

## S 1510

USA Act of 2001

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Oct 4, 2001

**Current Status:** Indefinitely postponed by Senate by Unanimous Consent. (consideration: CR S11247)

**Latest Action:** Indefinitely postponed by Senate by Unanimous Consent. (consideration: CR S11247) (Oct 30, 2001)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/1510>

### Sponsor

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**Name:** Sen. Daschle, Thomas A. [D-SD]

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

Cosponsors (25 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Graham, Bob [D-FL]	D · FL		Oct 4, 2001
Sen. Hatch, Orrin G. [R-UT]	R · UT		Oct 4, 2001
Sen. Leahy, Patrick J. [D-VT]	D · VT		Oct 4, 2001
Sen. Lott, Trent [R-MS]	R · MS		Oct 4, 2001
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Oct 4, 2001
Sen. Shelby, Richard C. [R-AL]	R · AL		Oct 4, 2001
Sen. Baucus, Max [D-MT]	D · MT		Oct 11, 2001
Sen. Bayh, Evan [D-IN]	D · IN		Oct 11, 2001
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Oct 11, 2001
Sen. Breaux, John B. [D-LA]	D · LA		Oct 11, 2001
Sen. Cleland, Max [D-GA]	D · GA		Oct 11, 2001
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Oct 11, 2001
Sen. Cochran, Thad [R-MS]	R · MS		Oct 11, 2001
Sen. Conrad, Kent [D-ND]	D · ND		Oct 11, 2001
Sen. Enzi, Michael B. [R-WY]	R · WY		Oct 11, 2001
Sen. Fitzgerald, Peter [R-IL]	R · IL		Oct 11, 2001
Sen. Frist, William H. [R-TN]	R · TN		Oct 11, 2001
Sen. Helms, Jesse [R-NC]	R · NC		Oct 11, 2001
Sen. Johnson, Tim [D-SD]	D · SD		Oct 11, 2001
Sen. Kyl, Jon [R-AZ]	R · AZ		Oct 11, 2001
Sen. McConnell, Mitch [R-KY]	R · KY		Oct 11, 2001
Sen. Nelson, Ben [D-NE]	D · NE		Oct 11, 2001
Sen. Nelson, Bill [D-FL]	D · FL		Oct 11, 2001
Sen. Sessions, Jeff [R-AL]	R · AL		Oct 11, 2001
Sen. Thurmond, Strom [R-SC]	R · SC		Oct 11, 2001

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
107 HR 3162	Related bill	Oct 26, 2001: Became Public Law No: 107-56.
107 HR 2975	Related bill	Oct 15, 2001: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 198.

Uniting and Strengthening America Act or USA Act of 2001 - **Title I: Enhancing Domestic Security Against Terrorism**  
- Establishes in the Treasury the Counterterrorism Fund.

(Sec. 102) Expresses the sense of Congress that: (1) the civil rights and liberties of all Americans, including Arab Americans, must be protected, and that every effort must be taken to preserve their safety; (2) any acts of violence or discrimination against any Americans be condemned; and (3) the Nation is called upon to recognize the patriotism of fellow citizens from all ethnic, racial, and religious backgrounds.

(Sec. 103) Authorizes appropriations for the Federal Bureau of Investigation's (FBI) Technical Support Center.

(Sec. 104) Authorizes the Attorney General to request the Secretary of Defense to provide assistance in support of Department of Justice (DOJ) activities relating to the enforcement of Federal criminal code (code) provisions regarding the use of weapons of mass destruction during an emergency situation involving a weapon (currently, chemical weapon) of mass destruction.

(Sec. 105) Requires the Director of the U.S. Secret Service to take actions to develop a national network of electronic crime task forces throughout the United States to prevent, detect, and investigate various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems.

(Sec. 106) Modifies provisions relating to presidential authority under the International Emergency Powers Act to: (1) authorize the President, when the United States is engaged in armed hostilities or has been attacked by a foreign country or foreign nationals, to confiscate any property subject to U.S. jurisdiction of a foreign person, organization, or country that he determines has planned, authorized, aided, or engaged in such hostilities or attacks (the rights to which shall vest in such agency or person as the President may designate); and (2) provide that, in any judicial review of a determination made under such provisions, if the determination was based on classified information such information may be submitted to the reviewing court ex parte and in camera.

