

Meehan	Rahall	Stearns
Meek (FL)	Ramstad	Stenholm
Meeks (NY)	Rangel	Strickland
Menendez	Regula	Stump
Metcalfe	Reyes	Stupak
Mica	Reynolds	Sununu
Millender-	Riley	Sweeney
McDonald	Rivers	Talent
Miller (FL)	Rodriguez	Tancredo
Miller, Gary	Roemer	Tanner
Miller, George	Rogan	Tauscher
Minge	Rogers	Tauzin
Mink	Rohrabacher	Taylor (MS)
Moakley	Ros-Lehtinen	Taylor (NC)
Mollohan	Rothman	Terry
Moore	Roukema	Thomas
Moran (KS)	Roybal-Allard	Thompson (CA)
Moran (VA)	Royce	Thompson (MS)
Morella	Rush	Thornberry
Murtha	Ryan (WI)	Thune
Myrick	Ryun (KS)	Thurman
Nadler	Sabo	Tiahrt
Napolitano	Salmon	Tierney
Neal	Sanchez	Toomey
Nethercutt	Sanders	Towns
Ney	Sandlin	Trafficant
Northup	Sanford	Turner
Norwood	Sawyer	Udall (CO)
Nussle	Saxton	Udall (NM)
Oberstar	Scarborough	Upton
Obey	Schaffer	Velazquez
Oliver	Schakowsky	Vento
Ortiz	Scott	Visclosky
Ose	Sensenbrenner	Vitter
Owens	Serrano	Walden
Oxley	Sessions	Walsh
Packard	Shadegg	Wamp
Pallone	Shaw	Watkins
Pascarell	Shays	Watt (NC)
Pastor	Sherman	Watts (OK)
Paul	Sherwood	Waxman
Payne	Shimkus	Weiner
Pease	Shows	Weldon (FL)
Pelosi	Shuster	Weldon (PA)
Peterson (MN)	Simpson	Weller
Peterson (PA)	Sisisky	Wexler
Petri	Skeen	Weygand
Phelps	Skelton	Whitfield
Pickering	Slaughter	Wicker
Pickett	Smith (MI)	Wilson
Pitts	Smith (NJ)	Wise
Pombo	Smith (TX)	Wolf
Pomeroy	Smith (WA)	Woolsey
Porter	Snyder	Wu
Portman	Souder	Wynn
Price (NC)	Spence	Young (AK)
Pryce (OH)	Spratt	Young (FL)
Quinn	Stabenow	
Radanovich	Stark	

NOT VOTING—6

Brown (CA)	Lucas (OK)	McHugh
Hinchee	Luther	Waters

So the amendment was agreed to.
The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. NETHERCUTT, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶61.12 TRANSPORTATION APPROPRIATIONS FY 2000

Mr. WOLF submitted a privileged report (Rept. No. 106-180) on the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶61.13 DEFENSE AUTHORIZATION—FY 2000 AND 2001

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 200 and rule XVIII, declared the House resolved into the Committee of

the Whole House on the state of the Union for the further consideration of the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes.

Mr. NETHERCUTT, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶61.14 RECORDED VOTE

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

At the end of title XXXI (page 453, after line 15), insert the following new subtitle:

Subtitle F—Department of Energy Foreign Visitors Program Moratorium

SEC. 3181. SHORT TITLE.

This subtitle may be cited as the "Department of Energy Foreign Visitors Program Moratorium Act".

SEC. 3182. MORATORIUM ON FOREIGN VISITORS PROGRAM.

(a) MORATORIUM.—Until otherwise provided by law, the Secretary of Energy may not, during the foreign visitors moratorium period, admit to any facility of a national laboratory any individual who is a citizen of a nation that is named on the current Department of Energy sensitive countries list.

(b) WAIVER AUTHORITY.—(1) The Secretary of Energy may waive the prohibition in subsection (a) on a monthly basis with respect to specific individuals whose admission to a national laboratory is determined by the Secretary to be necessary for the national security of the United States.

