

HR 2701

Intelligence Authorization Act for Fiscal Year 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

Introduced: Jun 4, 2009

Current Status: Became Public Law No: 111-259.

Latest Action: Became Public Law No: 111-259. (Oct 7, 2010)

Law: 111-259 (Enacted Oct 7, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/2701>

Sponsor

Name: Rep. Reyes, Silvestre [D-TX-16]

Party: Democratic • **State:** TX • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

| Committee | Chamber | Activity | Date |
|---|---------|---|--------------|
| Homeland Security Committee | House | Bills of Interest - Exchange of Letters | Sep 22, 2010 |
| Intelligence (Permanent Select) Committee | House | Reported By | Jun 26, 2009 |

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

| Bill | Relationship | Last Action |
|---------------|----------------------|---|
| 111 HRES 1674 | Related bill | Sep 29, 2010: Motion to reconsider laid on the table Agreed to without objection. |
| 111 S 3611 | Related bill | Aug 9, 2010: Held at the desk. |
| 111 HRES 1113 | Procedurally related | Feb 26, 2010: Motion to reconsider laid on the table Agreed to without objection. |
| 111 HRES 1105 | Related bill | Feb 25, 2010: Motion to reconsider laid on the table Agreed to without objection. |
| 111 S 1494 | Related bill | Feb 25, 2010: Rule H. Res. 1105 passed House. |
| 111 HRES 618 | Procedurally related | Jul 15, 2009: Pursuant to the provisions of H. Res. 645, H. Res. 618 is laid on the table. |
| 111 HRES 105 | Procedurally related | Mar 16, 2009: Referred to the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law. |

(This measure has not been amended since it was passed by the Senate on September 27, 2010. The summary of that version is repeated here.)

Intelligence Authorization Act for Fiscal Year 2010 - **Title I: Budget and Personnel Authorizations** - (Sec. 101) Permits, for purposes of provisions of the National Security Act of 1947 concerning the funding of intelligence activities, appropriated funds available to an intelligence agency to be obligated or expended for an intelligence or intelligence-related activity as appropriated for FY2010, as modified by such reprogramming and transfers of funds authorized by and reported to the appropriate congressional committees.

(Sec. 102) Prohibits the authorization of appropriations by this Act from being deemed to constitute authority for the conduct of any intelligence activity not otherwise authorized by the Constitution or laws of the United States.

(Sec. 103) Requires the budgetary effects of this Act to be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, as long as such statement has been submitted prior to the vote on passage of this Act.

Title II: Central Intelligence Agency Retirement and Disability System - (Sec. 201) Amends the Central Intelligence Agency Retirement Act to make a technical modification concerning mandatory retirement for age.

Title III: General Intelligence Community Matters - Subtitle A: Personnel 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) Amends the National Security Act of 1947 to allow a federal officer or employee or member of the Armed Forces to be detailed to the staff of an element of the intelligence community (IC) funded through the National Intelligence Program from another element of the IC or the federal government on a reimbursable or nonreimbursable basis, as jointly agreed upon by the heads of the receiving and detailing element, for a period of up to two years.

(Sec. 303) Authorizes the Director of National Intelligence (DNI) to fix rates of pay for critical positions in the IC in excess of the applicable limit, up to the rate payable for level II of the Executive Schedule. Requires the head of any IC department or agency to which the DNI grants such increased compensation authority to notify the intelligence committees and the DNI within 30 days after the exercise of such authority.

(Sec. 304) Authorizes the President to award ranks to members of the Senior National Intelligence Service and other IC senior civilian officers not already covered by a rank award program.

(Sec. 305) Requires the DNI to annually prepare and submit to the intelligence committees a personnel level assessment for each of the IC elements.

(Sec. 306) Authorizes an additional 100 full-time equivalent positions for the Office of the DNI for each fiscal year to be used to fill positions made absent by employee participation in critical language training or the provision of language-capable services on a temporary basis. Requires the DNI to report annually to the intelligence committees on the use of authority provided in this section.

(Sec. 307) Directs the DNI to: (1) issue regulations prohibiting any IC officer or employee from engaging in outside

employment if such employment creates a conflict of interest or appearance thereof; and (2) report annually to the intelligence committees on any outside employment of IC officers and employees that was authorized by the head of an IC element.

