

104TH CONGRESS
1ST SESSION

H. R. 1655

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14 (legislative day, SEPTEMBER 5), 1995

Received; read twice and referred to the Select Committee on Intelligence

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Intelligence Authoriza-
3 tion Act for Fiscal Year 1996”.

4 **TITLE I—INTELLIGENCE**
5 **ACTIVITIES**

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 1996 for the conduct of the intelligence and
9 intelligence-related activities of the following elements of
10 the United States Government:

11 (1) The Central Intelligence Agency.

12 (2) The Department of Defense.

13 (3) The Defense Intelligence Agency.

14 (4) The National Security Agency.

15 (5) The Department of the Army, the Depart-
16 ment of the Navy, and the Department of the Air
17 Force.

18 (6) The Department of State.

19 (7) The Department of Treasury.

20 (8) The Department of Energy.

21 (9) The Federal Bureau of Investigation.

22 (10) The Drug Enforcement Administration.

23 (11) The National Reconnaissance Office.

24 (12) The Central Imagery Office.

1 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

2 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
3 CEILINGS.—The amounts authorized to be appropriated
4 under section 101, and the authorized personnel ceilings
5 as of September 30, 1996, for the conduct of the intel-
6 ligence and intelligence-related activities of the elements
7 listed in such section, are those specified in the classified
8 Schedule of Authorizations prepared to accompany the bill
9 H.R. 1655 of the 104th Congress.

10 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
11 THORIZATIONS.—The Schedule of Authorizations shall be
12 made available to the Committees on Appropriations of
13 the Senate and House of Representatives and to the Presi-
14 dent. The President shall provide for suitable distribution
15 of the Schedule, or of appropriate portions of the Sched-
16 ular, within the executive branch.

17 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

18 (a) AUTHORITY FOR ADJUSTMENTS.—With the ap-
19 proval of the Director of the Office of Management and
20 Budget, the Director of Central Intelligence may authorize
21 employment of civilian personnel in excess of the number
22 authorized for fiscal year 1996 under section 102 when
23 the Director of Central Intelligence determines that such
24 action is necessary to the performance of important intel-
25 ligence functions, except that the number of personnel em-
26 ployed in excess of the number authorized under such sec-

1 tion may not, for any element of the intelligence commu-
2 nity, exceed two percent of the number of civilian person-
3 nel authorized under such section for such element.

4 (b) NOTICE TO INTELLIGENCE COMMITTEES.—The
5 Director of Central Intelligence shall promptly notify the
6 Permanent Select Committee on Intelligence of the House
7 of Representatives and the Select Committee on Intel-
8 ligence of the Senate whenever he exercises the authority
9 granted by this section.

10 **SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated for the Community Manage-
13 ment Account of the Director of Central Intelligence for
14 fiscal year 1996 the sum of \$80,713,000. Within such
15 amounts authorized, funds identified in the classified
16 Schedule of Authorizations referred to in section 102(a)
17 for the Advanced Research and Development Committee
18 and the Environmental Task Force shall remain available
19 until September 30, 1997.

20 (b) AUTHORIZED PERSONNEL LEVELS.—The Com-
21 munity Management Staff of the Director of Central Intel-
22 ligence is authorized 247 full-time personnel as of Septem-
23 ber 30, 1996. Such personnel of the Community Manage-
24 ment Staff may be permanent employees of the Commu-

1 nity Management Staff or personnel detailed from other
2 elements of the United States Government.

3 (c) REIMBURSEMENT.—During fiscal year 1996, any
4 officer or employee of the United States or a member of
5 the Armed Forces who is detailed to the Community Man-
6 agement Staff from another element of the United States
7 Government shall be detailed on a reimbursable basis, ex-
8 cept that any such officer, employee or member may be
9 detailed on a nonreimbursable basis for a period of less
10 than one year for the performance of temporary functions
11 as required by the Director of Central Intelligence.

12 **TITLE II—CENTRAL INTEL-**
13 **LIGENCE AGENCY RETIRE-**
14 **MENT AND DISABILITY SYS-**
15 **TEM**

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

17 There is authorized to be appropriated for the
18 Central Intelligence Agency Retirement and Disability
19 Fund for fiscal year 1996 the sum of \$213,900,000.

20 **TITLE III—GENERAL**
21 **PROVISIONS**

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

24 Appropriations authorized by this Act for salary, pay,
25 retirement, and other benefits for Federal employees may

1 be increased by such additional or supplemental amounts
2 as may be necessary for increases in such compensation
3 or benefits authorized by law.

