Speaker, to support for our late and dear friend and colleague, Dr. Charlie Norwood.

Earlier this year we passed a bill honoring Dr. Norwood by naming a VA Medical Center in Augusta, Georgia, the heart of his congressional district, in honor of the great work that he did on behalf of our veterans.

I think my colleagues, Madam Speaker, know that Charlie Norwood served as a dental officer in Vietnam, in combat, got two Bronze Stars, I think a medical combat award. He was a great spokesperson on behalf of our veterans.

But also, in regard to health care, before I was even thinking about running for this great office that I hold now, Madam Speaker, Charlie Norwood had that Patient Bill of Rights. I think a lot of my colleagues would remember that. Madam Speaker, you indeed probably were here at that time. And so this is just another opportunity for us, not just to honor Dr. Norwood, but to realize that he worked so diligently on behalf of veterans issues and health care issues. So it's a great honor to be here today.

And I'll tell you, on a personal note, my colleagues, Madam Speaker, I have a senior legislative assistant, Josh Waller, whose dad, Jerry, last year died while on a waiting list for a liver transplant. That was awfully painful for me to watch that happen to the dad of one of my great staff members. So this is a wonderful opportunity for us to do something really good for these people that Representative DEAL, Representative INSLEE described that are on these waiting lists, that suffer dialysis. And as Representative DEAL pointed out, the Senate amendment just changed it a little bit so that other organs, other than kidneys, indeed, Dr. Norwood himself, as Representative INSLEE pointed out, was the recipient of a lung transplant. Unfortunately, it did not work for him. But God bless him. And I'm proud to be here today to support this bill. I urge all of my colleagues to do the same.

Mr. DEAL of Georgia. Madam Speaker, I urge the unanimous adoption of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. INSLEE) that the House suspend the rules and agree to the resolution, H. Res. 837.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1733

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas) at 5 o'clock and 33 minutes p.m.

MOTION TO GO TO CONFERENCE ON H.R. 2082, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. REYES. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Permanent Select Committee on Intelligence, I move to take from the Speaker's table the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 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, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Hoekstra moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2082 be instructed, to the maximum extent possible within the scope of the conference, to—

(1) eliminate any House or Senate provisions providing for earmarks as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives; and

(2) insist on provisions authorizing the maximum level of funding permissible for human intelligence collection activities.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Michigan (Mr. HOEKSTRA) and the gentleman from Texas (Mr. REYES) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

Madam Speaker, this motion to instruct is about priorities. America continues to face threats. We are engaged in a global struggle against radical jihadists. For a time of war, for a time of threats like this, the priorities of portions of this intelligence bill are completely misplaced in critical areas.

The motion to instruct would make our priorities clearer by eliminating provisions providing for earmarks and by ensuring the maximum level of funding for increasing human intelligence collection.

Our intelligence programs should be based on only one primary consideration: what best ensures that the intelligence community is able to do its job in the best interest of the national security of the United States.

This motion would ensure that we are appropriating and authorizing funding on a bipartisan basis to critical human intelligence programs based on the merit of these programs and the intelligence we learn from them.

The unclassified National Intelligence Estimate's key judgments released publicly just yesterday illustrate how important intelligence gathering is to our national security. As we take a look at where we want to put our priorities, it is clear from what we have learned and what we understand in this committee the importance of putting resources, the necessary resources on human intelligence, and to remove them from earmarks, Members' pet projects, which don't necessarily always go through the rigorous process necessary to ensure that the funding for these projects and these programs is appropriate.

I encourage my colleagues to vote for this motion to instruct to make sure that we put the resources where they will make maximum benefit to the intelligence community.

Madam Speaker, I reserve the balance of my time.

Mr. REYES. Madam Speaker, I rise in opposition to the motion to instruct, and I yield myself such time as I may consume.

Madam Speaker, this motion is not about policy. It is not even about priorities; it is about politics. This bill that we passed, this bill that passed the House, the bill we are talking about tonight, is legislation that sets unprecedented levels of commitment for our intelligence community, to the professionals who are charged with keeping this country safe. It sets the priorities for human intelligence. It sets record levels and expenditures from the House so that those professionals that are charged with keeping us safe, keeping this Nation secure, have the necessary resources to do that job.

This legislation also prioritizes the issue of diversifying the intelligence workforce. This legislation protects this country. This legislation prioritizes those issues that are vitally important that we pass here tonight.

So for those reasons and because for the first time in history we have had care and process with this legislation, setting record levels of expenditures for our intelligence community, I urge all my colleagues to vote ''no'' on the motion.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this is about priorities. It is about priorities in terms of allocating dollars to those programs which the intelligence community and the committee itself has taken a look at and thoroughly debated and thoroughly gone through and said this is where the money needs to be spent versus putting money into Members' projects.

