

portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendments the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶49.8 ORDER OF BUSINESS—

CONSIDERATION OF AMENDMENT TO H.R. 1555

On motion of Mr. TRAFICANT, by unanimous consent,

Ordered, That it may be in order to consider the amendment at the desk, by Mr. TRAFICANT, to the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 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.

¶49.9 INTELLIGENCE REAUTHORIZATION

The SPEAKER pro tempore, Mrs. WILSON, pursuant to House Resolution 167 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 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.

The SPEAKER pro tempore, Mrs. WILSON, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. ROGERS assumed the Chair; and after some time spent therein,

¶49.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SANDERS:

At the bill, add the following new title:

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 2000 to carry out this Act not more than the total amount authorized to be appropriated by the Intelligence Authorization Act for Fiscal Year 1999.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by Section 201.

SEC. 602. REPORT ON EFFICACY OF THE CENTRAL INTELLIGENCE AGENCY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a detailed, comprehensive report in unclassified form on the matters described in subsection (b).

(b) MATTERS STUDIED.—Matters studied for the report under subsection (a) shall include the following:

(1) The bombing in March 1991 by the Armed Forces of the United States during the Persian Gulf War of a weapons and nerve gas storage bunker in Khamisiyah, Iraq, and errors committed by the Central Intelligence Agency with respect to the location and contents of such bunker and the failure to disclose the proper location and contents to the Secretary of Defense.

(2) Errors with respect to maps of the Aviano, Italy, area prepared by the Central Intelligence Agency and used by aviators in the Armed Forces of the United States which may have resulted on February 3, 1996, in the accidental severing of a cable car device by a United States military aircraft on a training mission, which resulted in the deaths of twenty civilians.

(3) Errors with respect to maps prepared by the Central Intelligence Agency of the Belgrade, Yugoslavia, area which resulted on May 7, 1999, in the accidental bombing of the Embassy of the People's Republic of China by forces under the command of North Atlantic Treaty Organization and the deaths of three civilians.

(c) RECOMMENDATIONS.—The report under subsection (a) shall contain recommendations for such legislation and administrative actions as the Director determines appropriate to avoid similar errors by the Central Intelligence Agency.

It was decided in the { Yeas 68
negative } Nays 343

¶49.11 [Roll No. 129]

AYES—68

Abercrombie	DeFazio	Jackson-Lee
Allen	Delahunt	(TX)
Baldacci	DeLauro	Jones (OH)
Baldwin	Duncan	Kanjorski
Blumenauer	Evans	Kucinich
Bonior	Farr	Lee
Brown (OH)	Filner	Luther
Capuano	Frank (MA)	Markey
Chenoweth	Gejdenson	McCarthy (MO)
Clay	Hilliard	McCarthy (NY)
Conyers	Holt	McGovern
Cummings	Hooley	McKinney
Danner	Jackson (IL)	Meehan
Davis (IL)		Meeks (NY)

Minge	Ramstad	Tierney
Mink	Rivers	Towns
Nadler	Rohrabacher	Udall (NM)
Oberstar	Sanders	Velazquez
Oliver	Schakowsky	Vento
Owens	Serrano	Waters
Pastor	Stabenow	Woolsey
Paul	Stark	Wu
Payne	Stearns	
Peterson (MN)	Stupak	

