

TRIBUTE TO GEOFFEREY WARD

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Geoffrey Ward, a Portsmouth High School senior, for attending the 50th annual American Legion Boys Nation. Geoffrey was chosen to represent the Granite State at the national program. He was also one of several boys to attend American Legion Boys State at the New Hampshire Technical Institute in Concord this summer. These are certainly accomplishments of which he should be very proud, and I applaud him for his achievements.

Boys State and Boys Nation are week-long programs that aim to teach young men to be responsible citizens by teaching them how the Government works. The students set up a legislature where they introduce and debate bills in order to learn the complexities of democracy. While learning about the ins and outs of the Government, he will also learn interpersonal skills and the importance of listening, understanding and working together.

Geofferey enjoys politics and may pursue a career in a related field. I congratulate Geoffrey on his outstanding accomplishments. I commend his hard work and perseverance and wish him luck at Boys Nation. •

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. BOND. I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives on S. 858 entitled, "An Act to Authorize Appropriations for Fiscal Year 1998 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."

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 858) entitled "An Act to authorize appropriations for fiscal year 1998 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", do pass with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1998".

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1998 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.
- (11) The National Reconnaissance Office.
- (12) The National Imagery and Mapping Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1998, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 1775 of the 105th Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1998 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1998 the sum of \$147,588,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 1999.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized a total of 313 full-time personnel as of September 30, 1998. Such personnel may be permanent employees of the Community Management Account elements or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—In addition to amounts authorized to be appropriated by subsection (a) and the personnel authorized by subsection (b)—

- (1) there is authorized to be appropriated for fiscal year 1998 such amounts, and
- (2) there is authorized such personnel as of September 30, 1998,

for the Community Management Account, as are specified in the classified Schedule of Authorizations referred to in section 102(a).

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (as added by section 304 of this Act), during fiscal year 1998 any officer or employee of the

United States or member of the Armed Forces who is detailed to an element of the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis; except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), the amount of \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and engineering purposes shall remain available until September 30, 1999, and funds provided for procurement purposes shall remain available until September 30, 2000.

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

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

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1998 the sum of \$196,900,000.

TITLE III—GENERAL PROVISIONS

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

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

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

SEC. 303. ADMINISTRATION OF THE OFFICE OF THE DIRECTOR OF CENTRAL INTELLIGENCE.

Subsection (e) of section 102 of the National Security Act of 1947 (50 U.S.C. 403) is amended by adding at the end the following new paragraph:

"(4) The Office of the Director of Central Intelligence shall, for administrative purposes, be within the Central Intelligence Agency."

SEC. 304. DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL—INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following new section:

"DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL—INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM

"SEC. 113. (a) DETAIL.—(1) Notwithstanding any other provision of law, the head of a department with an element in the intelligence community or the head of an intelligence community agency or element may detail any employee within that department, agency, or element to serve in any position in the Intelligence

Community Assignment Program on a reimbursable or a nonreimbursable basis.

"(2) Nonreimbursable details may be for such periods as are agreed to between the heads of the parent and host agencies, up to a maximum of three years, except that such details may be extended for a period not to exceed 1 year when the heads of the parent and host agencies determine that such extension is in the public interest.

"(b) BENEFITS, ALLOWANCES, TRAVEL, INCENTIVES.—An employee detailed under subsection (a) may be authorized any benefit, allowance, travel, or incentive otherwise provided to enhance staffing by the organization from which they are being detailed.

"(c) ANNUAL REPORT.—(1) Not later than March 1 of each year, the Director of the Central Intelligence Agency shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing the detail of intelligence community personnel pursuant to subsection (a) for the previous 12-month period, including the number of employees detailed, the identity of parent and host agencies or elements, and an analysis of the benefits of the program.

"(2) The Director shall submit the first of such reports not later than March 1, 1999.

"(d) TERMINATION.—The authority to make details under this section terminates on September 30, 2002."

(b) TECHNICAL AMENDMENT.—Sections 120, 121, and 110 of the National Security Act of 1947 are hereby redesignated as sections 110, 111, and 112, respectively.

(c) CLERICAL AMENDMENT.—The table of contents contained in the first section of such Act is amended by striking the items relating to sections 120, 121, and 110 and inserting the following:

"Sec. 110. National mission of National Imagery and Mapping Agency.

"Sec. 111. Collection tasking authority.

