Senate Resolution 400, Ninety-Fourth Congress.

(2) In this section, the term ''congressional intelligence committees'' means—

(A) the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Select Committee on Intelligence of the Senate.

SEC. 510. TERMINATION.

(a) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under section 509(b).

(b) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 511. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated funds not to exceed $5,000,000 for purposes of the activities of the Commission under this Act.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

Mr. PUTNAM. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 8, as follows:

[Roll No. 288]

YEAS—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—8

Carter
Herseth
Lewis (GA)
Murphy
Sessions
Walden (OR)
Whitfield
Young (FL)

□ 1431

Mr. GENE GREEN of Texas changed his vote from ''yea'' to ''nay.''

Mr. GILLMOR and Mr. ISTOOK changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYES). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF MEMBERS TO ATTEND FUNERAL OF THE HON. ''JAKE'' PICKLE

(Mr. THOMAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, the gentleman from New York (Mr. RANGEL) and I are in the process of putting together the potential list for flying to the Jake Pickle funeral tomorrow at 4 p.m. It is very short notice, and it will be an imposition on the funeral site. We are in contact now.

What we need to know are how many Members, beyond the Texas delegation and the Committee on Ways and Means, have a very strong interest in attending the Jake Pickle funeral? We would leave with ample time to get there prior to the 4 p.m. funeral time, and then we would immediately return. Any Member who has an interest, would they call the Committee on Ways and Means and ask for Allison Giles, 53630. We need to pull together an approximate number of Members who have a strong interest in attending the Jake Pickle funeral.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HOEKSTRA. Mr. Speaker, pursuant to House Resolution 331, I call up the bill (H.R. 2475) to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government,

the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes and ask for its immediate consideration.

The SPEAKER pro tempore. Pursuant to House Resolution 331, the bill is considered read for amendment.

The text of H.R. 2475 is as follows:

H. R. 2475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2006''.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Department of State.

(8) The Department of the Treasury.

(9) The Department of Energy.

(10) The Department of Justice.

(11) The Federal Bureau of Investigation.

(12) The National Reconnaissance Office.

(13) The National Geospatial-Intelligence Agency.

(14) The Coast Guard.

(15) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2006, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. _____ of the One Hundred Ninth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2006 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify promptly the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2006 the sum of $_____. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2007.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized ____ full-time personnel as of September 30, 2006. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2006 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2007.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2006, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2006 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of National Intelligence.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2006 the sum of $_____.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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 the laws of the United States.

The SPEAKER pro tempore. The committee amendment in the nature of a substitute printed in the bill, modified by the amendment printed in Part A of House Report 109–141, is adopted.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H. R. 2475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2006''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Authority of the Director of National Intelligence to assign individuals to United States missions in foreign countries to coordinate and direct intelligence and intelligence-related activities conducted in that country.

Sec. 304. Clarification of delegation of transfer or reprogramming authority.

Sec. 305. Approval of personnel transfer for new national intelligence centers.

Sec. 306. Additional duties for the Director of Science and Technology.

Sec. 307. Comprehensive inventory of special access programs.

Sec. 308. Sense of Congress on budget execution authority procedures.

Sec. 309. Sense of Congress with respect to multi-level security clearances.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Clarification of role of the Director of Central Intelligence Agency as head of human intelligence collection.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2006 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Department of State.

(8) The Department of the Treasury.

(9) The Department of Energy.

(10) The Department of Justice.

(11) The Federal Bureau of Investigation.

(12) The National Reconnaissance Office.

(13) The National Geospatial-Intelligence Agency.

(14) The Coast Guard.

(15) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to

be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2006, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 2475 of the One Hundred Ninth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2006 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify promptly the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2006 the sum of $446,144,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2007.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 817 full-time personnel as of September 30, 2006. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2006 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2007.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2006, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2006 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of National Intelligence.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2006 the sum of $244,600,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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 the laws of the United States.

SEC. 304. CLARIFICATION OF DELEGATION OF TRANSFER OR REPROGRAMMING AUTHORITY.

Paragraph (5)(B) of section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)), as added by section 1011(a) of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458; 118 Stat. 3643), is amended by striking ''or agency involved'' in the second sentence and inserting ''involved or the Director of the Central Intelligence Agency (in the case of the Central Intelligence Agency)''.

SEC. 306. ADDITIONAL DUTIES FOR THE DIRECTOR OF SCIENCE AND TECHNOLOGY.

(a) COORDINATION AND PRIORITIZATION OF RESEARCH CONDUCTED BY ELEMENTS OF THE INTELLIGENCE COMMUNITY.—Subsection (d) of section 103E of the National Security Act of 1947 (50 U.S.C. 403–3e), as added by section 1011(a) of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458; 118 Stat. 3643), is amended—

(1) by inserting ''and prioritize'' after ''coordinate'' in paragraph (3)(A); and

(2) by adding at the end the following new paragraph:

''(4) In carrying out paragraph (3)(A), the Committee shall identify basic, advanced, and applied research programs to be carried out by elements of the intelligence community.''.

(b) DEVELOPMENT OF TECHNOLOGY GOALS.—Section 103E of such Act (50 U.S.C. 403–3e), as so added, is amended—

(1) in subsection (c)—

(A) by striking ''and'' at the end of paragraph (4);

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

''(5) assist the Director in establishing goals for the elements of the intelligence community to meet the technology needs of the community; and''; and

(2) by adding at the end the following new subsection:

''(e) GOALS FOR TECHNOLOGY NEEDS OF THE INTELLIGENCE COMMUNITY.—In carrying out subsection (c)(5), the Director of Science and Technology shall—

''(1) perform systematic identification and assessment of the most significant intelligence challenges that require technical solutions; and

''(2) examine options to enhance the responsiveness of research and design programs to meet the requirements of the intelligence community for timely support.''.

(c) REPORT.—Not later than June 30, 2006, the Director of National Intelligence shall submit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2021. Such report may be submitted in classified form and shall include—

(1) an assessment of the highest priority intelligence gaps across the intelligence community that may be resolved by the use of technology;

(2) goals for advanced research and development and a strategy to achieve such goals;

(3) an explanation of how each advanced research and development project funded under the National Intelligence Program addresses an identified intelligence gap;

(4) a list of all current and projected research and development projects by research type (basic, advanced, or applied) with estimated funding levels, estimated initiation dates, and estimated completion dates; and

(5) a plan to incorporate technology from research and development projects into National Intelligence Program acquisition programs.

SEC. 307. COMPREHENSIVE INVENTORY OF SPECIAL ACCESS PROGRAMS.

Not later than January 15, 2006, the Director of National Intelligence shall submit to the congressional intelligence committees (as defined in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7))) a classified report providing a comprehensive inventory of all special access programs under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 401a(6))).

SEC. 308. SENSE OF CONGRESS ON BUDGET EXECUTION AUTHORITY PROCEDURES.

It is the sense of Congress that the Director of National Intelligence should expeditiously establish the necessary budgetary processes and procedures with the heads of the departments containing agencies or organizations within the intelligence community, and the heads of such agencies and organizations, in order to—

(1) implement the budget execution authorities provided under, and submit the reports to Congress required by, subsection (c) of section 102A of the National Security Act of 1947 (50 U.S.C. 403–1), as amended by section 1011(a) of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458; 118 Stat. 3643); and

(2) carry out the duties and authorities of the Director of National Intelligence with respect to the transfer and reprogramming of funds under the National Intelligence Program under subsection (d) of such section, as so amended.

SEC. 309. SENSE OF CONGRESS WITH RESPECT TO MULTI-LEVEL SECURITY CLEARANCES.

It is the sense of Congress that the Director of National Intelligence should promptly establish and oversee the implementation of a multi-level security clearance system across the intelligence community to leverage the cultural and linguistic skills of subject matter experts and individuals proficient in foreign languages critical to national security.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in the report, if offered by the gentlewoman from New York (Mrs. MALONEY), or her designee, which shall be considered read, and shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. HARMAN) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in strong support of H.R. 2475, the Intelligence Authorization Act for Fiscal Year 2006. This is a very good bill, a bill we can be very

proud of, and a bill that every Member of the House can and should support.

Before I talk about some of the details in the bill, I would like to recognize the gentlewoman from California (Ms. HARMAN). We have worked hard on the Permanent Select Committee on Intelligence to keep this committee focused on the job that needs to be done and to do so on a bipartisan basis, and I thank the gentlewoman for working with us in that process and being able to maintain that spirit as we bring this bill to the floor on a bipartisan basis. I also thank her staff and our staff for helping us through this process in bringing this bill here today.

Mr. Speaker, 3 years ago when he was chairman of the Permanent Select Committee on Intelligence, Porter Goss, now director of the Central Intelligence Agency, asked me to take a strategic look at the technical capabilities within the United States intelligence community. He wanted me to see how the technical intelligence collection systems all work together, evaluate their individual contributions to national security, and see if there were redundancies to understand the affordability of the many systems and, most importantly, understand the impacts on the rest of the intelligence community.

What Mr. Goss really asked us to do was to go back, and we have expanded that in the committee over the past 8 or 9 months, to take a look at the strategic framework that we face in the world today and how we should respond to the threats. So we spent a considerable amount of time looking at the threats that America faces: What is the threat environment that is out there today; what do we expect it to be in 3, 5 and 7 years, so we can shape the proper intelligence community to give our policymakers and our military the right information to make good decisions and keep our soldiers safe?

We have then taken that to take a look at the feedback we have gotten from the 9/11 Commission, the feedback we have gotten from the WMD Commission as to the particular strengths within the intelligence community and also some of the particular weaknesses.

So as we put this bill together, we really focused on making sure that we had a good balance between our human capabilities, the investment we were making in our human capabilities for the long term, and the investment we were making in our technical capabilities. This bill does that by investing more in our human capabilities.

On the technical capabilities, it takes a very, very hard look at the different programs that we have in place there. It makes sure that what we do is put in place programs that will complement each other, give us the information that we need, and hopefully put us on a framework and on a pathway to balancing human capabilities with our technical capabilities.

Also in that area, this bill moves forward and holds some of our contractors accountable for their performance. This is an area where tactically we may disagree on some of the points on how to make that happen, but we are very much in sync on a bipartisan basis that we need a strategic plan and we need to have our contractors perform. It will also lay the framework for a discussion we will have throughout this year about how to make sure that in a time where we have limited budgets and limited programs underway, that we maintain the industrial base here in the United States.

So there are a lot of things that we do in this bill to make sure that we have got the balance and are moving in the right direction on our technical capabilities.

Another key element of this bill is we have heard consistently from our field personnel and others within the intelligence community, especially those involved in the counterterrorism effort, that we cannot fund counterterrorism on an ad hoc basis. So what we did in this bill is we have authorized the majority of the dollars that we believe will be needed to build our intelligence capability and to fund the war on terrorism.

We think it is important to send to the intelligence community a clear signal of how much money they are going to have so they can do the appropriate planning and the ramping up of resources in the waging of this global war on terrorism.

As I said at the beginning of my statement, we have done this on a bipartisan basis. We have taken a strategic look at what the intelligence community, where it needs to be and where it needs to go. We are going to continue working in that effort. I think as Members see through the debate, we have made a lot of progress and there is more work to do.

Mr. Speaker, I reserve the balance of my time.

Ms. HARMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of H.R. 2475, the strongest intelligence authorization bill to emerge from the Permanent Select Committee on Intelligence in recent memory. Without the funding authorized in this bill, the brave men and women of the intelligence community would not be able to do their jobs which are so vital to the defense of our country. I and many other members of the committee have visited these intelligence professionals in some of the most austere places of the world, and they deserve our gratitude and support.

I appreciate the comments of the gentleman from Michigan (Mr. HOEKSTRA) and thank him and all of the members and staff of our hardworking committee for their bipartisanship and patriotism. As one of our members, the gentleman from Maryland (Mr. RUPPERSBERGER) often says, we put America first.

Our members have made a difference. In April 2004, all nine Democrats on the Intelligence Committee introduced legislation that became the basis for the 9/11 Commission's Report and the intelligence reform legislation passed by Congress last fall. That reform dramatically reshaped our intelligence community, unifying 15 agencies under the leadership of a director of National Intelligence.