NOES—343

Ackerman	Dunn	LaFalce
Aderholt	Edwards	LaHood
Andrews	Ehlers	Lampson
Archer	Ehrlich	Lantos
Army	Emerson	Largent
Bachus	Engel	Larson
Baird	English	Latham
Baker	Eshoo	LaTourette
Ballenger	Etheridge	Lazio
Barcia	Everett	Leach
Barr	Ewing	Lewis (CA)
Barrett (NE)	Fattah	Lewis (KY)
Barrett (WI)	Fletcher	Linder
Bartlett	Foley	Lipinski
Barton	Forbes	LoBiondo
Bass	Ford	Lofgren
Bateman	Fossella	Lowe
Bentsen	Fowler	Lucas (KY)
Bereuter	Franks (NJ)	Lucas (OK)
Berkley	Frelinghuysen	Maloney (CT)
Berman	Frost	Maloney (NY)
Berry	Galleghy	Manzullo
Biggert	Ganske	Martinez
Bilbray	Gekas	Mascara
Bilirakis	Gibbons	McCollum
Bishop	Gilchrest	McCrery
Blagojevich	Gillmor	McHugh
Bliley	Gilman	McInnis
Blunt	Gonzalez	McIntosh
Boehlert	Goode	McIntyre
Boehner	Goodlatte	McKeon
Bonilla	Goodling	McNulty
Bono	Gordon	Meek (FL)
Borski	Goss	Menendez
Boswell	Graham	Metcalf
Boucher	Granger	Mica
Boyd	Green (TX)	Millender-
Brady (PA)	Green (WI)	McDonald
Brady (TX)	Gutierrez	Miller (FL)
Brown (FL)	Gutknecht	Miller, Gary
Bryant	Hall (OH)	Moakley
Burr	Hall (TX)	Mollohan
Burton	Hansen	Moore
Buyer	Hastings (FL)	Moran (KS)
Callahan	Hastings (WA)	Murtha
Calvert	Hayes	Myrick
Camp	Hayworth	Napolitano
Campbell	Hefley	Nethercutt
Canady	Herger	Ney
Cannon	Hill (IN)	Northup
Capps	Hill (MT)	Norwood
Carson	Hilleary	Nussle
Castle	Hinche	Obey
Chabot	Hinojosa	Ortiz
Chambliss	Hobson	Ose
Clayton	Hoeffel	Oxley
Clement	Hoekstra	Packard
Clyburn	Holden	Pallone
Coble	Horn	Pascrell
Coburn	Hostettler	Pease
Collins	Houghton	Pelosi
Combest	Hoyer	Peterson (PA)
Condit	Hulshof	Petri
Cook	Hunter	Phelps
Cooksey	Hutchinson	Pickering
Costello	Hyde	Pickett
Cox	Inslee	Pitts
Cramer	Isakson	Pombo
Crane	Istook	Pomeroy
Crowley	Jenkins	Porter
Cubin	John	Portman
Cunningham	Johnson (CT)	Price (NC)
Davis (FL)	Johnson, E. B.	Pryce (OH)
Davis (VA)	Johnson, Sam	Quinn
Deal	Jones (NC)	Radanovich
DeGette	Kaptur	Regula
DeLay	Kasich	Reyes
DeMint	Kelly	Reynolds
Deutsch	Kennedy	Riley
Diaz-Balart	Kildee	Rodriguez
Dickey	Kilpatrick	Roemer
Dicks	Kind (WI)	Rogan
Dingell	King (NY)	Rogers
Dixon	Kingston	Ros-Lehtinen
Dooley	Klink	Rothman
Doolittle	Knollenberg	Roukema
Doyle	Kolbe	Roybal-Allard
Dreier	Kuykendall	Royce

Rush	Smith (MI)	Traficant
Ryan (WI)	Smith (NJ)	Turner
Ryun (KS)	Smith (TX)	Udall (CO)
Sabo	Smith (WA)	Upton
Salmon	Snyder	Visclosky
Sanchez	Souder	Walden
Sandlin	Spence	Walsh
Sanford	Spratt	Wamp
Sawyer	Stenholm	Watkins
Saxton	Strickland	Watt (NC)
Scarborough	Stump	Watts (OK)
Schaffer	Sununu	Waxman
Scott	Sweeney	Weiner
Sensenbrenner	Talent	Weldon (FL)
Sessions	Tancredo	Weldon (PA)
Shadegg	Tauscher	Weller
Shaw	Tauzin	Wexler
Shays	Taylor (MS)	Weygand
Sherman	Taylor (NC)	Whitfield
Sherwood	Terry	Wicker
Shimkus	Thomas	Wilson
Shows	Thompson (CA)	Wise
Shuster	Thompson (MS)	Wolf
Simpson	Thornberry	Wynn
Sisisky	Thune	Young (AK)
Skeen	Tiahrt	Young (FL)
Skelton	Toomey	

NOT VOTING—22

Becerra	Klecza	Neal
Brown (CA)	Levin	Rahall
Cardin	Lewis (GA)	Rangel
Coyne	Matsui	Slaughter
Doggett	McDermott	Tanner
Gephardt	Miller, George	Thurman
Greenwood	Moran (VA)	
Jefferson	Morella	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. CAMP, assumed the Chair.