4 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
5 **ACTIVITIES.**

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

10 **SEC. 303. APPLICATION OF SANCTIONS LAWS TO INTEL-**
11 **LIGENCE ACTIVITIES.**

12 (a) GENERAL PROVISIONS.—The National Security
13 Act of 1947 (50 U.S.C. 401 et seq.), is amended by adding
14 at the end thereof the following new title:

15 “TITLE IX—APPLICATION OF SANCTIONS LAWS
16 TO INTELLIGENCE ACTIVITIES

17 “STAY OF SANCTIONS

18 “SEC. 901. Notwithstanding any provision of law
19 identified in section 904, the President may stay the im-
20 position of an economic, cultural, diplomatic, or other sanc-
21 tion or related action by the United States Government
22 concerning a foreign country, organization, or person
23 when the President determines and reports to Congress
24 in accordance with section 903 that to proceed without
25 delay would seriously risk the compromise of an ongoing

1 criminal investigation related to the activities giving rise
2 to the sanction or an intelligence source or method related
3 to the activities giving rise to the sanction. Any such stay
4 shall be effective for a period of time specified by the
5 President, which period may not exceed 120 days, unless
6 such period is extended in accordance with section 902.

7 “EXTENSION OF STAY

8 “SEC. 902. Whenever the President determines and
9 reports to Congress in accordance with section 903 that
10 a stay of sanctions pursuant to section 901 has not af-
11 fforded sufficient time to obviate the risk to an ongoing
12 criminal investigation or to an intelligence source or meth-
13 od that gave rise to the stay, he may extend such stay
14 for a period of time specified by the President, which pe-
15 riod may not exceed 120 days. The authority of this sec-
16 tion may be used to extend the period of a stay pursuant
17 to section 901 for successive periods of not more than 120
18 days each.

19 “REPORTS

20 “SEC. 903. Reports to Congress pursuant to sections
21 901 and 902 shall be submitted in a prompt and timely
22 fashion upon determinations under this title. Such reports
23 shall be submitted to the Committee on International Re-
24 lations of the House of Representatives and the Commit-
25 tee on Foreign Relations of the Senate. With respect to
26 determinations relating to intelligence sources and meth-

1 ods, reports shall also be submitted to the Permanent Se-
2 lect Committee on Intelligence of the House of Represent-
3 atives and the Select Committee on Intelligence of the
4 Senate. With respect to determinations relating to ongoing
5 criminal investigations, reports shall also be submitted to
6 the Committees on the Judiciary of the House of Rep-
7 resentatives and the Senate.

8 “LAWS SUBJECT TO STAY

9 “SEC. 904. The President may use the authority of
10 sections 901 and 902 to stay the imposition of an eco-
11 nomic, cultural, diplomatic, or other sanction or related
12 action by the United States Government concerning a for-
13 eign country, organization, or person otherwise required
14 to be imposed by the Chemical and Biological Weapons
15 Control and Warfare Elimination Act of 1991 (title III
16 of Public Law 102–182); the Nuclear Proliferation Pre-
17 vention Act of 1994 (title VIII of Public Law 103–236);
18 title XVII of the National Defense Authorization Act for
19 Fiscal Year 1991 (Public Law 101–510) (relating to the
20 nonproliferation of missile technology); the Iran-Iraq
21 Arms Nonproliferation Act of 1992 (title XVI of Public
22 Law 102–484); and section 573 of the Foreign Oper-
23 ations, Export Financing Related Programs Appropria-
24 tions Act, 1994 (Public Law 103–87), section 563 of the
25 Foreign Operations, Export Financing Related Programs

1 Appropriations Act, 1995 (Public Law 103–306), and
2 comparable provisions within annual appropriations Acts.

3 “APPLICATION

4 “SEC. 905. This title shall cease to be effective on
5 the date which is three years after the date of the enact-
6 ment of this title.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 in the first section of such Act is amended by adding at
9 the end thereof the following:

“TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

“Sec. 901. Stay of sanctions.

“Sec. 902. Extension of stay.

“Sec. 903. Reports.

“Sec. 904. Laws subject to stay.

“Sec. 905. Application.”.

