AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4548
APPROVED BY THE PERMANENT SELECT
COMMITTEE ON INTELLIGENCE

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2005”.

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

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Assistant Director of Central Intelligence for Information Management.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Permanent extension of Central Intelligence Agency voluntary separation incentive program.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES


TITLE VI—EDUCATION

Subtitle A—National Security Education Program

Sec. 601. Provision for annual funding.
Sec. 602. Modification of obligated service requirements under the National Security Education Program.
Sec. 603. Improvements to the National Flagship Language Initiative.
Sec. 604. Establishment of scholarship program for English language studies for heritage community citizens of the United States within the National Security Education Program.

Subtitle B—Improvement in Intelligence Community Foreign Language Skills

Sec. 611. Assistant Director of Central Intelligence for Language and Education.

Sec. 612. Requirement for foreign language proficiency for advancement to certain senior level positions in the intelligence community.

Sec. 613. Advancement of foreign languages critical to the intelligence community.

Sec. 614. Pilot project for Civilian Linguist Reserve Corps.

Sec. 615. Codification of establishment of the National Virtual Translation Center.


TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2005 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Department of Justice.
(10) The Federal Bureau of Investigation.
(11) The National Reconnaissance Office.
(12) The National Geospatial-Intelligence Agency.
(13) The Coast Guard.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under sec-
tion 101, and the authorized personnel ceilings as of September
30, 2005, for the conduct of the intelligence and intelligence-
related activities of the elements listed in such section, are
those specified in the classified Schedule of Authorizations pre-
pared to accompany the bill H.R. 4548 of the One Hundred
Eighth Congress.

(b) Availability of Classified Schedule of Au-
thorizations.—The Schedule of Authorizations shall be made
available to the Committees on Appropriations of the Senate
and House of Representatives and to the President. The Presi-
dent shall provide for suitable distribution of the Schedule, or
of appropriate portions of the Schedule, within the executive
branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) Authority for Adjustments.—With the approval
of the Director of the Office of Management and Budget, the
Director of Central Intelligence may authorize employment of
civilian personnel in excess of the number authorized for fiscal
year 2005 under section 102 when the Director of Central In-
telligence determines that such action is necessary to the per-
formance of important intelligence functions.

(b) Notice to Intelligence Committees.—The Direc-
tor of Central Intelligence shall notify promptly the Permanent
Select Committee on Intelligence of the House of Representa-
tives and the Select Committee on Intelligence of the Senate
whenever the Director exercises the authority granted by this
section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT.

(a) Authorization of Appropriations.—There is au-
thorized to be appropriated for the Intelligence Community
Management Account of the Director of Central Intelligence for
fiscal year 2005 the sum of $318,395,000. Within such
amount, funds identified in the classified Schedule of Author-
izations referred to in section 102(a) for advanced research and
development shall remain available until September 30, 2006.
(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of Central Intelligence are authorized 310 full-time personnel as of September 30, 2005. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(e) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2005 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for research and development shall remain available until September 30, 2006.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2005, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2005 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), $29,811,000 shall be available
for the National Drug Intelligence Center. Within such amount, funds provided for research, development, testing, and evaluation purposes shall remain available until September 30, 2006, and funds provided for procurement purposes shall remain available until September 30, 2007.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403–3(d)(1)).

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

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

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

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2005 the sum of $239,400,000.

**TITLE III—GENERAL PROVISIONS**

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

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.
SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

SEC. 303. ASSISTANT DIRECTOR OF CENTRAL INTELLIGENCE FOR INFORMATION MANAGEMENT.

(a) Establishment of Position Within the Office of the Director of Central Intelligence.—Subsection (e)(2) of section 102 of the National Security Act of 1947 (50 U.S.C. 403) is amended—

(1) by striking subparagraph (G); and

(2) by inserting after subparagraph (F) the following new subparagraph (G):

“(G) The Assistant Director of Central Intelligence for Information Management.”.

(b) Duties.—Section 102 of such Act (50 U.S.C. 403) is amended—

(1) by striking subsection (h); and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) ASSISTANT DIRECTOR OF CENTRAL INTELLIGENCE FOR INFORMATION MANAGEMENT.—(1) To assist the Director of Central Intelligence in carrying out the Director’s responsibilities under this Act, there shall be an Assistant Director of Central Intelligence for Information Management who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Director of Central Intelligence for Information Management is the chief information officer of the intelligence community.

