

HR 5020

Intelligence Authorization Act for Fiscal Year 2007

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

Introduced: Mar 28, 2006

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 418.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 418. (May 1, 2006)

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Sponsor

Name: Rep. Hoekstra, Peter [R-MI-2]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Reported By	Apr 7, 2006

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
109 S 3237	Related bill	Jun 21, 2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 476.
109 HRES 774	Procedurally related	Apr 26, 2006: Motion to reconsider laid on the table Agreed to without objection.

Intelligence Authorization Act for Fiscal Year 2007 - **Title I: Intelligence Activities** - (Sec. 101) Authorizes appropriations for FY2007 for the conduct of intelligence and intelligence-related activities of the: (1) Office of the Director of National Intelligence; (2) Central Intelligence Agency (CIA); (3) Department of Defense (DOD); (4) Defense Intelligence Agency (DIA); (5) National Security Agency (NSA); (6) Departments of the Army, Navy, and Air Force; (7) Departments of State, the Treasury, Energy, and Justice; (8) Federal Bureau of Investigation (FBI); (9) National Reconnaissance Office; (10) National Geospatial-Intelligence Agency; (11) Coast Guard; (12) Department of Homeland Security (DHS); and (13) Drug Enforcement Administration (DEA).

(Sec. 102) Specifies that the amounts authorized and the authorized personnel ceilings as of September 30, 2007, for such activities are those specified in the classified Schedule of Authorizations, which shall be made available to the Senate and House Appropriations Committees and the President.

(Sec. 103) Allows the Director of National Intelligence (DNI), with the approval of the Director of the Office of Management and Budget, to authorize employment of civilian personnel in excess of the number authorized for FY2007 when necessary for the performance of important intelligence functions. Requires notification of the congressional intelligence committees on the use of such authority.

(Sec. 104) Authorizes appropriations for the Intelligence Community Management Account for FY2007, for full-time personnel for elements within such Account, and for certain classified personnel.

(Sec. 105) Incorporates into this Act each requirement to submit a report to the congressional intelligence committees that is included in the joint explanatory statement accompanying the conference report for this Act.

Title II: Central Intelligence Agency Retirement and Disability System - (Sec. 201) Authorizes appropriations for FY2007 for the Central Intelligence Agency Retirement and Disability Fund.

Title III: Intelligence and General Intelligence Community Matters - (Sec. 301) Permits appropriations authorized by this Act for salary, pay, retirement, and other benefits for federal employees to be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

(Sec. 302) Specifies that the authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States.

(Sec. 304) Amends the National Security Act of 1947 to permit the DNI to delegate to the heads of individual intelligence community (IC) elements the authority to approve certain employee travel on common carriers.

(Sec. 305) Authorizes the head of an IC element to retain amounts paid or reimbursed to the United States, including amounts paid by an employee from personal funds, for repayment of a debt arising from negligent or willful damage or misconduct, or default on the terms of educational assistance.

(Sec. 306) Allows funds appropriated for the DNI and CIA for travel and transportation expenses to be charged to the fiscal year in which such travel begins (even if not completed in that fiscal year).

(Sec. 307) Amends the Intelligence Authorization Act for Fiscal Year 2004 to require the head of the appropriate IC element (currently, the CIA Director), before making a purchase from Federal Prison Industries, to first determine that the purchase best meets the needs of that element.

(Sec. 308) Requires the DNI to report to the intelligence committees on regulations governing covered contracts under the National Intelligence Program and, at the discretion of the DNI, the Military Intelligence Program. Requires, for each covered contract in an amount greater than \$1 million, that the contractor provide the contracting officer with specified information regarding intelligence activities performed under the contract (with updates as necessary).

Requires the DNI to report to the intelligence committees on hiring, promotion, and retention of IC professionals.

Title IV: Matters Relating to Elements of the Intelligence Community - Subtitle A: Office of the Director of National Intelligence - (Sec. 402) States that the prohibition on the co-location of the Office of the DNI with any other IC element applies only to the co-location of the headquarters of each.

(Sec. 403) Establishes additional duties for the DNI's Director of Science and Technology, including coordinating and prioritizing research conducted by IC elements and establishing goals for IC elements to meet technology needs. Requires a report from the DNI to Congress containing a strategy for the development and use of technology in the IC through 2021.

