

INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES AUTHORIZATION ACT, FISCAL YEAR 1980

OCTOBER 12, 1979.—Ordered to be printed

MR. BOLAND, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 975]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 975) to authorize appropriations for fiscal year 1980 for intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1980".

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. (a) *Funds are hereby authorized to be appropriated for fiscal year 1980 for the conduct of the intelligence and intelligence-related activities of the following departments, agencies, and other 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.*

(b) *The amounts authorized to be appropriated under this Act, and the authorized personnel ceilings as of September 30, 1980, for the conduct of the intelligence and intelligence-related activities of the agencies listed in subsection (a) are those listed in the classified Schedule of Authorizations prepared by the committee of conference to accompany the conference report on the bill S. 975, 96th Congress. That 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.*

(c) *Nothing contained in this Act shall be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States.*

(d) *In addition to the amounts authorized to be appropriated under subsection (a) (9), there is authorized to be appropriated for fiscal year 1980 the sum of \$12,100,000 for the conduct of the activities of the Federal Bureau of Investigation to counter terrorism in the United States.*

TITLE II—INTELLIGENCE COMMUNITY STAFF

SEC. 201. (a) *There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1980 the sum of \$11,500,000.*

(b) (1) *The Intelligence Community Staff is authorized 245 full-time personnel as of September 30, 1980. Such personnel may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.*

(2) *During fiscal year 1980, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.*

(3) *During fiscal year 1980, any officer or employee of the United States or member of the Armed Forces who is detailed to the Intelligence Community Staff 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.*

(c) *During fiscal year 1980, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a-403j) in the same manner as activities and personnel of the Central Intelligence Agency.*

SEC. 202. Effective October 1, 1979, section 201 of the Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1979 (Public Law 95-370; 92 Stat. 626) is amended—

- (1) by striking out the third sentence of subsection (b); and*
- (2) by striking out subsection (c).*

TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 301. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1980 the sum of \$51,600,000.

TITLE IV—SUPPLEMENTAL AUTHORIZATION, FISCAL YEAR 1979

SEC. 401. In addition to the funds authorized to be appropriated under title I of the Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1979 (Public Law 95-370; 92 Stat. 626), funds are hereby authorized to be appropriated for fiscal year 1979 for the conduct of intelligence and intelligence-related activities of the United States Government in the amounts listed in the classified Schedule of Authorizations described in section 101 (b).

TITLE V—TECHNICAL PROVISIONS

SEC. 501. 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 benefits authorized by law.

SEC. 502. Section 5924(4) (B) of title 5, United States Code, relating to payment of travel expenses to and from schools in the United States of dependents of certain employees serving overseas, is amended by striking out "or the United States Information Agency," and inserting in lieu thereof the following: ", the International Communications Agency, the Central Intelligence Agency, or the National Security Agency."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, amend the title so as to read:

An Act to authorize appropriations for fiscal year 1980 for intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, and for the Central Intelligence Agency Retirement and Dis-

ability System, to authorize supplemental appropriations for fiscal year 1979 for the intelligence and intelligence-related activities of the United States Government, and for other purposes.

And the House agree to the same.

EDWARD P. BOLAND,
 BILL D. BURLISON,
 CLEMENT J. ZABLOCKI,
 NORMAN Y. MINETA,
 J. K. ROBINSON,
 G. WILLIAM WHITEHURST,
 For consideration of differences on Intelligence Related Activities only:

MELVIN PRICE,
 RICHARD H. ICHORD,
 BOB WILSON,

Managers on the part of the House.

BIRCH BAYH,
 D. K. INOUE,
 ADLAI E. STEVENSON,
 HENRY M. JACKSON,
 PATRICK J. LEAHY,
 SAM NUNN,
 GARY HART,
 BARRY GOLDWATER,
 MALCOLM WALLOP,
 CHARLES McC. MATHIAS, Jr.,
 JOHN H. CHAFEE,
 DAVID DURENBERGER,

Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 975) to authorize appropriations for fiscal year 1980 for intelligence activities of the United States Government, the Intelligence Community staff and the Central Intelligence Agency Retirement and Disability System, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE I—INTELLIGENCE ACTIVITIES

Due to the classified nature of intelligence and intelligence-related activities, a classified annex to this joint explanatory statement serves as a guide to the classified Schedule of Authorizations by providing a detailed description of program and budget authority contained therein as reported by the Committee of Conference.

