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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “9–11 National Security Protection Act”.

(b) TABLE OF CONTENTS.—The table of contents for 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.
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. 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. 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. 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 INTELLIGENCE COMMUNITY MANAGEMENT

Subtitle A—Reform of Management

SEC. 101. NATIONAL INTELLIGENCE DIRECTOR.

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

“NATIONAL INTELLIGENCE DIRECTOR

“SEC. 102. (a) NATIONAL INTELLIGENCE DIRECTOR.—There is a National Intelligence Director who shall be appointed by the President, by and with the advice and consent of the Senate.
“(b) Requirement Relating to Nomination.—Any individual nominated as National Intelligence Director shall have extensive national security expertise or other expertise necessary for the management of the national intelligence service.

“(c) Principal Responsibilities.—The National Intelligence Director shall—

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

“(2) act as the principal adviser to the President for intelligence matters related to the national security; and

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

“(d) General Responsibilities and Authorities.—In carrying out the responsibilities set forth in subsection (c), the National Intelligence Director shall have the responsibilities set forth in section 102A and the authorities set forth in section 102B.”.

SEC. 102. RESPONSIBILITIES AND AUTHORITIES OF NATIONAL INTELLIGENCE DIRECTOR.

Title I of the National Security Act of 1947, as amended by section 101 of this Act, is further amended by inserting after section 102 the following new sections:
“RESPONSIBILITIES OF THE NATIONAL INTELLIGENCE DIRECTOR

“Sec. 102A. (a) Provision of National Intelligence.—(1) Under the direction of the National Security Council, the National Intelligence Director shall be responsible for providing national intelligence—

“(A) to the President;

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

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

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

“(2) National intelligence provided under this subsection should be timely, objective, independent of political considerations, and based upon all sources available to the national intelligence service.

“(b) Responsibilities as Head of National Intelligence Service.—The National Intelligence Director shall—

“(1) prepare an annual budget for intelligence and intelligence-related activities of the United States by—
“(A) providing budget guidance to each element of the national intelligence service regarding the intelligence and intelligence-related activities of such element;

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

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

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

“(A) managing and overseeing the National Intelligence Program in accordance with 102B(c);

“(B) managing and overseeing the reprogramming of funds appropriated or otherwise made available to the National Intelligence Program in accordance with section 102B(d); and

“(C) transferring funds and personnel under the National Intelligence Program in accordance with section 102B(e);
“(3) establish the requirements and priorities to govern the collection, analysis, and dissemination of national intelligence by elements of the national intelligence service;

“(4) approve and determine collection, analysis, and dissemination requirements and priorities, including collection priorities for and requirements levied on national imagery collection assets, and resolve conflicts in collection and analysis priorities levied on national collection assets and national intelligence service analytic assets, except as otherwise agreed with the Secretary of Defense pursuant to the direction of the President;

“(5) promote and evaluate the utility of national intelligence to consumers within the United States Government;

“(6) eliminate waste and unnecessary duplication within the national intelligence service;

“(7) ensure that intelligence (including unevaluated intelligence), the source of such intelligence, and the method used to collect such intelligence is disseminated in a timely and efficient manner that promotes comprehensive all-source analysis by appropriately cleared officers and employees of the United States Government, notwith-
standing the element of the national intelligence
service that collected such intelligence or the location
of such collection;

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

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

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

“(11) review, approve, and manage the research
and development efforts of the national intelligence
service;
“(12) review, approve, and manage each acquisition of a major system (as that term is defined in section 506A(e)), which responsibility may be delegated only to the Assistant National Intelligence Director for Research, Development, and Acquisition;

“(13) establish and enforce policies and procedures relating to the intelligence and intelligence-related activities of the United States Government;

“(14) ensure compliance by elements of the national intelligence service with the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States applicable to the intelligence and intelligence-related activities of the United States Government, including the provisions of the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States applicable to the protection of the privacy and civil liberties of United States persons; and

“(15) perform such other functions as the President or the National Security Council may direct.

“(c) **Security and Access to Classified Information.**—The President, acting through the National Intelligence Director, shall—
“(1) establish uniform standards and procedures for access to classified information (including sensitive compartmented information) by any officer or employee of any department, agency, or element of the United States Government, and by employees of contractors of such departments, agencies, and elements;

“(2) ensure the consistent implementation of such standards and procedures throughout such departments, agencies, and elements;

“(3) ensure that security clearances granted by individual elements of the national intelligence service are recognized by all elements of the national intelligence service; and

“(4) through the Chief Information Office of the National Intelligence Service, ensure that such standards and procedures permit the development and operation of a secure, integrated information technology network as required under section 103J(c)(1).

“AUTHORITIES OF THE NATIONAL INTELLIGENCE DIRECTOR

“Sec. 102B. (a) Access to Intelligence.—To the extent recommended by the National Security Council and approved by the President, the National Intelligence Director shall have access to all intelligence related to the
national security which is collected by any department, agency, or other element of the United States Government.

“(b) PREPARATION AND APPROVAL OF INTELLIGENCE BUDGETS.—(1) The National Intelligence Director shall prepare and present to the President an annual budget for the intelligence and intelligence-related activities of the United States.

“(2)(A) In preparing and presenting an annual budget under paragraph (1), the Director shall develop the annual budget for the elements of the national intelligence service within the National Intelligence Program.

“(B) If any portion of the budget for an element of the national intelligence service is prepared outside the Office of the National Intelligence Director, the Director—

“(i) shall approve such budget before submission to the President; and

“(ii) may require modifications of such budget to meet the requirements and priorities of the Director before approving such budget under clause (i).

“(3) The Director shall provide guidance to elements of the national intelligence service for the preparation of the portions of their annual budgets included in the Joint Military Intelligence Program and the Tactical Intelligence and Related Activities Program.
“(c) Management and Oversight of National Intelligence Program.—(1) Notwithstanding any other provision of law and consistent with section 504, any amounts appropriated or otherwise made available for the National Intelligence Program shall be considered to be appropriated or otherwise made available to, and under the direct management and oversight of, the National Intelligence Director.

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

“(3) Consistent with subsections (d) and (e), the Director may modify the resource and personnel allocations of any element of the national intelligence service.

“(d) Role in Reprogramming of Funds.—(1) Consistent with section 504, no funds appropriated or otherwise made available under the National Intelligence Program may be reprogrammed by any element of the national intelligence service without the prior approval of the National Intelligence Director except in accordance with procedures issued by the Director.

“(2) Consistent with section 504, the Secretary of Defense shall consult with the Director before reprogram-
ming funds appropriated or otherwise made available under the Joint Military Intelligence Program.

“(e) TRANSFER OF FUNDS OR PERSONNEL WITHIN NATIONAL INTELLIGENCE PROGRAM.—(1) In addition to any other authorities available under law for such purposes and consistent with section 504, the National Intelligence Director may—

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

“(B) in accordance with procedures to be developed by the National Intelligence Director, transfer personnel authorized for an element of the national intelligence service to another such element for periods up to a year.

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

“(A) the funds or personnel are being transferred to an activity that is a higher priority intelligence activity; and

“(B) the transfer does not involve a transfer of funds to the Reserve for Contingencies of the Na-
S.L.C.

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

“(4) Any transfer of funds under this subsection shall be carried out in accordance with existing procedures applicable to reprogramming notifications for the appropriate congressional committees. Any proposed transfer for which notice is given to the appropriate congressional committees shall be accompanied by a report explaining the nature of the proposed transfer and how it satisfies the requirements of this subsection. In addition, the congressional intelligence committees shall be promptly notified of any transfer of funds made pursuant to this subsection in any case in which the transfer would not have otherwise required reprogramming notification under procedures in effect as of enacted October 24, 1992.

“(5) The National Intelligence Director shall promptly submit to the congressional intelligence committees and, in the case of the transfer of personnel to or from the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, a report on any transfer of personnel made pursuant to this subsection. The Direc-
tor shall include in any such report an explanation of the nature of the transfer and how it satisfies the requirements of this subsection.

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

“(f) COORDINATION WITH FOREIGN GOVERNMENTS.—Under the direction of the National Security Council and in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), the National Intelligence Director shall coordinate the relationships between elements of the national intelligence service and the intelligence or security services of foreign governments on all matters involving intelligence related to the national security or involving intelligence acquired through clandestine means.

“(g) PERSONNEL MATTERS.—The National Intelligence Director shall, in coordination with the heads of departments and agencies with elements in the national intelligence service, institute policies and programs within the national intelligence service—

“(1) to provide for the rotation of personnel between the elements of the national intelligence service, where appropriate, and to make such rotation in
service a requirement for promotion to senior positions; and

“(2) to consolidate, wherever possible, personnel, administrative, and security programs to reduce the overall costs of activities under such programs within the national intelligence service.

“(h) Standards and Qualifications for Performance of Intelligence Activities.—The National Intelligence Director shall, in consultation with the heads of the departments and agencies of the United States Government concerned, develop standards and qualifications for persons engaged in the performance of intelligence activities within the national intelligence service.

“(i) Termination or Reassignment of Officers and Employees of National Intelligence Service.—(1)(A) Notwithstanding any other provision of law, the National Intelligence Director may, at the discretion of the Director, terminate the employment of any civilian officer or employee of any element of the national intelligence service whenever the Director considers the termination of employment of such officer or employee necessary or advisable in the interests of the United States.

“(B) Any termination of employment of an officer or employee under subparagraph (A) shall not affect the
right of the officer or employee to seek or accept employment in any other department or agency of the United States Government if declared eligible for such employment by the Office of Personnel Management.

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

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

“(j) DELEGATION OF CERTAIN ADMINISTRATIVE AUTHORITIES.—(1) Notwithstanding any other provision of law, the National Intelligence Director may delegate to the head of any other element of the national intelligence service any authority of the Director of the Office of National Assessments with respect to the Office of National Assessments under a provision of the Central Intelligence Agency Act of 1949 as follows:

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

“(B) Section 4 (50 U.S.C. 403e), relating to travel allowances and related expenses.
“(C) Section 5 (50 U.S.C. 403f), relating to administration of funds.

“(D) Section 6 (50 U.S.C. 403g), relating to exemptions from certain information disclosure requirements.

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

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

“(G) Section 12 (50 U.S.C. 403l), relating to acceptance of gifts, devises, and bequests.

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

“(2) Notwithstanding any other provision of law, the head of an element of the national intelligence service delegated an authority under paragraph (1) with respect to such element may exercise such authority with respect to such element to the same extent that the Director of the Office of National Assessments may exercise such authority with respect to the Office of National Assessments.”.

SEC. 103. OFFICE OF THE NATIONAL INTELLIGENCE DIRECTOR.

(a) IN GENERAL.—Title I of the National Security Act of 1947, as amended by section 102 of this Act, is
further amended by inserting after section 102B the fol-
lowing new section:

“OFFICE OF THE NATIONAL INTELLIGENCE DIRECTOR

“Sec. 103. (a) Office of National Intelligence
Director.—There is an Office of the National Intel-
ligence Director.

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

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

“(1) The National Intelligence Director.

“(2) The Deputy National Intelligence Director.

“(3) The National Intelligence Council.

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

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

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

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

“(8) The Assistant National Intelligence Direc-
tor for Military Support.
“(9) The Inspector General of the National Intelligence Service.

“(10) The General Counsel of the National Intelligence Service.

“(11) The Chief Information Officer of the National Intelligence Service.

“(12) The Chief Financial Officer of the National Intelligence Service.