When Mr. LATOURETTE, Chairman, pursuant to House Resolution 167, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2000”.

(b) **TABLE OF CONTENTS.**—The table of contents for 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. Community Management Account.

Sec. 105. Authorization of emergency supplemental appropriations for fiscal year 1999.

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. Sense of the Congress on intelligence community contracting.

Sec. 304. Report on effects of foreign espionage on United States trade secrets.

Sec. 305. Protection of identity of retired covert agents.

Sec. 306. Report on activities of the Central Intelligence Agency in Chile.

Sec. 307. Report on legal standards applied for electronic surveillance.

Sec. 308. Report on Kosova Liberation Army.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Two-year extension of CIA central services program.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Protection of operational files of the National Imagery and Mapping Agency.

TITLE VI—PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY

Sec. 601. Prohibition on drug trafficking by employees of the intelligence community.

TITLE I—INTELLIGENCE ACTIVITIES**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2000 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The National Reconnaissance Office.
- (11) The National Imagery and Mapping Agency.

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, 2000, 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. 1555 of the One Hundred Sixth 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 Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2000 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) **NOTICE TO INTELLIGENCE COMMITTEES.**—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he 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 Central Intelligence for fiscal year 2000 the sum of \$193,572,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2001.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Community Management Account of the Director of Central Intelligence are authorized 348 full-time personnel as of September 30, 2000. Personnel serving in such elements may be permanent employees of the Community Management Staff 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 Community Management Account by subsection (a), there are also authorized to be appropriated for the Community Management Account for fiscal year 2000 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2001.

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 2000, there are hereby 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 2000, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the 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 Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) **IN GENERAL.**—Of the amount appropriated pursuant to the authorization in subsection (a), the amount of \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2001, and funds provided for procurement purposes shall remain available until September 30, 2002.

(2) **TRANSFER OF FUNDS.**—The Director of Central Intelligence shall transfer to the Attorney General of the United States funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) **LIMITATION.**—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403-3(d)(1)).

(4) **AUTHORITY.**—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

SEC. 105. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

(a) **AUTHORIZATION.**—Amounts authorized to be appropriated for fiscal year 1999 under section 101 of the Intelligence Authorization Act for Fiscal Year 1999 (Public Law 105-272) for the conduct of the intelligence activities of elements of the United States Government listed in such section are hereby increased, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased by an emergency supplemental appropriation in a supplemental appropriations Act for fiscal year 1999 that is enacted after May 1, 1999, for such amounts as are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) **RATIFICATION.**—For purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414), any obligation or expenditure of those amounts deemed to have been specifically authorized by Congress in the Act referred to in subsection (a) is hereby ratified and confirmed.

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 2000 the sum of \$209,100,000.

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. 303. SENSE OF THE CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of the Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

SEC. 304. REPORT ON EFFECTS OF FOREIGN ESPIONAGE ON UNITED STATES TRADE SECRETS.

By not later than 270 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a report describing the effects of espionage against the United States, conducted by or on behalf of other nations, on United States trade secrets, patents, and technology development. The study shall include an analysis of the effects of such espionage on the trade deficit of the United States and on the employment rate in the United States.

SEC. 305. PROTECTION OF IDENTITY OF RETIRED COVERT AGENTS.

(a) **IN GENERAL.**—Section 606(4)(A) of the National Security Act of 1947 (50 U.S.C. 426(4)(A)) is amended—

(1) by striking “an officer or employee” and inserting “a present or retired officer or employee”; and

(2) by striking “a member” and inserting “a present or retired member”.

(b) **IMPOSITION OF MINIMUM PRISON SENTENCES FOR VIOLATIONS.**—Section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended—

(1) in subsection (a), by striking “shall be fined not more than \$50,000 or imprisoned not more than ten years, or both.” and inserting “shall be imprisoned not less than five years and not more than ten years and fined not more than \$50,000.”

