

**INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR
1996**

[Public Law 104–93; approved January 6, 1996]

[As Amended Through P.L. 106–120, Enacted December 3, 1999]

【Currency: This publication is a compilation of the text of Public Law 104–93. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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 “Intelligence Authorization Act for Fiscal Year 1996”.

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TITLE III—GENERAL PROVISIONS

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SEC. 303. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

(a) 【Section 303(a) added title IX to the National Security Act of 1947 (50 U.S.C. 401 et seq.).】

(b) 【Section 303(b) added title IX to the table of sections to the National Security Act of 1947 (50 U.S.C. 401 et seq.).】

SEC. 304. THRIFT SAVINGS PLAN FORFEITURE.

(a) 【Section 304(a) added paragraph (5) to section 8432(g) of title 5, United States Code.】

(b) 【5 U.S.C. 8432 nt】 **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to offenses upon which the requisite annuity forfeitures are based occurring on or after the date of the enactment of this Act.

Sec. 305 INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 19... 2

SEC. 305. AUTHORITY TO RESTORE SPOUSAL PENSION BENEFITS TO SPOUSES WHO COOPERATE IN CRIMINAL INVESTIGATIONS AND PROSECUTIONS FOR NATIONAL SECURITY OFFENSES.

【Section 305 added subsection (e) to section 8318 of title 5, United States Code.】

SEC. 306. [50 U.S.C. 3347] SECRECY AGREEMENTS USED IN INTELLIGENCE ACTIVITIES.

Notwithstanding any other provision of law not specifically referencing this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum—

- (1) require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government; and
- (2) provide that the form or agreement does not bar—
 - (A) disclosures to Congress; or
 - (B) disclosures to an authorized official of an executive agency that are deemed essential to reporting a violation of United States law.

SEC. 307. LIMITATION ON AVAILABILITY OF FUNDS FOR AUTOMATIC DECLASSIFICATION OF RECORDS OVER 25 YEARS OLD.

(a) **IN GENERAL.**—The Director of Central Intelligence shall use no more than \$25,000,000 of the amounts authorized to be appropriated for fiscal year 1996 by this Act for the National Foreign Intelligence Program to carry out the provisions of section 3.4 of Executive Order 12958. The Director may, in the Director’s discretion, draw on this amount for allocation to the agencies within the National Foreign Intelligence Program for the purpose of automatic declassification of records over 25 years old.

(b) **REQUIRED BUDGET SUBMISSION.**—The President shall submit for fiscal year 1997 and each of the following fiscal years through fiscal year 2000 a budget request which specifically sets forth the funds requested for implementation of section 3.4 of Executive Order 12958.

SEC. 308. AMENDMENT TO THE HATCH ACT REFORM AMENDMENTS OF 1993.

【Section 308 amended section 7325 of title 5, United States Code.】

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SEC. 310. ASSISTANCE TO FOREIGN COUNTRIES.

Notwithstanding any other provision of law, funds authorized to be appropriated by this Act may be used to provide assistance to a foreign country for counterterrorism efforts if—

- (1) such assistance is provided for the purpose of protecting the property of the United States Government or the life and property of any United States citizen, or furthering the

apprehension of any individual involved in any act of terrorism against such property or persons; and

(2) the Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives are notified not later than 15 days prior to the provision of such assistance.

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TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. EXTENSION OF THE CIA VOLUNTARY SEPARATION PAY ACT.

(a) **[Section 401(a) amended section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4(f)).]**

(b) **[Section 401(b) added subsection (i) to section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4).]**

SEC. 402. **[50 U.S.C. 3161 nt] VOLUNTEER SERVICE PROGRAM.**

(a) **GENERAL AUTHORITY.**—The Director of Central Intelligence is authorized to establish and maintain a program from fiscal years 1996 through 2001 to utilize the services contributed by not more than 50 annuitants who serve without compensation as volunteers in aid of the review for declassification or downgrading of classified information by the Central Intelligence Agency under applicable Executive orders governing the classification and declassification of national security information and Public Law 102–526.

(b) **COSTS INCIDENTAL TO SERVICES.**—The Director is authorized to use sums made available to the Central Intelligence Agency by appropriations or otherwise for paying the costs incidental to the utilization of services contributed by individuals under subsection (a). Such costs may include (but need not be limited to) training, transportation, lodging, subsistence, equipment, and supplies. The Director may authorize either direct procurement of equipment, supplies, and services, or reimbursement for expenses, incidental to the effective use of volunteers. Such expenses or services shall be in accordance with volunteer agreements made with such individuals. Sums made available for such costs may not exceed \$100,000.

