

CONFIDENTIAL

File # 5/29 YLT
FY82 HPSCI
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OLC 81-0109/26
29 May 1981

MEMORANDUM FOR: See Distribution
FROM: [Redacted]
Chief, Legislation Division, OLC
SUBJECT: Fiscal Year 1982 Intelligence
Authorization Bill

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1. Attached for your information is H.R. 3454, the House version of the Bill as reported from the House Permanent Select Committee on Intelligence on 19 May 1981, along with the accompanying report. Particular points of interest in the Bill include the following:

- Section 501, amending section 303 of the National Security Act of 1947.
- Section 502, benefits, allowances, and travel authority provisions. Note the report language on pages 8-9 of the report.

2. Please note also that the HPSCI has retained section 103, which first appeared in the Authorization Act last year (i.e., the fiscal year 1981 Act). The report language accompanying section 103 is slightly different from last year in that the phrase "i.e., line item" has been inserted in the first line of the explanation of the section. You may recall that we held a meeting to discuss section 103 on 28 January of this year. At that time it was determined that accommodation procurements and Economy Act transfers did not fall within the scope of section 103's requirements. It was also determined that any joint projects with foreign governments would be briefed to the appropriate committees whether or not section 103 existed, and that income from proprietaries was not relevant to section 103. I would appreciate having your views on whether or not the new language in the explanation of section 103 is inimical to the Agency's interests. The additional language may be designed to evidence intent that the section 103 requirements are meant to pertain to each individual program issue listed in the Schedule of Authorizations. Such intent, however, could have been stated specifically, and it would not appear that the new language necessarily changes the meaning of section 103.

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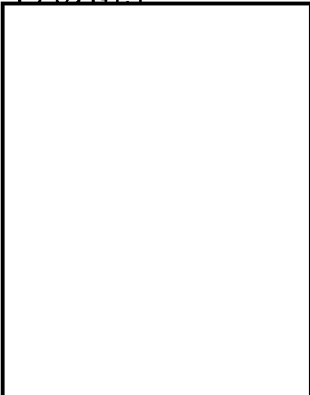
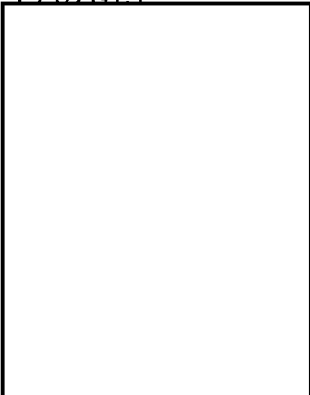
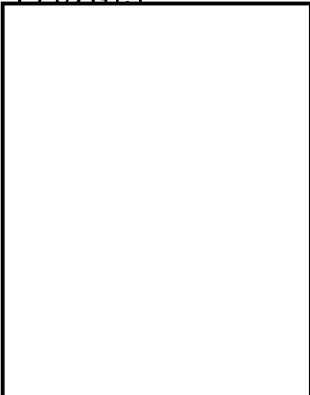
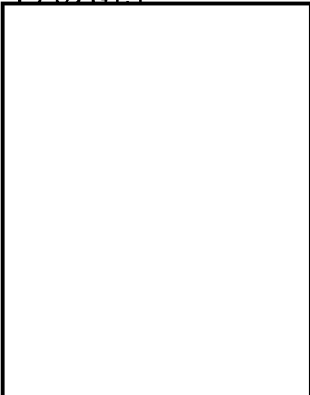
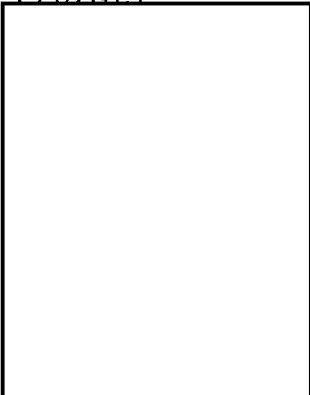
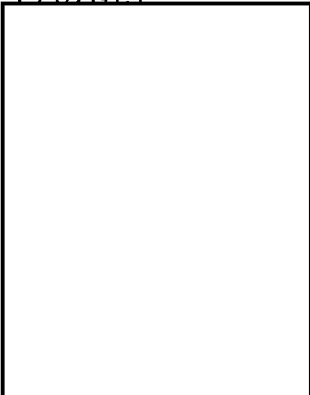
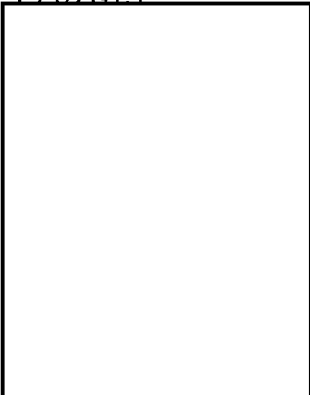
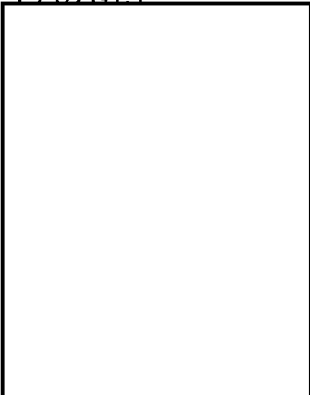
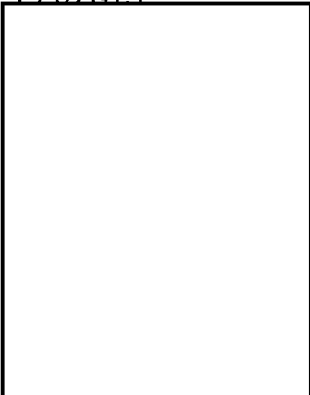
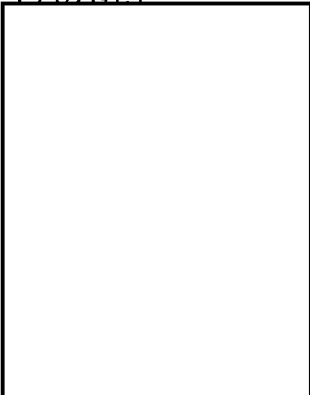
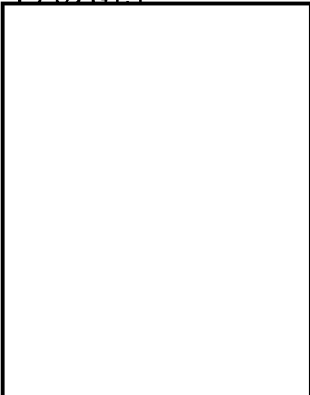
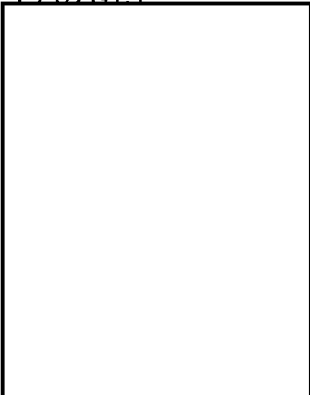
3. You will recall that the Senate version of the Bill does not contain a counterpart to section 103, and there is thus room for maneuver on this issue at conference.



