

Congress within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

“(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

“(c) DELEGATION OF DUTIES.—The President may not delegate or assign the duties of the President under this section.

“(d) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

“(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5); or

“(2) supersede or otherwise affect the provisions of title V.

“(e) DEFINITION.—As used in this section, the term ‘appropriate committees of Congress’ means the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Relations and the Permanent Select Committee on Intelligence of the House of Representatives.”

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 109 the following:

“Sec. 110. Restrictions on intelligence sharing with the United Nations.”

SEC. 311. PROHIBITION ON USING JOURNALISTS AS AGENTS OR ASSETS.

(a) POLICY.—It is the policy of the United States that an element of the Intelligence Community may not use as an agent or asset for the purposes of collecting intelligence any individual who—

(1) is authorized by contract or by the issuance of press credentials to represent himself or herself, either in the United States or abroad, as a correspondent of a United States news media organization; or

(2) is officially recognized by a foreign government as a representative of a United States media organization.

(b) WAIVER.—The President may waive subsection (a) in the case of an individual if the President certifies in writing that the waiver is necessary to address the overriding national security interest of the United States. The certification shall be made to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(c) VOLUNTARY COOPERATION.—Subsection (a) shall not be construed to prohibit the voluntary cooperation of any person who is aware that the cooperation is being provided to an element of the United States Intelligence Community.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MULTIYEAR LEASING AUTHORITY.

Section 5(e) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(e)) is amended to read as follows:

“(e) Subject to such amounts as may be provided in advance in appropriations Acts, make alterations, improvements, and repairs on premises rented by the Agency and, for the purpose of furthering the cost-efficient acquisition of Agency facilities, enter into multiyear leases for up to 15 years that are not otherwise authorized pursuant to section 8 of this Act; and”

SEC. 402. ELIMINATION OF DOUBLE SURCHARGE ON THE CENTRAL INTELLIGENCE AGENCY RELATING TO EMPLOYEES WHO RETIRE OR RESIGN IN FISCAL YEARS 1998 OR 1999 AND WHO RECEIVE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

Section 2(i) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4 note) is amended by adding at the end the following new sentence: “The remittance required by this subsection shall be in lieu of any remittance required by section 4(a) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 8331 note).”

SEC. 403. IMPLEMENTATION OF INTELLIGENCE COMMUNITY PERSONNEL REFORMS.

None of the amounts authorized to be appropriated by this Act may be used to implement any Intelligence Community personnel reform until the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate are fully briefed on such personnel reform.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. STANDARDIZATION FOR CERTAIN DEPARTMENT OF DEFENSE INTELLIGENCE AGENCIES OF EXEMPTIONS FROM DISCLOSURE OF ORGANIZATIONAL AND PERSONNEL INFORMATION.

(a) CONSOLIDATION AND STANDARDIZATION.—Chapter 21 of title 10, United States Code, is amended by striking out sections 424 and 425 and inserting in lieu thereof the following:

“§ 424. Disclosure of organizational and personnel information: exemption for the Defense Intelligence Agency and National Reconnaissance Office

“(a) EXEMPTION FROM DISCLOSURE.—Except as required by the President or as provided in subsection (b), no provision of law shall be construed to require the disclosure of—

“(1) the organization or any function of the Defense Intelligence Agency or the National Reconnaissance Office; or

“(2) the number of persons employed by or assigned or detailed to that Agency or Office or the name, official title, occupational series, grade, or salary of any such person.

“(b) PROVISION OF INFORMATION TO CONGRESS.—Subsection (a) does not apply with respect to the provision of information to Congress.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by striking out the items relating to sections 424 and 425 and inserting in lieu thereof the following:

“424. Disclosure of organizational and personnel information: exemption for the Defense Intelligence Agency and National Reconnaissance Office.”

SEC. 502. TIER III MINUS UNMANNED AERIAL VEHICLE.

In addition to the amounts authorized to be appropriated by title I, there is authorized to be appropriated an additional \$22,000,000 for the tier III minus unmanned aerial vehicle. The Secretary of Defense may not obligate or expend any of these funds until after the Secretary submits to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a detailed cost analysis and report on specifically how these funds will be used.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. AUTHORIZATION OF FUNDING PROVIDED BY 1996 SUPPLEMENTAL APPROPRIATIONS ACT.

