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Comparison of 9/11 Commission Recommended Intelligence Reforms, S. 2845, S. 2774, H.R. 5024, Administration Proposal, H.R. 10, Current Law

Updated October 6, 2004

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Comparison of 9/11 Commission Recommended Intelligence Reforms, S. 2845, S. 2774, H.R. 5024, Administration Proposal, H.R. 10, Current Law

Summary

On July 22, 2004, the National Commission on Terrorist Attacks Upon the United States (also known as the 9/11 Commission) released its bipartisan, unanimous final report containing recommendations for far-reaching and fundamental changes to the United States Intelligence Community (IC). Almost 20 months after its creation by P.L. 107-306, the commission, as mandated by its founding legislation, attempted to present a full and complete accounting of the facts and circumstances surrounding the terrorist attacks of September 11, 2001, as well as recommendations for corrective measures that can be taken to help prevent acts of terrorism.

Several Members of Congress also have proposed legislation to reform the IC. Senators Feinstein (S. 190), Bob Graham (S. 1520), Daschle (S. 6) and Roberts (S. draft bill of August 23, 2004) have introduced or proposed legislation that either directly, or as part of broader security proposals, contain a variety of IC reforms. Representative Harman (H.R. 4104) has introduced comprehensive intelligence reform legislation as did Representative Goss (H.R. 4584), before he was confirmed by the U.S. Senate as Director of Central Intelligence.

This report, the second of two reports, presents side-by-side comparisons of the 9/11 Commission recommendations and current law and legislation proposed by Senators Collins and Lieberman (S. 2845) and unanimously approved by the Senate Governmental Affairs Committee on September 22, 2004, as amended; House Speaker Dennis Hastert (H.R. 10), as reported out by the House Committee on Rules; Senators McCain and Lieberman (S. 2774); Representative Pelosi (H.R. 5024); and President Bush.

CRS Report RL32600 presents side-by-side comparisons of the 9/11 Commission recommendations and current law; and legislation proposed by Senators Feinstein, Bob Graham, Daschle, and Roberts; President Bush; and relevant provisions of current law.

This report will be updated.

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Comparison of 9/11 Commission Recommended Intelligence Reforms, S. 2845, S. 2774, H.R. 5024, Administration Proposal, H.R. 10, Current Law

Side-by-Side Comparison of Selected Intelligence Community Reform Proposals

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| National Intelligence Director (NID) | | | | | | |
| <p>Replace current position of Director of Central Intelligence with a Presidentially - appointed, Senate-confirmed NID. The NID located in the Executive Office of the President. A separate Director would head the Central Intelligence Agency (CIA).</p> | <p>Establishes within the Executive Branch the National Intelligence Authority, which would be headed by a Presidentially appointed, Senate confirmed NID.</p> | <p>Establishes within the Executive Branch the National Intelligence Authority, which would be headed by a Presidentially appointed, Senate confirmed NID.</p> | <p>Establishes within the executive office of the President a presidentially appointed Senate confirmed NID.</p> | <p>Establishes within the executive branch a presidentially appointed, Senate confirmed NID.</p> | <p>Establishes within the executive branch a presidentially appointed, Senate confirmed NID.</p> | <p>Stipulates that there is a Director of Central Intelligence who also heads CIA.</p> |

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|---|---|--|---|---|--|--|
| Cabinet Member | | | | | | |
| NID should not be cabinet member. | No provision. | No provision. | No provision. | No provision. | No provision. | No provision. |
| General NID Responsibilities | | | | | | |
| <ul style="list-style-type: none"> — Oversee national intelligence centers, on specific subjects of interest, including the proposed National Counterterrorism Center (NCTC). — Oversee the Intelligence Community (IC). — President's principal intelligence advisor. | <ul style="list-style-type: none"> — Head IC. — President's principal intelligence advisor. — Prohibited from serving simultaneously as CIA Director. — Direct and oversee the National Intelligence Program (NIP). | <ul style="list-style-type: none"> — Head IC. — President's principal intelligence advisor. — Prohibited from serving simultaneously as CIA Director. | <ul style="list-style-type: none"> — Head the IC. — President's principal intelligence advisor. — Oversee national intelligence centers. | <ul style="list-style-type: none"> — Head IC. — President's principal intelligence advisor. | <ul style="list-style-type: none"> — Head IC. — President's principal intelligence advisor. — Prohibited from serving simultaneously as CIA director. — Manage and oversee the NIP. — Individual serving as CIA Director preceding bill's enactment may be named NID. | <ul style="list-style-type: none"> — Head IC. — President's principal intelligence advisor. — Head CIA. |
| NID Tasking Responsibilities | | | | | | |
| No provision. | NID will issue and manage collection and analysis tasking. | NID will direct and manage tasking of collection, analysis and dissemination of national intelligence. | No provision. | No provision. | NID will determine will provide and establish requirements and direct the tasking of collection analysis, production and dissemination. | DCI will provide overall direction for intelligence collection. |