Subtitle B: Education Programs - (Sec. 311) Makes permanent the Pat Roberts Intelligence Scholars program (originally a pilot program under the Intelligence Authorization Act for Fiscal Year 2004). Allows scholarship funds to be used for tuition, books, travel expenses, and a stipend.

(Sec. 312) Amends the National Security Agency Act of 1959 to extend the Louis Stokes Educational Scholarship Program to: (1) graduate students, in addition to undergraduates; and (2) individuals not employed by the federal government. Replaces the term "employee" with "program participant." Repeals the requirement that the National Security Agency (NSA) publicly identify to participating educational institutions scholarship students who are NSA employees or training program participants. Authorizes IC elements other than the NSA to establish undergraduate or graduate training programs for prospective or current employees similar to the NSA programs.

(Sec. 313) Authorizes the DNI to carry out programs to enhance the recruitment and retention of an ethnically and culturally diverse IC workforce with capabilities critical to U.S. national security interests. Authorizes the use of grants under the programs to institutions of higher education for the establishment or continued development of programs of study aimed at meeting current or emerging IC needs. Requires regular reports from institutions receiving such grants. Repeals similar programs under certain prior Acts.

(Sec. 314) Authorizes the DNI to establish a pilot program for intensive language instruction in African languages. Terminates the pilot program after five years. Authorizes appropriations.

Subtitle C: Acquisition Matters - (Sec. 321) Requires the DNI to conduct and submit to the intelligence committees an initial vulnerability assessment for any major system and its significant items of supply prior to completion of Milestone B or an equivalent acquisition decision, or prior to one year after the enactment of this Act for an acquisition decision completed prior to the date of enactment. Allows a 180-day extension of the submission of such assessment, if justified by the DNI to such committees. Requires subsequent assessments periodically through the life span of the system when warranted by a change of circumstances or upon request of an intelligence committee. Requires the DNI to: (1) give due consideration to such assessments when developing and determining the annual National Intelligence Program (NIP) budget; and (2) provide the intelligence committees a copy of each assessment, along with a proposed schedule for subsequent assessments. Provides limits on the obligation of funding for major systems for which such assessments are required, if such assessments are not timely submitted.

(Sec. 322) Prohibits any funds appropriated to an IC element from being obligated for an IC business system transformation having a total cost in excess of \$3 million unless: (1) the transformation is certified as complying with intelligence enterprise architecture and other DNI policy or standards, or is necessary to achieve a critical national security objective or to prevent a significant adverse effect on an essential project; and (2) the certification is approved by a board within the IC business system transformation governance structure. Requires: (1) the DNI to develop and implement an enterprise architecture to cover all IC business systems, and the functions and activities supported by such systems; (2) the DNI to establish and implement, within 60 days after the enactment of this Act, an investment review process for IC business systems; (3) the DNI to include in annual budget materials specified information concerning each IC business system for which budget funding is proposed; (4) the DNI to establish the board to take certain actions to implement this section; and (5) the DNI to report during 2011 through 2015 to the intelligence committees concerning compliance with requirements of this section.

(Sec. 323) Directs the program manager for each IC system to submit quarterly to the DNI a major system cost report including, for each system, its total acquisition cost, cost or schedule variances, and changes from milestones or performance measures. Requires additional reports from such program manager in the case of cost increases equal to or greater than the significant or critical cost growth threshold for such system, requiring the DNI to notify Congress of such cost growth. Prohibits the obligation of funding for such system upon the DNI's failure to submit such notification. Provides for the treatment of cost increases occurring prior to the enactment of this Act.

(Sec. 324) Requires the DNI, upon a determination of a major system cost increase greater than or equal to the critical cost growth threshold for that system, to: (1) determine the root cause or causes of such cost growth; and (2) carry out an assessment of projected costs of completing the system, the costs of an alternative system, and the need to reduce funding for other systems due to such cost growth. Requires the termination of such system unless the DNI submits to Congress a major system report certifying the necessity of such additional costs. Requires specified DNI actions if a major system is not terminated (including a restructure that addresses the root causes of the cost growth), or if a major system is terminated (including alternative plans to meet intelligence requirements not met by such system). Allows the DNI to waive certain requirements with respect to a terminated system upon determining that at least 90% of the amount of the current baseline estimate for the system has been expended and notifying the intelligence committees of such determination.