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

“(d) STAFF.—To assist the National Intelligence Director in fulfilling the responsibilities of the Director under this Act, the Director shall employ and utilize in the Office of the National Intelligence Director a professional staff having an expertise in matters relating to such responsibilities, and shall establish permanent positions and appropriate rates of pay with respect to that staff.

“(e) ADMINISTRATIVE AUTHORITIES.—The National Intelligence Director may utilize for purposes of the administration of the Office of the National Intelligence Director any authority available to the Director of the Office of National Assessments for purposes of the administration of the Office of National Assessments under the Cen-
tral Intelligence Agency Act of 1949 (50 U.S.C. 403 et seq.) or any other provision of law.”.

(b) LIMITATION ON CO-LOCATION OF OFFICE WITH OTHER ELEMENTS OF NATIONAL INTELLIGENCE SERVICE.—(1) Except as provided in paragraph (2), commencing as of October 1, 2006, the Office of the National Intelligence Director under section 103 of the National Security Act of 1947 (as amended by subsection (a)) may not be co-located with any other element of the national intelligence service.

(2) The National Intelligence Director may co-locate a portion of the Office with another element of the national intelligence service after the date specified in paragraph (1) if the Director determines that the co-location of such portion of the Office with such element is necessary for the efficient management of such element.

(3) In this subsection, the term “element of the national intelligence service” means an element of the national intelligence service set forth or designated under section 3(4) of the National Security Act of 1947, as amended by this Act.

SEC. 104. DEPUTY NATIONAL INTELLIGENCE DIRECTOR.

Title I of the National Security Act of 1947, as amended by section 103(a) of this Act, is further amended by inserting after section 103 the following new section:
"DEPUTY NATIONAL INTELLIGENCE DIRECTOR

"SEC. 103A. (a) DEPUTY NATIONAL INTELLIGENCE DIRECTOR.—There is a Deputy National Intelligence Director who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) REQUIREMENT RELATING TO NOMINATION.—Any individual nominated for appointment as Deputy National Intelligence Director shall have extensive national security expertise.

"(c) RESPONSIBILITIES.—The Deputy National Intelligence Director shall assist the National Intelligence Director in carrying out the responsibilities of the Director under this Act.

"(d) SERVICE AS ACTING NATIONAL INTELLIGENCE DIRECTOR.—The Deputy National Intelligence Director shall act for, and exercise the powers of, the National Intelligence Director during the Director’s absence or disability or during a vacancy in the position of National Intelligence Director.

"(e) PRECEDENCE IN OFFICE OF NATIONAL INTELLIGENCE DIRECTOR.—The Deputy National Intelligence Director takes precedence in the Office of the National Intelligence Director.”
SEC. 105. NATIONAL INTELLIGENCE COUNCIL.

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

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SEC. 103B. (a) NATIONAL INTELLIGENCE COUNCIL.—There is within the Office of the National Intelligence Director the National Intelligence Council.

(b) HEAD OF COUNCIL.—Subject to the direction and control of the National Intelligence Director, the Assistant National Intelligence Director for Analysis and Production shall be the head of the National Intelligence Council.

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

(2) The National Intelligence Director shall prescribe appropriate security requirements for personnel appointed from the private sector as a condition of service on the Council, or as contractors of the Council or employees of such contractors, to ensure the protection of intelligence sources and methods while avoiding, wherever pos-
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sible, unduly intrusive requirements which the Director

considers to be unnecessary for such purpose.

“(d) Responsibilities.—(1) The National Intel-

ligence Council shall—

“(A) produce national intelligence estimates for

the United States Government which meet the re-

quirements of paragraph (2);

“(B) evaluate community-wide collection and

production of intelligence by the national intelligence

service and the requirements and resources of such

collection and production; and

“(C) otherwise assist the Assistant National In-

telligence Director for Analysis and Production in

carrying out the responsibilities of the Director and

the Assistant National Intelligence Director for

Analysis and Production under this Act.

“(2) Each national intelligence estimate under para-

graph (1)(A) shall—

“(A) include any alternative views held on such

estimate by elements of the national intelligence

service;

“(B) separately state, and distinguish between,

the intelligence underlying such estimate and the as-

sumptions and judgments of the analysts contained

in such estimate;
“(C) describe the quality and reliability of the intelligence underlying such estimate; and
“(D) present and explain any alternative conclusions by elements of the national intelligence service with respect to such estimate.
“(e) Service as Senior Intelligence Advisers.—Within their respective areas of expertise and under the direction of the Assistant National Intelligence Director for Analysis and Production, the members of the National Intelligence Council shall constitute the senior intelligence advisers of the national intelligence service for purposes of representing the views of the national intelligence service within the United States Government.
“(f) Authority to Contract.—Subject to the direction and control of the Assistant National Intelligence Director for Analysis and Production, the National Intelligence Council may carry out its responsibilities under this section by contract, including contracts for substantive experts necessary to assist the Council with particular assessments under this section.
“(f) Staff.—The National Intelligence Director shall make available to the National Intelligence Council such staff as may be necessary to permit the Council to carry out its responsibilities under this section.
“(g) Availability of Members and Staff.—(1) The Assistant National Intelligence Director for Analysis and Production shall take appropriate measures to ensure that the National Intelligence Council and its staff satisfy the needs of policymaking officials and other consumers of intelligence.

“(2) The Council shall be readily accessible to policymaking officials and other appropriate individuals not otherwise associated with the national intelligence service.

“(h) Support.—The heads of the elements of the national intelligence service shall, as appropriate, furnish such support to the National Intelligence Council, including the preparation of intelligence analyses, as may be required by the National Intelligence Director or the Assistant National Intelligence Director for Analysis and Production.”.

SEC. 106. NATIONAL INTELLIGENCE CENTERS.

(a) In General.—Title I of the National Security Act of 1947, as amended by section 105 of this Act, is further amended by inserting after section 103B the following new section:

“NATIONAL INTELLIGENCE CENTERS

“Sec. 103C. (a) National Intelligence Centers.—(1) The National Intelligence Director may establish within the Office of the National Intelligence Director
a national intelligence center for each substantive intelligence mission of the national intelligence service.

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

“(b) HEADS OF NATIONAL INTELLIGENCE CENTERS.—Each national intelligence center shall be headed by a Director who shall be appointed by the National Intelligence Director.

“(c) RESPONSIBILITIES.—Within the area of its substantive responsibility, a national intelligence center shall—

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

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

“(3) provide advice and assistance to the President, the National Security Council, the National Intelligence Director, and the heads of other appropriate departments, agencies, and elements of the United States Government on the strategic direction of civilian and military affairs;

“(4) ensure that intelligence (including unevaluated intelligence), the source of such intelligence, and the method used to collect such intel-
intelligence is disseminated in a timely and efficient manner that promotes comprehensive all-source analysis by appropriately cleared officers and employees of the United States Government, notwithstanding the element of the national intelligence service that collected such intelligence or the location of such collection;

“(5) direct the tasking of analysis and production of intelligence and the dissemination of such intelligence by the elements of the national intelligence service;

“(6) identify intelligence requirements and priorities;

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

“(8) assess the performance of elements of the national intelligence service with respect to the collection, analysis, and dissemination of intelligence; and

“(9) perform such other duties as the President, the National Security Council, or the Director may direct.

“(d) NATIONAL COUNTERTERRORISM CENTER.—(1) One of the national intelligence centers established under
subsection (a) shall have counterterrorism as its substantive intelligence mission. Such national intelligence center shall be known as the ‘National Counterterrorism Center’.

“(2) In addition to the responsibilities under subsection (c) with respect to counterterrorism, the National Counterterrorism Center shall—

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

“(B) carry out the duties of the Terrorist Threat Integration Center (TTIC) as of the date of the enactment of the 9–11 National Security Protection Act.”.

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

(2) In this subsection, the terms ‘congressional intelligence committees’ and ‘National Intelligence Program’ have the meanings given such terms in section 3 of the National Security Act of 1947, as amended by this Act.
(c) Sense of Congress on Establishment of Additional Centers.—It is the sense of Congress that—

(1) the National Intelligence Director should consider the establishment under section 103C of the National Security Act of 1947 (as added by subsection (a)) of a national intelligence center on counterproliferation matters, a national intelligence center on counterintelligence matters, and a national intelligence center on counternarcotics matters; and

(2) the duties and responsibilities of the national intelligence center on counterintelligence matters, as so established, may include, but not be limited to, the duties and responsibilities of the National Counterintelligence Executive under section 902 of the Counterintelligence Enhancements Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402b).

SEC. 107. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR COLLECTION.

Title I of the National Security Act of 1947, as amended by section 106(a) of this Act, is further amended by inserting after section 103C the following new section:
“ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR COLLECTION

“Sec. 103D. (a) Assistant National Intelligence Director for Collection.—There is an Assistant National Intelligence Director for Collection who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) Direction.—The Assistant National Intelligence Director for Collection shall report to the National Intelligence Director regarding the activities of the Assistant Director.

“(c) Principal Responsibilities.—The Assistant National Intelligence Director for Collection shall—

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

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

“(A) provide overall direction for the collection of national intelligence through human sources by elements of the national intelligence service authorized to undertake such collection; and

“(B) coordinate with other departments, agencies, and elements of the United States
Government which are authorized to undertake
such collection and ensure that the most effec-
tive use is made of the resources of such de-
partments, agencies, and elements with respect
to such collection; and

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

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

“(A) The National Security Agency.

“(B) The National Geospatial-Intelligence
Agency.

“(C) The National Clandestine Service (con-
sisting of the component of the Central Intelligence
Agency known, as of the date of the enactment of
the 9–11 National Security Protection Act, as the
Directorate of Operations and made an independent
establishment by section 205 of that Act and such other components as are provided for under that section).

“(D) The Directorate for Human Intelligence (consisting of the components of the Defense Intelligence Agency known, as of the date of the enactment of the 9–11 National Security Protection Act, as the Directorate for Human Intelligence and the Directorate for MASINT and Technical Collection and made an independent establishment by section 207 of that Act).

“(E) The elements of the Federal Bureau of Investigation performing intelligence and intelligence-related functions.

“(2)(A) The Director of the Federal Bureau of Investigation shall, in coordination with the National Intelligence Director, ensure that the elements of the Federal Bureau of Investigation referred to in paragraph (1)(E) are provided all administrative resources necessary to perform their intelligence and intelligence-related functions.

“(B) The Attorney General shall ensure through the National Intelligence Director that the domestic intelligence operations of the elements of the Bureau referred to in paragraph (1)(E), and any intelligence operations of such elements of the Bureau directed against United
States persons, comply with the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States applicable to such operations.

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

“(e) Responsibility for Performance of Specific Functions.—In carrying out responsibilities under this section, the Assistant National Intelligence Director for Collection shall ensure—

“(1) through the National Security Agency (except as otherwise directed by the President, the National Security Council, or the National Intelligence Director), the continued operation of an effective unified organization for the conduct of signals intelligence activities and shall ensure that the product is disseminated in a timely manner to authorized recipients;

“(2) through the National Geospatial-Intelligence Agency (except as otherwise directed by the President, the National Security Council, or the National Intelligence Director), with appropriate representation from the national intelligence service, the
continued operation of an effective unified
organization—

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

“(B) for the coordination of imagery proc-
cessing and exploitation activities;

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

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

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

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

“(3) through the Directorate for Human Intel-
ligence (except as otherwise directed by the Presi-
dent, the National Security Council, or the National Intelligence Director), effective management of human intelligence activities and other intelligence activities, including defense attaches, performed by the Directorate.”.

SEC. 108. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR ANALYSIS AND PRODUCTION.