This is not about a project for a school back home or things that we see in some of the other appropriations bills. These are national security, intelligence priority projects; and putting earmarks into this bill is something that we think is inappropriate, especially as we have gone through that process, at least for one of these, where the committee didn't go through a process where it went through the committee and wasn't identified as an earmark and we get to the floor and it is an earmark and it is for a significant amount of money and it is for programs that people have taken a look at and said: this is not a necessary program; and as a matter of fact, this is duplicative of other things that are already being done in the community or being done in the Federal Government. It is saying, no, we are not doing these earmarks, especially for those types of redundant and wasteful government spending.

It is important that as we focus on the intelligence community, that we spend the dollars where it makes the most sense. As we take a look at some of the earmarks in this bill, it is clear it is not the most effective way to spend taxpayer money in an area that is critical to the safety and the security of the American people.

It is why we have put into this motion to instruct to take earmarks out. We are going to go to conference, and we are encouraging that on the House and Senate side both that we bring a bill that is free of earmarks to the House and the Senate floor when this conference report comes out of a conference committee. We think that that sets an important principle and an important precedent for the intelligence bill to have a bill that is free from earmarks.

Madam Speaker, I reserve the balance of my time.

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

Mr. HOEKSTRA. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY), a member of the committee.

Mr. THORNBERRY. Madam Speaker, I agree with the chairman, there are many good things in this bill. This motion to instruct raises two issues. One is that human intelligence is very important, and the motion to instruct would insist on the provisions authorizing the maximum level of funding permissible for human intelligence collection activities.

Madam Speaker, gathering intelligence through human collection is in many ways classic intelligence work, but it is more important than ever in an age of terrorism where a very small number of individuals can get together and can do great damage.

So to find out about such a group, much less to find out what their intentions and capabilities may be, we require human intelligence. Technical collection is very, very important, and we have lots of debates on this floor about one particular aspect of that. But the rest of the story is war threats are moving underground and in places where technical collection is difficult. And so human intelligence which doesn't just spring overnight, which takes months, if not years, to develop, is absolutely crucial today in the fight against radical Islamic terrorists and tomorrow against all sorts of threats.

This motion to instruct says we have to insist on the maximum funding level today so the country will be better prepared tomorrow.

But the second thing that this motion to instruct does is it tries to strengthen, I would say, the integrity and the credibility of what this committee and this Congress do.

Intelligence is really the only part of government that operates outside of the scrutiny and oversight from the press and other people and institutions outside of the government. So that puts more responsibility on our shoulders, on this institution, on the Committee on Intelligence, and on the products we produce.

So if a bill that this committee or this Congress produces has specific earmarks for specific projects in specific Members' districts, when you don't have that outside scrutiny, I think it calls our credibility into question.

□ 1745

And it clearly does so because we have had a history, unfortunately, in this institution of a problem in that area.

So this year, the motion to instruct conferees says the better course is to remove all of those earmarks, to have a bill clean of earmarks. We have funding for individual programs and individual initiatives, most of which cannot be discussed on this floor. But the better course is to fund those things, many of the good things the chairman talked about, but take away the earmarks, the specific funding for specific programs in specific Members' districts that call our credibility into question. That is why I think this motion to instruct emphasizes the important good things in this bill, but it makes it stronger by increasing its integrity and credibility, and I hope Members will support it.

Mr. REYES. Madam Speaker, I rise and yield myself such time as I may consume.

Again, unfortunately this motion is not about policy, it is not about priorities, it is not even about earmarks; it is about politics. Using politics, I think, at a time when our intelligence professionals depend on us to provide them the means and the tools and the funds with which to keep us safe is unfortunate. Nonetheless, I urge my colleagues to vote ''no'' on this motion.

I yield back the balance of my time.

Mr. HOEKSTRA. Madam Speaker, I thank my colleague, and yield myself such time as I may consume.

My colleague, the chairman, is exactly right, that it is important that we give our resources to the intelligence community for the activities they believe are most important, not perhaps what an individual Member of Congress may believe is important for them. It is why we are asking in this motion to instruct for a clean bill.

As my colleague from Texas on this side of the aisle talked about earlier, there have been unfortunate cases, not only on this committee but on other committees, about Members abusing the privilege and responsibility of putting in earmarks. This takes away that responsibility. This takes away that opportunity for Members to direct funding outside of the normal course of business of the committee.

