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**AMENDMENT TO H.R. 2701, AS REPORTED  
OFFERED BY MR. REYES OF TEXAS**

Page 9, line 21, strike "\$672,812,000" and insert "\$643,252,000".

Page 30, strike lines 10 through 12.

Page 30, line 13, strike "(C)" and insert "(B)".

Page 30, line 16, strike "(D)" and insert "(C)".

Page 30, line 19, strike "(E)" and insert "(D)".

Page 31, line 1, strike "any information" and all that follows through "dissenting legal views" and insert "the legal authority under which the intelligence activity is being or was conducted".

Page 31, line 11, strike "any information" and all that follows through "legal views" and insert "the legal authority under which the covert action is being or was conducted".

Page 31, strike line 18 and all that follows through line 8 on page 32 and insert the following:

1 (2) in subsection (c)—

1 (A) in paragraph (1), by inserting “in  
2 writing” after “be reported”;

3 (B) in paragraph (2), by striking “If the  
4 President” and inserting “Subject to paragraph  
5 (5), if the President”; and

6 (C) by adding at the end the following new  
7 paragraph:

8 “(5)(A) The President may only limit access to  
9 a finding in accordance with this subsection or a no-  
10 tification in accordance with subsection (d)(1) if the  
11 President submits to the Members of Congress spec-  
12 ified in paragraph (2) a certification that it is essen-  
13 tial to limit access to such finding or such notifica-  
14 tion to meet extraordinary circumstances affecting  
15 vital interests of the United States.

16 “(B) Not later than 180 days after a certifi-  
17 cation is submitted in accordance with subparagraph  
18 (A) or this subparagraph, the Director of National  
19 Intelligence shall—

20 “(i) provide access to the finding or notifi-  
21 cation that is the subject of such certification to  
22 all members of the congressional intelligence  
23 committees; or

24 “(ii) submit to the Members of Congress  
25 specified in paragraph (2) a certification that it

1 is essential to limit access to such finding or  
2 such notification to meet extraordinary cir-  
3 cumstances affecting vital interests of the  
4 United States.”;

Page 32, strike lines 12 through 15 and insert the following:

5 (B) in paragraph (1), as designated by  
6 subparagraph (A) of this paragraph, by insert-  
7 ing “in writing” after “notified”; and

Page 33, line 13, insert “or to the limiting of access to such finding or such notice” after “notice”.

Page 33, line 13, strike “48 hours” and insert “seven days”.

Page 33, line 22, strike “on the content of” and insert “regarding”.

Page 34, strike lines 14 through 20.

Page 41, beginning on line 17, strike “Each year on the date provided in section 507,” and insert “Not later than one year after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2010, and annually thereafter for four years.”.

Page 45, beginning on line 18, strike “one of the congressional intelligence committees” and insert “a committee of Congress with jurisdiction over such program or activity”.

Page 46, beginning on line 8, strike “the congressional intelligence committees” and insert “each committee of Congress with jurisdiction over the program or activity that is the subject of the analysis, evaluation, or investigation for which the Director restricts access to information under such paragraph”.

Page 46, line 13, strike “report” and insert “statement”.

Page 46, line 16, strike “report” and insert “statement”.

Page 46, beginning on line 17, strike “the congressional intelligence committees any comments on a report of which the Comptroller General has notice under paragraph (3)” and insert “each committee of Congress to which the Director of National Intelligence submits a statement under paragraph (2) any comments on the statement”.

Page 46, line 21, strike the closing quotation mark and the final period.

Page 46, after line 21, insert the following:

1       “(c) CONFIDENTIALITY.—(1) The Comptroller Gen-  
2 eral shall maintain the same level of confidentiality for in-  
3 formation made available for an analysis, evaluation, or  
4 investigation referred to in subsection (a) as is required  
5 of the head of the element of the intelligence community  
6 from which such information is obtained. Officers and em-  
7 ployees of the Government Accountability Office are sub-  
8 ject to the same statutory penalties for unauthorized dis-  
9 closure or use of such information as officers or employees  
10 of the element of the intelligence community that provided  
11 the Comptroller General or officers and employees of the  
12 Government Accountability Office with access to such in-  
13 formation.

14       “(2) The Comptroller General shall establish proce-  
15 dures to protect from unauthorized disclosure all classified  
16 and other sensitive information furnished to the Comp-  
17 troller General or any representative of the Comptroller  
18 General for conducting an analysis, evaluation, or inves-  
19 tigation referred to in subsection (a).