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

“ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR ANALYSIS AND PRODUCTION

“Sec. 103E. (a) Assistant National Intelligence Director for Analysis and Production.—

There is an Assistant National Intelligence Director for Analysis and Production who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) Requirement Relating to Nomination.—

Any individual nominated as Assistant National Intelligence Director for Analysis and Production shall have extensive expertise in national security or extensive expertise in the analysis and dissemination of complex and sensitive information.

“(c) Direction.—The Assistant National Intelligence Director for Analysis and Production shall report
to the National Intelligence Director regarding the activities of the Assistant Director.

“(d) **Principal Responsibilities.**—The Assistant Director for Analysis and Production shall—

“(1) serve as the head of the National Intelligence Council;

“(2) manage and oversee the analysis and production of intelligence by elements of the national intelligence service;

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

“(4) prevent unnecessary duplication and inefficient allocation of resources relating to the analysis and production of intelligence by the elements of the national intelligence service;

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

“(6) identify intelligence to be collected for purposes of the Assistant National Intelligence Director for Collection;

“(7) develop and implement a training program for intelligence analysts that includes mandatory exposure to the analytic methods of elements of the
national intelligence service other than the home element of such analysts; and

“(8) provide such additional analysis and production of intelligence as the President or the National Security Council may require.

“(e) SUPERVISION OF OFFICE OF NATIONAL ASSESSMENTS.—(1) The Assistant National Intelligence Director for Analysis and Production shall direct, supervise, and control the Office of National Assessments (consisting of the component of the Central Intelligence Agency known, as of the date of the enactment of the 9–11 National Security Protection Act, as the Directorate of Intelligence and such other components of that Agency as are not made independent establishments by sections 205 and 206 of that Act).

“(2) The Director of the Office of National Assessments shall report directly to the Assistant Director regarding the activities of the Office.”.

SEC. 109. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR RESEARCH, DEVELOPMENT, AND ACQUISITION.

Title I of the National Security Act of 1947, as amended by section 108 of this Act, is further amended by inserting after section 103E the following new section:
“ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR
RESEARCH, DEVELOPMENT, AND ACQUISITION

“Sec. 103F. (a) Assistant National Intelligence Director for Research, Development, and Acquisition.—There is an Assistant National Intelligence Director for Research, Development, and Acquisition who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) Direction.—The Assistant National Intelligence Director for Research, Development, and Acquisition shall report to the National Intelligence Director regarding the activities of the Assistant Director.

“(c) Principal Responsibilities.—The Assistant National Intelligence Director for Research, Development, and Acquisition shall—

“(1) manage and oversee the research and development activities of the national intelligence service with respect to the intelligence and intelligence-related activities of the United States Government;

“(2) ensure that research and development projects are consistent with national intelligence requirements;

“(3) establish priorities among such projects in order to address deficiencies in the collection, analysis, and dissemination of national intelligence;
“(4) account for funding constraints in program development and acquisition;

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

“(6) in consultation with the Assistant National Intelligence Director for Military Support and the Chief Information Officer of the National Intelligence Service, ensure that tactical military intelligence systems, military systems, and national intelligence systems are sufficiently interoperable.

“(d) SUPERVISION OF CERTAIN ELEMENT OF NATIONAL INTELLIGENCE SERVICE.—(1) The Assistant National Intelligence Director for Research, Development, and Acquisition shall direct, supervise, and control the elements and components of the national intelligence service as follows:

“(A) The National Reconnaissance Office.

“(B) The Office of Technical Support (consisting of the component of the Central Intelligence Agency known, as of the date of the enactment of the 9–11 National Security Protection Act, as the Directorate of Science and Technology and made an independent establishment by section 206 of that
Act and such other components as are provided for under that section).

“(2) The Director of each element and component of the national intelligence service referred to in paragraph (1) shall report directly to the Assistant Director regarding the activities of such element or component.

“(e) RESPONSIBILITY FOR PERFORMANCE OF SPECIFIC FUNCTION.—In carrying out responsibilities under this section, the Assistant National Intelligence Director Research, Development, and Acquisition shall ensure through the National Reconnaissance Office (except as otherwise directed by the President, the National Security Council, or the National Intelligence Director) the continued operation of an effective unified organization for the research and development, acquisition, and operation of overhead reconnaissance systems necessary to satisfy—

“(1) the requirements of all elements of the national intelligence service; and

“(2) the needs of the Department of Defense, including the Chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands.”.
SEC. 110. ASSISTANT NATIONAL INTELLIGENCE DIRECTOR
FOR MILITARY SUPPORT.

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

"ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR MILITARY SUPPORT

"SEC. 103G. (a) ASSISTANT NATIONAL INTELLIGENCE DIRECTOR FOR MILITARY SUPPORT.—The Under Secretary of Defense for Intelligence under section 137 of title 10, United States Code, also serves as the Assistant National Intelligence Director for Military Support.

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

"(1) ensure that the resource needs and intelligence requirements of the Department of Defense, including the Chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands, and the military departments are fully considered in the oversight and management of the National Intelligence Program; and

"(2) ensure that any intelligence of significance as national intelligence when collected by elements of the national intelligence service within the Depart-
ment of Defense is communicated in a timely and ef-
ficient manner to appropriate elements of the na-
tional intelligence service outside the Department of
Defense.”.

SEC. 111. INSPECTOR GENERAL OF THE NATIONAL INTEL-
LIGENCE SERVICE.

(a) In General.—Title I of the National Security
Act of 1947, as amended by section 110 of this Act, is
further amended by inserting after section 103G the fol-
lowing new section:

“INSPECTOR GENERAL OF THE NATIONAL INTELLIGENCE
SERVICE

“SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL
OF NATIONAL INTELLIGENCE SERVICE.—There is within
the Office of the National Intelligence Director the Office
of the Inspector General of the National Intelligence Serv-
ice.

“(b) PURPOSES.—The purposes of the Office of the
Inspector General of the National Intelligence Service
are—

“(1) to act as an objective and effective office,
appropriately accountable to Congress, to initiate
and conduct independently investigations, inspec-
tions, reviews, and audits relating to the intelligence
and intelligence-related programs and operations of
the national intelligence service;
“(2) to recommend policies designed to promote economy, efficiency, and effectiveness in the administration of such programs and operations, and to detect fraud and abuse in such programs and operations;

“(3) to provide a means for keeping the National Intelligence Director fully and currently informed about problems, deficiencies, and significant failures relating to the administration of such programs and operations, and the necessity for, and the progress of, corrective actions; and

“(4) in the manner prescribed by this section, to ensure that the congressional intelligence committees are kept similarly informed of significant problems and deficiencies in such programs and operations as well as the necessity for and the progress of corrective actions.

“(e) INSPECTOR GENERAL OF NATIONAL INTELLIGENCE SERVICE.—(1)(A) There is at the head of the Office of the Inspector General of the National Intelligence Service an Inspector General of the National Intelligence Service who shall be appointed by the President, by and with the advice and consent of the Senate.

“(B) The nomination of an individual as Inspector General shall be made—
“(i) without regard to political affiliation;

“(ii) solely on the basis of integrity, compliance with security standards of the national intelligence service, and prior experience in the field of intelligence; and

“(iii) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or auditing.

“(2) The Inspector General shall report to the National Intelligence Director directly, or through the Deputy National Intelligence Director, and shall be under the general supervision of the Director.

“(3) The Inspector General may be removed from office only by the President. The President shall immediately communicate in writing to the congressional intelligence committees the reasons for the removal of an Inspector General from office.

“(d) DUTIES AND RESPONSIBILITIES.—(1) The Inspector General of the National Intelligence Service shall act as inspector general of the national intelligence service.

“(2) In carrying out the duties and responsibilities of the Inspector General of the National Intelligence Service under this section, the Inspector General of the National Intelligence Service shall coordinate with the In-
spectors General of the elements of the national intelligence service.

“(3) It shall be the duty and responsibility of the Inspector General of the National Intelligence Service—

“(A) to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, investigations, inspections, reviews, and audits relating to the programs and operations of the national intelligence service to ensure they are conducted efficiently and in accordance with applicable law and regulations;

“(B) to independently investigate, audit, or review each significant failure by an element or elements of the national intelligence service relating to the performance of an intelligence or intelligence-related activity of such element or elements;

“(C) to evaluate the compliance of the elements of the national intelligence service with the policies and procedures developed by the Director for purposes of section 102A(b)(7) or 102A(c) or by the Chief Information Officer of the National Intelligence Service for purposes of section 103J(c)(3);

“(D) to identify means for improving the performance of the intelligence and intelligence-related activities of the national intelligence service;
“(E) to keep the National Intelligence Director fully and currently informed concerning—

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

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

“(F) to report the necessity for any corrective action and progress made in implementing such corrective action;

“(G) to take due regard for the protection of intelligence sources and methods in the preparation of all reports issued by the Office of the Inspector General of the National Intelligence Service, and, to the extent consistent with the purpose and objective of such reports, take such measures as may be appropriate to further minimize the disclosure of intelligence sources and methods described in such reports;
“(H) to conduct reviews of the analytic product or products of the National Intelligence Council, of an element or elements of the national intelligence service, or of any division, office, or officer or employee of an element of the national intelligence service; and

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

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

“(A) Upon the request of the President.

“(B) Upon the request of the National Intelligence Director.

“(C) Subject to paragraph (2)—

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

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

“(iii) upon the request of a congressional intelligence committee, the Committee on Armed Services of the Senate, or the Com-
mittee on Armed Services of the House of Representatives;

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

“(v) at the discretion of the Inspector General, upon the request of an Inspector General of an element of the national intelligence service.

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

“(B) If the Director exercises the authority under subparagraph (A), the Director shall submit to the congressional intelligence committees an appropriately classified statement of the reasons for the exercise of the authority within seven days of the exercise of the authority.

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

“(D) If advised of a report under subparagraph (C), the Inspector General may submit to the congressional in-
intelligence committees such comments with respect to such report as the Inspector General considers appropriate.

“(f) AUTHORITIES OF INSPECTOR GENERAL.—(1) The Inspector General of the National Intelligence Service shall have direct and prompt access to the National Intelligence Director when necessary for any purpose pertaining to the performance of the duties of the Inspector General.

“(2)(A) The Inspector General shall have access to any employee of any element of the national intelligence service, or to any employee of any contractor of any element of the national intelligence service, whose testimony is needed for the performance of the duties of the Inspector General.

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

“(C) Failure on the part of any employee or contractor to cooperate with the Inspector General shall be grounds for appropriate administrative actions by the Director, including loss of employment or the termination of an existing contractual relationship.
“(A) The Inspector General may receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

“(B) Once the Inspector General has received a complaint or information described by subparagraph (A) from an employee of an element of the national intelligence service—

“(i) the Inspector General shall not disclose the identity of the employee without the consent of the employee, unless the Inspector General determines that such disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; and

“(ii) no action constituting a reprisal, or threat of reprisal, for making such complaint may be taken by any officer or employee of any element of the national intelligence service in a position to take such action, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.
“(4) The Inspector General shall have authority to
administer to or take from any person an oath, affirma-
tion, or affidavit, whenever necessary in the performance
of the duties of the Inspector General, which oath affirma-
tion, or affidavit when administered or taken by or before
an employee of the Office of the Inspector General of the
National Intelligence Service designated by the Inspector
General shall have the same force and effect as if adminis-
tered or taken by or before an officer having a seal.

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

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

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

“(D) In the case of contumacy or refusal to obey a
subpoena issued under this paragraph, the subpoena shall
be enforceable by order of any appropriate district court of the United States.