**Title II: Enhanced Surveillance Procedures** - Amends the Federal criminal code to authorize the interception of wire, oral, and electronic communications for the production of evidence of: (1) specified chemical weapons or terrorism offenses; and (2) computer fraud and abuse.

(Sec. 203) Amends rule 6 of the Federal Rules of Criminal Procedure (FRCrP) to permit the sharing of grand jury information that involves foreign intelligence or counterintelligence with Federal law enforcement, intelligence, protective, immigration, national defense, or national security officials (such officials), subject to specified requirements.

Authorizes an investigative or law enforcement officer, or an attorney for the Government, who, by authorized means, has obtained knowledge of the contents of any wire, oral, or electronic communication or evidence derived therefrom to disclose such contents to such officials to the extent that such contents include foreign intelligence or counterintelligence.

Directs the Attorney General to establish procedures for the disclosure of information (pursuant to the code and the FRCrP) that identifies a United States person, as defined in the Foreign Intelligence Surveillance Act of 1978 (FISA).

Authorizes the disclosure of foreign intelligence or counterintelligence obtained as part of a criminal investigation to such officials.

(Sec. 204) States that nothing in code provisions regarding pen registers shall be deemed to affect the acquisition by the

Government of specified foreign intelligence information, and that procedures under FISA shall be the exclusive means by which electronic surveillance and the interception of domestic wire and oral (current law) and electronic communications may be conducted.

(Sec. 205) Authorizes the Director of the FBI to expedite the employment of personnel as translators to support counter-terrorism investigations and operations without regard to applicable Federal personnel requirements. Requires: (1) the Director to establish such security requirements as necessary for such personnel; and (2) the Attorney General to report to the House and Senate Judiciary Committees regarding translators.

(Sec. 206) Grants roving surveillance authority under FISA after requiring a court order approving an electronic surveillance to direct any person to furnish necessary information, facilities, or technical assistance in circumstances where the Court finds that the actions of the surveillance target may have the effect of thwarting the identification of a specified person.

(Sec. 207) Increases the duration of FISA surveillance permitted for non-U.S. persons who are agents of a foreign power.

(Sec. 208) Increases (from seven to 11) the number of district court judges designated to hear applications for and grant orders approving electronic surveillance. Requires that no fewer than three reside within 20 miles of the District of Columbia.

(Sec. 209) Permits the seizure of voice-mail messages under a warrant.

(Sec. 210) Expands the scope of subpoenas for records of electronic communications to include the length and types of service utilized, temporarily assigned network addresses, and the means and source of payment (including any credit card or bank account number).

(Sec. 211) Amends the Communications Act of 1934 to permit specified disclosures to Government entities, except for records revealing cable subscriber selection of video programming from a cable operator.

(Sec. 212) Permits electronic communication and remote computing service providers to make emergency disclosures to a governmental entity of customer electronic communications to protect life and limb.

(Sec. 213) Authorizes Federal district courts to allow a delay of required notices of the execution of a warrant if immediate notice may have an adverse result and under other specified circumstances.

(Sec. 214) Prohibits use of a pen register or trap and trace devices in any investigation to protect against international terrorism or clandestine intelligence activities that is conducted solely on the basis of activities protected by the first amendment to the U.S. Constitution.

(Sec. 215) Authorizes the Director of the FBI (or designee) to apply for a court order requiring production of certain business records for foreign intelligence and international terrorism investigations. Requires the Attorney General to report to the House and Senate Intelligence and Judiciary Committees semi-annually.

(Sec. 216) Amends the code to: (1) require a trap and trace device to restrict recoding or decoding so as not to include the contents of a wire or electronic communication; (2) apply a court order for a pen register or trap and trace devices to any person or entity providing wire or electronic communication service in the United States whose assistance may facilitate execution of the order; and (3) allow a trap and trace device to identify the source (but not the contents) of a wire or electronic communication.

(Sec. 217) Makes it lawful to intercept the wire or electronic communication of a computer trespasser in certain circumstances.

(Sec. 218) Amends FISA to require an application for an electronic surveillance order or search warrant to certify that a significant purpose (currently, the sole or main purpose) of the surveillance is to obtain foreign intelligence information.

(Sec. 219) Amends rule 41 of the FRCrP to permit Federal magistrate judges in any district in which terrorism-related activities may have occurred to issue search warrants for searches within or outside the district.

(Sec. 220) Provides for nationwide service of search warrants for electronic evidence.