10 **SEC. 304. THRIFT SAVINGS PLAN FORFEITURE.**

11 Section 8432(g) of title 5, United States Code, is
12 amended by adding at the end the following new para-
13 graphs:

14 “(5)(A) Notwithstanding any other provision of law,
15 contributions made by the Government for the benefit of
16 an employee or Member under subsection (c), and all earn-
17 ings attributable to such contributions, shall be forfeited
18 if the annuity of the employee or Member, or that of a
19 survivor or beneficiary, is forfeited under subchapter II
20 of chapter 83.

1 “(B) Forfeitures under this paragraph shall occur
2 only if the offenses upon which the requisite annuity for-
3 feitures are based happened subsequent to the enactment
4 of this paragraph.”.

5 **SEC. 305. AUTHORITY TO RESTORE SPOUSAL PENSION BEN-**
6 **EFITS TO SPOUSES WHO COOPERATE IN**
7 **CRIMINAL INVESTIGATIONS AND PROSECU-**
8 **TIONS FOR NATIONAL SECURITY OFFENSES.**

9 Section 8318 of title 5, United States Code, is
10 amended by adding at the end the following:

11 “(e) The spouse of an individual whose annuity or
12 retired pay is forfeited under section 8312 or 8313 after
13 the date of enactment of this subsection shall be eligible
14 for spousal pension benefits if the Attorney General of the
15 United States determines that the spouse fully cooperated
16 with Federal authorities in the conduct of a criminal inves-
17 tigation and subsequent prosecution of the individual
18 which resulted in such forfeiture.”.

19 **SEC. 306. SECRECY AGREEMENTS USED IN INTELLIGENCE**
20 **ACTIVITIES.**

21 Notwithstanding any other provision of law not spe-
22 cifically referencing this section, a nondisclosure policy
23 form or agreement that is to be executed by a person con-
24 nected with the conduct of an intelligence or intelligence-
25 related activity, other than an employee or officer of the

1 United States Government, may contain provisions appro-
2 priate to the particular activity for which such document
3 is to be used. Such form or agreement shall, at a mini-
4 mum, require that the person will not disclose any classi-
5 fied information received in the course of such activity un-
6 less specifically authorized to do so by the United States
7 Government.

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

11 (a) IN GENERAL.—Each agency of the National For-
12 eign Intelligence Program shall use no more than
13 \$2,500,000 of the amounts authorized to be appropriated
14 by this Act to carry out the provisions of section 3.4 of
15 Executive Order 12958.

16 (b) REQUIRED BUDGET SUBMISSION.—The Presi-
17 dent shall submit for fiscal year 1997 and each of the fol-
18 lowing five years a budget request which specifically sets
19 forth the funds requested for implementation of section
20 3.4 of Executive Order 12958.

21 **SEC. 308. COMPLIANCE WITH BUY AMERICAN ACT.**

22 No funds appropriated pursuant to this Act may be
23 expended by an entity unless the entity agrees that in ex-
24 pending the assistance the entity will comply with sections

1 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
2 10c, popularly known as the “Buy American Act”).

3 **SEC. 309. SENSE OF CONGRESS; REQUIREMENT REGARD-**
4 **ING NOTICE.**

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

12 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
13 providing financial assistance under this Act, the Sec-
14 retary of the Treasury shall provide to each recipient of
15 the assistance a notice describing the statement made in
16 subsection (a) by the Congress.

17 **SEC. 310. PROHIBITION OF CONTRACTS.**

18 If it has been finally determined by a court or Federal
19 agency that any person intentionally affixed a fraudulent
20 label bearing a “Made in America” inscription, or any in-
21 scription with the same meaning, to any product sold in
22 or shipped to the United States that was not made in the
23 United States, such person shall be ineligible to receive
24 any contract or subcontract made with funds provided
25 pursuant to this Act, pursuant to the debarment, suspen-

1 sion, and ineligibility procedures described in sections
2 9.400 through 9.409 of title 48, Code of Federal Regula-
3 tions.

4 **TITLE IV—CENTRAL** 5 **INTELLIGENCE AGENCY**

6 **SEC. 401. EXTENSION OF THE CIA VOLUNTARY SEPARATION** 7 **PAY ACT.**

8 Section 2(f) of the Central Intelligence Agency Vol-
9 untary Separation Pay Act (50 U.S.C. 403–4(f)), is
10 amended by striking out “September 30, 1997” and in-
11 serting in lieu thereof “September 30, 1999”.