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Attachments

Distribution

- 1 - EPH/GLT
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 - 1 -  (D/S)
 - 1 -  (PA)
 - 1 - OLC Subject (file: FY 82 Intelligence Authorization Bill)
 - 1 - OLC Chrono
- OLC:GMC:sf (28 May 1981)

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CONFIDENTIAL

97TH CONGRESS
1ST SESSION

H. R. 3454

To authorize appropriations for fiscal year 1982 for the 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 1981 for the intelligence and intelligence-related activities of the United States Government, and for other purposes.

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MAY 6, 1981

Mr. BOLAND introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That this Act may be cited as the "Intelligence Authoriza-
2 tion Act for Fiscal Year 1982".

3 **TITLE I—INTELLIGENCE ACTIVITIES**

4 **AUTHORIZATION OF APPROPRIATIONS**

5 **SEC. 101.** Funds are hereby authorized to be appropri-
6 ated for fiscal year 1982 for the conduct of the intelligence
7 and intelligence-related activities of the following agencies of
8 the United States Government:

- 9 (1) The Central Intelligence Agency.
10 (2) The Department of Defense.
11 (3) The Defense Intelligence Agency.
12 (4) The National Security Agency.
13 (5) The Department of the Army, the Department
14 of the Navy, and the Department of the Air Force.
15 (6) The Department of State.
16 (7) The Department of the Treasury.
17 (8) The Department of Energy.
18 (9) The Federal Bureau of Investigation.
19 (10) The Drug Enforcement Administration.

20 **CLASSIFIED SCHEDULE OF AUTHORIZATIONS**

21 **SEC. 102:** The amounts authorized to be appropriated
22 under section 101, and the authorized personnel ceilings as of
23 September 30, 1982, for the conduct of the intelligence and
24 intelligence-related activities of the agencies listed in such
25 section, are those specified in the classified Schedule of Au-

1 thorizations prepared by the Permanent Select Committee on
2 Intelligence of the House of Representatives to accompany
3 H.R. 3454 of the Ninety-seventh Congress. That Schedule of
4 Authorizations shall be made available to the Committees on
5 Appropriations of the Senate and House of Representatives
6 and to the President. The President shall provide for suitable
7 distribution of the Schedule, or of appropriate portions of the
8 Schedule, within the executive branch.

9 **CONGRESSIONAL NOTIFICATION OF EXPENDITURES IN**
10 **EXCESS OF PROGRAM AUTHORIZATIONS**

11 **SEC. 103.** During fiscal year 1982, funds may not be
12 obligated or expended for any program for which funds are
13 authorized to be appropriated by section 101 in an amount in
14 excess of the amount specified for that program in the classi-
15 fied Schedule of Authorizations described in section 102
16 unless the Director of Central Intelligence or the Secretary
17 of Defense notifies the appropriate committees of Congress of
18 the intent to make such obligation or expenditure not less
19 than fifteen days before such obligation or expenditure is
20 made.

21 **RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES**

22 **SEC. 104.** Nothing contained in this Act shall be
23 deemed to constitute authority for the conduct of any intelli-
24 gence activity which is not otherwise authorized by the Con-
25 stitution or laws of the United States.

1 AUTHORIZATION OF APPROPRIATIONS FOR COUNTER-
2 TERRORISM ACTIVITIES OF THE FEDERAL BUREAU
3 OF INVESTIGATION

4 SEC. 105. In addition to the amounts authorized to be
5 appropriated under section 101(9), there is authorized to be
6 appropriated for fiscal year 1982 the sum of \$11,900,000 for
7 the conduct of the activities of the Federal Bureau of Investi-
8 gation to counter terrorism in the United States.

9 TITLE II—INTELLIGENCE COMMUNITY STAFF

10 AUTHORIZATION OF APPROPRIATIONS

11 SEC. 201. There is authorized to be appropriated for the
12 Intelligence Community Staff for fiscal year 1982 the sum of
13 \$13,600,000.

14 AUTHORIZATION OF PERSONNEL END-STRENGTH

15 SEC. 202. (a) The Intelligence Community Staff is au-
16 thorized two hundred and twenty full-time personnel as of
17 September 30, 1982. Such personnel may be permanent em-
18 ployees of the Intelligence Community Staff or personnel de-
19 tailed from other elements of the United States Government.

20 (b) During fiscal year 1982, personnel of the Intelli-
21 gence Community Staff shall be selected so as to provide
22 appropriate representation from elements of the United
23 States Government engaged in intelligence and intelligence-
24 related activities.

1 (c) During fiscal year 1982, any officer or employee of
2 the United States or member of the Armed Forces who is
3 detailed to the Intelligence Community Staff from another
4 element of the United States Government shall be detailed on
5 a reimbursable basis, except that any such officer, employee,
6 or member may be detailed on a nonreimbursable basis for a
7 period of less than one year for the performance of temporary
8 functions as required by the Director of Central Intelligence.

9 INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN
10 SAME MANNER AS CENTRAL INTELLIGENCE AGENCY

11 SEC. 203. During fiscal year 1982, activities and per-
12 sonnel of the Intelligence Community Staff shall be subject to
13 the provisions of the National Security Act of 1947 (50
14 U.S.C. 401 et seq.) and the Central Intelligence Agency Act
15 of 1949 (50 U.S.C. 403a-403j) in the same manner as activi-
16 ties and personnel of the Central Intelligence Agency.

17 TITLE III—CENTRAL INTELLIGENCE AGENCY
18 RETIREMENT AND DISABILITY SYSTEM

19 AUTHORIZATION OF APPROPRIATIONS

20 SEC. 301. There is authorized to be appropriated for the
21 Central Intelligence Agency Retirement and Disability Fund
22 for fiscal year 1982 the sum of \$84,600,000.

1 **TITLE IV—SUPPLEMENTAL AUTHORIZATION**
2 **FOR FISCAL YEAR 1981**

3 **AUTHORIZATION OF APPROPRIATIONS**

4 **SEC. 401.** In addition to the funds authorized to be ap-
5 propriated under title I of the Intelligence Authorization Act
6 for Fiscal Year 1981 (Public Law 96-450; 94 Stat. 1975),
7 funds are hereby authorized to be appropriated for fiscal year
8 1981 for the conduct of the intelligence and intelligence-
9 related activities of the United States Government. The
10 amounts authorized to be appropriated under the preceding
11 sentence are those specified for that purpose in the classified
12 Schedule of Authorizations described in section 102.

13 **TITLE V—GENERAL PROVISIONS**

14 **INTELLIGENCE ADVISORY COMMITTEES**

15 **SEC. 501.** (a) Subsection (a) of section 303 of the Na-
16 tional Security Act of 1947 (50 U.S.C. 405) is amended by
17 striking out "at a rate not to exceed \$50 for each day of
18 service" in the last sentence and inserting in lieu thereof the
19 following: "at a daily rate not to exceed the daily equivalent
20 of the rate of pay in effect for grade GS-18 of the General
21 Schedule established by section 5332 of title 5, United States
22 Code".

23 (b) Subsection (b) of such section is amended by striking
24 out "section 281, 283, or 284 of title 18" and inserting in
25 lieu thereof "section 203, 205, or 207 of title 18".

1 ALLOWANCES AND BENEFITS FOR INTELLIGENCE

2 PERSONNEL

3 SEC. 502. (a) Section 4 of the Central Intelligence
4 Agency Act of 1949 (50 U.S.C. 403e) is amended—

5 (1) by inserting “(a)” before “Under such regula-
6 tions”; and

7 (2) by adding at the end thereof the following new
8 subsection:

9 “(b)(1) The Director may pay to officers and employees
10 of the Agency, and to persons detailed or assigned to the
11 Agency from other agencies of the Government or from the
12 Armed Forces, allowances and benefits comparable to the
13 allowances and benefits authorized to be paid to members of
14 the Foreign Service under chapter 9 of title I of the Foreign
15 Service Act of 1980 (22 U.S.C. 4081 et seq.) or any other
16 provision of law.

17 “(2) The Director may pay allowances and benefits re-
18 lated to officially authorized travel, personnel and physical
19 security activities, operational activities, and cover-related
20 activities (whether or not such allowances and benefits are
21 otherwise authorized under this section or any other provi-
22 sion of law) when payment of such allowances and benefits is
23 necessary to meet the special requirements of work related to
24 such activities. Payment of allowances and benefits under
25 this paragraph shall be in accordance with regulations pre-

1 scribed by the Director. Rates for allowances and benefits
2 under this paragraph may not be set at rates in excess of
3 those authorized by section 5724 and 5724a of title 5, United
4 States Code, when reimbursement is provided for relocation
5 attributable, in whole or in part, to relocation within the
6 United States.

7 “(3) Notwithstanding any other provision of this section
8 or any other provision of law relating to the officially author-
9 ized travel of Government employees, the Director, in order
10 to reflect Agency requirements not taken into account in the
11 formulation of Government-wide travel procedures, may by
12 regulation authorize the travel of officers and employees of
13 the Agency, and of persons detailed or assigned to the
14 Agency from other agencies of the Government or from the
15 Armed Forces who are engaged in the performance of intelli-
16 gence functions, and may provide for payment for such
17 travel, in cases in which, in the opinion of the Director, such
18 travel is important to the performance of intelligence
19 functions.

20 “(4) Members of the Armed Forces may not receive
21 benefits under both this section and title 37, United States
22 Code, for the same purpose. The Director and Secretary of
23 Defense shall prescribe joint regulations to carry out the pre-
24 ceding sentence.

1 “(5) Regulations issued pursuant to this subsection (and
2 any changes to such regulations) shall be submitted to the
3 Permanent Select Committee on Intelligence of the House of
4 Representatives and the Select Committee on Intelligence of
5 the Senate before such regulations (or such changes) take
6 effect.”.

7 (b)(1) Subsection (b)(1) of section 9 of the National Secu-
8 rity Agency Act of 1959 (50 U.S.C. 402 note) is amended to
9 read as follows:

10 “(1) allowances and benefits—

11 “(A) comparable to those provided by the
12 Secretary of State to members of the Foreign
13 Service under chapter 9 of title I of the Foreign
14 Service Act of 1980 (22 U.S.C. 4081 et seq.) or
15 any other provision of law; and

16 “(B) in the case of selected personnel serving
17 in circumstances similar to those in which person-
18 nel of the Central Intelligence Agency serve,
19 comparable to those provided by the Director of
20 Central Intelligence to personnel of the Central
21 Intelligence Agency; and”.

22 (2) Such section is further amended by adding at the end
23 thereof the following new subsections:

24 “(d) Members of the Armed Forces may not receive
25 benefits under both subsection (b)(1) and title 37, United

1 States Code, for the same purpose. The Secretary of Defense
2 shall prescribe such regulations as may be necessary to carry
3 out this subsection.

4 “(e) Regulations issued pursuant to subsection (b)(1)
5 (and any changes to such regulations) shall be submitted to
6 the Permanent Select Committee on Intelligence of the
7 House of Representatives and the Select Committee on In-
8 telligence of the Senate before such regulations (or such
9 changes) take effect.”

10 LANGUAGE TRAINING AND CRYPTOLOGIC LINGUIST

11 RESERVE PROGRAMS

12 SEC. 503. The National Security Agency Act of 1959
13 (50 U.S.C. 402 note) is amended—

14 (1) by inserting after section 9 the following:

15 “SEC. 10. (a) The Director of the National Security
16 Agency shall arrange for, and shall prescribe regulations con-
17 cerning, language and language-related training programs for
18 military and civilian cryptologic personnel. In establishing
19 programs under this section for language and language-
20 related training, the Director—

21 “(1) may provide for the training and instruction
22 to be furnished, including functional and geographic
23 area specializations;

24 “(2) may arrange for training and instruction
25 through other Government agencies and, in any case in

1 which appropriate training or instruction is unavailable
2 through Government facilities, through nongovernmen-
3 tal facilities that furnish training and instruction useful
4 in the fields of language and foreign affairs;

5 “(3) may support programs that furnish necessary
6 language and language-related skills, including, in any
7 case in which appropriate programs are unavailable at
8 Government facilities, support through contracts,
9 grants, or cooperation with nongovernmental educa-
10 tional institutions; and

11 “(4) may obtain by appointment or contract the
12 services of individuals to serve as language instructors,
13 linguists, or special language project personnel.

14 “(b)(1) In order to maintain necessary capability in for-
15 eign language skills and related abilities needed by the Na-
16 tional Security Agency, the Director, without regard to sub-
17 chapter IV of chapter 55 of title 5, United States Code, may
18 provide special monetary or other incentives to encourage
19 civilian cryptologic personnel of the Agency to acquire or
20 retain proficiency in foreign languages or special related
21 abilities needed by the Agency.

22 “(2) In order to provide linguistic training and support
23 for civilian cryptologic personnel, the Director—

24 “(A) may pay all or part of the tuition and other
25 expenses related to the training of personnel who are

1 assigned or detailed for language and language-related
2 training, orientation, or instruction; and

3 “(B) may pay benefits and allowances in accord-
4 ance with chapters 57 and 59 of title 5, United States
5 Code, to such personnel who are assigned to training
6 at sites away from their designated duty station.

7 “(c)(1) To the extent not inconsistent, in the opinion of
8 the Secretary of Defense, with the operation of military cryp-
9 tologic reserve units and in order to maintain necessary capa-
10 bility in foreign language skills and related abilities needed by
11 the National Security Agency, the Director may establish a
12 cryptologic linguist reserve. The cryptologic linguist reserve
13 may consist of former or retired civilian or military crypto-
14 logic personnel of the National Security Agency and of other
15 qualified individuals, as determined by the Director of the
16 Agency. Each member of the cryptologic linguist reserve
17 shall agree that, during any period of emergency (as deter-
18 mined by the Director), the member shall return to active
19 civilian status with the National Security Agency and shall
20 perform such linguistic or linguistic-related duties as the Di-
21 rector may assign.

22 “(2) In order to attract individuals to become members
23 of the cryptologic linguist reserve, the Director, without
24 regard to subchapter IV of chapter 55 of title 5, United
25 States Code, may provide special monetary incentives to in-

1 individuals eligible to become members of the reserve who
2 agree to become members of the cryptologic linguist reserve
3 and to acquire or retain proficiency in foreign languages or
4 special related abilities.

5 “(3) In order to provide training and support for mem-
6 bers of the cryptologic linguist reserve, the Director—

7 “(A) may pay all or part of the tuition and other
8 expenses related to the training of individuals in the
9 cryptologic linguist reserve who are assigned or de-
10 tailed for language and language-related training, ori-
11 entation, or instruction; and

12 “(B) may pay benefits and allowances in accord-
13 ance with chapters 57 and 59 of title 5, United States
14 Code, to individuals in the cryptologic linguist reserve
15 who are assigned to training at sites away from their
16 homes or regular places of business.

17 “(d)(1) The Director, before providing training under
18 this section to any individual, may obtain an agreement with
19 that individual that—

20 “(A) in the case of current employees, pertains to
21 continuation of service of the employee, and repayment
22 of the expenses of such training for failure to fulfill the
23 agreement, consistent with the provisions of section
24 4108 of title 5, United States Code; and

1 “(B) in the case of individuals accepted for mem-
2 bership in the cryptologic linguist reserve, pertains to
3 return to service when requested, and repayment of the
4 expenses of such training for failure to fulfill the agree-
5 ment, consistent with the provisions of section 4108 of
6 title 5, United States Code.

7 “(2) The Director, under regulations prescribed under
8 this section, may waive, in whole or in part, a right of recov-
9 ery under an agreement made under this subsection if it is
10 shown that the recovery would be against equity and good
11 conscience or against the public interest.

12 “(e)(1) Subject to paragraph (2), the Director may pro-
13 vide to family members of military and civilian cryptologic
14 personnel assigned overseas to representational duties, in an-
15 ticipation of the assignment of such personnel abroad or
16 while abroad, appropriate orientation and language training.

17 “(2) Language training under paragraph (1) may not be
18 provided to any individual through payment of the expenses
19 of tuition or other cost of instruction at a non-Government
20 educational institution unless appropriate instruction is not
21 available at a Government facility in the United States or, if
22 such individual is already abroad, unless such instruction is
23 directly related to the assignment abroad.

24 “(f) The Director may waive the applicability of any
25 provision of chapter 41 of title 5, United States Code, to any

1 provision of this section if he finds that such waiver is impor-
2 tant to the performance of cryptologic functions.

3 “(g) The authority of the Director to enter into con-
4 tracts or to make grants under this section is effective for any
5 fiscal year only to the extent specifically provided in appro-
6 priation Acts.

7 “(h) Regulations issued pursuant to this section (and
8 any changes to such regulations) shall be submitted to the
9 Permanent Select Committee on Intelligence of the House of
10 Representatives and the Select Committee on Intelligence of
11 the Senate before such regulations (or such changes) take
12 effect.”; and

13 (2) by striking out “SEC. 10.” before “The Direc-
14 tor” and inserting in lieu thereof “(i)”.

15 CRYPTOLOGIC RESEARCH GRANTS

16 SEC. 504. The National Security Agency Act of 1959 is
17 amended by adding at the end thereof the following new
18 section:

19 “SEC. 12. (a) The Director of the National Security
20 Agency may make grants to private individuals and institu-
21 tions for the conduct of cryptologic research. An application
22 for a grant under this section may not be approved unless the
23 Director determines that the award of the grant would be
24 clearly consistent with the national security.

1 “(b) The grant program established by subsection (a)
2 shall be conducted in accordance with the Federal Grant and
3 Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.)
4 to the extent that such Act is consistent with and in accord-
5 ance with section 6 of this Act.

6 “(c) The authority of the Director to make grants under
7 this section is effective for any fiscal year only to the extent
8 specifically provided in appropriation Acts.”.

9 **AVAILABILITY OF APPROPRIATIONS FOR CERTAIN**

10 **CRYPTOLOGIC PROCUREMENT**

11 **SEC. 505.** The National Security Agency Act of 1959 is
12 amended by adding after section 12 (as added by section 505)
13 the following new section:

14 “**SEC. 13.** Funds appropriated to any entity of the Fed-
15 eral Government other than an element of the Department of
16 Defense that have been specifically appropriated for the pur-
17 chase of cryptologic equipment, materials, or services with
18 respect to which the National Security Agency has been des-
19 igned as the central source of procurement for the Govern-
20 ment shall remain available for a period of three fiscal
21 years.”.

22 **INCREASES IN EMPLOYEE BENEFITS AUTHORIZED BY LAW**

23 **SEC. 506.** Appropriations authorized by this Act for
24 salary, pay, retirement, and other benefits for Federal em-
25 ployees may be increased by such additional or supplemental.

17

1 amounts as may be necessary for increases in such benefits
2 authorized by law.

3

EFFECTIVE DATE

4 **SEC. 507.** The amendments made by this title shall take
5 effect on October 1, 1981.

○

97TH CONGRESS
1ST SESSION

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4 SEC. 105. In addition to the amounts authorized to be
5 appropriated under section 101(9), there is authorized to be
6 appropriated for fiscal year 1982 the sum of \$11,900,000 for
7 the conduct of the activities of the Federal Bureau of Investi-
8 gation to counter terrorism in the United States.

9 TITLE II—INTELLIGENCE COMMUNITY STAFF
10 AUTHORIZATION OF APPROPRIATIONS

11 SEC. 201. There is authorized to be appropriated for the
12 Intelligence Community Staff for fiscal year 1982 the sum of
13 \$13,600,000.

14 AUTHORIZATION OF PERSONNEL END-STRENGTH

15 SEC. 202. (a) The Intelligence Community Staff is au-
16 thorized two hundred and twenty full-time personnel as of
17 September 30, 1982. Such personnel may be permanent em-
18 ployees of the Intelligence Community Staff or personnel de-
19 tailed from other elements of the United States Government.

20 (b) During fiscal year 1982, personnel of the Intelli-
21 gence Community Staff shall be selected so as to provide
22 appropriate representation from elements of the United
23 States Government engaged in intelligence and intelligence-
24 related activities.

1 (c) During fiscal year 1982, any officer or employee of
2 the United States or member of the Armed Forces who is
3 detailed to the Intelligence Community Staff from another
4 element of the United States Government shall be detailed on
5 a reimbursable basis, except that any such officer, employee,
6 or member may be detailed on a nonreimbursable basis for a
7 period of less than one year for the performance of temporary
8 functions as required by the Director of Central Intelligence.

9 INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN
10 SAME MANNER AS CENTRAL INTELLIGENCE AGENCY

11 SEC. 203. During fiscal year 1982, activities and per-
12 sonnel of the Intelligence Community Staff shall be subject to
13 the provisions of the National Security Act of 1947 (50
14 U.S.C. 401 et seq.) and the Central Intelligence Agency Act
15 of 1949 (50 U.S.C. 403a-403j) in the same manner as activi-
16 ties and personnel of the Central Intelligence Agency.

17 TITLE III—CENTRAL INTELLIGENCE AGENCY

18 RETIREMENT AND DISABILITY SYSTEM

19 AUTHORIZATION OF APPROPRIATIONS

20 SEC. 301. There is authorized to be appropriated for the
21 Central Intelligence Agency Retirement and Disability Fund
22 for fiscal year 1982 the sum of \$84,600,000.

1 TITLE IV—SUPPLEMENTAL AUTHORIZATION

2 FOR FISCAL YEAR 1981

3 AUTHORIZATION OF APPROPRIATIONS

4 SEC. 401. In addition to the funds authorized to be ap-
5 propriated under title I of the Intelligence Authorization Act
6 for Fiscal Year 1981 (Public Law 96-450; 94 Stat. 1975),
7 funds are hereby authorized to be appropriated for fiscal year
8 1981 for the conduct of the intelligence and intelligence-
9 related activities of the United States Government. The
10 amounts authorized to be appropriated under the preceding
11 sentence are those specified for that purpose in the classified
12 Schedule of Authorizations described in section 102.

13 TITLE V—GENERAL PROVISIONS

14 INTELLIGENCE ADVISORY COMMITTEES

15 SEC. 501. (a) Subsection (a) of section 303 of the Na-
16 tional Security Act of 1947 (50 U.S.C. 405) is amended by
17 striking out "at a rate not to exceed \$50 for each day of
18 service" in the last sentence and inserting in lieu thereof the
19 following: "at a daily rate not to exceed the daily equivalent
20 of the rate of pay in effect for grade GS-18 of the General
21 Schedule established by section 5332 of title 5, United States
22 Code".

23 (b) Subsection (b) of such section is amended by striking
24 out "section 281, 283, or 284 of title 18" and inserting in
25 lieu thereof "section 203, 205, or 207 of title 18".

1 ALLOWANCES AND BENEFITS FOR INTELLIGENCE

2 PERSONNEL

3 SEC. 502. (a) Section 4 of the Central Intelligence
4 Agency Act of 1949 (50 U.S.C. 403e) is amended—

5 (1) by inserting "(a)" before "Under such regula-
6 tions"; and

7 (2) by adding at the end thereof the following new
8 subsection:

9 "(b)(1) The Director may pay to officers and employees
10 of the Agency, and to persons detailed or assigned to the
11 Agency from other agencies of the Government or from the
12 Armed Forces, allowances and benefits comparable to the
13 allowances and benefits authorized to be paid to members of
14 the Foreign Service under chapter 9 of title I of the Foreign
15 Service Act of 1980 (22 U.S.C. 4081 et seq.) or any other
16 provision of law.

17 "(2) The Director may pay allowances and benefits re-
18 lated to officially authorized travel, personnel and physical
19 security activities, operational activities, and cover-related
20 activities (whether or not such allowances and benefits are
21 otherwise authorized under this section or any other provi-
22 sion of law) when payment of such allowances and benefits is
23 necessary to meet the special requirements of work related to
24 such activities. Payment of allowances and benefits under
25 this paragraph shall be in accordance with regulations pre-

1 scribed by the Director. Rates for allowances and benefits
2 under this paragraph may not be set at rates in excess of
3 those authorized by section 5724 and 5724a of title 5, United
4 States Code, when reimbursement is provided for relocation
5 attributable, in whole or in part, to relocation within the
6 United States.

7 “(3) Notwithstanding any other provision of this section
8 or any other provision of law relating to the officially author-
9 ized travel of Government employees, the Director, in order
10 to reflect Agency requirements not taken into account in the
11 formulation of Government-wide travel procedures, may by
12 regulation authorize the travel of officers and employees of
13 the Agency, and of persons detailed or assigned to the
14 Agency from other agencies of the Government or from the
15 Armed Forces who are engaged in the performance of intelli-
16 gence functions, and may provide for payment for such
17 travel, in cases in which, in the opinion of the Director, such
18 travel is important to the performance of intelligence
19 functions.

20 “(4) Members of the Armed Forces may not receive
21 benefits under both this section and title 37, United States
22 Code, for the same purpose. The Director and Secretary of
23 Defense shall prescribe joint regulations to carry out the pre-
24 ceding sentence.

1 “(5) Regulations issued pursuant to this subsection (and
2 any changes to such regulations) shall be submitted to the
3 Permanent Select Committee on Intelligence of the House of
4 Representatives and the Select Committee on Intelligence of
5 the Senate before such regulations (or such changes) take
6 effect.”.

7 (b)(1) Subsection (b)(1) of section 9 of the National Secu-
8 rity Agency Act of 1959 (50 U.S.C. 402 note) is amended to
9 read as follows:

10 “(1) allowances and benefits—

11 “(A) comparable to those provided by the
12 Secretary of State to members of the Foreign
13 Service under chapter 9 of title I of the Foreign
14 Service Act of 1980 (22 U.S.C. 4081 et seq.) or
15 any other provision of law; and

16 “(B) in the case of selected personnel serving
17 in circumstances similar to those in which person-
18 nel of the Central Intelligence Agency serve,
19 comparable to those provided by the Director of
20 Central Intelligence to personnel of the Central
21 Intelligence Agency; and”.

22 (2) Such section is further amended by adding at the end
23 thereof the following new subsections:

24 “(d) Members of the Armed Forces may not receive
25 benefits under both subsection (b)(1) and title 37, United

1 States Code, for the same purpose. The Secretary of Defense
2 shall prescribe such regulations as may be necessary to carry
3 out this subsection.

4 “(e) Regulations issued pursuant to subsection (b)(1)
5 (and any changes to such regulations) shall be submitted to
6 the Permanent Select Committee on Intelligence of the
7 House of Representatives and the Select Committee on In-
8 telligence of the Senate before such regulations (or such
9 changes) take effect.”.

10 LANGUAGE TRAINING AND CRYPTOLOGIC LINGUIST

11 RESERVE PROGRAMS

12 SEC. 503. The National Security Agency Act of 1959
13 (50 U.S.C. 402 note) is amended—

14 (1) by inserting after section 9 the following:

15 “SEC. 10. (a) The Director of the National Security
16 Agency shall arrange for, and shall prescribe regulations con-
17 cerning, language and language-related training programs for
18 military and civilian cryptologic personnel. In establishing
19 programs under this section for language and language-
20 related training, the Director—

21 “(1) may provide for the training and instruction
22 to be furnished, including functional and geographic
23 area specializations;

24 “(2) may arrange for training and instruction
25 through other Government agencies and, in any case in

1 which appropriate training or instruction is unavailable
2 through Government facilities, through nongovernmen-
3 tal facilities that furnish training and instruction useful
4 in the fields of language and foreign affairs;

5 “(3) may support programs that furnish necessary
6 language and language-related skills, including, in any
7 case in which appropriate programs are unavailable at
8 Government facilities, support through contracts,
9 grants, or cooperation with nongovernmental educa-
10 tional institutions; and

11 “(4) may obtain by appointment or contract the
12 services of individuals to serve as language instructors,
13 linguists, or special language project personnel.

14 “(b)(1) In order to maintain necessary capability in for-
15 eign language skills and related abilities needed by the Na-
16 tional Security Agency, the Director, without regard to sub-
17 chapter IV of chapter 55 of title 5, United States Code, may
18 provide special monetary or other incentives to encourage
19 civilian cryptologic personnel of the Agency to acquire or
20 retain proficiency in foreign languages or special related
21 abilities needed by the Agency.

22 “(2) In order to provide linguistic training and support
23 for civilian cryptologic personnel, the Director—

24 “(A) may pay all or part of the tuition and other
25 expenses related to the training of personnel who are

1 assigned or detailed for language and language-related
2 training, orientation, or instruction; and

3 “(B) may pay benefits and allowances in accord-
4 ance with chapters 57 and 59 of title 5, United States
5 Code, to such personnel who are assigned to training
6 at sites away from their designated duty station.

7 “(c)(1) To the extent not inconsistent, in the opinion of
8 the Secretary of Defense, with the operation of military cryp-
9 tologic reserve units and in order to maintain necessary capa-
10 bility in foreign language skills and related abilities needed by
11 the National Security Agency, the Director may establish a
12 cryptologic linguist reserve. The cryptologic linguist reserve
13 may consist of former or retired civilian or military crypto-
14 logic personnel of the National Security Agency and of other
15 qualified individuals, as determined by the Director of the
16 Agency. Each member of the cryptologic linguist reserve
17 shall agree that, during any period of emergency (as deter-
18 mined by the Director), the member shall return to active
19 civilian status with the National Security Agency and shall
20 perform such linguistic or linguistic-related duties as the Di-
21 rector may assign.

22 “(2) In order to attract individuals to become members
23 of the cryptologic linguist reserve, the Director, without
24 regard to subchapter IV of chapter 55 of title 5, United
25 States Code, may provide special monetary incentives to in-

1 individuals eligible to become members of the reserve who
2 agree to become members of the cryptologic linguist reserve
3 and to acquire or retain proficiency in foreign languages or
4 special related abilities.

5 “(3) In order to provide training and support for mem-
6 bers of the cryptologic linguist reserve, the Director—

7 “(A) may pay all or part of the tuition and other
8 expenses related to the training of individuals in the
9 cryptologic linguist reserve who are assigned or de-
10 tailed for language and language-related training, ori-
11 entation, or instruction; and

12 “(B) may pay benefits and allowances in accord-
13 ance with chapters 57 and 59 of title 5, United States
14 Code, to individuals in the cryptologic linguist reserve
15 who are assigned to training at sites away from their
16 homes or regular places of business.

17 “(d)(1) The Director, before providing training under
18 this section to any individual, may obtain an agreement with
19 that individual that—

20 “(A) in the case of current employees, pertains to
21 continuation of service of the employee, and repayment
22 of the expenses of such training for failure to fulfill the
23 agreement, consistent with the provisions of section
24 4108 of title 5, United States Code; and

1 “(B) in the case of individuals accepted for mem-
2 bership in the cryptologic linguist reserve, pertains to
3 return to service when requested, and repayment of the
4 expenses of such training for failure to fulfill the agree-
5 ment, consistent with the provisions of section 4108 of
6 title 5, United States Code.

7 “(2) The Director, under regulations prescribed under
8 this section, may waive, in whole or in part, a right of recov-
9 ery under an agreement made under this subsection if it is
10 shown that the recovery would be against equity and good
11 conscience or against the public interest.

12 “(e)(1) Subject to paragraph (2), the Director may pro-
13 vide to family members of military and civilian cryptologic
14 personnel assigned overseas to representational duties, in an-
15 ticipation of the assignment of such personnel abroad or
16 while abroad, appropriate orientation and language training.

17 “(2) Language training under paragraph (1) may not be
18 provided to any individual through payment of the expenses
19 of tuition or other cost of instruction at a non-Government
20 educational institution unless appropriate instruction is not
21 available at a Government facility in the United States or, if
22 such individual is already abroad, unless such instruction is
23 directly related to the assignment abroad.

24 “(f) The Director may waive the applicability of any
25 provision of chapter 41 of title 5, United States Code, to any

1 provision of this section if he finds that such waiver is impor-
2 tant to the performance of cryptologic functions.

3 “(g) The authority of the Director to enter into con-
4 tracts or to make grants under this section is effective for any
5 fiscal year only to the extent specifically provided in appro-
6 priation Acts.

7 “(h) Regulations issued pursuant to this section (and
8 any changes to such regulations) shall be submitted to the
9 Permanent Select Committee on Intelligence of the House of
10 Representatives and the Select Committee on Intelligence of
11 the Senate before such regulations (or such changes) take
12 effect.”; and

13 (2) by striking out “SEC. 10.” before “The Direc-
14 tor” and inserting in lieu thereof “(i)”.

15 CRYPTOLOGIC RESEARCH GRANTS

16 SEC. 504. The National Security Agency Act of 1959 is
17 amended by adding at the end thereof the following new
18 section:

19 “SEC. 12. (a) The Director of the National Security
20 Agency may make grants to private individuals and institu-
21 tions for the conduct of cryptologic research. An application
22 for a grant under this section may not be approved unless the
23 Director determines that the award of the grant would be
24 clearly consistent with the national security.

1 “(b) The grant program established by subsection (a)
2 shall be conducted in accordance with the Federal Grant and
3 Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.)
4 to the extent that such Act is consistent with and in accord-
5 ance with section 6 of this Act.

6 “(c) The authority of the Director to make grants under
7 this section is effective for any fiscal year only to the extent
8 specifically provided in appropriation Acts.”.

9 AVAILABILITY OF APPROPRIATIONS FOR CERTAIN
10 CRYPTOLOGIC PROCUREMENT

11 SEC. 505. The National Security Agency Act of 1959 is
12 amended by adding after section 12 (as added by section 505)
13 the following new section:

14 “SEC. 13. Funds appropriated to any entity of the Fed-
15 eral Government other than an element of the Department of
16 Defense that have been specifically appropriated for the pur-
17 chase of cryptologic equipment, materials, or services with
18 respect to which the National Security Agency has been des-
19 igned as the central source of procurement for the Govern-
20 ment shall remain available for a period of three fiscal
21 years.”.

22 INCREASES IN EMPLOYEE BENEFITS AUTHORIZED BY LAW

23 SEC. 506. Appropriations authorized by this Act for
24 salary, pay, retirement, and other benefits for Federal em-
25 ployees may be increased by such additional or supplemental

17

1 amounts as may be necessary for increases in such benefits

2 authorized by law.

3 EFFECTIVE DATE

4 SEC. 507. The amendments made by this title shall take

5 effect on October 1, 1981.

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