

S 2506

Intelligence Authorization Act for Fiscal Year 2003

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: May 13, 2002

Current Status: Returned to the Calendar. Calendar No. 490.

Latest Action: Returned to the Calendar. Calendar No. 490. (Sep 25, 2002)

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Sponsor

Name: Sen. Graham, Bob [D-FL]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported By	Jul 9, 2002
Intelligence (Select) Committee	Senate	Reported Original Measure	May 13, 2002

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
107 HR 4628	Procedurally related	Nov 27, 2002: Became Public Law No: 107-306.

Intelligence Authorization Act for Fiscal Year 2003 - **Title I: Intelligence Activities** - Authorizes appropriations for FY 2003 for the conduct of intelligence and intelligence-related activities of the: (1) Central Intelligence Agency (CIA); (2) Department of Defense; (3) Defense Intelligence Agency (DIA); (4) National Security Agency (NSA); (5) Departments of the Army, Navy, and Air Force; (6) Departments of State, the Treasury, and Energy; (7) Federal Bureau of Investigation (FBI); (8) National Reconnaissance Office (NRO); (9) National Imagery and Mapping Agency (NIMA); and (10) Coast Guard.

(Sec. 102) Specifies that the amounts authorized and the authorized personnel ceilings as of September 30, 2003, for such activities are those specified in the classified Schedule of Authorizations.

(Sec. 103) Allows the Director of Central Intelligence (DCI), with the approval of the Director of the Office of Management and Budget (OMB), to authorize employment of civilian personnel in excess of the number authorized for FY 2003 (by not more than two percent) when necessary to the performance of important intelligence functions.

(Sec. 104) Authorizes appropriations for the Community Management Account of the DCI for FY 2003, as well as for full-time personnel for elements within such Account. Earmarks a specified amount of such funds for the National Drug Intelligence Center.

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

(Sec. 106) Requires the DCI to ensure that any report, review, study, or plan required under this Act that involves the intelligence or intelligence-related activities of the Departments of Defense or Energy is prepared or conducted in consultation with the Secretary of Defense or Energy, as appropriate. Requires all such reports, reviews, studies, or plans to be submitted to the congressional defense, appropriations, and intelligence committees.

Title II: Central Intelligence Agency Retirement and Disability System - Authorizes appropriations for FY 2003 for the Central Intelligence Agency Retirement and Disability Fund.

Title III: General Provisions - Permits appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees to be increased by such additional amounts as may be necessary for increases in such compensation or benefits authorized by law.

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

(Sec. 303) Adds definitions of "congressional intelligence committees" and "congressional leadership" to the National Security Act of 1947.

(Sec. 304) Amends the National Security Act of 1947 to require the budget justification materials submitted to Congress for a fiscal year to set forth separate aggregate amounts requested for the National Foreign Intelligence Program for: (1) counterterrorism; (2) counterproliferation; (3) counternarcotics; and (4) counterintelligence. Allows amounts so requested to be set forth in unclassified or classified form, at the election of the DCI.

(Sec. 306) States that it shall not be unlawful for the DCI or authorized designee to furnish to the intelligence committees information in the possession of the intelligence community (IC) on intelligence activities in furtherance of reporting

responsibilities under any provision of law.

(Sec. 307) Requires the DCI to establish a standardized method for transliterating into the Roman alphabet personal and place names originally rendered in any language that uses other than Roman alphabet. Requires such method to be used in all IC communications and products.

(Sec. 308) Requires the DCI to prescribe standards and qualifications for persons engaged in the performance of intelligence activities within the IC.

(Sec. 309) Amends the David L. Boren National Security Education Act of 1991 to replace its program of scholarships to undergraduates for study in foreign countries designated as critical countries with a program under which the Secretary of Defense carries out activities at institutions of higher education to: (1) produce in professionals an advanced level of proficiency in foreign languages designated by the National Security Education Board as critical to U.S. national security; and (2) permit undergraduate and graduate students and Federal employees to undertake studies to enhance their foreign language proficiency. Allows current fellowship recipients under such Act to participate in the new program. Requires: (1) the continuation of any scholarship, fellowship, or grant made under the current program; and (2) a report from the Secretary to the intelligence committees on the advisability of converting program funding through the National Security Education Trust Fund to funding through appropriations.

