          items:

15          “Inspector General of the National Intelligence  
16          Service.

17          “General Counsel of the National Intelligence  
18          Service.

19          “Chief Information Officer of the National In-  
20          telligence Service.

21          “Chief Financial Officer of the National Intel-  
22          ligence Service.”.

23   **SEC. 234. GENERAL REFERENCES.**

24          (a) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD  
25          OF INTELLIGENCE COMMUNITY.—Any reference to the

1 Director of Central Intelligence or the Director of the Cen-  
2 tral Intelligence Agency in the Director's capacity as the  
3 head of the intelligence community in any law, regulation,  
4 document, paper, or other record of the United States  
5 shall be deemed to be a reference to the National Intel-  
6 ligence Director.

7 (b) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD  
8 OF CIA.—Any reference to the Director of Central Intel-  
9 ligence or the Director of the Central Intelligence Agency  
10 in the Director's capacity as the head of the Central Intel-  
11 ligence Agency in any law, regulation, document, paper,  
12 or other record of the United States shall be deemed to  
13 be a reference to the Director of the Office of National  
14 Assessments.

15 (c) NATIONAL FOREIGN INTELLIGENCE PROGRAM.—  
16 Any reference to the National Foreign Intelligence Pro-  
17 gram in any law, regulation, document, paper, or other  
18 record of the United States shall be deemed to be a ref-  
19 erence to the National Intelligence Program.

20 (d) CENTRAL INTELLIGENCE AGENCY.—Any ref-  
21 erence to the Central Intelligence Agency in any law, regu-  
22 lation, document, paper, or other record of the United  
23 States shall be deemed to be a reference as follows:

24 (1) In the case of a reference to a component  
25 of the Agency made a part of the Office of National



1 Assessments under section 104A of the National Se-  
2 curity Act of 1947, as amended by section 201 of  
3 this Act, to the Office of National Assessments.

4 (2) In the case of a reference to a component  
5 of the Agency made a part of the National Clandes-  
6 tine Service under section 205, to the National Clan-  
7 destine Service.

8 (3) In the case of a reference to a component  
9 of the Agency made a part of the Office of Technical  
10 Support under section 206, to the Office of Tech-  
11 nical Support.

12 (e) INTELLIGENCE COMMUNITY.—Any reference to  
13 the intelligence community in any law, regulation, docu-  
14 ment, paper, or other record of the United States shall  
15 be deemed to be a reference to the national intelligence  
16 service.

## 17 **TITLE III—OTHER MATTERS**

### 18 **SEC. 301. REPORT ON ESTABLISHMENT OF NATIONAL IN-** 19 **TELLIGENCE UNIVERSITY.**

20 (a) REPORT.—Not later than one year after the date  
21 of the enactment of this Act, the National Intelligence Di-  
22 rector shall submit to the appropriate committees of Con-  
23 gress a report on the feasibility and advisability of estab-  
24 lishing a national intelligence university.

1 (b) ELEMENTS.—If the National Intelligence Direc-  
2 tor determines that the establishment of a national univer-  
3 sity is feasible and advisable, the Director shall include  
4 in the report an estimate of the costs of establishing and  
5 operating the university and a proposal for the types of  
6 training to be provided at the university, including inter-  
7 agency training of analysts and collectors.

8 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-  
9 FINED.—In this section, the term “appropriate commit-  
10 tees of Congress” means—

11 (1) the Committees on Armed Services and  
12 Governmental Affairs and the Select Committee on  
13 Intelligence of the Senate; and

14 (2) the Committees on Armed Services and  
15 Government Reform and the Permanent Select Com-  
16 mittee on Intelligence of the House of Representa-  
17 tives.

18 **SEC. 302. APPOINTMENT OF GENERAL COUNSEL OF THE**  
19 **CENTRAL INTELLIGENCE AGENCY.**

20 Section 20(a) of the Central Intelligence Agency Act  
21 of 1949 (50 U.S.C. 403t(a)) is amended by striking “from  
22 civilian life by the President, by and with the advice and  
23 consent of the Senate” and inserting “by the Director of  
24 the Office of National Assessments”.

1 **SEC. 303. REPEAL OF LIMITATION ON LENGTH OF SERVICE**  
2 **AS MEMBER OF THE SELECT COMMITTEE ON**  
3 **INTELLIGENCE OF THE SENATE.**

4 (a) REPEAL.—Section 2 of Senate Resolution 400  
5 (94th Congress) is amended—

6 (1) by striking subsection (b); and

7 (2) by redesignating subsection (c) as sub-  
8 section (b).

9 (b) RULES OF THE SENATE.—Subsection (a) is  
10 enacted—

11 (1) as an exercise of the rulemaking power of  
12 the Senate; and

13 (2) with full recognition of the constitutional  
14 right of the Senate to change the rules of the Senate  
15 at any time and to the same extent as in the case  
16 of any other rule of the Senate.