This year's intelligence authorization bill authorizes funds for that new office. The DNI must succeed in his job and he deserves our support. He is responsible for ensuring that intelligence is timely, accurate and actionable. To do this, he needs authority to build and execute budgets and move personnel. So I am pleased that we removed a provision in this bill that would have severely eroded the DNI's authority to move personnel around the intelligence community.

Mr. Speaker, in the fight against terrorists, intelligence is the tip of the spear. Some see this fight as a traditional war, requiring wartime emergency budgets and wartime authorities for the President. That may have been the right approach immediately after 9/11. We fought a war in Afghanistan and achieved an impressive victory.

But the terrorist threat has changed. Today we no longer face a centralized top-down terrorist organization operating out of one country. We face a network of loosely affiliated terrorist groups which operate as franchises around the world, and that is why I believe we are living in an era of terror.

This legislation does some good things to help us achieve victory in an era of terror.

First, it ends our reliance on emergency supplemental budgets for counterterrorism. The budget the President sent to Congress this year funded less than 40 percent of the intelligence community counterterrorism requirements, leaving the rest for emergency supplementals. This bill changes that on a bipartisan basis, and we fund 100 percent of CT requirements.

Second, this legislation incorporates a resolution introduced by all nine Democrats, urging the new DNI to establish a multi-tiered security clearance system to allow patriotic Americans with relatives in foreign countries to obtain security clearances and serve our Nation. It is high time we do this. This will help with field officers who can speak the languages and blend in with terrorist groups, penetrate proliferation networks, and recruit spies against the toughest targets.

□ 1445

Victory in an era of terror will not be achieved by military might alone, Mr. Speaker. Victory will require America to win the argument for the hearts and minds of the next generation in the Arab and Muslim world. I fear that we are presently losing that argument.

The ongoing revelations about abuses at Guantanamo Bay and elsewhere undermine our ability to maintain the moral high ground and be seen as a beacon of democracy and human

rights. I am encouraged that our committee's new oversight subcommittee is investigating abuses that have occurred in our interrogation and detention programs within the intelligence community. This is a serious bipartisan investigation. But I also support a broader public bipartisan inquiry into detention policies across the government so that our efforts to fight the terrorists do not become a moral black eye for America that undermines our security.

One area where this legislation can be improved, Mr. Speaker, is in its approach to technical systems. The details of these systems are classified and cannot be discussed openly. But I am concerned that we have made sudden, drastic cuts to certain programs that may lead to a gap in our intelligence capabilities and erode the industrial base needed to develop critical capabilities in the future. I am pleased that the chairman is committed to addressing this problem with me as the bill moves to conference.

Overall, Mr. Speaker, this is strong legislation that puts us on the right track to achieve victory in an era of terror. There is more, much more, we must do and we will. The brave men and women of the intelligence community deserve nothing less.

Mr. Speaker, I reserve the balance of my time.

Mr. HOEKSTRA. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. RENZI), a member of the committee.

Mr. RENZI. Mr. Speaker, I rise in support of H.R. 2475. As a member of the Permanent Select Committee on Intelligence from Arizona, securing our borders has become one of our top priorities. Intelligence and border security go hand in hand as America strengthens and secures its borders, particularly in the Southwest. This bill funds activities necessary to keep America safe and, under the gentleman from Michigan's leadership, for the first time this bill helps to provide our Nation with actionable intelligence when it comes to border security.

This legislation addresses the critical need for enhanced counternarcotics and counterterrorism collection and analysis throughout Mexico and Central and South America. It provides full funding to the director of National Intelligence to develop and implement a comprehensive intelligence collection strategy to help stem the illegal flow of drugs, contraband and special interest aliens. In addition, this bill authorizes the necessary funds to provide the intelligence community the resources required to fulfill the intelligence operations in Iraq and other pressing intelligence missions around the globe. The bill increases the funding over last year that provides additional personnel billets for linguists, analysts and human collection, invests in new facilities and training opportunities, and develops innovative technical tools.

In line with the President's priorities, this legislation significantly enhances our global human intelligence collection capabilities. Human intelligence requires boots on the ground across the globe and those boots need linguistic skills, in-depth cultural and tradecraft training, technical tools and a dedicated support staff to be successful. H.R. 2475 provides both the people and the infrastructure to expand and improve U.S. human intelligence collection in regions around the world.

Experts estimate that almost 100 foreign entities, including both state and nonstate actors, actively engage in espionage against the United States. H.R. 2475 significantly reduces these threats and improves our counterintelligence activities. Intelligence is our first line of defense. Actionable intelligence saves lives and determines battlefield victory. I ask my colleagues to support this bipartisan bill and help reduce the threat and make America more secure.

Ms. HARMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL) who is ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, a mouthful that we call HACI.

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, I do rise in support of H.R. 2475. It may not be a perfect bill, but there are many, many good things in it. I am very pleased that the bill before us today no longer includes a provision that would have undermined the authorities of Ambassador Negroponte, the newly appointed director of National Intelligence. My colleagues and I put a lot of effort into passing an intelligence reform bill last year as was just discussed. We worked hard on giving the director of National Intelligence all the authorities he needed to make the intelligence community function as a community, including the authority to transfer people to new intelligence centers if and as needed. To tie Ambassador Negroponte's hands before his organization has been stood up, it did not seem like a smart thing to do. I would not have supported this bill had the provision limiting the DNI's personnel transfer authorities not been taken out of the bill.

I thank the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. HARMAN) for their efforts to remove this provision and I thank 9/11 Commission chairmen, Governor Tom Kean and Congressman Lee Hamilton, for clearly stating their opposition to it. I look forward to us addressing the other recommendations by the Commission. It is also my belief that the DNI has to control the money to be able to fulfill his charge of responsibility.

I am pleased that this year's authorization bill also fixes the number one issue my colleagues and I raised last year, full funding for counterterrorism operations. H.R. 2475 authorizes full funding for the intelligence community's counterterrorism operations this year. That should remove impediments to the intelligence community's ability to plan their operations. Maybe this will be the year we are able to hunt down Osama bin Laden. I certainly hope so, and I know we all feel that way. The world will be better off once he is taken care of.

Again, I thank the gentleman from Michigan and the gentlewoman from California for leading the Intelligence Committee in a bipartisan fashion. National security must be a bipartisan issue and that is the direction the committee is returning to.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON), the chairwoman of the Subcommittee on Technical and Tactical Intelligence.

Mrs. WILSON of New Mexico. Mr. Speaker, I thank the gentleman for bringing forward this bill and I want to thank the ranking member as well for making this a bipartisan bill and working together. I think a lot of credit also goes to our very capable staff who have worked very hard and very professionally to pull together a very good piece of work.

The technical and tactical subcommittee has been very active over the last 5 months looking at our intelligence systems as they relate to the military and also the high-cost technical collection programs that our Nation relies on. The members of that committee have given their personal time and traveled in many instances across the country, and I wanted to thank the members of the subcommittee and particularly the gentlewoman from California (Ms. ESHOO) for working very hard in this area. We have tried to understand what works, what is not working, do a detailed review of some of these very expensive programs, looking at what complements each other, where the gaps are, where the overlaps are, so that we can improve our intelligence capability and make sure that we are using every dollar wisely.

This bill makes several very important changes in direction in our intelligence community. We have found that research and development is underfunded pretty much across the entire intelligence community and it is poorly coordinated, both in pathfinding research and in incremental research in our current capabilities.

There are several large programs that are significantly off track which causes a draining of funds away from other intelligence priorities. We will not give contractors blank checks to cover cost, schedule, and performance problems that they have failed to manage. We have to control this budget because cost overruns compromise other intelligence programs and put us as Members of Congress in the difficult position of managing different risks.

This bill strengthens human intelligence. It strengthens our analytical

capability. It strengthens translation and language capability. And we insist that systems have to include plans to task sensors, exploit the bits and bytes that come out of sensors, and disseminate information to people who need it. If you do not have that, what you really have is a science experiment, not an intelligence capability. In short, we have come forward with an integrated strategic approach to the purchase of high-cost technologies.

We have much work yet to do to win the war on terrorism. When we win it, it will be because of two things: the bravery of our soldiers and the superiority of American intelligence. I thank the gentleman for bringing this bill forward. I look forward to voting for it.

Ms. HARMAN. Mr. Speaker, the new news on our committee is that we have stood up an oversight subcommittee. Much discussion has been made about this already today.

It is my pleasure to yield 2 minutes to the gentleman from Alabama (Mr. CRAMER) who is ranking member of the intelligence oversight subcommittee.

Mr. CRAMER. Mr. Speaker, I thank the ranking member, I thank the chairman, I thank the staff of both sides of the aisle. I stand in enthusiastic and strong support of H.R. 2475. This bill addresses several issues of great concern to the members of the committee and, in fact, to all Americans. These issues were first raised or detailed by several blue ribbon commissions that reviewed the performance of the intelligence community after 9/11 and by the Congress in the intelligence reform bill that was passed last year.

This bill invests in an analytical initiative that draws on expertise resident at three centers: the Missile and Space Intelligence Center in Huntsville, Alabama; the National Air and Space Intelligence Center in Dayton, Ohio; and at the National Ground Intelligence Center in Charlottesville, Virginia. These centers will collaboratively assess the vulnerabilities of aircraft to foreign missiles and other airborne threats and will develop countermeasures to protect commercial aircraft at home and protect military aircraft for our troops in Iraq and Afghanistan. The bill provides for much needed upgrades to information networks in these centers, allowing them to eliminate possible information gaps and to integrate stovepiped information. As recommended by the WMD Commission, this will ensure that analysts and operators have the information they need when they need it.

Last year's intelligence legislation significantly reformed the intelligence community. Real reform, however, requires accountability and oversight. I want to thank the chairman and the ranking member. This year, we have set up, and the gentleman from Texas (Mr. THORNBERRY) is here and I assume is going to speak in a few minutes as well, this oversight subcommittee. This oversight subcommittee has been working just as it should work. I am encouraged by our efforts to date to provide meaningful congressional oversight of the entire intelligence community. We have initiated in-depth reviews of intelligence community interrogation and detention operations, and we are actively pursuing answers to tough questions. We are also monitoring the standup of the new DNI, ensuring that the intelligence community implements the changes specified in the legislation.

Again, I thank the chairman, I thank the ranking member. We are off to a fine start and this is an excellent bill. The Members should support it.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), the chairman of the Subcommittee on Oversight who has been working very effectively with the gentleman from Alabama (Mr. CRAMER) to do the work that an oversight subcommittee is expected to do.

Mr. THORNBERRY. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of this bill. I also rise in appreciation for the work that the chairman and the ranking member have done in this bill and in fulfilling Congress' role vis-a-vis the intelligence agencies in general. Further, I appreciate my partner on the oversight subcommittee, the gentleman from Alabama (Mr. CRAMER), and all that he means to this joint effort.

Mr. Speaker, the members of this committee are serious, hardworking, knowledgeable, committed members. So much of what we do on the Intelligence Committee is done behind closed doors. That can be an advantage and a disadvantage. It is an advantage, in a sense, not to do work in front of the television cameras and without press releases and without all the partisanship that sometimes attends some of what we do in Congress. It can be a disadvantage because we cannot talk with our constituents or even many of our colleagues about what we do. The only reason to be on this committee is to contribute to the national security of the country, and I believe that all members on both sides of the aisle in fact do that.

At the beginning of this Congress, the chairman and the ranking member decided to create an oversight subcommittee. It became clear from the report of the 9/11 Commission, from the Rob Silverman Commission on Weapons of Mass Destruction, in fact, a host of other studies and reports, some even before the attacks of September 11, 2001, that Congress has to do its job.

□ 1500

It is not enough just to say that the executive branch needs to change the way it does its work in the post-Cold War world. We have to do our job as well, and we should expect more of ourselves.

One of the things we have done differently is to create this oversight subcommittee to, as I mentioned a few moments ago, have greater depth but also greater persistence in our oversight of key intelligence issues. The rules of the full Permanent Select Committee on Intelligence give us our mandate this year, which include oversight of the intelligence reform bill that Congress passed last fall. It gives specific emphasis on items for oversight that include community-wide information-sharing, leaks of classified information, analysis and information-assuring technologies, as well as audits and investigation and tracking congressionally directed actions.