Amounts obligated or expended for intelligence or intelligence-related activities based on and otherwise in accordance with

the appropriations provided by the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134), including any such obligations or expenditures occurring before the enactment of this Act, shall be deemed to have been specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) and are hereby ratified and confirmed.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*, Will the House pass said bill?

The SPEAKER pro tempore, Mr. HOBSON, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶62.18 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. COMBEST, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized make such technical and conforming changes as may be necessary to correct such things as spelling, punctuation, cross-referencing, and section numbering.

¶62.19 MESSAGE FROM THE PRESIDENT—COMMODITY CREDIT CORPORATION

The SPEAKER pro tempore, Mr. HOBSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress (15 U.S.C. 714k), I transmit herewith the report of the Commodity Credit Corporation for fiscal year 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 22, 1996.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Agriculture.

¶62.20 MESSAGE FROM THE PRESIDENT—NATIONAL SCIENCE FOUNDATION

The SPEAKER pro tempore, Mr. HOBSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by the provisions of section 3(f) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1862(f)), I transmit herewith the combined annual reports of the National Science Foundation for fiscal years 1994 and 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 22, 1996.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Science.

¶62.21 SUBPOENA

The SPEAKER pro tempore, Mr. HOBSON, laid before the House the fol-

lowing communication from Mr. MCINNIS:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 1996.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House, that I have been served with a subpoena issued by the County Court of El Paso County, Colorado.

After consultation with the General Counsel, I will make the determinations required by the Rule.

Sincerely,

SCOTT MCINNIS,
Member of Congress.

¶62.22 PROVIDING FOR THE
CONSIDERATION OF H.R. 3448 AND
H.R. 1227

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 440):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974) to consider in the House the bill (H.R. 3448) to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, and for other purposes. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as read. All points of order against the committee amendment (except those arising under section 425(a) of the Congressional Budget Act of 1974) are waived. The bill and the amendment shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill and the amendment to final passage without intervening motion except one motion to recommit with or without instructions. The yeas and nays shall be considered as ordered on the question of passage of the bill and on any conference report thereon. Clause 5(c) of rule XXI shall not apply to the bill, amendments thereto, or conference report thereon.

SEC. 2. After disposition of H.R. 3448 it shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974) to consider in the House the bill (H.R. 1227) to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles. The amendment in the nature of a substitute recommended by the Committee on Economic and Educational Opportunities now printed in the bill, modified by the amendment printed in section 3 of this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except: (1) ninety minutes of debate on the bill, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities; (2) the further amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, which may be offered only by Representative Riggs of California or his designees, shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974), shall be considered as

read, shall be separately debatable for ninety minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; (3) the further amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution, which may be offered only by Representative Goodling of Pennsylvania or his designee, shall be in order without intervention of any point of order (except those arising under section 425 (a) of the Congressional Budget Act of 1974), shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and on which the question shall be divided between the proposed subsection 3(d) and the remainder of the proposed section 3 (and shall not otherwise be subject to a demand for division of the question); and (4) one motion to recommit with or without instructions.

SEC. 3. The amendment in the nature of a substitute recommended by the Committee on Economic and Educational Opportunities now printed in H.R. 1227 is modified by the following amendment: Immediately after the enacting clause insert the following new section (and redesignate succeeding sections accordingly):

"SECTION 1. This Act may be cited as the 'Employee Commuting Flexibility Act of 1996'."

SEC. 4. (a) In the engrossment of H.R. 3448, the Clerk shall—

(1) await the disposition of H.R. 1227 pursuant to section 2 of this resolution;

(2) add the text of H.R. 1227, as passed by the House, as new matter at the end of H.R. 3448;

(3) conform the title of H.R. 3448 to reflect the addition of the text of H.R. 1227 to the engrossment;

(4) assign appropriate designations to titles within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 1227 to the engrossment of H.R. 3448, H.R. 1227 shall be laid on the table.

