

HR 2883

Intelligence Authorization Act for Fiscal Year 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

Introduced: Sep 13, 2001

Current Status: Became Public Law No: 107-108.

Latest Action: Became Public Law No: 107-108. (Dec 28, 2001)

Law: 107-108 (Enacted Dec 28, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/2883>

Sponsor

Name: Rep. Goss, Porter J. [R-FL-14]

Party: Republican • State: FL • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Reported By	Sep 26, 2001

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
107 HRES 312	Procedurally related	Dec 12, 2001: Motion to reconsider laid on the table Agreed to without objection.
107 S 1428	Procedurally related	Nov 8, 2001: Returned to the Calendar. Calendar No. 214.
107 HRES 252	Procedurally related	Oct 5, 2001: Motion to reconsider laid on the table Agreed to without objection.

Intelligence Authorization Act for Fiscal Year 2002 - **Title I: Intelligence Activities** - Authorizes appropriations for FY 2002 for the conduct of intelligence and intelligence-related activities of the: (1) Central Intelligence Agency (CIA); (2) Department of Defense (DOD); (3) Defense Intelligence Agency; (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; (8) National Reconnaissance Office; (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, 2002, for such activities are those specified in the classified Schedule of Authorizations, which shall be made available to the Senate and House Appropriations Committees and the President.

(Sec. 103) Allows the Director of Central Intelligence (DCI), with the approval of the Director of the Office of Management and Budget, to authorize employment of civilian personnel in excess of the number authorized for FY 2002 (by not more than two percent) when necessary to the performance of important intelligence functions. Requires notification of the congressional intelligence committees.

(Sec. 104) Authorizes appropriations for the Intelligence Community Management Account for FY 2002, for full-time personnel for elements within such Account, and for certain classified personnel. Earmarks a specified amount of such funds for the National Drug Intelligence Center.

(Sec. 105) Includes within the definition of "intelligence community" intelligence elements of the Coast Guard.

**Title II: Central Intelligence Agency Retirement and Disability System** - Authorizes appropriations for FY 2002 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) Expresses the sense of Congress that the DCI should continue to direct that elements of the intelligence community should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

(Sec. 304) Authorizes the head of the agency of an employee detailed under the Intelligence Community Assignment Program, under specified conditions, to pay a lodging allowance for such employee for the duration of the detail.

(Sec. 306) Requires the DCI to report to the intelligence committees on whether and to what extent the intelligence community has implemented the recommendations of the National Commission on Terrorism, the United States Commission on National Security for the 21st Century, and an advisory panel on terrorism involving weapons of mass destruction.

(Sec. 307) Amends the Foreign Narcotics Kingpin Designation Act to repeal a provision exempting the actions involving the identification, and blocking of assets, of significant foreign narcotics traffickers from judicial review.

(Sec. 308) Amends the National Security Act of 1947 to require consultation with the DCI before appointment of the

Directors of the Offices of Intelligence and Counterintelligence within the Department of Energy.

(Sec. 309) Revises provisions concerning the protection of intelligence community employees who report urgent concerns to Congress to require the CIA Inspector General, upon determining that a complaint is credible, to notify the DCI of such complaint and such determination.

(Sec.310) Requires the Attorney General, after specified consultation, to review and report to Congress on current protections against the unauthorized disclosure of classified information.

(Sec. 311) Suspends until October 1, 2002, a provision of the Intelligence Authorization Act for Fiscal Year 2001 providing for the reorganization of the Diplomatic Telecommunications Service Program Office.

(Sec. 312) Requires each national counterintelligence strategy, as well as any related national threat identification and prioritization assessment, to be approved by the President and submitted to the intelligence committees.

(Sec. 313) Requires the Attorney General to report to Congress on the effect and efficacy of alien terrorist removal proceedings, including the reasons why such proceedings have not been used in the past and the effect on the use of such proceedings after the enactment of the U.S.A. Patriot Act of 2001.

(Sec. 314) Amends the Foreign Intelligence Surveillance Act of 1978 to extend from 24 to 72 hours the time for judicial ratification of an emergency surveillance or search conducted under such Act.

**Title IV: Central Intelligence Agency** - Amends the Central Intelligence Agency Act of 1949 to: (1) revise an audit date concerning the CIA's central services program; and (2) repeal the March 31, 2002, termination date for such program.

(Sec. 402) Extends through FY 2003 the authority of the DCI to offer separation pay to CIA employees who voluntarily separate from service.