“(2) Subject to the direction of the Director of Central Intelligence, the Assistant Director of Central Intelligence for Information Management shall—

“(A) manage activities relating to the information technology infrastructure and enterprise architecture requirements of the intelligence community;
“(B) have procurement approval authority over all information technology items related to the enterprise architectures of all intelligence community components;

“(C) direct and manage all information technology-related procurement for the intelligence community; and

“(D) ensure that all expenditures for information technology and research and development activities are consistent with the intelligence community enterprise architecture and the strategy of the Director of Central Intelligence for such architecture.

“(3) An individual serving in the position of Assistant Director of Central Intelligence for Information Management may not, while so serving, serve as the chief information officer of any other agency or department, or component thereof, of the United States.”.

(c) REFERENCES.—Any reference to the Assistant Director of Central Intelligence for Administration in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to the Assistant Director of Central Intelligence for Information Management.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. PERMANENT EXTENSION OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION INCENTIVE PROGRAM.

(a) Extension of Program.—Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4 note) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(b) Termination of Funds Remittance Requirement.—(1) Section 2 of such Act (50 U.S.C. 403–4 note) is further amended by striking subsection (i).

(2) Section 4(a)(2)(B)(ii) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 8331 note) is amended by striking “, or section 2 of the Central Intelligence Agency Vol-
TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. NATIONAL SECURITY AGENCY EMERGING TECHNOLOGIES PANEL.

The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by adding at the end the following new section:

“Sec. 19. (a) There is established the National Security Agency Emerging Technologies Panel. The panel is a standing panel of the National Security Agency. The panel shall be appointed by, and shall report directly to, the Director.

“(b) The National Security Agency Emerging Technologies Panel shall study and assess, and periodically advise the Director on, the research, development, and application of existing and emerging science and technology advances, advances on encryption, and other topics.

“(c) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the National Security Agency Emerging Technologies Panel.”.

TITLE VI—EDUCATION
Subtitle A—National Security Education Program

SEC. 601. PROVISION FOR ANNUAL FUNDING.

(a) IN GENERAL.—Title VIII of the Intelligence Authorization Act for Fiscal Year 1992 (Public Law 102–183; 105 Stat. 1271), as amended by section 311(c) of the Intelligence Authorization Act for Fiscal Year 1994 (Public Law 103–178; 107 Stat. 2037), is amended by adding at the end of section 810 the following new subsection:

“(c) FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT FOR FISCAL YEARS BEGINNING WITH FISCAL YEAR 2005.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal
year, the Director of Central Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $8,000,000, to carry out the scholarship, fellowship, and grant programs under subparagraphs (A), (B), and (C), respectively, of section 802(a)(1).”.

(b) CONFORMING AMENDMENT.—Section 802(a)(2) of such Act (50 U.S.C. 1902(a)(2)) is amended in the matter preceding subparagraph (A) by inserting “or from a transfer under section 810(c)”.

SEC. 602. MODIFICATION OF OBLIGATED SERVICE REQUIREMENTS UNDER THE NATIONAL SECURITY EDUCATION PROGRAM.

(a) IN GENERAL.—Subsection (b)(2) of section 802 of title VIII of the Intelligence Authorization Act for Fiscal Year 1992 (Public Law 102–183; 105 Stat. 1273), as amended by section 925(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1578), is amended by striking subparagraphs (A) and (B), and inserting the following:

“(A) in the case of a recipient of a scholarship, as soon as practicable but in no case later than three years after the completion by the recipient of the study for which scholarship assistance was provided under the program, the recipient shall work for a period of one year—

“(i) in a national security position that the Secretary certifies is appropriate to use the unique language and region expertise acquired by the recipient pursuant to such study in the Department of Defense, in any element of the intelligence community, in the Department of Homeland Security, or in the Department of State; or

“(ii) in such a position in any other Federal department or agency not referred to in clause (i) if the recipient demonstrates to the Secretary that
no position is available in a Federal department or agency specified in clause (i); or

“(B) in the case of a recipient of a fellowship, as soon as practicable but in no case later than two years after the completion by the recipient of the study for which fellowship assistance was provided under the program, the recipient shall work for a period equal to the duration of assistance provided under the program, but in no case less than one year—

“(i) in a position described in subparagraph (A)(i) that the Secretary certifies is appropriate to use the unique language and region expertise acquired by the recipient pursuant to such study; or

“(ii) in such a position in any other Federal department or agency not referred to in clause (i) if the recipient demonstrates to the Secretary that no position is available in a Federal department or agency specified in clause (i); and”.