(Sec. 221) Amends the Trade Sanctions Reform and Export Enhancement Act of 2000 to extend trade sanctions to the territory of Afghanistan controlled by the Taliban.

(Sec. 222) Specifies that: (1) nothing in this Act shall impose any additional technical obligation or requirement on a provider of a wire or electronic communication service or other person to furnish facilities or technical assistance; and (2) a provider of such service, and a landlord, custodian, or other person who furnishes such facilities or technical assistance, shall be reasonably compensated for such reasonable expenditures incurred in providing such facilities or assistance.

**Title III: International Money Laundering Abatement and Anti-Terrorist Financing Act of 2001** - International Money Laundering Abatement and Anti-Terrorist Financing Act of 2001- Sunsets this Act after the first day of FY 2005 if Congress enacts a specified joint resolution to that effect.

**Subtitle A: International Counter Money Laundering and Related Measures** - Amends Federal law governing monetary transactions to prescribe procedural guidelines under which the Secretary of the Treasury (the Secretary) may require domestic financial institutions and agencies to take specified measures if the Secretary finds that reasonable grounds exist for concluding that jurisdictions, financial institutions, types of accounts, or transactions operating outside or within the United States, are of primary money laundering concern. Includes mandatory disclosure of specified information relating to certain correspondent accounts.

(Sec. 311) Directs the Secretary to study and report to Congress on: (1) the most timely and effective way to require foreign nationals to provide domestic financial institutions and agencies with information comparable to that required of U.S. nationals in order for those entities to comply with mandated reporting and information gathering; and (2) the need for requiring foreign nationals, before opening an account with a domestic financial institution, to obtain an identification number similar to that required for U.S. citizens through a social security number or tax identification number.

(Sec. 312) Mandates establishment of due diligence mechanisms to detect and report money laundering transactions through private banking accounts and correspondent accounts.

(Sec. 313) Prohibits U.S. correspondent accounts with foreign shell banks.

(Sec. 314) Instructs the Secretary to adopt regulations to encourage further cooperation among financial institutions, their regulatory authorities, and law enforcement authorities, with the specific purpose of encouraging regulatory authorities and law enforcement authorities to share with financial institutions information regarding individuals, entities, and organizations engaged in or reasonably suspected (based on credible evidence) of engaging in terrorist acts or money laundering activities.

(Sec. 315) Amends Federal criminal law to include foreign corruption offenses as money laundering crimes.

(Sec. 316) Establishes the right of property owners to contest confiscation of property under law relating to confiscation of assets of suspected terrorists.

(Sec. 317) Establishes Federal jurisdiction over: (1) foreign money launderers (including their assets held in the United States); and (2) money that is laundered through a foreign bank.

(Sec. 319) Authorizes the forfeiture of money laundering funds from interbank accounts. Requires a covered financial institution, upon request of the appropriate Federal banking agency, to make available within 120 hours all pertinent information related to anti-money laundering compliance by the institution or its customer. Grants the Secretary summons and subpoena powers over foreign banks that maintain a correspondent bank in the United States. Requires a covered financial institution to terminate within ten business days any correspondent relationship with a foreign bank after receipt of written notice that the foreign bank has failed to comply with certain judicial proceedings. Sets forth civil penalties for failure to terminate such relationship.

(Sec. 321) Amends the Immigration and Nationality Act of 1952 to declare inadmissible any aliens who have engaged in proscribed money laundering activities.

(Sec. 323) Authorizes Federal application for restraining orders to preserve the availability of property subject to a foreign forfeiture or confiscation judgment.

(Sec. 324) Increases civil and criminal penalties for international money laundering.

(Sec. 327) Authorizes the Secretary to issue regulations to ensure that concentration accounts of financial institutions are not used to prevent association of the identity of an individual customer with the movement of funds of which the customer is the direct or beneficial owner.

**Subtitle B: Currency Transaction Reporting Amendments and Related Improvements** - Revises requirements for civil liability immunity for voluntary financial institution disclosure of suspicious activities. Authorizes the inclusion of suspicions of illegal activity in written employment references.

(Sec. 332) Authorizes the Secretary to exempt from minimum standards for anti-money laundering programs any financial institution not subject to certain regulations governing financial recordkeeping and reporting of currency and foreign transactions.

