

Calendar No. 214

107TH CONGRESS } <i>1st Session</i>	SENATE	{ REPORT 107-92
--	--------	--------------------

INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

NOVEMBER 1, 2001.—Ordered to be printed

Mr. LEVIN, from the Committee on Armed Services,
submitted the following

REPORT

[To accompany S. 1428]

The Committee on Armed Services, to which was referred the bill (S. 1428) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account of the Director of Central Intelligence, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

PURPOSE OF THE BILL

S. 1428 would authorize appropriations and other matters for Fiscal Year 2002 for intelligence activities of the United States, including certain Department of Defense intelligence-related activities within the jurisdiction of the Senate Armed Services Committee.

The Senate Select Committee on Intelligence reported the bill on September 14, 2001, and it was referred to the Committee on Armed Services in accordance with section 3(b) of Senate Resolution 400, 94th Congress.

SCOPE OF THE COMMITTEE REVIEW

The committee has carefully reviewed the report of the Select Committee on Intelligence (S. Rept. 107-63) and has incorporated the relevant budget recommendations of the Senate Select Committee on Intelligence into S. 1438, the National Defense Authorization Act for Fiscal Year 2002, which the Senate passed on October 2, 2001.

Recognizing that the Senate Select Committee on Intelligence drafted this legislation prior to September 11, 2001, the committee review was influenced by the changed environment within which the Department of Defense intelligence-related activities must operate following the horrific terrorist attacks on the United States, and the subsequent, ongoing military operations and related national security efforts of the United States government.

The following explains the committee's proposed amendment to the bill as reported by the Senate Select Committee on Intelligence, as well as the committee's clarification to the report issued by the Senate Select Committee on Intelligence.

General Defense Intelligence and National Reconnaissance Programs

The report of the Senate Select Committee on Intelligence recommends reductions to the budget request for several important programs within the General Defense Intelligence Program (GDIP) and National Reconnaissance Program (NRP). Given the events that have transpired since the Senate Select Committee on Intelligence marked up S. 1428, the committee believes that these proposed reductions must be viewed from a significantly changed perspective. The committee's particular concerns about a number of the proposed reductions to the budget request are reflected in the classified annex to this report.

The committee urges the conferees on the Intelligence Authorization Act for Fiscal Year 2002 to restore funding for these important GDIP and NRP programs that will support the war on terrorism and other critical defense intelligence activities.

Preparation and submittal of reports, reviews, studies and plans relating to Department of Defense intelligence activities

S. 1428, with its associated report (S. Rept. 107-63) and classified annex, contains numerous provisions requiring the preparation and submission of various reports, reviews, studies and plans concerning all facets of U.S. intelligence activities. Many of these reporting requirements include all, or elements of, Department of Defense intelligence-related activities over which the Senate Select Committee on Intelligence and Armed Services Committee share oversight. The committee believes that all relevant oversight committees should receive these important reports, and that the Department of Defense should be consulted in the conduct and preparation of such reports, reviews, studies and plans that involve Department of Defense intelligence-related activities. The committee proposes an amendment to S. 1428, as reported by the Senate Select Committee on Intelligence, that would clarify the requirement for consultation with appropriate defense officials and ensure that all relevant oversight committees are recipients of information on activities within their respective jurisdictions.

COMMITTEE ACTION

In accordance with the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, the committee approved a motion to report favorably to the Senate S. 1428, with amendments.

FISCAL DATA

The committee will publish in the Congressional Record information on five-year cost projections when such information is received from the Congressional Budget Office.

REGULATORY IMPACT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires that a report on the regulatory impact of a bill be included in the report on the bill. The committee finds that there is no regulatory impact in the cost of S. 1428.

CHANGES IN EXISTING LAW

Pursuant to the provisions of paragraph 12 of rule XXVI of the Standing Rules of the Senate, the changes in existing law made by certain portions of the bill have not been shown in this section of the report because, in the opinion of the Committee, it is necessary to dispense with showing such changes in order to expedite the business of the Senate and reduce the expenditure of funds.