(2) in subsection (b), by striking “shall be fined not more than \$25,000 or imprisoned not more than five years, or both.” and inserting “shall be imprisoned not less than 30 months and not more than five years and fined not more than \$25,000.”

(3) in subsection (c), by striking “shall be fined not more than \$15,000 or imprisoned not more than three years, or both.” and inserting “shall be imprisoned not less than 18 months and not more than three years and fined not more than \$15,000.”

SEC. 306. REPORT ON ACTIVITIES OF THE CENTRAL INTELLIGENCE AGENCY IN CHILE.

(a) **IN GENERAL.**—By not later than 120 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to the appropriate congressional committees a report describing all activities of officers, covert agents, and employees of all elements in the intelligence community with respect to the following events in the Republic of Chile:

(1) The assassination of President Salvador Allende in September 1973.

(2) The accession of General Augusto Pinochet to the Presidency of the Republic of Chile.

(3) Violations of human rights committed by officers or agents of former President Pinochet.

(b) **DOCUMENTATION.**—The report submitted under subsection (a) shall include copies of unedited documents in the possession of any such element of the intelligence community with respect to such events.

(c) **DEFINITION.**—In this section, the term “appropriate congressional committees” means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives, and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

SEC. 307. REPORT ON LEGAL STANDARDS APPLIED FOR ELECTRONIC SURVEILLANCE.

(a) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Director of Central Intelligence, the Director of the National Security Agency, and the Attorney General shall jointly prepare, and the Director of the National Security Agency shall submit to the appropriate congressional committees a report in classified and unclassified form describing the legal standards employed by elements of the intelligence community in conducting signals intelligence activities, including electronic surveillance.

(b) **MATTERS SPECIFICALLY ADDRESSED.**—The report shall specifically include a statement of each of the following legal standards:

(1) The legal standards for interception of communications when such interception may result in the acquisition of information from a communication to or from United States persons.

(2) The legal standards for intentional targeting of the communications to or from United States persons.

(3) The legal standards for receipt from non-United States sources of information pertaining to communications to or from United States persons.

(4) The legal standards for dissemination of information acquired through the interception of the communications to or from United States persons.

(c) **INCLUSION OF LEGAL MEMORANDA AND OPINIONS.**—The report under subsection (a) shall include a copy of all legal memoranda, opinions, and other related documents in unclassified, and if necessary, classified form with respect to the conduct of signals intelligence activities, including electronic surveillance by elements of the intelligence community, utilized by the Office of the General Counsel of the National Security Agency, by the Office of General Counsel of the Central Intelligence Agency, or by the Office of Intelligence Policy Review of the Department of Justice, in preparation of the report.

(d) **DEFINITION.**—As used in this section:

(1) The term “intelligence community” has the meaning given that term under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) The term “United States persons” has the meaning given such term under section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

(3) The term “appropriate congressional committees” means the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives, and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

SEC. 308. REPORT ON KOSOVA LIBERATION ARMY.

(a) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to the appropriate congressional committees a report (in both classified and unclassified form) on the organized resistance in Kosova known as the Kosova Liberation Army. The report shall include the following:

(1) A summary of the history of the Kosova Liberation Army.

(2) As of the date of the enactment of this Act—

(A) the number of individuals currently participating in or supporting combat operations of the Kosova Liberation Army (fielded forces), and the number of individuals in training for such service (recruits);

(B) the types, and quantity of each type, of weapon employed by the Kosova Liberation Army, the training afforded to such fielded forces in the use of such weapons, and the sufficiency of such training to conduct effective military operations; and

(C) minimum additional weaponry and training required to improve substantially the efficacy of such military operations.

(3) An estimate of the percentage of funding (if any) of the Kosova Liberation Army that is attributable to profits from the sale of illicit narcotics.

(4) A description of the involvement (if any) of the Kosova Liberation Army in terrorist activities.

(5) A description of the number of killings of noncombatant civilians (if any) carried out by the Kosova Liberation Army since its formation.