12 **SEC. 402. VOLUNTEER SERVICE PROGRAM.**

13 (a) GENERAL AUTHORITY.—The Director of Central
14 Intelligence is authorized to establish and maintain a pro-
15 gram from fiscal years 1996 through 2001 to utilize the
16 services contributed by not more than 50 annuitants who
17 serve without compensation as volunteers in aid of system-
18 atic or mandatory review for declassification or downgrad-
19 ing of classified information of the Central Intelligence
20 Agency under applicable Executive orders governing the
21 classification and declassification of national security in-
22 formation and Public Law 102–526.

23 (b) COSTS INCIDENTAL TO SERVICES.—The Director
24 is authorized to use sums made available to the Central
25 Intelligence Agency by appropriations or otherwise for

1 paying the costs incidental to the utilization of services
2 contributed by individuals under subsection (a). Such
3 costs may include (but need not be limited to) training,
4 transportation, lodging, subsistence, equipment, and sup-
5 plies. The Director may authorize either direct procure-
6 ment of equipment, supplies, and services, or reimburse-
7 ment for expenses, incidental to the effective use of volun-
8 teers. Such expenses or services shall be in accordance
9 with volunteer agreements made with such individuals.
10 Sums made available for such costs may not exceed
11 \$100,000.

12 (c) APPLICATION OF CERTAIN PROVISIONS OF
13 LAW.—A volunteer under this section shall be considered
14 to be a Federal employee for the purposes of subchapter
15 I of title 81 (relating to compensation of Federal employ-
16 ees for work injuries) and section 1346(b) and chapter
17 171 of title 28 (relating to tort claims). A volunteer under
18 this section shall be covered by and subject to the provi-
19 sions of chapter 11 of title 18 of the United States Code
20 as if they were employees or special Government employ-
21 ees depending upon the days of expected service at the
22 time they begin volunteering.

1 **TITLE V—DEPARTMENT OF DE-**
2 **FENSE INTELLIGENCE AC-**
3 **TIVITIES**

4 **SEC. 501. DEFENSE INTELLIGENCE SENIOR LEVEL POSI-**
5 **TIONS.**

6 Section 1604 of title 10, United States Code, is
7 amended to read as follows:

8 **“§ 1604. Civilian personnel management**

9 “(a) GENERAL PERSONNEL AUTHORITY.—The Sec-
10 retary of Defense may, without regard to the provisions
11 of any other law relating to the number, classification, or
12 compensation of Federal employees—

13 “(1) establish such positions for employees in
14 the Defense Intelligence Agency and the Central Im-
15 agery Office as the Secretary considers necessary to
16 carry out the functions of that Agency and Office,
17 including positions designated under subsection (f)
18 as Defense Intelligence Senior Level positions;

19 “(2) appoint individuals to those positions; and

20 “(3) fix the compensation for service in those
21 positions.

22 “(b) AUTHORITY TO FIX RATES OF BASIC PAY;
23 OTHER ALLOWANCES AND BENEFITS.—(1) The Secretary
24 of Defense shall, subject to subsection (c), fix the rates
25 of basic pay for positions established under subsection (a)

1 in relation to the rates of basic pay provided in subpart
2 D of part III of title 5 for positions subject to that title
3 which have corresponding levels of duties and responsibil-
4 ities. Except as otherwise provided by law, an employee
5 of the Defense Intelligence Agency or the Central Imagery
6 Office may not be paid basic pay at a rate in excess of
7 the maximum rate payable under section 5376 of title 5.

8 “(2) The Secretary of Defense may provide employees
9 of the Defense Intelligence Agency and the Central Im-
10 agery Office compensation (in addition to basic pay under
11 paragraph (1)) and benefits, incentives, and allowances
12 consistent with, and not in excess of the levels authorized
13 for, comparable positions authorized by title 5.

14 “(c) PREVAILING RATES SYSTEMS.—The Secretary
15 of Defense may, consistent with section 5341 of title 5,
16 adopt such provisions of that title as provide for prevailing
17 rate systems of basic pay and may apply those provisions
18 to positions in or under which the Defense Intelligence
19 Agency or the Central Imagery Office may employ individ-
20 uals described by section 5342(a)(2)(A) of such title.

21 “(d) ALLOWANCES BASED ON LIVING COSTS AND
22 ENVIRONMENT FOR EMPLOYEES STATIONED OUTSIDE
23 CONTINENTAL UNITED STATES OR IN ALASKA.—(1) In
24 addition to the basic compensation payable under sub-
25 section (b), employees of the Defense Intelligence Agency

1 and the Central Imagery Office described in paragraph (3)
2 may be paid an allowance, in accordance with regulations
3 prescribed by the Secretary of Defense, at a rate not in
4 excess of the allowance authorized to be paid under section
5 5941(a) of title 5 for employees whose rates of basic pay
6 are fixed by statute.