(Sec. 333) Establishes civil penalties for violations of geographic targeting orders and structuring transactions to evade certain recordkeeping requirements. Lengthens the effective period of geographic targeting orders from 60 to 180 days.

(Sec. 335) Amends the Federal Deposit Insurance Act to permit written employment references to contain suspicions of involvement in illegal activity.

(Sec. 336) Amends the Annunzio-Wylie Anti-Money Laundering Act to require the Bank Secrecy Act Advisory Group to include nongovernmental organizations advocating financial privacy.

(Sec. 337) Requires the Secretary and the Federal banking agencies to report recommendations on possible legislation to conform specified penalties imposed on depository institutions.

(Sec. 338) Instructs the Secretary to: (1) promulgate regulations requiring securities brokers and dealers to file reports of

suspicious financial transactions; (2) report to Congress on recommendations to apply parallel regulations to investment companies; (3) report to Congress regarding the role of the Internal Revenue Service in the administration of the Bank Secrecy Act; and (4) share monetary instruments transactions records upon request of a U.S. intelligence agency for use in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism.

(Sec. 340) Amends the Right to Financial Privacy Act to permit the transfer of financial records to other agencies or departments upon certification that the records are relevant to intelligence or counterintelligence activities related to international terrorism.

Amends the Fair Credit Reporting Act to require a consumer reporting agency to furnish all information in a consumer's file to a government agency upon certification that the records are relevant to intelligence or counterintelligence activities related to international terrorism.

(Sec. 341) Subjects to mandatory records and reports on monetary instruments transactions any person who engages as a business in the transmission of funds, including through an informal value transfer banking system or network (e.g., hawala) of people facilitating the transfer of value domestically or internationally outside of the conventional financial institutions system.

(Sec. 342) Authorizes the Secretary to instruct the United States Executive Director of each international financial institution to use his or her voice and vote to: (1) support the use of funds for a country (and its institutions) which contributes to U.S. efforts against international terrorism; and (2) require an auditing of disbursements to ensure that no funds are paid to persons who commit or support terrorism.

**Subtitle C: Currency Crimes** - Establishes as a bulk cash smuggling felony the knowing concealment and attempted transport (or transfer) across U.S. borders of currency and monetary instruments in excess of \$10,000, with intent to evade specified currency reporting requirements.

**Subtitle D: Anticorruption Measures** - Expresses the sense of Congress that, in deliberations between the U.S. Government and any other country on money laundering and corruption issues, the U.S. Government should: (1) emphasize an approach that addresses not only the laundering of the proceeds of traditional criminal activity but also the increasingly endemic problem of governmental corruption and the corruption of ruling elites; (2) encourage the enactment and enforcement of laws in such country to prevent money laundering and systemic corruption; (3) make clear that the United States will take all steps necessary to identify the proceeds of foreign government corruption which have been deposited in U.S. financial institutions and return such proceeds to the citizens of the country to whom such assets belong; and (4) advance policies and measures to promote good government and to prevent and reduce corruption and money laundering, including through instructions to the U.S. Executive Director of each international financial institution to advocate such policies as a systematic element of economic reform programs and advice to member governments.

(Sec. 362) Expresses the sense of Congress that: (1) the United States should continue to actively and publicly support the objectives of the Financial Action Task Force on Money Laundering (FATF) with regard to combating international money laundering; (2) FATF should identify noncooperative jurisdictions in as expeditious a manner as possible and publicly release a list directly naming those jurisdictions identified; (3) the United States should support the public release of the list naming noncooperative jurisdictions identified by the FATF; (4) the United States should encourage the adoption of the necessary international action to encourage compliance by the identified noncooperative jurisdictions; and (5) the United States should take the necessary countermeasures to protect the United States economy against money of unlawful origin and encourage other nations to do the same.

(Sec. 363) Expresses the sense of Congress that, in deliberations and negotiations between the U.S. Government and any other country regarding financial, economic, assistance, or defense issues, the United States should encourage such other country to: (1) take actions which would identify and prevent the transmittal of funds to and from terrorists and terrorist organizations; and (2) engage in bilateral and multilateral cooperation with the United States and other countries to identify suspected terrorists, terrorist organizations, and persons supplying funds to and receiving funds from terrorists and terrorist organizations.

**Title IV: Protecting the Border - Subtitle A: Protecting the Northern Border** - Authorizes the Attorney General to waive certain Immigration and Naturalization Service (INS) personnel caps with respect to ensuring security needs on the Northern border.