“(6) The Inspector General shall be provided with appropriate and adequate office space at central and field office locations, together with such equipment, office supplies, maintenance services, and communications facilities and services as may be necessary for the operation of such offices.

“(7)(A) Subject to applicable law and the policies of the Director, the Inspector General shall select, appoint and employ such officers and employees as may be necessary to carry out the functions of the Inspector General.

“(B) In making selections of officers and employees under subparagraph (A), the Inspector General shall ensure that such officers and employees have the requisite training and experience to enable the Inspector General to carry out the duties of the Inspector General effectively.

“(C) The Inspector General shall create within the Office a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General.

“(8)(A) Subject to the provisions of this paragraph, the Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General from any de-
partment, agency, or element of the United States Govern-
ment.

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

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

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

“(E) With respect to requests for information or as-
assistance from a department, agency, or element of the
United States Government that is not an element of the
national intelligence service, the Inspector General shall
receive the concurrence of the Director before making a
request under this paragraph.

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

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

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

“(ii) a description of significant problems, abu-
es, and deficiencies relating to the administra-
tion of programs and operations of the national in-
telligence service identified by the Inspector General
during the period covered by such report;

“(iii) a description of the recommendations for
corrective action made by the Inspector General dur-
ing the period covered by such report with respect
to significant problems, abuses, or deficiencies de-
scribed by clause (ii);
“(iv) a statement whether corrective action has been completed on each significant recommendation described in previous semianual reports, and, in a case where corrective action has been completed, a description of such corrective action;

“(v) a certification whether or not the Inspector General has had full and direct access to all information relevant to the performance of the functions of the Inspector General;

“(vi) a description of the exercise of the subpoena authority under subsection (f)(5) by the Inspector General during the period covered by such report; and

“(vii) such recommendations as the Inspector General considers appropriate concerning legislation to promote economy and efficiency in the administration of programs and operations undertaken by elements of the national intelligence service, and to detect and eliminate fraud and abuse in such programs and operations.

“(2) Not later than the dates each year provided for the transmittal of semianual reports in section 507, the Director shall transmit to the congressional intelligence committees each report under paragraph (1), together with any comments the Director considers appropriate.
“(3)(A) The Inspector General shall report imme-
diately to the Director whenever the Inspector General be-
comes aware of particularly serious or flagrant problems,
abuses, deficiencies, or failures relating to the administra-
tion of programs or operations of the national intelligence
service.

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

“(4) In the event that—

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

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

“(i) holds or held a position in an element
of the national intelligence service that is sub-
ject to appointment by the President, by and
with the advice and consent of the Senate, in-
cluding such a position held on an acting basis; or

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

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

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

“(E) the Inspector General, pursuant to paragraph (6), files a report with the Attorney General on a matter relating to the intelligence or intelligence-related programs and operations of the United States Government; or

“(F) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, review, or audit,
the Inspector General shall immediately notify and submit

to the congressional intelligence committees a report on

such matter.

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

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

copy of each such report shall be furnished to the Director.

“(7)(A) An employee of any element of the national
intelligence community service, or of a contractor to any

element of the national intelligence service, who intends
to report to Congress a complaint or information with re-
spect to an urgent concern may report such complaint or
information to the Inspector General.
“(B) Not later than the end of the 14-calendar day period beginning on the date of receipt from an employee of a complaint or information under subparagraph (A), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the Director notice of that determination, together with the complaint or information.

“(C) Upon receipt of a transmittal from the Inspector General under subparagraph (B), the Director shall, within 7 calendar days of such receipt, forward such transmittal to the congressional intelligence committees, together with any comments the Director considers appropriate.

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

“(ii) An employee may contact the congressional intelligence committees directly as described in clause (i) only if the employee—
“(I) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee’s complaint or information and notice of the employee’s intent to contact the congressional intelligence committees directly; and

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

“(iii) A member or employee of one of the congressional intelligence committees who receives a complaint or information under clause (i) does so in that member or employee’s official capacity as a member or employee of that committee.

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

“(F) An action taken by the Director or the Inspector General under this paragraph shall not be subject to judicial review.

“(G) In this paragraph, the term ‘urgent concern’ means any of the following:
“(i) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operations of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

“(ii) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

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

“(h) ANALYTIC REVIEW UNIT.—(1) There is within the Office of the Inspector General of the National Intelligence Service the Analytic Review Unit.


“(3) The Inspector General shall provide the Analytic Review Unit a staff who possess an expertise in intel-
ligence analysis that is appropriate for the function of the Unit.

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

“(A) The National Intelligence Council.

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

“(C) The divisions, offices, officers, and employees of the national intelligence service.

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

“(i) CONSTRUCTION OF DUTIES REGARDING ELEMENTS OF NATIONAL INTELLIGENCE SERVICE.—The performance by the Inspector General of the National Intelligence Service of any duty, responsibility, or function regarding an element or elements of the national intelligence service shall not be construed to modify or affect the duties or responsibilities of any other Inspector General having duties or responsibilities relating to such element or elements.”.
(b) SEPARATE BUDGET ACCOUNT FOR OFFICE OF
INSPECTOR GENERAL.—(1) Beginning with fiscal year
2006, and in accordance with procedures to be issued by
the National Intelligence Director in consultation with the
congressional intelligence committees, the Director shall
include in the National Intelligence Program budget a sep-
arate account for the Office of the Inspector General of
the National Intelligence Service.

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

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

Title I of the National Security Act of 1947, as
amended by section 111(a) of this Act, is further amended
by inserting after section 103H the following new section:
“GENERAL COUNSEL OF THE NATIONAL INTELLIGENCE
SERVICE

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

“(b) CHIEF LEGAL OFFICER OF NATIONAL INTEL-
LIGENCE SERVICE.—The General Counsel of the National
Intelligence Service is the chief legal officer of the national intelligence service and is the chief legal authority of the executive branch on the effect of any guidance, policy, regulation, statute, treaty, or other international agreement on the intelligence or intelligence-related activities of the United States Government.

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

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

“(A) the national intelligence service is operating as authorized by the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States;

“(B) the national intelligence service is operating in compliance with any directives, policies, standards, and guidelines issued by the Director; and

“(C) the national intelligence service has all authorities necessary to provide timely and relevant intelligence information to the President, other policymakers, and military commanders;
“(2) coordinate the legal programs of the various elements of the national intelligence service;

“(3) coordinate with the Department of Justice to ensure that the activities of the national intelligence service are consistent with the obligations of the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States;

“(4) in consultation with the Department of Justice, interpret, and resolve conflicts in the interpretation or application of, the Constitution and all laws, regulations, Executive orders, and implementing guidelines of the United States to the intelligence and intelligence-related activities of the United States Government;

“(5) provide legal guidance, which shall be dispositive within the executive branch, to the Department of State, Department of Justice, and other departments, agencies, elements of the United States Government on the effect of the implementation and interpretation of treaties and other international agreements on the intelligence and intelligence related activities of the United States Government;
“(6) recommend to the Director directives, policies, standards, and guidelines relating to the activities of the national intelligence service;

“(7) review on an annual basis, in coordination with the heads of each element of the national intelligence service, the legal programs of each element of the national intelligence service to determine if changes or modifications to such authorities are required; and

“(8) carry out such other duties as the Director may specify.”.

SEC. 113. CHIEF INFORMATION OFFICER OF THE NATIONAL INTELLIGENCE SERVICE.

Title I of the National Security Act of 1947, as amended by section 112 of this Act, is further amended by inserting after section 103I the following new section:

“CHIEF INFORMATION OFFICER OF THE NATIONAL INTELLIGENCE SERVICE

“SEC. 103J. (a) CHIEF INFORMATION OFFICE OF NATIONAL INTELLIGENCE SERVICE.—There is in the Office of the National Intelligence Director a Chief Information Officer of the National Intelligence Service who shall be appointed by the National Intelligence Director.

“(b) ELIGIBILITY FOR APPOINTMENT.—Any individual appointed as Chief Information Officer of the National Intelligence Service shall have extensive experience
in the management, operation, and maintenance of complex information networks, including the use of advanced information technology applications and products to promote the efficient and secure exchange of information across such networks.

“(c) DUTIES AND RESPONSIBILITIES.—The Chief Information Officer of the National Intelligence Service shall—

“(1) develop an integrated information technology network that provides for the efficient and secure exchange of intelligence information among the elements of the national intelligence service and, as directed by the President, other departments and agencies of the Federal Government and of State and local governments;

“(2) develop an enterprise architecture for the national intelligence service and ensure that elements of the national intelligence service comply with such architecture;

“(3) ensure that the elements of the national intelligence service have direct and continuous electronic access to all information (including unevaluated intelligence) necessary for appropriately cleared analysts to conduct comprehensive all-source
analysis and for appropriately cleared policymakers to perform their duties;

“(4) review and provide recommendations to the National Intelligence Director on national intelligence service budget requests for information technology and national security systems;

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

“(6) promulgate and enforce standards on information technology and national security systems that apply throughout the national intelligence service;

“(7) provide for the elimination of duplicate information technology and national security systems within and between the elements of the national intelligence service; and

“(8) maintain a consolidated inventory of mission critical and mission essential information systems for the national intelligence service, identify interfaces between such systems and other information systems, and develop and maintain contingency plans for responding to a disruption in the operation of any of such systems.”.
SEC. 114. CHIEF FINANCIAL OFFICER OF THE NATIONAL INTELLIGENCE SERVICE.

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

"CHIEF FINANCIAL OFFICER OF THE NATIONAL INTELLIGENCE SERVICE

"SEC. 103K. (a) CHIEF FINANCIAL OFFICER OF NATIONAL INTELLIGENCE SERVICE.—There is in the Office of the National Intelligence Director a Chief Financial Officer of the National Intelligence Service who shall be appointed from civilian life by the National Intelligence Director.

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

"(c) DUTIES AND RESPONSIBILITIES.—The Chief Financial Officer of the National Intelligence Service shall—

“(1) assist the National Intelligence Director in the preparation and execution of the budget of the national intelligence service under the National Intelligence Program;

“(2) assist the Secretary of Defense in the preparation and execution of the budget of the Department of Defense insofar as such budget relates to the elements of the national intelligence service.
within the Joint Military Intelligence Program and
the Tactical Intelligence and Related Activities Pro-
gram; and

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

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

Subtitle B—Redesignation of
Certain Elements

SEC. 121. REDESIGNATION OF INTELLIGENCE COMMUNITY
AS NATIONAL INTELLIGENCE SERVICE.

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

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

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

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SEC. 122. REDESIGNATION OF NATIONAL FOREIGN INTELLIGENCE PROGRAM AS NATIONAL INTELLIGENCE PROGRAM.

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

(b) Conforming Amendments.—(1) The National Security Act of 1947, as amended by this Act, is further amended by striking “National Foreign Intelligence Program” each place it appears in the following provisions and inserting “National Intelligence Program”:

   (A) Section 105(a)(2) (50 U.S.C. 403–5(a)(2)).
   (B) Section 105(a)(3) (50 U.S.C. 403–5(a)(3)).
   (C) Section 506(a) (50 U.S.C. 415a(a)).

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

(c) Heading Amendments.—(1) The heading of section 105 of that Act is amended to read as follows:

“RESPONSIBILITIES OF THE SECRETARY OF DEFENSE PERTAINING TO THE NATIONAL INTELLIGENCE PROGRAM”.

(2) The heading of section 506 of that Act is amended to read as follows:
“SPECIFICITY OF NATIONAL INTELLIGENCE PROGRAM
BUDGET AMOUNTS FOR COUNTERTERRORISM,
COUNTERPROLIFERATION, COUNTERNARCOTICS, AND
COUNTERINTELLIGENCE”.