20       “(3) Before initiating an analysis, evaluation, or in-  
21 vestigation referred to in subsection (a), the Comptroller  
22 General shall provide the Director of National Intelligence  
23 and the head of each relevant element of the intelligence  
24 community with the name of each officer and employee

1 of the Government Accountability Office who has obtained  
2 appropriate security clearance and to whom, upon proper  
3 identification, records and information of the element of  
4 the intelligence community shall be made available in con-  
5 ducting such analysis, evaluation, or investigation.”.

Page 48, line 15, strike “BIANNUAL” and insert  
“BIENNIAL”.

Page 48, line 19, strike “biannually” and insert “bi-  
ennially”.

Page 62, line 14, strike “**NATIONAL INTEL-  
LIGENCE ESTIMATE**” and insert “**REPORT**”.

Page 62, beginning on line 18, strike “National In-  
telligence Estimate or National Intelligence Assessment”  
and insert “report”.

Strike section 353 (page 67, line 20 and all that fol-  
lows through line 25 on page 68).

Page 69, beginning on line 5, strike “Federal Bu-  
reau of Investigation” and insert “Federal Bureau of In-  
vestigation, in consultation with the Secretary of State,”.

Page 70, strike lines 1 through 7.

Page 74, line 16, strike “includes” and insert  
“means”.

Page 75, line 24, strike the closing quotation mark and the final period.

Page 75, after line 24, insert the following:

1                   “(D) TERRORIST SCREENING PURPOSE.—  
2           The term ‘terrorist screening purpose’ means—  
3                   “(i) the collection, analysis, dissemina-  
4           tion, and use of terrorist identity informa-  
5           tion to determine threats to the national  
6           security of the United States from a ter-  
7           rorist or terrorism; and  
8                   “(ii) the use of such information for  
9           risk assessment, inspection, and  
10           credentialing.”.

Page 86, line 11, strike “the congressional defense committees” and insert “Congress”.

Page 87, line 17, strike “the”.

Page 96, line 14, insert after the period the following: “Nothing in this paragraph shall prohibit a personnel action with respect to the Inspector General otherwise authorized by law, other than transfer or removal.”.

Strike section 411 (Page 116, line 9 and all that follows through line 2 on page 118) and insert the following new section:

1 **SEC. 411. REVIEW OF COVERT ACTION PROGRAMS BY IN-**  
2 **SPECTOR GENERAL OF THE CENTRAL INTEL-**  
3 **LIGENCE AGENCY.**

4 Section 17 of the Central Intelligence Agency Act of  
5 1949 (50 U.S.C. 403q) is amended—

6 (1) in subsection (b)(4)—

7 (A) by striking “(4) If” and inserting  
8 “(4)(A) If”; and

9 (B) by adding at the end the following new  
10 subparagraph:

11 “(B) The Director may waive the requirement to sub-  
12 mit the statement required under subparagraph (A) within  
13 seven days of prohibiting an audit, inspection, or inves-  
14 tigation under paragraph (3) if such audit, inspection, or  
15 investigation is related to a covert action program. If the  
16 Director waives such requirement in accordance with this  
17 subparagraph, the Director shall submit the statement re-  
18 quired under subparagraph (A) as soon as practicable,  
19 along with an explanation of the reasons for delaying the  
20 submission of such statement.”;

21 (2) in subsection (d)(1)—

22 (A) by redesignating subparagraphs (E)  
23 and (F) as subsections (F) and (G), respec-  
24 tively; and

25 (B) by inserting after subparagraph (D)  
26 the following new subparagraph:

1           “(E) a list of the covert actions for which the  
2           Inspector General has not completed an audit within  
3           the preceding three-year period;” and

4           (3) by adding at the end the following new sub-  
5           section:

6           “(h) COVERT ACTION DEFINED.—In this section, the  
7           term ‘covert action’ has the meaning given the term in  
8           section 503(e) of the National Security Act of 1947 (50  
9           U.S.C. 413b(e)).”.

          Strike section 426 (Page 128, line 21 and all that  
          follows through line 15 on page 129).

          Strike section 427 (Page 129, lines 16 through 25).

          Strike section 502 (Page 133, line 1 and all that fol-  
          low through line 10 on page 134).