(Sec. 404) Requires the DNI (currently, the President) to appoint the Chief Information Officer of the Intelligence Community.

(Sec. 405) Includes as officers within the Office of the DNI the Directors of the National Counterproliferation Center and the National Counterterrorism Center. Requires the former Director to be appointed by the DNI.

(Sec. 406) Amends the Intelligence Authorization Act for Fiscal Year 1984 to authorize the DNI to provide incentive awards to federal employees and military personnel detailed or assigned to the Office of the DNI.

(Sec. 408) Adds the DNI to the Transportation Security Oversight Board.

(Sec. 409) Exempts the DNI, with respect to FY2005 or FY2006, from the requirement that federal agencies submit an audited agency financial statement.

(Sec. 410) Requires the DNI to submit to the congressional intelligence committees a classified report providing a comprehensive inventory of all special access programs under the National Intelligence Program.

(Sec. 411) Expresses the sense of Congress that the DNI should promptly establish and oversee the implementation of a multi-level security clearance system across the IC to leverage the cultural and linguistic skills of subject matter experts and individuals proficient in foreign languages critical to national security.

(Sec. 412) Directs the DNI to present to members and staff of the intelligence committees accounts for and access to the Interlink System (or its successor) through the Joint Worldwide Intelligence Communications System (or its successor).

(Sec. 413) Requires the DNI to study the feasibility of revoking the pension of IC personnel who commit unauthorized disclosures of classified information. Requires a report on study results from the DNI to the intelligence committees.

Subtitle B: Central Intelligence Agency - (Sec. 421) Requires the Director of the Central Intelligence Agency (DCI) to protect CIA intelligence sources and methods from unauthorized disclosure, consistent with any direction issued by the President or the DNI.

(Sec. 422) Provides an exception to required foreign language proficiencies for certain CIA senior level positions in the case of any individual in the Directorate of Intelligence or Operations who is serving in a Senior Intelligence Service

position as of December 23, 2005.

(Sec. 423) Amends the Central Intelligence Agency Act of 1949 to allow CIA protective personnel to provide protection for the DNI and other personnel designated by the DNI.

Authorizes the DCI to issue regulations to allow CIA protective personnel, while engaged in protective functions, to make arrests without a warrant for offenses committed in their presence if such personnel have probable cause to believe that the person to be arrested has committed or will commit a felony offense.

(Sec. 424) Prohibits the head of an IC element from providing personnel for the protection of a former official of an IC element unless: (1) there is a specific and credible threat to such official arising from their service; and (2) the IC head submits to the DNI notice of the intent to provide such protection and an assessment of the threat and level of protective services needed. Allows protective services to be provided, without evidence of a credible threat, for up to one year after termination of an official's service. Requires: (1) threat assessment updates with respect to protected former officials; and (2) termination of such protection upon termination of a credible threat.

(Sec. 425) Requires the DNI, in consultation with the heads of IC elements, to manage and oversee a strategic review of the IC to develop intelligence capabilities required to address threats to national security, and to include in such review estimates of the allocation of resources and structural change that should be reflected in future budget requests.

Subtitle C: Defense Intelligence Components - (Sec. 431) Amends the National Security Agency Act of 1959 to make NSA employees failing to maintain satisfactory levels of academic standing in a contractually provided course of training liable for repayment in lieu of any service obligation.

(Sec. 432) Authorizes the NSA Director to designate NSA personnel to perform protective functions for any NSA personnel designated by the Director. Authorizes such Director to issue regulations to allow the protective personnel to carry firearms and to make arrests without warrants for a felony upon the existence of probable cause.

Subtitle D: Other Elements - (Sec. 441) Adds the Coast Guard and DEA to the list of IC agencies included under the National Security Act.

Title V: Other Matters - (Sec. 501) Directs the Secretary of Defense to conduct a study and certify to the defense and intelligence committees the mission capability of the Global Hawk RQ-4 unmanned aerial vehicle platform prior to the termination of the U-2 aircraft program.

(Sec. 502) Eliminates certain reports required under the National Security Act of 1947 relating to U.S. intelligence sharing with the United Nations (UN).