(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the amendment made by subsection (a). In prescribing such regulations, the Secretary shall establish standards that recipients of scholarship and fellowship assistance under the program under such section 802 are required to demonstrate to satisfy the requirement of a good faith effort to gain employment as required under subparagraphs (A) and (B) of subsection (b)(2) of such section.

(e) APPLICABILITY.—(1) The amendment made by subsection (a) shall apply with respect to service agreements entered into under the David L. Boren National Security Education Act of 1991 on or after the date of the enactment of this Act.

(2) The amendment made by subsection (a) shall not affect the force, validity, or terms of any service agreement entered into under the David L. Boren National Security Education Act of 1991 before the date of the enactment of this Act that is in force as of that date.
SEC. 603. IMPROVEMENTS TO THE NATIONAL FLAGSHIP LANGUAGE INITIATIVE.

(a) INCREASE IN ANNUAL FUNDING.—Title VIII of the Intelligence Authorization Act for Fiscal Year 1992 (Public Law 102–183; 105 Stat. 1271), as amended by section 311(c) of the Intelligence Authorization Act for Fiscal Year 1994 (Public Law 103–178; 107 Stat. 2037) and by section 333(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2397), is amended by striking section 811 and inserting the following new section 811:

“SEC. 811. FUNDING FOR THE NATIONAL FLAGSHIP LANGUAGE INITIATIVE.

“(a) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2003 and 2004.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning with fiscal year 2003, $10,000,000, to carry out the grant program for the National Flagship Language Initiative under section 802(a)(1)(D).

“(b) FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT FOR FISCAL YEARS BEGINNING WITH FISCAL YEAR 2005.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of Central Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $12,000,000, to carry out the grant program for the National Flagship Language Initiative under section 802(a)(1)(D).

“(c) AVAILABILITY OF APPROPRIATED FUNDS.—Amounts made available under this section shall remain available until expended.”

(b) REQUIREMENT FOR EMPLOYMENT AGREEMENTS.—(1) Section 802(i) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(i)) is amended by adding at the end the following new paragraph:
“(5)(A) In the case of an undergraduate or graduate student that participates in training in programs under paragraph (1), the student shall enter into an agreement described in subsection (b), other than such a student who has entered into such an agreement pursuant to subparagraph (A)(ii) or (B)(ii) of section 802(a)(1).

“(B) In the case of an employee of an agency or department of the Federal Government that participates in training in programs under paragraph (1), the employee shall agree in writing—

“(i) to continue in the service of the agency or department of the Federal Government employing the employee for the period of such training;

“(ii) to continue in the service of such agency or department employing the employee following completion of such training for a period of two years for each year, or part of the year, of such training;

“(iii) to reimburse the United States for the total cost of such training (excluding the employee’s pay and allowances) provided to the employee if, before the completion by the employee of the training, the employment of the employee by the agency or department is terminated due to misconduct by the employee or by the employee voluntarily; and

“(iv) to reimburse the United States if, after completing such training, the employment of the employee by the agency or department is terminated either by the agency or department due to misconduct by the employee or by the employee voluntarily, before the completion by the employee of the period of service required in clause (ii), in an amount that bears the same ratio to the total cost of the training (excluding the employee’s pay and allowances) provided to the employee as the unserved portion of such period of service bears to the total period of service under clause (ii).
“(C) Subject to subparagraph (D), the obligation to reimburse the United States under an agreement under subparagraph (A) is for all purposes a debt owing the United States.

“(D)(i) A discharge in bankruptcy under title 11, United States Code, shall not release a person from an obligation to reimburse the United States under an agreement under subparagraph (A) if the final decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in clauses (i) and (ii) of subparagraph (B).

“(ii) The head of an element of the intelligence community may release an employee, in whole or in part, from the obligation to reimburse the United States under an agreement under subparagraph (A) when, in the discretion of the head of the element, the head of the element determines that equity or the interests of the United States so require.”.