(Sec. 310) Directs the DCI to carry out a program to provide scholarships and work-study for individuals pursuing graduate degrees in science and technology fields identified as appropriate to meet future IC needs for qualified scientists and engineers.

(Sec. 311) Directs the DCI to establish the National Virtual Translation Center to connect IC elements engaged in the acquisition, storage, translation, or analysis of voice or data in digital form.

(Sec. 312) Directs the DCI to establish within the CIA the Foreign Terrorist Asset Tracking Center to be responsible for conducting all-source intelligence analysis of information relating to the financial capabilities, practices, and activities of individuals, groups, and nations associated with international terrorism.

(Sec. 313) Directs the DCI to: (1) establish and maintain a list of known or suspected international terrorists and international terrorist organizations; and (2) ensure that list information is shared with such Federal, State, and local agencies and organizations as considered appropriate. Designates such list as the Terrorist Identification Classification System. Requires the DCI to: (1) certify whether appropriate IC elements have collected System information from the widest possible range of intelligence available; (2) report to the intelligence committees on the criteria used to determine which System information is to be shared; (3) ensure System interoperability with relevant information systems of appropriate agencies and organizations; and (4) report to the intelligence committees on the System's status.

(Sec. 314) Requires an annual report from the DCI to specified congressional committees setting forth each foreign company involved in the proliferation of weapons of mass destruction (or the means to deliver such weapons) that raises funds in U.S. capital markets.

(Sec. 315) Extends through FY 2005 the Central Intelligence Agency Voluntary Separation Pay Act.

(Sec. 316) Amends the Intelligence Authorization Act for Fiscal Year 2002 to extend until October 1, 2003, the suspension of the reorganization of the Diplomatic Telecommunications Service Program Office.

Title IV: Reporting Requirements - Subtitle A: Submittal of Reports to Intelligence Committees - Designates

February 1 as the date for submission of various annual reports to the intelligence committees, and February 1 and August 1 as the dates for submission of various semiannual reports. Allows a one-month postponement if the reporting official notifies the intelligence committees. Requires: (1) a one-time report from the CIA General Counsel on efforts to ensure compliance with such revised reporting requirements by appropriate IC elements; (2) an annual report from the DCI evaluating the performance and responsiveness of NSA, NRO, and NIMA in meeting their respective missions; and (3) an annual report from the President on U.S. requirements for intelligence and activities of the IC. Revises the dates of various additional reports to conform to the above dates, including reports required under the Central Intelligence Agency Act of 1949, the National Security Agency Act of 1959, the Classified Information Procedures Act, prior intelligence authorization Acts, Federal armed forces and national defense provisions, the National Defense Authorization Act for Fiscal Year 1995, the David L. Boren National Security Education Act of 1991, the Fair Credit Reporting Act, and the Right to Financial Privacy Act of 1978.

Subtitle B: Recurring Annual Reports - Requires the Assistant Directors of Central Intelligence for Collection and for Analysis and Production to annually: (1) review the satisfaction of IC elements with the collection, analysis, and production of intelligence; and (2) submit each review to the DCI. Requires the DCI to forward each review to the intelligence committees.

(Sec. 412) Requires the DCI to report to the intelligence committees assessing the current threat of attack on the United States using either: (1) ballistic or cruise missiles; or (2) a chemical, biological, or nuclear weapon delivered by a system other than a ballistic or cruise missile.

(Sec. 413) Requires the DCI to report to the intelligence committees on each covert lease of an IC element in force at the end of the preceding year.

(Sec. 414) Requires the DCI, as well as the Directors of NSA, DIA, and NIMA, to each report to the intelligence committees on activities undertaken to ensure that their financial statements can be audited in accordance with applicable law and OMB requirements.

(Sec. 415) Requires the FBI Director to report annually to specified congressional committees on activities of FBI personnel outside the United States.

(Sec. 416) Amends the Inspector General Act of 1978 to direct the Inspectors General of DIA, NIMA, NRO, and NSA to submit to the intelligence committees an annual report on proposed resources and activities for the upcoming fiscal year.