(6) A description of the leadership of the Kosova Liberation Army, including an analysis of—

(A) the political philosophy and program of the leadership; and

(B) the sentiment of the leadership toward the United States.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—As used in this section, the term “appropriate congressional committees” means

the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. TWO-YEAR EXTENSION OF CIA CENTRAL SERVICES PROGRAM.

Section 21(h)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u(h)(1)) is amended by striking out “March 31, 2000.” and inserting “March 31, 2002.”.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. PROTECTION OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) IN GENERAL.—Subchapter I of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 446. Protection of operational files

(a) EXEMPTION OF CERTAIN OPERATIONAL FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) The Director of the National Imagery and Mapping Agency, with the coordination of the Director of Central Intelligence, may exempt operational files of the National Imagery and Mapping Agency from the provisions of section 552 of title 5, United States Code (Freedom of Information Act), which require publication, disclosure, search, or review in connection therewith.

(2)(A) Subject to subparagraph (B), for the purposes of this section, the term ‘operational files’ means files of the National Imagery and Mapping Agency (hereinafter in this section referred to as ‘NIMA’) concerning the activities of NIMA that before the establishment of NIMA were performed by the National Photographic Interpretation Center of the Central Intelligence Agency (NPIC), that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems.

(B) Files which are the sole repository of disseminated intelligence are not operational files.

(3) Notwithstanding paragraph (1), exempted operational files shall continue to be subject to search and review for information concerning—

(A) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 of title 5, or section 552a of title 5, United States Code (Privacy Act of 1974);

(B) any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code; or

(C) the specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

(i) The Permanent Select Committee on Intelligence of the House of Representatives.

(ii) The Select Committee on Intelligence of the Senate.

(iii) The Intelligence Oversight Board.

(iv) The Department of Justice.

(v) The Office of General Counsel of NIMA.

(vi) The Office of the Director of NIMA.

(4)(A) Files that are not exempted under paragraph (1) which contain information derived or disseminated from exempted operational files shall be subject to search and review.

(B) The inclusion of information from exempted operational files in files that are not exempted under paragraph (1) shall not af-

fect the exemption under paragraph (1) of the originating operational files from search, review publication, or disclosure.

(C) Records from exempted operational files which have been disseminated to and referenced in files that are not exempted under paragraph (1) and which have been returned to exempted operational files for sole retention shall be subject to search and review.

(5) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of the enactment of this section, and which specifically cites and repeals or modifies its provisions.

(6)(A) Except as provided in subparagraph (B), whenever any person who has requested agency records under section 552 of title 5, United States Code, alleges that NIMA has withheld records improperly because of failure to comply with any provision of this section, judicial review shall be available under the terms set forth in section 552(a)(4)(B) of title 5, United States Code.

(B) Judicial review shall not be available in the manner provided for under subparagraph (A) as follows:

(i) In any case in which information specifically authorized under criteria established by an Executive Order to be kept secret in the interests of national defense or foreign relations is filed with, or produced for, the court by NIMA, such information shall be examined ex parte, in camera by the court.

(ii) The court shall, to the fullest extent practicable, determine the issues of fact based on sworn written submissions of the parties.

(iii) When a complainant alleges that requested records are improperly withheld because of improper placement solely in exempted operational files, the complainant shall support such allegation with a sworn written submission based upon personal knowledge or otherwise admissible evidence.

(iv)(I) When a complainant alleges that requested records were improperly withheld because of improper exemption of operational files, NIMA shall meet its burden under section 552(a)(4)(B) of title 5, United States Code, by demonstrating to the court by sworn written submission that exempted operational files likely to contain responsible records currently perform the functions set forth in paragraph (2).

(II) The court may not order NIMA to review the content of any exempted operational file or files in order to make the demonstration required under subclause (I), unless the complainant disputes NIMA’s showing with a sworn written submission based on personal knowledge or otherwise admissible evidence.

(v) In proceedings under clauses (iii) and (iv), the parties may not obtain discovery pursuant to rules 26 through 36 of the Federal Rules of Civil Procedure, except that requests for admissions may be made pursuant to rules 26 and 36.