(2) The amendment made by paragraph (1) shall apply to training that begins on or after the date that is 90 days after the date of the enactment of this Act.

(c) INCREASE IN THE NUMBER OF PARTICIPATING EDUCATIONAL INSTITUTIONS.—The Secretary of Defense shall take such steps as the Secretary determines will increase the number of qualified educational institutions that receive grants under the National Flagship Language Initiative to establish, operate, or improve activities designed to train students in programs in a range of disciplines to achieve advanced levels of proficiency in those foreign languages that the Secretary identifies as being the most critical in the interests of the national security of the United States.

(d) CLARIFICATION OF AUTHORITY TO SUPPORT STUDIES ABROAD.—Educational institutions that receive grants under the National Flagship Language Initiative may support students who pursue total immersion foreign language studies overseas of foreign languages that are critical to the national security of the United States.
SEC. 604. ESTABLISHMENT OF SCHOLARSHIP PROGRAM 
FOR ENGLISH LANGUAGE STUDIES FOR HERITAGE COMMUNITY CITIZENS OF THE UNITED STATES WITHIN THE NATIONAL SECURITY EDUCATION PROGRAM.


(A) by striking “and” at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting “; and”;

(C) by adding at the end the following new subparagrapgh:

“(E) awarding scholarships to students who—

“(i) are United States citizens who—

“(I) are native speakers (commonly referred to as heritage community residents) of a foreign language that is identified as critical to the national security interests of the United States who should be actively recruited for employment by Federal security agencies with a need for linguists; and

“(II) are not proficient at a professional level in the English language with respect to reading, writing, and interpersonal skills required to carry out the national security interests of the United States, as determined by the Secretary,

to enable such students to pursue English language studies at an institution of higher education of the United States to attain proficiency in those skills; and

“(ii) enter into an agreement to work in a national security position or work in the field of education in the area of study for which the scholarship was awarded in a similar manner (as deter-
mined by the Secretary) as agreements entered into pursuant to subsection (b)(2)(A).”.

(2) The matter following subsection (a)(2) of such section is amended—

(A) in the first sentence, by inserting “or for the scholarship program under paragraph (1)(E)” after “under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i)”; and

(B) by adding at the end the following: “For the authorization of appropriations for the scholarship program under paragraph (1)(E), see section 812.”.

(3) Section 803(d)(4)(E) of such Act (50 U.S.C. 1903(d)(4)(E)) is amended by inserting before the period the following: “and section 802(a)(1)(E) (relating to scholarship programs for advanced English language studies by heritage community residents)”.

(b) FUNDING.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

“SEC. 812. FUNDING FOR SCHOLARSHIP PROGRAM FOR CERTAIN HERITAGE COMMUNITY RESIDENTS.

“(a) FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of Central Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $4,000,000, to carry out the scholarship programs for English language studies by certain heritage community residents under section 802(a)(1)(E).

“(b) AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) shall remain available until expended.”.
Subtitle B—Improvement in Intelligence Community Foreign Language Skills

SEC. 611. ASSISTANT DIRECTOR OF CENTRAL INTELLIGENCE FOR LANGUAGE AND EDUCATION.

(a) IN GENERAL.—Section 102 of the National Security Act of 1947 (50 U.S.C. 403) is amended—

(1) by adding at the end the following new subsection:

“(i) ASSISTANT DIRECTOR OF CENTRAL INTELLIGENCE FOR LANGUAGE AND EDUCATION.—(1) To assist the Director of Central Intelligence in carrying out the Director’s responsibilities under this Act, there shall be an Assistant Director of Central Intelligence for Language and Education who shall be appointed by the President, by and with the advice and consent of the Senate.

“(2) The Assistant Director of Central Intelligence for Language and Education shall carry out the following duties:

“(A) Overseeing and coordinating requirements for foreign language education and training of the intelligence community.

“(B) Establishing policy, standards, and priorities relating to such requirements.

“(C) Identifying languages that are critical to the capability of the intelligence community to carry out national security activities of the United States.