(Sec. 325) Requires the DNI to provide to the intelligence committees a five-year Future Year Intelligence Plan for each expenditure center and each major system in the NIP. Requires the DNI to provide to such committees a Long-term Budget Projection for each element of the NIP acquiring a major system that includes the budget for the five-year period following the last budget year for which proposed funding is included in a Plan. Requires each Plan and Projection to be submitted to Congress along with the annual intelligence budget, along with a major system affordability report concerning the acquisition of a major system funded under the NIP.

(Sec. 326) Allows the DNI to authorize the head of an IC element to exercise any acquisition authority authorized for the Central Intelligence Agency (CIA) under the Central Intelligence Agency Act of 1949 for an acquisition that is more than 50% funded by the NIP. Provides acquisition authority limits similar to those provided in such Act.

Subtitle D: Congressional Oversight, Plans, and Reports - (Sec. 331) Requires all reports from the President, DNI, or head of an IC element to the intelligence committees on intelligence activities and covert actions to be written and to include the legal basis under which the activity or action is being or was conducted. Requires a covert action finding by the President to be reported in writing, along with the reasons for any limited access to a finding or notice of significant change in a finding. Directs the President, within 180 days after submitting a limited access statement, to ensure that: (1) all members of the intelligence committees are provided access to the finding or notification; or (2) a statement of the reasons that it is essential to continue to limit such access to meet extraordinary circumstances affecting vital U.S. interests is submitted to specified congressional leaders. Requires the President, if the statement under (2) is chosen, to notify all members of the intelligence committees of that choice, and to provide such members a general description regarding the finding or notification. Outlines specific factors to be taken into consideration by the President when determining whether an activity constitutes a significant undertaking, for purposes of required congressional notification concerning activities other than covert actions. Directs the President to maintain a record of each Member of Congress to whom a finding is reported or a notice is provided.

(Sec. 332) Requires the head of each IC element to annually submit to the intelligence committees either: (1) a certification of compliance with all congressional notification requirements and that any information required to be

submitted has been properly submitted; or (2) a statement of the reasons the head of the element is unable to submit such certification, a description of any information not properly submitted, and an assurance that such information will be submitted as soon as possible.

(Sec. 333) Directs the DNI to report to the intelligence committees on all IC detention and interrogation policies and procedures. Requires appropriate parts of such report to be submitted to the defense and judiciary committees when the report addresses an IC element within DOD or the Department of Justice (DOJ).

(Sec. 334) Directs the DNI to make publicly available an unclassified summary of: (1) intelligence relating to recidivism of detainees currently or formerly held by DOD at Guantanamo Bay, Cuba; and (2) the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.

(Sec. 335) Directs the DNI to report to the intelligence committees on US intelligence collection efforts dedicated to assessing the threat from biological weapons posed by state, non-state, or rogue actors, as well as efforts to protect US biodefense knowledge and infrastructure.

(Sec. 336) Requires the President to notify Congress of each existing US cybersecurity program, and to provide such notification within 30 days after commencement of operations of a new cybersecurity program. Outlines information required under such notification, including the legal basis for the program and an assessment of its privacy impact with respect to civil liberties. Directs the head of a federal department or agency with responsibility for a cybersecurity program for which a notification was submitted to: (1) report to Congress and the President on the results of any audit or review of such program and the legality of such program's implementation; and (2) update such report annually, along with any appropriate information concerning a newly-implemented program. Requires reports to Congress and the President from the heads of any federal department or agency with responsibility for a cybersecurity program for which a notification was submitted. Directs the Inspectors General of Department of Homeland Security (DHS) and of the IC to report jointly to Congress and the President on the status of the sharing of cyber threat information. Requires the DNI to submit to Congress: (1) a plan for recruiting, retaining, and training a highly-qualified cybersecurity IC workforce to secure its networks; and (2) a report on guidelines and recommended legislation to improve US cybersecurity (with annual report updates). Terminates the authorities of this section on December 31, 2013.