"Sec. 112. Restrictions on intelligence sharing with the United Nations.

"Sec. 113. Detail of intelligence community personnel—intelligence community assignment program."

(d) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall apply to an employee on detail on or after January 1, 1997.

SEC. 305. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

Section 905 of the National Security Act of 1947 (50 U.S.C. 441d) is amended by striking "1998" and inserting "1999".

SEC. 306. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 307. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of the appropriate element of the Intelligence Community shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 308. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally

affixed a fraudulent label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 309. REPORT ON INTELLIGENCE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, jointly, in consultation with the heads of other appropriate Federal agencies, including the National Security Agency, and the Departments of Defense, Justice, Treasury, and State, shall prepare and transmit to the Congress a report on intelligence activities of the People's Republic of China, directed against or affecting the interests of the United States.

(b) DELIVERY OF REPORT.—The Director of Central Intelligence and the Director of the Federal Bureau of Investigation, jointly, shall transmit classified and unclassified versions of the report to the Speaker and minority leader of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives, and the Chairman and Vice-Chairman of the Select Committee on Intelligence of the Senate.

(c) CONTENTS OF REPORT.—Each report under subsection (a) shall include information concerning the following:

(1) Political, military, and economic espionage.

(2) Intelligence activities designed to gain political influence, including activities undertaken or coordinated by the United Front Works Department of the Chinese Communist Party.

(3) Efforts to gain direct or indirect influence through commercial or noncommercial intermediaries subject to control by the People's Republic of China, including enterprises controlled by the People's Liberation Army.

(4) Disinformation and press manipulation by the People's Republic of China with respect to the United States, including activities undertaken or coordinated by the United Front Works Department of the Chinese Communist Party.

SEC. 310. REVIEW OF THE PRESENCE OF CHEMICAL WEAPONS IN THE PERSIAN GULF THEATER.

The Inspector General of the Central Intelligence Agency shall conduct a review to determine what knowledge the Central Intelligence Agency had about the presence or use of chemical weapons in the Persian Gulf Theater during the course of the Persian Gulf War. The Inspector General shall submit a report of his findings to the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, no later than August 15, 1998 in both classified and unclassified form. The unclassified form shall also be made available to the public.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MULTIYEAR LEASING AUTHORITY.

(a) IN GENERAL.—Section 5 of the Central Intelligence Agency Act of 1949 is amended—

(1) by redesignating paragraphs (a) through (f) as paragraphs (1) through (6), respectively;

(2) by inserting "(a)" after "SEC. 5.";

(3) by striking "and" at the end of paragraph (5), as so redesignated;

(4) by striking the period at the end of paragraph (6), as so redesignated, and inserting ";

(5) by inserting after paragraph (6) the following new paragraph:

"(7) Notwithstanding section 1341(a)(1) of title 31, United States Code, enter into multiyear leases for up to 15 years that are not otherwise authorized pursuant to section 8 of this Act."; and

(6) by inserting at the end the following new subsection:

"(b)(1) The authority to enter into a multiyear lease under subsection (a)(7) shall be subject to appropriations provided in advance for (A) the entire lease, or (B) the first 12 months of the lease and the Government's estimated termination liability.

"(2) In the case of any such lease entered into under clause (B) of paragraph (1)—

"(A) such lease shall include a clause that provides that the contract shall be terminated if budget authority (as defined by section 3(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(2))) is not provided specifically for that project in an appropriations Act in advance of an obligation of funds in respect thereto;

"(B) notwithstanding section 1552 of title 31, United States Code, amounts obligated for paying termination costs in respect of such lease shall remain available until the costs associated with termination of such lease are paid;

"(C) funds available for termination liability shall remain available to satisfy rental obligations in respect of such lease in subsequent fiscal years in the event such lease is not terminated early, but only to the extent those funds are in excess of the amount of termination liability in that subsequent year; and

"(D) annual funds made available in any fiscal year may be used to make payments on such lease for a maximum of 12 months beginning any time during the fiscal year."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to multiyear leases entered into pursuant to section 5 of the Central Intelligence Agency Act of 1949, as amended by subsection (a), on or after October 1, 1997.

SEC. 402. CIA CENTRAL SERVICES PROGRAM.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) is amended by adding at the end the following new section:

"CENTRAL SERVICES PROGRAM

"SEC. 21. (a) ESTABLISHMENT.—The Director may—

"(1) establish a program to provide the central services described in subsection (b)(2); and

"(2) make transfers to and expenditures from the working capital fund established under subsection (b)(1).