(Sec. 403) Requires the DCI to: (1) rescind CIA guidelines for handling cases involving foreign assets or sources with human rights concerns; (2) provide for guidelines that more appropriately weigh and provide incentives for risks to achieve successful operations; and (3) ensure that information is shared so that actions to protect American lives can be taken.

(Sec. 404) Amends the Intelligence Authorization Act for Fiscal Year 2001 to authorize the DCI to reimburse certain counterterrorism employees for 100 percent (currently one-half) of the cost of professional liability insurance.

**Title V: Department of Defense Intelligence Activities** - Authorizes the Secretary of Defense (Secretary) to use funds available for a DOD intelligence element to purchase promotional items of nominal value to recruit individuals for employment within that element.

(Sec. 502) Authorizes the Secretaries of the Army, Navy, and Air Force to transfer or reprogram funds for infrastructure and quality-of-life improvements at the Menwith Hall and Bad Aibling stations.

(Sec. 503) Amends the National Defense Authorization Act for Fiscal Year 1995 to: (1) revise certification requirements relating to official immunity for employees and agents of the United States and foreign countries engaged in the interdiction of illegal aircraft drug trafficking; and (2) require an annual report from the President to Congress regarding countries for which such certifications were in effect.

(Sec. 504) Authorizes the Secretary to establish an undergraduate training program for civilian NIMA employees, similar

to that provided to civilian NSA employees, under which such employees are provided financial assistance to develop mission-critical skills.

(Sec. 505) Requires the: (1) DCI to ensure that any report, review, study, or plan required by this Act that involves intelligence or intelligence-related activities of DOD be prepared or conducted in consultation with the Secretary of Defense or other appropriate DOD official; and (2) defense, appropriations, and intelligence committees to receive all such reports, reviews, studies, or plans.

(Sec. 506) Permits the NSA Director to authorize agency personnel to perform protective services and law enforcement functions up to 500 feet beyond the confines of NSA facilities, including upon streets, sidewalks, and open areas, when acting reasonably to protect against physical damage or injury. (Currently, such authority is limited to such facilities and any extending fence or other boundary line.) Requires an annual report from such Director to the intelligence committees on the exercise of such authority. Requires personnel performing such services or functions to be clearly identifiable.

## Actions Timeline

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- **Dec 28, 2001:** Signed by President.
- **Dec 28, 2001:** Signed by President.
- **Dec 28, 2001:** Became Public Law No: 107-108.
- **Dec 28, 2001:** Became Public Law No: 107-108.
- **Dec 18, 2001:** Presented to President.
- **Dec 18, 2001:** Presented to President.
- **Dec 14, 2001:** Message on Senate action sent to the House.
- **Dec 13, 2001:** Conference report agreed to in Senate: Senate agreed to conference report by Unanimous Consent Vote.(The H.R. 2883 conference report was considered agreed to when the Senate adopted the conference report on S. 1438, FY 2002 defense authorization. CR 12/13/2001 S13113) (consideration: CR S13113)
- **Dec 13, 2001:** Senate agreed to conference report by Unanimous Consent Vote. (The H.R. 2883 conference report was considered agreed to when the Senate adopted the conference report on S. 1438, FY 2002 defense authorization. CR 12/13/2001 S13113) (consideration: CR S13113)
- **Dec 12, 2001:** Rule H. Res. 312 passed House.
- **Dec 12, 2001:** Mr. Goss brought up conference report H. Rept. 107-328 for consideration under the provisions of H. Res. 312. (consideration: CR H9247-9254)
- **Dec 12, 2001:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Dec 12, 2001:** The previous question was ordered without objection.
- **Dec 12, 2001:** Conference report agreed to in House: On agreeing to the conference report Agreed to by voice vote.
- **Dec 12, 2001:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 12, 2001:** On agreeing to the conference report Agreed to by voice vote.
- **Dec 12, 2001:** Conference papers: message on House action held at the desk in Senate.
- **Dec 12, 2001:** Conference papers: Senate report and manager's statement held at the desk in Senate.
- **Dec 11, 2001:** Rules Committee Resolution H. Res. 312 Reported to House. Rule provides for consideration of the conference report to H.R. 2883. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.
- **Dec 6, 2001:** Mr. Goss asked unanimous consent that managers on the part of the House have until midnight on Dec. 6 to file a conference report on H.R. 2883. Agreed to without objection.
- **Dec 6, 2001:** Conference report filed: Conference report H. Rept. 107-328 filed. Filed late, pursuant to previous special order.(consideration: CR H9057-9065; text of conference report: CR H9058-9065)
- **Dec 6, 2001:** Conference report H. Rept. 107-328 filed. Filed late, pursuant to previous special order. (consideration: CR H9057-9065; text of conference report: CR H9058-9065)
- **Dec 5, 2001:** Mr. Goss asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference.
- **Dec 5, 2001:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection. (consideration: CR H8849)
- **Dec 5, 2001:** The Speaker appointed conferees - from the Permanent Select Committee on Intelligence for consideration of the House bill, the Senate amendment and modifications committed to conference: Goss, Bereuter, Castle, Boehlert, Gibbons, LaHood, Cunningham, Hoekstra, Burr, Chambliss, Pelosi, Bishop, Harman, Condit, Roemer, Hastings (FL), Reyes, Boswell, and Peterson (MN).
- **Dec 5, 2001:** The Speaker appointed conferees - from the Committee on Armed Services for consideration of defense tactical intelligence and related activities: Stump, Hunter, and Skelton.
- **Dec 5, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 5, 2001:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 5, 2001:** Conferees agreed to file conference report.
- **Nov 8, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S11583-11584, S11587-11590)
- **Nov 8, 2001:** Senate struck all after the Enacting Clause and substituted the language of S. 1428 amended.
- **Nov 8, 2001:** Passed/agreed to in Senate: Passed Senate in lieu of S.1428 with an amendment by Yea-Nay Vote. 100 - 0. Record Vote Number: 332.(text: CR S11587-11590)
- **Nov 8, 2001:** Passed Senate in lieu of S.1428 with an amendment by Yea-Nay Vote. 100 - 0. Record Vote Number: 332. (text: CR S11587-11590)