(Sec. 402) Authorizes appropriations to: (1) triple the number of Border Patrol, Customs Service, and INS personnel (and support facilities) at points of entry and along the Northern border; and (2) INS and Customs for related border monitoring technology and equipment.

(Sec. 403) Amends the Immigration and Nationality Act to require the Attorney General and the FBI to provide the Department of State and INS with access to specified criminal history extracts in order to determine whether or not a visa or admissions applicant has a criminal history. Directs the FBI to provide periodic extract updates. Provides for confidentiality.

Directs the Attorney General and the Secretary of State to develop a technology standard to identify visa and admissions applicants, which shall be the basis for an electronic system of law enforcement and intelligence sharing system available to consular, law enforcement, intelligence, and Federal border inspection personnel.

(Sec. 404) Amends the Department of Justice Appropriations Act, 2001 to eliminate certain INS overtime restrictions.

(Sec. 405) Directs the Attorney General to report on the feasibility of enhancing the Integrated Automated Fingerprint Identification System and other identification systems to better identify foreign individuals in connection with U.S. or foreign criminal investigations before issuance of a visa to, or permitting such person's entry or exit from, the United States. Authorizes appropriations.

**Subtitle B: Enhanced Immigration Provisions** - Amends the Immigration and Nationality Act to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities to include an alien who: (1) is a representative of a political, social, or similar group whose political endorsement of terrorist acts undermines U.S. antiterrorist efforts; (2) has used a position of prominence to endorse terrorist activity, or to persuade others to support such activity in a way that undermines U.S. antiterrorist efforts (or the child or spouse of such an alien under specified circumstances); or (3) has been associated with a terrorist organization and intends to engage in threatening activities while in the United States.

Includes within the definition of "terrorist activity" the use of any weapon or dangerous device.

Redefines "engage in terrorist activity" to mean, in an individual capacity or as a member of an organization, to: (1) commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity; (2) prepare or plan a terrorist activity; (3) gather information on potential targets for terrorist activity; (4) solicit funds or other things of value for a terrorist activity or a terrorist organization (with an exception for lack of knowledge); (5) solicit any individual to engage in prohibited conduct or for terrorist organization membership (with an exception for lack of knowledge); or (6) commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial



benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training for the commission of a terrorist activity; to any individual who the actor knows or reasonably should know has committed or plans to commit a terrorist activity; or to a terrorist organization (with an exception for lack of knowledge).

Defines "terrorist organization" as a group: (1) designated under the Immigration and Nationality Act or by the Secretary of State; or (2) a group of two or more individuals, whether related or not, which engages in terrorist-related activities.

Provides for the retroactive application of amendments under this Act. Stipulates that an alien shall not be considered inadmissible or deportable because of a relationship to an organization that was not designated as a terrorist organization prior to enactment of this Act. States that the amendments under this section shall apply to all aliens in exclusion or deportation proceedings on or after the date of enactment of this Act.

Directs the Secretary of State to notify specified congressional leaders seven days prior to designating an organization as a terrorist organization. Provides for organization redesignation or revocation.

(Sec. 412) Provides for mandatory detention until removal from the United States (regardless of any relief from removal) of an alien certified by the Attorney General as a suspected terrorist or threat to national security. Requires release of such alien after seven days if removal proceedings have not commenced, or the alien has not been charged with a criminal offense. Limits judicial review to habeas corpus proceedings in the United States District Court for the District of Columbia.

(Sec. 413) Authorizes the Secretary of State, on a reciprocal basis, to share criminal- and terrorist-related visa lookout information with foreign governments.

**Title V: Removing Obstacles to Investigating Terrorism** - Professional Standards for Government Attorneys Act of 2001 - Amends the Federal judicial code to specify which standards of professional responsibility apply to a Government attorney in various choice of law scenarios. Provides that a Government attorney (except foreign counsel employed in special cases) shall: (1) be duly licensed and authorized to practice as an attorney under the laws of a State; and (2) not be required to be a member of the bar of any particular State. Authorizes: (1) a Government attorney, for the purpose of enforcing Federal law, to provide legal advice, authorization, concurrence, direction, or supervision on conducting undercover activities; and (2) any attorney employed as an investigator or other law enforcement agency by DOJ who is not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings, to participate in such activities, even though such activities may require the use of deceit or misrepresentation, where such activities are consistent with Federal law.