“(D) Monitoring the allocation of resources for foreign language education and training in order to ensure the requirements of the intelligence community with respect to foreign language proficiency are met.”;

(2) in subsection (d)(2) by adding at the end the following:

“(E) Through the Assistant Director of Central Intelligence for Language and Education, ensuring the foreign language education and training requirements of the intelligence community are met.”; and

(3) in subsection (e)(2)—
(A) by redesignating subparagraph (H) as subparagraph (I); and

(B) by inserting after subparagraph (G) the following new subparagraph (H):

“(H) The Assistant Director of Central Intelligence for Education and Language.”.

(b) REPORTS.—Not later than 1 year after the date on which the Assistant Director of Central Intelligence for Language and Education is first appointed under section 102(i) of the National Security Act of 1947, as added by subsection (a), the Assistant Director shall submit to Congress the following reports:

(1) A report that identifies—

(A) skills and processes involved in learning a foreign language; and

(B) characteristics and teaching techniques that are most effective in teaching foreign languages.

(2) (A) A report that identifies foreign language heritage communities, particularly such communities that include speakers of languages that are critical to the national security of the United States.

(B) For purposes of subparagraph (A), the term “foreign language heritage community” means a community of residents or citizens of the United States—

(i) who are native speakers of, or who have fluency in, a foreign language; and

(ii) who should be actively recruited for employment by Federal security agencies with a need for linguists.

(3) A report on—

(A) the estimated cost of establishing a program under which the heads of elements of the intelligence community agree to repay employees of the intelligence community for any student loan taken out by that employee for the study of foreign languages critical for the national security of the United States; and
(B) the effectiveness of such a program in recruiting and retaining highly qualified personnel in the intelligence community.

SEC. 612. REQUIREMENT FOR FOREIGN LANGUAGE PROFICIENCY FOR ADVANCEMENT TO CERTAIN SENIOR LEVEL POSITIONS IN THE INTELLIGENCE COMMUNITY.

(a) In General.—Section 104 of the National Security Act of 1947 (50 U.S.C. 403–4) is amended by adding at the end the following new subsection:

“(i) Requirement for Foreign Language Proficiency for Certain Senior Level Positions in the Central Intelligence Agency.—(1) An individual may not be appointed to a position in the Senior Intelligence Service in the Directorate of Intelligence or the Directorate of Operations of the Central Intelligence Agency unless the Director of Central Intelligence determines that the individual—

“(A) has been certified as having a professional speaking and reading proficiency in a foreign language, such proficiency being at least level 3 on the Interagency Language Roundtable Language Skills Level or commensurate proficiency level on such other indicator of proficiency as the Director determines to be appropriate; and

“(B) is able to effectively communicate the priorities of the United States and exercise influence in that foreign language.

“(2) The Director shall carry out this subsection through the Assistant Director of Central Intelligence for Language and Education.”.

(b) Conforming Amendment.—Subsection (i) of section 102 of the National Security Act of 1947 (50 U.S.C. 403), as added by section 3(a), is amended in paragraph (2) by adding at the end the following new subparagraph:

“(E) Making determinations under section 104(i).”.

(c) Effective Date.—The amendments made by this section shall apply with respect to appointments made on or
after the date that is one year after the date of the enactment of this Act.

(d) Report on Exceptions.—The Director of Central Intelligence shall submit to Congress a report that identifies positions within the Senior Intelligence Service in the Directorate of Intelligence or the Directorate of Operations of the Central Intelligence Agency that should be exempt from the requirements of section 104(i) of the National Security Act of 1947, as added by subsection (a), and that includes the rationale for the exemption of each such position identified by the Director.

SEC. 613. ADVANCEMENT OF FOREIGN LANGUAGES CRITICAL TO THE INTELLIGENCE COMMUNITY.

(a) In General.—Title X of the National Security Act of 1947 (50 U.S.C. is amended—

(1) by inserting before section 1001 (50 U.S.C. 441g) the following:

“Subtitle A—Science and Technology”; and

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

“Subtitle B—Foreign Languages Program

“Program on Advancement of Foreign Languages Critical to the Intelligence Community

“Sec. 1011. (a) Establishment of Program.—The Secretary of Defense and the Director of Central Intelligence may jointly establish a program to advance foreign languages skills in languages that are critical to the capability of the intelligence community to carry out national security activities of the United States (hereinafter in this subtitle referred to as the ‘Foreign Languages Program’).