(Sec. 337) Directs the DNI to report annually for five years to the intelligence and defense committees on the proficiency in foreign languages and, as appropriate, in foreign dialects, of each IC element.

(Sec. 338) Requires the DNI to report to the intelligence committees on the plans of each IC element to increase diversity within the IC.

(Sec. 339) Directs the DNI to report to the intelligence and defense committees on the use of personal services contracts across the IC, their impact on the IC workforce, plans for the conversion of contractor employment into US government employment, and the accountability mechanisms that govern the performance of such contracts.

(Sec. 340) Requires the IC Inspector General to study, and report to the intelligence committees on, IC electronic waste destruction practices.

(Sec. 341) Requires the CIA Director to: (1) conduct a classification review of CIA records relevant to known or potential health effects suffered by veterans of Operation Desert Storm as described in a report by the Department of Veterans Affairs Research Advisory Committee on Gulf War Veterans' Illnesses; and (2) report review results to Congress.

(Sec. 342) Requires the FBI Director to submit to Congress a review of constraints under international and foreign laws to the assertion of enforcement jurisdiction with respect to criminal investigations of terrorism offenses under US laws conducted by FBI agents in foreign nations using NIP funds.

(Sec. 343) Directs the DNI to make publicly available an unclassified version of the report entitled "Procedures Used in Narcotics Airbridge Program in Peru, 1995-2001."

(Sec. 344) Requires the DNI to report to Congress summarizing intelligence related to the threat from weapons that use radiological materials, including highly dispersible substances such as cesium-137.

(Sec. 345) Directs the DNI to report to Congress on the feasibility and advisability of creating a national space intelligence office to manage space-related intelligence assets and access to such assets.

(Sec. 346) Requires the DNI to report to Congress on the attempt to detonate an explosive device aboard Northwest Airlines flight 253 on December 25, 2009, such report to include failures to share or analyze intelligence or other information, and measures the IC has taken or will take to prevent such failures.

(Sec. 347) Repeals specified intelligence-related report requirements under the National Security Act of 1947 and prior intelligence authorization Acts.

(Sec. 348) Directs the DNI to issue a written directive governing Comptroller General (CG) access to information in the possession of an IC element. Allows the DNI to amend such directive at any time, as appropriate. Requires the CG to maintain appropriate confidentiality of information made available under such directive. Provide penalties for unauthorized disclosures of such information by officers or employees of the General Accounting Office (GAO). Requires the DNI to submit to Congress, no later than May 1, 2011, any directive issued, and any amendment thereto.

(Sec. 349) Makes conforming changes to the National Security Act of 1947 necessitated by changes made under this Act.

Subtitle E: Other Matters - (Sec. 361) Extends to IC elements current federal authority to delete from federal gift listing requirements information concerning the receipt and disposition of foreign gifts and decorations, if the IC element head certifies to the Secretary of State that publication of such information could adversely affect US intelligence sources or methods.

(Sec. 362) Allows for the reprogramming or transfer of funds for a different intelligence or intelligence-related activity if, in addition to other requirements, the new use would support an emergency need, improve program effectiveness, or increase efficiency.

(Sec. 363) Increases the maximum terms of imprisonment for the disclosure of identities of undercover intelligence officers and agents.

(Sec. 364) Amends the Implementing Recommendations of the 9/11 Commission Act of 2007 to: (1) direct the President, on the same date that each annual budget is submitted, to disclose the aggregate amount of appropriations requested for that fiscal year for the NIP; and (2) direct the DNI, within 30 days after each fiscal year, to disclose the aggregate amount of funds appropriated by Congress for the NIP for that fiscal year. Authorizes the President to waive either disclosure by submitting to the intelligence committees a statement that such disclosure would damage national security, with the reasons therefor.

(Sec. 365) Authorizes the Public Interest Declassification Board to conduct declassification reviews in response to requests from individual committee members. (Current law only allows requests from a committee of jurisdiction.)