Subtitle C—Other Matters

SEC. 131. SENSE OF CONGRESS ON AVAILABILITY TO PUB-
LIC OF CERTAIN INTELLIGENCE FUNDING IN-
FORMATION.

(a) Sense of Congress.—It is the sense of Con-
gress that the President should, for each fiscal year after
fiscal year 2005, make available to the public the informa-
tion described in subsection (b) unless the President cer-
tifies that public disclosure of such information would
cause damage to the national security of the United
States.

(b) Covered Information.—The information de-
scribed in this subsection is as follows:

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

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

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

“Director of the Office of National Assessments

Sec. 104. (a) Director of Office of National Assessments.—There is a Director of the Office of National Assessments who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) Head of Office of National Assessments.—The Director of the Office of National Assessments shall serve as the head of the Office of National Assessments.

“(c) Supervision.—The Director of the Office of National Assessments shall report directly to the Assistant
National Intelligence Director for Analysis and Production with respect to the activities of the Office of National Assessments.

“(d) Duties and Responsibilities.—The Director of the Office of National Assessments shall—

“(1) correlate and evaluate intelligence related to the national security and provide appropriate dissemination of such intelligence;

“(2) perform such additional services as are of common concern to the elements of the national intelligence service, which services the National Intelligence Director determines can be more efficiently accomplished centrally; and

“(3) perform such other functions and duties as the National Intelligence Director or the Assistant National Intelligence Director for Analysis and Production may direct.

“(e) Termination of Employment of Employees.—(1) Notwithstanding any other provision of law, the Director of the Office of National Assessments may, in the discretion of the Director, terminate the employment of any officer or employee of the Office of National Assessments whenever the Director considers the termination of employment necessary or advisable in the interests of the United States.
“(2) Any termination of employment of an officer or employee under paragraph (1) shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the United States Government if declared eligible for such employment by the Office of Personnel Management.

“OFFICE OF NATIONAL ASSESSMENTS

“SEC. 104A. (a) OFFICE OF NATIONAL ASSESSMENTS.—There is an Office of National Assessments.

“(b) COMPONENTS.—The Office of National Assessments shall consist of the components as follows:

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

“(2) Such other components of the Central Intelligence Agency as of that date as are not made independent establishments by sections 205 and 206 of that Act.

“(3) Such other components as the National Intelligence Director may designate or are provided by law.

“(c) FUNCTION.—The function of the Office of National Assessments shall be to assist the Director of the Office of National Assessments in carrying out the responsibilities of the Director under section 104.”.

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SEC. 202. NATIONAL SECURITY AGENCY.

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

“Sec. 2. There is a National Security Agency.

“Sec. 3. (a) The Director of the National Security Agency is the head of the National Security Agency.

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

“(2) The Director of the National Security Agency shall report directly to the Assistant National Intelligence Director for Collection regarding the activities of the National Security Agency.”.

SEC. 203. NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) Supervision and Control by Assistant National Intelligence Director for Collection.—

(1) Section 441 of title 10, United States Code, is amended by striking subsection (c) and inserting the following new subsection (c):

“(c) Supervision.—(1) The Director of the National Geospatial-Intelligence Agency shall be under the direction, supervision, and control of the Assistant National Intelligence Director for Collection.

“(2) The Director of the National Geospatial-Intelligence Agency shall report directly to the Assistant Na-
national Intelligence Director for Collection regarding the ac-
tivities of the National Geospatial-Intelligence Agency.’’.

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

(A) Section 453(a).
(B) Section 453(b)(1).
(C) Section 454.
(D) Section 455(b)(1), both places it appears.
(E) Section 462, the first place it appears.
(b) SUPPORT.—(1) Section 444 of such title is
amended by striking ‘‘Director of Central Intelligence’’
each place it appears (other than in subsection (b)(3)) and
inserting ‘‘Director of the Office of National Assess-
ments’’.

(2) Such section is further amended by striking
‘‘Central Intelligence Agency’’ each place it appears (other
than the first place in subsection (b)(2)) and inserting
‘‘Office of National Assessments’’.

(3) Subsection (b)(3) of such section is amended by
striking ‘‘Secretary of Defense and the Director of Central
Intelligence’’ and inserting ‘‘Director of the National
Geospatial-Intelligence Agency and the Director of the Of-
Fice of National Assessments’’.
(4)(A) The heading of such section is amended to read as follows:

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

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

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

c OTHER AMENDMENTS.—(1) Subsection (d) of section 441 of such title is amended by striking “The Secretary of Defense, in consultation with the Director of Central Intelligence,” and inserting “The National Intelligence Director”.

(2) Section 442(b) of such title is amended by striking “Secretary of Defense” and inserting “Assistant National Intelligence Director for Collection, in coordination with the Secretary of Defense”.

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

(A) in the subsection caption, by striking “CENTRAL INTELLIGENCE” and inserting “OFFICE OF NATIONAL ASSESSMENTS”; and

(B) by striking “of the Agency shall coordinate with the Director of Central Intelligence” and inserting “of the National Geospatial-Intelligence Agency shall coordinate with the Director of the Office of National Assessments”.

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

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

(A) by striking “of the Department of Defense”; and

(B) by striking “Secretary of Defense” and inserting “National Intelligence Director”.

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

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

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

SEC. 204. NATIONAL RECONNAISSANCE OFFICE.

(a) SUPERVISION.—(1) The Director of the National Reconnaissance Office shall be under the direction, supervision, and control of the Assistant National Intelligence Director for Research, Development, and Acquisition.

(2) The Director of the National Reconnaissance Office shall report directly to the Assistant National Intel-
intelligence Director for Research, Development, and Acquisition regarding the activities of the Office.

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

(1) Section 3 (50 U.S.C. 403c), relating to procurement.

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

(3) Section 5 (50 U.S.C. 403f), relating to administration of funds.

(4) Section 6 (50 U.S.C. 403g), relating to exemptions from certain information disclosure requirements.

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

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

(7) Section 12 (50 U.S.C. 403l), relating to acceptance of gifts, devises, and bequests.
SEC. 205. REDESIGNATION AND MODIFICATION OF RESPONSIBILITIES OF DIRECTORATE OF OPERATIONS OF THE CENTRAL INTELLIGENCE AGENCY.

(a) INDEPENDENT ESTABLISHMENT.—The component of the Central Intelligence Agency known, as of the date of the enactment of this Act, as the Directorate of Operations shall, after that date, be an independent establishment within the executive branch known as the National Clandestine Service.

(b) SUPERVISION.—(1) The Director of the National Clandestine Service shall be under the direction, supervision, and control of the Assistant National Intelligence Director for Collection.

(2) The Director of the National Clandestine Service shall report directly to the Assistant National Intelligence Director for Collection regarding the activities of the National Clandestine Service.

(c) COMPONENT ELEMENTS.—The National Clandestine Service shall consist of components as follows:

(1) The components of the Directorate of Operations of the Central Intelligence Agency as of the date of the enactment of this Act.
(2) Such portions of the Directorate of Science and Technology of the Central Intelligence Agency as of that date that directly support the collection of intelligence through human sources and by other appropriate means.

(3) Such other components or elements of the national intelligence service as the Assistant National Intelligence Director for Collection, with the approval of the National Intelligence Director, may designate or are designated by law.

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

(1) The collection of intelligence through human sources and by other appropriate means, except that the Directorate shall have no police, subpoena, or law enforcement powers or internal security functions.

(2) Such other functions relating to intelligence affecting the national security as the President, the National Security Council, or the National Intelligence Director may direct.

(e) Delegation of Certain Administrative Authorities.—(1) Notwithstanding any other provision of law, the National Intelligence Director may delegate to the Director of the National Clandestine Service any authority
of the Director of the Office of National Assessments with
respect to the Office of National Assessments under a pro-
vision of the Central Intelligence Agency Act of 1949 as
follows:

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

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

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

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

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

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

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

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

(2) Notwithstanding any other provision of law, the
Director of the National Clandestine Service may exercise
an authority delegated under paragraph (1) with respect
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
as are not within the National Clandestine Service under section 205.

(2) Such other components or elements of the national intelligence service as the Assistant National Intelligence Director for Research, Development, and Acquisition, with the approval of the National Intelligence Director, may designate or are designated by law.

(d) **DELEGATION OF CERTAIN ADMINISTRATIVE AUTHORITIES.**—(1) Notwithstanding any other provision of law, the National Intelligence Director may delegate to the Director of the Office of Technical Support any authority of the Director of the Office of National Assessments with respect to the Office of National Assessments under a provision of the Central Intelligence Agency Act of 1949 as follows:

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

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

(C) Section 5 (50 U.S.C. 403f), relating to administration of funds.

(D) Section 6 (50 U.S.C. 403g), relating to exemptions from certain information disclosure requirements.
(E) Section 8 (50 U.S.C. 403j), relating to availability of appropriations.
(F) Section 11 (50 U.S.C. 403k), relating to payment of death gratuities.
(G) Section 12 (50 U.S.C. 403l), relating to acceptance of gifts, devises, and bequests.
(H) Section 21 (50 U.S.C. 403u), relating to operation of a central services program.

(2) Notwithstanding any other provision of law, the Director of the Office of Technical Support may exercise an authority delegated under paragraph (1) with respect to the Office to the same extent that the Director of the Office of National Assessments may exercise such authority with respect to the Office of National Assessments.

SEC. 207. DIRECTORATE FOR HUMAN INTELLIGENCE.

(a) INDEPENDENT ESTABLISHMENT.—The components of the Defense Intelligence Agency known, as of the date of the enactment of this Act, as the Directorate for Human Intelligence and the Directorate for MASINT and Technical Collection shall, after that date, be an independent establishment within the executive branch and shall together be known as the Directorate for Human Intelligence.

(b) SUPERVISION.—(1) The Director of the Directorate for Human Intelligence shall be under the direction,
supervision, and control of the Assistant National Intelligence Director for Collection.

(2) The Director of the Directorate for Human Intelligence shall report directly to the Assistant National Intelligence Director for Collection regarding the activities of the Directorate for Human Intelligence.

(c) Delegation of Certain Administrative Authorities.—(1) Notwithstanding any other provision of law, the National Intelligence Director may delegate to the Director of the Directorate for Human Intelligence any authority of the Director of the Office of National Assessments with respect to the Office of National Assessments under a provision of the Central Intelligence Agency Act of 1949 as follows:

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

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

(C) Section 5 (50 U.S.C. 403f), relating to administration of funds.

(D) Section 6 (50 U.S.C. 403g), relating to exemptions from certain information disclosure requirements.

(E) Section 8 (50 U.S.C. 403j), relating to availability of appropriations.
(F) Section 11 (50 U.S.C. 403k), relating to payment of death gratuities.

(G) Section 12 (50 U.S.C. 403l), relating to acceptance of gifts, devises, and bequests.

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

(2) Notwithstanding any other provision of law, the Director of the Directorate of Human Intelligence may exercise an authority delegated under paragraph (1) with respect to the Directorate to the same extent that the Director of the Office of National Assessments may exercise such authority with respect to the Office of National Assessments.

SEC. 208. MILITARY INTELLIGENCE.

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

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

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

“MILITARY INTELLIGENCE

“Sec. 105A. (a) IN GENERAL.—The Director of Military Intelligence shall supervise, direct, and command the forces and personnel assigned to the Director under subdivision (d)—
“(1) in carrying out assigned intelligence and intelligence-related activities and missions under the Joint Military Intelligence Program and the Tactical Intelligence and Related Activities Program; and

“(2) in carrying out intelligence and intelligence-related activities under the National Intelligence Program when directed by the National Intelligence Director, with the concurrence of the Secretary of Defense.