(vi) If the court finds under this paragraph that NIMA has improperly withheld requested records because of failure to comply with any provision of this subsection, the court shall order NIMA to search and review the appropriate exempted operational file or files for the requested records and make such records, or portions thereof, available in accordance with the provisions of section 552 of title 5, United States Code, and such order shall be the exclusive remedy for failure to comply with this subsection.

(vii) If at any time following the filing of a complaint pursuant to this paragraph NIMA agrees to search the appropriate exempted operational file or files for the requested records, the court shall dismiss the claim based upon such complaint.

(viii) Any information filed with, or produced for the court pursuant to clauses (i) and (iv) shall be coordinated with the Director of Central Intelligence prior to submission to the court.

(b) DECENNIAL REVIEW OF EXEMPTED OPERATIONAL FILES.—(1) Not less than once every ten years, the Director of the National Imagery and Mapping Agency and the Director of Central Intelligence shall review the exemptions in force under subsection (a)(1) to determine whether such exemptions may be removed from the category of exempted files or any portion thereof. The Director of Central Intelligence must approve any determination to remove such exemptions.

(2) The review required by paragraph (1) shall include consideration of the historical value or other public interest in the subject matter of the particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein.

(3) A complainant that alleges that NIMA has improperly withheld records because of failure to comply with this subsection may seek judicial review in the district court of the United States of the district in which any of the parties reside, or in the District of Columbia. In such a proceeding, the court’s review shall be limited to determining the following:

(A) Whether NIMA has conducted the review required by paragraph (1) before the expiration of the ten-year period beginning on the date of the enactment of this section or before the expiration of the 10-year period beginning on the date of the most recent review.

(B) Whether NIMA, in fact, considered the criteria set forth in paragraph (2) in conducting the required review.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 22 of title 10, United States Code, is amended by adding at the end the following new item:

“446. Protection of operational files.”.

TITLE VI—PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY

SEC. 601. PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY.

(a) PURPOSES.—It is the purpose of this section—

(1) to prohibit the Central Intelligence Agency and other intelligence agencies and their employees and agents from participating in drug trafficking activities, including the manufacture, purchase, sale, transport, or distribution of illegal drugs; conspiracy to traffic in illegal drugs; and arrangements to transport illegal drugs; and

(2) to require the employees and agents of the Central Intelligence Agency and other intelligence agencies to report known or suspected drug trafficking activities to the appropriate authorities.

(b) PROHIBITION ON DRUG TRAFFICKING.—No element of the intelligence community, or any employee of such an element, may knowingly encourage or participate in drug trafficking activities.

(c) MANDATE TO REPORT.—Any employee of an element of the intelligence community having knowledge of facts or circumstances that reasonably indicate that any employee of such an element is involved with any drug trafficking activities, or other violations of United States drug laws, shall report such knowledge or facts to the appropriate official.

(d) DEFINITIONS.—As used in this section:

(1) DRUG TRAFFICKING ACTIVITIES.—

(A) IN GENERAL.—The term “drug trafficking activities” means the possession, dis-

tribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell or transfer illegal drugs (as those terms are applied under section 404(c) of the Controlled Substances Act (21 U.S.C. 844(c)).

(B) INCLUSIONS.—Such term includes arrangements to allow the use of federally owned or leased vehicles, or other means of transportation, for the transport of illegal drugs.

(2) ILLEGAL DRUGS.—The term “illegal drugs” means controlled substances (as that term is defined section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)) included in schedule I or II under part B of title II of such Act.

(3) EMPLOYEE.—The term “employee” means an individual employed by an element of the intelligence community, and includes the following individuals:

(A) Employees under a contract with such an element.

(B) Covert agents, as that term is defined in paragraph (4) of section 606 of the National Security Act of 1947 (50 U.S.C. 426).

(C) An individual acting on behalf, or with the approval, of an element of the intelligence community.

(4) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term under paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

(5) APPROPRIATE OFFICIAL.—The term “appropriate official” means the Attorney General, the Inspector General of the element of the intelligence community (if any), or the head of such element.

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. CAMP, 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.