The actions of the conferees on all matters at difference between the two Houses as stated in such classified annexes and supplement are shown below or in the classified annex to this joint statement:

In view of the differences in committee jurisdiction between the two houses over intelligence-related activities (IRA), the differences in IRA programs between the House and Senate were resolved by a special conference group. This group consisted of members of the House and Senate Committees on Armed Services and the House Permanent Select Committee on Intelligence.

The amounts listed for IRA represent the funding levels jointly agreed to by the IRA conferees and the House and Senate conferees for the Department of Defense Authorization Act, Fiscal Year 1980, for those programs subject to annual authorization and contained in the Department of Defense Authorization bill. In addition, the IRA conferees have agreed on the authorization level, as listed in the classified Schedule of Authorizations, the joint statement and its classified annex for IRA programs which fall into the appropriation categories of Military Pay, Operations and Maintenance, and Other Procurement.

Section 101(d) of the Senate bill authorized an increase of \$0.5 million for the FBI domestic terrorism program and an increase for the FBI foreign counterintelligence program. The Senate Select

Committee on Intelligence originally recommended no increase in either program, but suggested a reallocation of resources to meet domestic terrorism program requirements. The Senate Judiciary Committee recommended a \$0.5 million increase for the domestic terrorism program. The Senate action on the Department of Justice Authorization Act (S. 1157) adopted this \$0.5 million increase for domestic terrorism and an additional overall increase of \$4.0 million to be allocated to FBI priority programs including foreign counterintelligence (Cong Rec., pp. S6793-S6795). Subsequently, the Senate adopted the Intelligence Authorization Act with an amendment to conform to the previous Senate action regarding the FBI. This amendment approved revisions in the classified report of the Senate Select Committee on Intelligence to increase the domestic terrorism program by \$0.5 million and to allocate a portion of the over \$4.0 million increase to the foreign counterintelligence program in accordance with the action of the Senate and FBI priority requirements.

The House bill authorized an increase of \$1.8 million over the budget request for the FBI domestic terrorism program and no increase for the FBI foreign counterintelligence program.

Section 101(d) of the conference report adopts the Senate authorization of an increase of \$0.5 million for the FBI domestic terrorism program. The increase for the FBI foreign counterintelligence program is authorized by section 101(a). The amount of the increase authorized for the FBI foreign counterintelligence program in section 101(a) of the conference report is contained in the classified Schedule of Authorizations accompanying the report of the committee of conference.

TITLE II—INTELLIGENCE COMMUNITY STAFF

CONFERENCE ACTIONS, FISCAL YEAR 1980

[In millions of dollars]

Project	Fiscal year 1980 budget request	House action	Senate action	Conference authorization
External contracts.....	3.1	-1.1		2.0
Not subject to conference.....	9.5			9.5
Total IC staff funding.....	12.6	-1.1		11.5

The Senate agreed to the House position which provides for a reduction of \$1.1 million for Intelligence Community Staff External Contracts and Analysis.

TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

There was no conference difference to be resolved on title III. Both the House and the Senate authorized \$51,600,000, the amount requested.

TITLE IV—SUPPLEMENTAL AUTHORIZATION, FISCAL YEAR 1979

The Senate agreed to the House supplemental authorization of funds for fiscal year 1979. The amount and purpose of the funds is contained in the Schedule of Authorizations.

TITLE V—TECHNICAL PROVISIONS

The House agreed to a Senate provision which amends section 5924 (4) (B) of title 5, United States Code. Section 5924(4) (B) authorizes travel expenses of dependents of Department of State or United States Information Agency (now International Communications Agency) employees for one round trip per year to and from the United States to obtain a secondary or undergraduate college education. Section 502 of the conference report extends the coverage of this provision to employees of the Central Intelligence Agency and the National Security Agency.

TITLE OF THE BILL

The conferees agreed to the House title for the bill which reads: "An Act to authorize appropriations for fiscal year 1980 for intelligence and intelligence-related activities of the United States Government for the Intelligence Community Staff, and for the Central Intelligence Agency Retirement and Disability System, to authorize supplemental appropriations for fiscal year 1979 for the intelligence and intelligence-related activities of the United States Government, and for other purposes." The Senate title did not provide for intelligence-related activities which were authorized by the House bill and were agreed to in the conference report. The Senate title did not provide for the supplemental authorization for fiscal year 1979 contained in the House bill and agreed to in the conference report.

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CHARLES McC. MATHIAS,
JOHN H. CHAFEE,
DAVID DURENBERGER,

Managers on the Part of the Senate.