(Sec. 417) Requires the Counterdrug Intelligence Coordinating Group to report to specified congressional committees on current counterdrug intelligence matters.

Subtitle C: Other Reports - Requires the Inspector General of the State Department, during each of the years 2002 through 2004, to evaluate and report to the intelligence committees on the policies and procedures of the State Department regarding the protection of classified information at its headquarters, including compliance with DCI directives relating to the storage and handling of Sensitive Compartmented Information material.

Subtitle D: Repeal of Certain Report Requirements - Repeals annual reports concerning: (1) the exercise of NSA voluntary separation pay authority; and (2) the use of CIA personnel as special policemen.

Title V: Counterintelligence Activities - Counterintelligence Enhancement Act of 2002 - Establishes a National Counterintelligence Executive to serve as the head of national counterintelligence.

(Sec. 503) Amends the Counterintelligence and Security Enhancements Act of 1994 to: (1) repeal current functions of the National Counterintelligence Policy Board and provide new functions, including acting as an interagency working group for counterintelligence activities; (2) make the National Counterintelligence Executive the chairperson of such Board; and (3) provide Board membership, including senior personnel of specified Federal departments and agencies conducting counterintelligence activities.

(Sec. 504) Establishes an Office of the National Counterintelligence Executive, to be located in the Executive Office of the President. Requires the Office to: (1) produce annually a strategic planning assessment of U.S. counterintelligence requirements, to be known as the National Threat Identification and Prioritization Assessment; (2) produce annually a strategy for U.S. counterintelligence programs and activities, to be known as the National Counterintelligence Strategy; (3) evaluate on an ongoing basis the Strategy and submit to the President periodic reports on such evaluation; (4) oversee and coordinate the production of strategic analyses of counterintelligence matters, including counterintelligence damage assessments and lessons learned from counterintelligence activities; (5) coordinate a national counterintelligence program budget; (6) develop priorities for counterintelligence investigations, operations, and collection; and (7) carry out counterintelligence vulnerability surveys (with related outreach, research and development, and training and professional development). Prohibits any Assessment or Strategy, or modification thereof, from going into effect until approved by the President and requires the National Counterintelligence Executive to notify the intelligence committees of any approved Assessment, Strategy, or modification. Outlines Office personnel and support requirements. Designates the Office as an element of the IC.

Title VI: National Commission for Review of Research and Development Programs of the United States

Intelligence Community - Establishes the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community to review and report to the intelligence committees on the status of research and development programs and activities within the IC. Requires the DCI and Secretary to submit to the intelligence committees an assessment of such report. Provides Commission funding via transfer from the Community Management Account.

Actions Timeline

- **Sep 25, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S9350-9351)
- **Sep 25, 2002:** The bill was read the third time by Unanimous Consent.
- **Sep 25, 2002:** Senate incorporated this measure in H.R. 4628 as an amendment.
- **Sep 25, 2002:** Senate passed companion measure H.R. 4628 in lieu of this measure by Unanimous Consent.
- **Sep 25, 2002:** Returned to the Calendar. Calendar No. 490.
- **Jul 9, 2002:** Committee on Armed Services. Ordered to be reported with amendments favorably.
- **Jul 9, 2002:** Committee on Armed Services. Reported by Senator Levin with amendments. With written report No. 107-208.
- **Jul 9, 2002:** Committee on Armed Services. Reported by Senator Levin with amendments. With written report No. 107-208.
- **Jul 9, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 490.
- **May 13, 2002:** Introduced in Senate
- **May 13, 2002:** Committee on Intelligence. Original measure reported to Senate by Senator Graham. With written report No. 107-149.
- **May 13, 2002:** Committee on Intelligence. Original measure reported to Senate by Senator Graham. With written report No. 107-149.
- **May 13, 2002:** Read twice and referred to the Committee on Armed Services pursuant to Section 3(b) of S.Res. 400, 94th Congress for a period of not to exceed 30 days of session.
- **May 8, 2002:** Committee on Intelligence ordered to be reported an original measure.