(Sec. 366) Revises the permitted delegation of the authority of the FBI and Attorney General to certify certain undercover operations in order to collect foreign intelligence or counterintelligence.

(Sec. 367) Directs the President: (1) every four years, to conduct an audit of the manner in which the executive branch determines whether a security clearance is required for a particular position in the government, and to submit audit results to Congress; (2) to report annually to Congress on the security clearance process; and (3) to submit a one-time report on security clearance investigations and adjudications, including metrics for adjudication quality. Requires the IC Inspector General to: (1) conduct an audit of the reciprocity of security clearances among IC elements; and (2) report audit results to the intelligence committees.

(Sec. 368) Requires the heads of the CIA, Defense Intelligence Agency (DIA), National Geospatial-Intelligence Agency (NGIA), National Reconnaissance Office (NRO), and NSA to designate a senior intelligence management official responsible for correcting each long-standing, correctable material weakness first reported in the annual financial report of that agency prior to FY2007, the correction of which is not substantially dependent on a business system that will not be implemented prior to the end of FY2010. Directs the identified official to notify the appropriate agency head that the material weakness is corrected, requiring an independent review of such determination. Requires the appropriate agency head, after independent review has confirmed the correction, to notify the intelligence committees of the correction.

(Sec. 369) Directs the DNI to: (1) review the status of the auditability compliance of each IC element; and (2) develop a plan and schedule to achieve a full, unqualified audit of each element no later than the end of FY2013.

Title IV: Matters Relating to Elements of the Intelligence Community - Subtitle A: Office of the Director of National Intelligence - (Sec. 401) Requires the DNI to: (1) conduct accountability reviews of IC elements or personnel in relation to failures or deficiencies within the IC; and (2) establish guidelines and procedures for conducting such reviews.

(Sec. 402) Authorizes the DNI to: (1) expend funds, and make funds available to other federal departments and agencies, to develop systems related to the collection, processing, analysis, exploitation, and dissemination of intelligence information; and (2) provide NIP funds to non-NIP programs to address critical gaps in intelligence information sharing or access capabilities. Authorizes department or agency heads to use funds made available by the DNI for such purposes.

(Sec. 403) Allows the Office of the DNI to be located within the Washington metropolitan area (thereby allowing such location outside the District of Columbia).

(Sec. 404) Renames the DNI's Chief Information Officer as the Chief Information Officer of the Intelligence Community.

(Sec. 405) Establishes within the Office of the DNI an Office of the Inspector General of the Intelligence Community. Outlines Inspector General powers, duties, and responsibilities, including the appointment of Assistant Inspectors General. Authorizes the DNI to prohibit the Inspector General from initiating, carrying out, or completing any investigation, inspection, audit, or review if the DNI determines that the prohibition is necessary to protect vital US national security interests (requiring the DNI to notify the intelligence committees upon the exercise of such authority). Establishes the Intelligence Community Inspectors General Forum consisting of all inspectors general with oversight responsibility for an element of the IC. Requires: (1) semiannual reports from the Inspector General to the DNI on Inspector General activities (such reports to be transmitted to the intelligence committees); and (2) the Inspector General to report immediately to the DNI when becoming aware of particularly serious or flagrant problems, abuses, or deficiencies relating to programs and

activities within the responsibility and authority of the DNI (such reports also to be transmitted to the intelligence committees). Provides protections for employees making disclosures to the Inspector General in connection with investigations, audits, and reviews in conformance with the Intelligence Community Whistleblower Protection Act of 1998. Directs the DNI to include in the NIP budget a separate account for the Office of the Inspector General. Repeals superseded authority under the Inspector General Act of 1978.

(Sec. 406) Establishes within the Office of the DNI a Chief Financial Officer of the Intelligence Community, with specified IC financial oversight duties.

(Sec. 407) Designates as the head of the National Counter Proliferation Center the Director of the National Counter Proliferation Center, who shall be appointed by the DNI. Locates such Center within the Office of the DNI.

(Sec. 408) Exempts from search, review, publication, and disclosure requirements of the Freedom of Information Act certain operational files in the Office of the DNI that were provided by IC elements. Provides exemption exceptions. Requires the DNI, at least once every ten years, to review the exempted operational files to determine whether such files, or any portion thereof, may be removed from the exemption. Provides judicial review of an allegation of the improper withholding of records through the use of such exemption.

