

113TH CONGRESS
2^D SESSION

S. RES. 470

Amending Senate Resolution 400 (94th Congress) to clarify the responsibility of committees of the Senate in the provision of the advice and consent of the Senate to nominations to positions in the intelligence community.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2014

Mrs. FEINSTEIN submitted the following resolution; which was ordered placed on the calendar

JULY 7, 2014

Considered and agreed to

RESOLUTION

Amending Senate Resolution 400 (94th Congress) to clarify the responsibility of committees of the Senate in the provision of the advice and consent of the Senate to nominations to positions in the intelligence community.

1 *Resolved,*

2 **SECTION 1. RESPONSIBILITY OF COMMITTEES IN ADVICE**
3 **AND CONSENT OF SENATE TO INTELLIGENCE**
4 **APPOINTMENTS.**

5 Section 17 of Senate Resolution 400 agreed to May
6 19, 1976 (94th Congress) is amended to read as follows:

1 “SEC. 17. (a)(1) Except as provided in subsections
2 (b) and (c), the Select Committee shall have jurisdiction
3 to review, hold hearings, and report the nominations of
4 civilian individuals for positions in the intelligence commu-
5 nity for which appointments are made by the President,
6 by and with the advice and consent of the Senate.

7 “(2) Except as provided in subsections (b) and (c),
8 other committees with jurisdiction over the department or
9 agency of the Executive Branch which contain a position
10 referred to in paragraph (1) may hold hearings and inter-
11 views with individuals nominated for such position, but
12 only the Select Committee shall report such nomination.

13 “(3) In this subsection, the term ‘intelligence commu-
14 nity’ means an element of the intelligence community
15 specified in or designated under section 3(4) of the Na-
16 tional Security Act of 1947 (50 U.S.C. 3003(4)).

17 “(b)(1) With respect to the confirmation of the As-
18 sistant Attorney General for National Security, or any
19 successor position, the nomination of any individual by the
20 President to serve in such position shall be referred to the
21 Committee on the Judiciary and, if and when reported,
22 to the Select Committee for not to exceed 20 calendar
23 days, except that in cases when the 20-day period expires
24 while the Senate is in recess, the Select Committee shall

1 have 5 additional calendar days after the Senate recon-
2 venes to report the nomination.

3 “(2) If, upon the expiration of the period described
4 in paragraph (1), the Select Committee has not reported
5 the nomination, such nomination shall be automatically
6 discharged from the Select Committee and placed on the
7 Executive Calendar.

8 “(c)(1) With respect to the confirmation of appoint-
9 ment to the position of Director of the National Security
10 Agency, Inspector General of the National Security Agen-
11 cy, Director of the National Reconnaissance Office, or In-
12 spector General of the National Reconnaissance Office, or
13 any successor position to such a position, the nomination
14 of any individual by the President to serve in such posi-
15 tion, who at the time of the nomination is a member of
16 the Armed Forces on active duty, shall be referred to the
17 Committee on Armed Services and, if and when reported,
18 to the Select Committee for not to exceed 30 calendar
19 days, except that in cases when the 30-day period expires
20 while the Senate is in recess, the Select Committee shall
21 have 5 additional calendar days after the Senate recon-
22 venes to report the nomination.

23 “(2) With respect to the confirmation of appointment
24 to the position of Director of the National Security Agen-
25 cy, Inspector General of the National Security Agency, Di-

1 rector of the National Reconnaissance Office, or Inspector
2 General or the National Reconnaissance Office, or any
3 successor position to such a position, the nomination of
4 any individual by the President to serve in such position,
5 who at the time of the nomination is not a member of
6 the Armed Forces on active duty, shall be referred to the
7 Select Committee and, if and when reported, to the Com-
8 mittee on Armed Services for not to exceed 30 calendar
9 days, except that in cases when the 30-day period expires
10 while the Senate is in recess, the Committee on Armed
11 Services shall have an additional 5 calendar days after the
12 Senate reconvenes to report the nomination.

13 “(3) If, upon the expiration of the period of sequen-
14 tial referral described in paragraphs (1) and (2), the com-
15 mittee to which the nomination was sequentially referred
16 has not reported the nomination, the nomination shall be
17 automatically discharged from that committee and placed
18 on the Executive Calendar.”.

○