That is our mandate and it is a full plate, but members on both sides of the aisle are going about that agenda working in not just a bipartisan but really nonpartisan way.

And, in addition, I think Members on both sides agree with the Robb-Silberman panel when they suggest that we should have these oversight subcommittees, but we should not just hop around following newspaper articles and doing our efforts, that we ought to have strategic oversight. In fact, they say on page 338 of their commission report: ''We suggest that . . . the oversight committees limit their activities to 'strategic oversight,' meaning they would set an agenda at the start of the year or session of Congress, based on top priorities, such as information sharing, and stick to that agenda.''

That is exactly what the gentleman from Alabama (Mr. CRAMER) and I are attempting to do: to be tough but fair, to not be apologists for the administration but not to be bashers of the administration, to try to pursue the national security interests of the country as it relates to intelligence oversight. That is the way serious oversight is done, and I look forward to continuing to work from that perspective.

Ms. HARMAN. Madam Speaker, my home State of California produces many of the platforms and systems that give us the technical edge in intelligence, and I yield 2½ minutes to the gentlewoman from California (Ms. ESHOO), my California friend, ranking member of the Technical and Tactical Intelligence Subcommittee of the Permanent Select Committee on Intelligence.

Ms. ESHOO. Madam Speaker, first I would like to thank the gentlewoman from California (Ms. HARMAN), our distinguished ranking member, for her exceptional leadership on the committee; certainly to the gentleman from Michigan (Chairman Hoekstra) for the tone that he has brought to the committee. I think it is much improved, and I think it is a result of the bipartisanship that we have enjoyed since the chairman has arrived that we see it in this piece of legislation which I am proud to support.

I am especially pleased to see the multilevel security clearance legislation introduced in March by committee Democrats, my colleagues that I am so

proud of, that is in this bill. This provision will help the intelligence community leverage the cultural and linguistic skills of a broader candidate pool, which is so important to our intelligence community.

During the markup of this bill, I offered an amendment requiring inspectors general at the Defense and State Departments, the CIA, and the DNI inspector general to establish telephone hotlines for intelligence professionals to report complaints if they believe policymakers are attempting to unduly or improperly influence them. I think that it is an important effort because there is a question mark in the mind of the American people on this very subject.

As a result, the chairman agreed to include language in this bill about the need to ensure ombudsmen in these agencies to fulfill their role to protect analysts and other professionals within the intelligence community. The committee made a commitment to perform effective oversight in this matter; so I withdraw my amendment, and I thank the chairman for that effort.

As the ranking member of the Technical and Tactical Intelligence Subcommittee, I am concerned that this bill reduces or eliminates funding for several key programs in the administration's request without full justification. Missing is an in-depth consideration of the effect that funding reductions will have on the overall intelligence architecture, the viability of our industrial base, which is essential. Once that disassembles, we cannot put Humpty Dumpty back together again, as well as overarching national security requirements. I hope the DNI and the Secretary of Defense will conduct a comprehensive review and explain the strategic linkages between collection requirements, capabilities, and developing programs. This review would better support future funding deliberations and decisions by the committee. It is very important that that be done.

In closing, I want to express one of my deep concerns, and I know that it is the concern that many of my colleagues share, and that is the continuing reports of torture and other abuses of detainees. From Abu Ghraib to Guantanamo Bay, the mounting revelations have become more than an embarrassment to our country. They are a liability to our deployed servicemembers. If, in fact, the Congress and its committees of jurisdiction fail to fully investigate, I support a special commission to do so. We have to have a full accounting for the American people and have the determination to seek that.

So, in closing, I want to thank my colleagues, the chairman, certainly our ranking member, all of my colleagues on the committee, and most especially a superb and dedicated staff. I salute them. I respect them for the work that they have done certainly on both sides of the aisle.

Mr. HOEKSTRA. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. MCHUGH), a new member of the committee, a very valuable member, and also a member of the House Committee on Armed Services.

Mr. MCHUGH. Madam Speaker, I thank the chairman for yielding me this time.

Madam Speaker, I rise in strong support of this legislation, H.R. 2475. As the distinguished chairman so graciously recognized, I am one of the newer members of this committee; and I must say in that respect, I am enormously impressed by the bipartisan attitude that all the members bring to this very important issue, that of national security and its interface with our intelligence communities. That is a tribute to all of the members, Democrat and Republican alike, but I think it is a particular tribute to the distinguished gentleman from Michigan (Chairman HOEKSTRA) and also the gentlewoman from California (Ms. HARMAN), ranking member, who have worked so well together and provided that leadership of bipartisanship.

The chairman noted, Madam Speaker, that I am a member of the House Committee on Armed Services, and in that capacity I have the honor of serving as chairman of the Military Personnel Subcommittee; and as such, I have been particularly interested in programs that aid the warfighter, those brave men and women who are putting their lives on the line each and every day for our freedoms and for our interests. And I am pleased to report that this legislation contains very important increases in funding for military intelligence programs.

In particular, H.R. 2475 includes significant increases in funding for operations in Iraq, Afghanistan, for the global war on terrorism, and thereby decreases the reliance on supplemental budgeting. Budgeting by supplemental, at least in my opinion, Madam Speaker, is inefficient; and it hinders the effective planning of our intelligence operations. And this bill very importantly takes a major step away from reliance on those supplementals and seeks to provide full funding to fight terrorism and for intelligence operations in Iraq.

There is also increased funding for critical initiatives such as foreign language training for our troops in the field and for greater numbers of defense intelligence analysts. This intelligence authorization bill builds upon actions already taken by the House Committee on Armed Services dictating a career path for military linguists, and we should be very proud of this initiative in these regards.

The net result, Madam Speaker, is that our intelligence personnel and our military will be better trained and equipped to perform their invaluable missions. These are important steps, and they have been taken with the necessary consultation with the Committee on Armed Services. And I am happy to report that the Permanent Select Committee on Intelligence has worked very closely with the gentleman from California (Chairman HUNTER), with the gentleman from Missouri (Mr. SKELTON), distinguished ranking member, with respect to our authorizations. And I would certainly argue that they complement one another very closely. To the extent that there are differences, and I think differences are and will continue to be inevitable, I know all of us on both sides of the aisle and in both committees will work to constructively breach those differences and bring about agreements on remaining issues as the authorization process continues.

So I urge unanimous support of this very fine piece of legislation.

Ms. HARMAN. Madam Speaker, I now yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), ranking member on the Intelligence Policy Subcommittee.

Mr. HOLT. Madam Speaker, I thank the gentlewoman from California for yielding me this time, and I also thank the chairman and the staff for putting together in a congenial atmosphere a good bill.

There are some good features to the bill, and I am pleased that it gives the new Director of National Intelligence the authority and resources necessary for him to succeed, and I am also satisfied that the bill gives the intelligence community 100 percent of the funds that it needs for counterterrorism programs. I am encouraged by the bill's emphasis on human intelligence and the recommendation to create a multilevel security clearance system that will allow the intelligence community to harness the power of America's diversity.

More must be done, however, to encourage the use of open source, or public, information. Last year we gave the intelligence community an urging to increase its collection, analysis, and use of open-source information. And I look forward to working with the DNI to move these efforts forward.

I am also pleased that the bill advances our foreign language training efforts within the intelligence community, and I will continue to work with my colleagues to strengthen our language capabilities throughout the Federal Government.

I do want to express serious concern about a couple of matters. First, the administration's recommendations to close or realign military bases has the potential to disrupt vital intelligence expertise. Bases like Fort Monmouth, in my home State of New Jersey, play critical intelligence roles that have not been taken fully into account in the process. I would like to thank the chairman and ranking member for urging the Director of National Intelligence to evaluate the effect of base realignment on our Nation's intelligence capabilities, and I will include their letter at this point in the RECORD.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, May 26, 2005.

Ambassador JOHN NEGROPONTE,

Director of National Intelligence, New Executive Office Building, Washington, DC.

DEAR AMBASSADOR NEGROPONTE: During the markup of the Fiscal Year 2006 Intelligence Authorization bill, Members of the Committee raised questions about the potential impacts that the Defense Department's Base Realignment and Closure (BRAC) Commission recommendations could have on the nation's intelligence capabilities. The Members believe strongly that such impacts should be factored into the final decision process.

Many intelligence programs, for example, are dependent on subject matter experts made up of military personnel, government civilians, and contractors. These people form the analytic depth and breadth of the Intelligence Community, as well as much of the core of its engineering, scientific and technical expertise. Based on past BRAC experiences, we can logically assume that many of the intelligence personnel that would be affected by the latest recommendations could refuse to uproot their families and relocate. The Intelligence Community depends on this intellectual capital, and we should well understand how the resulting loss of these people would affect intelligence activities and, thereby, the nation's security.

The BRAC recommendations could affect the nation's intelligence capabilities in many other ways. Accordingly, we want to ensure that these intelligence-related impacts be considered in the deliberations that result in the final BRAC decisions. We believe that your position as the Director of National Intelligence puts you in a unique position to best understand and, accordingly, respond to these potential impacts.

Therefore, we ask you to evaluate the affects of base realignment and closure on the nation's intelligence capabilities. We further ask that you provide the Committee with the results of your review no later than the date that the President provides his final approval and certification of the BRAC report to the Congress.

Sincerely,

PETER HOEKSTRA,
Chairman.

JANE HARMAN,
Ranking Member.

Madam Speaker, I also express my deep disappointment with the decision of the Committee on Rules to disallow a moderate and reasonable amendment by the gentleman from California (Mr. WAXMAN) that would have mandated the creation of a 9/11-style commission to investigate how the executive branch has handled detainees. We need that investigation, and we can do some of it within the committee; but we do need a public 9/11-style commission.

Madam Speaker, I support this bill, and I urge my colleagues to support it as well.

Mr. HOEKSTRA. Madam Speaker, I reserve the balance of my time.

Ms. HARMAN. Madam Speaker, I served for 6 years on the Committee on Armed Services and came to admire greatly our next speaker.

Madam Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON), ranking member.

Mr. SKELTON. Madam Speaker, I certainly thank the gentlewoman for yielding me this time. She is doing such a superb job on the Permanent Select Committee on Intelligence. We thank her for her efforts, along with the chairman as well.

Let me say I rise in support of this intelligence authorization bill. In doing so, I want to make a few observations about the state of our national intelligence capabilities, as well as some comments about the bill.

Within the span of 2 years, the United States had two very obvious and public examples of intelligence failures: the September 11, 2001, terrorist attacks; and the completely incorrect conclusions reached about Iraq's weapons of mass destruction programs. These and other failures have been recognized by both the 9/11 Commission and the Robb-Silberman Commission on Weapons of Mass Destruction.

Last year's intelligence reform bill was an important first step in rectifying deficiencies in our intelligence capabilities. I believe intelligence is the tip of the spear. It is the tip of the spear in helping our warfighters. The new Director of National Intelligence represents an important benchmark in the creation of a Goldwater-Nichols-like structure for our intelligence community.

The Goldwater-Nichols law, as we all know, altered command relationships among our military services in such a way that has fostered joint operations and enabled our military to become the very best in the world.

□ 1515

I am optimistic that the new director of Intelligence will be able to unify the group of disparate intelligence organizations that comprise the intelligence community to produce better capability, communication, and inoperability than has been the case in the past. I am also pleased that the gentleman from California (Chairman HUNTER) and the gentleman from Michigan (Chairman Hoekstra) have been able to resolve their differences over the transfer of personnel who perform intelligence functions.

While the establishment of the director of National Intelligence is an important step, I believe much more remains to be done if we are to really improve our intelligence capability. First, I think Congress needs to do a better job of overseeing our intelligence operations than it has in the past. My own view is that some of our intelligence failures could have been avoided with vigorous congressional oversight.

Second, we need to aggressively follow up on the 9/11 Commission's recommendations.

We need to expand our efforts to secure international stores of nuclear materials, particularly in the nations ofthe former Soviet Union. Governor Kean, co-chair of the 9/11 Commission, recently said there is no greater danger to our country than a terrorist group acquiring these materials. I want to echo his concern that we must be sensitive to the fact that intelligence activities can sometimes intrude upon the lives of Americans. In a free society, we must have checks and balances. I think we need to appoint a Federal civil liberties board to prevent and redress constitutional abuses by intelligence and law enforcement agencies. Although last year's law created a civil liberties board, the administration has yet to name any members to the board, something that is long overdue.