¶49.12 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GOSS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make such technical and conforming changes as may be necessary.

¶49.13 MOTION TO INSTRUCT

CONFEREES—H.R. 1141

Mr. UPTON submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, to insist that no provision (1) not in H.R. 1141, when passed by the House, (2) not in H.R. 1664 when passed by the House or directly related to H.R. 1664, (3) not in the Senate amendment to H.R. 1141, as passed by the Senate, be agreed to by the managers on the part of the House.

After debate,

By unanimous consent, the previous question was ordered on the motion to

instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

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

Mr. UPTON 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 6, rule XX, and the call was taken by electronic device.

It was decided in the affirmative	Yeas	381	Nays	46
			Answered	
			present	1

¶49.14 [Roll No. 130] YEAS—381

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| Abercrombie | Crane | Hastings (FL) |
| Ackerman | Crowley | Hayes |
| Allen | Cubin | Hayworth |
| Andrews | Cummings | Hefley |
| Archer | Cunningham | Heger |
| Armey | Danner | Hill (IN) |
| Bachus | Davis (FL) | Hill (MT) |
| Baird | Davis (IL) | Hilleary |
| Baldacci | Davis (VA) | Hinchey |
| Baldwin | Deal | Hinojosa |
| Ballenger | DeFazio | Hobson |
| Barcia | DeGette | Hoefel |
| Barr | Delahunt | Hoekstra |
| Barrett (NE) | DeLauro | Holden |
| Barrett (WI) | DeLay | Holt |
| Bartlett | DeMint | Hooley |
| Barton | Deutsch | Horn |
| Bass | Diaz-Balart | Hostettler |
| Bateman | Dickey | Houghton |
| Becerra | Dingell | Hulshof |
| Bentsen | Dixon | Hunter |
| Bereuter | Doggett | Hutchinson |
| Berkley | Dooley | Hyde |
| Berry | Doolittle | Inslee |
| Biggert | Doyle | Isakson |
| Bilbray | Dreier | Istook |
| Bilirakis | Duncan | Jackson (IL) |
| Bishop | Dunn | Jackson-Lee |
| Blagojevich | Edwards | (TX) |
| Bliley | Ehlers | Jefferson |
| Blumenauer | Ehrlich | Jenkins |
| Blunt | Emerson | John |
| Boehlert | Engel | Johnson (CT) |
| Boehner | English | Johnson, E. B. |
| Bonilla | Eshoo | Johnson, Sam |
| Bonior | Etheridge | Jones (NC) |
| Bono | Evans | Kanjorski |
| Borski | Ewing | Kaptur |
| Boswell | Fattah | Kasich |
| Brady (PA) | Filner | Kelly |
| Brady (TX) | Fletcher | Kennedy |
| Brown (FL) | Foley | Kildee |
| Brown (OH) | Forbes | Kind (WI) |
| Bryant | Ford | King (NY) |
| Burr | Fossella | Kingston |
| Burton | Fowler | Kleczka |
| Buyer | Frank (MA) | Klink |
| Calvert | Franks (NJ) | Knollenberg |
| Camp | Frelinghuysen | Kolbe |
| Campbell | Frost | Kuykendall |
| Canady | Ganske | LaFalce |
| Cannon | Gejdenson | LaHood |
| Capps | Gekas | Lampson |
| Capuano | Gibbons | Lantos |
| Cardin | Gilchrest | Largent |
| Carson | Gillmor | Larson |
| Castle | Gilman | Latham |
| Chabot | Gonzalez | LaTourette |
| Chambless | Goode | Lazio |
| Clay | Goodlatte | Leach |
| Clayton | Goodling | Lee |
| Clement | Gordon | Levin |
| Coble | Goss | Lewis (GA) |
| Coburn | Graham | Linder |
| Collins | Granger | Lipinski |
| Combest | Green (TX) | LoBiondo |
| Condit | Green (WI) | Lofgren |
| Conyers | Greenwood | Lowey |
| Cook | Gutierrez | Lucas (KY) |
| Cooksey | Gutknecht | Lucas (OK) |
| Costello | Hall (OH) | Luther |
| Cox | Hall (TX) | Maloney (CT) |
| Coyne | Hansen | Maloney (NY) |