(Sec. 409) Repeals the requirement that the DNI carry out certain counterintelligence security functions through the Office of the National Counterintelligence Executive.

(Sec. 410) Makes provisions of the Federal Advisory Committee Act inapplicable to advisory committees of the Office of the DNI. Requires an annual report from the DNI and the CIA Director on their creation of advisory committees.

(Sec. 411) Replaces the CIA Director with the DNI on the membership of the Transportation Security Oversight Board.

(Sec. 412) Repeals certain administrative authorities within the Office of the National Counterintelligence Executive.

(Sec. 413) Prohibits the unauthorized use of the official name, initials, or seal of the Office of the Director of National Intelligence. Authorizes the Attorney General to initiate civil proceedings to enjoin such acts or practices.

(Sec. 414) Directs the DNI to develop and submit to the intelligence committees a plan to implement across the IC recommendations contained in a specified Environmental Protection Agency (EPA) report on improving data center energy efficiency.

(Sec. 415) Authorizes the DNI to provide support for any review conducted by a federal department or agency of the International Traffic in Arms Regulations or Export Administration Regulations, including controls on technologies and goods on the United States Munitions List and Commerce Control List.

Subtitle B: Central Intelligence Agency - (Sec. 421) Authorizes the CIA Director to provide security personnel for the protection of the DNI and such personnel within the Office of the DNI as the DNI may designate.

(Sec. 422) Amends the Contracts Disputes Act of 1978 to allow an appeal from a decision of a CIA contracting officer to be filed with either the Armed Services Board of Contract Appeals or the Civilian Board of Contract Appeals, as specified in the contract.

(Sec. 423) Establishes the position of Deputy Director of the CIA, with specified duties.

(Sec. 424) Allows the CIA Director to delegate to appropriate CIA officials the authority for travel on common carriers by

intelligence collection personnel.

(Sec. 425) Amends the Central Intelligence Agency Act of 1949 to: (1) require the appointment of the CIA Inspector General to be made on the basis of demonstrated ability and without regard to political affiliation; and (2) expand the protection against whistleblower reprisals to include any CIA employee who provides information to the CIA Inspector General. Gives the Inspector General final approval of candidates for employment within the Office of the Inspector General, and requires the Inspector General to appoint a Counsel who reports directly to the Inspector General.

(Sec. 426) Directs the DNI to transmit to the President each year the budget amount requested by the CIA Inspector General, and to provide such information to the intelligence and appropriations committees.

(Sec. 427) Requires the CIA Director to make publicly available an unclassified version of any memorandum or finished intelligence product assessing the information gained from high-value detainee reporting dated April 3, 2003, July 15, 2004, March 2, 2005, and June 1, 2005.

Subtitle C: Defense Intelligence Components - (Sec. 431) Amends the Inspector General Act of 1978 to require the heads of the NRO, DIA, NSA, and NGIA to appoint independent inspectors general for their agencies (thus giving such inspectors general the same information-gathering power and independence as is currently held by inspectors general of other federal agencies). Allows the Secretary of Defense to prohibit the inspector general of an IC element from initiating, carrying out, or completing any audit or investigation if the Secretary determines that the prohibition is necessary to protect vital US national security interests. Requires notification of such determination to the defense and intelligence committees.

(Sec. 432) Requires the NGIA, as directed by the DNI, to develop a system to facilitate the analysis, dissemination, and incorporation into the National System for Geospatial-Intelligence likenesses, videos, and presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open-source information.

(Sec. 433) Amends the National Security Agency Act of 1959 to establish the position of Director of Compliance of the National Security Agency to be responsible for the programs of compliance over NSA mission activities.

Subtitle D: Other Elements - (Sec. 441) Includes appropriate elements of the Coast Guard and DEA within the definition of "intelligence community."

(Sec. 442) Authorizes the use of certain Coast Guard funding for research, development, test, or evaluation related to intelligence systems and capabilities.

(Sec. 443) Makes permanent FBI authority to pay retention and relocation bonuses to employees with unusually high or unique qualifications, or for which the FBI has a special need.