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| Internal Security Responsibilities – CIA Director | | | | | | |
| NID should directly oversee intelligence collection inside the United States | Retains current statutory prohibition – CIA Director will have no police, subpoena, or law enforcement powers or internal security functions. | Retains current statutory prohibition – CIA Director will have no police, subpoena, or law enforcement powers or internal security functions. | No provision. | No provision | Retains current statutory prohibition – CIA Director will have no police, subpoena, or law enforcement powers or internal security functions. | CIA Director will have no police, subpoena, or law enforcement powers or internal security functions. |
| NID Budget Responsibilities | | | | | | |
| Budget Submission | | | | | | |
| NID should submit a unified budget for national intelligence. | NID will determine the annual budget for intelligence and intelligence-related activities. | NID would develop an annual IC budget. | No provision. | No provision. | NID will develop an annual budget for intelligence and intelligence-related activities. | DCI will facilitate the development of an annual budget for intelligence and intelligence-related activities. |
| Budget Development | | | | | | |
| No recommendation. | NID will provide budget guidance to intelligence elements that receive NIP funding, and to those IC elements that do not; | NID would direct, coordinate, prepare, modify and present annual budgets of the elements of the IC within the NIP; and provide guidance for development annual | No provision. | Subject to direction of the President, the NID, after consultation with the Sec. Def., will ensure the NFIP budgets for IC agencies and | NID will provide budget guidance to intelligence elements that receive NIP funding, and to those IC elements that do not; will | DCI will participate in the development by the SecDef of annual JMIP and TIARA budgets. |

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| | participate in the development by the SecDef of annual budgets for military intelligence programs not included in the NIP (Joint Military Intelligence (JMIP) and Tactical Intelligence and Related Activities (TIARA)). | budgets for IC elements not within the NIP. | | organizations within the DoD are adequate. The Sec Def is will ensure that IC agencies within the DoD satisfy needs of DoD. | participate in the development by the SecDef of JMIP and TIARA budgets. | |
| NID Specific Authority for Budget Execution | | | | | | |
| No recommendation. | NID will manage and oversee NIP budget execution, reprogramming, and funds and personnel transfers. | No provision. | No provision. | No provision. | NID will ensure effective execution of the budget for intelligence and intelligence-related activities. NID will facilitate management and execution of NIP funding. | No provision. |
| Budget Authorities | | | | | | |
| Budget Approval | | | | | | |
| NID should approve | NID will approve | NID would <i>determine</i> | NID should | NID would develop | NID will provide | DCI approves |

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| all IC budgets. | any portion of the budget for an IC element within the NIP. The budget of agency with a portion of NIP may not be provided President unless NID has approved budget. NID will provide budget guidance for IC agency not within the NIP. NID would participate in the development by the SecDef of the annual budget for military intelligence programs. | the annual intelligence budget, including the review, modification, and approval of budgets of IC elements within the NIP, and provide budget guidance for IC elements not within the NIP. | submit annual unified budgets for national intelligence that reflect the priorities of the National Security Council and an appropriate balance among technical and human intelligence collections methods and analysis. | and determine an annual consolidated National Foreign Intelligence Program budget. The NID would participate in the development by the Sec Def for the President’s approval of JMIP and TIARA budget requests. | budget guidance to heads of departments containing IC elements and to the heads of the IC elements that comprise components of the NIP. NID will provide budget guidance to those IC components not within the NIP. NID will participate in the development by the SecDef of annual budgets for the JMIP and TIARA. | budgets of all IC elements before incorporation into NFIP. The SecDef, in consultation with the DCI, ensure that DOD IC elements are adequately funded. |
| Budget Reprogramming | | | | | | |
| NID should have reprogramming authority. | No NIP funds may be reprogrammed without NID prior approval, except in accordance with NID-issued procedures. | Adheres to current statute — no NID funds may be reprogrammed without NID prior approval, except in accordance with NID-issued procedures. | The NID may reprogram NIP funds to meet any unforeseen priority. | NID would have authority to transfer or reprogram NFIP funds, as necessary, with OMB approval, and after consultation with affected agency heads and with the | No NIP funds may be reprogrammed without NID prior approval, except in accordance with NID-issued procedures. SecDef will consult with NID before | No NFIP funds may be reprogrammed without DCI prior approval, except in accordance with DCI-issued procedures. |

