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REPORT
108–176

PROVIDING FOR CONSIDERATION OF H.R. 2417, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004

JUNE 24, 2003.—Referred to the House Calendar and ordered to be printed

Mrs. MYRICK, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 295]

The Committee on Rules, having had under consideration House Resolution 295, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2417, the Intelligence Authorization Act for Fiscal Year 2004, under a modified open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence.

The rule provides that the bill shall be considered for amendment under the five-minute rule. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute now printed in the bill, which shall be considered as read. The rule waives all points of order against consideration of the bill, and against the committee amendment in the nature of a substitute.

The rule provides that no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in this report, and all points of order against said amendments are waived.

The rule provides that each amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Finally, the rule provides one motion to recommit with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

(Summaries of amendments derived from information provided by the sponsor.)

1. Cox: Strikes Section 336 of the bill.

2. Farr: Seeks to improve the foreign language training of the intelligence community by providing: (1) training in the application of standardized foreign language skill assessment mechanisms; (2) development of curriculum for advanced proficiency intelligence community foreign language speakers and interpreters; (3) non-degree training for translators and interpreters; (4) training intelligence community foreign language teachers in the use of technology geared for teaching advanced "critical languages"; (5) intensive on-site foreign language training.

3. Harman: Amends section (g)(1) of Section 343 of the bill by requiring the Director of Central Intelligence to report on whether further consolidation or elimination of watch list databases in federal departments and agencies would contribute to the efficacy and effectiveness of the Terrorist Identification Classification System in identifying known or suspected terrorist. If so, it would also require the Director of Central Intelligence to report on steps required to consolidate or eliminate such watch lists.

4. Hastings (FL): Directs the Director of Central Intelligence to establish a pilot project to improve recruitment of ethnic and cultural minorities and women to meet the diversity of skills, language, and expertise required by the current mission.

5. Kucinich: Directs the Inspector General of the Central Intelligence Agency to conduct an audit of all telephone and electronic communications between the CIA and the Office of the Vice President that relate to weapons of mass destruction obtained or developed by Iraq preceding Operation Iraqi Freedom. Not later than 1 year after the date of enactment, the Inspector General shall submit a report to Congress on the audit conducted.

6. Lee: Requires the Comptroller General of the United States to conduct a study to determine the extent of intelligence sharing by the Department of Defense and intelligence community with United Nations inspectors searching for weapons of mass destruction in Iraq prior to Operation Iraqi Freedom.

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COX OF CALIFORNIA, OR HIS DESIGNEE

Strike section 336.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARR OF CALIFORNIA, OR HIS DESIGNEE

Insert at the end of title III the following new section:

SEC. 3____. GRANT PROGRAM FOR CRITICAL LANGUAGE RESEARCH AND STUDIES.

(a) ESTABLISHMENT OF PROGRAM.—The [Director of Central Intelligence/Secretary of Defense] may distribute funds, from amounts appropriated under subsection (c), through grants, cooperative agreements, and contracts, to qualified language institutes to

carry out the following language training for appropriate personnel of the intelligence community:

(1) Training in the use of assessment mechanisms for advanced language skills for the intelligence community.

(2) Development of curriculum and materials (directly and through electronic transmission) for interpreters and speakers of advanced proficiency in 10 languages, including Arabic, Chinese, and Korean.

(3) Non-degree training for translators and interpreters for individuals with high levels of language proficiency.

(4) Training instructors in the use of technology in the teaching of advanced critical languages, and developing videoconferencing and other communications capacities for training both on-site and from remote locations.

(5) Intensive on-site training for individuals with the highest language proficiency skills.

(b) QUALIFICATIONS.—To be eligible for a grant, agreement, or contract under this section, a qualified language institute must have established a program that—

(1) is a graduate school of international careers, with expertise in language and culture; and

(2) offers an degree master program in translation and conference interpretation in at least 7 languages.

(c) AUTHORIZATION OF APPROPRIATIONS.—The are authorized to be appropriated to carry out this section, $2,250,000 for fiscal year 2004, and such sums as are necessary in subsequent fiscal years.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term "intelligence community" has the meaning given that term by section 3(4) of the National Security Act of 1947 (50 U.S.C. 401(4)).

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HARMAN OF CALIFORNIA, OR HER DESIGNEE

At the end of title III, add the following new section:

SEC. 345. MODIFICATION OF TERRORIST IDENTIFICATION CLASSIFICATION SYSTEM.

(a) CERTIFICATION REQUIREMENT FOR CONSOLIDATION OF WATCH LISTS.—Subsection (g)(1) of section 343 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2399; 50 U.S.C. 404n2) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E);

(2) by inserting after subparagraph (C) the following new subparagraph:

"(D) Whether further consolidation or elimination of watch list databases in the departments and agencies with access to the System would contribute to the efficiency and effectiveness of the System in identifying individuals who are known or suspected international terrorists."; and

(3) in subparagraph (E), as so redesignated, by adding at the end the following: "If the certification under subparagraph (D) is in the positive, the steps required to consolidate or eliminate such watch lists.".