Provides that no violation of any disciplinary, ethical, or professional conduct rule shall be construed to permit the exclusion of otherwise admissible evidence in any Federal criminal proceeding.

Requires the Judicial Conference of the United States to report to: (1) the Chief Justice of the United States on recommendations with respect to amending the FRCrP to provide for a uniform national rule for Government attorneys with respect to communications with represented persons and parties; and (2) the House and Senate Judiciary Committees on a review of any areas of conflict between specific Federal duties related to the investigation and prosecution of violations of Federal law and the regulation of Government attorneys by existing standards of professional responsibility and on recommendations with respect to amending the FRCrP to provide for additional rules governing attorney conduct to address such conflicts.

(Sec. 502) Authorizes the Attorney General to pay rewards from available funds pursuant to public advertisements for assistance to DOJ to combat terrorism and defend the Nation against terrorist acts, in accordance with procedures and regulations established or issued by the Attorney General, subject to specified conditions, including a prohibition against any such reward of \$250,000 or more from being made or offered without the personal approval of either the Attorney General or the President.

(Sec. 503) Amends the State Department Basic Authorities Act of 1956 to modify the Department of State rewards program to authorize rewards for information leading to: (1) the dismantling of a terrorist organization in whole or significant part; and (2) the identification or location of an individual who holds a key leadership position in a terrorist organization. Raises the limit on rewards if the Secretary State determines that a larger sum is necessary to combat terrorism or defend the Nation against terrorist acts.

(Sec. 504) Amends the DNA Analysis Backlog Elimination Act of 2000 to qualify a Federal terrorism offense for collection of DNA for identification.

(Sec. 505) Amends FISA to authorize consultation among Federal law enforcement officers regarding information acquired from an electronic surveillance or physical search in terrorism and related investigations or protective measures.

(Sec. 506) Allows the FBI to request telephone toll and transactional records, financial records, and consumer reports in any investigation to protect against international terrorism or clandestine intelligence activities only if the investigation is not conducted solely on the basis of activities protected by the first amendment to the U.S. Constitution.

(Sec. 507) Revises U.S. Secret Service jurisdiction with respect to fraud and related activity in connection with computers. Grants the FBI primary authority to investigate specified fraud and computer related activity for cases involving espionage, foreign counter-intelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or restricted data, except for offenses affecting Secret Service duties.

(Sec. 508) Amends the General Education Provisions Act and the National Education Statistics Act of 1994 to provide for disclosure of educational records to the Attorney General in a terrorism investigation or prosecution.

**Title VI: Providing for Victims of Terrorism, Public Safety Officers, and Their Families - Subtitle A: Aid to Families of Public Safety Officers** - Provides for expedited payments for: (1) public safety officers involved in the prevention, investigation, rescue, or recovery efforts related to a terrorist attack; and (2) heroic public safety officers. Increases Public Safety Officers Benefit Program payments.

**Subtitle B: Amendments to the Victims of Crime Act of 1984** - Amends the Victims of Crime Act of 1984 to: (1) revise provisions regarding the allocation of funds for compensation and assistance, location of compensable crime, and the relationship of crime victim compensation to means-tested Federal benefit programs and to the September 11th victim compensation fund; and (2) establish an antiterrorism emergency reserve in the Victims of Crime Fund.

**Title VII: Increased Information Sharing for Critical Infrastructure Protection** - Amends the Omnibus Crime Control and Safe Streets Act of 1968 to extend Bureau of Justice Assistance regional information sharing system grants to systems that enhance the investigation and prosecution abilities of participating Federal, State, and local law enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities.

**Title VIII: Strengthening the Criminal Laws Against Terrorism** - Sets forth provisions prohibiting: (1) specific terrorist acts or otherwise destructive, disruptive, or violent acts against mass transportation vehicles, ferries, providers,

employees, passengers, or operating systems; and (2) knowing possession in certain circumstances of biological agents, toxins, or delivery systems, especially by certain restricted persons.

(Sec. 803) Amends the Federal criminal code to: (1) revise the definition of "international terrorism" to include activities that appear to be intended to affect the conduct of government by mass destruction; and (2) define "domestic terrorism" as activities that occur primarily within U.S. jurisdiction, that involve criminal acts dangerous to human life, and that appear to be intended to intimidate or coerce a civilian population, to influence government policy by intimidation or coercion, or to affect government conduct by mass destruction, assassination, or kidnapping (Sec. 804) Prohibits harboring any person knowing or having reasonable grounds to believe that such person has committed or to be about to commit a terrorism offense.