“(b) Grade of Director.—The Director of Military Intelligence shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating the permanent grade of such officer. The Director shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

“(c) Supervision and Control.—In carrying out responsibilities under subsection (a), the Director of Military Intelligence shall be subject to supervision and control of the Secretary of Defense, acting through the Under Secretary of Defense for Intelligence.

“(d) Assignment of Forces and Personnel.—Unless otherwise directed by the Secretary of Defense or by the National Intelligence Director (when exercising the responsibilities and authorities provided under this Act or
any other provision of law), there shall be assigned to the
Director of Military Intelligence the following:

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

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

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

“(1) The Defense Intelligence Agency.

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

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

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

“(f) TREATMENT AS UNIFIED COMBATANT COM-
MAND.—With the approval of the President and utilizing
the advice and assistance of the Chairman of the Joint
Chiefs of Staff, the Director of Military Intelligence shall—

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

“(2) in a manner consistent with the exercise of the authorities set forth in subsection (h), exercise with respect to such forces and personnel the powers and authorities of a commander of a unified combatant command under such chapter.

“(g) COMMAND OF ACTIVITY OR MISSION.—(1) Except as provided under paragraph (2) and unless otherwise directed by the President, the Secretary of Defense, or the National Intelligence Director (when exercising the responsibilities and authorities provided under this Act or any other provision of law), any intelligence or intelligence-related activity or mission conducted by the forces or personnel assigned to the Director of Military Intelligence under subsection (d) shall be conducted under the supervision, control, or command of the Director.

“(2) In any case where the President or the Secretary of Defense determines that an intelligence or intelligence-related activity or mission is a tactical intelligence or intelligence-related activity or mission that can be conducted
more efficiently and effectively under the commander of
the unified combatant command in whose geographic area
such activity or mission is to be conducted, such activity
or mission shall be conducted by the commander of such
unified combatant command.

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

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

“(3) Consistent with the authorities of the National
Intelligence Director (under this Act or any other provi-
sion of law) and the Secretary of Defense, the Director
of Military Intelligence shall be responsible for, and shall
have the authority to conduct, the following functions re-
lating to intelligence and intelligence-related activities
(whether or not relating to the forces or personnel as-
signed to the Director of Military Intelligence under sub-
section (d)):

“(A) Developing strategy, doctrine, and tactics.
“(B) Providing program and budget rec-
ommendations for the intelligence and intelligence-
related activities and missions of such forces and
personnel to the National Intelligence Director (for
those activities and missions under the National In-
telligence Program) and to the Secretary of Defense
(for those activities or missions under the Joint Mili-
tary Intelligence Program or the Tactical Intel-
ligence and Related Activities Program).
“(C) Exercising authority, direction, and con-
trol over the expenditure of funds—
“(i) for the forces assigned to the Director
of Military Intelligence under subsection (d);
“(ii) for the civilian personnel assigned to
the Director of Military Intelligence under that
subsection; and
“(iii) for intelligence and intelligence-re-
lated forces and civilian officers and employees
assigned to any unified combatant command,
with respect to all matters covered by para-
graph (4) and, with respect to a matter not covered by paragraph (4), to the extent directed by the Secretary of Defense or the National Intelligence Director (when exercising the responsibilities and authorities provided under this Act or any other provision of law).

“(D) Training forces and personnel.

“(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

“(F) Validating requirements.

“(G) Establishing priorities for requirements.

“(H) In cooperation with the Chief Information Officer of the National Intelligence Service with respect to matters for which the Chief Information Officer is responsible under this Act (or any other provision of law), ensuring the interoperability of equipment and forces.

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

“(J) Monitoring the promotions, assignments, retention, training, and professional military education of members of the Armed Forces and civilian officers and employees assigned to the Director of Military Intelligence under subsection (d).
“(4) Consistent with the authorities of the National Intelligence Director (under this Act or any other provision of law) and the Secretary of Defense, the Director of Military Intelligence shall be responsible for—

“(A) ensuring the readiness of forces and personnel assigned to the Director of Military Intelligence under subsection (d); and

“(B) monitoring the preparedness of forces assigned to any unified combatant command to carry out intelligence and intelligence-related activities and missions.

“(5) Consistent with the authorities of the National Intelligence Director (under this Act or any other provision of law) and the Secretary of Defense, the Director of Military Intelligence—

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

“(i) development and acquisition of equipment peculiar to the performance of the intelligence and intelligence-related activities and missions of the forces and personnel assigned to the Director of Military Intelligence under subsection (d); and

“(ii) acquisition of material, supplies, and services peculiar to the performance of the in-
intelligence and intelligence-related activities and
missions of such forces and personnel; and
“(B) in carrying out functions under subpara-
graph (A), shall have authority to exercise the func-
tions of the head of an agency under chapter 137 of
title 10, United States Code.
“(i) BUDGET PROPOSALS.—A budget proposal under
section 166(a) of title 10, United States Code, for the
funding of activities under the National Intelligence Pro-
gram of the forces or personnel assigned to the Director
of Military Intelligence under subsection (d) shall include
proposals for such activities of such forces and personnel
as the National Intelligence Director determines to be ap-
propriate for inclusion.
“(j) INTELLIGENCE AND SPECIAL ACTIVITIES.—This
section does not constitute authority to conduct any activ-
ity which, if carried out as an intelligence activity by the
Department of Defense, would require a notice to the Se-
lect Committee on Intelligence of the Senate and the Per-
manent Select Committee on Intelligence of the House of
Representatives under title V.
“(k) REGULATIONS.—The Secretary of Defense shall,
in consultation with the National Intelligence Director,
prescribe regulations for the activities and missions of
forces and personnel assigned to the Director of Military Intelligence under this section.”.

SEC. 209. RESERVE FOR CONTINGENCIES OF THE NATIONAL INTELLIGENCE DIRECTOR.

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

(b) Elements.—The Reserve shall consist of the following elements:

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

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

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

(d) Transfer of Funds of Reserve for Contingencies of CIA.—There shall be transferred to the Reserve for Contingencies of the National Intelligence Director all unobligated balances of the Reserve for Contingencies of the Central Intelligence Agency as of the date of the enactment of this Act.

(e) Conforming Amendment.—Section 504(a)(2) of the National Security Act of 1947 (50 U.S.C. 414(a)(2)) is amended by striking “Reserve for Conting-
gencies of the Central Intelligence Agency” and inserting “Reserve for Contingencies of the National Intelligence Director”.

SEC. 210. TRANSFER OF TERRORIST THREAT INTEGRATION CENTER.

(a) Transfer.—There shall be transferred to the National Counterterrorism Center all functions, programs, and activities of the Terrorist Threat Integration Center (TTIC).

(b) Administration.—The Director of the National Counterterrorism Center shall administer the Terrorist Threat Integration Center after the date of the enactment of this Act within the National Counterterrorism Center under section 103C(d) of the National Security Act of 1947 (as added by section 106 of this Act).

SEC. 211. PRESERVATION OF INTELLIGENCE CAPABILITIES.

(a) In general.—The Secretary of Defense, the National Intelligence Director, and the Director of the Office of National Assessments shall jointly take such actions as are appropriate to preserve the intelligence capabilities of the United States during the development of the National Clandestine Service, the Office of Technical Support, and the Directorate for Human Intelligence as independent establishments under this subtitle.
(b) USE OF ADMINISTRATIVE SERVICES.—(1) In taking actions under subsection (a), the Secretary of Defense, the National Intelligence Director, and the Director of the Office of National Assessments may permit a component referred to in that subsection to continue to utilize the administrative services of the Office of National Assessments, of the element of the national intelligence service from which such component is drawn, or of any other element of the national intelligence service.

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

(3) In this subsection, the term “element of the national intelligence service” means an element of the national intelligence service set forth in or designated under section 3(4) of the National Security Act of 1947, as amended by this Act.

Subtitle B—Other Modifications of Law

SEC. 221. AMENDMENTS RELATING TO ROLES OF NATIONAL INTELLIGENCE DIRECTOR AND DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

(a) NATIONAL SECURITY ACT OF 1947.—(1) The National Security Act of 1947, as amended by this Act, is further amended by striking “Director of Central Intel-
101

delence” and inserting “National Intelligence Director”
each place it appears in the following provisions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Q) Section 116(a) (50 U.S.C. 404k(a)).
(R) Section 117(a)(1) (50 U.S.C. 404l(a)(1)).

(S) Section 303(a) (50 U.S.C. 405(a)), both places it appears.

(T) Section 501(d) (50 U.S.C. 413(d)).

(U) Section 502(a) (50 U.S.C. 413a(a)), in the matter preceding paragraph (1).

(V) Section 503(b) (50 U.S.C. 413b(b)).

(W) Section 504(a)(2) (50 U.S.C. 414(a)(2)).

(X) Section 504(d)(2) (50 U.S.C. 414(d)(2)).

(Y) Section 506(b) (50 U.S.C. 415a(b)).

(Z) Section 506A(a)(1) (50 U.S.C. 415a–1(a)).

(AA) Section 603(a) (50 U.S.C. 423(a)).

(BB) Section 702(a)(1) (50 U.S.C. 432(a)(1)).


(DD) Section 702(b)(1) (50 U.S.C. 432(b)(1)), both places it appears.

(EE) Section 703(a)(1) (50 U.S.C. 432a(a)(1)).


(GG) Section 703(b)(1) (50 U.S.C. 432a(b)(1)), both places it appears.

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

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

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

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

(2) That Act is further amended by striking “of Central Intelligence” each place it appears in the following provisions:

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

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

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

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

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

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

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

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

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

(A) in subsection (a), by striking “Director of Central Intelligence” and inserting “Director of the Office of National Assessments, with the coordination of the National Intelligence Director,”;

(B) in subsection (c)(3), by striking “or the Office of the Director of Central Intelligence” and inserting “the Office of the National Intelligence Director, the Office of the Inspector General of the National Intelligence Service, or the Office of the Director of the Office of National Assessments”; and

(C) in subsection (g)(1), by striking “Director of Central Intelligence” and inserting “Director of the Office of National Assessments, with the coordination of the National Intelligence Director,”.

(5) Section 702(a)(3)(C) of that Act (50 U.S.C. 432(a)(3)(C)) is amended by adding at the end the following new clauses:

“(vi) The Office of the National Intelligence Director.

“(vii) The Office of the Inspector General of the National Intelligence Service.”.
(6) Section 703(a)(3)(C) of that Act (50 U.S.C. 432a(a)(3)(C)) is amended by adding at the end the following new clauses:

“(vi) The Office of the National Intelligence Director.

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

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

“(H) The Office of the National Intelligence Director.

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

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

“ADDITIONAL ANNUAL REPORTS FROM THE NATIONAL INTELLIGENCE DIRECTOR”.

(b) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—(1) Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director”.

(2) That Act is further amended by striking “Director of Central Intelligence” each place it appears in the fol-
lowing provisions and inserting “Director of the Office of National Assessments”:

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

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

(C) Section 16(b)(3) (50 U.S.C. 403p(b)(3)), both places it appears.

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

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

(3) That Act is further amended by striking “of Central Intelligence” in each of the following provisions:

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

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

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

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

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

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Office of National Assessments.”.

(2) Section 201 of that Act (50 U.S.C. 2011) is amended—
(A) in the captions for paragraph (2) of subsection (a) and subsection (e), by striking “DCI” and inserting “DCIA”; and

(B) in subsection (c), by striking “paragraph (6) of section 103(c) of the National Security Act of 1947 (50 U.S.C. 403–3(c)) that the Director of Central Intelligence” and inserting “section 102A(b)(9) of the National Security Act of 1947 that the National Intelligence Director”.