7 “(2) Such allowance shall be based on—

8 “(A) living costs substantially higher than in
9 the District of Columbia;

10 “(B) conditions of environment which—

11 “(i) differ substantially from conditions of
12 environment in the continental United States;
13 and

14 “(ii) warrant an allowance as a recruit-
15 ment incentive; or

16 “(C) both of those factors.

17 “(3) This subsection applies to employees who—

18 “(A) are citizens or nationals of the United
19 States; and

20 “(B) are stationed outside the continental Unit-
21 ed States or in Alaska.

22 “(e) TERMINATION OF EMPLOYEES.—(1) Notwith-
23 standing any other provision of law, the Secretary of De-
24 fense may terminate the employment of any employee of

1 the Defense Intelligence Agency or the Central Imagery
2 Office if the Secretary—

3 “(A) considers such action to be in the interests
4 of the United States; and

5 “(B) determines that the procedures prescribed
6 in other provisions of law that authorize the termi-
7 nation of the employment of such employee cannot
8 be invoked in a manner consistent with the national
9 security.

10 “(2) A decision by the Secretary of Defense to termi-
11 nate the employment of an employee under this subsection
12 is final and may not be appealed or reviewed outside the
13 Department of Defense.

14 “(3) The Secretary of Defense shall promptly notify
15 the Permanent Select Committee on Intelligence of the
16 House of Representatives and the Select Committee on In-
17 telligence of the Senate whenever the Secretary terminates
18 the employment of any employee under the authority of
19 this subsection.

20 “(4) Any termination of employment under this sub-
21 section shall not affect the right of the employee involved
22 to seek or accept employment with any other department
23 or agency of the United States if that employee is declared
24 eligible for such employment by the Director of the Office
25 of Personnel Management.

1 “(5) The authority of the Secretary of Defense under
2 this subsection may be delegated only to the Deputy Sec-
3 retary of Defense, the Director of the Defense Intelligence
4 Agency (with respect to employees of the Defense Intel-
5 ligence Agency), and the Director of the Central Imagery
6 Office (with respect to employees of the Central Imagery
7 Office). An action to terminate employment of an em-
8 ployee by any such officer may be appealed to the Sec-
9 retary of Defense.

10 “(f) DEFENSE INTELLIGENCE SENIOR LEVEL POSI-
11 TIONS.—(1) In carrying out subsection (a)(1), the Sec-
12 retary may designate positions described in paragraph (3)
13 as Defense Intelligence Senior Level positions. The total
14 number of positions designated under this subsection and
15 in the Defense Intelligence Senior Executive Service under
16 section 1601 of this title may not exceed the number of
17 positions in the Defense Intelligence Senior Executive
18 Service as of June 1, 1995.

19 “(2) Positions designated under this subsection shall
20 be treated as equivalent for purposes of compensation to
21 the senior level positions to which section 5376 of title
22 5 is applicable.

23 “(3) Positions that may be designated as Defense In-
24 telligence Senior Level positions are positions in the De-
25 fense Intelligence Agency and Central Imagery Office that

1 (A) are classified above the GS-15 level, (B) emphasize
2 functional expertise and advisory activity, but (C) do not
3 have the organizational or program management functions
4 necessary for inclusion in the Defense Intelligence Senior
5 Executive Service.

6 “(4) Positions referred to in paragraph (3) include
7 Defense Intelligence Senior Technical positions and De-
8 fense Intelligence Senior Professional positions. For pur-
9 poses of this subsection—

10 “(A) Defense Intelligence Senior Technical po-
11 sitions are positions covered by paragraph (3) that
12 involve any of the following:

13 “(i) Research and development.

14 “(ii) Test and evaluation.

15 “(iii) Substantive analysis, liaison, or advi-
16 sory activity focusing on engineering, physical
17 sciences, computer science, mathematics, biol-
18 ogy, chemistry, medicine, or other closely relat-
19 ed scientific and technical fields.

20 “(iv) Intelligence disciplines including pro-
21 duction, collection, and operations in close asso-
22 ciation with any of the activities described in
23 clauses (i), (ii), and (iii) or related activities;
24 and

1 “(B) Defense Intelligence Senior Professional
2 positions are positions covered by paragraph (3) that
3 emphasize staff, liaison, analytical, advisory, or
4 other activity focusing on intelligence, law, finance
5 and accounting, program and budget, human re-
6 sources management, training, information services,
7 logistics, security, and other appropriate fields.