(Sec. 805) Establishes Federal jurisdiction over crimes committed at U.S. facilities abroad.

(Sec. 806) Applies the prohibitions against providing material support for terrorism to offenses outside of the United States.

(Sec. 807) Subjects to civil forfeiture all assets, foreign or domestic, of terrorist organizations.

(Sec. 809) Expands: (1) the offenses over which the Attorney General shall have primary investigative jurisdiction under provisions governing acts of terrorism transcending national boundaries; and (2) the offenses included within the definition of the Federal crime of terrorism.

(Sec. 810) Provides that there shall be no statute of limitations for certain terrorism offenses if the commission of such an offense resulted in, or created a foreseeable risk of, death or serious bodily injury to another person.

(Sec. 811) Provides for alternative maximum penalties for terrorism crimes.

(Sec. 812) Makes: (1) the penalties for attempts and conspiracies the same as those for terrorism offenses; (2) the supervised release terms for offenses with terrorism predicates any term of years or life; and (3) specified terrorism crimes Racketeer Influenced and Corrupt Organizations statute predicates.

(Sec. 815) Revises prohibitions and penalties regarding fraud and related activity in connection with computers to include specified cyber-terrorism offenses.

(Sec. 817) Directs the Attorney General to establish regional computer forensic laboratories, and to support existing laboratories, to develop specified cyber-security capabilities.

**Title IX: Improved Intelligence** - Amends the National Security Act of 1947 to require the Director of Central Intelligence (DCI) to establish requirements and priorities for foreign intelligence collected under the Foreign Intelligence Surveillance Act of 1978 and to provide assistance to the Attorney General (AG) to ensure that information derived from electronic surveillance or physical searches is disseminated for efficient and effective foreign intelligence purposes. Requires the inclusion of international terrorist activities within the scope of foreign intelligence under such Act.

(Sec. 903) Expresses the sense of Congress that officers and employees of the intelligence community should establish and maintain intelligence relationships to acquire information on terrorists and terrorist organizations.

(Sec. 904) Authorizes deferral of the submission to Congress of certain reports on intelligence and intelligence-related matters until: (1) February 1, 2002; or (2) a date after February 1, 2002, if the official involved certifies that preparation

and submission on February 1, 2002, will impede the work of officers or employees engaged in counterterrorism activities. Requires congressional notification of any such deferral.

(Sec. 905) Requires the AG or the head of any other Federal department or agency with law enforcement responsibilities to expeditiously disclose to the DCI any foreign intelligence acquired in the course of a criminal investigation.

(Sec. 906) Requires the AG, DCI, and Secretary of the Treasury to jointly report to Congress on the feasibility and desirability of reconfiguring the Foreign Asset Tracking Center and the Office of Foreign Assets Control to provide for the analysis and dissemination of foreign intelligence relating to the financial capabilities and resources of international terrorist organizations.

(Sec. 907) Requires the DCI to report to the appropriate congressional committees on the establishment and maintenance of the National Virtual Translation Center for timely and accurate translation of foreign intelligence for elements of the intelligence community.

(Sec. 908) Requires the AG to provide a program of training to Government officials regarding the identification and use of foreign intelligence.

### **Actions Timeline**

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- **Oct 30, 2001:** Senate vitiated previous passage.
- **Oct 30, 2001:** Indefinitely postponed by Senate by Unanimous Consent. (consideration: CR S11247)
- **Oct 11, 2001:** Measure laid before Senate. (consideration: CR S10547-10630)
- **Oct 11, 2001:** Passed/agreed to in Senate: Passed Senate without amendment by Yea-Nay Vote. 96 - 1. Record Vote Number: 302.(text of bill as passed Senate: CR S10604-10630)
- **Oct 11, 2001:** Passed Senate without amendment by Yea-Nay Vote. 96 - 1. Record Vote Number: 302. (text of bill as passed Senate: CR S10604-10630)
- **Oct 9, 2001:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 187.
- **Oct 4, 2001:** Introduced in Senate
- **Oct 4, 2001:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (text of measure as introduced: CR S10307-10333)