(2) On a monthly basis, but not later than the 15th day of each month, the Secretary shall submit to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report in writing providing notice of the waivers made in the previous month. The report shall identify each individual for whom such a waiver was made and, with respect to each such individual, provide a detailed justification for the waiver and the Secretary's certification that the admission of that individual to a national laboratory is necessary for the national security of the United States.

(3) The authority of the Secretary under paragraph (1) may be delegated only to the Deputy Secretary of Energy or an Assistant Secretary of Energy.

(c) FOREIGN VISITORS MORATORIUM PERIOD.—For purposes of this section, the term "foreign visitors moratorium period" means the period beginning on the date of the enactment of this Act and ending on the later of the following:

(1) The date that is 2 years after the date of the enactment of this Act.

(2) The date that is 90 days after the date on which the Secretary of Energy, after consultation with the Director of the Federal Bureau of Investigation, submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a certification in writing by the Secretary of each of the following:

(A) That the counterintelligence program required by section 3183 is fully implemented, and fully operating, at each of the national laboratories.

(B) That such counterintelligence program complies with the requirements of Presidential Decision Directive number 61.

(C) That the Secretary is in compliance with the provisions of subsection (b).

SEC. 3183. COUNTERINTELLIGENCE PROGRAM.

(a) ESTABLISHMENT AT EACH LABORATORY.—The Secretary of Energy shall establish a counterintelligence program at each of the national laboratories. The counterintelligence program at each such laboratory shall have a full-time staff assigned to counterintelligence functions at that laboratory, including such personnel from other agencies as may be approved by the Secretary. The counterintelligence program at each such laboratory shall be under the direction of, and shall report to, the Director of the Office of Counterintelligence of the Department of Energy.

(b) INVESTIGATION OF PAST SECURITY BREACHES.—The Secretary shall require that the counterintelligence program at each laboratory include a specific plan pursuant to which the Director of the Office of Counterintelligence of the Department of Energy shall—

(1) investigate any breaches of security discovered after the date of the enactment of this Act that occurred at that laboratory before the establishment of the counterintelligence program at that laboratory; and

(2) study the extent to which a breach of security may have occurred before the establishment of the counterintelligence program at that laboratory with respect to a classified project at that laboratory by the admittance to that laboratory, for purposes of a nonclassified project, of a citizen of a foreign nation.

(c) REQUIRED CHECKS ON ALL NON-CLEARED INDIVIDUALS.—(1) The Secretary, acting through the Director of the Office of Counterintelligence of the Department of Energy, shall ensure the following:

(A) That before any non-cleared individual is allowed to enter any facility of a national laboratory, a security investigation known as an "indices check" is carried out with respect to that individual.

(B) That before any non-cleared individual is allowed to enter a classified facility of a national laboratory or to work for more than 15 days in any 30-day period in any facility of a national laboratory, a security investigation known as a "background check" is carried out with respect to that individual.

(2) NON-CLEARED INDIVIDUAL.—For purposes of paragraph (1), a non-cleared individual is any of the following:

(A) An individual who is a citizen of a nation that is named on the current Department of Energy sensitive countries list.

(B) An individual who has not been investigated by the United States, or by a foreign nation with which the United States has an appropriate reciprocity agreement, in a manner at least as comprehensive as the investigation required for the issuance of a security clearance at the level designated as "Secret".

SEC. 3184. EXCEPTION TO MORATORIUM FOR CERTAIN GRANDFATHERED INDIVIDUALS.

(a) GRANDFATHERED INDIVIDUALS.—Notwithstanding section 3182(a), the Secretary may, during the foreign visitors moratorium period described section 3182(c), admit to a facility of a national laboratory an individual who is a citizen of a nation that is named on the current Department of Energy sensitive countries list, for a period of not more than 3 months for the purposes of transitional work, if—

(1) that individual was regularly admitted to that facility before that period for purposes of a project or series of projects;

(2) the continued admittance of that individual to that facility during that period is important to that project or series of projects; and