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| | | | | Director of Central Intelligence, to the extent CIA is affected. Would monitor and consult with the Sec Def on reprogramming or transfer within, into, or out of JMIP and TIARA. | transferring or reprogramming JMIP funds. | |
| Funds and Personnel Transfer | | | | | | |
| No recommendation. | With OMB approval, NID may transfer or reprogram NIP funds; approve or disapprove the transfer or reprogramming of non-NIP funds to the NIP; in accordance with NID-developed procedures between NID and affected agency heads, transfer NIP-funded personnel from one IC element to another; and, in accordance with | With OMB approval, NID may transfer funds and personnel within the NIP if the NID can show transfer is to a higher priority intelligence activity, based on unforeseen circumstances and does not involve funds from CIA's Reserve for Contingencies. NID would be able to transfer personnel on open ended basis between both NIP and non-NIP funded | The NID will establish education and training standards and facilitate assignments at national intelligence centers and across intelligence agencies. | NID would have authority to transfer or reprogram NFIP funds, as necessary, with OMB approval, and after consultation with affected agency heads and with the Director of Central Intelligence, to the extent CIA is affected. Would monitor and consult with the Sec Def on reprogramming or transfer within, into, or out of JMIP and TIARA. | With OMB approval, NID may transfer NIP funds within the NIP; in accordance with procedures developed with department heads, NID may transfer IC personnel for up to a year , and subject to appropriations act provisions. Fund/personnel transfer must be to a higher priority intelligence activity, based on unforeseen circumstances and | Requires approval from Director OMB, and could occur for periods up to a year . |

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| | <p>mutually agreed upon procedures between NID and affected agency heads, transfer non-NIP funded personnel from one IC element to another IC element. Such transfer may be made only if activity to which transfer being made is higher intelligence priority; does not involve funds transferred to NID Reserve for Contingencies; and does not exceed applicable ceilings established in law for such transfers.</p> | <p>intelligence elements.</p> | | | <p>does not involve a transfer of funds to the Reserve for Contingencies of the CIA; be less than \$1 million; less than 5% of amounts available to agency; and not terminate program.</p> | |

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| Agency Heads Objections to Fund and Personnel Transfers | | | | | | |
| DNI should be permitted to transfer funds and personnel within the IC over the objection of agency heads. | No provision. | No provision allowing agency head affected by such a NID-initiated fund or personnel transfer to object. | No provision. | No provision. | Transfer may be made without regard to \$1 million and 5% limitations provided NID has concurrence of agency head. | Permits agency heads to stop DCI-initiated fund and personnel transfers, provided they state objection in writing to the DCI. |
| Personnel Transfer Procedures | | | | | | |
| No recommendation. | For personnel transfers taking place within NIP-funded programs, the NID would develop procedures; for personnel transfers involving non-NIP funded programs, the NID and affected agency heads would develop procedures. | NID required to develop transfer procedures for NIP and non-NIP transfers with the affected agency heads. | No provision. | No provision. | NID required to develop with agency heads personnel transfer procedures governing IC personnel transfers. | Requires the DCI to develop transfer procedures with affected agency heads. |

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| FBI Funds & Personnel Transfers | | | | | | |
| NID should be authorized to transfer funds/personnel from the FBI. | NID authorized to transfer funds/personnel to and from the FBI's Office of Intelligence. | NID authorized to transfer funds/personnel to and from the FBI's Office of Intelligence. | No provision. | No provision. | NID authorized to transfer funds/personnel to and from the FBI's Office of Intelligence. | DCI is not authorized to transfer funds/personnel from the FBI. |
| Direct Appropriation | | | | | | |
| NID Receives Direct Appropriation | | | | | | |
| NID should receive direct appropriation. Currently the Sec Def receives the appropriation and disburses to CIA and national intelligence agencies. | NIP funds would be appropriated to the National Intelligence Authority and be under the NID's direct jurisdiction. | NIP funds would be appropriated to the NID and be under the NID's direct jurisdiction. | NIP appropriations will be made to the NID. Would be responsible for NFIP appropriations "without regard to the accounts to which appropriated." | NIP funds appropriated directly to NID. | Office of Management and Budget will apportion all NIP funding to the NID. | SecDef receives appropriations for CIA and the national intelligence agencies – NSA, NGA, and NRO. The Attorney General receives the funding for FBI's national security components. |