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

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

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

(f) CLASSIFIED INFORMATION PROCEDURES ACT.—Section 9(a) of the Classified Information Procedures Act (5 U.S.C. App.) is amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director”.

August 23, 2004
(g) **INTELLIGENCE AUTHORIZATION ACTS.**—

(1) **PUBLIC LAW 103–359.**—Section 811(c)(6)(C) of the Counterintelligence and Security Enhancements Act of 1994 (title VIII of Public Law 103–359) is amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director”.

(2) **PUBLIC LAW 107–306.**—(A) Section 313(a) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 50 U.S.C. 404n) is amended by striking “Director of Central Intelligence, acting as the head of the intelligence community,” and inserting “National Intelligence Director”.

(B) Section 341 of that Act (50 U.S.C. 404n–1) is amended by striking “Director of Central Intelligence, acting as the head of the intelligence community, shall establish in the Central Intelligence Agency” and inserting “National Intelligence Director shall establish within the national intelligence service”.

(C) Section 343(a)(1) of that Act (50 U.S.C. 404n–2(a)(1)) is amended by striking “Director of Central Intelligence, acting as the head of the Intel-
ligence Community,” and inserting “National Intelligence Director”.

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

(E) That Act is further amended by striking “Director of Central Intelligence” each place it appears in the following provisions and inserting “National Intelligence Director”:

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

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

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

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

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

(F) That Act is further amended by striking “Office of the Director of Central Intelligence” each place it appears in the following provisions and inserting “Office of the National Intelligence Director”:

(i) Section 904(c).

(ii) Section 904(l).
(3) PUBLIC LAW 108–177.—(A) The Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177) is amended by striking “Director of Central Intelligence” each place it appears in the following provisions and inserting “National Intelligence Director”:

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

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

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

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

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

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

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

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

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

(i) USA PATRIOT ACT OF 2001.—The USA PATRIOT Act of 2001 (Public Law 107–56) is amended by striking “Director of Central Intelligence” and inserting
“National Intelligence Director” each place it appears in the following provisions:

(1) Section 203(d)(1) (50 U.S.C. 403–5d(d)(1)) both places it appears.

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

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

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

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

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

(3) Section 202(e).

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

(5) Section 601(e)(6).

(6) Section 601(e).

(7) Section 601(f).

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

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

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

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

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(2) Subsections (d)(7)(B)(iv) and (i)(5)(B)(iv) of such title are each amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director, or the head of another element of the national intelligence service”.

(l) Title 44, United States Code.—Section 3535(g)(3) of title 44, United States Code, as added by section 1001 of the Federal Information Security Management Act of 2002 (title X of Public Law 107–296), is further amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director”.

(m) Federal Rules of Criminal Procedure.—Paragraphs (2) and (3) of section 6(e) of the Federal Rules of Criminal Procedure are each amended by striking “Director of Central Intelligence” and inserting “National Intelligence Director”.

SEC. 222. OTHER AMENDMENTS RELATING TO MODIFICATION OF MANAGEMENT OF NATIONAL INTELLIGENCE SERVICE.

(a) National Security Act of 1947.—The National Security Act of 1947, as amended by this Act, is further amended as follows:

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

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

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

(4) In section 116(b) (50 U.S.C. 404k(b)), by striking “Deputy Director of Central Intelligence” and all that follows and inserting “Deputy National Intelligence Director, the Assistant National Intelligence Director for Collection, the Assistant National Intelligence Director for Analysis and Production, or the Assistant National Intelligence Director for Research, Development, and Acquisition when necessary for officers or employees of the element under the direction, supervision, and control of such official.”.

(5) In section 506A(b) (50 U.S.C. 415a–1(b)), by striking “Office of the Deputy Director of Central Intelligence for Community Management” and inserting “Office of the National Intelligence Director”.
(6) In section 1001(b) (50 U.S.C. 441g(b)), by striking “Assistant Director of Central Intelligence for Administration” and inserting “Assistant National Intelligence Director for Analysis and Production”.

(b) CENTRAL INTELLIGENCE AGENCY OF 1949.—

The Central Intelligence Agency Act of 1949, as amended by this Act, is further amended as follows:

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

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

(c) NATIONAL SECURITY AGENCY ACT OF 1959.—

(1) The National Security Agency Act of 1959, as amended by this Act, is further amended by striking “Secretary of Defense” each place it appears in the following provisions and inserting “Assistant National Intelligence Director for Collection”:

(A) Section 5.
(B) Section 9(a).
(C) Section 9(b), each place it appear.
(D) Section 9(e).

(E) Section 9(d).

(F) Section 10(i).

(G) Section 12(a), each place it appears.

(H) Section 12(b), each place it appears.

(I) Section 16(b).

(J) Section 16(d)(3), each place it appears.

(K) Section 16(g).

(L) Section 18(a).

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

(3) Section 10(c)(1) of such Act is amended by striking “To the extent not inconsistent, in the opinion of the Secretary of Defense,” and inserting “To the extent required, and to the extent considered by the Assistant National Intelligence Director for Collection (in consultation with the Assistant National Intelligence for Military Support) to be not inconsistent”.

(d) Title 18, United States Code.—Section 115(c)(4) of title 18, United States Code, is amended by striking “Director of the Central Intelligence Agency” and inserting “National Intelligence Director”.

(e) Title 31, United States Code.—Section 1344(b)(6) of title 31, United States Code, is amended
by striking “Director of the Central Intelligence Agency” and inserting “National Intelligence Director”.

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

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

(1) in subparagraph (A), by striking “the National Geospatial-Intelligence Agency, the National Reconnaissance Office, or the National Security Agency, or of contractor of any of those Agencies,” and inserting “or of a contractor of that Agency,”;

and

(2) in subparagraph (C), by striking “other employee of, or contractor to, an executive agency,” and inserting “employee of, or contractor to, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, or the National Security Agency, or any other executive agency,”.

(h) PUBLIC LAW 107–306.—Section 343 of the Intelligence Authorization Act for Fiscal Year 2003, as amended by this Act, is further amended—
(1) in subsection (c), by striking “section 103(c)(6) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(6))” and inserting “section 102A(b)(9) of the National Security Act of 1947”; and

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

(i) PUBLIC LAW 108–177.—The Intelligence Authorization Act for Fiscal Year 2004, as amended by this Act, is further amended by striking “Assistant Director of Central Intelligence for Analysis and Production” each place it appears in the following provisions and inserting Assistant National Intelligence Director for Analysis and Production:

(1) Section 317(g).

(2) Section 318(e).

(j) PUBLIC LAW 94–479.—Section 5(c) of the National Materials and Minerals Policy, Research, and Development Act of 1980 (Public Law 94–479; 94 Stat. 2308; 30 U.S.C. 1604) is amended by striking “Director of the Central Intelligence Agency,” and inserting “National Intelligence Director,”.
SEC. 223. TREATMENT OF OFFICE OF NATIONAL INTELLIGENCE DIRECTOR AS ELEMENT OF THE NATIONAL INTELLIGENCE SERVICE.

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

“(A) the Office of the National Intelligence Director;”.

SEC. 224. COORDINATION WITH SECRETARY OF DEFENSE REGARDING INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.

(a) In General.—Subsection (a) of section 105 of the National Security Act of 1947 (50 U.S.C. 403–5) is amended—

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

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

“(1) ensure that—

“(A) the budgets of the elements of the national intelligence service within the Department of Defense relating to the tactical intelligence activities of such elements are adequate to satisfy the tactical intelligence needs of the Department of Defense, including the needs of the chairman of the Joint Chiefs of Staff and
(B) the budgets of the elements of the national intelligence service within the Department of Defense relating to the intelligence and intelligence-related activities of such elements—

“(i) comply with the requirements and priorities specified by the Director with respect to the National Intelligence Program; and

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

“(2) ensure, through the Assistant National Intelligence Director for Military Support, that the national intelligence needs of the Department of Defense, including the needs of the chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands, are conveyed to the Director for purposes of setting requirements and priorities for national intelligence;”;

the commanders of the unified and specified commands; and
(3) in paragraph (3), as so redesignated, by striking “appropriate”; and

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

(b) Specific Functions.—Subsection (b) of such section is amended—

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

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

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

(A) by striking “or the National Security Council)” and inserting “, the National Security Council, or the National Intelligence Director (when exercising the responsibilities and authorities provided under this Act or any other provision of law))”; and

(B) by adding “and” at the end.

(e) Annual Evaluation of Performance of Certain Officials.—Such section is further amended by adding at the end the following new subsection:

“(d) Annual Evaluation of Performance of Certain Officials.—(1) The Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of
Staff, submit each year to the National Security Council, the National Intelligence Director, and the appropriate committees of Congress an evaluation of the performance and responsiveness to military intelligence requirements of the officials specified in paragraph (2).

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

“(A) The Assistant National Intelligence Director for Collection.

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

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

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

“(3) In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committees on Armed Service and Appropriations and the Select Committee on Intelligence of the Senate; and

“(B) the Committees on Armed Service and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.”. 
SEC. 225. ROLE OF NATIONAL INTELLIGENCE DIRECTOR IN CERTAIN RECOMMENDATIONS TO THE PRESIDENT ON APPOINTMENTS TO THE NATIONAL INTELLIGENCE SERVICE.

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

"ROLE OF NATIONAL INTELLIGENCE DIRECTOR IN CERTAIN RECOMMENDATIONS TO THE PRESIDENT ON APPOINTMENTS TO THE NATIONAL INTELLIGENCE SERVICE

"Sec. 106. (a) RECOMMENDATIONS ON CERTAIN APPOINTMENTS.—(1) In the event of a vacancy in a position referred to in paragraph (2), the National Intelligence Director shall recommend to the President an individual for appointment to the position.

"(2) Paragraph (1) applies to the following positions:

"(A) The Director of the National Security Agency.

"(B) The Director of the Defense Intelligence Agency.

"(C) The Director of the National Geospatial-Intelligence Agency.

"(D) The Director of the National Reconnaissance Office.

"(b) CONCURRENCE IN CERTAIN APPOINTMENTS.—(1) In the event of a vacancy in a position referred to
in paragraph (2), the head of the department or agency having jurisdiction over the position shall obtain the concurrence of the National Intelligence Director before recommending to the President an individual for appointment to the Position. If the Director does not concur in the recommendation, the head of the department or agency may make the recommendation to the President without the concurrence of the Director, but shall include in the recommendation a statement that the Director does not concur in the recommendation.

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

“(A) The Under Secretary of Defense for Intelligence.

“(B) The Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection.

“(C) The Assistant Secretary of State for Intelligence and Research.

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

“(E) The Assistant Secretary for Terrorist Financing of the Department of the Treasury.

“(F) The Director of the Office of Intelligence of the Department of Energy.
“(G) The Director of the Office of Counterintelligence of the Department of Energy.

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

“(I) The Assistant Commandant of the Coast Guard for Intelligence.”.

SEC. 226. REPEAL OF SUPERSEDED AUTHORITY ON COLLECTION TASKING.

Section 111 of the National Security Act of 1947 (50 U.S.C. 404f) is repealed.

SEC. 227. MODIFICATION OF REQUIREMENTS AND LIMITATIONS ON FUNDING OF INTELLIGENCE ACTIVITIES.

Paragraph (3) of section 504(a) of the National Security Act of 1947 (50 U.S.C. 414(a)) is amended to read as follows:

“(3) in the case of funds specifically authorized by the Congress for a specific activity—

“(A) if the funds are appropriated to the National Intelligence Director under section 102B(c), such funds are reprogrammed under section 102B(d) or transferred under section 102B(e); or
“(B) if the funds are for an intelligence or intelligence-related activity but not appropriated to the National Intelligence Director under section 102B(c)—

“(i) the activity to be funded is a higher priority intelligence or intelligence-related activity; and

“(ii) the National Intelligence Director, the Secretary of Defense, the Attorney General, or other appropriate official has notified the appropriate congressional committees of the intent to make such funds available for such activity,”.

SEC. 228. TRANSMITTAL DATES OF SEMIANNUAL REPORTS OF INSPECTOR GENERAL OF THE NATIONAL INTELLIGENCE SERVICE.

Section 507(d) of the National Security Act of 1947 (50 U.S.C. 415f(d)) is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

“(1) The semianual reports of the Inspector General of the National Intelligence Service required
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to be transmitted by the National Intelligence Direc-
tor under section 103H(g)(2).”

SEC. 229. CONFORMING AMENDMENT RELATING TO DUAL
SERVICE OF UNDER SECRETARY OF DEFENSE
FOR INTELLIGENCE.

Section 137(b) of title 10, United States Code, is
amended—

(1) by inserting “(1)” after “(b)”; and
(2) by adding at the end the following new
paragraph:

“(2) In addition to the duties and powers under para-
graph (1), the Under Secretary of Defense for Intelligence
serves as Assistant National Intelligence Director for Mili-
tary Support under section 103G of the National Security
Act of 1947, and, in that capacity, has the responsibilities
specified in subsection (b) of such section.”.

SEC. 230. OVERSIGHT OF COMBAT SUPPORT AGENCIES OF
THE NATIONAL INTELLIGENCE SERVICE.

(a) OVERSIGHT.—(1) Chapter 8 of title 10, United
States Code, is amended by inserting after section 193 the
following new section:

“§ 193a. Combat support agencies of the national in-
telligence service: oversight

“(a) COMBAT READINESS.—(1) Every two years (or
sooner, if approved by the National Intelligence Director),
the Chairman of the Joint Chiefs of Staff shall, in consultation with the Secretary of Defense, submit to the National Intelligence Director a report on the combat support agencies of the national intelligence service. Each report shall include—

“(A) a determination with respect to the responsiveness and readiness of each such agency to support operating forces in the event of a war or threat to national security; and

“(B) any recommendations that the Chairman considers appropriate.

“(2) In preparing each report, the Chairman shall review the plans of each combat support agency of the national intelligence service with respect to its support of operating forces in the event of a war or threat to national security. After consultation with the Secretaries of the military departments and the commanders of the unified and specified combatant commands, as appropriate, the Chairman may, with the approval of the Secretary of Defense, provide the National Intelligence Director any recommendations for modifications of such plans that the Chairman considers appropriate.

“(b) PARTICIPATION IN JOINT TRAINING EXERCISES.—The Chairman shall, through the Assistant Na-
tional Intelligence Director for Military Support and with
the cooperation of the National Intelligence Director—

“(1) provide for the participation of the combat
support agencies of the national intelligence service
in joint training exercises to the extent necessary to
ensure that such agencies are capable of performing
their support missions with respect to a war or
threat to national security; and

“(2) assess the performance in joint training
exercises of each combat support agency of the na-
tional intelligence service and, in accordance with
guidelines established by the Secretary of Defense,
take steps to provide the National Intelligence Direc-
tor recommendations for any change that the Chair-
man considers appropriate to improve that perform-
ance.

“(c) Readiness Reporting System.—The Chair-
man shall develop, in consultation with the director of each
combat support agency of the national intelligence service,
a uniform system for reporting to the Secretary of De-
fense, the commanders of the unified and specified com-
batant commands, and the Secretaries of the military de-
partments concerning the readiness of each combat sup-
port agency of the national intelligence service to perform
with respect to a war or threat to national security.
“(d) Review of NSA, NGA, and NRO.—(1) Subsections (a), (b), and (c) shall apply to the National Security Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office, but only with respect to combat support functions that such agencies perform for the Department of Defense.

“(2) The Secretary of Defense shall, in coordination with the National Intelligence Director, establish policies and procedures with respect to the application of subsections (a), (b), and (c) to the National Security Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office.

“(e) Combat Support Capabilities of DIA, NSA, NGA, and NRO.—The Secretary of Defense and the National Intelligence Director shall jointly develop and implement such policies and programs as they determine necessary to correct such deficiencies as the Chairman of the Joint Chiefs of Staff and other officials of the Department of Defense may identify in the capabilities of the Defense Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office to accomplish assigned missions in support of military combat operations.

“(f) Combat Support Agency of the National Intelligence Service Defined.—In this section, the
term ‘combat support agency of the national intelligence service’ means any of the following agencies:

“(1) The National Security Agency.
“(2) The Defense Intelligence Agency.
“(3) The National Geospatial-Intelligence Agency.
“(4) The National Reconnaissance Office.”.

(2) The table of sections at the beginning of subchapter I of chapter 8 of such title is amended by inserting after the item relating to section 193 the following new item:

“193a. Combat support agencies of the national intelligence service: oversight.”.

(b) CONFORMING AMENDMENT.—Section 193(f) of such title is amended—

(1) by striking paragraphs (2) and (4); and

(2) by redesignating paragraphs (3) and (5) as paragraphs (2) and (3), respectively.

SEC. 231. LIMITATIONS AND AUTHORITIES ON MILITARY STATUS OF NATIONAL INTELLIGENCE DIRECTOR AND DEPUTY NATIONAL INTELLIGENCE DIRECTOR.

(a) LIMITATION ON SIMULTANEOUS SERVICE IN MILITARY STATUS.—Not more than one of the individuals serving in the positions specified in subsection (b) may be a commissioned officer of the Armed Forces, whether in active or retired status.
(b) COVERED POSITIONS.—The positions referred to in this subsection are the following:

(1) The National Intelligence Director.

(2) The Deputy National Intelligence Director.

(c) SENSE OF CONGRESS.—It is the sense of Congress that, under ordinary circumstances, it is desirable that one of the individuals serving in the positions referred to in subsection (b)—

(1) be a commissioned officer of the Armed Forces, whether in active or retired status; or

(2) have, by training or experience, an appreciation of military intelligence activities and requirements.

(d) PROHIBITION ON MILITARY SUPERVISION OR CONTROL.—A commissioned officer of the Armed Forces, while serving in a position referred to in subsection (b)—

(1) shall not be subject to supervision or control by the Secretary of Defense or by any officer or employee of the Department of Defense;

(2) shall not exercise, by reason of the officer’s status as a commissioned officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law; and
(3) shall not be counted against the numbers and percentages of commissioned officers of the rank and grade of such officer authorized for the military department of that officer.

(e) Service No Effect on Military Status.—Except as provided in paragraph (1) or (2) of subsection (d), the appointment of an officer of the Armed Forces to a position referred to in subsection (b) shall not affect the status, position, rank, or grade of such officer in the Armed Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, position, rank, or grade.

(f) Pay and Allowances.—A commissioned officer of the Armed Forces on active duty who is appointed to a position referred to in subsection (b), while serving in such position and while remaining on active duty, shall continue to receive military pay and allowances and shall not receive the pay prescribed for such position. Funds from which such pay and allowances are paid shall be reimbursed from funds available to the National Intelligence Director.

SEC. 232. CLERICAL AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.

The table of contents for the National Security Act of 1947 is amended—
(1) by striking the items relating to sections 102 through 104 and inserting the following new 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."

(2) by striking the items relating to sections 105, 105A, and 105B and inserting the following 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."

(3) by striking the item relating to section 106 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."

(4) by striking the item relating to section 111;
(5) by striking the item relating to section 114
and inserting the following new item:

“Sec. 114. Additional annual reports from the National Intelligence Director.”;

and

(6) by striking the item relating to section 506
and inserting the following new item:

“Sec. 506. Specificity of National Intelligence Program budget amounts for
counterterrorism, counterproliferation, counternarcotics, and
counterintelligence.”.

SEC. 233. EXECUTIVE SCHEDULE MATTERS.

(a) EXECUTIVE SCHEDULE LEVEL I.—Section 5312
of title 5, United States Code, is amended by adding at
the end the following new item:

“National Intelligence Director.”.

(b) EXECUTIVE SCHEDULE LEVEL II.—Section 5313
of title 5, United States Code, is amended—

(1) by striking the item relating to the Director
of Central Intelligence; and

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

“Deputy National Intelligence Director.”.

(c) EXECUTIVE SCHEDULE LEVEL III.—Section
5314 of title 5, United States Code, is amended—

(1) by striking the item relating to the Deputy
Directors of Central Intelligence; and

(2) by adding at the end the following new
items:
“Assistant National Intelligence Director for Collection.

“Assistant National Intelligence Director for Analysis and Production.

“Assistant National Intelligence Director for Research, Development, and Acquisition.”.

(d) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended—

(1) by striking the item relating to the Assistant Directors of Central Intelligence;

(2) by striking the item relating to the General Counsel of the Central Intelligence Agency; and

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

“Inspector General of the National Intelligence Service.

“General Counsel of the National Intelligence Service.

“Chief Information Officer of the National Intelligence Service.

“Chief Financial Officer of the National Intelligence Service.”.

SEC. 234. GENERAL REFERENCES.

(a) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD OF INTELLIGENCE COMMUNITY.—Any reference to the
Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to the National Intelligence Director.

(b) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD OF CIA.—Any reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to the Director of the Office of National Assessments.

(c) NATIONAL FOREIGN INTELLIGENCE PROGRAM.—Any reference to the National Foreign Intelligence Program in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to the National Intelligence Program.

(d) CENTRAL INTELLIGENCE AGENCY.—Any reference to the Central Intelligence Agency in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference as follows:

(1) In the case of a reference to a component of the Agency made a part of the Office of National
Assessments under section 104A of the National Security Act of 1947, as amended by section 201 of this Act, to the Office of National Assessments.

(2) In the case of a reference to a component of the Agency made a part of the National Clandestine Service under section 205, to the National Clandestine Service.

(3) In the case of a reference to a component of the Agency made a part of the Office of Technical Support under section 206, to the Office of Technical Support.

(e) INTELLIGENCE COMMUNITY.—Any reference to the intelligence community in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to the national intelligence service.

TITLE III—OTHER MATTERS

SEC. 301. REPORT ON ESTABLISHMENT OF NATIONAL INTELLIGENCE UNIVERSITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the National Intelligence Director shall submit to the appropriate committees of Congress a report on the feasibility and advisability of establishing a national intelligence university.
(b) ELEMENTS.—If the National Intelligence Director determines that the establishment of a national university is feasible and advisable, the Director shall include in the report an estimate of the costs of establishing and operating the university and a proposal for the types of training to be provided at the university, including interagency training of analysts and collectors.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 302. APPOINTMENT OF GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 20(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403t(a)) is amended by striking “from civilian life by the President, by and with the advice and consent of the Senate” and inserting “by the Director of the Office of National Assessments”.

SEC. 303. REPEAL OF LIMITATION ON LENGTH OF SERVICE

AS MEMBER OF THE SELECT COMMITTEE ON

INTELLIGENCE OF THE SENATE.

(a) REPEAL.—Section 2 of Senate Resolution 400 (94th Congress) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(b) RULES OF THE SENATE.—Subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the Senate; and

(2) with full recognition of the constitutional right of the Senate to change the rules of the Senate at any time and to the same extent as in the case of any other rule of the Senate.