"(b) ESTABLISHMENT AND PURPOSES OF CENTRAL SERVICES WORKING CAPITAL FUND.—(1) There is established a central services working capital fund. The Fund shall be available until expended for the purposes described in paragraph (2), subject to subsection (j).

"(2) The purposes of the Fund are to pay for equipment, salaries, maintenance, operation and other expenses for such services as the Director, subject to paragraph (3), determines to be central services that are appropriate and advantageous to provide to the Agency or to other Federal agencies on a reimbursable basis.

"(3) The determination and provision of central services by the Director of Central Intelligence under paragraph (2) shall be subject to the prior approval of the Director of the Office of Management and Budget.

"(c) ASSETS IN FUND.—The Fund shall consist of money and assets, as follows:

"(1) Amounts appropriated to the Fund for its initial monetary capitalization.

"(2) Appropriations available to the Agency under law for the purpose of supplementing the Fund.

"(3) Such inventories, equipment, and other assets, including inventories and equipment on order, pertaining to the services to be carried on by the central services program.

"(4) Such other funds as the Director is authorized to transfer to the Fund.

"(d) LIMITATIONS.—(1) The total value of orders for services described in subsection (b)(2) from the central services program at any time shall not exceed an annual amount approved in advance by the Director of the Office of Management and Budget.

"(2) No goods or services may be provided to any non-Federal entity by the central services program.

"(e) REIMBURSEMENTS TO FUND.—Notwithstanding any other provision of law, the Fund shall be—

"(1) reimbursed, or credited with advance payments, from applicable appropriations and funds of the Agency, other Intelligence Community agencies, or other Federal agencies, for the central services performed by the central services program, at rates that will recover the full cost of operations paid for from the Fund, including accrual of annual leave, workers' compensation, depreciation of capitalized plant and equipment, and amortization of automated data processing software; and

"(2) if applicable credited with the receipts from sale or exchange of property, including any real property, or in payment for loss or damage to property, held by the central services program as assets of the Fund.

"(f) RETENTION OF PORTION OF FUND INCOME.—(1) The Director may impose a fee for central services provided from the Fund. The fee for any item or service provided under the central services program may not exceed four percent of the cost of such item or service.

"(2) As needed for the continued self-sustaining operation of the Fund, an amount not to exceed four percent of the net receipts of the Fund in fiscal year 1998 and each fiscal year thereafter may be retained, subject to subsection (j), for the acquisition of capital equipment and for the improvement and implementation of the Agency's information management systems (including financial management, payroll, and personnel information systems). Any proposed use of the retained income in fiscal years 1998, 1999, and 2000, shall only be made with the approval of the Director of the Office of Management and Budget and after notification to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

"(3) Not later than 30 days after the close of each fiscal year, amounts in excess of the amount retained under paragraph (2) shall be transferred to the United States Treasury.

"(g) AUDIT.—(1) The Inspector General of the Central Intelligence Agency shall conduct and complete an audit of the Fund within three months after the close of each fiscal year. The Director of the Office of Management and Budget shall determine the form and content of the audit, which shall include at least an itemized accounting of the central services provided, the cost of each service, the total receipts received, the agencies or departments serviced, and the amount returned to the United States Treasury.

"(2) Not later than 30 days after the completion of the audit, the Inspector General shall submit a copy of the audit to the Director of the Office of Management and Budget, the Director of Central Intelligence, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

"(h) DEFINITIONS.—For purposes of this section—

"(1) the term 'central services program' means the program established under subsection (a); and

"(2) the term 'Fund' means the central services working capital fund established under subsection (b)(1).

"(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund \$5,000,000 for the purposes specified in subsection (b)(2).

"(j) TERMINATION.—(1) The Fund shall terminate on March 31, 2000, unless otherwise reauthorized by an Act of Congress prior to that date.

"(2) Subject to paragraph (1) and after providing notice to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, the Director of Central Intelligence and the Director of the Office of Management and Budget—

"(A) may terminate the central services program and the Fund at any time; and

"(B) upon any such termination, shall provide for dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such Fund, as may be necessary."

SEC. 403. PROTECTION OF CIA FACILITIES.