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| Budget Disclosure | | | | | | |
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| Overall national intelligence budget and budgets of component agencies should be publicly disclosed. | The President will publicly disclose after FY2005 the aggregated amount of appropriations requested by the President for the NIP. The Congress will publicly disclose after FY2005 both the authorized and appropriated NIP funding. Directs the NID to conduct a study to assess the advisability of continued public disclosure of the NIP budget. | The President will publicly disclose after FY2005 the aggregate requested amount for intelligence and intelligence-related activities and the aggregate amount requested for each element or component of the IC. The Congress will publicly disclose after FY2005 the aggregate amount for intelligence and intelligence-related activities both authorized and appropriated. | Declassify aggregate appropriated amount for intelligence. | No provision. | No provision. | No provision. |

| Hire and Fire Authority | | | | | | |
|---|---|--|------------------------------|---|--|---------------|
| NID should have hire/fire...authority to approve and submit nominations to the President for | <i>Recommendation CIA Director</i> NID will recommend to the | <i>Recommendation</i> NID recommends to the President an individual for | NID has hire/fire authority. | Any recommendation for an appointment of head of an IC agency made by the | <i>Recommendation/ Deputy NID and CIA Director</i> NID will | No provision. |

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| <p>CIA, Defense Intelligence Agency (DIA), FBI Intelligence Office, National Security Agency (NSA), National Reconnaissance Office (NRO), and Homeland Security Information Analysis and Infrastructure Protection (IAIP).</p> | <p>President an individual for nomination to serve as CIA Director.</p> <p><i>DoD Concurrence/NSA, NRO and NGA</i></p> <p>NID will obtain concurrence of SecDef in recommending nominees for NSA, NRO and NGA. NID may make recommendation without SecDef concurrence but must note non-concurrence.</p> <p><i>Concurrence/Other Agencies</i></p> | <p>nomination to fill Deputy NID and Deputy National Intelligence Director or Foreign Intelligence (also serves as Director of CIA)</p> <p><i>DoD Concurrence/NSA, NRO and NGA</i></p> <p>NID seeks concurrence of SecDef in recommending nominees for NSA, NRO and NGA. May make recommendations without SecDef concurrence but must note non-concurrence.</p> <p><i>Concurrence/Other Agencies</i></p> | | <p>President, will be accompanied by an NID recommendation. Any appointment by an agency head within his agency, must have NID concurrence.</p> <p><i>DoD Concurrence/NSA, NRO and NGA</i></p> <p>SecDef seeks NID concurrence in appointing or recommending to the President heads of NSA, NRO and NGA. If NID objects, SecDef may not make appointment or proceed with recommendation.</p> <p><i>Consultation</i></p> <p>Other agency heads</p> | <p>recommend to the President individuals for nomination to serve as Dep. NID and CIA Director.</p> <p><i>NID Concurrence/NSA, NRO and NGA</i></p> <p>Head of department or agency having jurisdiction over the position will obtain NID concurrence in appointing or recommending nominees for NSA, NRO and NGA. If NID does not concur, vacancy may not be filled or recommendation made to President (as the case may be).</p> | <p><i>DCI Concurrence/NSA, NRO and NGA</i></p> <p>SecDef will obtain DCI concurrence on heads of NSA, NRO and NGA, but SecDef may proceed, but must note DCI non-concurrence.</p> <p><i>Consultation</i></p> |

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| | <p>Other agency heads will obtain NID concurrence before appointing or recommending for appointment of individuals to fill the positions of Under Secretary of Defense for Intelligence; Asst. Sec. Homeland Security for Information Analysis; Director, DIA; and the FBI's Exec. Asst. Dir. Agency head may proceed without NID concurrence, but must note to the President the NID's non-concurrence.</p> <p><i>Termination</i></p> <p>NID may recommend to the President the termination of any individual covered in this section of the</p> | <p>Other agency heads must seek NID concurrence in recommending nominees for other intelligence appointments but may make recommendation to the President without NIC concurrence, but must note non-concurrence.</p> | | <p>must consult with NID in making appointments.</p> | <p><i>Consultation/Other Agencies</i></p> | <p>Dept. Heads consult with DCI on directors of DIA INR, and DOE intelligence units, but agency head decides.</p> <p><i>FBI Timely Notice</i></p> <p>FBI director gives DCI timely notice of FBI intelligence appointments.</p> |