(b) ESTABLISHMENT OF ADVISORY COUNCIL.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

"(4) The Director shall establish an advisory council comprised of experts in the field of civil liberties and privacy issues to advise the Director on issues of civil liberties and privacy as they relate to the maintenance of the System.".

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA, OR HIS DESIGNEE

At the end of subtitle D of title III, insert the following new section:

SEC. 337. IMPROVEMENT OF RECRUITMENT, HIRING AND RETENTION OF ETHNIC AND CULTURAL MINORITIES IN THE INTELLIGENCE COMMUNITY.

(a) PILOT PROJECT TO IMPROVE DIVERSITY THROUGHOUT THE INTELLIGENCE COMMUNITY USING INNOVATIVE METHODOLOGIES FOR THE RECRUITMENT, HIRING AND RETENTION OF ETHNIC AND CULTURAL MINORITIES AND WOMEN WITH THE DIVERSITY OF SKILLS, LANGUAGES AND EXPERTISE REFLECTIVE OF THE CURRENT MISSION.—The Director of Central Intelligence shall carry out a pilot project under this section to test and evaluate alternative, innovative methods to recruit and hire for the intelligence community women and minorities with diverse ethnic and cultural backgrounds, skills, language proficiency, and expertise.

(b) METHODS.—In carrying out the pilot project, the Director shall employ methods such as advertising in foreign language newspapers in the United States, site visits to institutions with a high percentage of students who study English as a second language, and other methods that are not used by the Director under the DCI Diversity Strategic Plan to increase diversity of officers and employees in the intelligence community.

(c) DURATION OF PROJECT.—The Director shall carry out the project under this section for a 3-year period.

(d) REPORT.—Not later than 2 years after the date the Director implements the pilot project under this section, the Director shall submit to Congress a report on the project. The report shall include—

(1) an assessment of the effectiveness of the project; and

(2) recommendations on the continuation of the project as well as for improving the effectiveness of the project in meeting the goals of increasing the recruiting and hiring of women and minorities within the intelligence community.

(e) DIVERSITY PLAN.—(1) Not later than February 15, 2004, the Director of Central Intelligence shall submit to Congress a report which describes the plan of the Director, entitled the "DCI Diversity Strategic Plan", and any subsequent revision to that plan, to increase diversity of officers and employees in the intelligence community, including the short- and long-term goals of the plan. The report shall also provide a detailed description of the progress that has been made by each element of the intelligence community in implementing the plan.

(2) In implementing the plan, the Director shall incorporate innovative methods for the recruitment and hiring of women and minorities that the Director has determined to be effective from the pilot project carried out under this section.

(f) DEFINITION.—In this section, the term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401(4)).

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUCINICH OF OHIO, OR HIS DESIGNEE

At the end of title III, add the following new section:

SEC. 345. REPORT ON COMMUNICATIONS BETWEEN THE CENTRAL INTELLIGENCE AGENCY AND THE OFFICE OF THE VICE PRESIDENT ON WEAPONS OF MASS DESTRUCTION IN IRAQ.

(a) AUDIT.—The Inspector General of the Central Intelligence Agency shall conduct an audit of all telephone and electronic communications between the Central Intelligence Agency and the Office of the Vice President that relate to weapons of mass destruction obtained or developed by Iraq preceding Operation Iraqi Freedom on or after September 11, 2001.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Inspector General shall submit to Congress a report on the audit conducted under subsection (a). The report shall be submitted in unclassified form, but may contain a classified annex.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEE OF CALIFORNIA, OR HER DESIGNEE

At the end of title III, add the following new section:

SEC. 345. REPORT ON INTELLIGENCE SHARING WITH UNITED NATIONS WEAPONS INSPECTORS SEARCHING FOR WEAPONS OF MASS DESTRUCTION IN IRAQ.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine the extent to which intelligence developed by the Department of Defense and by the intelligence community with respect to weapons of mass destruction obtained or developed by Iraq preceding Operation Iraqi Freedom was made available to the United Nations weapons inspectors and the quantity and quality of the information that was provided (if any).

(b) SPECIFIC MATTER STUDIED.—The study shall provide for an analysis of the sufficiency of the intelligence provided by the Director of Central Intelligence to those weapons inspectors, and whether the information was provided in a timely manner and in a sufficient quantity and quality to enable the inspectors to locate, visit, and conduct investigations on all high and medium value suspected sites of weapons of mass destruction.

(c) ACCESS TO INFORMATION.—(1) Subject to paragraph (2), the Comptroller General may secure directly from any agency or department of the United States information necessary to carry out the study under subsection (a).

(2) The appropriate Federal agencies or departments shall cooperate with the Comptroller General in expeditiously providing appropriate security clearances to individuals carrying out the study to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to

classified information under this section without the appropriate security clearances.

(d) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a). The report shall be submitted in unclassified form, but may contain a classified annex.

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