When said resolution was considered. After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HOBSON, announced that the nays had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 219
Nays 211

¶62.23 [Roll No. 189]
YEAS—219

Allard	Bilirakis	Calvert
Archer	Blute	Camp
Armey	Boehler	Campbell
Bachus	Boehner	Canady
Baker (CA)	Bonilla	Castle
Baker (LA)	Bono	Chabot
Ballenger	Brownback	Chambliss
Barr	Bryant (TN)	Chenoweth
Barrett (NE)	Bunn	Chrysler
Bass	Burr	Clinger
Bateman	Burton	Coble
Bereuter	Buyer	Coburn
Bilbray	Callahan	Collins (GA)

Combest	Hoekstra	Porter
Cooley	Hoke	Portman
Cox	Horn	Pryce
Crane	Hostettler	Quillen
Crapo	Houghton	Quinn
Cremeans	Hunter	Radanovich
Cunningham	Hutchinson	Ramstad
Davis	Hyde	Regula
Deal	Inglis	Riggs
DeLay	Istook	Roberts
Diaz-Balart	Johnson (CT)	Rogers
Doolittle	Johnson, Sam	Rohrabacher
Dornan	Jones	Ros-Lehtinen
Dreier	Kasich	Roth
Duncan	Kelly	Roukema
Dunn	Kim	Royce
Ehlers	King	Sanford
Ehrlich	Kingston	Saxton
Emerson	Klug	Schaefer
English	Knollenberg	Schiff
Ensign	Kolbe	Seastrand
Everett	LaHood	Sensenbrenner
Ewing	Latham	Shaw
Fawell	LaTourette	Shays
Fields (TX)	Laughlin	Shuster
Flanagan	Lazio	Skeen
Foley	Leach	Smith (MI)
Forbes	Lewis (CA)	Smith (NJ)
Fowler	Lightfoot	Smith (TX)
Fox	Linder	Smith (WA)
Franks (CT)	Livingston	Solomon
Franks (NJ)	LoBiondo	Spence
Frelinghuysen	Longley	Stearns
Frisa	Lucas	Stockman
Funderburk	Manzullo	Stump
Gallegly	Martini	Talent
Ganske	McCollum	Tate
Gekas	McCrery	Tauzin
Gilchrest	McDade	Taylor (NC)
Gillmor	McHugh	Thomas
Gilman	McInnis	Thornberry
Gingrich	McKeon	Tiahrt
Goodlatte	Metcaif	Torkildsen
Goodling	Meyers	Upton
Goss	Mica	Vucanovich
Graham	Miller (FL)	Walker
Greene (UT)	Moorhead	Walsh
Greenwood	Morella	Wamp
Gunderson	Myrick	Watts (OK)
Gutknecht	Nethercutt	Weldon (FL)
Hansen	Neumann	Weldon (PA)
Hastert	Ney	Weller
Hastings (WA)	Norwood	White
Hayes	Nussle	Whitfield
Hayworth	Oxley	Wicker
Hefley	Packard	Wolf
Heineman	Parker	Young (AK)
Herger	Paxon	Young (FL)
Hilleary	Petri	Zeliff
Hobson	Pombo	Zimmer

NAYS—211

Abercrombie	Coyne	Gordon
Ackerman	Cramer	Green (TX)
Andrews	Cubin	Gutierrez
Baesler	Cummings	Hall (OH)
Baldacci	Danner	Hall (TX)
Barcia	de la Garza	Hamilton
Barrett (WI)	DeFazio	Hancock
Bartlett	DeLauro	Harman
Barton	Dellums	Hastings (FL)
Becerra	Deutsch	Hefner
Beilenson	Dickey	Hilliard
Bentsen	Dicks	Hinchey
Berman	Dingell	Holden
Bevill	Dixon	Hoyer
Bishop	Doggett	Jackson (IL)
Bonior	Dooley	Jackson-Lee
Borski	Doyle	(TX)
Boucher	Durbin	Jacobs
Brewster	Edwards	Jefferson
Browder	Engel	Johnson (SD)
Brown (CA)	Eshoo	Johnson, E. B.
Brown (FL)	Evans	Johnston
Brown (OH)	Farr	Kanjorski
Bryant (TX)	Fattah	Kaptur
Bunning	Fazio	Kennedy (MA)
Cardin	Fields (LA)	Kennedy (RI)
Chapman	Filner	Kennelly
Christensen	Flake	Kildee
Clay	Foglietta	Kleczka
Clayton	Ford	Klink
Clement	Frank (MA)	LaFalce
Clyburn	Frost	Lantos
Coleman	Furse	Largent
Collins (IL)	Gedjenson	Levin
Collins (MI)	Gephardt	Lewis (GA)
Condit	Geren	Lewis (KY)
Conyers	Gibbons	Lincoln
Costello	Gonzalez	Lipinski