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| | draft bill, but must seek concurrence of department head and report non-concurrence to the President. | | | | | |
| Personnel Policy | | | | | | |
| NID should set IC-wide personnel education and training standards and facilitate assignments across agency lines and at national intelligence centers. | NID urged to adopt personnel policies that duplicate within the IC the joint officer management policies established by the Goldwater-Nichols Department of Defense Reorganization Act of 1986; and that personnel assigned to the NID be promoted at rates equivalent or better than provided by their home agencies. | NID urged to adopt personnel policies that duplicate within the IC the joint officer management policies established by the Goldwater-Nichols Department of Defense Reorganization Act of 1986; and that personnel assigned to the NID be promoted at rates equivalent or better than provided by their home agencies. | NID will establish education and training standards and facilitate assignments at national intelligence centers and across national intelligence agencies. | Provide, where appropriate, for rotation of personnel among IC agencies, and to make such rotations a requirement to be considered for promotion. | NID will facilitate personnel rotation through the IC. | DCI required to consult agency heads in developing IC personnel standards and qualifications. Where appropriate, DCI should consider rotated service in IC elements a factor to consider in senior promotions. |

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| Information Sharing Technology Policies | | | | | | |
| NID should establish information technology standards to maximize info sharing and info security. | The President will establish an information network and secure information sharing environment among all relevant Federal, State, tribal, and local authorities, and relevant private sector entities. NID has authority to set information standards throughout the IC. | The President will establish an information network and secure information sharing environment among all relevant Federal, State, tribal, and local authorities, and relevant private sector entities. NID has authority to set information standards throughout the IC. | NID should establish information technology standards to maximize info sharing and info security. | Establishes information-sharing standards. | President will establish a secure information sharing environment for the sharing of intelligence. NID authorized to ensure maximum availability of and access to IC intelligence information; establish uniform security standards and common information technology standards. | The National Security Council will develop procedures for effective information sharing. |
| Advisory Council on Information Sharing | | | | | | |
| No proposal. | OMB will implement and manage the information sharing network across government. Establishes an Executive Council | OMB will submit to congress a system design and implementation plan for information sharing. Establishes an Advisory Council on Information | No provision. | No provision. | No provision. | No specific provision. |

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| | that will assist the OMB director in implementing and managing an information sharing network. | Sharing comprised of federal, state, tribal and local governments to advise the President on implementation. | | | | |

IC Structure

National Counterterrorism Center (NCTC)

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| <p>Should establish NCTC, housed in the Executive Office of the President, and overseen by the NID. Build on existing Terrorist Threat Integration Center (TTIC).</p> <p>Center for joint operational planning and joint intelligence, staffed by personnel from various agencies.</p> | <p>Establishes a counterterrorism center under the direction of a Presidentially nominated, Senate confirmed director. The center would be placed in the National Intelligence Authority, and its director would report to the President through the NSC on counterterrorism operational <i>planning</i>, and to the NID on center</p> | <p>Would establish a counterterrorism center under the direction a Presidentially nominated, Senate confirmed director. The center would be placed in the National Intelligence Authority, and its director would report to the President.</p> | <p>Establishes National Counterterrorism Center, located in the Executive Office of the President and built on the foundation of the Terrorist Threat Integration Center. will be a center for joint operational planning and joint intelligence against transnational terrorist organizations. Head will be</p> | <p>Establishes a National Counterterrorism Center, whose director will be appointed by the president. Will conduct strategic operational planning for CT activities and be primary analytic organization.</p> | <p>Establishes a National Counterterrorism Center within the Office of the NID; NID will appoint director, who will report to the NID. Assign roles and missions to lead agencies; prohibited from directing the execution of CT operations. Directorate of Intelligence established within NCTC; responsible within U.S. government for</p> | <p>No provision.</p> |
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| <p><i>Intelligence Aspects</i></p> <p>Pool all-source analysis; perform strategic analysis and net assessment.</p> <p><i>Operations Aspects</i></p> <p>Perform joint planning; assign operations to lead agencies (State, CIA, FBI, Defense). Track plan implementation.</p> | <p>budgets and programs and its Directorates of Intelligence and Operations. NCTC prohibited from assigning operations responsibilities to specific Armed Forces elements. NSC would have no direct supervisory authority over NCTC's joint operational activities. Disagreements over strategic plans between NCTC and agency heads resolved by President, not NSC.</p> <p><i>TTIC</i></p> <p>The Terrorist Threat Integration Center would transfer to the Center.</p> | <p><i>TTIC</i></p> <p>The Terrorist Threat Integration Center would transfer to the Center.</p> | <p>Presidential nominated, Senate Confirmed.</p> | | <p>analyzing terrorism.</p> <p><i>TTIC</i></p> <p>The Terrorist Threat Integration Center would transfer to NCTC.</p> | |