8 “(g) ‘EMPLOYEE’ DEFINED AS INCLUDING OFFI-
9 CERS.—In this section, the term ‘employee’, with respect
10 to the Defense Intelligence Agency or the Central Imagery
11 Office, includes any civilian officer of that Agency or Of-
12 fice.”.

13 **SEC. 502. COMPARABLE BENEFITS AND ALLOWANCES FOR**
14 **CIVILIAN AND MILITARY PERSONNEL AS-**
15 **SIGNED TO DEFENSE INTELLIGENCE FUNC-**
16 **TIONS OVERSEAS.**

17 (a) CIVILIAN PERSONNEL.—Section 1605 of title 10,
18 United States Code, is amended—

19 (1) in subsection (a)—

20 (A) by inserting “(1)” after “(a)”;

21 (B) by striking out “of the Department of
22 Defense” and all that follows through “this
23 subsection,” and inserting in lieu thereof “de-
24 scribed in subsection (d)”;

1 (C) by designating the second sentence as
2 paragraph (2);

3 (2) by striking out subsection (c) and inserting
4 in lieu thereof the following:

5 “(c) Regulations prescribed under subsection (a) may
6 not take effect until the Secretary of Defense has submit-
7 ted such regulations to—

8 “(1) the Committee on Armed Services and the
9 Select Committee on Intelligence of the Senate; and

10 “(2) the Committee on National Security and
11 the Permanent Select Committee on Intelligence of
12 the House of Representatives.”; and

13 (3) by adding at the end the following new sub-
14 section:

15 “(d) Subsection (a) applies to civilian personnel of
16 the Department of Defense who—

17 “(1) are United States nationals;

18 “(2) in the case of employees of the Defense In-
19 telligence Agency, are assigned to duty outside the
20 United States and, in the case of other employees,
21 are assigned to Defense Attaché Offices or Defense
22 Intelligence Agency Liaison Offices outside the Unit-
23 ed States; and

24 “(3) are designated by the Secretary of Defense
25 for the purposes of subsection (a).”.

1 (b) MILITARY PERSONNEL.—Section 431 of title 37,
2 United States Code, is amended—

3 (1) in subsection (a), by striking out “who are
4 assigned to” and all that follows through “of this
5 subsection” and inserting in lieu thereof “described
6 in subsection (e)”;

7 (2) by striking out subsection (d) and inserting
8 in lieu thereof the following:

9 “(d) Regulations prescribed under subsection (a) may
10 not take effect until the Secretary of Defense has submit-
11 ted such regulations to—

12 “(1) the Committee on Armed Services and the
13 Select Committee on Intelligence of the Senate; and

14 “(2) the Committee on National Security and
15 the Permanent Select Committee on Intelligence of
16 the House of Representatives.”; and

17 (3) by adding at the end the following new sub-
18 section:

19 “(e) Subsection (a) applies to members of the armed
20 forces who—

21 “(1) are assigned—

22 “(A) to Defense Attaché Offices or De-
23 fense Intelligence Agency Liaison Offices out-
24 side the United States; or

1 “(B) to the Defense Intelligence Agency
2 and engaged in intelligence-related duties out-
3 side the United States; and

4 “(2) are designated by the Secretary of Defense
5 for the purposes of subsection (a).”.

6 **SEC. 503. EXTENSION OF AUTHORITY TO CONDUCT INTEL-**
7 **LIGENCE COMMERCIAL ACTIVITIES.**

8 Section 431(a) of title 10, United States Code, is
9 amended by striking out “1995” and inserting in lieu
10 thereof “1998”.

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

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

17 **TITLE VI—TECHNICAL**
18 **AMENDMENTS**

19 **SEC. 601. CLARIFICATION WITH RESPECT TO PAY FOR DI-**
20 **RECTOR OR DEPUTY DIRECTOR OF CENTRAL**
21 **INTELLIGENCE APPOINTED FROM COMMIS-**
22 **SIONED OFFICERS OF THE ARMED FORCES.**

23 (a) CLARIFICATION.—Subparagraph (C) of section
24 102(c)(3) of the National Security Act of 1947 (50 U.S.C.
25 403(c)(3)) is amended to read as follows:

