

S 3454

Intelligence Authorization Act for Fiscal Year 2013

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Jul 30, 2012

Current Status: Became Public Law No: 112-277.

Latest Action: Became Public Law No: 112-277. (Jan 14, 2013)

Law: 112-277 (Enacted Jan 14, 2013)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3454>

Sponsor

Name: Sen. Feinstein, Dianne [D-CA]

Party: Democratic • **State:** CA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Select) Committee	Senate	Reported Original Measure	Jul 30, 2012

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
112 S 3564	Related bill	Dec 28, 2012: Became Public Law No: 112-235.

(This measure has not been amended since it was passed by the Senate on December 28, 2012. The summary of that version is repeated here.)

Intelligence Authorization Act for Fiscal Year 2013 - **Title I: Budget and Personnel Authorizations** - (Sec. 101) Authorizes appropriations for FY2013 for the conduct of intelligence and intelligence-related activities of the: (1) Office of the Director of National Intelligence (DNI); (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) Coast Guard; (8) Departments of State, the Treasury, Energy (DOE), and Justice (DOJ); (9) Federal Bureau of Investigation (FBI); (10) Drug Enforcement Administration (DEA); (11) National Reconnaissance Office; (12) National Geospatial-Intelligence Agency (NGIA); and (13) Department of Homeland Security (DHS).

(Sec. 102) Specifies that the amounts authorized above and the authorized personnel ceilings for such activities are those specified in the classified Schedule of Authorizations, which shall be made available to the congressional appropriations committees and the President.

(Sec. 103) Allows the DNI to authorize employment of civilian personnel in excess of the number authorized for FY2013 (by not more than 3%) when necessary for the performance of important intelligence functions. Requires notification of the congressional intelligence committees in the exercise of such authority.

Requires the DNI to establish guidelines for each element of the intelligence community (IC) to govern the treatment under authorized personnel levels of employment or assignment in: (1) a student program, trainee program, or similar program; (2) a reserve corps or as a reemployed annuitant; or (3) details, joint duty, or long term, full-time training.

(Sec. 104) Authorizes appropriations for the Intelligence Community Management Account for FY2013, as well as for personnel for elements within such Account.

Title II: Central Intelligence Agency Retirement and Disability System - (Sec. 201) Authorizes appropriations for FY2013 for the Central Intelligence Agency Retirement and Disability Fund.

Title III: General Intelligence Community Matters - (Sec. 301) Prohibits the authorization of appropriations by this Act from being deemed to constitute authority to conduct any intelligence activity not otherwise authorized by the Constitution or laws of the United States.

(Sec. 302) 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 necessary for increases in such compensation or benefits authorized by law.

(Sec. 303) Amends the National Security Act of 1947 to increase from two to three years the period that a federal officer or employee or member of the Armed Forces may be detailed to an IC element that is funded through the National Intelligence Program (NIP). Provides that a non-reimbursable detail shall not be considered an augmentation of the appropriations of the receiving IC element.

(Sec. 304) Amends the Intelligence Authorization Act for Fiscal Year 2011 to extend by one year the milestones for establishment of an IC automated insider threat detection program.

(Sec. 305) Requires each chief information of each IC element to: (1) conduct an inventory of software licenses held, and

(2) report inventory results to the IC Chief Information Officer (CIO). Directs the CIO to: (1) provide a report copy to the intelligence committees, and (2) transmit any portion of such report involving a component of a federal department to the committees with jurisdiction over such department.

(Sec. 306) Directs the President to: (1) develop a strategy and schedule for carrying out federal department or agency security clearance reciprocity requirements outlined under the Intelligence Reform and Terrorism Prevention Act of 2004, and (2) inform Congress of such strategy and schedule.

(Sec. 307) Requires the DNI and the directors of the CIA, DIA, NGIA, and NSA to each develop and submit to Congress a corrective action plan of how each agency will achieve compliance, by the end of FY2013, with requirements of the Improper Payments Elimination and Recovery Act of 2010. Directs the inspectors general of each such agency to submit a plan assessment to Congress.

(Sec. 308) Directs the DNI to submit to the intelligence committees an assessment of the method by which contractors of any IC element are granted security clearances and notified of classified contracting opportunities within the federal government, as well as recommendations for improving such method.

(Sec. 309) Revises the due dates for IC and CIA Inspector General reports on activities within their respective offices.

(Sec. 310) Repeals or modifies various recurring report requirements under the Intelligence Authorization Act for Fiscal Year 1997 and the National Security Act of 1947.

Title IV: Matters Relating to the Central Intelligence Agency - (Sec. 401) Amends the Central Intelligence Agency Act of 1949 to authorize service providers under the CIA central services program to publicize their services through federal government communication channels, but prohibits such authority from being used to distribute gifts or promotional items. Allows such service providers to deposit funds from the sale of recyclable materials into the CIA working capital fund.

Title V: Other Matters - (Sec. 501) Establishes within DHS a Homeland Security Intelligence Program, consisting of the intelligence activities of the Office of Intelligence and Analysis that serve predominantly departmental missions.

(Sec. 502) Amends the Intelligence Authorization Act for Fiscal Year 2003 to extend the due date for a findings report by the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

(Sec. 503) Directs the DNI to report to the intelligence committees identifying foreign suppliers of information technology that are linked to a foreign government and assessing U.S. vulnerability to malicious activity due to the technology produced by such suppliers.

(Sec. 504) Requires the government official responsible for authorizing the disclosure of national intelligence or national security-related information, at the same time such disclosure is made to the media or a public figure or entity, to notify the intelligence committees of such disclosure if: (1) such intelligence is classified or declassified for disclosure; and (2) the disclosure will be made by an officer, employee, or contractor of the executive branch. Provides exceptions, including disclosures authorized under the Freedom of Information Act. Terminates such requirement for any disclosure occurring one year or more after the enactment of this Act.

Actions Timeline

- **Jan 14, 2013:** Signed by President.
- **Jan 14, 2013:** Became Public Law No: 112-277.
- **Jan 2, 2013:** Presented to President.
- **Dec 31, 2012:** Mr. Rogers (MI) moved to suspend the rules and pass the bill.
- **Dec 31, 2012:** Considered under suspension of the rules. (consideration: CR H7479-7485)
- **Dec 31, 2012:** DEBATE - The House proceeded with forty minutes of debate on S. 3454.
- **Dec 31, 2012:** At the conclusion of debate, the chair put the question on the motion to suspend the rules. Mr. Rogers (MI) objected to the vote on the grounds that a quorum was not present. Further proceedings on the motion were postponed. The point of no quorum was considered as withdrawn.
- **Dec 31, 2012:** Considered as unfinished business. (consideration: CR H7512)
- **Dec 31, 2012:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 373 - 29 (Roll no. 652).(text: CR H7479-7481)
- **Dec 31, 2012:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 373 - 29 (Roll no. 652). (text: CR H7479-7481)
- **Dec 31, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 30, 2012:** Message on Senate action sent to the House.
- **Dec 30, 2012:** Received in the House.
- **Dec 30, 2012:** Held at the desk.
- **Dec 28, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S8513-8515, S8516)
- **Dec 28, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **Dec 28, 2012:** Passed Senate with an amendment by Voice Vote.
- **Jul 30, 2012:** Introduced in Senate
- **Jul 30, 2012:** Select Committee on Intelligence. Original measure reported to Senate by Senator Feinstein. With written report No. 112-192. Additional and Minority views filed.
- **Jul 30, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 475.