

sector the cost-of-living increase in medicine is only going up 3½ to 4 percent, but in the Government sector Medicare is going up 10½ percent. We have to fix it.

I think a short history lesson is in order. Last November the American people staged a revolt. With one election the people changed its Government. The liberal philosophy of more and more government had been totally rejected. The people voted for less government, less taxes and regulation, and firm leadership from Congress. During the first 100 days House Republicans enacted the Contract With America in which we clearly stated that government had to take a back seat to common sense. Congress went on record for lower taxes, serious welfare reform, and a real balance budget.

Mr. Speaker, the next few weeks will be the fruition of that contract. We on this side of the aisle clearly heard the voices of the people on November 8. Republicans have the political courage to address the Medicare crisis. We will keep our promises to rein in Federal spending, we will eliminate the failed welfare state, and we are going to cut capital gains tax to create more jobs. In other words, the Republicans will give the American people what they want, limited government and more individual responsibility.

MEDISCARE

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

Mr. TATE. Mr. Speaker, the Clinton administration trustees have come out with a report that clearly states that Medicare is going broke, and that is a fact. That is why the Republicans have worked hard, get this, to increase the amount of money that we are spending on Medicare. If someone is on Medicare today, they will receive \$4,800 on average per beneficiary. Under our plan someone will receive \$6,700 if they are on Medicare per beneficiary. That is an increase.

But now the special-interest groups have targeted me as spending \$85,000 worth of television advertising in my district misrepresenting the truth, talking about cuts, talking about what I call Mediscare and scaring seniors, and that is despicable. But the calls to my office, over 90 percent of the calls, are saying to me, "RANDY, stay the course. Don't give up."

Well, the Republicans will not give up on Medicare. We will not give up on seniors. It is too bad the liberals have given up on the seniors of the United States.

THE DEMOCRATS ARE NOT EVEN TRYING

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

Mr. BURTON of Indiana. Mr. Speaker, one of the things that has not been mentioned on the floor today is that the Democrats do not have a plan to deal with the Medicare crisis. The President's Commission on Medicare said that Medicare is going to go bankrupt in 7 years and they do not have a plan.

Now our plan will handle the crisis, increase Medicare spending, but not at the rate of growth we have had. Medicare has been growing at up to 16 percent a year, and that is intolerable. We cannot sustain that kind of growth rate.

So the bottom line is we are going to fix the Medicare problem. We are going to make sure that Medicare is there for seniors in the future. The Democrats do not have a plan. We are working on a plan right now. It is fiscally responsible. There is going to be more benefits, over the long term 40-percent growth in Medicare benefits for the next 7 years, but we are going to cut the rate of growth so we can balance the Medicare budget without having it having to go bankrupt, and that is one of the things that I think my colleagues on the other side of the aisle ought to pay attention to. We have a plan, we are working on it, we are going to solve it. They are not even trying.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1996

The SPEAKER pro tempore (Mr. DICKEY). Pursuant to House Resolution 216 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1655.

□ 1043

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas [Mr. COMBEST] will be recognized for 30 minutes, and the gentleman from Washington [Mr. DICKS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. COMBEST].

□ 1045

Mr. COMBEST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, I would like to compliment the Committee's

ranking Democrat, NORM DICKS, for his highly constructive role in the formulation of this legislation. He is a bona fide expert in many aspects of national security and intelligence, particularly in advanced technologies, and his influence is evident in many of our Committee's positions. I also would like to thank the other Democratic members of the Committee who have also joined in a spirit of nonpartisanship to craft this legislation. I also thank my fellow Republican Members who have worked hard in putting this bill together. In particular, I appreciate the fine work of JERRY LEWIS and BOB DORNAN, our subcommittee chairmen. Finally, the staff on both sides of the aisle deserve our thanks. They are a dedicated, talented group. This legislation is the product of a lot of work, intensive deliberation, and cooperation. The Committee held 11 full committee budget hearings, over 20 Member briefings, and over 200 staff briefings related to the budget. As a result, it is an act that our Committee reported out unanimously and in which we can all take no small measure of pride.

H.R. 1655 authorizes the funds for fiscal year 1996 for all of the intelligence and intelligence-related activities of the U.S. Government. The National Security Act requires that spending for intelligence be specifically authorized.

The intelligence budget has three major components—the national foreign intelligence program, known as the NFIP, the tactical intelligence and related activities program, known as TIARA, and—for the first time this year—a third program, the joint military intelligence program, known as JMIP.

NFIP funds activities providing intelligence to national policymakers and includes programs administered by such agencies as the Central Intelligence Agency, the National Security Agency and the Defense Intelligence Agency.

TARA, or tactical intelligence activities, reside exclusively in the Department of Defense. They consist, in large part, of numerous reconnaissance and target acquisition programs that are a functional part of the basic military force structure and provide direct information in support of military operations. Additionally, this year we have for the first time categorized some activities under the newly created joint military intelligence program, which provides military intelligence principally to defensewide or theater-level consumers.

This categorization of the intelligence budget into national, defense and tactical military intelligence programs facilitates our understanding of the diverse uses of intelligence. Additionally, it should increase the accountability and managerial control of intelligence programs.

From even the above thumbnail sketch of intelligence activities, it is obvious that, although our committee

has jurisdiction over all three intelligence programs, we must work closely with the National Security Committee, particularly in the oversight and authorization of the TIARA program. I would like to acknowledge the assistance of chairman FLOYD SPENCE, the members of the National Security Committee, and Committee Staff.

Due to the classified nature of much of the Intelligence Committee's work, I cannot discuss many of the specifics of the bill before the House except in the broadest terms. This can handicap Members' understanding of the issues at hand, particularly when we reach the amendments phase of these proceedings. Accordingly, I strongly urge those Members who have not yet had a chance, to read the classified annex to this bill. The annex is available in the committee office in the capitol—a 2-minute walk from the floor to H-405.

Now let me do what I can—in an unclassified manner—to discuss several major elements of the bill. First, I will put the bill in the historic context of the last few years' authorizations. Then I will explain the philosophy we followed in considering this year's bill. Finally, I will touch on several of the bill's most important initiatives and emphases.

First some recent history: Those who have been tracking the intelligence budget over this decade have seen a rather remarkable—some would say reckless—decline in intelligence spending. This is not news and I have discussed this at length on this floor for several years. But let me review and update a few facts that speak volumes and correct several common misconceptions.

Fact one: In real terms, the intelligence budget has been cut in all but one of the last 7 years.

Fact two: The intelligence community is being reduced at twice the rate recommended by the President's national performance review program.

Fact three: President Clinton proposed a few years ago to cut \$7 billion from intelligence by 1997. That was accomplished over a year ago—2 years early. We will probably come very close to doubling those cuts by 1997.

Fact four: We have, until this year, been on a glide slope of intelligence cuts that would by the end of this decade put intelligence spending in constant dollars at about 65 percent of the 1989 level.

Fact five: The intelligence community continues to reduce its personnel at a rate that will, by 1999, cut more than one of every five positions.

It was with the knowledge of this recent history that we began consideration of the fiscal year 1996 authorization. The cumulative effects of these developments over the last several years are troubling to many of us on both sides of the aisle who believe that we cannot indefinitely continue to cut critically important intelligence support to U.S. policymakers and military commanders. Nonetheless, our commit-

tee decided on a nonpartisan basis that it would not rush headlong into efforts to reverse these trends of the recent past. Responsible oversight requires an objective approach. We decided that the 104th Congress offered us an excellent opportunity to take a fresh, open-eyed look at intelligence. We resolved to work together in a nonpartisan manner to make the most objective assessment possible of each item in the intelligence budget. To do that we broke with some recent practices, three of which I will mention here.

First, we reorganized the committee to merge the previously separate budget and oversight/evaluation functions. Wise budgetary decisions must be guided by evaluations of effectiveness.

Second, we broke with the past practice of concentrating on the short-term effect of our budgetary decisions. Instead, we have taken a longer view and designed this year's authorization with an eye toward future needs and requirements for intelligence. This emphasis in our authorization has coincided with our committee's major activity of this Congress—an exhaustive and authoritative study of this country's long-term requirements for intelligence. This study, called "IC21: The Intelligence Community for the 21st Century," will be completed in time for its results to be considered in the preparation of what may become semi-annual legislation in next year's session.

Third, we opted for the most intellectually honest process we could devise to judge each program on its merits and its contributions to national security. We explicitly rejected the idea of working toward an arbitrarily set higher or lower budget objective. We also rejected the idea of making offsets to otherwise deserving programs so as to fund an increase in other programs. We were confident that the Congress would accept an intelligence authorization consisting of properly funded programs—even if that amounted to a significant increase in the aggregate over the President's request. As it turned out, despite some 80 budget actions taken by the committee, this bill authorizes intelligence expenditures only 1.3 percent above the President's request.

To understand many of the specific actions taken in H.R. 1655, the Members will have to refer to the classified annex available to them in our committee office. But let me give you an unclassified sketch of several of the themes that emerge:

We have moved to centralize authorities and improve cross-program management of intelligence activities. This reduces needless redundancies, facilitates the identification of under-performing programs, and increases accountability.

We have, across the board, emphasized the need for countering the challenges of foreign denial and deception practices. We have directed the intelligence community to do better at

countering the increasingly sophisticated capabilities of hostile foreign powers to hide their activities from our intelligence capabilities. I note, for example, the reported success the Iraqi regime had in hiding its massive biological weapons program. Foreign denial and deception practices have revealed an extraordinarily dangerous intelligence vulnerability that has not been sufficiently addressed. Our actions will do much to reverse this trend. I should add that this is also an issue of great interest to the Speaker.

We have focused the intelligence community's attention more on the downstream activities of processing, exploiting, and disseminating intelligence. Without careful planning there is a serious danger of painting ourselves into a corner where we devote all of the very thin intelligence budgets we can now afford toward the development and maintenance of expensive technical collection systems, but have insufficient ability to make use of the intelligence we collect. We believe this is already a problem and we have taken action to address it.

We have urged the intelligence community to accelerate its move toward concentrating intelligence collection and analysis on issues of the highest national importance. We no longer have the resources or capabilities to spare on anything but the most important intelligence targets.

We have acted to improve counter-intelligence, security, counter-terrorism, and counterproliferation capabilities.

We have taken action to improve the capability of the CIA to better manage and oversee its agent operations and the intelligence emerging from them. As you all know, it is a matter of deep importance to this committee that there be a better process of keeping this committee informed of intelligence developments. In addition to placing this requirement on the CIA—and we have done so in no uncertain terms—we must give the CIA the capability to meet our expectations. This action will enhance this capability as well as increase the productivity of the CIA.

We made our biggest change to the administration's request in the satellite area. Although the National Reconnaissance Office [NRO] received 99 percent of the amount requested, the funds were significantly redistributed within the NRO account that builds and manages our Nation's satellites. The significance is most apparent regarding long-term policy. The committee believes the NRO needs to reduce program costs. We believe that with creativity and cost consciousness significant savings may be possible. The committee has also directed that the NRO assess the long-term threats that we face to ensure that we are building systems that will address potential collection gaps. Finally, we concentrated on the imagery program, where developments in the commercial arena point

toward large potential cost savings in national security programs. Without getting into the highly classified and very technical areas of the satellite collection process, technology advances over the last 10 years, coupled with alternative launch options offer the possibility of substantial savings while maintaining and even enhancing necessary intelligence capabilities.

Finally, in drafting this bill, we resisted the calls of those who advocated an unconsidered, massive infusion of funds to remedy the cuts of the past, and we rejected the urging of those who rely on anecdotes and headlines, many of them wrong, to dismantle intelligence. Our hard work and pragmatic approach has paid off in producing a hard-nosed, lean authorization at 1.3 percent above the President's request. It focuses intelligence, increases accountability, and corrects several of the dangerous trends in recent intelligence authorizations. This is a responsible bill that any Member of this body can readily support.

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

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. DICKS. Mr. Chairman, I rise in support of H.R. 1655, which authorizes funds for intelligence and intelligence-related activities for fiscal year 1996.

I want to begin by commending Chairman COMBEST for his leadership in bringing this measure to the floor and for the manner in which he has presided over the committee this year. He has been uniformly fair and has consistently sought to involve all members in all aspects of the committee's business. It has been a pleasure to serve with him and I look forward to our continued collaborative efforts, not only on this legislation, but on the other important work of the committee as well.

At a time in history when the capability to provide information rapidly and reliably to our policymakers and military commanders is critical, the United States is fortunate to possess the world's preeminent intelligence system. Other nations envy the ability of our intelligence agencies to collect, produce, and disseminate intelligence useful for purposes as varied as determining our stance in diplomatic negotiations and reducing the threats faced by U.S. military personnel deployed in dangerous and rapidly changing crisis situations. As has been seen repeatedly in the past year, from Haiti to Bosnia and in many other locations, United States intelligence is looked to not only by our leaders, but by those of the countries with whom we are allied, to provide that essential piece of information that determines whether action is taken or deferred.

In an age of rapid advances in technology, maintaining a system which ensures the best possible access to in-

formation which others would not like us to have, interprets that information, and moves it in a matter of seconds anywhere in the world, is an expensive proposition. Intelligence collection and dissemination, particularly in the areas of signals and imagery intelligence, requires substantial investments in highly complex systems. It is impossible to fully discuss in an unclassified setting those systems, or the manner in which human intelligence is collected in a hostile environment by people of great skill and courage. It is also impossible, however, to understate the important contributions our intelligence agencies, and the men and women who work in them, make to our national security.

Some have criticized the amount of money the United States spends on intelligence, and it is true that H.R. 1655, in the aggregate, would provide 1.3 percent more money than requested by the President. Those who are critical of the size of the intelligence budget often point to the demise of the Soviet Union as the event which should have made it possible to substantially reduce intelligence expenditures. However, intelligence spending has declined by several billion dollars since the Soviet Union imploded and the number of people employed by the intelligence agencies is declining as well. By fiscal year 1999, there will be 22.5 percent fewer employees than there were in fiscal year 1992. These reductions come at a time when, while there is admittedly no single threat to our national security equivalent to that posed by the Soviet Union at the height of the cold war, an array of challenges exists which places an extraordinary premium on accurate and timely intelligence. Among these challenges are: The proliferation of weapons of mass destruction; the residual nuclear capacity and uncertain stability of the Russian Government; the need to provide data with which to target precision guided weapons; and regional conflicts. Advances in technology which are costly to counter but which must be addressed only magnify these challenges.

I believe that the reductions in spending over the last 5 years have resulted in an intelligence system of about the right size and capability for the missions it confronts. The authorization levels in H.R. 1655 will not provide for a significant expansion of those capabilities beyond what had been previously planned, but in general will ensure that modernization activities already underway are carried through to conclusion. These activities, if completely implemented particularly in the satellite area, will produce significant savings over time.

The intelligence community has had many successes, the majority of which cannot be publicized for security reasons. The last few years, however, have not been ones of unqualified achievement. The Ames spy case was an unmitigated disaster for the Central In-

telligence Agency in general, and the directorate of operations in particular. The need for change in management style and attitude to better ensure accountability within the directorate of operations was made crystal clear by the Ames debacle. This message has not been lost on the new Director of Central Intelligence, John Deutch. He has moved aggressively to install a new team of senior managers who I believe are dedicated to improving the way in which the intelligence community operates, and to making certain that Congress is kept advised of significant intelligence activities, as the law requires.

The well publicized failures in the intelligence community have been frustrating and the explanations for their case have been difficult to understand and accept. I believe, however, that these incidents do not provide a rationale for a general reduction in intelligence spending; rather they argue strongly for the kind of review of the internal operations and structure of the intelligence community which our committee, the Senate Intelligence Committee, the Aspin-Brown commission, and the DCI have undertaken. These efforts will produce change that is the product of careful consideration rather than reflex, and I believe result in an intelligence community better designed to operate in the post-cold-war world.

H.R. 1655 was reported unanimously by the Intelligence Committee and I have already indicated my support of it. In part, that support is based on my belief that it is important that there be stability and predictability in intelligence funding, particularly in highly technical programs where uncertainty in resources and direction can cause money to be wasted. The bill provides that kind of stability in all areas except for the programs managed by the National Reconnaissance Office [NRO]. While I am not pleased by the NRO's performance in keeping the committee informed about the expenditure rates for certain programs, and the annual funding needs based on those rates, I do not believe that the appropriate response to those managerial shortcomings is to radically alter the composition of our planned satellite constellation. Certain of the actions described in the classified annex to this bill, however, would have that effect and represent, in my judgment, a significant departure from the direction provided by Congress to the NRO as recently as a year ago. This departure has the potential for sizable and substantial long-term costs. It should only be undertaken if there is ample evidence that the likely gain outweighs the financial and programmatic risks. At this point, that evidence does not exist. I hope that in conference we will carefully consider the advisability of taking these steps now before a thorough record to support them is developed, both at the NRO and at the committee.

Mr. Chairman, the reservations just noted do not prevent me from supporting this important legislation, nor in recommending it to the House. I urge the adoption of H.R. 1655.

□ 1100

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

Mr. COMBEST. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I thank the gentleman from Washington [Mr. DICKS] for his comments and, as I have already mentioned, I appreciate his participation, his advice, and his dedication to the intelligence community and to our national security.

I would like to respond to his comments regarding the National Reconnaissance Office [NRO]. I, too, am not pleased with the NRO's performance regarding expenditure rates and funding needs. The need to adjust some of the managerial philosophies at the NRO was even brought out in our unclassified committee report. However, I believe that many of our adjustments are not just in response to managerial shortcomings, but are a recognition of the fact that rapid advances in technology, similar to those the gentleman addressed in his statement, also have value in the areas of satellite development. The problem is that these types of technologies, which go beyond historical incremental improvements, are not readily being addressed by the NRO, who have grown comfortable philosophically with staying the course.

I take note of my colleague's concern regarding stability and predictability in intelligence funding. That has been and remains a major concern of mine in terms of how the House handles intelligence oversight. Technological developments combined with the diversity of intelligence requirements, however, dictate that we not be lulled into complacency at a time when innovation may mean the difference between whether or not we can meet the policymaker's needs in the 21st century. Our bill does not attempt to push the NRO into untested areas, but simply assures that they will be open to the possibilities inherent in new technologies.

Again, I thank Mr. DICKS for his comments and his concerns, and greatly look forward to exploring this area further as the committee continues its work on 1C21.

Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

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

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of this legislation. It is very important to emphasize that we have already imposed multibillion-dollar cuts on the intelligence community over the past 5 years. It is equally impor-

tant to emphasize that, under the leadership of the distinguished chairman and the ranking member, very substantial reforms have been put in place. It is also equally important to emphasize that this legislation is brought to the floor by a unanimous vote of every member of the committee. A good intelligence is even more important today when we no longer face a monolithic opponent but rather several rogue States.

One of the areas in which I have been particularly interested indeed during my tenure as the ranking member of the Permanent Select Committee on Intelligence, I focused on the counternarcotics issue. Drugs indeed are a scourge in our country today. Frankly I am deeply concerned at the lack of emphasis that the administration seems to be placing on curtailing both demand and supply, but I am happy to report that there have been very, very significant intelligence successes. Most of them cannot be talked about because they are highly classified. I would urge my colleagues to go to the committee and to get a classified briefing on the extraordinary successes that our intelligence agencies have contributed to.

One example which is now in the public domain and can be talked about is the disintegration of the Cali cartel, that notorious cartel in Colombia which controls 80 percent of the world's cocaine supply. Within the past few months, 6 key leaders have been captured by Colombia law enforcement. We have been very instrumental in supporting that effort as well as other related efforts.

Shipments of coca base from Peru to Bolivia have been interdicted thanks to our support and the Colombian law enforcement people and other law enforcement people to the extent that the coca base has plummeted. Refineries simply cannot get base. In fact, much coca base is rotting on the ground.

I would be quick to acknowledge we cannot solve the drug scourge in this country by reducing supply only, but we can contribute to it, and the intelligence community is making a very, very significant contribution.

We are on the right track with this bill. I would urge my colleagues to support your committee members who unanimously bring this legislation to the floor.

Mr. RICHARDSON. Mr. Chairman, I yield myself 5 minutes.

First I want to commend the chairman of the committee for the very bipartisan, cerebral and often extremely substantial way that he has run this committee. I want to express my thanks to the chairman for allowing me to undertake several initiatives in the foreign policy area including the last trip that I took to Iraq.

Let me also state that I think the chairman is on the right track in ensuring that what we try to do in the future is make sure that our intelligence community is up to the task. With re-

cent revelations relating to double agents, the Ames affair, and the Howard case, the trust that the American people have had in the intelligence community has eroded. In fact, the reputation of the intelligence community has been damaged by these actions. So I think it is critically important that we make sure that we have in our intelligence community a capability to move our intelligence operations into a new age.

The Soviet Union has fallen. There is no bipolar relationship in the world. There are new challenges. The new challenges are in international terrorism, in nuclear nonproliferation, in dealing with drug cartels and economic competition, and I think it is critically important that we move the focus of the intelligence community into these areas.

I am not sure in the past that we have done that. There are still too many Sovietologists, we still do not have enough people speaking Arabic, or we do not know enough about ethnic conflicts, regional conflicts in Bosnia, or the North Korean nonproliferation issues. We need to find ways to engage ourselves better in these new areas. I believe that Chairman COMBEST is undertaking a review of our intelligence operations in a very effective and systematic manner.

One thing that troubles me a bit is that we do have the intelligence authorization 1.3 percent above the administration request. I think we have to send a signal to every department and every bureaucracy that we are not going to be tolerating anyone getting more money than they need. But I will entrust the chairman and the ranking member as to why we are doing this and support their efforts to maintain the intelligence budget at a level that the gentleman from Texas [Mr. COMBEST] and the gentleman from Washington [Mr. DICKS] see fit. I will support that. I just think it sends a little bit of a troubling signal. There is an appropriations process which may not be as generous, but on the whole I do think that we have to send a strong message to the intelligence community that they have to do better in reducing waste, and that they have to do better in the areas of human intelligence. We have some very, very sophisticated systems, but we also have to do better in the area of people.

□ 1115

Let me say that by "people," I mean intelligence—human intelligence—spies. I was pleased to hear that today, the new Director of CIA, Mr. Deutch, talked about the need for expanding covert action. I think that makes sense. The statement was on the record.

The United States needs to have the capability to engage itself in some very dicey situations, often with very unsavory people. I think we need to support that capability. We may need to deal with those situations and in that sense

we need to have a covert action structure. For the last few years, it has not been as strong because we have not needed it. But I think it is critically important that we have that capability.

We have a very good new CIA Director. John Deutch knows government. He is an academic. He has the ear of the President. He has the trust of the intelligence community. He is a former Deputy Secretary of Defense. He knows weapons systems. He knows technologies. He knows people and he knows this city. He knows politics. I think we should support him. I think we should give him political and substantive backing for what he is trying to do.

Mr. Chairman, the message has to be clear. The culture of the CIA has to be changed. They have to do a better job. Finally, we have to make sure that every penny that we authorize is spent wisely.

Mr. COMBEST. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I appreciate the comments of the gentleman from New Mexico [Mr. RICHARDSON] and enjoy working with him. The gentleman is a dedicated Member and I assure him that any time the gentleman wants to leave this country, I will be happy to assist him.

The gentleman knows that I say that only in jest. We are all very proud of the activities that the gentleman from New Mexico, my neighbor in Texas, has accomplished, and we are glad the gentleman is a part of our team.

Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. LEWIS].

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Chairman, I rise to express my strong support for the work of the Permanent Select Committee on Intelligence.

Mr. Chairman, let me say at the beginning that at a moment, an important time in terms of the history of this country and our intelligence work, we are blessed by the fact that the leadership within the House, the gentleman from Texas [Mr. COMBEST], my chairman, as well as the gentleman from Washington [Mr. DICKS], the ranking member, have worked in a very, very positive fashion to create an environment that is as close to being nonpartisan in regard to these matters as I have ever seen in the time that I have served in the Congress.

Mr. Chairman, it is critical that we recognize that America is at a turning point in terms of its need for information. And, indeed, it is a new age at the end of the 20th century. The end of the cold war is upon us. The reality that we are reducing defense budgets, because people believe there is less of a need for more spending in that subject area, has raised a specter regarding the future of intelligence that is very, very important for all of us to consider seriously.

First, it is important to know that the cold war is all but over, but indeed we continue to have serious challenges in connection with that. Any Member who will but look will know of the difficulties in these new fledgling democracies.

The challenges in Russia present problems for the United States that are very real; problems that require us, both the President and our committees, to be well informed regarding what really is happening in that region of the world.

Above and beyond that, the intelligence community itself has faced many a challenge. The difficulty of the Ames case raised questions about the future of intelligence and where we should be going. It is critical to recognize that the House must be involved in that future direction.

Beyond that, there is a new specter that has not been the most prominent in terms of the public's concern in the past: The prospect of terrorism impacting our society. Terrorism that may have its source from overseas; indeed terrorism here at home.

Mr. Chairman, all of these complicated circumstances create a situation that would suggest to the House that the President and our committees need more information, not less information, and excellent information.

The work of our intelligence community is critical to us today and to the future hope for freedom, I believe, in the world.

I urge the House to recognize the importance of this work, support this very significant bill, and support the funding that is necessary to carry forward our intelligence activities.

Mr. RICHARDSON. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I will be offering an amendment to reduce this budget by 3 percent. Of course, we cannot say 3 percent of what, because there is this great fear that someone might find out a number, which everybody who needs to know it, knows it. It is only the American people who do not know what the number is.

But it is up some. The proposed authorization is 1.7 percent higher than last year's appropriation. Mr. Chairman, I want to make it very clear to people, because of my respect for the rules, I am allowed under the rules of the House to say that it is 1.7 percent higher. I am not allowed to say what it is 1.7 percent higher than, but it is 1.7 percent higher.

It is 1.2 percent higher than what the President asked for. That seems to me a very grave error. Of course, we want to be protected, but there has been a more substantial drop in the task of the intelligence community than in virtually any other area of government.

Up until 5 years ago, the intelligence community was engaged much more heavily, than in any other activity, in

monitoring the Soviet Union's ability to destroy our society. The Soviet Union and the Warsaw Pact were extraordinarily dangerous threats.

Mr. Chairman, that threat has very substantially diminished. There is no more Warsaw Pact. Countries that once had troops dedicated to our destruction, against their will, but nonetheless dedicated, they are gone.

Mr. Chairman, the point is this. Yes, we have Iran and Libya and North Korea to worry about. But the argument that we cannot reduce our spending on intelligence, now that the Soviet Union's threat to our very physical survival has collapsed, must assume that Libya, North Korea and Iran did not exist 10 years ago.

In fact, 10 years ago we were worried about these terrorist nations. We were worried about nuclear proliferation and we were worried about the Soviet Union. The Soviet Union has collapsed. The largest single threat has gone.

Yes, we still have these other threats, but we had them 5 and 10 years ago. Yet, Mr. Chairman, the committee now asks us, at a time when we are cutting student loans and about to raise the premium for older people. If my colleagues do not want to vote to raise the premium on older people, if we did not give an increase to the intelligence community of 1.7 percent, we would go a long way of not having to raise the premium on older people living on \$15,000 and \$16,000 a year, because those are the choices we are making.

Mr. Chairman, we are adding 1.7 percent in this authorization to the budget. The CIA gets a 5 percent increase. Mr. Chairman, any other agency that had behaved disastrously, we would be talking about having to cut it.

We were told we were going to cut Head Start. Do my colleagues know why? Because they do not spend the money as efficiently as they could. The Chairman of the Committee on Appropriations subcommittee charged with Head Start said, "I like Head Start, but they haven't spent the money so efficiently, so let's cut them." Why does the exact opposite not apply to the CIA?

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of H.R. 1655, the Intelligence authorization bill for 1996. A great deal of hard work has gone into the production of this bill. As a member of the Intelligence Committee and chairman of the Defense Subcommittee of the Appropriations Committee, I can tell you that it is no easy task reconciling the competing demands of national security and fiscal responsibility. In fact, this is one of the major themes of our intelligence authorization bill for 1996: To provide essential intelligence capabilities while demanding cost-efficient solutions to intelligence problems.

Another theme of our bill is the need to maintain a responsible balance between collection, processing, and dissemination of intelligence information. When any of these three areas is out of balance, it reduces the efficiency and cost-effectiveness of the entire system. Historically, we have devoted more attention and resources to collection without

adequately providing for the less glamorous requirements to process that collected information and get it to the customer when and where he needs it. In our bill, we have made cross-program efforts to bolster our processing capabilities, particularly of imagery and signals intelligence.

As our chairman stated earlier, we reviewed each program on its merits and added resources where we considered them necessary. At the same time, however, we eliminated efforts we considered redundant or unproductive, and we considered the long-term affordability of every change we made. We also made every effort to engage in dialog with the administration concerning those areas where we felt constructive change was required. The result is an authorization that will help meet both the intelligence and fiscal challenges of the future.

Although our authorization for fiscal year 1996 is slightly above the President's request, we are confident that we have created no unsustainable budget-busters in the outyears, and that our bill provides a balanced program designed to meet our short- and long-term intelligence needs. The intelligence budget has declined enough over the last 8 years. I urge you to support H.R. 1655.

Mr. DICKS. Mr. Chairman, I yield back the balance of my time.

Mr. COMBEST. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN (Mr. BURTON). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment recommended by the Committee on Government Reform and Oversight printed in the bill, and by an amendment striking title VII, shall be considered by titles as an original bill for the purpose of amendment. The first section and each title are considered read.

No amendment to the amendment in the nature of a substitute, as modified, shall be in order, unless printed in the portion of the CONGRESSIONAL RECORD designated for that purpose.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1996".

The CHAIRMAN. Are there any amendments to section 1?

Mr. COMBEST. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute, as modified, be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1996 for the conduct of the intelligence and intelligence-related activi-

ties 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 Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.
- (11) The National Reconnaissance Office.
- (12) The Central Imagery Office.

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, 1996, 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. 1655 of the 104th 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 1996 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. COMMUNITY MANAGEMENT ACCOUNT.

(a) *AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1996 the sum of \$80,713,000. Within such amounts authorized, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee and the Environmental Task Force shall remain available until September 30, 1997.*

(b) *AUTHORIZED PERSONNEL LEVELS.—The Community Management Staff of the Director of Central Intelligence is authorized 247 full-time personnel as of September 30, 1996. Such personnel of the Community Management Staff may be permanent employees of the Community Management Staff or personnel detailed from other elements of the United States Government.*

(c) *REIMBURSEMENT.—During fiscal year 1996, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Community Management Staff 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.

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 1996 the sum of \$213,900,000.

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. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

(a) *GENERAL PROVISIONS.—The National Security Act of 1947 (50 U.S.C. 401 et seq.), is amended by adding at the end thereof the following new title:*

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"STAY OF SANCTIONS

"SEC. 901. Notwithstanding any other provision of law, the President may stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government concerning a foreign country, organization, or person when the President determines that to proceed without delay would seriously risk the compromise of an ongoing criminal investigation or an intelligence source or method. The President shall lift any such stay when the President determines that such stay is no longer necessary to that purpose.

"REPORTS

"SEC. 902. Whenever any stay is imposed pursuant to section 901, and whenever the duration of any such stay exceeds 120 days, the President shall promptly report to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives the rationale and circumstances that led the President to exercise the stay authority with respect to an intelligence source or method, and to the Judiciary Committees of the Senate and the House of Representatives the rationale and circumstances that led the President to exercise the stay authority with respect to an ongoing criminal investigation."

(b) *CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end thereof the following:*

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"Sec. 901. Stay of Sanctions.

"Sec. 902. Reports."

SEC. 304. THRIFT SAVINGS PLAN FORFEITURE.

Section 8432(g) of title 5, United States Code, is amended by adding at the end the following new paragraphs:

"(5)(A) Notwithstanding any other provision of law, contributions made by the Government for the benefit of an employee or Member under subsection (c), and all earnings attributable to such contributions, shall be forfeited if the annuity of the employee or Member, or that of a survivor or beneficiary, is forfeited under subchapter II of chapter 83.

"(B) Forfeitures under this paragraph shall occur only if the offenses upon which the requisite annuity forfeitures are based happened

subsequent to the enactment of this paragraph.”.

SEC. 305. AUTHORITY TO RESTORE SPOUSAL PENSION BENEFITS TO SPOUSES WHO COOPERATE IN CRIMINAL INVESTIGATIONS AND PROSECUTIONS FOR NATIONAL SECURITY OFFENSES.

Section 8318 of title 5, United States Code, is amended by adding at the end the following:

“(e) The spouse of an individual whose annuity or retired pay is forfeited under section 8312 or 8313 after the date of enactment of this subsection shall be eligible for spousal pension benefits if the Attorney General of the United States determines that the spouse fully cooperated with Federal authorities in the conduct of a criminal investigation and subsequent prosecution of the individual which resulted in such forfeiture.”.

SEC. 306. SECRECY AGREEMENTS USED IN INTELLIGENCE ACTIVITIES.

Notwithstanding any other provision of law not specifically referencing this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government.

SEC. 307. LIMITATION ON AVAILABILITY OF FUNDS FOR AUTOMATIC DECLASSIFICATION OF RECORDS OVER 25 YEARS OLD.

(a) IN GENERAL.—Each agency of the National Foreign Intelligence Program shall use no more than \$2,500,000 of the amounts authorized to be appropriated by this Act to carry out the provisions of section 3.4 of Executive Order 12958.

(b) REQUIRED BUDGET SUBMISSION.—The President shall submit for fiscal year 1997 and each of the following five years a budget request which specifically sets forth the funds requested for implementation of section 3.4 of Executive Order 12958.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. EXTENSION OF THE CIA VOLUNTARY SEPARATION PAY ACT.

Section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4(f)), is amended by striking out “September 30, 1997” and inserting in lieu thereof “September 30, 1999”.

SEC. 402. VOLUNTEER SERVICE PROGRAM.

(a) GENERAL AUTHORITY.—The Director of Central Intelligence is authorized to establish and maintain a program from fiscal years 1996 through 2001 to utilize the services contributed by not more than 50 annuitants who serve without compensation as volunteers in aid of systematic or mandatory review for declassification or downgrading of classified information of the Central Intelligence Agency under applicable Executive orders governing the classification and declassification of national security information and Public Law 102-526.

(b) COSTS INCIDENTAL TO SERVICES.—The Director is authorized to use sums made available to the Central Intelligence Agency by appropriations or otherwise for paying the costs incidental to the utilization of services contributed by individuals under subsection (a). Such costs may include (but need not be limited to) training, transportation, lodging, subsistence, equipment, and supplies. The Director may authorize either direct procurement of equipment, supplies, and services, or reimbursement for expenses, incidental to the effective use of volunteers. Such expenses or services shall be in accordance with volunteer agreements made with such individuals. Sums made available for such costs may not exceed \$100,000.

(c) APPLICATION OF CERTAIN PROVISIONS OF LAW.—A volunteer under this section shall be considered to be a Federal employee for the purposes of subchapter I of title 81 (relating to compensation of Federal employees for work injuries) and section 1346(b) and chapter 171 of title 28 (relating to tort claims). A volunteer under this section shall be covered by and subject to the provisions of chapter 11 of title 18 of the United States Code as if they were employees or special Government employees depending upon the days of expected service at the time they begin volunteering.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. DEFENSE INTELLIGENCE SENIOR LEVEL POSITIONS.

Section 1604 of title 10, United States Code, is amended to read as follows:

“§ 1604. Civilian personnel management

“(a) GENERAL PERSONNEL AUTHORITY.—The Secretary of Defense may, without regard to the provisions of any other law relating to the number, classification, or compensation of Federal employees—

“(1) establish such positions for employees in the Defense Intelligence Agency and the Central Imagery Office as the Secretary considers necessary to carry out the functions of that Agency and Office, including positions designated under subsection (f) as Defense Intelligence Senior Level positions;

“(2) appoint individuals to those positions; and

“(3) fix the compensation for service in those positions.

“(b) AUTHORITY TO FIX RATES OF BASIC PAY; OTHER ALLOWANCES AND BENEFITS.—(1) The Secretary of Defense shall, subject to subsection (c), fix the rates of basic pay for positions established under subsection (a) in relation to the rates of basic pay provided in subpart D of part III of title 5 for positions subject to that title which have corresponding levels of duties and responsibilities. Except as otherwise provided by law, an employee of the Defense Intelligence Agency or the Central Imagery Office may not be paid basic pay at a rate in excess of the maximum rate payable under section 5376 of title 5.

“(2) The Secretary of Defense may provide employees of the Defense Intelligence Agency and the Central Imagery Office compensation (in addition to basic pay under paragraph (1)) and benefits, incentives, and allowances consistent with, and not in excess of the levels authorized for, comparable positions authorized by title 5.

“(c) PREVAILING RATES SYSTEMS.—The Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to positions in or under which the Defense Intelligence Agency or the Central Imagery Office may employ individuals described by section 5342(a)(2)(A) of such title.

“(d) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT FOR EMPLOYEES STATIONED OUTSIDE CONTINENTAL UNITED STATES OR IN ALASKA.—(1) In addition to the basic compensation payable under subsection (b), employees of the Defense Intelligence Agency and the Central Imagery Office described in paragraph (3) may be paid an allowance, in accordance with regulations prescribed by the Secretary of Defense, at a rate not in excess of the allowance authorized to be paid under section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

“(2) Such allowance shall be based on—

“(A) living costs substantially higher than in the District of Columbia;

“(B) conditions of environment which—

“(i) differ substantially from conditions of environment in the continental United States; and

“(ii) warrant an allowance as a recruitment incentive; or

“(C) both of those factors.

“(3) This subsection applies to employees who—

“(A) are citizens or nationals of the United States; and

“(B) are stationed outside the continental United States or in Alaska.

“(e) TERMINATION OF EMPLOYEES.—(1) Notwithstanding any other provision of law, the Secretary of Defense may terminate the employment of any employee of the Defense Intelligence Agency or the Central Imagery Office if the Secretary—

“(A) considers such action to be in the interests of the United States; and

“(B) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security.

“(2) A decision by the Secretary of Defense to terminate the employment of an employee under this subsection is final and may not be appealed or reviewed outside the Department of Defense.

“(3) The Secretary of Defense shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Secretary terminates the employment of any employee under the authority of this subsection.

“(4) Any termination of employment under this subsection shall not affect the right of the employee involved to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

“(5) The authority of the Secretary of Defense under this subsection may be delegated only to the Deputy Secretary of Defense, the Director of the Defense Intelligence Agency (with respect to employees of the Defense Intelligence Agency), and the Director of the Central Imagery Office (with respect to employees of the Central Imagery Office). An action to terminate employment of an employee by any such officer may be appealed to the Secretary of Defense.

“(f) DEFENSE INTELLIGENCE SENIOR LEVEL POSITIONS.—(1) In carrying out subsection (a)(1), the Secretary may designate positions described in paragraph (3) as Defense Intelligence Senior Level positions. The total number of positions designated under this subsection and in the Defense Intelligence Senior Executive Service under section 1601 of this title may not exceed the number of positions in the Defense Intelligence Senior Executive Service as of June 1, 1995.

“(2) Positions designated under this subsection shall be treated as equivalent for purposes of compensation to the senior level positions to which section 5376 of title 5 is applicable.

“(3) Positions that may be designated as Defense Intelligence Senior Level positions are positions in the Defense Intelligence Agency and Central Imagery Office that (A) are classified above the GS-15 level, (B) emphasize functional expertise and advisory activity, but (C) do not have the organizational or program management functions necessary for inclusion in the Defense Intelligence Senior Executive Service.

“(4) Positions referred to in paragraph (3) include Defense Intelligence Senior Technical positions and Defense Intelligence Senior Professional positions. For purposes of this subsection—

“(A) Defense Intelligence Senior Technical positions are positions covered by paragraph (3) that involve any of the following:

“(i) Research and development.

“(ii) Test and evaluation.

“(iii) Substantive analysis, liaison, or advisory activity focusing on engineering, physical sciences, computer science, mathematics, biology, chemistry, medicine, or other closely related scientific and technical fields.

"(iv) Intelligence disciplines including production, collection, and operations in close association with any of the activities described in clauses (i), (ii), and (iii) or related activities; and

"(B) Defense Intelligence Senior Professional positions are positions covered by paragraph (3) that emphasize staff, liaison, analytical, advisory, or other activity focusing on intelligence, law, finance and accounting, program and budget, human resources management, training, information services, logistics, security, and other appropriate fields.

"(g) 'EMPLOYEE' DEFINED AS INCLUDING OFFICERS.—In this section, the term 'employee', with respect to the Defense Intelligence Agency or the Central Imagery Office, includes any civilian officer of that Agency or Office."

SEC. 502. COMPARABLE BENEFITS AND ALLOWANCES FOR CIVILIAN AND MILITARY PERSONNEL ASSIGNED TO DEFENSE INTELLIGENCE FUNCTIONS OVERSEAS.

(a) CIVILIAN PERSONNEL.—Section 1605 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "(1)" after "(a)";

(B) by striking out "of the Department of Defense" and all that follows through "this subsection," and inserting in lieu thereof "described in subsection (d)"; and

(C) by designating the second sentence as paragraph (2);

(2) by striking out subsection (c) and inserting in lieu thereof the following:

"(c) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

"(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives."; and

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

"(d) Subsection (a) applies to civilian personnel of the Department of Defense who—

"(1) are United States nationals;

"(2) in the case of employees of the Defense Intelligence Agency, are assigned to duty outside the United States and, in the case of other employees, are assigned to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; and

"(3) are designated by the Secretary of Defense for the purposes of subsection (a)."

(b) MILITARY PERSONNEL.—Section 431 of title 37, United States Code, is amended—

(1) in subsection (a), by striking out "who are assigned to" and all that follows through "of this subsection" and inserting in lieu thereof "described in subsection (e)";

(2) by striking out subsection (d) and inserting in lieu thereof the following:

"(d) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

"(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives."; and

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

"(e) Subsection (a) applies to members of the armed forces who—

"(1) are assigned—

"(A) to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; or

"(B) to the Defense Intelligence Agency and engaged in intelligence-related duties outside the United States; and

"(2) are designated by the Secretary of Defense for the purposes of subsection (a)."

SEC. 503. EXTENSION OF AUTHORITY TO CONDUCT INTELLIGENCE COMMERCIAL ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended by striking out "1995" and inserting in lieu thereof "1998".

SEC. 504. AVAILABILITY OF FUNDS FOR TIER II UAV.

All funds appropriated for fiscal year 1995 for the Medium Altitude Endurance Unmanned Aerial Vehicle (Tier II) are specifically authorized, within the meaning of section 504 of the National Security Act of 1947 (50 U.S.C. 414), for such purpose.

TITLE VI—TECHNICAL AMENDMENTS

SEC. 601. CLARIFICATION WITH RESPECT TO PAY FOR DIRECTOR OR DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE APPOINTED FROM COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) CLARIFICATION.—Subparagraph (C) of section 102(c)(3) of the National Security Act of 1947 (50 U.S.C. 403(c)(3)) is amended to read as follows:

"(C) A commissioned officer of the Armed Forces on active duty who is appointed to the position of Director or Deputy Director, while serving in such position and while remaining on active duty, shall continue to receive military pay and allowances. Funds from which such pay and allowances are paid shall be reimbursed from funds available to the Director."

(b) TECHNICAL CORRECTIONS.—(1) Subparagraphs (A) and (B) of such section are amended by striking out "pursuant to paragraph (2) or (3)" and inserting in lieu thereof "to the position of Director or Deputy Director".

(2) Subparagraph (B) of such section is amended by striking out "paragraph (A)" and inserting in lieu thereof "subparagraph (A)".

SEC. 602. CHANGE OF DESIGNATION OF CIA OFFICE OF SECURITY.

Section 701(b)(3) of the National Security Act of 1947 (50 U.S.C. 431(b)(3)), is amended by striking out "Office of Security" and inserting in lieu thereof "Office of Personnel Security".

AMENDMENT NO. 3 OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment No. 3 Offered by Mr. Combest: Page 7, line 9, strike "other".

Page 7, line 10, insert "identified in section 904" after "law".

Page 7, line 13, insert "and reports to Congress in accordance with section 903" after "determines".

Page 7, line 15, insert "related to the activities giving rise to the sanction" after "investigation".

Page 7, line 16, insert "related to the activities giving rise to the sanctions" after "method".

Page 7, beginning on line 16, strike "The President" and all that follows through line 18, and insert the following: "Any such stay shall be effective for a period of time specified by the President, which period may not exceed 120 days, unless such period is extended in accordance with section 902."

Page 7, after line 18, insert the following:

"EXTENSION OF STAY

"SEC. 902. Whenever the President determines and reports to Congress in accordance with section 903 that a stay of sanctions pursuant to section 901 has not afforded sufficient time to obviate the risk to an ongoing criminal investigation or to an intelligence source or method that gave rise to the stay, he may extend such stay for a period of time specified by the President, which period may not exceed 120 days. The authority of this section may be used to extend the period of a stay pursuant to section 901 for successive periods of not more than 120 days each.

Page 7, strike line 19 and all that follows through line 6 on page 8, and insert the following:

"REPORTS

"SEC. 903. Reports to Congress pursuant to sections 901 and 902 shall be submitted in a timely fashion upon determinations under this title. Such reports shall be submitted to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate. With respect to determinations relating to intelligence sources and methods, reports shall also be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate. With respect to determinations relating to ongoing criminal investigations, reports shall also be submitted to the Committees on the Judiciary of the House of Representatives and the Senate.

"LAWS SUBJECT TO STAY

"SEC. 904. The President may use the authority of sections 901 and 902 to stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government concerning a foreign country, organization, or person otherwise required to be imposed by the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (title III of Public Law 102-182); the Nuclear Proliferation Prevention Act of 1994 (title VIII of Public Law 103-236); title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510) (relating to the nonproliferation of missile technology); the Iran-Iraq Arms Nonproliferation Act of 1992 (title XVI of Public Law 102-484); and section 573 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1994 (Public Law 103-87), section 563 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1995 (Public Law 103-306), and comparable provisions within annual appropriations Acts.

"APPLICATION

"SEC. 905. This title shall cease to be effective on the date which is three years after the date of the enactment of this title."

Page 8, after line 9 and before line 10, amend the matter proposed to be inserted to read as follows:

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"Sec. 901. Stay of sanctions.

"Sec. 902. Extension of stay.

"Sec. 903. Reports.

"Sec. 904. Laws subject to stay.

"Sec. 905. Application."

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, my amendment reflects the results of discussions between the Members and staffs of the Permanent Select Committee on Intelligence and the Committee on International Relations on issues pertaining to the application of sanction laws to intelligence activities.

Since the Permanent Select Committee on Intelligence had reported out legislation on sanctions deferrals, the committee has been working with the Committee on International Relations to incorporate the concerns of that committee and, therefore, modify section 303 as reported by the Permanent Select Committee on Intelligence.

Mr. Chairman, that is what this amendment does. I would urge the adoption of this amendment. Before I turn to the gentleman from Washington [Mr. DICKS], I would like to thank the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations, for the gentleman's interest, contribution, and his cooperation, as well as that of the gentleman's staff; the gentlewoman from California [Ms. PELOSI], of our committee, who was a strong proponent of any U.S. sanction laws and has paid close attention to this legislation; and certainly to the gentleman from California [Mr. BERMAN] and his staff, all of who made very constructive contributions and have worked closely to working this out in a bipartisan and satisfactory manner.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. COMBEST. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I rise in support of Chairman COMBEST's amendment to section 303 of the bill. As the committee report makes clear, the committee intends to monitor closely the use of the authority provided under section 303. The amendment should assist in this regard by imposing a 3-year sunset provision.

Furthermore, as the report also points out, this authority is only appropriate in limited cases. The amendment makes clear that the authority only pertains to specific laws designed to limit the proliferation of weapons of mass destruction, their delivery systems or advanced conventional weapons. Finally, the amendment states that the source or method or ongoing criminal investigation that the President may delay the sanction to protect, must be related to the activities giving rise to the sanction.

I believe this is a good amendment and I am pleased to accept it.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. COMBEST. I yield to the gentleman from California.

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

Mr. BERMAN. Mr. Chairman, let me initially address the amendment of the gentleman from Texas [Mr. COMBEST] and thank the gentleman very much for both his remarks and his work on this amendment, as well as thanks to the gentleman from Washington [Mr. DICKS] the ranking member, and to the gentleman from New York [Mr. GILMAN] chairman of the Committee on International Relations, and a special note of appreciation to the gentlewoman from California [Ms. PELOSI], who pointed out to me this issue that was raised by the authorization bill.

Mr. Chairman, section 303 amends the National Security Act of 1947 to add a new section, 901, authorizing the President to stay the imposition of certain sanctions, should the President determine that to proceed without

delay would seriously risk the compromise of an ongoing criminal investigation or an intelligence source or method.

Mr. Chairman, I was originally quite troubled by that provision, because it appeared to me to provide an open-ended opportunity for any President to bypass the intent sanctions law. I had raised similar concerns during House debate in 1991, on the provisions of H.R. 1415 that amended the Export Administration Act. I thought, as I pointed out in a colloquy then with the chairman of the Permanent Select Committee on Intelligence, Mr. McCurdy, that the President, in rare circumstances, could delay such a determination in those situations, but the administration has raised new concerns that existing law was not sufficient to provide them with legal flexibility.

In this case, the bipartisan cooperation of the staff of the Permanent Select Committee on Intelligence, and its leadership, has allowed us to have a briefing from both the intelligence community and the Department of State.

Mr. Chairman, it is now my understanding that with this amendment, the original provision as amended, will mean that a decision to stay temporarily consideration of the imposition of a sanction will only be to protect sources and methods in an ongoing criminal investigation.

Such a presidential determination will not be used as the pretext for any decision not to impose sanctions, for example, for economic or commercial reasons, fearing that such action could jeopardize a commercial decision, or for geopolitical reasons, fearing that such a decision could damage our bilateral relationships with a particular country.

I have been informed by the administration that such determinations will only be made in exceptional circumstances. We are discussing here a delay decision, not a decision to refuse to impose such sanctions which are mandated under law.

□ 1130

Should such a decision to delay determination be made by the President, a report will be made in a prompt and expeditious manner to the concerned committees of jurisdiction, including the Committee on International Relations. It is my understanding that such reports will indicate clearly the nature of the sanctionable action, the applicable law to the sanctionable activity, the country or countries in which the activity took place, and, where appropriate, the party to the violation.

The intent of my amendment, which sunsets this provision 3 years from the date of enactment, is to ensure an opportunity to evaluate the use of this change to the National Security Act to ensure that is used for the purpose intended and has not had a deleterious effect on the sanctions law.

Mr. CHAIRMAN. The time of the gentleman from Texas [Mr. COMBEST] has expired.

(At the request of Mr. BERMAN and by unanimous consent, Mr. COMBEST was allowed to proceed for 3 additional minutes.)

Mr. BERMAN. If the gentleman will yield further, I will put my statement in the RECORD.

I thank the distinguished Member from Texas and chairman of the Permanent Select Committee on Intelligence, Mr. COMBEST, for his kind remarks and those of the distinguished ranking member, Mr. DICKS. I appreciate the effort that they have taken to accommodate my concern and those of the chairman of the International Relations Committee, Mr. GILMAN.

The amendment I have offered to the bill which has been incorporated in the chairman's amendment, I believe, will take care of my concerns, and those of the gentlelady from California [Ms. PELOSI], that section 303 should not unduly loosen current sanctions law.

As Mr. COMBEST has noted, section 303 amends the National Security Act of 1947 to add a new section 901 authorizing the President to stay the imposition of certain sanctions should the President determine that to proceed without delay would seriously risk the compromise of an ongoing criminal investigation or an intelligence source or method.

I was troubled by that provision when initially proposed by the administration because it appeared to me to provide an open-ended opportunity for any President to by-pass the intent of sanctions law. I had raised similar concerns during House debate in 1991 on provisions in H.R. 1415 that amended the Export Administration Act and the Arms Export Control Act. At that time I responded to an inquiry from Mr. McCurdy, then chairman of the Select Committee on Intelligence, that it was my understanding that the President, in rare circumstances, could delay a determination on sanctions if such a delay is necessary to protect intelligence sources and methods with the proviso that such a delay should not be indefinite. Since then, the administration has raised anew concerns that existing law was not sufficient to provide them with legal flexibility.

In this case, with the bipartisan cooperation of the staff of the Select Committee on Intelligence, whose excellent assistance I much appreciate, I took the opportunity to be briefed by representatives from both the intelligence community and the Department of State on their rationale for requesting this amendment.

It is now my understanding that a decision to stay temporarily consideration of the imposition of a sanction will only be to protect sources and methods and ongoing criminal investigations. Such a Presidential determination will not be used as the pretext for any decision not to impose sanctions, for example for economic reasons, fearing such action would jeopardize a commercial decision, or for geopolitical reasons, fearing that such a decision would damage our relations with a particular country. I have been informed by the administration that such determinations will only be made in exceptional circumstances. I should note that we are discussing a delay in a decision, not a decision not to impose such sanctions mandated under law. Should such a decision to delay determination be made by the

President, a report will be made in a prompt and expeditious manner to the concerned committees or jurisdiction, including the International Relations Committee. It is my understanding that such reports will indicate clearly the nature of the sanctionable action, the applicable law to the sanctionable activity, the country or countries in which the activity took place, and, where appropriate, the party to the violation.

The intent of my amendment which sunsets this provision 3 years from the date of enactment is to ensure an opportunity to evaluate the use of this change to the National Security Act of 1947 to ensure that it is used for the purpose intended and that it has not had a detrimental effect on the intent of our sanctions law.

I am pleased with the accommodation worked out with both sides and wish to thank Ms. PELOSI for her energetic work on this issue. Finally, I would like to thank the Democratic and Republican staffs of both the International Relations Committee and the Select Committee on Intelligence for the professional and bipartisan manner in which they resolved this issue.

I would also like to take this opportunity to raise a related issue. As one of the authors of current sanctions law, I have become concerned that the standards for imposing sanctions have been raised to such an impossible level that the ability of sanctions to call attention to grievous violations of international standards which threaten world security and also to punish violators has been undermined. The time may have come for us to evaluate whether or not we need a more flexible set of policy tools to respond to such violations and violators. As we all know, the proliferation of weapons of mass destruction remains a serious problem. In the coming months, I hope this concern can be engaged. The international community needs desperately to slow, if not end, the spread of biological, chemical, and nuclear weapons to rogue states.

Mr. Chairman, I do want to finish by asking the gentleman if he would entertain a unanimous consent request that on line 10, page 2, following the words "submitted in a", the gentleman would add the word "prompt" so the report would be made in a prompt and timely fashion, and I have that amendment in writing here, if the gentleman is willing, offer it as a unanimous consent amendment to his amendment.

Mr. COMBEST. Reclaiming my time, Mr. Chairman, I certainly concur with the gentleman. I appreciate his further explanation of the amendment.

Mr. Chairman, is it in order at this time for the author of the amendment to request unanimous consent to add "prompt and" in the section, "in a prompt and timely fashion" in line 10, page 2 of the amendment?

The CHAIRMAN. The modification is in order, without objection.

MODIFICATION OF AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I ask unanimous consent to modify the amendment with the language which I have read.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. COMBEST: On page 2, line 10 of the proposed amendment insert "prompt and" after "submitted in a".

The CHAIRMAN. Is there objection to the modification offered by the gentleman from Texas?

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. COMBEST: Page 7, line 9, strike "other".

Page 7, line 10, insert "identified in section 904" after "law".

Page 7, line 13, insert "and reports to Congress in accordance with section 903" after "determines".

Page 7, line 15, insert "related to the activities giving rise to the sanction" after "investigation".

Page 7, line 16, insert "related to the activities giving rise to the sanction" after "method".

Page 7, beginning on line 16, strike "The President" and all that follows through line 18, and insert the following: "Any such stay shall be effective for a period of time specified by the President, which period may not exceed 120 days, unless such period is extended in accordance with section 902."

Page 7, after line 18, insert the following:

"EXTENSION OF STAY

"SEC. 902. Whenever the President determines and reports to Congress in accordance with section 903 that a stay of sanctions pursuant to section 901 has not afforded sufficient time to obviate the risk to an ongoing criminal investigation or to an intelligence source or method that gave rise to the stay, he may extend such stay for a period of time specified by the President, which period may not exceed 120 days. The authority of this section may be used to extend the period of a stay pursuant to section 901 for successive periods of not more than 120 days each."

Page 7, strike line 19 and all that follows through line 6 on page 8, and insert the following:

"REPORTS

"SEC. 903. Reports to Congress pursuant to sections 901 and 902 shall be submitted in a prompt and timely fashion upon determinations under this title. Such reports shall be submitted to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate. With respect to determinations relating to intelligence sources and methods, reports shall also be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate. With respect to determinations relating to ongoing criminal investigations, reports shall also be submitted to the Committees on the Judiciary of the House of Representatives and the Senate.

"LAWS SUBJECT TO STAY

"SEC. 904. The President may use the authority of sections 901 and 902 to stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government concerning a foreign country, organization, or person otherwise required to be imposed by the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (title III of Public Law 102-182); the Nuclear Proliferation Prevention Act of 1994 (title VIII of Public Law 103-236); title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510) (relating to the non-proliferation of missile technology); the Iran-Iraq Arms Nonproliferation Act of 1992 (title XVI of Public Law 102-484); and section

573 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1994 (Public Law 103-87), section 563 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1995 (Public Law 103-306), and comparable provisions within annual appropriations Acts.

"APPLICATION

"SEC. 905. This title shall cease to be effective on the date which is three years after the date of the enactment of this title."

Page 8, after line 9 and before line 10, amend the matter proposed to be inserted to read as follows:

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"Sec. 901. Stay of sanctions.

"Sec. 902. Extension of stay.

"Sec. 903. Reports.

"Sec. 904. Laws subject to stay.

"Sec. 905. Application."

Mr. BERMAN. Mr. Chairman, if the gentleman will yield further, I just want to thank the gentleman for agreeing to that amendment as well as to incorporating the sunset amendment, to thank the gentlewoman from California for all of her help in this as well as being able to raise this issue initially, and I thank the gentleman for yielding.

Mr. COMBEST. I appreciate the gentleman's cooperative nature in working this out.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, I have no objection to that change either.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as a member of the Permanent Select Committee on Intelligence, I rise to express my support for Chairman COMBEST'S amendment and my appreciation to the chairman and the ranking member and the committee staff for their work to address concerns about the bill's provisions allowing the President to delay the imposition of sanctions against other countries if the sanctions compromise, one, an intelligence source or method or, two, an ongoing criminal investigation.

I would also, of course, like to acknowledge and commend our colleague, the gentleman from California [Mr. BERMAN], for his contribution. He has been a leader in the fight against weapons proliferation. I want to commend him for his work over the years to make sanctions a more effective foreign policy tool. The gentleman from California [Mr. BERMAN] and his staff were active participants in the development of what, I think, is a very necessary amendment under the leadership of the gentleman from Texas [Mr. COMBEST].

Mr. Chairman, Congress over the years has decided that the imposition of sanctions is appropriate response to certain activities which threaten U.S. foreign policy goals and global stability. We have laws on the books mandating imposition of sanctions for the proliferation of weapons of mass destruction, for the illegal transfer of some munitions, and for violation of missile technology controls. These sanctions have had an important deterrent and punitive effect and have increased the administration's leverage

in discussing potential violations with the proliferators.

If, indeed, the sanctions which are on the books are too punitive, too draconian to ever be used and, therefore, to be considered a credible threat, then, we should, as a Congress, revisit those sanctions. The gentleman from California [Mr. BERMAN] whom we are blessed to have a understanding position because of his knowledge and attention to these issues, stands ready, as he indicated in his remarks, to assist the administration or any administration in making appropriate changes.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Ms. PELOSI. I yield to the gentleman from California.

Mr. BERMAN. Blessed?

I appreciate the very nice comments from my friend. I just wanted to emphasize this point. I included it in my original statement, but I did not read it at this particular point. It is wrong to use, for instance, this new provision to protect sources and methods as a way of getting around the imposition of sanctions. If the feeling is the particular sanctions law in an area, whether it is chemical, biological weapons, missile proliferation, or nuclear, is too inflexible, then the administration should come to the Congress and suggest those changes.

Let us take, for example, let us talk for one moment about China. It is, without getting into any specifics, everyone understands the importance of the political, or bilateral relationship with China, and what that country is about and what we need to be doing there.

The key question, though, in terms of proliferation issues is whether or not the law, as passed by Congress, as signed by the President, is going to be followed. If that law is too inflexible, the answer is not to avoid a conclusion with respect to proliferation. The answer is to come back to Congress and seek the flexibility that is desired.

So I appreciate the gentleman for bringing this up. Our only point in this whole discussion is that we do not want this to become a new way by which the executive branch, as a pretext, avoids imposing sanctions because they do not want to alter some commercial deal, because they do not want to have any disruption in the bilateral relationship. The question of proliferation of weapons of mass destruction is too important to be used as a pawn in that process. We are ready to make those provisions more flexible if that is what is needed. But that should not be the basis for not making a decision to impose sanctions.

Ms. PELOSI. I thank the gentleman for putting that on the record publicly because I think that should be a very important part of our policy as we review these sanctions rather than always seeking waivers and to make the sanctions more credible as a threat by making them more possible to be used.

In the interests of time, Mr. Chairman, I would like to submit my full

statement for the RECORD, but I would like to engage the chairman of the full committee for a moment in colloquy.

My concerns were about time. I see the gentleman has addressed the first time issue of prompt and timely fashion.

My other concern, Mr. Chairman, is that an administration could feasibly stretch out this process for 3 years, 120 days at a time.

The CHAIRMAN. The time of the gentleman from California [Ms. PELOSI] has expired.

(At the request of Mr. COMBEST and by unanimous consent, Ms. PELOSI was allowed to proceed for 3 additional minutes.)

Ms. PELOSI. Mr. Chairman, I was so pleased that in the chairman's statement he said, "In these cases, it is expected that the utmost will be done to resolve the sources and methods or law enforcement problems as soon as possible." So that an administration could not just use 120 days for whatever reason, economic purposes or other reasons, in a series of these 120 days to delay addressing the real issue at hand. Is it the gentleman's understanding that they would have to resolve the sources and methods problem as quickly as possible, as indicated in the statement?

Mr. COMBEST. If the gentleman will yield further, I totally would concur with the gentleman, and I am glad the gentleman asked for this time to make sure the RECORD reflects the intent, and I assure the gentleman that I would stand by her, behind her or wherever she would wish, in trying to nail this down much more specifically, if we detected at all this happens to be a problem and it appears that there is any abuse of the latitude which this amendment has provided.

Ms. PELOSI. If I may further, I thank the chairman for that confirmation.

But I also would like to once again reaffirm the intent of Congress that this waiver only is used when this would jeopardize sources and methods or jeopardize an ongoing criminal investigation. There is no other standard or condition under which the administration could seek this blanket waiver?

Mr. COMBEST. If the gentleman will yield further, yes, that is exactly correct. I would take that one step further and would tell the gentleman I would be very glad to work with her to make certain that it has to be very black and white, one of those areas of exemption that there cannot be a gray area under which there was a claim of exemption for one of those purposes, if, in fact, it was not emphatically one of those very specified purposes.

Ms. PELOSI. As the gentleman indicated in his statement, based on the testimony that the Permanent Select Committee on Intelligence received on this subject, the instances where sanctions would be deferred due to the source or method of criminal investigation problems would be rare?

Mr. COMBEST. I totally concur with the gentleman. She is absolutely correct, and I appreciate her interest in this.

Ms. PELOSI. I thank the chairman. I once again thank the chairman for his cooperation on presenting this manager's amendment and accommodating some of the concerns that the gentleman from California [Mr. BERMAN] and I and other members of the committee had on it.

Mr. Chairman, with that, since the chairman has confirmed so many of these issues, I can dispense with some of my statement and put it in the RECORD and once again urge my colleagues to support the Combest amendment and thank him for his leadership as well as thanking the gentleman from California [Mr. BERMAN] and the gentleman from Washington [Mr. DICKS].

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Texas [Mr. COMBEST].

The amendment, as modified, was agreed to.

Mr. SKAGGS. Mr. Chairman, I move to strike the last word.

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

Mr. SKAGGS. Mr. Chairman, I do not intend to take much time. I appreciate the time at this point in the debate; since we moved through general debate so quickly it caught some of us napping, I am afraid.

I want to thank our chairman, the gentleman from Texas, and the ranking member, the gentleman from Washington [Mr. DICKS], for their leadership in putting this bill together this year. I was off the committee for several months and have only recently rejoined the committee. While I generally support this bill as meeting vital national security needs, there are a couple of areas in which I hope we may be able to make some changes and improvements when we get to conference, Mr. Chairman, and I wanted to discuss those this morning.

One has to do with the funding levels for declassification as driven by the President's new executive order. I am afraid that the relatively low and arbitrary limits per agency that are included in the bill at this point will seriously impede the very necessary work that needs to be done within the intelligence community to move expeditiously to declassify many of our relatively old but still classified, documents. We have made some real progress in the whole question of classification reform over the last several years. We need to proceed and stay on track in this area.

It is very important for a functioning democracy to make as much information as possible available to its citizens, and the classification reform efforts that both the Congress and the administration have taken are serving that end. We should not impede them by unrealistically low budget caps.

Second, there is, I think, too low a limit set in this bill for the environmental task force. A different number is pending in the legislation working its way through the other body. I hope we will be able to make some adjustments there as well.

The committee held hearings earlier this year addressing the intelligence community and what it should be concerned with in the next century. Interestingly, several expert witnesses identified the environment and the global environmental threat that we face as central to our national security challenge in the next century.

It would be a shame, given that, for us to be shortchanging the work that has been started in a very important initiative known as the environmental task force, which is using products originally produced with intelligence assets, declassifying them in appropriate ways, so that the information can be available to policymakers, the scientific community, and the general public. That is something I think we need to continue, and I hope, speaking to my chairman of the committee, that we will be able to deal with both these funding issues pertaining to declassification and to the environmental task force when we get to conference.

I support the Intelligence authorization bill because I believe that, on balance, it supports vital national security needs. I believe it is important to support the crucial activities of the intelligence community at a time when many regions of the world are increasingly threatened by ethnic conflict, by territorial disputes, and by arms competition. We also need to support the use of our intelligence resources to understand and combat new threats to our own security, from things as obvious as terrorism and the proliferation of weapons of mass destruction, to those as subtle as global environmental degradation.

This bill has authorized an intelligence budget at a level slightly higher than the President requested for fiscal year 1996. In a time of tight budgets, when domestic programs are being slashed, I would have preferred an authorization level closer to the President's request. And we'll have a chance to vote on making just such an adjustment.

I also have serious concerns about two matters—funding levels for declassification of documents and funding for the environmental task force—that I hope can be worked out in conference.

My first concern centers around the arbitrary restrictions that this legislation places on the amount agencies can spend to declassify documents under the requirements of the President's new executive order on classified national security information—signed on April 17, 1995. These restrictions threaten to scuttle a long-needed system of reforms to an outdated and expensive system of classifying Government information.

When I joined the Intelligence Committee in 1993 I was astonished to learn that agency heads couldn't even tell us roughly how much their budget was spent on document classification and security. At that time millions of older documents were being held under lock and key at tremendous cost to U.S. taxpayers, even though their disclosure posed no national

security risk. Some of the most astonishing examples: documents concerning troop movements in World War I and documents concerning POW/MIA's in the Korean war.

Despite sweeping changes in the international arena, the Government's classification bureaucracy had been stuck on autopilot, stamping "secret" on nearly 7 million new documents each year and marking 95 percent for indefinite restriction. For a democratic and free society to work, the people must have as much information as possible about the activities of their Government. So, I decided to do something about this.

The result in 1994, driven by language in our 1993 Intelligence bill, was the first-ever accounting of the costs and number of personnel involved in classifying and maintaining Government secrets. These reports revealed that keeping the Nation's secrets employs 32,400 workers and costs \$2.28 billion. Last year, I took the reform effort one step further by requiring agencies to come up with suggestions about how to cut spending on classification and secrecy. This initiative led to a Government-wide program of cost accounting and expenditure reduction efforts involving all the agencies that make up the intelligence community.

Both this effort and work already underway in the Clinton administration has already begun to pay off. In fiscal year 1994 the number of new documents being classified was down over 26 percent. Real gains are also being made on declassification front. In 1994 there was a 70 percent increase in pages declassified under systematic review. In addition, the President ordered a one-time declassification in bulk of almost 50 million pages of historical records in the National Archives.

Now the President has consolidated the reform effort with the issuance of Executive Order 12958 on April 17, 1995. The President's executive order balances the competing needs of access and security in a cost-effective way by laying out a uniform system for classifying, safeguarding, and declassifying national security information.

Unfortunately, this Intelligence authorization bill could effectively block the crucial reform of the classification behemoth by limiting to \$2.5 million each the amount of funds that each agency can spend to carry out the declassification provisions in the executive order.

It is important to remember that the President's executive order requires that, unless ground for an exemption exist, classified information contained in records that are 25 years old, and of permanent historical value, shall be automatically declassified within 5 years of the order whether or not the records have been reviewed. This assumes that adequate funds will be provided to review documents to determine if their release would jeopardize national security. So, ironically, if adequate moneys are not provided for the declassification process, certain documents that should not be declassified may slip through the cracks. It is important, therefore, for Congress to provide adequate funds to carry out a careful and comprehensive review of documents to be declassified.

Classification reform also extends to a new classification discipline. Over-use of classification is costly in its direct budget impacts, in that it's expensive to maintain the infrastructure to keep secrets. It's also costly in its indirect effects of devaluing the currency, that is

for those who work with classified information to be appropriately vigilant, there needs to be a sense that classification is not invoked where it doesn't have to be. And then, again, there are the costs to democracy.

Lets not trip up agency efforts to reform just as we're beginning to turn the tide on the sea of top-secret paper.

I am also concerned about the severe funding limitations that this bill places on the environmental task force [ETF].

Global and national environmental threats should be of real concern to national security and intelligence experts. In fact, in hearings we held earlier this year on "The Intelligence Community in the Twenty First Century" several expert witnesses testified that environmental threats might well prove to be the most significant challenge to our Nation's security in the too distant future.

Why then, does this bill reduce funding authority for the ETF to \$5 million, which is less than a third of the President's request? By severely reducing the authorization for ETF this bill threatens several efforts that are making significant environmental information derived from intelligence assets available to the general public, the scientific community, and other Federal agencies.

Our country has already made an enormous investment in classified systems and technology. For a very small additional expenditure, we can exploit this investment to benefit the ability of Government and science and industry to anticipate and attack problems driven by global environmental changes. The ETF initiatives is already helping policymakers and scientists obtain the data they need to understand long-term environmental change and develop better management techniques to deal with natural and ecological disasters.

Critics of the ETF have argued that this initiative diverts the intelligence community from its primary purpose. But the function of intelligence is to support policymakers. And in this instance, the ETF supports policymakers in a range of agencies—the Department of Commerce, Defense, Energy, Interior, Transportation, the National Aeronautics and Space Administration, the Environmental Protection Agency, and the National Science Foundation—enabling them to use intelligence data to facilitate disaster relief planning and to develop international policies that have an environmental component. For example, there's nothing more fundamental to political stability than adequate food stocks, which in turn are dependent on environmental factors and population trends. All this is probably the subject of intelligence, and the resulting intelligence products ought to be available as widely as possible. The best technology available for getting the data is already available. We just need to put it to better use.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 10, after line 17, insert the following:

SEC. 308. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

SEC. 309. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 310. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, I want to commend the chairman, the gentleman from Texas [Mr. COMBEST], and the ranking member, the gentleman from Washington [Mr. DICKS], for the fine bill.

I just want to jump in here early by saying the Congress of the United States should support John Deutsch. He knows the military well. He knows his way around Washington, the political landscape. He has done a remarkable job every place he has been, and I am glad to see that he is the CIA director, and we give him the shot to perform well.

□ 1145

Now this is a stealth budget. I have a stealth Buy American amendment. We are all familiar with it. It makes a lot of sense, and I would hope that the committee would accept it.

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the distinguished gentleman from Texas.

Mr. COMBEST. I think I could assure the gentleman that the gentleman from Washington would love for there to be plenty of purchases of stealth, but I would just like to state that the Chair has seen the amendment, we certainly concur with it, and we would accept the amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Washington [Mr. DICKS], the distinguished ranking member.

Mr. DICKS. I want to compliment the gentleman from Ohio who has been

steadfast in his support for the Buy American provision and for this amendment. We have always been able to work this out in conference. The record of the CIA and other agencies in this bill in this area is very exemplary, by the way, but I want to compliment the gentleman. We have enjoyed working with him over the years, and we on our side of the aisle will be glad to accept the amendment as well.

Mr. TRAFICANT. I appreciate that. I do rise in support of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

Mr. CASTLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not offer an amendment at this time, but I would like to just discuss generally the subject of the intelligence budget and also a specific item under that which I think needs to be understood by the Members of this Congress.

I am new to the Permanent Select Committee on Intelligence in that I joined it in January of this year, and, quite frankly, I had no idea, as my colleague and many others in this body may, of the scope of what the intelligence community in the United States of America and beyond the United States of America actually does because of the nature of the information with which we deal. Obviously a lot of this is not discussed publicly, and I would encourage every Member, particularly the newer Member of Congress, those like me who are serving in our second term and the first-term Members, if they could possibly, to visit the Permanent Select Committee on Intelligence rooms to learn as much as they can about this extraordinary process. I think it is very, very important to our national security and something we should all understand.

I would like to congratulate the chairman of the Permanent Select Committee on Intelligence, the gentleman from Texas [Mr. COMBEST], and the ranking member, the gentleman from Washington [Mr. DICKS], and all the members actually of the Permanent Select Committee on Intelligence for the extraordinary devotion. They have been great mentors and teachers to me. They are as devoted as any group of individuals I have ever met to this subject and deserve, I think great congratulations. They do speak at times in acronyms, and I cannot understand them all the time, but I am trying to fight my way through that as well, as I cannot say enough about the staff itself, an extremely talented group of individuals and, again, one which is ready to help all the Members of this Congress when we have, when the Members have, an opportunity to understand better what we are doing in intelligence.

I did want to discuss one subject, and that is the subject of the satellites that we are dealing with in the intelligence side of the space program.

Pending results of the committee's IC 21 studies, which of course is what is going to happen in the 21st century, the bill before us makes no radical changes save in one area, and that area is satellites, where we took a number of substantial initiatives, for two primary reasons. First, the rationale for these actions is that current, well-published plans to reduce the number of intelligence spacecraft on orbit will leave us even more vulnerable to denial and deception.

A second reason is that space budgets have become unsustainably high. Without major reductions in space program costs, we will be faced with truly unpalatable choices. We will have to devote a still greater percentage of the intelligence budget to satellites. Or we will have to forego or eliminate some much-needed satellite capabilities in order to fund other overhead collection programs.

The space budget situation within the National Reconnaissance Program is little different from that encountered by others, such as NASA. And, our solutions sometimes will have to be similar to those now being pioneered by NASA—cutting spacecraft weight and launch costs, building satellites more rapidly and getting technology on orbit faster, taking full advantage of rapidly advancing commercial technology, and so on. Advancing technology and management changes could allow us to have more capability for less money. We are pushing these programs very hard, and I am pleased to see that, and we are pushing the programs, as I said, and the methodologies, which will in a few years—could permit a large and enduring for the future cost reduction. So we are confident that we are dealing correctly with the present and rapidly coming future technology which will ultimately help the taxpayers of the United States of America.

I just close again by thanking, congratulating, those who put in a lot of hours without television cameras or some of the normal glare and publicity that comes with this particular job because it makes a huge difference, and I think without it our country would suffer.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from Washington.

Mr. DICKS. First of all, I want to thank the gentleman from Delaware [Mr. CASTLE] for his very kind remarks, and I want to share in those remarks not only about the chairman, but also about the staff of the committee. We have an extraordinary staff, and the gentleman from Texas [Mr. COMBEST] and I have worked very hard to try to bring the staff together in a very bipartisan way to try to deal with the issues, and to work for all the Members, and to work for the entire House, and I think they do an exceptional job, and I am very proud of all of the members of our staff.

I also would point out, too, to the gentleman I think he raises a very important point about the satellite issues. There was a long story just the other day in the Washington Post about the Corona program which was declassified, and one of the things that struck me in reviewing the article was the fact that there was so much misinformation between the United States and the Soviet Union about our missile forces, and one of the things that happened when we had these satellites and had better information is that is really quieted some of the fears and, I think, may have helped us avoid a confrontation between the United States and the Soviet Union.

So good information is important not only for us, but also for our allies, and I think it helped the United States go through a very difficult time in its history and as we go now into a new era.

The CHAIRMAN. The time of the gentleman from Delaware [Mr. CASTLE] has expired.

(On request of Mr. DICKS and by unanimous consent, Mr. CASTLE was allowed to proceed for 2 additional minutes.)

Mr. DICKS. As we go into this new era, as my colleague knows, we are, in fact, making some investments in new capabilities in the satellite area, but over time it will help us reduce the amount of money necessary for intelligence. It is one of those things where we have to invest now in order to get the capability, but the capability we are going to have will mean fewer satellites in orbit, but much more capable satellites.

So I just hope we can stay with the program. I've urged John Deutch, and I realize that there are budgetary limitations. We all face that, but I think that the architecture the way we have today is a good one, and I think in the long term it is going to give us tremendous new capabilities that we can use more rapidly and will provide us with that same kind of high quality information that helped us get through the cold war era, and I think it will help us in the future as we deal with the various crises that we face.

But I want to commend the gentleman from Delaware [Mr. CASTLE], former Governor, a person who brings a lot of talent to this committee, as someone who I respect and who is up here every day doing his part on the committee for his attention to what the committee has been involved in.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Washington [Mr. DICKS] for his support of what I have spoken to and also his kind statements about me. I concur with the gentleman. The costs; I think satellites have a tremendous place in intelligence and security for this country. On the other hand we all know that the cost of satellites and the whole space costs are tremendous, and I think we have to work diligently and constantly to make sure that the reward that we get from this is worth the costs that we are

putting into it, and never can we really let up on that. My view, after seeing this up close, is that this is a particularly difficult, but important, area, one that should take a substantial percentage of our time, and I agree.

Mr. DICKS. I think the gentleman is right. We are not going to have any choice but to be very, very certain that we do not have unnecessary redundancies and that we look at each of these architectures and try to take advantage. There are things that can be done with some of these satellites that will help other parts of the constellation, and that is one thing we need to continue to work on.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRANK of Massachusetts:

Page 5, after line 22, insert the following:

SEC. 105. REDUCTION IN AUTHORIZATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), the aggregate amount authorized to be appropriated by this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, is reduced by three percent.

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

(c) TRANSFER AND REPROGRAMMING AUTHORITY.—(1) The President, in consultation with the Director of Central Intelligence and the Secretary of Defense, may apply the reduction required by subsection (a) by transferring amounts among the accounts or reprogramming amounts within an account, as specified in the classified Schedule of Authorizations referred to in section 102, so long as the aggregate reduction in the amount authorized to be appropriated by this Act equals three percent.

(2) Before carrying out paragraph (1), the President shall submit a notification to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, which notification shall include the reasons for each proposed transfer or reprogramming.

Mr. FRANK of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, we have just heard the ranking minority member tell us that, if we spend a little more money now on these satellites, it will allow us to reduce later on. I think this is now the fifth year in a row that I have heard that, and have yet to see the result of it. My amendment would reduce the authorization, which is already a significant amount over the appropriation, and again I apologize for the stupid way in which we will have to carry out this debate because we are not allowed to mention the gross numbers.

The American public is not to be allowed to know that the total of billions of dollars is that we are spending, and we can talk about percentage increases, but we cannot talk about how much.

This is an effort to reduce from last year's budget rather than increase. The committee's proposal would increase by about 1.7 percent. Now the President asked for 5.5-percent increase. I think both are in error. This would be a 3-percent decrease. It would be about, oh, a little less than 1½ percent less than last year.

The point is, Mr. Chairman, that there has been a diminution in the task of intelligence greater than the diminution in any other government's job. At the maximum we were spending about 10 percent more than this bill calls for because we were confronting the Soviet Union, the nuclear-armed Soviet Union. What we are being told is that we can afford a really slight, a 10-percent, reduction in intelligence because of the collapse of the Soviet Union, and that does not mean we can go to Russia today, but Russia today is a pale shadow in terms of threat that the Soviet Union and the Warsaw Pact was. We have made significant progress with Ukraine and Kazakhstan. There are fewer nuclear weapons; there are certainly fewer weapons of a conventional sort, and again I want to deal with the silly argument that, well, it is true there is no more Soviet Union, but there is Iraq, there is Libya, there is Iran. Yes, and there were in 1985 and 1990. The argument is that the world is today somehow no safer for us than it was when we had the Soviet Union. It is one of the grossest examples of distorting logic to be in the service of spending that I have ever heard.

There is not now the military threat to our very survival that we faced. There are other threats, but there are no qualitative new threats. Chemical and biological weapons, nuclear proliferation, terrorism; these are not things we just invented a year or two ago. We have had them all along. We were 10 years dealing with the Soviet Union and with these other threats. Today the Soviet threat has been very substantially diminished, and the American people are not to be given the benefit.

Mr. Chairman, we will be telling students that their student aid will be less. It will cost one more, if they are a middle-income student, to go to college. The Republicans plan to raise premiums on the average Medicare recipient. We are not sure how much, whether they will be going up by \$120 a year or \$250 a year. I do not know. They are planning their budget to reduce the cost-of-living Social Security, but at the same time we increase intelligence from this year over last year.

Mr. Chairman, I want to talk particularly about the CIA, which gets a 5-percent increase, and I am glad we have a new head of the CIA. I hope he

does much better, but if any other Government agency had been found to have made the errors and had the inefficiencies that the CIA had, it would be penalized.

Again I want to stress that the justification that we got from the chairman of the Committee on Appropriations' Subcommittee on Labor-HHS is for cutting Head Start. We are giving less money to Head Start. Why are we giving less money to Head Start? Because he said they are not spending it as efficiently as they could, but we are going to give a 5-percent increase to the CIA. The CIA is apparently perfectly efficient.

Now obviously, if we were in a different budgetary time, we would like to spend more money on a lot of things, but we are in a crisis. We are making painful cuts everywhere except in the CIA, except in these areas where the threat has diminished. If we had had an increase in child health equivalent to the decrease in the threat in the Soviet Union, we would have cut a lot more at HHS.

□ 1200

This budget erroneously says that at a time when we are cutting very important services to middle-income and lower-income Americans, when we are reducing money elsewhere, we are going to spend more here. There are threats to the safety of the average American. Tragically, they occur within the United States. I believe the average American today feels a lot more threatened by the violence that sadly engulfs many of our cities.

However, we cut back on money that a public housing authority could use for drug elimination. This House wiped out money for drug elimination grants in public housing, because we want to raise the money for the CIA. Ask the average American: Are you feeling more threatened by what the CIA deals with or by the drug people in your neighborhood, by that crime and violence? However, this House, if we pass this authorization, says no, we are going to cut out money that is used to fight drugs in America's streets, because we are going to increase it elsewhere.

Indeed, even terrorism has become tragically a domestic problem. That is the FBI, that is the DEA, that is the BATF.

If we want to fight crime, we have a counterterrorism bill reported out by the Committee on the Judiciary, but in part because there is some right-wing unhappiness about it, that is being held up. So please do not tell me that you are going to fight terrorism by giving more money to the CIA and hold up the counterterrorism bill, and cut drug elimination grants and cut other kinds of programs that would help local law enforcement. I hope this amendment is agreed to.

Let me just make the last point, that this amendment says that the 3-percent cut is across the board unless the

President, in consultation with intelligence officials, decides to reallocate it, and tells us about it. So it is not going to require 3 percent for everything. It sets a target of 3 percent and gives the President, with the Director of Central Intelligence or the Secretary of Defense, the flexibility to apply it as they think best.

Mr. COMBEST. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it comes as no surprise to the gentleman from Massachusetts [Mr. FRANK], I am sure, that I am opposed to the amendment. I would say to the gentleman that he has been very tenacious in his efforts. I know that the gentleman comes at this purely from a belief that he is doing the right thing. I have always respected that, among all Members.

Mr. Chairman, I want to make certain that there is not a misunderstanding. This is no intent to indicate that the gentleman intentionally misspoke. First, we will probably have a strong disagreement on the fact that there has been actually a diminishing of the need for intelligence. That is an arguable point, of which probably neither of us would be swayed. I do not see that threat diminishing.

Second, as he had made reference to an earlier comment by the ranking member, the gentleman from Washington [Mr. DICKS], that expenditures now would give us an opportunity to reduce in the future and that he has not seen any of that reduction, I wanted to just share with the Members the chart that we had. This is the actual expenditure line, and it is somewhat difficult to read. On the far left is 1989, and it runs through the 1996 mark, or the direction the intelligence budget has been going. So there has been a decrease on overall expenditures of intelligence through 1995 fiscal year, and it is difficult to see on this chart, because it is a slight increase, as mentioned, 1.3. The gentleman is totally correct, I mentioned in my opening comments the amount of percentage, but there has been a decrease.

Candidate Clinton proposed a decrease over a period of 7 years, which actually, in reality, was reached last year. It is an argument and a discussion that I presume quite seriously will go on for some time. The cut would take us below the levels of last year, if, in fact, it were implemented. Again, I am sure it comes as no surprise, but I would rise in strong opposition to the amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Frank amendment. Frankly, this morning, I still had not made up my mind about the amendment, because I have not been supportive of across-the-board cuts in a budget where people cannot really see what the expenditures are.

My colleague, the gentleman from Massachusetts [Mr. FRANK] has clearly put forth to this body his view of the

diminution of the threat as well as the values priorities debate, the context within which this debate on this authorization bill takes place today: our spending on intelligence.

Certainly we can all stipulate in this body that we want our President, whoever the President is, to have the best possible intelligence in dealing with the international situation, in dealing with the increased threat of terrorism, and the list goes on.

I associate myself with the remarks of our colleague, the gentleman from Colorado [Mr. SKAGGS], in support of the environmental task force and its important work. I have certain concerns about justifying the intelligence budget on the basis for economic reasons, because I do not believe that is what should justify our spending in the intelligence arena.

I, too, associate myself with the remarks of our colleagues in support of the new Director of Central Intelligence, Mr. Deutch. I am pleased with the comments he has made about considering protecting human rights is determining our sources and methods as he takes over the leadership of the intelligence community. He is a very welcome new DCI. He has outstanding credentials. He has access to the President, and he the respect of many Members of Congress. We all wish him well. His success is important to us.

I do have some concerns about his statement of yesterday on expanding covert operations, and look forward to hearing more about that.

Having said all of that about the need for our President to have the best possible intelligence, and also stating that I voted against the 10-percent across-the-board cut that was proposed in the appropriations bill the other day, because of the nature of the cut, I want to commend the gentleman from Massachusetts [Mr. FRANK] for his amendment today. I think the 3-percent cut is prudent and reasonable.

As I said at the beginning of my remarks when I came into the room, I still had concerns about what I thought was an across-the-board cut, which did not take into consideration what our ranking member referred to and our chairman referred to as investments that will produce savings down the road, et cetera. I do not consider every proposal or element of this budget, of this authorization bill and the budget it contains, to be of the same priority.

I was pleased to see, therefore, and I hope our colleagues will read the Frank amendment because, as the gentleman said at the close of his remarks, the amendment is very smart. It is a targeted smart amendment. It is a 3-percent cut. It makes an exception in that it does not apply to amounts authorized to be appropriated for the Central Intelligence Agency's retirement and disability fund, so that our obligations to our retirees will be met to them.

It also gives transfer and programming authority, unlike most across-

the-board cuts. It says, "The President, in consultation with the Director of Central Intelligence and the Secretary of Defense, may apply the reductions required by subsection A by transferring amounts among the accounts or reprogramming amounts within an account as specified in section 102, so long as the aggregate reduction in the amount authorized be appropriated in this act equals 3 percent." So I support this amendment because it gives discretion to the President and the Secretary of DOD and the Director of Central Intelligence. It is very appropriate and appealing in terms of attracting the votes of our colleagues.

I also think our colleagues should be aware of the fact that some of the money that the gentleman from Massachusetts [Mr. FRANK] would cut with this amendment has already been accommodated by the Committee on Appropriations. So I thank him for giving this body an opportunity to say to the intelligence community, "We support you very strongly." Certainly, even though we cannot talk about amounts, this budget, even with the proposed cut of the gentleman from Massachusetts, will still be very, very substantial.

We support and encourage and congratulate and commend the new DCI, Mr. Deutch, and hope that we can work together with him so he can be successful. If we are asking all Americans to tighten their belts, if we are asking all agencies of government to tighten their belts except the DOD, and the DOD appropriations bill has already accommodated some of this change, the DOD authorization being less than this authorization, then I think our colleagues in this body should say to the intelligence community, "Join with us in being much more fiscally responsible in terms of dollars spent for the results that we must have to be a strong country based on the intelligence that we need for our President to lead us.

Therefore, it is in that spirit I urge our colleagues to support this smart amendment, the Frank amendment. It is selective, it gives discretion to the President, it is an appropriate amount, it has already been accommodated by the Committee on Appropriations, and it is fair.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Frank amendment to the 1996 Intelligence authorization bill.

My friends, once again I am here to remind you, the cold war is over. We won! It is time for the Defense and Intelligence budgets to reflect this reality.

The Frank amendment is a reasonable amendment to the Intelligence budget. The CIA and other parts of the intelligence apparatus can certainly stand a 3-percent cut. This is a modest cut, a fair cut.

Do not forget, this week the Republican majority is going to ask our sen-

iors to take a bigger cut in their Medicare coverage. Don't forget that we are asking our school children to take a bigger cut in education funding. We're asking college students; working families; and the elderly to cope with all kinds of cuts, in lots of important programs.

Three percent? That's not much. That's reasonable. Let's cut the bloated intelligence budget. Let's ask the CIA to sacrifice for a change.

Pass the Frank amendment.

Mr. SKAGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the full 5 minutes, but an important fact Members need to keep in mind in judging this proposal has to do with the action taken just last week on the defense appropriations bill. Inherent in our decisions on the appropriations, which include appropriations for intelligence activities, was essentially a 2-percent reduction under the level authorized in the bill now before us. So the practical effect of the gentleman's amendment would be another 1-percent reduction below the 2 percent that has effectively already been approved by this body during the appropriations process.

Should we do that? This is certainly a question about which reasonable people, all dedicated to the proposition that we need a strong defense and an effective intelligence operation in support of national security, can disagree. I come down without great pleasure in support of the gentleman's amendment, without pleasure because I recognize, as our chairman has pointed out, that these are essential, important functions for our overall national security.

However, the question is, are they sacrosanct? Is there no room for some further efficiencies and some further tightening and setting of priorities to occur within the intelligence community, beyond what we have already forced on them, because in real dollar terms there have been constraints imposed over the last couple of years. I believe that they can endure that, and that they need to be asked to, out of fundamental equity.

Our national defense and the intelligence operations in support of it are our shield. But if that shield is surrounding a society and a culture and a nation that has been, to some degree, eaten out from inside, where our real strength depends on the education of our kids and the kind of investments we are making in technology and health care and all the rest, there is a disconnect there. I think the gentleman's amendment establishes an equity and a connection that is very important, as we are asking most Americans to do with less, and the rest of Government to shrink.

This is a very modest proposal. It will not go without imposing some pain on important functions within the intelligence community, but comparatively speaking, the kind of pain that

we are asking others in this country to sustain as we shrink Government and cut the budget and get things into balance, this is disproportionately small, and I think, therefore, is something we can do in good conscience with respect to both to national security and a sense of national equities.

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I wanted to clarify for certain that I had understood the gentleman earlier. He did rise earlier in support of increasing the amount relative to the environmental intelligence program and increasing the amount available for the declassification of documents?

Mr. SKAGGS. The gentleman is correct, in support of removing the cap that is now in the bill on the declassification operations of individual agencies, and as the gentleman knows, the amounts that might be involved in the environmental task force, compared to the overall size of what we are talking about in the budget, is fractions of hundredths of percents.

□ 1215

If the gentleman is intent on pointing out an inconsistency in my position on this in the technical sense, he is probably correct. In a practical sense, I really do not think so.

Mr. COMBEST. If the gentleman will continue to yield, it is not an inconsistency, it is just the fact that in the budget obviously the programs we are looking at, we looked at in terms of priority. It has been estimated that the declassification would require \$70 million. That is a substantial amount of money for declassification. That is why we limited. It is not the objection that the chairman had to the declassification idea. It was the fact that there are many, many programs that would be detrimentally affected. I just wanted to make for certain that the gentleman, while he was supporting a further reduction, was asking for an increase in some other areas that could amount to several tens of millions of dollars.

Mr. SKAGGS. If I can reclaim my time, I am certainly happy to discuss with the chairman what a reasonable level would be to deal with, for instance, the declassification issue. Having it open-ended probably is not a reasonable approach. I think the caps that are suggested in the bill now may be set too low and I think our colleagues in the other body have come to that conclusion as well.

The main question here is one of setting priorities. I think reasonable people can come to different conclusions while still having a profound commitment to a robust and effective intelligence operation for the country.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. SKAGGS] has expired.

(On request of Mr. FRANK of Massachusetts, and by unanimous consent,

Mr. SKAGGS was allowed to proceed for 1 additional minute.)

Mr. SKAGGS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding.

While we are talking about the whole consistency issue—at least I am—I did want to note, I was in agreement with the chairman when he got up and talked about the reductions, because I acknowledge there has been some reduction. But the chairman, when he talked about reductions, talked about 1989 dollars, in other words, a failure to keep up with inflation is considered a cut, and I think that is an appropriate accounting measure. But I do think that when we do that kind of accounting, when we say that a failure to keep up with inflation is a cut, it should not just be to the benefit of the intelligence community, it ought to be relevant to Medicare and everything else.

I think talking about it in constant 1989 dollars, that is, saying that a failure to keep up with inflation is a cut, that is a good way to do accounting but it ought to be for the rest of the budget as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. COMBEST. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 262, not voting 10, as follows:

[Roll No. 654]

AYES—162

Allard	Durbin	Lincoln
Baldacci	Ehlers	Lipinski
Barcia	Ensign	LoBiondo
Barrett (WI)	Eshoo	LoFgren
Becerra	Evans	Lowe
Beilenson	Farr	Luther
Bentsen	Fattah	Maloney
Berman	Fields (LA)	Manton
Blute	Filner	Manzullo
Bonior	Flake	Markey
Borski	Flanagan	Martinez
Boucher	Foglietta	Martini
Brewster	Ford	McCarthy
Brown (CA)	Frank (MA)	McDermott
Brown (FL)	Furse	McKinney
Brown (OH)	Gephardt	McNulty
Brownback	Goodlatte	Meehan
Bryant (TX)	Gordon	Metcalfe
Bunn	Green	Metcalf
Camp	Gutierrez	Mfume
Clay	Gutknecht	Miller (CA)
Clayton	Hefner	Minge
Clement	Hilliard	Mink
Clyburn	Hinches	Morella
Coble	Hoekstra	Nadler
Coburn	Jackson-Lee	Neal
Collins (IL)	Jacobs	Oberstar
Collins (MI)	Johnson (SD)	Obey
Condit	Kanjorski	Olver
Conyers	Kaptur	Orton
Costello	Kennedy (MA)	Owens
Coyne	Kennelly	Pastor
Danner	Klecza	Payne (NJ)
DeFazio	Klug	Payne (VA)
DeLauro	LaFalce	Pelosi
Dellums	Lantos	Peterson (MN)
Doggett	Levin	Petri
Duncan	Lewis (GA)	Porter

Poshard	Schroeder
Ramstad	Schumer
Rangel	Sensenbrenner
Rivers	Serrano
Roemer	Shays
Rohrabacher	Skaggs
Roth	Slaughter
Roukema	Smith (MI)
Roybal-Allard	Smith (WA)
Royce	Souder
Rush	Stark
Sabo	Stenholm
Sanders	Studds
Sanford	Stupak
Sawyer	Thompson
Saxton	Torres

NOES—262

Abercrombie	Fowler
Ackerman	Fox
Andrews	Franks (CT)
Archer	Franks (NJ)
Armey	Frelinghuysen
Bachus	Frisa
Baesler	Funderburk
Baker (CA)	Gallely
Baker (LA)	Ganske
Barr	Gejdenson
Barrett (NE)	Gekas
Bartlett	Geren
Barton	Gibbons
Bass	Gilchrest
Bateman	Gillmor
Bereuter	Gilman
Bevill	Gonzalez
Bilbray	Goodling
Bilirakis	Goodling
Bishop	Goss
Bliley	Graham
Boehert	Greenwood
Boehner	Gunderson
Bonilla	Hall (OH)
Bono	Hall (TX)
Browder	Hamilton
Bryant (TN)	Hancock
Bunning	Hansen
Burr	Harman
Burton	Hastert
Buyer	Hastings (FL)
Callahan	Hastings (WA)
Calvert	Hayes
Canady	Hayworth
Castle	Hefley
Chabot	Heineman
Chambliss	Herger
Chapman	Hilleary
Chenoweth	Hobson
Christensen	Hoke
Chrysler	Holden
Clinger	Horn
Coleman	Hostettler
Collins (GA)	Houghton
Combest	Hoyer
Cooley	Hunter
Cox	Hutchinson
Cramer	Hyde
Crane	Inglis
Crapo	Istook
Creameans	Jefferson
Cubin	Johnson (CT)
Cunningham	Johnson, E. B.
Davis	Johnson, Sam
de la Garza	Jones
Deal	Kasich
DeLay	Kelly
Deutsch	Kennedy (RI)
Diaz-Balart	Kildee
Dickey	Kim
Dicks	King
Dingell	Kingston
Dixon	Klink
Dooley	Knollenberg
Dolittle	Kolbe
Dornan	LaHood
Doyle	Largent
Dreier	Latham
Dunn	LaTourette
Edwards	Laughlin
Ehrlich	Lazio
Emerson	Leach
Engel	Lewis (CA)
English	Lewis (KY)
Everett	Lightfoot
Ewing	Linder
Fawell	Livingston
Fazio	Longley
Fields (TX)	Lucas
Foley	Mascara
Forbes	Matsui
	McCollum

Torrice	Torricelli
Towns	Towns
Upton	Upton
Velazquez	Velazquez
Vento	Vento
Volkmer	Volkmer
Ward	Ward
Waters	Waters
Watt (NC)	Watt (NC)
Waxman	Waxman
Weller	Weller
Williams	Williams
Woolsey	Woolsey
Wyden	Wyden
Yates	Yates
Zimmer	Zimmer

Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Watts (OK)

Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wilson
Wise

Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—10

Ballenger
Cardin
Frost
Johnston

Moakley
Mollohan
Reynolds
Sisisky

Tucker
Waldholtz

□ 1236

Messrs. FAWELL, PALLONE, BAESLER, and DEUTSCH changed their vote from "aye" to "no."