Madam Speaker, this is a good bill I believe members should support. I commend the gentleman from Michigan, Chairman HOEKSTRA, and the gentlewoman from California, Ranking Member HARMAN, for a job well done.

Mr. HOEKSTRA. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER), the chairman of the House Committee on Armed Services, and our partner in making sure that we have a solid and strong intelligence community as well as the best fighting forces, the best military in the world.

Mr. HUNTER. Madam Speaker, I want to thank the chairman for his kind words. It is appropriate that I follow the ranking member of the Committee on Armed Services, the distinguished gentleman from Missouri and his remarks, because he talked about Goldwater-Nichols, and Goldwater-Nichols did drive jointness in the military.

Another thing that Goldwater-Nichols did, and it was primarily as a result of the debacle in Lebanon with the marines, is to drive what was known as the chain of command rule, meaning that when you had a combatant commander, formerly known as a CINC, that combatant commander was in charge of everything in that warfighting theater, whether it was a rivet joint aircraft or a soldier or a marine, special operator, or a tactical intelligence gatherer in that area. That was a major issue that we had to work on, and we had to build a seam and a protection for the chain of command and, at the same time, afford to the national intelligence gatherers the resources and the opportunity to carry out their mission.

I think that the bill, the 9/11 bill did a pretty good job of that, and I want to commend the gentleman from Michigan (Chairman HOEKSTRA) and the gentlewoman from California (Ranking Member HARMAN) for their participation in working that. My good colleague, the gentleman from Missouri (Mr. SKELTON) and I really look forward to Mr. Negroponte getting off to the right start. He is a guy with a lot of good judgment, great experience in very difficult and inconvenient and dangerous missions, in my estimation, and I think that is probably a requisite for this job.

I want to thank the gentleman from Michigan (Mr. HOEKSTRA) also, because there were a couple of provisions in this bill that we thought had a chain of command problem, and he looked at those and worked on them and took them out in the rule, and I want to let

him know I appreciate that. That was important to us. We are working together, and we both want to see this new apparatus, this intelligence apparatus that has to work so well with the defense apparatus moving off to a good new start in this war against terror.

So my thanks to the chairman and thanks to the ranking member. We have a lot of work to do, but we have a good bill here, and I hope every Member supports it.

Ms. HARMAN. Madam Speaker, I yield myself 15 seconds to say to the last speaker that I applaud his comments about the need for this new legislation to succeed. It is critical, in my view, to move from a 1947 business model, which is the one we were operating under, to this one.

I also would point out to our colleagues, as the last speaker knows, that battlefield intelligence is not included in the DNI construct that we built.

Madam Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER), a recent addition to our committee, who is a very active member of our new Subcommittee on Oversight.

Mr. RUPPERSBERGER. Madam Speaker, as my colleagues have pointed out, a lot of good, hard, work has been put into this bill, which places our committee and the intelligence community on the path of success for achieving the goals set forth in the recommendations of the 9/11 Commission and the WMD Commissions. The turf battles are ending and we now have a director of National Intelligence to oversee and coordinate efforts, but we all must work together in order to make sure that the DNI can succeed.

I thank the gentleman from Michigan (Chairman HOEKSTRA) and the gentlewoman from California (Ranking Member HARMAN) for leading by example and promoting bipartisan efforts in our oversight role. I also want to thank our staff for their hard work.

Our newly established Subcommittee on Oversight has already taken the reins of leadership and is investigating the abuses that have occurred in our interrogation and detention programs. These abuses only serve to embolden terrorist actions against us and it increases risk to our military forces and American citizens abroad. These abuses also hurt our reputation abroad and allow the insurgents to recruit people to attack us.

I also look forward to continuing work with my colleagues on solutions to the security clearance challenges faced by the intelligence community and State and local governments who need to access information to protect our homeland. This bill's endorsement of a multilevel security clearance system will enhance flexibility in hiring practices and access to information. Current clearance wait times sometimes exceed a year. Terrorists will not wait a year, and neither can we.

Let me close by praising the excellent work of the Armed Forces Medical Intelligence Center and the National Security Agency, NSA, based in my district. Our committee recognizes their challenges, and we fully support their efforts in the global war on terrorism and in Iraq and Afghanistan. I urge my Democratic colleagues to join me in supporting this bill.

Mr. HOEKSTRA. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, as we take a look at the technical programs and we take a look at the structure of the intelligence community, at the end of the day it is about the people in the intelligence community. As we have conducted our oversight responsibilities in developing this bill, we have had the opportunity to meet and work with many of the intelligence professionals throughout the community and around the world. I believe I can speak for the rest of my colleagues when I say that we hold in the highest regard the work accomplished by these dedicated U.S. intelligence community personnel.

At great sacrifice, often under extreme and intense conditions, and at great personal risk, the men and women of the intelligence community continue to perform their missions with great energy, professionalism, and devotion to the national security mission. I commend these patriots for their heroism, their integrity, and their perseverance. These honorable people form the first line of defense for our Nation. Our freedoms and the very security of our country rely on their successes. Those successes are things we cannot and do not often have the opportunity to talk about.

Unfortunately, and quite wrongly, it is the rare but overlooked publicized failures that they are credited with. I stand here today and say thank you to these tremendous people. They deserve our support, and that is what we are doing with this legislation today.

Madam Speaker, I reserve the balance of my time.

Ms. HARMAN. Madam Speaker, I associate myself totally with the comments that our chairman just made.

Madam Speaker, it is now my pleasure to yield 2¼ minutes to the gentleman from Massachusetts (Mr. TIERNEY), our rookie on our side.

Mr. TIERNEY. Madam Speaker, I thank the gentlewoman for yielding me this time.

I rise to discuss H.R. 2475. It is a bill that, as people have said, takes a number of steps to strengthen our intelligence capabilities and, for those reasons, is supportable. Nevertheless, like most bills, it has parts that need to be moved on and worked on still.

As was mentioned, I am new to this committee, so first I want to recognize the efforts of all of my colleagues on the committee and the staff who did incredible work on this. I also want to acknowledge the fact that my minority colleagues have been outspoken during the past couple of years on a number of issues, and I want to thank them and my majority colleagues for incorporating those issues in this bill and, of course, the majority adding their own approval.

On the plus side, as has been mentioned, 100 percent funding for counterterrorism in the base budget is a huge step forward. We need to make sure we build on that. The White House proposal to fund 60 percent of that in a supplemental budget would have undermined our plans and operations, so 100 percent is a big step in the right direction. The bipartisan willingness to keenly scrutinize architectural programs for the quality, for the program management, for the budget responsibility, for cost is also important. It is helpful to allow for investments in human intelligence, and it can bring more public confidence to the work we do in this area.

I think it would be well-placed to put that kind of scrutiny on the whole budget at large, and I think we should consider making more of the Select Committee on Intelligence budget process public, to the extent possible, including at least the aggregate amount of money being spent so that the public will be able to focus on that and have more confidence.

The best intelligence oversight begins with looking at the 9/11 Commission's recommendations for reform of Congress's intelligence committees. We still need to do a considerable amount of work there concerning how those committees will be formulated and what budgetary appropriation aspect will be within what body. We need renewed oversight, and the Subcommittee on Oversight that has been formed and mentioned earlier is an improvement. Its time would be well spent if we ensure that the DNI and the DNI office is set up largely in line with Commission recommendations. We do not need another sprawling bureaucracy. It will be well-served to have a streamlined executive staff that utilizes existing agencies and moves forward on that basis. And it has to have the authority to ensure that the network agencies are reformed, coordinated, and effective. It also needs the authority to make sure that we have the appropriate budgetary and personnel powers within the DNI to work.

The DNI should follow the recommendation of the blue ribbon commission to establish a Civil Liberties Board and ensure that it effectively protects the civil liberties, even as we make sure aggressive intelligence measures are pursued. This too is essential to maintain public trust. It is as important as it is to require that we use taxpayer money wisely, and it is every bit as essential that our intelligence operate within the law.

Mr. HOEKSTRA. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, I would like to get to some of the specifics of the legislation. I want to make an observation about the overall position we have

taken. It is my belief, and we have seen it today, that we may be harshly criticized by some for being too bold or aggressive with some of our actions. Indeed, we have already been told that we were not incremental enough. I want to take head-on those who take such positions.

There is no question that what is being proposed today is bold and sweeping in some areas. Without getting into the classified specifics, based on our strategic review, we are cutting back dramatically in some cases, on some technical programs that have had poor performance or could be modified for better utility for the Nation's intelligence efforts.

We are terminating some programs that we do not believe fit in the overall architecture for the intelligence community. We have analyzed these programs extensively, asked the tough questions, and focused on the resulting intelligence output. To paraphrase from a Hollywood movie line, these programs have been weighed, they have been measured, and they have been found wanting.

We are then taking the resulting savings and applying that to historically underfunded areas in the human intelligence and human capital areas. Specifically, we are focusing needed emphasis on adding human intelligence specialists, improving the training of analysts, improving the training of case officers, and making more robust the infrastructure necessary to gain their expertise, and then better employ that expertise.

We have quite simply in the past paid too much lip service to those basic needs, while continuing to fund expensive technical programs that, although important, do not make up for the lack of analysts, lack of worldwide coverage, lack of training, and lack of basic infrastructure. In sum, we are doing the heavy lifting that should have been done long ago. We are acting boldly and positively on the task our former chairman gave us.

Madam Speaker, I reserve the balance of my time.

Ms. HARMAN. Madam Speaker, I yield myself 1 minute to comment on the remarks the chairman just made.

Madam Speaker, it is not a zero-sum game, it is not a trade-off between what we call HUMINT, that is, human intelligence, which is primarily the use of spies to tell us the plans and intention of the bad guys, and technology. It is a positive-sum game, or we hope it is a positive-sum game, that balances correctly our investments in HUMINT and our investments in technology.

I said earlier that my home State of California makes many of the technical platforms that we use effectively to gather intelligence. I agree with our chairman that we should take a clear-eyed look at what works and what does not work and what capabilities we need to defeat present and future threats. But some of us, I would say a majority on the minority side, believe that the weighing, measuring, and finding wanting that has gone on in this bill needs further review, that the balance can be better struck.

I look forward to working with the chairman on a better balance as this bill comes to conference, keeping in mind that we want a positive-sum outcome.

Madam Speaker, it is now my pleasure to yield 1 minute to the gentleman from New York (Mr. CROWLEY), a very serious Member of this body, not on our committee.

Mr. CROWLEY. Madam Speaker, I thank my gentle friend and colleague from California for yielding me this time.

I rise in strong support of the national intelligence bill. I want to thank the committee for its great work. I especially want to focus my praise on the gentlewoman from California (Ranking Member HARMAN) for her great work in leading on this issue. It was Democrats, led by the gentlewoman from California (Ms. HARMAN) and the gentleman from Florida (Mr. HASTINGS), that pushed the 9/11 Commission to be started last year, as the Republicans and the White House blocked their work and opposed their mission. I believe the Republicans fear the truth that may come from that Commission.

Later, when the 9/11 Commission issued its recommendations and the Speaker said he would not implement any legislative changes without a majority of the majority, it was again Democrats and the gentlewoman from California (Ms. HARMAN) who led the fight for a real intelligence shakeup and for the creation of a director of National Intelligence.

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Democrats fixed those problems and fought back changes this year to bring us back to the bad old days of intelligence turf wars.

This bill reflects the new world we live in, a dangerous world that has gotten more dangerous since September 11; and we need to be involved, and more heavily involved, to protect all Americans, no matter where they are on this planet and the bill does that.

Representing one of the most diverse congressional districts in the U.S., I interact with a number of immigrants and their families who are from every corner of the globe. And the one thing that unifies them all is their love of this great country. And they can and will be helpful in helping this country infiltrate terror networks that threaten our country.

This bill will help them do that.

Mr. HOEKSTRA. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Madam Speaker, I want to just first compliment the chairman and ranking member for their excellent work on this legislation, their excellent work in general, and frankly the work that they have done in helping to create such a strong structure for intelligence.