What it does is it says, let's make sure that we fully fund human intelligence capabilities. Our dedication is to provide the resources to those people who are involved in human intelligence. That is, we take a look at the various groups that have taken a look at the intelligence community since 9/11 and determined that one of the critical weaknesses we had was in human intelligence, in many different facets: that we don't have enough of those resources, we don't have the resources with the right capabilities and the right places, and those types of things. And as we take a look at where we are today, not only is that the analysis of where we were shortly after 9/11, it is also a clear indication of, in many cases, where I believe that we still are today: that we are woefully inadequate in terms of having a balanced approach, in terms of technical collection and human intelligence, and these types of things. And the weak leg, the short leg on a three-legged stool continues to be human intelligence. And what we are saying is move the money from earmarks to making sure that we fully fund this extremely important capability in the intelligence community that for far too long has been neglected, in some cases neglected by this Congress and in other cases neglected by the community.

One of, I think, the strong parts of the intel community is that on a bipartisan basis we have been putting pressure in trying to get the intel community to respond and to put in place the resources, the capabilities, and the focus on building a very effective system of human intelligence. And this is just one more step to send a clear signal to the intelligence community that says we, as policymakers, believe that you still have not done enough to build up our human intelligence capabilities, and we are taking these additional steps in this bill to make sure that

these capabilities are enhanced and to send a clear signal to you that we want you and the community to do more. We want you to do more, we want you to do it sooner, we want you to do it quicker, and we need to you to do it better, because it continues to be an area that we have significant concern about.

And as we do this, what we are doing is we are taking money, again, as I identified, from programs, various sources in the media where some of these earmarks have been public and where various other government auditing agencies have taken a look at these programs and said: Wait a minute. This is duplicative, it is not effective, and it maybe doesn't even add anything to the intelligence capabilities of the United States of America.

So you have people in the intelligence community wondering and saying, if this is so important, if HUMINT is so important, then why are we funding these other types of programs, these Member requests?

This motion to instruct sends a very, very clear signal that says Member priorities are no longer Member priorities. As a matter of fact, the priority of this committee, the priority of this Congress, is to put the money where it needs to be and to put it in places that fills the gaps that we have identified in the intelligence community. And the biggest gap and the biggest area of weakness that we have today is human intelligence.

This sends a clear signal to the intelligence community that we have our priorities right; that it is about them and it is not about this House or individual Members or individual Members' districts; that it is about the bigger objective of getting things done in the intelligence community at a time when this country continues to be at risk, whether it is the nonstate actors, people like al Qaeda, other radical jihadist groups and those types of threats, or whether it is the threats that come from state actors, whether it is North Korea, whether it is Iran, whether it is Russia, whether it is Venezuela, or whatever emerging threat that is out here, it sends a very, very clear and distinct message that says those are our priorities, that is where we want to put our money, that is where the threats come from. And, as a signal of being aligned with the intelligence community, we as a committee and we as a Congress are willing, and not only willing, we are mandating, we are instructing the conferees to give up their earmarks, to give up their Member projects, to make sure that we get maximum effect for the dollars that we are spending in this area.

That is what this motion to instruct is about. It is about getting maximum effectiveness for the dollars that we allocate into the community. We spend a lot of money in this area, but we all know that some of the results that we get have not been the kind of leading edge or providing us with the insights into the threats that we would like to have. This motion to instruct says, clearly, it is not going to be about us taking money from the intelligence community and putting them into Member projects; it is going in the other direction, to make sure that if the intelligence community comes up short, but we really believe that it won't come up short, that we will be providing it with the resources that will enable it to do the job that we need it to do.

That is why this is an important motion to instruct. That is why we are asking our colleagues to support this motion to instruct, to make sure that we have got alignment between the Congress, and that we have got alignment between Congress and the intel community, and making sure that we put the dollars where they make the most difference and where they will be most effective. That is why I ask my colleagues to vote for this motion to instruct, to send a clear signal to the conferees as to where they want to go and where they need to go and what we want to see coming back from the conferees in a conference report: A bill that focuses resources on what will build this community and not what may build things within a Members' district.

Let's put the resources where they need to be. Let's put the resources addressing some of the weaknesses that this committee has identified through its oversight process over the last 12 months. Vote for this motion to instruct.

I yield back the balance of my time.

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

There was no objection.

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

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

Mr. HOEKSTRA. Madam 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. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 56 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. JONES of Ohio) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules with regard to H.R. 3998 and H.R. 3887;

Motion to instruct on H.R. 2082; and

Motion to suspend the rules with regard to House Resolution 837.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMERICA'S HISTORICAL AND NATURAL LEGACY STUDY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3998, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3998, as amended.

The vote was taken by electronic device, and there were—yeas 326, nays 79, not voting 26, as follows:

[Roll No. 1123]

YEAS—326

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heller
Hensarling
Herseth Sandlin
Higgins