

(A) A comprehensive description of the review, including the findings of the Attorney General as a result of the review.

(B) An assessment of the efficacy and adequacy of current laws and regulations against the unauthorized disclosure of classified information, including whether or not modifications of such laws or regulations, or additional laws or regulations, are advisable in order to further protect against the unauthorized disclosure of such information.

(C) Any recommendations for legislative or administrative action that the Attorney General considers appropriate, including a proposed draft for any such action, and a comprehensive analysis of the Constitutional and legal ramifications of any such action.

(2) The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 308. MODIFICATION OF AUTHORITIES RELATING TO OFFICIAL IMMUNITY IN INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING.

(a) **CERTIFICATION REQUIRED FOR IMMUNITY.**—Subsection (a)(2) of section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2837; 22 U.S.C. 2291-4) is amended by striking “, before the interdiction occurs, has determined” and inserting “has, during the 12-month period ending on the date of the interdiction, certified to Congress”.

(b) **ANNUAL REPORTS.**—That section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **ANNUAL REPORTS.**—(1) Not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b) during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:

“(A) A list specifying each country for which a certification referred to in subsection (a)(2) was in effect for purposes of that subsection during any portion of such calendar year, including the nature of the illicit drug trafficking threat to each such country.

“(B) A detailed explanation of the procedures referred to in subsection (a)(2)(B) in effect for each country listed under subparagraph (A), including any training and other mechanisms in place to ensure adherence to such procedures.

“(C) A complete description of any assistance provided under subsection (b).

“(D) A summary description of the aircraft interception activity for which the United States Government provided any form of assistance under subsection (b).

“(2) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”.

SEC. 309. ONE-YEAR SUSPENSION OF REORGANIZATION OF DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

Notwithstanding any provision of subtitle B of title III of the Intelligence Authorization Act for Fiscal Year 2001 (Public Law 106-567; 114 Stat. 2843; 22 U.S.C. 7301 et seq.), relating to the reorganization of the Diplomatic Telecommunications Service Program Office, no provision of that subtitle shall be effective during the period beginning on the date of the enactment of this Act and ending on October 1, 2002.

SEC. 310. PRESIDENTIAL APPROVAL AND SUBMISSION TO CONGRESS OF NATIONAL COUNTERINTELLIGENCE STRATEGY AND NATIONAL THREAT IDENTIFICATION AND PRIORITIZATION ASSESSMENTS.

The National Counterintelligence Strategy, and each National Threat Identification and

Prioritization Assessment, produced under Presidential Decision Directive 75, dated December 28, 2000, entitled “U.S. Counterintelligence Effectiveness—Counterintelligence for the 21st Century”, including any modification of the Strategy or any such Assessment, shall be approved by the President, and shall be submitted to the appropriate committees of Congress.

SEC. 311. PREPARATION AND SUBMITTAL OF REPORTS, REVIEWS, STUDIES, AND PLANS RELATING TO DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES.

(a) **CONSULTATION IN PREPARATION.**—The Director of Central Intelligence shall ensure that any report, review, study, or plan required to be prepared or conducted by a provision of this Act, including a provision of the classified Schedule of Authorizations or a classified annex to this Act, that involves the intelligence or intelligence-related activities of the Department of Defense shall be prepared or conducted in consultation with the Secretary of Defense or an appropriate official of the Department designated by the Secretary for that purpose.

(b) **SUBMITTAL.**—Any report, review, study, or plan referred to in subsection (a) shall be submitted, in addition to any other committee of Congress specified for submittal in the provision concerned, to the following committees of Congress:

(1) The Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate.

(2) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 312. ALIEN TERRORIST REMOVAL PROCEEDINGS.

Section 504 of the Immigration and Nationality Act (8 U.S.C. 1534) is amended by adding the following subsection after subsection (k)—

“(l) No later than 3 months from the date of enactment of this Act, the Attorney General shall submit a report to Congress concerning the effect and efficacy of Alien Terrorist Removal proceedings, including the reasons why proceedings pursuant to this section have not been used by the Attorney General in the past, and the effect on the use of these proceedings after the enactment of the U.S.A. Patriot Act of 2001.”.

SEC. 313. TECHNICAL MODIFICATIONS.

The Director of Central Intelligence shall provide, prior to conference, any technical modifications to existing legal authorities needed to facilitate Intelligence Community counterterrorism efforts.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. ONE-YEAR EXTENSION OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY ACT.

Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4 note) is amended—

(1) in subsection (f), by striking “September 30, 2002” and inserting “September 30, 2003”; and

(2) in subsection (i), by striking “or 2002” and inserting “2002, or 2003”.

SEC. 402. MODIFICATIONS OF CENTRAL SERVICES PROGRAM.

(a) **ANNUAL AUDITS.**—Subsection (g)(1) of section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended—

(1) by striking “December 31” and inserting “January 31”; and

(2) by striking “conduct” and inserting “complete”.

(b) **PERMANENT AUTHORITY.**—Subsection (h) of that section is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(3) in paragraph (1), as so redesignated, by striking “paragraph (3)” and inserting “paragraph (2)”;

(4) in paragraph (2), as so redesignated, by striking “paragraph (2)” and inserting “paragraph (1)”.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent, as in executive session, that on Tuesday, November 13, at 2:15 p.m. the Senate proceed to executive session to consider Calendar No. 511, that the Senate vote immediately on confirmation of the nomination, that the President be immediately notified of the Senate's actions, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that request be modified—that the chairman and ranking member of the Judiciary Committee be given 15 minutes equally divided, and the vote occur at 2:30 rather than at 2:15.

The PRESIDING OFFICER. Is there objection?

Mr. McCAIN. Reserving the right to object, and I will not object, I have a question for the majority whip. I was told that it might be the intention to take up the Internet tax issue; is that correct or incorrect?

Mr. REID. That decision has not been made as yet.

Mr. McCAIN. I have no objection.

The PRESIDING OFFICER (Mr. BAYH). Without objection, it is so ordered.

The Senator from Nevada.

EXECUTIVE SESSION

NOMINATION OF TERRY L. WOOTEN TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nomination of Terry Wooten to be U.S. District Judge, that the Senate vote immediately on his confirmation, that the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I rise to express my strong support for the nomination of Terry Wooten to be a judge on the District Court for the