“(b) Identification of Requisite Actions.—In order to carry out the Foreign Languages Program, the Secretary of Defense and the Director of Central Intelligence shall jointly determine actions required to improve the education of per-
sonnel in the intelligence community in foreign languages that are critical to the capability of the intelligence community to carry out national security activities of the United States to meet the long-term intelligence needs of the United States.

"EDUCATION PARTNERSHIPS"

"SEC. 1012. (a) IN GENERAL.—In carrying out the Foreign Languages Program, the head of an element of an intelligence community entity may enter into one or more education partnership agreements with educational institutions in the United States in order to encourage and enhance the study of foreign languages that are critical to the capability of the intelligence community to carry out national security activities of the United States in educational institutions.

"(b) ASSISTANCE PROVIDED UNDER EDUCATIONAL PARTNERSHIP AGREEMENTS.—Under an educational partnership agreement entered into with an educational institution pursuant to this section, the head of an element of an intelligence community entity may provide the following assistance to the educational institution:

"(1) The loan of equipment and instructional materials of the element of the intelligence community entity to the educational institution for any purpose and duration that the head determines to be appropriate.

"(2) Notwithstanding any other provision of law relating to transfers of surplus property, the transfer to the educational institution of any computer equipment, or other equipment, that is—

"(A) commonly used by educational institutions;

"(B) surplus to the needs of the entity; and

"(C) determined by the head of the element to be appropriate for support of such agreement.

"(3) The provision of dedicated personnel to the educational institution—

"(A) to teach courses in foreign languages that are critical to the capability of the intelligence community to carry out national security activities of the United States; or
“(B) to assist in the development of such courses and materials for the institution.
“(4) The involvement of faculty and students of the educational institution in research projects of the element of the intelligence community entity.
“(5) Cooperation with the educational institution in developing a program under which students receive academic credit at the educational institution for work on research projects of the element of the intelligence community entity.
“(6) The provision of academic and career advice and assistance to students of the educational institution.
“(7) The provision of cash awards and other items that the head of the element of the intelligence community entity determines to be appropriate.

‘VOLUNTARY SERVICES

‘SEC. 1013. (a) AUTHORITY TO ACCEPT SERVICES.—Notwithstanding section 1342 of title 31, United States Code, and subject to subsection (b), the Foreign Languages Program under section 1011 shall include authority for the head of an element of an intelligence community entity to accept from any individual who is dedicated personnel (as defined in section 1016(3)) voluntary services in support of the activities authorized by this subtitle.
“(b) REQUIREMENTS AND LIMITATIONS.—(1) In accepting voluntary services from an individual under subsection (a), the head of the element shall—
“(A) supervise the individual to the same extent as the head of the element would supervise a compensated employee of that element providing similar services; and
“(B) ensure that the individual is licensed, privileged, has appropriate educational or experiential credentials, or is otherwise qualified under applicable law or regulations to provide such services.
“(2) In accepting voluntary services from an individual under subsection (a), the head of an element of the intelligence community entity may not—
“(A) place the individual in a policymaking position, or other position performing inherently government functions; or
“(B) except as provided in subsection (e), compensate the individual for the provision of such services.
“(c) AUTHORITY TO RECRUIT AND TRAIN INDIVIDUALS PROVIDING SERVICES.—The head of an element of an intelligence community entity may recruit and train individuals to provide voluntary services accepted under subsection (a).
“(d) STATUS OF INDIVIDUALS PROVIDING SERVICES.—(1) Subject to paragraph (2), while providing voluntary services accepted under subsection (a) or receiving training under subsection (c), an individual shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:
“(A) Subchapter I of chapter 81 of title 5, United States Code (relating to compensation for work-related injuries).
“(B) Section 552a of title 5, United States Code (relating to maintenance of records on individuals).
“(C) Chapter 11 of title 18, United States Code (relating to conflicts of interest).
“(2)(A) With respect to voluntary services accepted under paragraph (1) provided by an individual that are within the scope of the services so accepted, the individual is deemed to be a volunteer of a governmental entity or nonprofit institution for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).
“(B) In the case of any claim against such an individual with respect to the provision of such services, section 4(d) of such Act (42 U.S.C. 14503(d)) shall not apply.
“(3) Acceptance of voluntary services under this section shall have no bearing on the issuance or renewal of a security clearance.
“(e) COMPENSATION FOR WORK-RELATED INJURIES.—For purposes of determining the compensation for work-related injuries payable under chapter 81 of title 5, United States
Code, to an individual providing voluntary services accepted under subsection (a), the monthly pay of the individual for such services is deemed to be equal to the amount determined by multiplying—

“(1) the average monthly number of hours that the individual provided the services, by

“(2) the minimum wage determined in accordance with section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).