(Sec. 503) Makes technical amendments to the National Security Act of 1947, the Intelligence Reform and Terrorism Prevention Act of 2004, the Central Intelligence Agency Act of 1949, the Executive Schedule, and specified intelligence programs and offices.

(Sec. 510) Requires a report from: (1) the President to the intelligence committees describing any authorization granted, during the ten-year period ending on the date of enactment of this Act, to engage in intelligence activities related to the overthrow of a democratically elected government; and (2) the DNI to Congress relating to the disposition of insurgent forces in Iraq fighting against Coalition forces and forces of the government of Iraq.

(Sec. 512) Expresses the sense of Congress that the President should utilize his constitutional authority to classify and

protect national security information related to intelligence activities and information, and to take action against persons who commit unauthorized disclosures of classified information relating to intelligence activities and information contrary to law and voluntary secrecy agreements.

Title VI: Communication of Information Concerning Terrorist Threats - (Sec. 601) Directs the DHS Secretary and the DNI to jointly conduct (or contract to conduct) a study of the operations of federal, state, and local government entities to identify best practices for the communication of information concerning a terrorist threat. Requires a report from such Secretary to Congress on study findings, conclusions, and recommendations.

(Sec. 602) Directs such Secretary to make grants for the establishment and operation of three centers to implement the best practices identified by the above study for the processing, analysis, and dissemination of terrorist threat information. Authorizes appropriations for the centers. Requires a report from such Secretary to Congress evaluating the operations of the centers and making recommendations for future funding.

Actions Timeline

- **May 1, 2006:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 418.
- **Apr 27, 2006:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Apr 26, 2006:** Rule H. Res. 774 passed House.
- **Apr 26, 2006:** Considered under the provisions of rule H. Res. 774. (consideration: CR H1786-1812)
- **Apr 26, 2006:** Rule provides for consideration of H.R. 5020. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Apr 26, 2006:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 774 and Rule XVIII.
- **Apr 26, 2006:** The Speaker designated the Honorable Dennis R. Rehberg to act as Chairman of the Committee.
- **Apr 26, 2006:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5020.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 10 minutes of debate on the Hoekstra amendment.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 10 minutes of debate on the Fossella amendment.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 10 minutes of debate on the Lee amendment.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 10 minutes of debate on the Price (NC) amendment.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 10 minutes of debate on the Andrews amendment.
- **Apr 26, 2006:** DEBATE - Pursuant to the provisions of H. Res. 774, the Committee of the Whole proceeded with 20 minutes of debate on the Renzi amendment.
- **Apr 26, 2006:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5020.
- **Apr 26, 2006:** The previous question was ordered pursuant to the rule. (consideration: CR H1809)
- **Apr 26, 2006:** The House adopted the amendment as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H1795-1801)
- **Apr 26, 2006:** Mr. Schiff moved to recommit with instructions to Intelligence (Permanent). (consideration: CR H1809-1811; text: CR H1809)
- **Apr 26, 2006:** DEBATE - The House proceeded with 10 minutes of debate on the Schiff motion in recommit with instructions. Instructions contained within the motion seek to insert a new section at the end of title III (page 16, after line 10) consisting of the text of the NSA Oversight Act.
- **Apr 26, 2006:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Apr 26, 2006:** On motion to recommit with instructions Failed by recorded vote: 195 - 230 (Roll no. 107).
- **Apr 26, 2006:** Passed/agreed to in House: On passage Passed by recorded vote: 327 - 96 (Roll no. 108).
- **Apr 26, 2006:** On passage Passed by recorded vote: 327 - 96 (Roll no. 108).
- **Apr 26, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 26, 2006:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 5020.
- **Apr 25, 2006:** Rules Committee Resolution H. Res. 774 Reported to House. Rule provides for consideration of H.R. 5020. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Apr 6, 2006:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 109-411.
- **Apr 6, 2006:** Placed on the Union Calendar, Calendar No. 225.
- **Mar 30, 2006:** Committee Consideration and Mark-up Session Held.
- **Mar 30, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 28, 2006:** Introduced in House
- **Mar 28, 2006:** Referred to the House Committee on Intelligence (Permanent Select).

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