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| | <p><i>Appointment Powers</i></p> <p>The center director would have concurrence authority in naming heads of CT agencies across government.</p> | <p><i>Appointment Powers</i></p> <p>The center director would have concurrence authority in naming heads of CT agencies across government.</p> | <p><i>Appointment Powers</i></p> <p>NCTC head will concur in choices of certain key CT officials across government.</p> | | | |
| National Intelligence Centers | | | | | | |
| Should establish centers on Weapons of Mass Destruction (WMD), int'l crime and narcotics, China/ East Asia, Middle East, Russia/Eurasia. Overseen by NID. | The NID may establish intelligence centers to address NSC-established intelligence priorities. | The NID may establish intelligence centers to address NSC-established intelligence priorities. | No provision. | No provision. | No provision. | No provision. |
| Director of CIA | | | | | | |
| CIA director should focus on rebuilding Agency's analytic and human intelligence collection capabilities. | A Presidentially nominated, Senate confirmed Director heads the the Central Intelligence Agency. The director is prohibited from | A Presidentially nominated, Senate confirmed Director heads the the Central Intelligence Agency. The director is prohibited from serving | CIA director should focus on rebuilding Agency's analytic and human intelligence collection capabilities. | Establishes a Director of the CIA, appointed by the President, confirmed by the Senate. | Establishes Presidentially nominated, Senate confirmed CIA director. NID would recommend to the President an individual for | DCI heads the IC and CIA. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
|---|---|---|--|---|---|--|
| | serving simultaneously as the NID. | simultaneously as the NID. The Director also serves as Deputy National Intelligence Director for Foreign Intelligence. | | | nomination. | |
| Paramilitary Operations | | | | | | |
| DOD should assume from the CIA responsibility for directing and executing paramilitary operations, clandestine or covert. | No provision. | Sense of Congress that Sec Def should have lead responsibility for directing and executing paramilitary operations, whether clandestine or covert. | DOD should assume from the CIA responsibility for directing and executing paramilitary operations, clandestine or covert. | No provision. | NID, in consultation with SecDef and CIA Director will develop joint procedures to deconflict operations involving DoD and CIA. | No provision. |
| Information Sharing | | | | | | |
| Establish incentives for sharing; restore better balance between security and shared knowledge. | The NID would appoint a Chief Information Officer who would develop an integrated communications network among all elements of the IC, and establish standards for information technology and communications. | The NID would appoint a Chief Information Officer would develop and implement an integrated information technology network and develop an enterprise architecture for the IC. | The President will determine guidelines for acquiring, accessing, using, and sharing of information about individuals among Federal, State, and local government agencies, and with the private sector, in a way that protects the | The NID will establish an interoperable information-sharing enterprise. | Establishes a Community Information Technology Officer to ensure intelligence sharing. | No provision, per se, but the National Security Council will develop procedures for effective information sharing. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| | | | privacy and civil liberties of those individuals. | | | |
| Information Revolution | | | | | | |
| President should lead effort to bring national security institutions into information revolution. | The President will establish a decentralized, distributed and coordinated environment that connects existing systems where appropriate, and incorporate strong mechanisms for information security and privacy guideline enforcement. | The President will establish an information sharing network to promote the sharing of terrorism information, in a manner consistent with national security and the protection of privacy and civil liberties. | President should lead effort to bring national security institutions into information revolution. | No provision. | Establishes information-sharing standards. | No provision. |
| Congressional Oversight | | | | | | |
| Congress should consider joint intelligence committee, or single committee in each house, combining authorizing and appropriating. | No provision. | Congress will not adjourn until, it establishes, effective in the 109 th Congress, a joint intelligence committee, or single committee in each house, combining authorizing and appropriating. | Congress will establish either a Joint Committee on Intelligence or a single standing committee in each House that would authorize and appropriate funds for intelligence | No provision. | Sense of House that Rules Committee should act upon recommendations of Select Committee on Homeland Security and other committees of existing jurisdiction regarding | No provision. S.Res. 400 — still in effect today — created the Senate Select Committee on Intelligence. H.Res. 658 — still in effect today — created the House Permanent Select |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
|--|---|---|---|--|--|----------------------------|
| | | | and counterterrorism and conduct oversight. | | jurisdiction over proposed legislation. | Committee on Intelligence. |
| <i>Homeland Security</i> | | | | | | |
| Congress should create a single, principal point of oversight for homeland security. Should be permanent standing committee with bipartisan staff. | No specific provision on principal congressional point. Would merge the Homeland Security Council into the National Security Council and add to the NSC's functions the overseeing and reviewing the Federal Government's homeland security policies. | Congress will not adjourn until it establishes, effective in the 109 th Congress, a homeland security jurisdiction consolidated in a single committee in each House. Would merge the Homeland Security Council into the National Security Council and add to the NSC's functions the overseeing and reviewing the Federal Government's homeland security policies. | The House and Senate will each determine how to provide a single, principal point of oversight for homeland security. | No provision. | Sense of House that Rules Committee should act upon recommendations of Select Committee on Homeland Security and other committees of existing jurisdiction regarding jurisdiction over proposed legislation. | No provision. |
| FBI | | | | | | |
| The FBI should create a specialized and integrated national security | The FBI Director will develop and maintain a specialized and | The FBI Director will develop and maintain a specialized and integrated national | Directs Attorney General to establish a specialized and | No provision. | FBI Director may establish and train an FBI Investigation | No provision. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| workforce consisting of agents, analysts, linguists, and surveillance specialists with a deep expertise in intelligence and national security. | integrated national security workforce consisting of agents, analysts, linguists, and surveillance specialists. | security workforce consisting of agents, analysts, linguists, and surveillance specialists. | integrated national security workforce at the FBI. | | Reserve Service. | |
| Homeland Defense | | | | | | |
| <i>DOD Aspects</i> | | | | | | |
| DOD and its oversight committees should regularly assess adequacy of Northern Command strategies and planning to defend the U.S. against military threats. | No provision. | No provision. | No provision. | No provision. | Sense of Congress that SecDef should regularly assess adequacy of Northern Command's plans to respond to all military and paramilitary threats within the U.S. | No provision. |
| <i>Dept. of Homeland Security Aspects</i> | | | | | | |
| The Dept. of Homeland Security and its oversight committees should regularly assess types of threats to U.S. and determine | No provision. | No provision. | No provision. | No provision. | Would establish within Department of Homeland Security an Office of Counternarcotics Enforcement headed by a | No provision. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| adequacy of protection plans and response readiness. | | | | | Presidentially nominated, Senate confirmed head. | |
| IC Management Structure | | | | | | |
| <i>NID Deputies</i> | | | | | | |
| The NID should have three deputies: foreign intelligence (CIA head); defense intelligence (under secretary of defense for intelligence);and homeland intelligence (FBI's exec. asst. dir. or under secretary. of homeland security for info. analysis and infrastructure protection). | Establishes a Presidentially appointed, Senate confirmed Principal Deputy National Intelligence Director. | Establishes a Presidentially appointed, Senate confirmed Principal Deputy National Intelligence Director. | Establishes three deputies: Director of CIA; Under Secretary of Defense for Intelligence; Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection. | Establishes a Presidentially-nominated, Senate confirmed Deputy NID. Not more than one of the individuals serving as NID or Deputy NID may be a commissioned officer of the Armed Forces, whether active or retired status. | Establishes a Deputy NID; a Deputy NID for Operations; a Deputy NID for Community Management; and three Associate NIDs for Military Support; Domestic Security; and Diplomatic Affairs. | Establishes Presidentially-nominated, Senate-confirmed Deputy DCI. |
| <i>Deputy Director of Central Intelligence For Community Management</i> | | | | | | |
| Recommends eliminating the position. | No provision. | No provision. | No provision. | No provision. | No provision. | There is the position for Deputy Director of Central Intelligence for Community Management. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| <i>Deputy DNIs for Operations & Resources</i> | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | Establishes Deputy NID for Operations. | No provision. |
| <i>Associate Directors of Central Intelligence</i> | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | No provision. | No provision. |
| <i>Assistant Directors of Central Intelligence</i> | | | | | | |
| No recommendation | Eliminates the positions of Assistant Directors of Central Intelligence for Collection; Analysis and Production; and Administration. | Eliminates the positions of Assistant Directors of Central Intelligence for Collection; Analysis and Production; and Administration. | No provision. | No provision. | Eliminates the positions of Assistant Directors of Central Intelligence for Collection; Analysis and Production; and Administration. | No provision. |
| <i>Assistant Directors of National Intelligence</i> | | | | | | |
| No recommendation | Establishes no more than four Deputy National Intelligence Directors. | Establishes a Deputy NIDs for Foreign intelligence; Defense Intelligence; homeland intelligence. | No provision. | No provision. | Establishes three associate NIDs for Military Support; Domestic Security; and Diplomatic Affairs. | There are assistant directors of central intelligence for collection; analysis and production; administration. |

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|--|--|--|--|--|---|---|
| <i>Senior Advisor to the DNI for Homeland Security</i> | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | No provision. | No provision. |
| <i>General Counsel and Inspector General</i> | | | | | | |
| No recommendation. | Establishes a Presidentially appointed, Senate Confirmed General Counsel and Inspector General under the National Intelligence Authority. | Establishes a Presidentially appointed, Senate Confirmed General Counsel and Inspector General under the National Intelligence Authority. | No provision. | No provision. | Establishes General Counsel to the NID. | There is an a General Counsel and Inspector General for the CIA. |
| Privacy and Civil Liberties Oversight Board/Officer for Civil Rights and Civil Liberties/Privacy and Civil Liberties Officers | | | | | | |
| Recommends the establishment of a board within the executive branch to ensure adherence to civil liberties guidelines. | Establishes a civil liberties board; the position of Officer for Civil Rights and Civil Liberties to assist the NID in protecting civil rights and liberties; and civil liberties officers in various IC agencies. | Establishes a civil liberties board; the position of Officer for Civil Rights and Civil Liberties to assist the NID in protecting civil rights and liberties; and civil liberties officers in various IC agencies. | Recommends the establishment of a board within the executive branch to ensure adherence to civil liberties guidelines. | No provision. | Establishes Civil Liberties Protection Officer to ensure protection of civil liberties. | No provision. |

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| Privacy Officer of the National Intelligence Authority | | | | | | |
| No recommendation. | Establishes a privacy officer of the NID to assure that use of technologies sustain, and do not erode, privacy protections relating to use, collection, and disclosure of personal information. | Establishes a privacy officer of the NID to assure that use of technologies sustain, and do not erode, privacy protections relating to use, collection, and disclosure of personal information. | No provision. | No provision. | No provision. | No provision. |
| Chief Human Capital Officer | | | | | | |
| No recommendation | Establishes a NID appointed Chief Human Capital Officer to advise with respect to the IC's workforce. | No provision. | No provision. | No provision. | No provision. | No provision. |
| National Counterintelligence Executive | | | | | | |
| No recommendation. | Establishes the National Counterintelligence Executive as a component of the National Intelligence | No provision. | No provision. | No provision. | No provision. | No provision. |

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| | Authority. | | | | | |
| Ombudsman of the National Intelligence Authority | | | | | | |
| No recommendation. | Establishes an ombudsman of the National Intelligence Authority to serve as an independent, informal, and confidential counselor for those with complaints about politicization, biased reporting, or lack of objective analysis within the Authority. | No provision. | No provision. | No provision. | No provision. | No provision. |
| National Intelligence Council for Alternative Analysis | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. Does establish, however, a National Intelligence Council with the NID's office, to produce national intelligence estimates and alternative views held by IC agencies, whenever | No provision. | No provision. |

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| | | | | appropriate. | | |
| Joint Tasking Organization | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | No provision. | No provision. |
| Joint Intelligence Comptroller | | | | | | |
| No recommendation. | Establishes an Intelligence Comptroller to assist the NID in budget preparation and execution. | Establishes an Intelligence Comptroller to assist the NID in budget preparation and execution. | No provision. | No provision. | No provision. | No provision. |
| Joint Acquisition Office | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | No provision. | No provision. |

| 9/11 Commission | Collins/Lieberman (S. 2845, approved, as amended, by the Senate Government Affs. Committee on 9/22/04.) | McCain/Lieberman (S. 2774) | Pelosi (H.R. 5024) | Bush Administration (submitted Sept. 16, 2004) | Hastert (H.R. 10) | Current Law |
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| National Intelligence Reserve Corps | | | | | | |
| No recommendation. | Establishes a National Intelligence Reserve Corps for temporary re-employment on a voluntary basis of former IC employees. | No provision. | No provision. | No provision. | NID will conduct a pilot project to establish a Civilian Linguist Reserve Corps comprised of U.S. citizens with needed foreign language capabilities. | No provision. |
| Joint Military Intelligence Program (JMIP) | | | | | | |
| No recommendation. | No provision. | Eliminates the JMIP. | No provision. | No provision. | No provision. | No provision. |
| Chief Financial Officer | | | | | | |
| No recommendation. | Would establish a Chief Financial Officer. | No provision. | No provision. | No provision. | No provision. | No provision. |
| GAO Report Requirement | | | | | | |
| No recommendation. | Would require the GAO to issue a progress report on reform two years after enactment. | No provision. | No provision. | No provision. | No provision. | No provision. |
| Language | | | | | | |
| CIA Director should build a stronger language program. | CIA Director should develop and maintain an effective language | CIA Director should develop a stronger language program. | CIA Director should develop a stronger language program. | No provision. | Recommends a series of language reforms, including improvements to | No provision. |

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|---|---|----------------------------|--------------------|--|--|---------------|
| | | | | | the National Flagship Language Initiative and establishment of a language scholarship program. | |
| National Intelligence Definition | | | | | | |
| No recommendation. | No provision. | No provision. | No provision. | No provision. | Revises definition of national intelligence to refer to all intelligence, regardless of source, pertaining to threats to the U.S.; WMD; and any other matter bearing on U.S. security. | No provision. |

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