“(f) Reimbursement of Incidental Expenses.—(1) The head of an element of the intelligence community entity may reimburse an individual for incidental expenses incurred by the individual in providing voluntary services accepted under subsection (a). The head of an element of the intelligence community entity shall determine which expenses are eligible for reimbursement under this subsection.

“(2) Reimbursement under paragraph (1) may be made from appropriated or nonappropriated funds.

“(g) Authority To Install Equipment.—(1) The head of an element of the intelligence community may install telephone lines and any necessary telecommunication equipment in the private residences of individuals who provide voluntary services accepted under subsection (a).

“(2) The head of an element of the intelligence community may pay the charges incurred for the use of equipment installed under paragraph (1) for authorized purposes.

“(3) Notwithstanding section 1348 of title 31, United States Code, the head of an element of the intelligence community entity may use appropriated funds or nonappropriated funds of the element in carrying out this subsection.

“Regulations

“Sec. 1014. (a) In General.—The Secretary of Defense and the Director of Central Intelligence jointly shall promulgate regulations necessary to carry out the Foreign Languages Program authorized under this subtitle.

“(b) Elements of the Intelligence Community.— Each head of an element of an intelligence community entity
shall prescribe regulations to carry out sections 1012 and 1013 with respect to that element including the following:

“(1) Procedures to be utilized for the acceptance of voluntary services under section 1013.

“(2) Procedures and requirements relating to the installation of equipment under section 1013(g).

"DEFINITIONS

"SEC. 1015. In this subtitle:

“(1) The term ‘intelligence community entity’ means an agency, office, bureau, or element referred to in subparagraphs (B) through (K) of section 3(4).

“(2) The term ‘educational institution’ means—

“(A) a local educational agency (as that term is defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))),

“(B) a college or university, or

“(C) any other nonprofit institution that provides instruction of foreign languages in languages that are critical to the capability of the intelligence community to carry out national security activities of the United States.

“(3) The term ‘dedicated personnel’ means employees of the intelligence community and private citizens (including former civilian employees of the Federal Government who have been voluntarily separated, and members of the United States Armed Forces who have been honorably discharged or generally discharged under honorable circumstances, and rehired on a voluntary basis specifically to perform the activities authorized under this subtitle).

"Subtitle C—Additional Education Provisions

"ASSIGNMENT OF INTELLIGENCE COMMUNITY PERSONNEL AS LANGUAGE STUDENTS

"SEC. 1021. (a) IN GENERAL.—The Director of Central Intelligence, acting through the heads of the elements of the intelligence community, may assign employees of such elements in analyst positions requiring foreign language expertise as stu-
dent students at accredited professional, technical, or other institutions of higher education for training at the graduate or undergraduate level in foreign languages required for the conduct of duties and responsibilities of such positions.

“(b) AUTHORITY FOR REIMBURSEMENT OF COSTS OF TUITION AND TRAINING.—(1) The Director may reimburse an employee assigned under subsection (a) for the total cost of the training described in subsection (a), including costs of educational and supplementary reading materials.

“(2) The authority under paragraph (1) shall apply to employees who are assigned on a full-time or part-time basis.

“(3) Reimbursement under paragraph (1) may be made from appropriated or nonappropriated funds.

“(c) RELATIONSHIP TO COMPENSATION AS AN ANALYST.—Reimbursement under this section to an employee who is an analyst is in addition to any benefits, allowances, travels, or other compensation the employee is entitled to by reason of serving in such an analyst position.”.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by striking the item relating to section 1001 and inserting the following new items:

“Subtitle A—Science and Technology
Sec. 1001. Scholarships and work-study for pursuit of graduate degrees in science and technology.