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|--------------------|---------------|---------------|
| Manzullo | Pickett | Snyder |
| Markey | Pitts | Souder |
| Martinez | Pomeroy | Spence |
| Mascara | Porter | Spratt |
| Matsui | Portman | Stabenow |
| McCarthy (MO) | Price (NC) | Stark |
| McCarthy (NY) | Pryce (OH) | Stearns |
| McCollum | Radanovich | Stenholm |
| McDermott | Ramstad | Strickland |
| McGovern | Rangel | Stump |
| McHugh | Regula | Sununu |
| McInnis | Reyes | Sweeney |
| McIntosh | Reynolds | Talent |
| McIntyre | Rivers | Tancredo |
| McKeon | Rodriguez | Tanner |
| McKinney | Roemer | Tauscher |
| McNulty | Rogan | Tauzin |
| Meehan | Rogers | Taylor (MS) |
| Meeks (NY) | Rohrabacher | Taylor (NC) |
| Menendez | Rothman | Terry |
| Metcalfe | Roukema | Thomas |
| Mica | Roybal-Allard | Thompson (CA) |
| Millender-McDonald | Royce | Thompson (MS) |
| Miller (FL) | Rush | Thornberry |
| Miller, Gary | Ryan (WI) | Thune |
| Miller, George | Salmon | Thurman |
| Minge | Sanchez | Tierney |
| Mink | Sanders | Toomey |
| Moakley | Sandlin | Towns |
| Moore | Sanford | Turner |
| Morella | Sawyer | Udall (CO) |
| Myrick | Saxton | Udall (NM) |
| Nadler | Scarborough | Upton |
| Napolitano | Schaffer | Velazquez |
| Neal | Schakowsky | Walden |
| Nethercutt | Scott | Walsh |
| Ney | Sensenbrenner | Wamp |
| Northup | Sessions | Watkins |
| Norwood | Shadegg | Watt (NC) |
| Nussle | Shaw | Watts (OK) |
| Oliver | Shays | Waxman |
| Ortiz | Sherman | Weiner |
| Ose | Sherwood | Weldon (FL) |
| Owens | Shimkus | Weldon (PA) |
| Oxley | Shows | Weller |
| Pallone | Shuster | Wexler |
| Pascarella | Simpson | Weygand |
| Paul | Sisisky | Whitfield |
| Pease | Skeen | Wicker |
| Peterson (MN) | Skelton | Wilson |
| Peterson (PA) | Slaughter | Wolf |
| Petri | Smith (MI) | Woolsey |
| Phelps | Smith (NJ) | Wu |
| Pickering | Smith (TX) | Wynn |
| | Smith (WA) | |

NAYS—46

- | | | |
|---------------|------------|------------|
| Aderholt | Kilpatrick | Pombo |
| Baker | Kucinich | Rahall |
| Berman | Lewis (CA) | Riley |
| Boyd | Lewis (KY) | Ryun (KS) |
| Callahan | McCrary | Sabo |
| Chenoweth | MEEK (FL) | Serrano |
| Clyburn | Mollohan | Stupak |
| Cramer | Moran (KS) | Tiahrt |
| Dicks | Moran (VA) | Traffant |
| Everett | Murtha | Vento |
| Farr | Oberstar | Visclosky |
| Gallely | Obey | Waters |
| Hastings (WA) | Packard | Wise |
| Hilliard | Pastor | Young (AK) |
| Hoyer | Payne | |
| Jones (OH) | Pelosi | |

ANSWERED “PRESENT”—1

Young (FL)

NOT VOTING—5

- | | | |
|------------|----------|--------------|
| Boucher | Gephardt | Ros-Lehtinen |
| Brown (CA) | Quinn | |

So the motion to instruct the managers on the part of the House was agreed to.

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

¶49.15 SELECT COMMITTEE ON CHINA EXTENSION

On motion of Mr. DREIER, by unanimous consent, the Committee on Rules was discharged from further consideration of the following resolution (H. Res. 170):

Resolved,