The Cold War is over. The world is a more dangerous place. We need to be able to not contain and react to an event; we need to be able to detect and prevent it. It means that we need very good intelligence, both intelligence directed with technology and intelligence that occurs from very good human capital.

I think the gentleman from Michigan (Mr. HOEKSTRA) and our incredible ranking member, the gentlewoman from California (Ms. HARMAN), have done an excellent job in drafting this legislation. My compliments to both of them. They give credit to the full Congress and the work that they have done.

Ms. HARMAN. Madam Speaker, I thank the last speaker for his generous words and ask how much time remains on each side.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentlewoman from California (Ms. HARMAN) has 8 minutes remaining. The gentleman from Michigan (Mr. HOEKSTRA) has 8½ minutes remaining.

Ms. HARMAN. Madam Speaker, we at the moment have no other speakers on the floor. And I reserve the right to close for our side.

Madam Speaker, I reserve the balance of my time.

Mr. HOEKSTRA. Madam Speaker, we have no additional speakers at this time either, so I believe I have the right to close. The gentlewoman will close on her side, and we will have no additional speakers. I will close on our side.

Ms. HARMAN. Madam Speaker, I yield myself the balance of our time.

Madam Speaker, the last 4 years have witnessed two of the worst intelligence failures in our Nation's history. Congress passed intelligence reform and created the DNI position to give the brave women and men of the intelligence community the tools they need to collect and analyze accurate and timely intelligence.

We cannot have any more catastrophic failures where we fail to connect the dots or believe too fervently in the claims of bogus sources. This legislation, the authorization bill we are considering today, is the first funding bill under our new intelligence organization.

It is a strong bill that deserves our support. As we said earlier, for the first time we fully funded counterterrorism in the base budget so we can plan CT operations against our enemies. For the first time we have urged the DNI to create multitier security clearances so we can field a diverse group of intelligence officers who speak the languages and understand the cultures of our adversaries.

I am proud to say these were two ideas offered by the committee Democrats that gained bipartisan support in our committee. As I have said, there are ways this bill can be improved further. And I look forward to working on

this as we move to conference. But this is a bipartisan product that deserves bipartisan support.

And before I close, I do want to thank again the hard-working members on both sides of the committee who put so much effort into it day after day, and moreover the hard-working staff on a bipartisan basis.

And let me just identify those on the minority side who are sitting on the floor with me today: David Buckley, staff director; Chuck Gault, deputy staff director; Jeremy Bash, general counsel; Mike DeLaney; Larry Hanauer; John Keefe; Pam Moore; Wyndee Parker, special counsel; and Christine York. They make us look good, and I urge passage of this legislation before us.

Madam Speaker, I yield back the balance of my time.

(Mr. HOEKSTRA asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. HOEKSTRA. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, today before closing general debate, I would like to briefly offer congratulations and recognition to Mr. Charles G. Allen, as many of us know him, Charlie, as he completes his tour of duty as the assistant director of the Central Intelligence Agency for collection.

He has served the intelligence community with great distinction, and I will later seek consent in the House to submit a more lengthy tribute into the RECORD.

But just briefly, he is a native of North Carolina. Mr. Allen has served the Central Intelligence Agency and the Nation with distinction since 1958, holding a variety of positions of increasing responsibility, both in analytical and managerial capacity. He served overseas in an intelligence liaison capacity from 1974 to 1977, and from 1977 to 1980 he held management positions of increasing responsibility and importance in the Directorate of Intelligence.

I think that all of the Members in the House, and all of the Members and the staff on the committee who have gotten to know Mr. Allen over the last number of years, number one, we are glad that he is still working on special assignment with Mr. Goss; but we really want to extend our congratulations to him for almost slightly over 45 years of service to this country within the intelligence community, a real national asset in the intelligence business.

Madam Speaker, I include for the RECORD a statement on Assistant Director Allen.

Mr. HOEKSTRA. Madam Speaker, I rise today to offer congratulations and recognition to Mr. Charles E. Allen as he completes his tour of duty as the Assistant Director of Central Intelligence for Collection. Since its creation by the Congress 7 years ago, he has served in this position with distinction.

Mr. Allen was appointed as the first Assistant Director of Central Intelligence for Collection. As such, he was responsible for Intelligence Community collection management, and specifications for our next generation of collection systems. During these past 7 years he has come to personify the position, personalize the management of this nation's scarce intelligence collection assets, confound his early critics, and overall achieve positive results beyond even the expectations of his supporters, who are legion. His service has been a great asset, and Congress has regularly drawn upon his experience and judgment.

A native of North Carolina, Mr. Allen has served the Central Intelligence Agency and the Nation with distinction since 1958, holding a variety of positions of increasing responsibility both in analytic and managerial capacities. He served overseas in an intelligence liaison capacity from 1974 to 1977, and from 1977 to 1980 he held management positions of increasing responsibility and importance in the Directorate of Intelligence.

Mr. Allen served as program manager of a major classified project, from 1980 to 1982 in the Office of the Director of Central Intelligence, and was subsequently detailed to the Office of the Secretary of Defense where he held a senior position in strategic mobilization planning.

In 1985 the Director of Central Intelligence requested Mr. Allen's return from the Secretary of Defense's office to serve as the National Intelligence Officer for Counterterrorism, and later as Chief of Intelligence in the CIA's newly established Counterterrorist Center. Many of Mr. Allen's successes have and shall continue to remain secret, but two that have become more publicly known illustrate his contributions; he played a key role in apprehending the hijackers who killed an American citizen on the cruise ship *Achille Lauro*, and he correctly brought to the DCI's attention certain matters which served to stimulate the Iran-Contra investigation.

Mr. Allen served as the National Intelligence Officer for Warning from 1988 to 1994 and chaired the Intelligence Community's Warning Committee. From these positions he issued timely warnings of events of momentous importance, confounding most intelligence officers who did not share his prescience.

Mr. Allen was awarded the National Intelligence Medal for Achievement in 1983 by DCI Casey and the President's Award for Distinguished Federal Civilian Service in 1986 by President Reagan. In 1991, he was presented the CIA Commendation Medal for provision of warning intelligence in Desert Shield/Desert Storm.

He and his wife, Kay, reside in Herndon, Virginia, where they raised four children.

Madam Speaker, Mr. Allen has already enjoyed a long and luminous career in intelligence, and as he steps down from his current position I hope all my colleagues will recognize the extraordinary contributions Mr. Charles E. Allen has made to our National Security as a lifelong professional intelligence officer. I hope my colleagues will honor him as a great American and pioneer in the management of intelligence collection inter alia.

Finally, Madam Speaker, I ask my colleagues to join me in expressing our confidence in his continued ability and willingness to serve the Nation as she shall call upon him.

Ms. HARMAN. Madam Speaker, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentlewoman from California.

Ms. HARMAN. I thank the chairman for yielding to me. Charlie Allen is as close as you can come to a legend in the intelligence community. Before the intelligence reform bill passed last year, he was one of the few senior intelligence officers who could get 15 disparate agencies to function as a community. He did that mainly through sheer force of personality.

Our Nation collects intelligence through a variety of means, from spies on the ground to satellites overhead, and everything in between. In his capacity as the assistant director for collection, Charlie got the collectors to understand that they were most effective when they worked together as a team against the hardest targets.

He got them to understand that integrated collection strategies yielded the best outcomes. Under Charlie's leadership, the collectors in the intelligence community have scored some truly impressive victories, and it is unfortunate that these cannot be recounted in public.

I will just tell you that Charlie's service to the Nation was made clear to me the day he told the committee that he had been with the CIA for nearly 50 years. That is an astounding record, and it is certainly appropriate as we close debate on what I think is one of the best authorization bills ever, that we recognize Charlie's service to our Nation.

Mr. HOEKSTRA. Madam Speaker, in closing, again I would like to thank my colleagues on the other side of the aisle, the staff on both sides of the aisle who have worked to put together a very, very good bill, my colleagues on my side of the aisle.

We have put together, I think, a very, very strong bill. I think it deserves broad bipartisan support. It sets us in the right direction. As my colleague has indicated, there is more work to do. We do need to take a look at the technical programs. These are critical to the long-term success of our intelligence community, to make sure that public policymakers have the information that we need to make the right decisions.

I appreciate the gentlewoman from California's (Ms. HARMAN) support as we have gone through this process and recognizing that there are issues and concerns about the performance of some of these programs and so that we have the agreement on that.

Where we are disagreeing and having some discussions right now is what is the most effective way to respond to those problems and issues. We want accountability. We want performance. We want to spend the taxpayer dollars wisely. And I am sure that as we continue to go through this process, work with our colleagues on the other side of this building, and work with the administration, we will come to a conclusion, hopefully, that we can all agree to.

I applaud the committee and our work in taking some of these steps

that I think we all recognize needed to be taken and that we are committed to addressing those problems.

With that, Madam Speaker, I would encourage my colleagues to support this bill.

Ms. PELOSI. Madam Speaker, the preamble to the Constitution tells us that one of the first responsibilities of the Federal government is to ''provide for the common defense.''

My 10 years on the House Intelligence Committee have given me an appreciation for the vital role the men and women in our intelligence agencies play in doing just that.

Many of them take extraordinary risks on a daily basis in an effort to gather the information policy makers and military commanders need to make sound decisions. They are deeply dedicated to preserving our country's security, and each of us is grateful for their hard work and sacrifice.

They need an intelligence system that is as strong, smart, and competent as they are, and this bill takes several strong steps towards making sure we have that system.

I want to commend Chairman HOEKSTRA and Ranking Member HARMAN for their leadership and hard work in making sure that this legislation addresses not only the immediate needs of the intelligence community, but helps plan for the future as well.

However, it would be a mistake for us to pass this bill and declare that our work is done and that we have fulfilled our responsibility to the intelligence community and the American people.

It has now been more than 1,700 days since the September 11th terrorist attacks changed our Nation, and laid bare the holes in our intelligence gathering system.

It has been 11 months since the independent 9/11 Commission issued its findings and made its recommendations about how to close those gaps.

It has been nearly a year since the Senate Intelligence Committee concluded that our intelligence on Iraq's weapons of mass destruction capabilities was fundamentally flawed—a conclusion that was recently confirmed by the Presidential Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction.

In part, this bill provides the resources the intelligence community needs to prepare for the future by learning from mistakes made in the past. However, these recent reports—notably those of the 9/11 Commission and the Robb-Silberman Commission—point to the need to do far more than simply fund the intelligence community.

These two commissions made many recommendations for significant change in the way the intelligence agencies operate and are overseen by Congress, the way the intelligence community is managed, and in other matters associated with better protecting the American people from the threats posed by terrorists, particularly terrorists armed with weapons of mass destruction.

It was an intelligence authorization bill that established the 9/11 Commission, and it is therefore appropriate that in the context of the debate on this authorization measure, and with the first anniversary of the release of the Commission's report and recommendations fast approaching, we reflect on the recommendations that have been implemented, and on those that have not.

The Commission concluded that more centralized management of the intelligence community was needed, and that the manager had to have considerable power over people and money. The first Director of National Intelligence, Ambassador Negroponte is now in office. He faces a daunting task. We all hope he is successful in it.

That is why it was so surprising and regrettable that the Intelligence Committee, over the objections of Congresswoman HARMAN and the other Democratic Members, chose to welcome him with an effort to restrict his power. What a terribly negative message that provision sent about the commitment of the majority to intelligence reform. This bill is much improved with that provision removed, as the rule has done.

The impetus for this ill-advised action reportedly came from officials in the Department of Defense. We created the position of DNI to help address the interagency squabbling that leads to intelligence failures. This is simply no place for power grabs or bureaucratic self-protection and preservation on the part of the Pentagon.

Just as it was an intelligence authorization bill that created the 9/11 commission, I had hoped that this intelligence authorization would include Mr. WAXMAN's proposal to create a commission to investigate the prisoner abuses in Afghanistan, at Abu Ghraib, and at Guantanamo.

That will not occur as a result of actions taken by the Republican majority on the Rules Committee. For our international standing, our sense of fairness and decency, and to establish more effective means of intelligence gathering, these abuses must be examined.

As former Ambassador Thomas Pickering, attorney Floyd Abrams, and our former colleague Bob Barr wrote in The Washington Post on June 7: ''This is a time when we should be making extra efforts to reach out to Muslims and to ask them to work with us in the war against terrorism. Instead, our failure to undertake a thorough and credible investigation has caused severe resentment of the United States.''

Some of those who opposed most strongly an independent investigation of the 9/11 attacks also oppose an independent investigation of the prisoner abuse scandal. That is unacceptable.

But just as the American people would not accept the initial refusal to establish a 9/11 Commission, so too will demands continue for an independent commission to investigate the prisoner abuses in Iraq, Guantanamo Bay, and elsewhere.

Our country's standing in the eyes of the world depends on getting to the bottom of the prisoner abuse matter—a fact that will ultimately force the majority of this House to stop placing obstacles in the path of a full and independent inquiry.

Unfortunately this is not the only initiative this Congress has failed to act on. Despite the unanimity with which they were adopted and the near universal acclaim they have produced, some critical recommendations made by the 9/11 Commission have gone unfulfilled. For example, Chairman Kean pointed earlier this month to the failure to allocate more of the broadcast spectrum to first responder communications as ''almost a scandal.'' Congresswoman HARMAN has been a leader in trying to resolve this problem and I congratulate her for her efforts.

Chairman Kean also emphasized what has long been known to Members of the Intelligence Committee: the greatest danger facing the United States is a terrorist attack involving weapons of mass destruction, and the best way to address that is to safeguard or destroy WMD components, especially nuclear material, at its source.

Intelligence plays a huge role in efforts to combat proliferation of nuclear material and technology, but money is needed to better protect or acquire these materials in the countries where they were developed. We are simply not providing enough resources to this effort.

Finally, the 9/11 Commissioners have been clear in their assessment that, unless Congress overhauls the procedures by which it oversees the work of the intelligence agencies, intelligence reform will not be successful.

The House has not undertaken the kind of comprehensive review of the oversight process that the Commission believes to be necessary. I have let the Speaker know, repeatedly, that Democrats are prepared to work cooperatively on this review. It is imperative that we begin this task soon—we have already waited far too long.

This bill enjoys broad bipartisan support from members of the Committee, and I intend to support it. In doing so, however, I urge that the House dedicate itself to finishing the job begun last fall with the adoption of the 9/11 intelligence reform bill and address completely all of the recommendations of the 9/11 Commission.

Mr. EVERETT. Madam Speaker, I rise today in strong support of H.R. 2475, the Intelligence Authorization Bill for fiscal year 2006.

As one of several ''cross-over'' members who serve on both the Intelligence and Armed Services Committees, this legislation strikes a reasonable balance between our national intelligence needs, and the needs of our warfighters. As we know from our work on the Intelligence Reform Act last fall, this is not an easy task.

Madam Speaker, it would be disingenuous to state that all is well within the Intelligence Community. For a number of years, the Select Committee on Intelligence has been systematically identifying major shortfalls in providing for our foreign intelligence needs. These include: funding shortfalls, major limitations in human intelligence, limited capabilities in foreign language specialists, aging information technology systems, and the lack of strategic planning with regard to the Intelligence Community's overhead intelligence collection programs.

Madam Speaker, this bill represents a major step forward in correcting many of these problems by funding programs, operations, and personnel that are vital to the security of the United States. The policies and programs in this bill will enable us to strengthen our intelligence capabilities to ensure that we are providing the best foreign intelligence efforts possible.

In particular, this bill begins to balance the resources applied to technical collection programs with those applied to human source collection. In years past, funding cuts greatly reduced the Intelligence Community's ability to provide global collection and analytic coverage. The global war on terrorism has led to increased funding, but there is still only limited capability to focus on other issues around the

world. This bill reinvigorates capabilities that have long been ignored.

I have a personal concern about the Intelligence Community's capabilities against foreign missile systems. Therefore, at my direction the bill includes specific funding increases to allow for expanded modeling and simulation of foreign systems, exploitation of foreign missile systems, and all-source missile event analysis.

Madam Speaker, this bill puts a great deal of emphasis on getting the Intelligence Community ''back to the basics.'' In short, this bill continues to correct the systemic problems that left us underprepared for warning against terrorist attacks on America, and begins the process of returning human intelligence collection to a worldwide endeavor.

I feel that this is a good bill that balances the increased investment against critical priorities with procedures for effectively monitoring the wise investment of the taxpayers' money. Madam Speaker, I urge my colleagues to support H.R. 2475.

Mr. TIAHRT. Mr. Speaker, I rise in support of H.R. 2475, ''The Intelligence Authorization Act for Fiscal Year 2006''. I thank my friend and colleague from Michigan for yielding me this time.

For almost 4 years, the U.S. Intelligence Community has been at the forefront of the Global War on Terror. Working long hours, under often primitive conditions, the men and women of the Intelligence Community have performed spectacularly under the most stressing of operational tempos. The legislation before us today authorizes the funding necessary to support the men and women of the Intelligence Community and to keep our country safe. However, a sufficient balance must be maintained between fighting terror and maintaining global awareness of emerging threats. Therefore, the legislation before us lays the budgetary and programmatic groundwork that will ensure that the U.S. Intelligence Community is prepared and able to face the challenges and national security threats of the future.

First and foremost, this legislation provides the appropriate balance between technical, human and open source collection.

This bill provides sufficient funds to ensure that the U.S. retains its technical collection edge for the next 20 years. It also increases the resources necessary to provide a strong, global human and open source intelligence collection capability. Achieving this balance required some hard choices on several highly regarded technical collection systems, however, the Committee was able to reach bipartisan consensus on the need to eliminate some redundant or outdated systems.

Second, this legislation strengthens innovation across the Intelligence Community.

The legislation includes a significant increase in the resources devoted to advanced research and technology development including increased funding for new sensors and platforms, data mining and information assurance technologies. To ensure that these resources are used wisely, this legislation also strengthens the authorities and responsibilities of the Intelligence Community's Chief Scientist.

Third, this legislation revitalizes our intelligence analysis and production capabilities.

Our intelligence community analysts are frequently asked to turn fragmentary and seemingly random puzzle pieces into a coherent picture. To help bring the picture into focus, this legislation provides for improved training opportunities (particularly for languages), new analytic tools, increased personnel and better tools to enable information sharing.

Fourth and finally, this legislation continues the efforts begun in the Intelligence Reform and Terrorism Prevention Act of 2004 to strengthen and define the authorities and responsibilities of the Director of National Intelligence.

The Intelligence Community is our first-line of defense against an elusive and unstructured threat that has shown willingness to harm America. It is vital that this community has the resources and authorities necessary to effectively target both the terrorist threats of today as well as new threats of tomorrow. H.R. 2475 provides those resources.

I strongly urge my colleagues to support this legislation in the bipartisan manner that our national security efforts demand.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I rise in strong support of H.R. 2475, the Intelligence Authorization Act of 2006. I congratulate Chairman HOEKSTRA for presenting a strong bill that addresses our major intelligence requirements.

Madam Speaker, as chair of the Intelligence Policy Subcommittee, I have been tasked to look at the vast range of threats faced by the United States, and work to ensure that the intelligence services devote the necessary resources to respond to those threats.

As we consider this bill, we are in the midst of a war with a vicious enemy—a war on terrorism that must be won. Our troops are also engaged in a bloody effort to stabilize Iraq.

Our war-fighters must have timely, accurate information about the enemy, and this bill makes every effort to guarantee that intelligence is provided. Thus, there is an essential force protection component to this authorization.

But we cannot focus solely on the collection of near-term, tactical battlefield intelligence. We must also ensure that our political leaders have good information about big picture threats to U.S. interests globally.

The Intelligence Community must focus its resources on the nuclear programs in Iran, North Korea, and other major proliferators of weapons of mass destruction.

We must fully understand the ongoing military modernization of China, and know how Beijing intends to use its emerging capabilities. Russia remains a nuclear superpower with thousands of nuclear warheads, and prudence dictates we have good intelligence regarding Russia's intentions.

The behavior of these important nations can have a deep impact on our national security, and the United States must not become the victim of a ''strategic surprise''.

To protect our people and inform our political leaders, we must have the capability to collect good, accurate information. It is increasingly difficult to predict where the next crisis may erupt, but our leaders must have the ability to anticipate significant events.

H.R. 2475 places much needed emphasis on our collection and analysis capabilities. I am pleased that this bill increases the investment in human intelligence and the capabilities they provide for us.

It provides additional resources for professional training and language education for intelligence officers being deployed overseas.

The legislation also authorizes powerful new tools that will assist our intelligence analysts to sort through and properly understand the information that has been gathered.

At a time when the threats to u.s. national security are so great, H.R. 2475 supports the effort to provide our leaders with focused, timely intelligence. I urge my colleagues to support this legislation and once again, I congratulate my chairman on his outstanding effort.

Mr. HOEKSTRA. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Madam Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. MALONEY:

At the end of title III (page 14, after line 23) insert the following:

SEC. 310. REPORTS ON FAILURE TO TIMELY IMPLEMENT THE NATIONAL COUNTERTERRORISM CENTER.

(a) INITIAL REPORT ON FAILURE TO MEET DEADLINES IMPOSED UNDER LAW.—Not later than 30 days after the date of the enactment of this Act, the President shall provide written notice to Congress explaining the failure of the executive branch to implement the National Counterterrorism Center, as established under section 119 of the National Security Act of 1947, as added by section 1021 of the National Security Intelligence Reform Act of 2004 (title I of the Intelligence Reform and Terrorism Prevention Act of 2004; Public Law 108–458), by the deadlines imposed under section 1097(a) of such Act for the implementation of such Center, including the failure by the President to nominate an individual to serve as Director of the National Counterterrorism Center.

(b) SUBSEQUENT MONTHLY UPDATES.—The President shall provide to Congress monthly updates to the initial notice to Congress under subsection (a) until the National Counterterrorism Center is fully implemented and operational.

The SPEAKER pro tempore. Pursuant to House Resolution 331, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Madam Speaker, I yield myself such time as I may consume.

Our amendment requires the President to keep the Congress and the American people updated monthly on the progress of the implementation and operation of the National Counterterrorism Center until it is fully implemented and operational.

The Congress and the President recognize the National Counterterrorism Center as a critical office for the safety of our country. The Congress and the President agreed that it had to be up and running, fully operational and fully staffed, by June 17, 2005, or last Friday.

While director Admiral John Redd was nominated on June 10, he has yet to be confirmed by the Senate, and he

has many challenges before him, chief among which is to get this center fully staffed and operational.

The Bush administration manages by goals and reports. A fully operational and staffed NCTC is a goal that must be attained as quickly as possible.

The National Counterterrorism Center was a core element of the Intelligence Reform and Terrorism Prevention Act of 2004. The center must be the central organization for analyzing and integrating all foreign and domestic intelligence on terrorism.

It also is to conduct strategic operational planning for counterterrorism operations at home and abroad, integrating all elements of national power. In short, the NCTC was created to bring all of the pieces together to prevent a future attack. The Congress and the President established June 17, last Friday, as the deadline for the NCTC.

Unfortunately, we cannot stand here today and say that it is fully operational and fully implemented. This is not the only deadline in this important bill to be missed. I have a chart that I requested from the Congressional Research Service. It is an 8-page chart of deadlines.

And what CRS found is no fewer than 22 deadlines have been missed in the first 6 months of this bill becoming law. And many other important deadlines are looming. Some of the deadlines we have missed include: developing a national transportation strategy, a number of port security strategic plans, and streamlining the security clearance process.

We must keep the implementation of this bill on track; hence the need for this amendment. This is not to say that there has not been substantial progress. Prior to the NCTC being created in law, President Bush created the NCTC last August by executive order.

This center has operated for months under the direction of an interim director. A positive step towards the goal of implementation took place on June 10 when Retired Vice Admiral John Redd was nominated to be the permanent director of the NCTC.

□ 1545

I would like to note that when we originally submitted this amendment to the Committee on Rules on June 2, no NCTC director had been nominated. Upon confirmation, the new director and Ambassador Negroponte will be faced with a number of issues before full implementation. Chief among these issues is working out the inconsistencies between the statute and the executive order. The existing inconsistencies which have been identified by CRS hold much danger of creating confusion which could undermine the maximum functioning of the NCTC.

Another example of these inconsistencies relates to the danger that the tactic supplied to foreign intelligence collection may be applied against U.S. citizens. Thus, the importance of a robust Civil Liberties Board, the beginnings of which were included in the enacted statute.

This amendment will motivate all of the participants to get the job done to protect the American people. I am confident that the Permanent Select Committee on Intelligence, under the leadership of the gentleman from Michigan (Mr. HOEKSTRA) and the ranking member, the gentlewoman from California (Ms. HARMAN), will relentlessly monitor the implementation of these important deadlines. It is too important to the safety of the American people.

Just as the Goldwater-Nichols bill unified the Army, Navy, and Air Force into a single effective fighting force, so too does the intelligence reform legislation draw together the isolated elements of the intelligence community into a unified shield to protect the American people.

The basic function of the NCTC is to prevent another 9/11. As someone who represents a city that was attacked on 9/11, we owe it to the victims and to all Americans to put this central defense mechanism against future attacks in place. We must fulfill the promise of this functional restructuring of the intelligence community for the safety of the American people.

For me, the intelligence bill was the most important bill we passed since I have been in this Congress, and I am deeply grateful to the families of the victims who fought so hard for the enactment of this bill along with the President and my colleagues in this Congress.

Our amendment is a step towards implementing this important bill.

Madam Speaker, I reserve the balance of my time.

Mr. HOEKSTRA. Madam Speaker, I rise to claim the time in opposition to the amendment, but I do not object to the amendment.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the gentleman from Michigan controlling the time in opposition?

There was no objection.

Mr. HOEKSTRA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I will not oppose this amendment. I believe the author will have a perfecting amendment.

Mrs. MALONEY. Madam Speaker, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentlewoman from New York.

Mrs. MALONEY. Madam Speaker, I appreciate very much the gentleman from Michigan (Chairman HOEKSTRA) not opposing my amendment and all the hard work that he and the gentlewoman from California (Ms. HARMAN) did on the intelligence bill.

I would like to note the concern that the gentleman reported to me or gave to me about the reporting requirement.

MODIFICATION TO AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Madam Speaker, I ask unanimous consent that the amendment be modified to accept changing the reporting requirement in the amendment from the President to the Director of National Intelligence, Ambassador Negroponte.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment as modified, offered by Mrs. MALONEY:

At the end of title III (page 14, after line 23) insert the following:

SEC. 310. REPORTS ON FAILURE TO TIMELY IMPLEMENT THE NATIONAL COUNTERTERRORISM CENTER.

(a) INITIAL REPORT ON FAILURE TO MEET DEADLINES IMPOSED UNDER LAW.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall provide written notice to Congress explaining the failure of the executive branch to implement the National Counterterrorism Center, as established under section 119 of the National Security Act of 1947, as added by section 1021 of the National Security Intelligence Reform Act of 2004 (title I of the Intelligence Reform and Terrorism Prevention Act of 2004; Public Law 108–458), by the deadlines imposed under section 1097(a) of such Act for the implementation of such Center, including the failure by the President to nominate an individual to serve as Director of the National Counterterrorism Center.

(b) SUBSEQUENT MONTHLY UPDATES.—The Director of National Intelligence shall provide to Congress monthly updates to the initial notice to Congress under subsection (a) until the National Counterterrorism Center is fully implemented and operational.

The SPEAKER pro tempore. Without objection, the amendment is modified.

There was no objection.

Mr. HOEKSTRA. Reclaiming my time, I thank my colleague, the gentlewoman from New York (Mrs. MALONEY) for that change.

I think the reason we are accepting the amendment is in the spirit that it was offered by my colleague from New York and, I believe, my colleague from Connecticut. We on the committee, the gentlewoman from California (Ms. HARMAN) and myself have laid down as one of the parameters and one of the things that we expect from the oversight subcommittee is to vigorously and aggressively track the implementation of the intelligence reform bill.

I agree in the time that the gentlewoman and I have been in Congress together until we pass Federal prison industries reform, this will be one of the most significant pieces of legislation that we will have worked on together.

There are some talking points on the technicality as to what ''fully operational'' means, and those types of things; and whether it is fully operational now and whether it could have been fully operational before June 17, because that is when the law came into effect, we fully understand and appreciate the concern that the gentlewoman has in bringing this amendment forward, that we on the committee and that Congress and the American people be fully informed as to the progress we are making in implementing the intelligence reform bill.

We are committed to doing that. We are committed to staying informed on

the committee, riding herd over the director of National Intelligence to make sure that this bill is implemented to the full intent of Congress when we passed it.

So it is in light of the spirit of that approach that we accept this amendment.

Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY. Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. HARMAN), the ranking member.

Ms. HARMAN. Madam Speaker, I thank the gentlewoman for yielding me time. I want to commend her and the gentleman from Connecticut (Mr. SHAYS) for the enormous work they did outside the intelligence committee. As we were considering the intelligence reform legislation last year, the faces that I saw on a constant basis were theirs and the families. And I often have said that the families were the wind beneath our wings. I would add a couple of Members of Congress to that, too, and I thank them for all they did.

I am very pleased that the majority is accepting the amendment. It is a good idea for us to make absolutely clear that the NCTC, the National Counter Terrorism Center, is a vital piece of the reform we enacted last year and that it needs to be fully operational ASAP.

To explain further, one of the big mistakes we made leading up to 9/11 is everyone now knows our failure to connect the dots. Obviously, having a fusion center designed for this purpose is a very good way to make sure we do not fail to connect the dots the next time.

So it took, I would say, the introduction of this amendment to cause the President to nominate a very able fellow, Vice Admiral Redd, to be the director of the NCTC. He did that 2 days after this amendment was presented in the Committee on Rules. And perhaps now that we are accepting it as part of today's debate, the NCTC will become fully operational even before that prison reform bill is enacted.

In conclusion, Madam Speaker, I strongly support this. I support the team that has brought this to us. And I would note to this body, that bill last year that we worked so hard on gets its real sea legs today as the House takes this necessary step in funding its critical parts and in making clear that we will not accept any efforts to roll back the jurisdiction of the DNI, who is going to be the commander of the tip of the spear in this era of terror.

Mr. HOEKSTRA. Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY. Madam Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. SHAYS), and I commend his leadership and support on this amendment and his hard work on the intelligence reform committee. We both had many victims that were lost from our respective districts and we worked closely throughout that period with the families and with our colleagues on that important bill. I thank the gentleman for his hard work.

Mr. SHAYS. Madam Speaker, I thank the gentlewoman for yielding me time. I thank her for her very hard work and the work again of the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. HARMAN).

I rise, obviously, in support of this amendment that we are offering, as amended, which would require the director of National Intelligence to provide Congress written explanation why the National Counter Terrorism Center, NCTC, is not fully operational since the June 17 deadline set forth in Public Law 108–458.

The Joint Inquiry and the 9/11 Commission both found that the lack of information-sharing and coordination within the intelligence community led to numerous missed opportunities to detect and prevent September 11 terrorist attacks.

The establishment of the NCTC was a key 9/11 Commission recommendation and an integral part of the effort to increase information-sharing and coordination among intelligence agencies.

The director will serve a critical function in our Nation's intelligence capability, as he will report to the President and to the director of National Intelligence.

The NCTC, once fully operational, will be the Nation's primary agency for now analyzing terrorist threats and planning counterterrorism operations at home and abroad.

The deadline by which the NCTC was required by law to be fully operational has passed, and while I am pleased the President nominated Vice Admiral John Redd as the Center's permanent director on June 10, I wish Congress had received this nomination sooner than a week before the deadline so that the Center could have been operational on time.

The bottom line is it has been done. We are making progress. I thank the gentleman from Michigan (Mr. HOEKSTRA) for accepting this amendment and the gentlewoman from California (Ms. HARMAN) as well. It is an amendment that I think deserves passage and I thank them for accepting it.

Mr. HOEKSTRA. Madam Speaker, I yield myself the balance of my time.

I thank my colleagues for working through this amendment and making the necessary changes. As I indicated earlier, we are willing to accept this amendment.

Madam Speaker, I yield back the balance of my time.

Mrs. MALONEY. Madam Speaker, I yield myself the balance of my time.

I thank the gentleman from Michigan (Chairman HOEKSTRA) for accepting the amendment. Certainly certain issues are above partisan politics. The defense, the protection of our Nation, intelligence reform, is certainly among them.

The gentleman and the ranking member have really worked together in the best interest of the American people on this important issue. I thank the gentleman for his support.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to show my support for the men and women who work in the intelligence community each day sacrificing their lives so that we may remain safe. This measure, H.R. 2475, does authorize 100 percent of the funding requests made by the community, which is a positive departure from the measure proposed in 2005, which funded only 26 percent of the requests. In addition, this legislation improves upon the President's request of only 40 percent of the community's counterterrorism funding needs. This departure is important because this measure is the first authorization bill to come to the floor since passage of the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108–458)—the families of the victims of 9/11 as well as the entire international community still look to us for responsible action in the area of intelligence.

I also applaud the Committee's inclusion of provisions for the recruitment and clearing of personnel adept in language skills necessary to truly aid our intelligence-gathering and processing initiative.

However, I join my colleagues in disagreeing with Section 305 of the bill as reported out of Committee. This section gives congressional committees a ''pocket veto'' of the personnel transfers that the new Director of National Intelligence might recommend. Absent passage of the Manager's Amendment offered by Mr. HOEKSTRA, this provision will contravene much of the authority conferred in the Intelligence Reform and Terrorism Prevention Act that was signed into law by the President last year. Public Law 108–458 contains provisions that I offered that deal with commercial alien smuggling such as penalty enhancement as well as an outreach section that would require publication of the enhancements by DHS to act as a deterrent.

I support the amendment that will be offered by my colleague from New York, Mrs. MALONEY that would require a report to Congress until the Director of the National Counterterrorism Center has been confirmed and until the Center is fully functional.

Madam Speaker, for the reasons above stated, I support the legislation with reservations.

Mrs. MALONEY. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 331, the previous question is ordered on the bill and the amendment, as modified, offered by the gentlewoman from New York (Mrs. MALONEY).

The question is on the amendment, as modified, offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment, as modified, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WAXMAN

Mr. WAXMAN. Madam Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WAXMAN. I am, Madam Speaker, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Waxman of California moves to recommit the bill H.R. 2475 to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendment:

At the end, add the following new title:

TITLE V—ESTABLISHMENT OF INDEPENDENT COMMISSION TO INVESTIGATE DETAINEE ABUSES

SEC. 501. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch the Independent Commission on the Investigation of Detainee Abuses (in this title referred to as the ''Commission'').

SEC. 502. DUTIES.

(a) INVESTIGATION.—The Commission shall conduct a full, complete, independent, and impartial investigation of intelligence and intelligence-related activities carried out in Operation Iraqi Freedom, Operation Enduring Freedom, and any operation within the Global War on Terrorism in connection with abuses of detainees, including but not limited to the following:

(1) The extent of the abuses.

(2) Why the abuses occurred.

(3) Who is responsible for the abuses.

(4) Whether any particular Department of Defense, Department of State, Department of Justice, Central Intelligence Agency, National Security Council, or White House policies, procedures, or decisions facilitated the detainee abuses.

(5) What policies, procedures, or mechanisms failed to prevent the abuses.

(6) What legislative or executive actions should be taken to prevent such abuses from occurring in the future.

(7) The extent, if any, to which Guantanamo Detention Center policies influenced policies at the Abu Ghraib prison and other detention centers in and outside Iraq.

(b) ASSESSMENT, ANALYSIS, AND EVALUATION.—During the course of its investigation under subsection (a), the Commission shall assess, analyze, and evaluate relevant persons, policies, procedures, reports, and events, including but not limited to the following:

(1) The Military Chain of Command.

(2) The National Security Council.

(3) The Department of Justice.

(4) The Department of State.

(5) The Office of the White House Counsel.

(6) The Defense Intelligence Agency and the Central Intelligence Agency.

(7) The approval process for interrogation techniques used at detention facilities in Iraq, Cuba, Afghanistan, and elsewhere.

(8) The integration of military police and military intelligence operations to coordinate detainee interrogation.

(9) The roles and actions of private civilian contractors in the abuses and whether they violated the Military Extraterritorial Jurisdiction Act or any other United States statutes or international treaties to which the United States is a party.

(10) The role of nongovernmental organizations' warnings to United States officials about the abuses.

(11) The role of Congress and whether it was fully informed throughout the process that uncovered these abuses.

(12) The extent to which the United States complied with the applicable provisions of the Geneva Conventions of 1949, and the extent to which the United States may have violated international law by restricting the access of the International Committee of the Red Cross to detainees.

(13) The extent to which the United States complied with the applicable provisions of other human rights treaties, including the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

SEC. 503. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President;

(2) 1 member shall be jointly appointed by the minority leader of the Senate and the minority leader of the House of Representatives;

(3) 2 members shall be appointed by the majority leader of the Senate;

(4) 2 members shall be appointed by the Speaker of the House of Representatives;

(5) 2 members shall be appointed by the minority leader of the Senate; and

(6) 2 members shall be appointed by the minority leader of the House of Representatives.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(2) OTHER QUALIFICATIONS.—Individuals that shall be appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in such professions as governmental service, law enforcement, the armed services, law, public administration, intelligence gathering, international human rights and humanitarian law, and foreign affairs.

(3) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed within 45 days following the enactment of this Act.

(4) CHAIRMAN AND VICE CHAIRMAN.—The chairman and vice chairman of the Commission shall be elected by a majority vote of the members.

(5) MEETINGS.—The Commission shall meet and begin the operations of the Commission as soon as practicable. After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members.

(c) QUORUM; VACANCIES.—Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) CONFLICTS OF INTEREST.—Each member appointed to the Commission shall be independent of any agency, individual, or institution that may be the subject of investigation by the Commission.

SEC. 504. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) IN GENERAL.—A subpoena may be issued under this subsection only—

(i) by the agreement of the chairman and the vice chairman; or

(ii) by the affirmative vote of 6 members of the Commission.

(B) SIGNATURE.—Subject to subparagraph (A), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(3) SCOPE.—In carrying out its duties under this Act, the Commission may examine the actions and representations of the current Administration as well as prior Administrations.

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties of this Act.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purposes of this Act. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive Orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—Departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

SEC. 505. PUBLIC HEARINGS.

(a) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 509.

(b) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 506. STAFF OF COMMISSION.

(a) APPOINTMENT AND COMPENSATION.—The chairman and the vice chairman jointly, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants.

SEC. 507. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at a reasonable rate for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence.

SEC. 508. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

(a) IN GENERAL.—Subject to subsection (b), the appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements.

(b) EXCEPTION.—No person shall be provided with access to classified information under this title without the appropriate required security clearance access.

SEC. 509. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to Congress and the President interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to Congress and the President a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) FORM OF REPORT.—Each report prepared under this section shall be submitted in unclassified form, but may contain a classified annex.

(d) RECOMMENDATION TO MAKE PUBLIC CERTAIN CLASSIFIED INFORMATION.—If the Commission determines that it is in the public interest that some or all of the information contained in a classified annex of a report under this section be made available to the public, the Commission shall make a recommendation to the congressional intelligence committees to make such information public, and the congressional intelligence committees shall consider the recommendation pursuant to the procedures under subsection (e).

(e) PROCEDURE FOR DECLASSIFYING INFORMATION.—

(1) The procedures referred to in subsection (d) are the procedures described in—

(A) with respect to the Permanent Select Committee on Intelligence of the House of Representatives, clause 11(g) of Rule X of the Rules of the House of Representatives, One Hundred Ninth Congress; and

(B) with respect to the Select Committee on Intelligence of the Senate, section 8 of Senate Resolution 400, Ninety-Fourth Congress.

(2) In this section, the term ''congressional intelligence committees'' means—

(A) the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Select Committee on Intelligence of the Senate.

SEC. 510. TERMINATION.

(a) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under section 509(b).

(b) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 511. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated funds not to exceed $5,000,000 for purposes of the activities of the Commission under this Act.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

Mr. WAXMAN (during the reading). Madam Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1600

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to the rule, the gentleman from California (Mr. WAXMAN) is recognized for 5 minutes in support of his motion.

Mr. WAXMAN. Madam Speaker, this motion to recommit would amend the bill to add language establishing an independent commission to examine detainee abuses.

In the year since the horrific photographs of prisoner abuse at Abu Ghraib surfaced, more and more instances of detainee abuse from a growing number of locations around the world have come to light.

The reports of detainee abuse are undermining one of our Nation's most valuable assets: our reputation for respect for human rights.

The Pentagon's internal investigations of the abuse allegations have resulted in conflicting conclusions. Some of these reports have been little more than whitewashes.

Congress has failed to conduct a comprehensive public investigation of detainee abuse allegations at Guantanamo, Abu Ghraib, Bagram and other facilities. We have abdicated our constitutional duty to conduct responsible oversight.

My motion to recommit would fill the huge oversight gap. A lack of oversight leads to a lack of accountability, and no accountability breeds arrogance and abuse of power.

It is time for this House to take our oversight responsibility seriously, and I urge a ''yes'' vote on the motion to recommit.

Mr. Speaker, I yield to the gentlewoman from California (Ms. HARMAN), the ranking member of the Permanent Select Committee on Intelligence, my colleague.

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding to me and commend him for sponsoring this notion of an independent commission to look at detainee abuses.

Mr. Speaker, though I am a strong supporter of this legislation, I think it would be even better if it included language to establish this commission, and so I support the motion to recommit the bill for the purpose of adding the gentleman from California's (Mr. WAXMAN) amendment.

Military historians often talk about the ''fog of war.'' I believe our intelligence professionals operate in a fog of law, a confusing patchwork of treaties, laws, memos and policies.

Article I, section 8 of the Constitution says that it is Congress' responsibility to establish rules concerning captures on land and water. I hope that we will seize this responsibility.

But as Congress studies the policy options going forward, it is vital that we have the facts. Only a bipartisan, independent commission can get to the bottom of what happened among administration policymakers within the military chain of command and out in the field.

The steady stream of revelations about Guantanamo and other facilities around the world erode our moral credibility, just as we are trying to win the hearts and minds of the Arab and Muslim world.

It is vital to our national security, Mr. Speaker, that we fix this problem so that our detention and interrogation policies get us actionable intelligence without creating a whole new generation of terrorist recruits. Pretending that there is no problem is not a strategy for success.

So in conclusion, Mr. Speaker, our committee, on a bipartisan basis, is looking into these issues through our Subcommittee on Oversight. I commend our progress; but in addition, I think the public will have more confidence in what we are doing if we also have an outside, independent commission.

In that spirit, I support the Waxman motion to recommit.

Mr. WAXMAN. Mr. Speaker, the failure to have an investigation of detainee abuse is eroding our moral standard in the world. It is also endangering our Armed Forces and inciting hatred against the United States. As Senator BIDEN said about Guantanamo, it is the greatest propaganda tool for the recruitment of terrorists worldwide.

Some of the allegations that have been repeated over and over again may not be true. In fact, I hope they are not true. President Bush calls them absurd, but we do not know what is true and what is not unless we investigate; and when we refuse to conduct a thorough, independent, credible investigation, the rest of the world thinks we have something to hide.

The independent commission established by this proposal would establish a 10-member bipartisan commission modeled on the successful 9/11 commission. I think we need this. I think we need it badly.

If the Congress had done its job of oversight, we might well say the job is done and we do not need to do anything further; but Congress has done relatively little on this whole matter. The reports that have been issued by the

various investigative agencies have been in conflict.

This is why I ask my colleagues to support this motion to recommit. Vote ''aye.''

Mr. HOEKSTRA. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. HOEKSTRA) is recognized.

Mr. HOEKSTRA. Mr. Speaker, I am a little confused, as I listened to those on the other side as to whether we have or have not done oversight. The author of the amendment says there has been no oversight. My ranking member applauds the work that the committee has done in its role of doing oversight on a bipartisan basis.

Mr. Speaker, we are at a time of war that was not begun by the making of the United States. We are at war against an international terrorist movement that has engaged our country in a clash of values driven by those who fundamentally oppose American democracy and freedom.

The 9/11 Commission emphasized the importance of engaging the terrorists in the ''struggle of ideas,'' noting that many views in the Muslim world of the United States are ''at best uninformed about the United States and, at worst, informed by cartoonish stereotypes among intellectuals who caricature U.S. values and policies. Local newspapers and the few influential satellite broadcasters, like al Jazeera, often reinforce the jihadist theme that portrays the United States as anti-Muslim.''

Mr. Speaker, comments that significantly exaggerate and overstate the situation in Guantanamo Bay do nothing but reinforce the false perceptions of America that have encouraged our enemies.

There is aggressive oversight under way by the executive branch and by Congress into our detention procedures. It is only because of this aggressive oversight and the freedoms provided by American democracy that we are having this discussion in the first place. The system is working properly, and we should continue to let it work; and for those who do not know about the work that is going on, perhaps they could ask.

So when senior Members of Congress, including a member of the minority leadership in the Senate, exaggerate and distort these issues, including by comparing American soldiers to Nazis, those comments do nothing but reinforce the false prejudices abroad that have led us to war.

As an example, I note that the al Jazeera network gave prominent coverage to the remarks of a Member of the Senate comparing the actions of U.S. soldiers to Nazis, Soviet gulags, and a mad regime like Pol Pot's Khmer Rouge in Cambodia.

A columnist in the Chicago Sun Times said of those remarks: ''He should at least be made a little uncomfortable over what he's done.'' What did he do? ''In a time of war, make an inflammatory libel against his country's military that has no value whatsoever except to America's enemies.''

We are better than those who oppose us. Our oversight has exposed our weaknesses. Now is the time to move on.

To quote from President Roosevelt's ''Man in the Arena'' speech: ''It is not the critic who counts, not the man who points out how the strong man stumbles or where the doer of deeds could have done them better.''

I want this Congress to be seen as a doer of deeds. If we fail, we fail while daringly great. To do anything less would be unworthy of the House of Representatives.

Self-loathing of America on the floor of this House accomplishes nothing but fueling the fires abroad that seek to destroy America's democracy and our way of life. I encourage my colleagues to vote ''no'' on this motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes, if ordered, on passage of H.R. 2475 and on the motions to suspend the rules previously postponed in the following order:

H.J. Res. 52, by the yeas and nays,

H. Con. Res. 160, by the yeas and nays,

H. Con. Res. 180, de novo.

The vote was taken by electronic device, and there were—yeas 197, nays 228, not voting 8, as follows:

[Roll No. 289]

YEAS—197

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—228

Abercrombie
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole (OK)
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica

Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—8

Carter
Conaway
Herseth
Lewis (GA)
Murphy
Pence
Sessions
Young (FL)

□ 1639

Mrs. KELLY, Mr. BUYER, and Mr. ABERCROMBIE changed their vote from ''yea'' to ''nay.''

Messrs. GONZALEZ, ETHERIDGE and CHANDLER changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PETRI). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HOEKSTRA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 16, not voting 8, as follows:

[Roll No. 290]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)

NAYS—16

Conyers
Duncan
Jackson (IL)
Kucinich
Lee
McDermott
McKinney
Oberstar
Owens
Paul
Payne
Rangel
Stark
Waters
Watson
Woolsey

NOT VOTING—8

Carter
Conaway
Herseth
Lewis (GA)
Murphy
Pence
Sessions
Young (FL)

□ 1647

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CONAWAY. Mr. Speaker, I was detained and unable to cast a vote on H.R. 2475, the Intelligence Authorization Act for FY06, on June 21, 2005. I was enroute to Brownwood, Texas to attend the funeral of Lance Corporal Mario Castillo, a Marine from the 11th District of Texas. Please let the RECORD reflect that had I been here, I would have voted ''yes.''

AUTHORIZING CLERK TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES IN ENGROSSMENT OF H.R. 2475, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2475, the Clerk be authorized to make such technical and confirming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore (Mr. PETRI). Is there objection to the request of the gentleman from Michigan?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, the remaining votes will be 5-minute votes.

There was no objection.

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 52.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and