(Sec. 444) Extends through 2011 FBI authority to waive certain federal mandatory retirement provisions if determined in the public interest (thereby allowing employment up to age 65).

(Sec. 445) Requires the FBI Director to report to the intelligence and judiciary committees a long-term vision for the intelligence capabilities of the FBI's National Security Branch, a strategic plan for the Branch, progress made in advancing the capabilities of the Branch, and an assessment of the Branch's effectiveness in performing tasks critical to its function as an intelligence agency. Directs the DNI to submit annually to the intelligence and judiciary committees an assessment of Branch progress in performing its tasks.

Title V: Reorganization of the Diplomatic Telecommunications Service Program Office - (Sec. 501) Amends the Intelligence Authorization Act for Fiscal Year 2001 to reorganize the Diplomatic Telecommunications Service Program Office (Office), which is responsible for supporting the telecommunications network of all US government agencies and departments operating from diplomatic and consular facilities abroad. Establishes the Diplomatic Telecommunications Service Governance Board (replacing the current Diplomatic Telecommunications Service Oversight Board) to direct and oversee Office activities. Outlines related Board duties, authorities, and activities, including ensuring that enhancements of, and the provision of service for, telecommunication capabilities that involve US national security interests receive the highest prioritization. Authorizes appropriations. Repeals prior inconsistent provisions.

Title VI: Foreign Intelligence and Information Commission Act - Foreign Intelligence and Information Commission Act - (Sec. 603) Establishes in the legislative branch a Foreign Intelligence and Information Commission to undertake certain evaluations, and provide recommendations, relating to the collection, reporting, and analysis of foreign intelligence and information. Requires: (1) an interim Commission report to the intelligence committees; and (2) a final Commission report to the President, DNI, Secretary of State, and the intelligence and foreign relations committees. Terminates the Commission 60 days after its final report. Makes the Federal Advisory Committee Act inapplicable to the Commission. Authorizes appropriations.

Title VII: Other Matters - (Sec. 701) Amends the Intelligence Authorization Act for Fiscal Year 2003 to extend the due date of the final report of the National Commission for Review of Research and Development Programs of the United States Intelligence Community from September 1, 2004, to one year after all of the Commission's members are appointed. Requires all new members to be appointed to the Commission. Authorizes appropriations. Repeals existing funding authority under the above Act.

(Sec. 702) Authorizes the DNI to conduct, at the request of one of the intelligence committees, a classification review of materials in possession of that committee that are not less than 25 years old and that were created, or provided to that committee, by an entity in the executive branch.

Title VIII: Technical Amendments - (Sec. 801) Makes technical and/or clarifying amendments to the Foreign Intelligence Surveillance Act of 1978, the Central Intelligence Agency Act of 1949, the National Security Act of 1947, the National Defense Authorization Act for Fiscal Year 1991, provisions relating to the Intelligence Reform and Terrorism Prevention Act of 2004, provisions relating to pay levels of certain intelligence officials, and prior-year intelligence authorization Acts.

Actions Timeline

- **Oct 7, 2010:** Signed by President.
- **Oct 7, 2010:** Became Public Law No: 111-259.
- **Oct 1, 2010:** Presented to President.
- **Sep 29, 2010:** Considered under the provisions of rule H. Res. 1674. (consideration: CR H7276-7312)
- **Sep 29, 2010:** Mr. Reyes moved that the House agree to the Senate amendment
- **Sep 29, 2010:** DEBATE - Pursuant to H.Res. 1674, the House proceeded with 1 hour of debate on the motion to concur in the Senate amendment to H.R. 2701.
- **Sep 29, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the motion to concur in the Senate amendment to H.R. 2701, the Chair postponed further proceedings until later in the legislative day.
- **Sep 29, 2010:** Considered as unfinished business. (consideration: CR H7368-7369)
- **Sep 29, 2010:** The previous question was ordered pursuant to the rule. (consideration: CR H7368)
- **Sep 29, 2010:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 244 - 181 (Roll no. 558). (text as House agreed to Senate amendment: CR H7276-7301)
- **Sep 29, 2010:** On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 244 - 181 (Roll no. 558). (text as House agreed to Senate amendment: CR H7276-7301)
- **Sep 29, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2010:** Cleared for White House.
- **Sep 28, 2010:** Message on Senate action sent to the House.
- **Sep 27, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S7558-7559)
- **Sep 27, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Sep 27, 2010:** Passed Senate with an amendment by Unanimous Consent.
- **Sep 24, 2010:** Received in the Senate.
- **Feb 26, 2010:** Rule H. Res. 1113 passed House.
- **Feb 26, 2010:** Considered as unfinished business. (consideration: CR H942-951)
- **Feb 26, 2010:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Feb 26, 2010:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Feb 26, 2010:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2701.
- **Feb 26, 2010:** The previous question was ordered pursuant to the rule. (consideration: CR H948)
- **Feb 26, 2010:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR 2/25/2010 H859-874)
- **Feb 26, 2010:** Mr. Hoekstra moved to recommit with instructions to Intelligence (Permanent). (consideration: CR H948-950; text: CR H948)
- **Feb 26, 2010:** DEBATE - The House proceeded with 10 minutes of debate on the Hoekstra motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to coordinate high-value detainees associated with international terrorism.
- **Feb 26, 2010:** On motion to recommit with instructions Failed by recorded vote: 186 - 217 (Roll no. 72). (consideration: CR H950)
- **Feb 26, 2010:** Passed/agreed to in House: On passage Passed by recorded vote: 235 - 168 (Roll no. 73).
- **Feb 26, 2010:** On passage Passed by recorded vote: 235 - 168 (Roll no. 73).
- **Feb 26, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 25, 2010:** Considered under the provisions of rule H. Res. 1105. (consideration: CR H849-895)
- **Feb 25, 2010:** Rule provides for consideration of H.R. 2701 with 1 hour of general debate. 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. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill.
- **Feb 25, 2010:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H.

Res. 1105 and Rule XVIII.

- **Feb 25, 2010:** The Speaker designated the Honorable Donna F. Edwards to act as Chairwoman of the Committee.
- **Feb 25, 2010:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2701.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 20 minutes of debate on the Reyes amendment.
- **Feb 25, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Reyes amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Hoekstra demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Hoekstra amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings (FL) amendment.
- **Feb 25, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hastings (FL) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Hastings(FL) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Rogers (MI) amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Eshoo amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Conaway amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Arcuri amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Burton amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Holt amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Castle amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Walz amendment.
- **Feb 25, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1105, the Committee of the Whole proceeded with 10 minutes of debate on the Schauer amendment.
- **Feb 25, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Schauer amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Schauer demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Feb 25, 2010:** Mr. Reyes moved that the Committee rise.
- **Feb 25, 2010:** On motion that the Committee rise. Agreed to by voice vote.
- **Feb 25, 2010:** Committee of the Whole House on the state of the Union rises leaving H.R. 2701 as unfinished business.
- **Feb 25, 2010:** Rules Committee Resolution H. Res. 1113 Reported to House. Rule provides for consideration of H.R. 2701. The resolution provides for further consideration of H.R. 2701, the "Intelligence Authorization Act for Fiscal Year 2010." The resolution provides that amendment number 1 printed in House Report 111-419 shall be modified by striking the matter proposed to be inserted as section 506.
- **Feb 24, 2010:** Rules Committee Resolution H. Res. 1105 Reported to House. Rule provides for consideration of H.R. 2701 with 1 hour of general debate. 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. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI.
- **Jul 8, 2009:** Rules Committee Resolution H. Res. 618 Reported to House. Rule provides for consideration of H.R. 2701 with 1 hour of general debate. 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.

All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill.

- **Jun 26, 2009:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 111-186.
- **Jun 26, 2009:** Placed on the Union Calendar, Calendar No. 99.
- **Jun 18, 2009:** Committee Consideration and Mark-up Session Held.
- **Jun 18, 2009:** Ordered to be Reported (Amended).
- **Jun 4, 2009:** Introduced in House
- **Jun 4, 2009:** Referred to the House Committee on Intelligence (Permanent Select).