

## HR 5743

Intelligence Authorization Act for Fiscal Year 2013

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Armed Forces and National Security

**Introduced:** May 15, 2012

**Current Status:** Received in the Senate and Read twice and referred to the Select Committee on Intelligence.

**Latest Action:** Received in the Senate and Read twice and referred to the Select Committee on Intelligence. (Jun 5, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/5743>

### Sponsor

**Name:** Rep. Rogers, Mike J. [R-MI-8]

**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	May 22, 2012
Intelligence (Select) Committee	Senate	Referred To	Jun 5, 2012

### Subjects & Policy Tags

**Policy Area:**

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
112 HRES 667	Related bill	<b>May 31, 2012:</b> Pursuant to a previous special order, amendments numbered 4 and 6 printed in House Report 112-504 are modified to include amendatory instructions.
112 HR 1892	Related bill	<b>Jan 3, 2012:</b> Became Public Law No: 112-87.

Intelligence Authorization Act for Fiscal Year 2013 - **Title I: Intelligence Activities** - (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; (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, and Justice; (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 and the authorized personnel ceilings as of September 30, 2013, 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 Director of National Intelligence (DNI), with the approval of the Director of the Office of Management and Budget (OMB), to authorize employment of civilian personnel in excess (by up to 3%) of the number authorized for FY2013 when necessary for the performance of important intelligence functions. Requires notification to the intelligence committees on the use of such authority.

(Sec. 104) Authorizes appropriations for the Intelligence Community Management Account for FY2013, as well as for full-time 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 Provisions** - (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 necessary for increases in such compensation or benefits authorized by law.

(Sec. 302) 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. 303) Amends the National Security Act of 1947 to allow a 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 on a non-reimbursable basis, for up to three years.

(Sec. 304) Directs the President to develop a strategy and timeline for carrying out requirements of the Intelligence Reform and Terrorism Prevention Act of 2004 concerning the reciprocity (all-agency recognition) of security clearance determinations. Requires the President to notify Congress of such strategy and timeline.

(Sec. 305) Repeals or revises generally specified IC reporting requirements.

(Sec. 306) Requires the DNI to submit to the intelligence committees the method by which IC contractors are granted security clearances and notified of classified contracting opportunities within the federal government, as well as recommendations for the improvement of such method.

(Sec. 307) Directs the DNI to submit to such committees an assessment of the consequences of a military strike against Iran.

(Sec. 308) Expresses the sense of Congress that the head of each IC element should take into consideration foreign languages and cultures during the development of training, tools, and methodologies to protect U.S. networks against cyber attacks and intrusions from foreign entities.

**Title IV: Matters Relating to Elements of the Intelligence Community** - (Sec. 401) Amends the Central Intelligence Agency Act of 1949 to allow the Inspector General of the CIA to designate certain positions within the Inspector General's office as law enforcement positions solely for purposes of retirement and pension provisions.

(Sec. 402) Amends the Intelligence Authorization Act for Fiscal Year 2012 to make annual (under current law, one-time) a report concerning IC assistance to counter drug trafficking organizations which use public lands to further their activities.

(Sec. 403) Authorizes the DNI, upon determining that such activities would not threaten national security, to enter into intelligence-sharing with Mexico and Canada for purposes of reducing drug trafficking.

(Sec. 404) Requires the Civil Liberties Protection Officer within the Office of the DNI to ensure that any coordination and training between an IC element and a law enforcement agency does not violate any constitutional rights of racial or ethnic minorities.

(Sec. 405) Expresses the sense of Congress that the CIA Director should take necessary actions to increase the recruitment and training of ethnic minorities as CIA officers and employees.

**Title V: Other Matters** - (Sec. 501) Amends the Intelligence Authorization Act for Fiscal Year 2003 to extend to March 31, 2013, the due date of the final report of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

(Sec. 502) Expresses the sense of Congress that the IC should take necessary actions to protect the civil liberties of religious and ethnic minorities.

(Sec. 503) Directs the DNI to report to the intelligence committees: (1) identifying foreign suppliers of information technology that are linked to a foreign government; and (2) assessing the vulnerability of U.S. telecommunications networks to malicious activity (cyber crime, etc.) due to the technology produced by such suppliers.

## Actions Timeline

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- **Jun 5, 2012:** Received in the Senate and Read twice and referred to the Select Committee on Intelligence.
- **May 31, 2012:** Considered under the provisions of rule H. Res. 667. (consideration: CR H3290-3309)
- **May 31, 2012:** Resolution provides for consideration of H.R. 5743; H.R. 5854; H.R. 5855; and H.R. 5325.
- **May 31, 2012:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 667 and Rule XVIII.
- **May 31, 2012:** The Speaker designated the Honorable Kevin Yoder to act as Chairman of the Committee.
- **May 31, 2012:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5743.
- **May 31, 2012:** DEBATE - Pursuant to H.Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Rogers (MI) amendment No. 1.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Thompson (CA) amendment No. 2.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Conyers amendment No. 3.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Farr amendment No. 4.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Cuellar amendment No. 5.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Hahn amendment No. 6.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson Lee (TX) amendment No. 7.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson Lee (TX) amendment No. 8.
- **May 31, 2012:** DEBATE - Pursuant to H. Res. 667, the Committee of the Whole proceeded with 10 minutes of debate on the Myrick amendment No. 9.
- **May 31, 2012:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5743.
- **May 31, 2012:** The previous question was ordered pursuant to the rule. (consideration: CR H3306)
- **May 31, 2012:** 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 of amendment in the nature of a substitute: CR H3295-3297)
- **May 31, 2012:** Mr. Critz moved to recommit with instructions to Intelligence (Permanent). (consideration: CR H3306-3308; text: CR H3306)
- **May 31, 2012:** DEBATE - The House proceeded with 10 minutes of debate on the Critz 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 add a new section which would protect and ensure that 1) the intelligence and military capability of the U.S. is not improperly transferred to or stolen by a foreign nation or a state sponsor of terrorism; 2) the intelligence and military capability of the United States and sensitive information pertaining to economic, financial, and consumer information is protected from cybersecurity attacks; and 3) contracts and work performed for such element of the intelligence community is first provided to the U.S. companies and workers and not outsourced to foreign-owned companies, unless the Director of National Intelligence determines that it is in the interests of national security.
- **May 31, 2012:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H3307)
- **May 31, 2012:** On motion to recommit with instructions Failed by the Yeas and Nays: 180 - 235 (Roll no. 300).
- **May 31, 2012:** Passed/agreed to in House: On passage Passed by recorded vote: 386 - 28 (Roll no. 301).
- **May 31, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **May 31, 2012:** On passage Passed by recorded vote: 386 - 28 (Roll no. 301).
- **May 31, 2012:** 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. 5743.
- **May 22, 2012:** Reported (Amended) by the Committee on Intelligence. H. Rept. 112-490.
- **May 22, 2012:** Placed on the Union Calendar, Calendar No. 343.
- **May 17, 2012:** Committee Consideration and Mark-up Session Held.
- **May 17, 2012:** Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 0.

**May 15, 2012:** Introduced in House

- **May 15, 2012:** Referred to the House Committee on Intelligence (Permanent Select).