Subsection (a) of section 15 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403o(a)) is amended—

(1) by inserting "(1)" after "(a)";

(2) by striking "powers only within Agency installations," and all that follows through the end, and inserting the following: "powers—

"(A) within the Agency Headquarters Compound and the property controlled and occupied by the Federal Highway Administration located immediately adjacent to such Compound and in the streets, sidewalks, and the open areas within the zone beginning at the outside boundary of such Compound and property and extending outward 500 feet; and

"(B) within any other Agency installation and in the streets, sidewalks, and open areas within the zone beginning at the outside boundary of any such installation and extending outward 500 feet."; and

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

"(2) The performance of functions and exercise of powers under paragraph (1) shall be limited to those circumstances where such personnel can identify specific and articulable facts giving such personnel reason to believe that their performance of such functions and exercise of such powers is reasonable to protect against physical attack or threats of attack upon the Agency installations, property, or employees.

"(3) Nothing in this subsection shall be construed to preclude, or limit in any way, the authority of any Federal, State, or local law enforcement agency or of any other Federal police or Federal protective service.

"(4) The rules and regulations enforced by such personnel shall be the rules and regulations promulgated by the Director and shall only be applicable to the areas referred to in paragraph (1).

"(5) On December 1, 1998, and annually thereafter, the Director shall submit a report to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate that describes in detail the exercise of the authority granted by this subsection, and the underlying facts supporting the exercise of such authority, during the preceding fiscal year. The Director shall make such report available to the Inspector General of the Agency."

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. AUTHORITY TO AWARD ACADEMIC DEGREE OF BACHELOR OF SCIENCE IN INTELLIGENCE.

(a) AUTHORITY FOR NEW BACHELOR'S DEGREE.—Section 2161 of title 10, United States Code, is amended to read as follows:

"§2161. Joint Military Intelligence College: academic degrees

"Under regulations prescribed by the Secretary of Defense, the president of the Joint Military Intelligence College may, upon rec-

ommendation by the faculty of the college, confer upon a graduate of the college who has fulfilled the requirements for the degree the following:

"(1) The degree of Master of Science of Strategic Intelligence (MSSI).

"(2) The degree of Bachelor of Science in Intelligence (BSI)."

(b) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

"2161. Joint Military Intelligence College: academic degrees."

SEC. 502. UNAUTHORIZED USE OF NAME, INITIALS, OR SEAL OF NATIONAL RECONNAISSANCE OFFICE.

(a) EXTENSION, REORGANIZATION, AND CONSOLIDATION OF AUTHORITIES.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following new section:

"§425. Prohibition of unauthorized use of name, initials, or seal: specified intelligence agencies

"(a) PROHIBITION.—Except with the written permission of the Secretary of Defense, no person may knowingly use, in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Secretary of Defense, any of the following (or any colorable imitation thereof):

"(1) The words 'Defense Intelligence Agency', the initials 'DIA', or the seal of the Defense Intelligence Agency.

"(2) The words 'National Reconnaissance Office', the initials 'NRO', or the seal of the National Reconnaissance Office.

"(3) The words 'National Imagery and Mapping Agency', the initials 'NIMA', or the seal of the National Imagery and Mapping Agency.

"(4) The words 'Defense Mapping Agency', the initials 'DMA', or the seal of the Defense Mapping Agency."

(b) TRANSFER OF ENFORCEMENT AUTHORITY.—Subsection (b) of section 202 of title 10, United States Code, is transferred to the end of section 425 of such title, as added by subsection (a), and is amended by inserting "AUTHORITY TO ENJOIN VIOLATIONS.—" after "(b)".

(c) REPEAL OF REORGANIZED PROVISIONS.—Sections 202 and 445 of title 10, United States Code, are repealed.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of subchapter II of chapter 8 of title 10, United States Code, is amended by striking out the item relating to section 202.

(2) The table of sections at the beginning of subchapter I of chapter 21 of title 10, United States Code, is amended by striking out the items relating to sections 424 and 425 and inserting in lieu thereof the following:

"424. Disclosure of organizational and personnel information: exemption for Defense Intelligence Agency, National Reconnaissance Office, and National Imagery and Mapping Agency.

"425. Prohibition of unauthorized use of name, initials, or seal: specified intelligence agencies."

(3) The table of sections at the beginning of subchapter I of chapter 22 of title 10, United States Code, is amended by striking out the item relating to section 445.

SEC. 503. EXTENSION OF AUTHORITY FOR ENHANCEMENT OF CAPABILITIES OF CERTAIN ARMY FACILITIES.

Effective October 1, 1997, section 506(b) of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104-93; 109 Stat. 974) is amended by striking out "fiscal years 1996 and 1997" and inserting in lieu thereof "fiscal years 1998 and 1999".

TITLE VI—MISCELLANEOUS COMMUNITY PROGRAM ADJUSTMENTS

SEC. 601. COORDINATION OF ARMED FORCES INFORMATION SECURITY PROGRAMS.

(a) **PROGRAM EXECUTION COORDINATION.**—The Secretary of a military department or the head of a defense agency may not obligate or expend funds for any information security program of that military department without the concurrence of the Director of the National Security Agency.

(b) **EFFECTIVE DATE.**—This section takes effect on October 1, 1997.

SEC. 602. AUTHORITY OF EXECUTIVE AGENT OF INTEGRATED BROADCAST SERVICE.

All amounts appropriated for any fiscal year for intelligence information data broadcast systems may be obligated or expended by an intelligence element of the Department of Defense only with the concurrence of the official in the Department of Defense designated as the executive agent of the Integrated Broadcast Service.

SEC. 603. PREDATOR UNMANNED AERIAL VEHICLE.

(a) **TRANSFER OF FUNCTIONS.**—Effective October 1, 1997, the functions described in subsection (b) with respect to the Predator Unmanned Aerial Vehicle are transferred to the Secretary of the Air Force.

(b) **FUNCTIONS TO BE TRANSFERRED.**—Subsection (a) applies to those functions performed as of June 1, 1997, by the organization within the Department of Defense known as the Unmanned Aerial Joint Program Office with respect to the Predator Unmanned Aerial Vehicle.

(c) **TRANSFER OF FUNDS.**—Effective October 1, 1997, all unexpended funds appropriated for the Predator Unmanned Aerial Vehicle that are within the Defense-Wide Program Element number 0305205D are transferred to Air Force Program Element number 0305154F.

SEC. 604. U-2 SENSOR PROGRAM.

(a) **REQUIREMENT FOR MINIMUM NUMBER OF AIRCRAFT.**—The Secretary of Defense shall ensure—

(1) that not less than 11 U-2 reconnaissance aircraft are equipped with RAS-1 sensor suites; and

(2) that each such aircraft that is so equipped is maintained in a manner necessary to counter available threat technologies until the aircraft is retired or until a successor sensor suite is developed and fielded.

(b) **EFFECTIVE DATE.**—Subsection (a) takes effect on October 1, 1997.

SEC. 605. REQUIREMENTS RELATING TO CONGRESSIONAL BUDGET JUSTIFICATION BOOKS.

(a) **IN GENERAL.**—The congressional budget justification books for any element of the intelligence community submitted to Congress in support of the budget of the President for any fiscal year shall include, at a minimum, the following:

(1) For each program for which appropriations are requested for that element of the intelligence community in that budget—

(A) specification of the program, including the program element number for the program;

(B) the specific dollar amount requested for the program;

(C) the appropriation account within which funding for the program is placed;

(D) the budget line item that applies to the program;

(E) specification of whether the program is a research and development program or otherwise involves research and development;

(F) identification of the total cost for the program; and

(G) information relating to all direct and associated costs in each appropriations account for the program.

(2) A detailed accounting of all reprogramming or reallocation actions and the status of those actions at the time of submission of those materials.

(3) Information relating to any unallocated cuts or taxes.

(b) **DEFINITIONS.**—For purposes of this section:

(1) The term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

(2) The term “congressional budget justification books” means the budget justification materials submitted to Congress for any fiscal year in support of the budget for that fiscal year for any element of the intelligence community (as contained in the budget of the President submitted to Congress for that fiscal year pursuant to section 1105 of title 31, United States Code).

(c) **EFFECTIVE DATE.**—Subsection (a) shall take effect with respect to fiscal year 1999.

SEC. 606. COORDINATION OF AIR FORCE JOINT SIGINT PROGRAM OFFICE ACTIVITIES WITH OTHER MILITARY DEPARTMENTS.

(a) **CONTRACTS.**—The Secretary of the Air Force, acting through the Air Force Joint Airborne Signals Intelligence Program Office, may not modify, amend, or alter a JSAF program contract without coordinating with the Secretary of any other military department that would be affected by the modification, amendment, or alteration.

(b) **NEW DEVELOPMENTS AFFECTING OPERATIONAL MILITARY REQUIREMENTS.**—(1) The Secretary of the Air Force, acting through the Air Force Joint Airborne Signals Intelligence Program Office, may not enter into a contract described in paragraph (2) without coordinating with the Secretary of the military department concerned.

(2) Paragraph (1) applies to a contract for development relating to a JSAF program that may directly affect the operational requirements of one of the Armed Forces (other than the Air Force) for the satisfaction of intelligence requirements.

(c) **JSAF PROGRAM DEFINED.**—For purposes of this section, the term “JSAF program” means a program within the Joint Signals Intelligence Avionics Family of programs administered by the Air Force Joint Airborne Signals Intelligence Program Office.

(d) **EFFECTIVE DATE.**—This section takes effect on October 1, 1997.

SEC. 607. DISCONTINUATION OF THE DEFENSE SPACE RECONNAISSANCE PROGRAM.

Not later than October 1, 1999, the Secretary of Defense shall—

(1) discontinue the Defense Space Reconnaissance Program (a program within the Joint Military Intelligence Program); and

(2) close the organization within the Department of Defense known as the Defense Space Program Office (the management office for that program).

SEC. 608. TERMINATION OF DEFENSE AIRBORNE RECONNAISSANCE OFFICE.

(a) **TERMINATION OF OFFICE.**—The organization within the Department of Defense known as the Defense Airborne Reconnaissance Office is terminated. No funds available for the Department of Defense may be used for the operation of that Office after the date specified in subsection (d).

(b) **TRANSFER OF FUNCTIONS.**—(1) Subject to paragraphs (3) and (4), the Secretary of Defense shall transfer to the Defense Intelligence Agency those functions performed on the day before the date of the enactment this Act by the Defense Airborne Reconnaissance Office that are specified in paragraph (2).

(2) The functions transferred by the Secretary to the Defense Intelligence Agency under paragraph (1) shall include functions of the Defense Airborne Reconnaissance Office relating to its responsibilities for management oversight and coordination of defense airborne reconnaissance capabilities (other than any responsibilities for acquisition of systems).

(3) The Secretary shall determine which specific functions are appropriate for transfer under paragraph (1). In making that determination, the Secretary shall ensure that responsibility for individual airborne reconnaissance

programs with respect to program management, for research, development, test, and evaluation, for acquisition, and for operations and related line management remain with the respective Secretaries of the military departments.

(4) Any function transferred to the Defense Intelligence Agency under this subsection is subject to the authority, direction, and control of the Secretary of Defense.

(c) **REPORT.**—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the committees named in paragraph (2) a report containing the Secretary's plan for terminating the Defense Airborne Reconnaissance Office and transferring the functions of that office.

(2) The committees referred to in paragraph (1) are—

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

(B) the Permanent Select Committee on Intelligence and the Committee on National Security of the House of Representatives.

(d) **EFFECTIVE DATE.**—Subsection (a) shall take effect at the end of the 120-day period beginning on the date of the enactment of this Act.

Mr. BOND. Madam President, I ask unanimous consent that the Senate disagree with the amendment of the House, agree to the request for a conference, and, further, that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mrs. HUTCHISON) appointed Mr. SHELBY, Mr. CHAFEE, Mr. LUGAR, Mr. DEWINE, Mr. KYL, Mr. INHOFE, Mr. HATCH, Mr. ROBERTS, Mr. ALLARD, Mr. COATS, Mr. KERREY, Mr. GLENN, Mr. BRYAN, Mr. GRAHAM, Mr. KERRY, Mr. BAUCUS, Mr. ROBB, Mr. LAUTENBERG, and Mr. LEVIN; and from the Committee on Armed Services, Mr. THURMOND, conferees on the part of the Senate.

ORDERS FOR TUESDAY, JULY 22, 1997

Mr. BOND. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:45 a.m. on Tuesday, July 22. I further ask that on Tuesday, immediately following the prayer, the routine requests through the morning business hour be granted, and at 9:50 a.m. the Senate resume consideration of S. 1023, the Treasury, general governmental appropriations bill with 10 minutes of debate equally divided in the usual form between Senator CAMPBELL and Senator KOHL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. I also ask unanimous consent that from 12:30 p.m. to 2:15 p.m. the Senate recess for the weekly policy luncheons to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BOND. Madam President, for the information of all Members, tomorrow