(c) **APPLICATION OF CERTAIN PROVISIONS OF LAW.**—A volunteer under this section shall be considered to be a Federal employee for the purposes of subchapter I of title 81 (relating to compensation of Federal employees for work injuries) and section 1346(b) and chapter 171 of title 28 (relating to tort claims). A volunteer under this section shall be covered by and subject to the provisions of chapter 11 of title 18 of the United States Code as if they were employees or special Government employees depending upon the days of expected service at the time they begin volunteering.

SEC. 403. **AUTHORITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.**

(a) **[Section 403(a) amended section 17(b)(5) of the Central Intelligence Act of 1949 (50 U.S.C. 403q(b)(5)).]**

(b) [Section 403(b) amended section 17(e)(3)(A) of the Central Intelligence Act of 1949 (50 U.S.C. 403q(e)(3)(A)).]

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. DEFENSE INTELLIGENCE SENIOR LEVEL POSITIONS.

[Section 501 amended section 1604 of title 10, United States Code, to read.]

SEC. 502. COMPARABLE BENEFITS AND ALLOWANCES FOR CIVILIAN AND MILITARY PERSONNEL ASSIGNED TO DEFENSE INTELLIGENCE FUNCTIONS OVERSEAS.

(a) [Section 502(a) amended section 1605 of title 10, United States Code.]

(b) [Section 502(b) amended section 431 of title 37, United States Code.]

SEC. 503. EXTENSION OF AUTHORITY TO CONDUCT INTELLIGENCE COMMERCIAL ACTIVITIES.

[Section 503 amended section 431(a) of title 10, United States Code.]

SEC. 504. AVAILABILITY OF FUNDS FOR TIER II UAV.

All funds appropriated for fiscal year 1995 for the Medium Altitude Endurance Unmanned Aerial Vehicle (Tier II) are specifically authorized, within the meaning of section 504 of the National Security Act of 1947 (50 U.S.C. 414), for such purpose.

SEC. 505. MILITARY DEPARTMENT CIVILIAN INTELLIGENCE PERSONNEL MANAGEMENT SYSTEM.

(a) [Section 505(a) added section 1599a to chapter 81 of title 10, United States Code.]

(b) [Section 505(b) added section 1599a to the table of section at the beginning of chapter 81 of title 10, United States Code.]

SEC. 506. ENHANCEMENT OF CAPABILITIES OF CERTAIN ARMY FACILITIES.

(a) AUTHORITY.—(1) In addition to funds otherwise available for such purpose, the Secretary of the Army may transfer or reprogram funds for the enhancement of the capabilities of the Bad Aibling Station and the Menwith Hill Station, including improvements of facility infrastructure and quality of life programs at those installations.

(2) The authority of paragraph (1) may be exercised notwithstanding any other provision of law.

(b) SOURCE OF FUNDS.—Funds available for the Army for operations and maintenance for fiscal years 2000 and 2001 shall be available to carry out subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—Whenever the Secretary of the Army determines that an amount to be transferred or reprogrammed under this section would cause the total amount transferred or reprogrammed in that fiscal year under this section to exceed \$1,000,000, the Secretary shall notify in advance the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Permanent

Select Committee on Intelligence, the Committee on National Security, and the Committee on Appropriations of the House of Representatives and provide a justification for the increased expenditure.

(d) **STATUTORY CONSTRUCTION.**—Nothing in this section may be construed to modify or obviate existing law or practice with regard to the transfer or reprogramming of funds in excess of \$2,000,000 from the Department of the Army to the Bad Aibling Station and the Menwith Hill Station.

TITLE VI—FEDERAL BUREAU OF INVESTIGATION

SEC. 601. DISCLOSURE OF INFORMATION AND CONSUMER REPORTS TO FBI FOR COUNTERINTELLIGENCE PURPOSES.

(a) **Section 601(a) added section 624 to the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).**

(b) **Section 601(a) added section 624 to the table of sections at the beginning of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).**

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. CLARIFICATION WITH RESPECT TO PAY FOR DIRECTOR OR DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE APPOINTED FROM COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) **Section 701(a) amended section 102(c)(3)(C) of the National Security Act of 1947 (50 U.S.C. 403(c)(3)).**

(b) **Section 701(b) amended section 102(c)(3)(A) and 102(c)(3)(B) of the National Security Act of 1947 (50 U.S.C. 403(c)(3)).**

SEC. 702. CHANGE OF DESIGNATION OF CIA OFFICE OF SECURITY.

Section 702 amended section 701(b)(3) of the National Security Act of 1947 (50 U.S.C. 431(b)(3)).