“Subtitle B—Foreign Languages Program
Sec. 1011. Program on advancement of foreign languages critical to the intelligence community.
Sec. 1012. Education partnerships.
Sec. 1013. Voluntary services.
Sec. 1014. Regulations.
Sec. 1015. Definitions.

“Subtitle C—Additional Education Provisions
Sec. 1021. Assignment of intelligence community personnel as language students.”.

SEC. 614. PILOT PROJECT FOR CIVILIAN LINGUIST RESERVE CORPS.

(a) PILOT PROJECT.—The Director of Central Intelligence shall conduct a pilot project to establish a Civilian Linguist Reserve Corps comprised of United States citizens with advanced
levels of proficiency in foreign languages who would be available upon a call of the President to perform such service or duties with respect to such foreign languages in the Federal Government as the President may specify.

(b) **Conduct of Project.**—Taking into account the findings and recommendations contained in the report required under section 325 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2393), in conducting the pilot project under subsection (a) the Director of Central Intelligence shall—

(1) identify several foreign languages that are critical for the national security of the United States;

(2) identify United States citizens with advanced levels of proficiency in those foreign languages who would be available to perform the services and duties referred to in subsection (a); and

(3) implement a call for the performance of such services and duties.

(c) **Duration of Project.**—The pilot project under subsection (a) shall be conducted for a three-year period.

(d) **Authority to Enter into Contracts.**—The Director of Central Intelligence may enter into contracts with appropriate agencies or entities to carry out the pilot project under subsection (a).

(e) **Reports.**—(1) The Director of Central Intelligence shall submit to Congress an initial and a final report on the pilot project conducted under subsection (a).

(2) Each report required under paragraph (1) shall contain information on the operation of the pilot project, the success of the pilot project in carrying out the objectives of the establishment of a Civilian Linguist Reserve Corps, and recommendations for the continuation or expansion of the pilot project.

(3) The final report shall be submitted not later than 6 months after the completion of the project.

(f) **Authorization of Appropriations.**—There are authorized to be appropriated to the Director of Central Intel-
ligence for each of fiscal years 2005, 2006, and 2007 in order to carry out the pilot project under subsection (a) such sums as are specified in the classified Schedule of Authorizations referred to section 102.

SEC. 615. CODIFICATION OF ESTABLISHMENT OF THE NATIONAL VIRTUAL TRANSLATION CENTER.

(a) In General.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by adding at the end the following new section:

“NATIONAL VIRTUAL TRANSLATION CENTER

“Sec. 119. (a) In general.—There is an element of the intelligence community known as the National Virtual Translation Center under the direction of the Director of Central Intelligence.

“(b) Function.—The National Virtual Translation Center shall provide for timely and accurate translations of foreign intelligence for all other elements of the intelligence community.

“(c) Facilitating Access to Translations.—In order to minimize the need for a central facility for the National Virtual Translation Center, the Center shall—

“(1) use state-of-the-art communications technology;

“(2) integrate existing translation capabilities in the intelligence community; and

“(3) use remote-connection capacities.

“(d) Use of Secure Facilities.—Personnel of the National Virtual Translation Center may carry out duties of the Center at any location that—

“(1) has been certified as a secure facility by an agency of department of the United States; and

“(2) the Director of Central Intelligence determines to be appropriate for such purpose.”.

(b) Clerical Amendment.—The table of sections for that Act is amended by inserting after the item relating to section 505 the following new item:

“Sec. 119. National Virtual Translation Center.”.
SEC. 616. REPORT ON RECRUITMENT AND RETENTION OF QUALIFIED INSTRUCTORS OF THE DEFENSE LANGUAGE INSTITUTE.

(a) STUDY.—The Secretary of Defense shall conduct a study on methods to improve the recruitment and retention of qualified foreign language instructors at the Foreign Language Center of the Defense Language Institute. In conducting the study, the Secretary shall consider, in the case of foreign language instructors who is an alien, to expeditiously adjust the status of the alien from a temporary status to that of an alien lawfully admitted for permanent residence.

(b) REPORT.—(1) Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the study conducted under subsection (a), and shall include in that report recommendations for such changes in legislation and regulation as the Secretary determines to be appropriate.

(2) DEFINITION.—In this subsection, the term “appropriate congressional committees” means the following:

(A) The Select Committee on Intelligence and the Committee on Armed Services of the Senate.

(B) The Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives.