

PUBLIC LAW 108-458—DEC. 17, 2004

INTELLIGENCE REFORM AND TERRORISM
PREVENTION ACT OF 2004

Public Law 108–458
108th Congress

An Act

Dec. 17, 2004
[S. 2845]

To reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Intelligence
Reform and
Terrorism
Prevention Act of
2004.
50 USC 401 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Intelligence Reform and Terrorism Prevention Act of 2004”.

(b) **TABLE OF CONTENTS.**—the table of contents for this Act is as follows:

TITLE I—REFORM OF THE INTELLIGENCE COMMUNITY

Sec. 1001. Short title.

Subtitle A—Establishment of Director of National Intelligence

Sec. 1011. Reorganization and improvement of management of intelligence community.

Sec. 1012. Revised definition of national intelligence.

Sec. 1013. Joint procedures for operational coordination between Department of Defense and Central Intelligence Agency.

Sec. 1014. Role of Director of National Intelligence in appointment of certain officials responsible for intelligence-related activities. Sec. 1015. Executive Schedule matters.

Sec. 1016. Information sharing.

Sec. 1017. Alternative analysis of intelligence by the intelligence community.

Sec. 1018. Presidential guidelines on implementation and preservation of authorities.

Sec. 1019. Assignment of responsibilities relating to analytic integrity.

Sec. 1020. Safeguard of objectivity in intelligence analysis.

Subtitle B—National Counterterrorism Center, National Counter Proliferation Center and National Intelligence Centers

Sec. 1021. National Counterterrorism Center.

Sec. 1022. National Counter Proliferation Center.

Sec. 1023. National intelligence centers.

Subtitle C—Joint Intelligence Community Council

Sec. 1031. Joint Intelligence Community Council.

Subtitle D—Improvement of Education for the Intelligence Community

Sec. 1041. Additional education and training requirements.

Sec. 1042. Cross-disciplinary education and training.

Sec. 1043. Intelligence Community Scholarship Program.

Subtitle E—Additional Improvements of Intelligence Activities

Sec. 1051. Service and national laboratories and the intelligence community.

Sec. 1052. Open-source intelligence.

Sec. 1053. National Intelligence Reserve Corps.

Subtitle F—Privacy and Civil Liberties

Sec. 1061. Privacy and Civil Liberties Oversight Board.

Sec. 1062. Sense of Congress on designation of privacy and civil liberties officers.

Subtitle G—Conforming and Other Amendments

- Sec. 1071. Conforming amendments relating to roles of Director of National Intelligence and Director of the Central Intelligence Agency.
Sec. 1072. Other conforming amendments.
Sec. 1073. Elements of intelligence community under National Security Act of 1947.
Sec. 1074. Redesignation of National Foreign Intelligence Program as National Intelligence Program.
Sec. 1075. Repeal of superseded authority.
Sec. 1076. Clerical amendments to National Security Act of 1947.
Sec. 1077. Conforming amendments relating to prohibiting dual service of the Director of the Central Intelligence Agency.
Sec. 1078. Authority to establish inspector general for the Office of the Director of National Intelligence.
Sec. 1079. Ethics matters.
Sec. 1080. Construction of authority of Director of National Intelligence to acquire and manage property and services.
Sec. 1081. General references.

Subtitle H—Transfer, Termination, Transition, and Other Provisions

- Sec. 1091. Transfer of Community Management Staff.
Sec. 1092. Transfer of Terrorist Threat Integration Center.
Sec. 1093. Termination of positions of Assistant Directors of Central Intelligence.
Sec. 1094. Implementation plan.
Sec. 1095. Director of National Intelligence report on implementation of intelligence Community reform.
Sec. 1096. Transitional authorities.
Sec. 1097. Effective dates.

Subtitle I—Other Matters

- Sec. 1101. Study of promotion and professional military education school selection rates for military intelligence officers.
Sec. 1102. Extension and improvement of authorities of Public Interest Declassification Board.
Sec. 1103. Severability.

TITLE II—FEDERAL BUREAU OF INVESTIGATION

- Sec. 2001. Improvement of intelligence capabilities of the Federal Bureau of Investigation.
Sec. 2002. Directorate of Intelligence of the Federal Bureau of Investigation.
Sec. 2003. Federal Bureau of Investigation intelligence career service.
Sec. 2004. Federal Bureau of Investigation Reserve Service.
Sec. 2005. Federal Bureau of Investigation mandatory separation age.
Sec. 2006. Federal Bureau of Investigation use of translators.

**EXTENSION AND IMPROVEMENT OF AUTHORITIES OF PUBLIC
INTEREST DECLASSIFICATION BOARD**

SEC. 1102.

(a) **DIRECTION.**—Section 703(a) of the Public Interest Declassification Act of 2000 (title VII of Public Law 106-567; 114 Stat. 2856; 50 U.S.C. §435 note) is amended—

(1) by inserting “(1)” after “ESTABLISHMENT-”; and

(2) by adding at the end the following new paragraph: “(2) The Board shall report directly to the President or, upon designation by the President, the Vice President, the Attorney General, or other designee of the President. The other designee of the President under this paragraph may not be an agency head or official authorized to classify information under Executive Order 12958, or any successor order.”

(b) **PURPOSES.**—Section 703(b) of that Act (114 Stat. 2856) is amended by adding at the end the following new paragraph: “(5) To review and make recommendations to the President in a timely manner with respect to any congressional request, made by the committee of jurisdiction, to declassify certain records or to reconsider a declination to declassify specific records.”

(c) **RECOMMENDATIONS ON SPECIAL SEARCHES.**—Section 704(c)(2)(A) of that Act (114 Stat. 2860) is amended by inserting before the period the following: “, and also including specific requests for the declassification of certain records or for the reconsideration of declinations to declassify specific records”.

(d) **DECLASSIFICATION REVIEWS.**—Section 704 of that Act (114 Stat. 2859) is further amended by adding at the end the following new subsection: “(e) **DECLASSIFICATION REVIEWS.**—If requested by the President, the Board shall review in a timely manner certain records or declinations to declassify specific records, the declassification of which has been the subject of specific congressional request described in section 703(b)(5).”

(e) **NOTIFICATION OF REVIEW.**—Section 706 of that Act (114 Stat. 2861) is amended by adding at the end the following new subsection: “(f) **NOTIFICATION OF REVIEW.**—In response to a specific congressional request for declassification review described in section 703(b)(5), the Board shall advise the originators of the request in a timely manner whether the Board intends to conduct such review.”

(f) **EXTENSION.**—Section 710(b) of that Act (114 Stat. 2864) is amended by striking “4 years” and inserting “8 years”.