- Nov 8, 2001:** Senate insists on its amendment, asks for a conference, appoints conferees Graham, Levin, Rockefeller, Feinstein, Wyden, Durbin, Bayh, Edwards, Mikulski, Shelby, Kyl, Inhofe, Hatch, Roberts, DeWine, Thompson and Lugar.
- **Nov 8, 2001:** Senate appointed conferee(s) Reed and Warner from the Committee on Armed Services.
  - **Oct 9, 2001:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 188.
  - **Oct 5, 2001:** Rule H. Res. 252 passed House.
  - **Oct 5, 2001:** Considered under the provisions of rule H. Res. 252. (consideration: CR H6385-6407; text of Title I as reported in House: CR H6395-6396; text of Title II as reported in House: CR H6396; text of Title III as reported in House: CR H6396-6397; text of Title IV as reported in House: CR H6405; text of Title V as reported in House: CR H6406)
  - **Oct 5, 2001:** Rule provides for consideration of H.R. 2883 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. 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. Measure will be read by title. Specified amendments are in order.
  - **Oct 5, 2001:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 252 and Rule XXIII.
  - **Oct 5, 2001:** The Speaker designated the Honorable Steven C. LaTourette to act as Chairman of the Committee.
  - **Oct 5, 2001:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2883.
  - **Oct 5, 2001:** DEBATE - UNLESS OTHERWISE SPECIFIED, DEBATE ON AMENDMENTS WILL PROCEED UNDER THE FIVE-MINUTE RULE.
  - **Oct 5, 2001:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2883.
  - **Oct 5, 2001:** The previous question was ordered pursuant to the rule.
  - **Oct 5, 2001:** 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.
  - **Oct 5, 2001:** Passed/agreed to in House: On passage Passed by voice vote.
  - **Oct 5, 2001:** On passage Passed by voice vote.
  - **Oct 5, 2001:** Motion to reconsider laid on the table Agreed to without objection.
  - **Oct 5, 2001:** 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. 2883.
  - **Oct 3, 2001:** Rules Committee Resolution H. Res. 252 Reported to House. Rule provides for consideration of H.R. 2883 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. 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. Measure will be read by title. Specified amendments are in order.
  - **Sep 26, 2001:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 107-219.
  - **Sep 26, 2001:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 107-219.
  - **Sep 26, 2001:** Placed on the Union Calendar, Calendar No. 131.
  - **Sep 25, 2001:** Mr. Goss asked unanimous consent that the Committee on Intelligence (Permanent) have until midnight on Sept. 26 to file a report on H.R. 2883. Agreed to without objection.
  - **Sep 13, 2001:** Introduced in House
  - **Sep 13, 2001:** Introduced in House
  - **Sep 13, 2001:** Referred to the House Committee on Intelligence (Permanent Select).