Mr. BRYANT of Texas, Mr. EHLERS, and Mrs. SMITH of Washington changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN (Mr. BURTON). Are there further amendments?

AMENDMENT NO. 5 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment No. 5 offered by Mr. FRANK of Massachusetts: Page 10, after line 17, inset the following:

SEC. 308. DISCLOSURE OF ANNUAL INTELLIGENCE BUDGET.

As of October 1, 1995, and for fiscal year 1996, and in each year thereafter, the aggregate amounts requested and authorized for, and spent on, intelligence and intelligence-related activities shall be disclosed to the public in an appropriate manner.

Mr. FRANK of Massachusetts. Mr. Chairman, I want to thank the Chair personally for the consideration shown me during this debate, and I apologize for being held up a little bit.

This amendment would have made the last debate intelligible. I understand that "intelligible" and "intelligence" are not identical words, but they ought to have a closer correlation than they have today.

Mr. Chairman, we have in the law a restriction on the American people knowing the gross number of the intelligence authorization and appropriation. All this amendment would do, and that is why I did not ask that it be considered as read and that the reading be dispensed with. I wanted it read in its entirety, because this does not say that categories or line items or even departmental breakdowns would be legal. It says the overall gross amount.

Mr. Chairman, we just had a debate in which we were talking about percentage reductions and I was asked, as I am sure my colleagues on the Permanent Select Committee on Intelligence were asked by a number of Members, "Well, how much is this?"

We were able to tell each other, because as Members, we are automatically trustworthy and, therefore, we can know about all these secrets. We can tell each other the number. Others trying to evaluate this debate, American citizens, journalists and others, theoretically, are not to know what we were talking about in the previous amendment.

Mr. Chairman, when I moved to cut 3 percent, 3 percent of what? Was that \$100 million; a billion dollars; \$10 billion? People have an order of magnitude idea, but especially as we were talking, as we were, about 3 percent versus 1.7 versus 0.5 percent, and the gentleman from Colorado and the chairman of the committee were talking about tens of millions of dollars, not having any idea, it seems to me, a mistake.

Obviously, the extent that foreign spies, foreign governments, could benefit from knowing, this, and the argument was, let us not make this total available, because other people could know something based on the total.

Mr. Chairman, they know it. No one believes that people who have an interest to malign us in knowing the total, fail to know it. All we accomplish by this foolish restriction of publishing the gross number is to make it harder for the American people to follow what we are doing; to make it harder for Members to vote.

I must tell my colleagues that I myself had some difficulty, because in preparing this amendment I had to wait until I could find the time to go to the intelligence room, as I always do once a year to review these things, and I had to read this and make my calculations.

Mr. Chairman, I read some calculations in the paper and people say well, everybody knows it. There were some calculations about this budget, in one of the most respected information sources that the House uses, that were wrong. There was a report of a 6-percent increase. Well, that's about a portion of it. I had difficulty in preparing this amendment in final form because of that.

There is no justification, whatsoever, for this fundamental deviation from basic democratic principles. Namely, that the American people ought to know the overall total that is being spent.

No one can argue, and no one has argued, that knowing the overall total will somehow hurt the national security. So the argument is, Well, if we tell them the overall total, the next thing we know they will be getting the hat size of the chief of intelligence in country X. The answer is no. That simply is not true.

We are changing the law. It is a statutory requirement that says we can't give the overall total. We will amend that statutory requirement that says you can give the overall total. Everything else that is now illegal will be illegal. Everything else that is secret by law will be secret and it will take a further statute to change it.

And the notion somehow that statutes are like dominos and if you change one, it automatically hits and knocks over the next is out of touch with reality. The American people, at a time of budgetary stress, have a right to know what the total is, instead of trying to guess or looking at newspapers and winking and saying it is il-

legal, but we do not pay any attention to it.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to tell the gentleman I have supported this amendment before. I intend to support it again, but I want to ask the gentleman: Does the gentleman believe that we should not go further than just disclosing the top line number? Is that adequate from the gentleman's point of view?

Mr. FRANK of Massachusetts. Mr. Chairman, reclaiming my time, yes, that is perfectly adequate. I think if we have the top line number and people can calculate the percentages, that is fine.

Mr. Chairman, let me say, as I recall these debates, and the gentleman from Washington [Mr. DICKS] has been in them as well, we never debate more than the top line number, because none of us really think that we ought to be getting into the line items.

This is one authorization where I do not remember any line item amendments. The amendments have generally been the overall ones. I think that reinforces the view that is what is appropriate for the House overall is the overall number. In my amendment, I gave flexibility below that.

Mr. DICKS. Mr. Chairman, if the gentleman would continue to yield, one thing I want to make sure that the Members of the House understand, because we have a lot of new Members, and that is that the intelligence budget is part of the defense budget. These are not two separate budgets.

Sometimes I have people say, "I did not realize that the intelligence budget is a piece of the defense budget."

□ 1245

It is one big budget.

Mr. FRANK of Massachusetts. That is right. In fairness to the Defense Department, the people in uniform, there ought to be some knowledge. Nobody knows exactly what piece of the defense budget it is. It makes it harder even when people are talking about that. You might have a decrease in one part and an increase in another.

By the way, that is one point, we let the gross number of the defense budget be known. Presumably, if there were some terrible problem or even minor problem that would come from the gross number being known, you would know that from the defense budget.

I want to reinforce what I said, I do not plan to go any further and would not support going further than the aggregate number. Again, I think the debate we have had in both the authorization and appropriating process in intelligence bear that out. There has been no effort, as I recall, to do amendments that went below the gross number.

Mr. DICKS. If the gentleman would yield further, I say to the gentleman, I,

too, would support that position. I do not have a problem with disclosing the overall number, but I would definitely oppose going any further in disclosing the components of that number.

Mr. FRANK of Massachusetts. I think the gentleman. I know he could not go any further. I would not ask him to. I appreciate his support on this effort.

Mr. COMBEST. Mr. Chairman, I rise in opposition to the amendment and, again, I respect the persistence of the gentleman from Massachusetts in this effort.

I appreciate the fact that the gentleman from Massachusetts does make himself available, goes to the committee and takes the time to look through the classified annex to look at the expenditure levels that we do make available to Members of Congress in H-405. I think that shows a seriousness and the fact that he is a very responsible Member in this effort. I cannot argue with a number of the things the gentleman has said and the fact that there have been a lot of reports done publicly by media and by others approximating or at least in their wording assuming that, or it is stated that the intelligence budget is "X." That is always a second line of the story.

If there is, in fact, a specific release of the amount of moneys expended on intelligence, that will become the story, and then the next obvious step is to begin to look at, well, how does that break down in expense. I think the American people understand and recognize the fact that there are secrets. Whether or not every one of them are going to agree with what those classified secrets should be, of course, is going to be variable depending upon the outlook the individual may have.

I do not hear a clamor or cry to divulge the budget. I think it is the beginning of a movement down a road that, in fact, would prove to be burdensome later at some point.

I would, as I have indicated, rise in opposition to the amendment and urge my colleagues to defeat the amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

With the chairman's indulgence, I will be very brief.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts [Mr. FRANK]. As you know, we have been through this debate before. When Mr. Glickman was Chair of the committee, he held hearings on this subject.

I think that the testimony was very compelling in support of releasing the aggregate sum. I think it is important for the intelligence community, for our committee to be able to defend that figure in perspective and on balance as far as other Federal spending is concerned. While I am on the subject of openness, I also want to associate myself with the remarks of the gentleman from Colorado [Mr. SKAGGS] earlier about the declassification of more information where it is appropriate. I

think that would be a good investment of our dollars.

With regard to this amendment, I thank the gentleman from Massachusetts [Mr. FRANK] for his leadership on it and urge my colleagues to vote "aye" on the Frank amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 271, not voting 9, as follows:

[Roll No. 655]

AYES—154

Ackerman	Green	Owens
Bachus	Gutierrez	Pallone
Baldacci	Hamilton	Pastor
Barcia	Harman	Payne (NJ)
Barrett (WI)	Hastings (FL)	Payne (VA)
Becerra	Hefner	Pelosi
Beilenson	Hilliard	Peterson (MN)
Berman	Hinchey	Pomeroy
Bonior	Horn	Poshard
Borski	Istook	Rangel
Browder	Jackson-Lee	Reed
Brown (CA)	Jacobs	Riggs
Brown (FL)	Johnson (SD)	Roemer
Brown (OH)	Johnson, E. B.	Rohrabacher
Bunn	Johnston	Rose
Clay	Kanjorski	Roybal-Allard
Clayton	Kennedy (MA)	Rush
Clement	Kennedy (RI)	Sabo
Clyburn	Kildee	Sanders
Collins (IL)	Klecicka	Sawyer
Collins (MI)	Lantos	Schroeder
Condit	Levin	Schumer
Conyers	Lewis (GA)	Scott
Costello	Lincoln	Serrano
Coyne	Lipinski	Shays
Danner	Lofgren	Skaggs
DeFazio	Lowey	Slaughter
DeLauro	Luther	Spratt
Dellums	Maloney	Stark
Dicks	Manton	Stenholm
Doggett	Markey	Stokes
Duncan	Martinez	Studds
Durbin	Matsui	Stupak
Engel	McCarthy	Thompson
Eshoo	McDermott	Thornton
Evans	McKinney	Thurman
Farr	McNulty	Torres
Fazio	Meehan	Torrice
Fields (LA)	Menendez	Towns
Filner	Metcalf	Velazquez
Flake	Mfume	Vento
Foglietta	Miller (CA)	Ward
Ford	Mineta	Waters
Frank (MA)	Minge	Watt (NC)
Frost	Mink	Waxman
Furse	Moran	Williams
Gejdenson	Morella	Woolsey
Gephardt	Nadler	Wyden
Gibbons	Neal	Yates
Gonzalez	Oberstar	Zimmer
Goodlatte	Obey	
Gordon	Olver	

NOES—271

Abercrombie	Bentsen	Bryant (TN)
Allard	Bereuter	Bryant (TX)
Andrews	Bevill	Bunning
Archer	Bilbray	Burr
Armey	Bilirakis	Burton
Baesler	Bishop	Buyer
Baker (CA)	Bliley	Callahan
Baker (LA)	Blute	Calvert
Ballenger	Boehlert	Camp
Barr	Boehner	Canady
Barrett (NE)	Bonilla	Castle
Bartlett	Bono	Chabot
Barton	Boucher	Chambliss
Bass	Brewster	Chapman
Bateman	Brownback	Chenoweth

Christensen	Hobson	Pickett
Chrysler	Hoekstra	Pombo
Clinger	Hoke	Porter
Coble	Holden	Portman
Coleman	Hostettler	Pryce
Collins (GA)	Houghton	Quillen
Combest	Hoyer	Quinn
Cooley	Hunter	Radanovich
Cox	Hutchinson	Rahall
Cramer	Hyde	Ramstad
Crane	Inglis	Regula
Crapo	Jefferson	Richardson
Creameans	Johnson (CT)	Rivers
Cubin	Johnson, Sam	Roberts
Cunningham	Jones	Rogers
Davis	Kaptur	Ros-Lehtinen
de la Garza	Kasich	Roth
Deal	Kelly	Roukema
DeLay	Kennelly	Royce
Deutsch	Kim	Salmon
Diaz-Balart	King	Sanford
Dickey	Kingston	Saxton
Dingell	Klink	Scarborough
Dixon	Klug	Schaefer
Dooley	Knollenberg	Seastrand
Doolittle	Kolbe	Sensenbrenner
Dornan	LaFalce	Shadegg
Doyle	LaHood	Shaw
Dreier	Largent	Shuster
Dunn	Latham	Skeen
Edwards	LaTourette	Skelton
Ehlers	Laughlin	Smith (MI)
Ehrlich	Lazio	Smith (NJ)
Emerson	Leach	Smith (TX)
English	Lewis (CA)	Smith (WA)
Ensign	Lewis (KY)	Solomon
Everett	Lightfoot	Souder
Ewing	Linder	Spence
Fattah	Livingston	Stearns
Fawell	LoBiondo	Stockman
Fields (TX)	Longley	Stump
Flanagan	Lucas	Talent
Foley	Manzullo	Tanner
Forbes	Martini	Tate
Fowler	Mascara	Tauzin
Fox	McCollum	Taylor (MS)
Franks (CT)	McCrery	Taylor (NC)
Franks (NJ)	McDade	Tejeda
Frelinghuysen	McHale	Thomas
Frisa	McHugh	Thornberry
Funderburk	McInnis	Tiahrt
Gallegly	McIntosh	Torkildsen
Ganske	McKeon	Trafficant
Gekas	Meeke	Upton
Gerens	Meyers	Visclosky
Gilchrest	Mica	Volkmer
Gillmor	Miller (FL)	Vucanovich
Gilman	Molinaro	Waldholtz
Goodling	Montgomery	Walker
Goss	Moorhead	Walsh
Graham	Murtha	Wamp
Greenwood	Myers	Watts (OK)
Gunderson	Myrick	Weldon (FL)
Gutknecht	Nethercutt	Weldon (PA)
Hall (OH)	Neumann	Weller
Hall (TX)	Ney	Whitfield
Hancock	Norwood	Wicker
Hansen	Nussle	Wilson
Hastert	Ortiz	Wise
Hastings (WA)	Orton	Wolf
Hayes	Oxley	Wynn
Hayworth	Packard	Young (AK)
Hefley	Parker	Young (FL)
Heineman	Paxon	Zeliff
Hergert	Peterson (FL)	
Hilleary	Petri	

NOT VOTING—9

Cardin	Mollohan	Sisisky
Coburn	Reynolds	Tucker
Moakley	Schiff	White

□ 1309

Mr. SCOTT and Mr. STOKES changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments?

If not, the question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Mr. BURTON of Indiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 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, pursuant to House Resolution 216, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 1655, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill H.R. 1655 the Clerk be authorized to make such technical and conforming changes that will be necessary to correct such things as spelling, punctuation, cross-referencing, and section numbering.

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

There was no objection.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1655, the bill just passed.

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

There was no objection.

DEFICIT REDUCTION LOCKBOX ACT OF 1995

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 218 and ask for its immediate consideration.

The Clerk read the resolution, as follows: