enemies of America and the enemies of freedom by protecting the symbol and values of our Nation. With that said, Mr. Speaker, I urge my colleagues to pass this rule, to oppose the Watt substitution, and pass the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2475, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 331 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 331

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2475) to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The bill shall be considered as read. The amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) One hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; (2) the further amendment printed in part B of the report of the Committee on Rules, if offered by Representative Maloney of New York or her designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. PUTNAM. Mr. Speaker, H. Res. 331 is a structured rule that provides for consideration of H.R. 2475, authorizing appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

I am pleased to bring this resolution to the floor for its consideration. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill.

It provides that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence modified by the amendment printed in part A of the Committee on Rules report accompanying the resolution shall be considered as adopted and shall be considered as read.

It makes in order an amendment offered by the gentlewoman from New York (Mrs. MALONEY) or her designee which shall be considered as read and shall be debatable for 30 minutes equally divided and controlled by the proponent and opponent, and all points of order against the amendment are waived.

The rule provides for a motion to recommit with or without instructions.

Mr. Speaker, I am proud to present for consideration the rule for the Intelligence Authorization Act for fiscal year 2006. I want to commend the gentleman from Michigan (Mr. HOEKSTRA) and his hard-working ranking member, the gentlewoman from California (Ms. HARMAN), for their excellent work on this legislation. More than any other committee in the Congress, we rely on the Permanent Select Committee on Intelligence to do work that we have confidence in and that is accurate and honest. The committee is the eyes and ears of this Congress in the intelligence community. We depend on them to be aware of what the rest of the world and our own community is up to. We put our faith in them to practice oversight and to produce a legislative product that addresses the needs of our intelligence community, and therefore our Nation.

The committee does an outstanding job of working on a bipartisan basis to provide for our men and women who are fighting the war on terror on a variety of fronts.

I want to take a moment to salute those men and women who are working around the globe in a variety of capacities doing so much in a quiet, discreet way for our security and liberty. Linguists, analysts, case officers, mathematicians, and engineers, some of the brightest minds that our Nation produces, work in the intelligence community taking, in many cases, an option that is not as generous as the private sector may be if they were to put that intellect and those talents and skills into some other capacity in the private sector.

But they do it as a labor of love, as a part of public service identical to that which calls men and women into uniform in the armed services and which calls men and women into our firefighter and police and other first responding capacities. No differently than those uniformed members, the men and women in our intelligence community throughout the world are performing a huge public service for which we can never show enough gratitude and appreciation.

□ 1300

The Intelligence Committee has reported out a bill that continues the House's commitment to the global war on terrorism and to ensuring that intelligence resources are directed in a balanced way toward threats to our national security. This legislation authorizes more than last year's appropriated amount and more than the President's request to continue to fight the war on terror.

The bill does an effective job of balancing our intelligence resources and strengthening human intelligence gathering by increasing the number of case officers and training and support infrastructure. A long-term counterterrorism program is established to reduce the dependence on supplemental appropriations. Additionally, it authorizes the full amount of funds expected for heightened operations for counterterrorism operations and the war in Iraq.

H.R. 2475 enhances the analytic workforce by providing additional linguists and analysts as well as improved training and tools. Furthermore, the bill continues to invest in technical programs, funding systems end to end, investing in R&D and increased use of signature intelligence, and reflects the results of a comprehensive survey to review and rationalize technical collection programs.

For the first time, the Intelligence Authorization Act funds the new Office of the Director of National Intelligence and allows for increased positions. The National Counterterrorism Center is enhanced through improved information sharing activities and collaboration provisions. The bill improves physical and technical infrastructure of intelligence agencies with new facilities.

This authorization bill is a perfect example of how Congress can achieve a bipartisan product that meets the needs of our Nation. Again, I thank Chairman HOEKSTRA, Ranking Member HARMAN, and the members of the committee for their admirable work. I urge Members to support the rule and the underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. First, let me thank the gentleman from Florida (Mr. PUTNAM) for yielding me the time.

Mr. Speaker, I rise in support of this rule providing for the consideration of the Intelligence Authorization Act for fiscal year 2006.

First, Mr. Speaker, let me remind my colleagues that Members who wish to do so can go to the Intelligence Committee office to examine the classified schedule of authorizations for the programs and activities of the intelligence and intelligence-related activities of the national intelligence program. This includes authorizations for the CIA as well as the foreign intelligence and counterintelligence programs within, among other things, the Department of Defense, the National Security Agency, the Departments of State, Treasury and Energy, and the FBI. Also included in the classified documents are the authorizations for the tactical intelligence and related activities and joint military intelligence program of the Department of Defense.

Today more than ever, we must make the creation of a strong and flexible intelligence apparatus one of the highest priorities of this body. The terrorist attacks of September 11, combined with the continuing threat of further attacks, underscore the importance of this legislation, and I am pleased that it has been brought to the floor before the July 4 recess.

Now, Mr. Speaker, while I generally support this bill, it is not closed to improvements. As the Democrats noted in our additional views, this bill is the first authorization bill to be considered since the Intelligence Reform and Terrorism Prevention Act of 2004 became law last December. The reforms undertaken last year, in the aftermath of two intelligence failures, created a Director of National Intelligence and dramatically reshaped the intelligence community. This authorization bill will therefore help define the authorities, priorities, and direction of the Director of National Intelligence and the entire intelligence community.

Mr. Speaker, I am pleased that the committee rejected the President's paltry request for counterterrorism funding and, instead, fully funded the intelligence community's needs. Fully funding counterterrorism represents bipartisanship and good public policy. Of course, this does not seem to be the first time that this administration does not heed the advice of its own intelligence experts, but I digress.

Let me speak also briefly about the fact that this bill and the report accompanying it are pretty much silent on one of the most salient issues of the day, our military prison at Guantanamo Bay, Cuba. The allegations of severe human rights abuses at Guantanamo Bay are at best extremely disturbing and at worst unforgivable sins of our Nation, which has always led the fight for human rights. I do not work there, so I cannot speak to the veracity of every single allegation. But I do know that Guantanamo Bay is a stealth prison, an unrecognizable blip on the radar screen of domestic and international law. Surrounded by a world of laws, treaties, norms and practices, Guantanamo is an unrecognizable entity, a small space where the law simply does not penetrate.

The prisoners are in judicial limbo, with limited access to lawyers and no legal recourse to profess their guilt or innocence or to protect themselves from abuse. In fact, many of them have now been jailed for more than 3 years without even having been charged with a crime. It sounds a bit Kafkaesque to me. Requests from objective outside observers to examine the condition of the prisoners have been rebuffed time and again. The Bush administration seems to trust in only itself to determine whether the prisoners are deserving of legal protections.

I am disheartened by the intelligence authorization bill's silence on this matter. The Members of this body should be greatly concerned with the utter lack of respect for the law or adherence to international agreements that characterize Guantanamo Bay. Former Supreme Court Justice Louis Brandeis once said, ''If the government becomes a lawbreaker, it breeds contempt for law.''

Congress has a responsibility to prevent Guantanamo Bay from becoming the personal prison of convenience for the Bush administration to stash people it does not want to suffer legal rights to. This body would be greatly remiss if we shucked that responsibility in favor of turning a blind eye to what very well might be the biggest terrorism recruitment tool since the attacks on September 11.

Mr. Speaker, as I have said, this bill provides authorizations and appropriations for some of the most important national security programs in this country. With the adoption of the manager's amendment, which we will hear about in much greater detail presently, I look forward to supporting the bill's ultimate passage.

Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN), my colleague with whom I serve on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this rule.

Mr. Speaker, on June 8, the gentleman from California (Mr. WAXMAN), the ranking member on the Committee on Government Reform, came before the Committee on Rules asking that two amendments be made in order. One amendment calls for a select committee to be established in Congress to investigate abuses of detainees held under U.S. military custody. The other amendment establishes an independent commission for the same purpose.

Mr. Speaker, these are matters that merit the attention of this House and deserve to be debated and voted upon by the Members of this body. But the majority party on the Rules Committee feels otherwise. The Republican leadership believes it is better to sweep these matters under the rug, hide them, forget about them, but certainly not investigate them. It makes no difference whether such an inquiry takes place inside the Congress or outside the Congress, any form of independent investigation is out of the question.

But questions about the abuse and torture of detainees simply will not go away, whether it is Guantanamo or Abu Ghraib or the countless other prisons, jails and detention facilities under U.S. control in Afghanistan and Iraq. Every week brings new revelations of abuses.

Mr. Speaker, I do not blame our soldiers for these abuses. It is their leaders who have failed. It is the leaders up and down the chain of command whose incompetence and arrogance have led to a systemic breakdown of standards and codes of conduct that our military has lived by since its creation.

Mr. Speaker, I would like to read a few lines from the June 13 edition of Newsweek. The article is entitled ''Good Intentions Gone Bad.'' In it, Rod Nordland, Newsweek's Baghdad bureau chief, who is departing after 2 years in Iraq, shares a few final thoughts. He writes:

''Two years ago I went to Iraq as an unabashed believer in toppling Saddam Hussein. I knew his regime well from previous visits. WMDs or no, ridding the world of Saddam would surely be for the best, and America's good intentions would carry the day. What went wrong? A lot, but the biggest turning point was the Abu Ghraib scandal. Since April 2004, the liberation of Iraq has become a desperate exercise in damage control. The abuse of prisoners at Abu Ghraib alienated a broad swath of the Iraqi public. On top of that, it didn't work. There is no evidence that all the mistreatment and humiliation saved a single American life or led to the capture of any major terrorist, despite claims by the military that the prison produced actionable intelligence. The most shocking thing about Abu Ghraib was not the behavior of U.S. troops but the incompetence of their leaders.''

Mr. Speaker, this is why we should be debating the Waxman amendments. We cannot run and hide from this abuse. It haunts us, Mr. Speaker. It haunts us. If ever a matter needed the light of day, it is this one.

Oppose this rule. Support debate on the Waxman amendments. Restore America's credibility on human rights and military conduct.

Mr. Speaker, I submit for the RECORD articles from Newsweek and from the Baltimore Sun.

[From Newsweek, Jun. 13, 2005]

GOOD INTENTIONS GONE BAD

(By Rod Norland)

Two years ago I went to Iraq as an unabashed believer in toppling Saddam Hussein. I knew his regime well from previous visits; WMDs or no, ridding the world of Saddam would surely be for the best, and America's good intentions would carry the day. What went wrong? A lot, but the biggest turning point was the Abu Ghraib scandal.

Since April 2004 the liberation of Iraq has become a desperate exercise in damage control. The abuse of prisoners at Abu Ghraib alienated a broad swath of the Iraqi public. On top of that, it didn't work. There is no evidence that all the mistreatment and humiliation saved a single American life or led to the capture of any major terrorist, despite claims by the military that the prison produced ''actionable intelligence.''

The most shocking thing about Abu Ghraib was not the behavior of U.S. troops, but the incompetence of their leaders. Against the conduct of the Lynndie Englands and the Charles Graners, I'll gladly set the honesty and courage of Specialist Joseph Darby, the young MP who reported the abuse. A few soldiers will always do bad things. that's why you need competent officers, who know what the men and women under their command are capable of—and make sure it doesn't happen.

Living and working in Iraq, it's hard not to succumb to despair. At last count America has pumped at least $7 billion into reconstruction projects, with little to show for it but the hostility of ordinary Iraqis, who still have an 18 percent unemployment rate. Most of the cash goes to U.S. contractors who spend much of it on personal security. Basic services like electricity, water and sewers still aren't up to prewar levels. Electricity is especially vital in a country where summer temperatures commonly reach 125 degrees Fahrenheit. Yet only 15 percent of Iraqis have reliable electrical service. In the capital, where it counts most, it's only 4 percent.

The most powerful army in human history can't even protect a two-mile stretch of road. The Airport Highway connects both the international airport and Baghdad's main American military base, Camp Victory, to the city center. At night U.S. troops secure the road for the use of dignitaries; they close it to traffic and shoot at any unauthorized vehicles. More troops and more helicopters could help make the whole country safe. Instead the Pentagon has been drawing down the number of helicopters. And America never deployed nearly enough soldiers. They couldn't stop the orgy of looting that followed Saddam's fall. Now their primary mission is self-defense at any cost—which only deepens Iraqis' resentment.

The four-square-mile Green Zone, the one place in Baghdad where foreigners are reasonably safe, could be a showcase of American values and abilities. Instead the American enclave is a trash-strewn wasteland of Mad Max-style fortifications. The traffic lights don't work because no one has bothered to fix them. The garbage rarely gets collected. Some of the worst ambassadors in U.S. history are the GIs at the Green Zone's checkpoints. They've repeatedly punched Iraqi ministers, accidentally shot at visiting dignitaries and behave (even on good days) with all the courtesy of nightclub bouncers—to Americans and Iraqis alike. Not that U.S. soldiers in Iraq have much to smile about. They're overworked, much ignored on the home front and widely despised in Iraq, with little to look forward to but the distant end of their tours—and in most cases, another tour soon to follow. Many are reservists who, when they get home, often face the wreckage of careers and family.

I can't say how it will end. Iraq now has an elected government, popular at least among Shiites and Kurds, who give it strong approval ratings. There's even some hope that the Sunni minority will join the constitutional process. Iraqi security forces continue to get better trained and equipped. But Iraqis have such along way to go, and there are so many ways for things to get even worse. I'm not one of those who think America should pull out immediately. There's no real choice but to stay, probably for many years to come. The question isn't ''When will America pull out?''; it's ''How bad a mess can we afford to leave behind?'' All I can say is this: last one out, please turn on the lights.

[From the Baltimore Sun, June 5, 2005]

CLOSE CAMP DELTA

(By Michael Posner)

For many around the world, the detention facility at the U.S. Naval Base at Guantanamo Bay, Cuba, has become one of the most prominent, negative symbols of America's departure from the rule of law since 9/11.

Camp Delta, as the prison on Guantanamo is called, holds more than 520 men from about 40 countries. Many of these people have been detained there for more than three years; none has been given any indication of when, or even if, he will be released. The U.S. government has classified all of the detainees as ''enemy combatants.''

While the term is not recognized in international human rights or humanitarian law, it has provided the U.S. government with a rationale for denying detainees any rights whatsoever, either under the Geneva Conventions (the laws of war) or U.S. criminal law. This situation has prompted some Bush administration officials to dub Guantanamo ''the legal equivalent of outer space.'' This label would also apply to the dozens of secret U.S. detention sites in Iraq, Afghanistan, Pakistan and Jordan and aboard ships at sea.

But just as Guantanamo has become a powerful negative symbol, it has the potential to be a positive one if the United States is willing to take steps to recognize the possibility. One step, and it is a bold one, would be to shut down the Guantanamo prison—to close its doors and, in doing so, open a public debate among members of Congress, military officers and intelligence and law enforcement leaders on interrogation and detention practices around the world.

Shuttering Guantanamo not only would allow the United States to broadcast to the world its commitment to the rule of law—by moving all security detainees into an established legal process—it also would serve America's security interests. Those around the world who use the symbol of Guantanamo to fuel anti-American sentiments would lose one of their most potent rallying cries. And autocratic governments no longer would be able to hide behind American's example, as they do now, in justifying their own practices of indefinite detention and abuse.

The closing of Guantanamo would, by its very nature, require an evaluation of all the locations where the United States is holding security prisoners because Guantanamo derives much of its infamy from what it has wrought: Guantanamo was the testing ground for coercive interrogation techniques. Torture was exported to other facilities from there.

In the spring of 2003, Defense Secretary Donald H. Rumsfeld explicitly approved 24 interrogation techniques for Guantanamo, including ''dietary manipulation,'' ''environmental manipulation,'' ''sleep adjustment'' and ''isolation,'' all of which has been previously prohibited by U.S. law and explicit military policy. He did so despite strenuous objections from senior military lawyers, the FBI and others in the government. This policy is still in place.

By mid-2003, the military extended the Guantanamo rules to Iraq. In fact, in August 2003, the Pentagon sent the Guantanamo commander, Maj. Gen. Geoffrey Miller, to Abu Ghraib prison, reportedly with the instruction to ''Gitmo-ize'' the Iraqi prisons. The revelation of pictures from Abu Ghraib last spring tells part of that story.

But the story is much bigger—and more troubling—than what those photos depict. Consider this: Since December 2002, 108 people have died in U.S. custody, according to Pentagon figures. Of these deaths, no less than 28 were criminal homicides, the Defense Department acknowledges. The victims were tortured to death.

An official investigation into the cases of two young men who were beaten to death at a U.S.-run facility in Bagram, Afghanistan, revealed that more than two dozen soldiers were involved in these deaths. The interrogators, believe that they could deviate from the well-tested rules because, as one said, ''there was the Geneva Conventions for enemy prisoners of war, but nothing for terrorists.''

Despite its benefits, the prospect of Guantanamo being closed any time soon is unlikely. Last week, Vice President Dick Cheney said of the prison: ''What we're doing down there has, I think, been done perfectly appropriately.'' And yet, the vice president's assertion files in the face of leaked FBI and International Red Cross reports as well as comments by a former U.S. military translator who published his observations of detainee mistreatment and sexual humiliation.

What can be done when there is such a discrepancy between the facts and the official interpretation of them? In a democracy, the best way to deal with this is openness: Congress should authorize the creation of an independent, bipartisan commission to conduct a thorough investigation of U.S. detention and interrogation policies worldwide. This would allow the United States to assess what went wrong and why and to recommend corrective action.

Until Congress does this, Guantanamo and the other U.S. detention centers will continue to serve as the symbol of America's tarnished reputation.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased and privileged to yield 4 minutes to the gentlewoman from California (Ms. HARMAN), the distinguished ranking member of the Permanent Select Committee on Intelligence.

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Speaker, I commend the gentleman for yielding me this time and for his service both on the Rules Committee and on the Intelligence Committee, and I thank the gentleman from Florida (Mr. PUTNAM) as well for his comments earlier in this debate.

Mr. Speaker, I urge my colleagues to oppose the previous question so that we can have a debate on the Waxman amendment. Yesterday, we had an open rule for the Defense Appropriations Act which funds the intelligence community. I fail to see why we cannot have an open rule for the authorization bill for those same intelligence programs. I also think it is sad that the leadership scheduled consideration of this authorization bill after our vote on the appropriations bill. This makes little sense and erodes our ability to establish clear guidance for how money will be spent.

Mr. Speaker, this rule should have made in order all of the amendments

that were offered. Only 10 amendments were submitted to the Rules Committee. Of those, nine were offered by Democrats, and of those nine, only one was made in order. Each amendment was responsible. Each deserves full consideration on the House floor. Members on both sides of the aisle should have an opportunity to debate the important issues raised by these amendments, but as a result of this unnecessarily restrictive rule, neither Republicans nor Democrats will have that opportunity.

Mr. Speaker, I want to highlight one amendment that the Rules Committee will not let us debate, the Waxman amendment to establish an independent commission on detainee issues. Detentions and interrogations are vital tools. We need those tools. But they must take place according to our laws and our values. To do anything less puts our own troops in harm's way and erodes our moral credibility in the world.

Today, our intelligence professionals operate in what I call a ''fog of law,'' a confusing patchwork of laws, treaties, memos and policies. The Intelligence Committee's oversight subcommittee is conducting a serious bipartisan investigation into the practice of renditions and interrogations under the able leadership of the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Alabama (Mr. CRAMER). But this investigation is largely classified. We also need a public unclassified investigation so that the public can have confidence that our Constitution and our laws are respected. A public bipartisan investigation will help us learn precisely what happened, who should be accountable at senior as well as operational levels, and how to fix the problems.

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Mr. Speaker, I will enter into the RECORD an op-ed from the June 7 Washington Post by civil rights attorney Floyd Abrams, former Representative Bob Barr, and Ambassador Tom Pickering, which called for the creation of an independent commission. They wrote: ''Only with such a commission are we likely to enact the reforms needed to restore our credibility among the nations of the world.''

I agree. Shutting off the lights at Guantanamo will not solve the problem. Only Congress can solve the problem by addressing the policies underlying Guantanamo. Article I, section 8 of the Constitution states that it is Congress's responsibility to make rules concerning captures on land and water, and that is why, in addition to calling for this independent commission, I believe we need bipartisan legislation. The safety of our troops and our moral credibility in the world are on the line.

I urge my colleagues to oppose this restrictive rule and the previous question.

The material previously referred to is as follows:

[From the Washington Post, June 7, 2005]

JUSTICE BEFORE POLITICS

(By Floyd Abrams, Bob Barr and Thomas Pickering)

After the attacks of Sept. 11, 2001, came widespread shock and horror—and some tough questions. Could the United States have prevented this catastrophe? What corrective action might we take to protect ourselves from other terrorist attacks?

After political struggles and initial resistance by many political leaders, Congress and the president created the Sept. 11 commission in 2002. This bipartisan group of 10 prominent Americans was charged with conducting an independent and complete investigation of the terrorist attacks of Sept. 11 and with providing recommendations for preventing such disasters. In July 2004 the commission released its report, and in December Congress passed legislation to implement many of its recommendations.

In the spring of 2004, the scandal involving the abuse of prisoners at Abu Ghraib became public. Additional allegations of abuse surfaced in connection with prisoners detained by the United States at Guantanamo Bay, Cuba, and elsewhere. Many Americans asked themselves the same painful questions about these allegations: How could such terrible actions have taken place? Who was responsible? What reforms might we implement to prevent such problems? Once again, a year later, these questions remain unanswered.

We believe that the American public deserves answers. We are members of the bipartisan Liberty and Security Initiative of the Constitution Project, which is based at Georgetown University's Public Policy Institute. We have joined with other members of the initiative—Republicans and Democrats, liberals and conservatives—to call for the establishment of an independent bipartisan commission to investigate the issue of abuse of terrorist suspects. We urge Congress and the president to immediately create such a commission and to use the Sept. 11 commission as a model.

No investigation completed to date has included recommendations on how mistreatment at detention facilities might be avoided. Even the Pentagon's much-heralded report by Vice Adm. Albert T. Church, completed in March, concluded only that there were ''missed opportunities in the policy development process'' and that these opportunities ''should be considered in the development of future interrogation policies.''

Establishing an independent, bipartisan commission would also be beneficial for U.S. relationships abroad. The abuse of terrorist suspects in U.S. custody has undermined the United States' position in the world. This is a time when we should be making extra efforts to reach out to Muslims and to ask them to work with us in the war against terrorism. Instead, our failure to undertake a thorough and credible investigation has created severe resentment of the United States.

An independent bipartisan investigation can generate widespread acceptance and support for its findings. Only with such a commission are we likely to enact the reforms needed to restore our credibility among the nations of the world.

We must move beyond the partisan battles of our highly charged political climate. To provide a credible investigation and a plan for corrective action, and to show the world that the United States takes seriously its obligations to uphold the rule of law, we urge Congress and the president to establish a commission to investigate abuse of terrorist suspects.

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

Mr. Speaker, I appreciate the words of the gentlewoman from California (Ms. HARMAN) and the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Florida (Mr. HASTINGS) as it relates to these issues. It reflects a legitimate disagreement over the direction that this investigation should take, whether it should be based in the legislative branch or based in the executive branch or some combination, which has been the history.

In fact, here in our own Congress, the Senate has had eight hearings on detainee abuse, and three on Abu Ghraib specifically. General Myers, the chairman of the Joint Chiefs; the Chief of Staff of the Army; the Secretary of Defense; and the Acting Secretary of the Army have all conducted independent reviews. There are 12 other Department of Defense reviews that have occurred, and the House Committee on Armed Services in this body has held three hearings and numerous briefings.

The legislative branch has been diligent in their oversight responsibility. And I appreciate that there are differences on this, but I particularly appreciate the way that my colleagues on the other side of the aisle have handled this. Unlike in the Senate where the detainee abuse was equated with the regime of Pol Pot and Hitler and Stalin, there is a measured approach to disagreement in this Chamber, and I think that that is the responsible approach, unlike the direction that the Senate has gone. To equate Guantanamo Bay with regimes that murdered millions of people is absurd, and it is dangerous, and it gives aid and comfort to the enemy.

As the chairman of the Committee on Armed Services in this body pointed out, detainees in Guantanamo are provided their own prayer rugs. If that were done in the public school system, it would be against the law. They are called to prayer five times a day. If that were done on the average high school intercom system, it would be a violation of the law. They are fed three nutritious meals per day at an average of $12 per detainee per day. If we multiplied what we spend on the school lunch program times three meals, they would be receiving less than a detainee in Guantanamo Bay.

And because of the ongoing judicial review that our government is engaged in with those detainees, at the end of that process, 234 detainees so far have been released from Guantanamo. And to show their great gratitude, at least a dozen of them have been identified as returning to the fight against American servicemen and -women.

I think that it is important that we keep those facts in mind, as well, as we move through this debate.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Before yielding to the gentleman from California (Mr. WAXMAN), I would

just say to my friend from Florida that this judicial review that he talks about evidently is going to take place forever.

It is not about food, Mr. Speaker. The detainees are properly fed. But they cannot see their relatives. Most of them cannot see a lawyer, and most of them have not been told what they are charged with. When I say it is Kafkaesque, Franz Kafka wrote the book ''The Trial'' that said how horrible it was to be in a situation where one does not know their accusers, they do not know what they are charged with, and they are convicted of something in sitting there. We cannot do that in this country. It is not about food. It is about rights. It is about human rights and dignity.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. WAXMAN), ranking member of the Committee on Government Reform.

Mr. WAXMAN. Mr. Speaker, it has been over a year since we saw the horrific photographs of the torture of the prisoners in Abu Ghraib prison in Iraq. Yet in Congress, we have ignored our fundamental responsibility to investigate this issue. And it is not just Abu Ghraib, but other prison camps as well where we are hearing more and more reports of instances of disrespect of the Koran and denial of human rights to detainees.

Under our system of checks and balances, the House of Representatives has a constitutional duty to ensure proper oversight of the executive branch, and for this reason I submitted an amendment to this bill to create either a select committee of the House of Representatives to examine the matter or an independent commission to conduct such an investigation. But the Republican leadership blocked both amendments. They do not want an investigation inside the House or outside by an independent group. The independent commission, I believe, would have filled this huge oversight vacuum. It was denied, and that is why I am in opposition to the previous question on the rule and the rule itself.

The reports of detainee abuse are undermining one of our Nation's most valuable assets, our reputation and respect for human rights. And they are endangering our Armed Forces and inciting hatred against the United States. As Senator BIDEN said, Guantanamo is the ''greatest propaganda tool for the recruitment of terrorists worldwide.''

Some of the allegations that have been replayed over and over again around the world may not be true. President Bush calls them ''absurd.'' But we will not know what is true and what is not true unless we investigate. And when we refuse to conduct thorough, independent investigations, the rest of the world thinks we have something to hide. When we ignore our constitutional obligations, we are not doing the administration any favor. A lack of oversight leads to a lack of accountability, and no accountability breeds arrogance and abuse of power.

Over the past year, more and more instances of detainee abuse from a growing number of locations around the world have come to light. In just the past few weeks, new evidence emerged of the desecration of the Koran at Guantanamo Bay; the involvement of Navy Seals in beating detainees in Iraq; and the gruesome, ultimately fatal torture of Afghans at the U.S. detention center at Bagram Airbase in Afghanistan. It is time for this House to put aside political calculations and fulfill our constitutional oversight responsibilities.

Let me just point out to my colleagues that we have not had an investigation since Abu Ghraib. The House held only 5 hours of public hearings in the Committee on Armed Services to investigate the abuses. In contrast, the House spent 140 hours taking witness testimony to examine whether President Clinton mishandled his Christmas card list. What is more important for the use of oversight and investigative powers of the House?

While the Senate review has been more extensive, it has not involved comprehensive public review of all relevant agencies and personnel, nor has it produced comprehensive conclusions regarding individual accountability and necessary corrective actions.

We must do our job. We need to examine these allegations and take our oversight responsibilities seriously. I urge a ''no'' vote on the rule.

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

Unquestionably, Congress's responsibility to properly oversee the activities of the entire Federal Government is preeminent, and that is why I am proud that, under the leadership of the gentleman from California (Chairman HUNTER), they have had hearings. In the Senate they have had hearings. And today, as we speak, the House Permanent Select Committee on Intelligence also has an oversight subcommittee devoted to investigating all of these issues.

Mr. Speaker, to elaborate on that, I yield 5 minutes to the gentleman from Michigan (Mr. HOEKSTRA), the distinguished chairman of that committee.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, I rise in support of the rule. And before I move on to address some of the discussion that has been on the floor today, let me talk about some of the issues in the rule; and I think later on we will have an opportunity to talk about what may be unusual in this bill.

But as my colleagues on the other side today may try to destroy, we have developed a bill that will set a direction for the intelligence community and we have done it in a bipartisan way. We have checked the issues as to whether the bill is sufficient in terms of the resources to have an effective intelligence community. We have made important decisions as to the relative balance between HUMINT and our technical capabilities. We have made important decisions about the direction of our technical capabilities, and we have done it on a bipartisan basis.

This bill came out of committee with a voice vote. It shows the continued commitment of the House to support the global war on terrorism and our troops deployed abroad. We attempted this year to keep ancillary issues out of the bill, to focus the full attention of the committee on careful oversight and review of our Nation's intelligence programs. Our goal was to properly align the resources of those programs to counter the threats facing our Nation. I appreciate the efforts of the Committee on Rules to keep floor debate similarly focused on the programs that are authorized in the bill and related issues.

Again, we are setting a strategic direction for where we think the intelligence community needs to go. There will be some changes that were made as a result of the rule that we will vote on in the next few minutes, and these again were an attempt to make sure that there was not confusion about what direction we wanted to go in, what we wanted to get done, and make sure that the underlying direction for the reform of the intelligence community was the bill that was signed into law by the President last December.

I will say that I agree with some of my colleagues on the other side. My ranking member said it is the responsibility of Congress to do its work. Congress will do its work. We have been doing our work. We have had a bipartisan, constructive effort, led by the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Alabama (Mr. CRAMER), to take a look at the allegations that are out there. We have been investigating these issues.

My colleague here says we have not been doing any work. My colleague has not done the basics. He maybe could have asked, has the Permanent Select Committee on Intelligence on the House side done anything to take a look at the alleged allegations or the abuses at Guantanamo, the intelligence community's relationships to Abu Ghraib? I think my ranking member on the other side has said that we have had a constructive, bipartisan effort to take a look at the allegations, to take a look at the role of the intelligence community, and to take a look at how we move forward on these types of things. But sometimes people do not even want to raise the basic questions and get the basic information that they need.

These are serious issues. The information that the folks may have in Guantanamo may save American lives. It will make our war on terror more effective.

Should these allegations be investigated? Absolutely. Are they being investigated? Absolutely. And members

on the Permanent Select Committee on Intelligence know that that work has been going on, and it has been going on in a very constructive and a very effective method.

□ 1330

I look forward to passing this bill today. I look forward to this committee continuing the work that Congress has asked it to do, and us going back and doing it in an effective way, to make sure that we will have an effective intelligence community. It is time to stop bashing our troops and our intelligence community. These people put their lives on the line every day. It is time to show them some support.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am pleased to yield 2 minutes to my friend and classmate, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise to oppose this restrictive rule for not making in order the Waxman amendment to provide for an investigation by a bipartisan, independent commission of the detainee abuses alleged at Abu Ghraib, Guantanamo Bay, and other sites.

Let me say at the outset that the men and women in our armed services ought to be praised for their selfless sacrifices. They deserve not to have their names and their good works associated with the torture and abuse that has been alleged in newspapers and other reports. That is why it is so important to have a complete and full investigation and to receive assurances that torture and abuse are not standard operating procedure in our armed forces, even if torture was authorized by Secretary Rumsfeld and Attorney General Gonzales. It is not authorized by Congress or by the American people who ultimately get to have the final say.

It also bothers me that these detainees do not have any way of asserting their innocence. The President says they are all terrorists, but what if some of them were cases of mistaken identity? What if some of them had nothing to do with terrorism? What if they have a similar name or a similar appearance, but are indeed factually innocent of all charges?

It seems to me that if the government is so sure that everyone we are holding is a terrorist, there should be no trouble convincing a court, a judge, or a military court. That would be preferable to having the government assert that all of these people are terrorists, just trust us. We cannot allow that type of abuse of power to continue in our name.

This assertion of the right to hold people forever, with no specific evidence and no due process, has not been asserted in an English-speaking country since before Magna Carta, 800 years ago, until this President had the nerve to besmirch the good name of the United States by making such an assertion. This is not how America became the Shining City on a Hill so admired by people the world over.

No executive should be permitted the power to lock people up forever without ever having to prove their guilt. That is a power that I would trust to no man, no king, no dictator, and no President.

Let me say one other thing. Torture and abuse of prisoners is not just a shameful violation of human rights, it does not work. People under torture will say anything. Intelligence professionals know better than to believe or to rely on information extracted under torture. Torture and abuse of detainees is wrong for so many reasons. It is a horrendous practice, it produces nothing but shame and more enemies for the United States, and anger from the rest of the world.

We need to aggressively investigate these abuses and put safeguards and policies into place to prevent them from ever happening again.

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

Perhaps we should remind the gentleman of some of the 545 people who are being detained in Guantanamo; 545, by the way, is fewer people than are in my county's jail on a Saturday night.

But of those 545 people who killed innocent women and children, they included a detainee named Katani who was stopped before he could board one of the planes used to strike the World Trade Center and the Pentagon, or taking care of Osama bin Laden's body guards, other members of al Qaeda and other terrorist networks and members of the Taliban. These are not your average, run-of-the-mill pick-pockets and thieves. They are hardened terrorists who have pledged everything to destroy American service men and women, to come into our homeland and wreak havoc and cause mayhem and cause death and destruction within these borders of the United States of America. They are being monitored. They are under ongoing judicial review. The eyes of the world, as this debate has evidenced, are on Guantanamo.

These are individuals who represent the very worst in our global society who would do anything to bring us harm. Yet we seem to lose all of that perspective in this very dramatic, theatrical debate that began in the Senate when there was an equation of Guantanamo with the regimes of Stalin and Hitler and Pol Pot which resulted in the torture and mutilation and death of millions of human beings. And for this similar equation to be made on the House floor that we, in our activities in Guantanamo, are even remotely close to those regimes is out of bounds.

There have been numerous Department of Defense investigations into detainee abuse, numerous House Committee on Armed Services hearings on detainee abuse, Senate committee hearings on detainee abuse, and ongoing Intelligence subcommittee reviews of what is going on there.

It is important that we step back and understand that this is an intelligence authorization bill that gives our men and women the tools they need to fight people around the world that we would not invite over for dinner; people who would do everything in their power to bring down our society, our form of government, our cloak of safety. Let us keep those things in mind when we go forward with this debate about Guantanamo and Abu Ghraib.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Just one thing for my friend from Florida: Charge it and prove it. That is all. This is a great Nation. We can charge those folks with a crime, and we can prove that they did what the gentleman said.

Mr. Speaker, I am pleased at this point to yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in opposition to this rule.

We have been led to believe that the use of torture in Iraq, Afghanistan, and Guantanamo Bay, Cuba were isolated incidents; that murder, sexual assault, and physical abuse were the work of a few low-ranking guards who are now being brought to justice.

The new evidence indicates we have been misled.

Recent news accounts have detailed the deaths of two detainees in 2002 at the Bagram Collection Point in Afghanistan during interrogation by military intelligence. One man was hung by his arms in his jail cell for days and beaten so severely in the legs that he died, even though, as the newspapers reported, soldiers involved in the detention believed that the man was innocent.

Despite being ruled homicide by the coroners, the deaths were described by a military spokesman as resulting from natural causes. In the meantime, the officer was promoted and placed in charge of interrogations in Iraq's Abu Ghraib Prison.

But this story is not about low-ranking soldiers who independently ran afoul of the system; it is not a matter of a few bad apples. It is one tale in what is emerging to be a pattern of systematic abuse carried out with the knowledge and approval of senior military and civilian officials.

How do we know that the Defense Department and senior military commanders knew what was going on? Because their own documents say so. Their own documents show that the general in charge of our troops in Afghanistan knew that unapproved techniques were being used in those interrogatories. So what did he do? He made

a list of these techniques and sent them to the Joint Chiefs of Staff, who were looking for ways to alter interrogations in Guantanamo Bay.

In fact, the only time the general in charge of U.S. forces in Afghanistan seems to have issued any written policy is when he recommended that the Geneva Convention techniques be removed for everyone, regardless of whether or not they were tied to al Qaeda or the Taliban.

So let me sum it up. Advanced torture techniques were developed and used in Afghanistan and resulted in the deaths of multiple detainees. The deaths were covered up and the investigations were stalled. The techniques were shared with the interrogators at Guantanamo Bay and then spread to Iraq where the same people responsible for the deaths in Afghanistan were put in charge of the Abu Ghraib prison.

From Afghanistan to Guantanamo to Abu Ghraib, torture, lies, and coverup. This is not an accident, this is a pattern of abuse.

I want to enter into the RECORD an editorial from my hometown paper on this.

That is why I join my colleagues in calling for the creation of an independent commission on detainee abuse. The leadership in the House and, more specifically, the chairman of the Committee on Armed Services have proven both negligent and incapable of dealing with this issue as they have looked the other way and led the country to continue to believe that this is only a few bad apples, a few malcontents that went about it the wrong way when, in fact, the evidence from our own Defense Department tells us differently and has irreparably damaged the reputation of the United States, and has cast doubt on our foreign policy, and it is a new recruitment tool, as so many have commented, both in the intelligence community and in the Congress, that raises the likelihood that U.S. troops captured by enemy combatants or terrorists will be killed or tortured. It gives the radical opponents of the United States and the insurgents the fuel to feed the insurgency against U.S. soldiers and the new Iraqi Government.

The failure of this administration, which so often demands accountability of others to deal with this issue in an honest and forthright fashion, undermines our ability to implement the strategy for success in Iraq and Afghanistan and tears down our forces.

SUSPICIOUS TREATMENT

First, there were the sickening photos smuggled out of Abu Ghraib prison a year ago that shocked the world and fueled anti-American sentiment throughout the Middle East. Then, there were allegations from prisoners recently freed from Guantanamo Bay that U.S. military guards had beaten false confessions out of them and desecrated the Quran. Then. earlier this month, the New York Times reported that military interrogators at a U.S. prison in Afghanistan had killed detainees during questioning, then tried to cover up the cause of death. The interrogators didn't believe one of the men was involved in terrorism, but had beaten him to death—allegedly by accident—anyway.

Now, Amnesty International U.S.A. has released a scathing report calling the U.S. Navy Base at Guantanamo Bay, Cuba, ''the gulag of our times.'' The report's authors accuse Defense Secretary Donald Rumsfeld, Attorney General Alberto Gonzales and other top U.S. officials of being ''architects of torture.''

The human rights watchdog organization called on foreign governments to use international law to investigate U.S. officials for their abuse of detainees accused of having terrorist ties.

Meanwhile, the Associated Press has obtained 1,000 pages of U.S. government tribunal transcripts under a Freedom of Information Act lawsuit that offers chilling, firsthand accounts of alleged prisoner abuse. In one case, a Guantanamo Bay prisoner told a military panel that American soldiers had beaten him so badly, he now wets his pants.

Vice President Dick Cheney insists that the prisoners are ''peddling lies'' and that the Guantanamo detainees have been ''well-treated, treated humanely and decently.'' President Bush blasted the Amnesty report Tuesday, calling it ''absurd.''

Yet, It is quite unsettling that prisoners in Guantanamo, Afghanistan and Iraq have told strikingly similar stories.

Bush administration officials' unapologetic defense of military conduct at Guantanamo and other U.S. military prisons—in the face of mounting evidence of serious problems—is symptomatic of its increasingly familiar refusal to acknowledge mistakes and take responsibility. This arrogant stonewalling must not be allowed, especially when so much is at stake.

The well-publicized mistreatment of Muslim detainees at U.S.-run military prisons has severely damaged the United States' reputation abroad. It is the height of hypocrisy to talk of spreading democracy while our government tramples all over individual civil liberties. In the United States, a person is innocent until proven guilty, yet Muslim detainees are essentially guilty until proven innocent. Nearly 600 people have been held without charges. Up until a year ago, they could not even challenge their detentions in U.S. courts. The U.S. government had argued that as foreigners on foreign soil, they had no legal recourse, which is absurd as well as un-American.

It is high time that President Bush and Congress appoint a bipartisan panel to investigate the allegations of abuse of terrorist suspects. People on both sides of the ideological spectrum have called for such a commission, ranging from conservative former U.S. Rep. Bob Barr, R-Ga., to the Center for American Progress on the left.

If, as Rumsfeld claims, released detainees are a bunch of liars, the administration has nothing to hide.

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

Perhaps the gentleman, out of his concern for torture, would read into the RECORD the similar treatments, the abuse, the torture, the behavior shown Jessica Lynch. Perhaps the gentleman would also read into the RECORD the actions of the gentlemen who boarded American airplanes and crashed them into the World Trade Center and the Pentagon. Perhaps, out of his sense of concern about torture, he would enter into the RECORD transcripts and videos of the beheadings that have been taking place in Iraq. Perhaps the gentleman, out of his sense of concern about torture, would cover those bad apples, those bad actors, and the actions that are being taken against them.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in opposition to any further investigation of either what is taking place at Guantanamo Bay with our detainees or further investigation of Abu Ghraib.

I want to speak about Guantanamo first, because I heard some of the reports when we first brought detainees there, and I went down and visited. I walked among the prisoners, I saw the housing, I saw how they were treated. I was asked what I thought when I saw the whole thing, and I want to use my quote here on the floor. I said, ''I thought it was too good for the bastards.''

I stand here today appalled at my colleagues who, in fact, are concerned about the rights of mass murderers. And that is exactly what we have here. We have international mass murderers, enemy combatants. They had no consideration, in support of a regime, the al Qaeda regime and Osama bin Laden, who slaughtered thousands of people on our soil, and many of whom were both Americans and internationals.

What right did they respect of Barbara Olson, who worked for our Committee on Government Reform, whose plane crashed into the Pentagon that morning? And I remember Barbara. What right did they respect of Neal Levin, who I met with at the World Trade Centers, who was trapped, along with everyone who helped me and our Subcommittee on Aviation, who were all murdered on the morning of September 11 when they were in the Windows on the World restaurant? What right did they defend of those people?

How quickly we forget September 11. I am reading the book ''102 Minutes.'' I wish everyone would read it, about the thousands of people who were left trapped in the World Trade Center. What rights did these people who supported that activity exercise?

Abu Ghraib, if I hear one more thing about that and the actions of our military folks; someone described ''horrific torture.'' I saw worse things at fraternity houses in college than what our troops were involved in. And to continue the harassment.

The gentlewoman from Florida (Ms. ROS-LEHTINEN) brought into the Committee on International Relations two prisoners; one, I recall, was from Abu Ghraib. I did not see anyone from the other side there, I did not see anyone from the press there when they described their treatment under Saddam Hussein. Do my colleagues know how he dealt with overcrowding? He took them out and slaughtered them. I did not see anyone from the other side concerned about the rights of those prisoners.

One gentleman told us how he was taken from Abu Ghraib Prison; well, he described not only the beheadings, but the limb amputations, the pulling out of tongues, the electrical shocks. How dare anyone from the House or the other body compare the treatment our troops afforded this scum of the earth?

What about an investigation of the 300,000 mass graves that our troops have uncovered and the treatment that those people received.

Finally, again, that one prisoner, and no one here bothered on the other side to even attend the meeting with the prisoners to hear how Saddam Hussein treated them. He described how he was taken out, he and others, and they were all shot, and the bulldozer pushed over dirt on them; he was shot five times, and only managed to crawl away and somehow survive to tell how the other side truly tortures.

□ 1345

Mr. HASTINGS of Florida. I am convinced of some things: some of my colleagues just do not get it when it comes to human rights.

Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, I rise to oppose the rule with a very simple question: What is the House Republican leadership afraid of? We say we want to promote democracy around the world. We say we want to set a good example to others, and yet the House leadership seeks to block a vote today. That is what this argument is about, a vote today on the Waxman amendment, which would simply create an independent, bipartisan commission to investigate abuses at Abu Ghraib, Guantanamo Bay, and other places around the world.

Unfortunately, the only example we seem to be setting these days is the example of the ostrich, to bury our heads in the sand, to ignore the facts, to ignore the truth.

The Bush administration and my colleagues on the other side of the aisle say that the reports of human rights abuses at these facilities have been greatly exaggerated. Then what are they afraid of? The chairman of the Intelligence Committee just says these are serious issues. They are serious issues.

We do not want quarter-truths; we do not want half-truths. Let us get at the full truth, the good, the bad and the ugly. People around the world look to the United States, not just for the statements we make, but for the actions we take. And Americans have been shocked at the reports of abuses because they know these actions do not reflect our values, and that is what this is about, our values.

And they do not represent us as a people. The United States throughout its history has been a great beacon of human rights. And very sadly, that beacon has been dimmed by the abuses that have been taking place. And the best way to reclaim our credibility on this issue is to squarely face the facts and those abuses.

We must lead by our example. We must show we will not run from the truth even when it is unpleasant. Only by confronting the truth can we learn from our mistakes. Only by examining our own conduct can we credibly talk about the misconduct of others. Let us show the world that a strong, competent Nation does not run from or hide from the truth. Let us once again lead by example.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY), the seeker of that truth, the chairman of the oversight subcommittee tasked with looking into alleged abuse.

Mr. THORNBERRY. Mr. Speaker, I thank the gentleman from Florida for yielding and commend him on the handling of this rule, but also in helping us put this whole issue into greater context.

Because, Mr. Speaker, I think it is important for us to remind ourselves that this bill contains a number of things which try to help defend the country, try to help keep us all safer, try to prevent gross inhumane acts of slaughter by the terrorists, which we know they are intent upon committing.

And so I think it is important as we focus down on some of these specific issues, and we should talk about them, to keep the larger context in mind. The gentleman from Florida has helped to do that. In a little bit, I want to talk in greater length about the oversight subcommittee, because I think it is important to say that the chairman of the Intelligence Committee and the ranking member of the Intelligence Committee, at the beginning of this Congress, decided to create a special oversight subcommittee of the House Intelligence Committee.

And our charge is to focus at greater depth and with greater persistency on some of the key intelligence issues which we face. And we take that job very seriously. And I think we can do the job very seriously, in part because we usually do not do our job in front of the cameras. We do not do our job for partisanship.

We do not come out on the floor, in press conferences or in other places, and try to bash the administration or to protect the administration. We try to be tough, but fair. And that is the way that real oversight, particularly in the area of national security, ought to be done, rather than posturing and other things that we have seen from time to time. The problem is the work you do in the Intelligence Committee cannot be talked about openly. And so there is very little one can say about the specifics.

But just because we cannot come and detail all of our activities and some of what we found and what more we have to do, one should never take that to mean that there is not serious oversight and investigation ongoing, because there is.

And, in fact, Mr. Speaker, I believe that worldwide terrorism presents a number of challenges to us. It is absolutely true, as many of the speakers have said, that we must maintain our American values, and at the same time try to prevent acts of terrorism.

Our problem is, when we just focus on one part of that equation, when we forget that the purpose here is to prevent acts of terrorism, then I think we become unbalanced, our rhetoric becomes more sensational, and unfortunately I think the American people do not benefit from such talk.

I can only say that with my partner, the gentleman from Alabama (Mr. CRAMER), and other members of the subcommittee, with our bipartisan staff, we take our job very seriously. And we will pursue that investigation very seriously. And we will try to make sure that American values are maintained, and at the same time our troops, our homeland security folks, our policemen and others, have the information they need to keep us safe. We will keep both goals in mind.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend, the distinguished gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman for his leadership and for yielding me this time.

Mr. Speaker, I rise to engage today in a colloquy with the gentlewoman from California (Ms. HARMAN), our ranking member of the Permanent Select Committee on Intelligence. And let me first thank the gentlewoman for her consistent leadership on so many national security issues.

Let me just say briefly that I appreciate this opportunity to discuss an issue very briefly that is of critical importance, that is, making sure that the United States Government is not involved in violating the will of any people anywhere in the world which duly elects a government through democratic means.

In 1982, Congress passed the Boland amendment, which prohibited the Federal Government from using taxpayer dollars for the purpose of overthrowing the Government of Nicaragua. I offered an amendment to this intelligence authorization bill that broadens this concept to ensure that our Federal intelligence dollars are not used to support groups or individuals engaged in efforts to overthrow democratically elected governments. Unfortunately it was not made in order.

In an ideal world, we would not specifically stipulate this, but events in Haiti and more recently in Venezuela have led me to wonder whether we need to codify this straightforward, nonpartisan position. So I think that we must do all we can not only to support

the spirit of democracy throughout the world, but also to ensure that it is allowed to flourish and to grow.

I would like to ask the gentlewoman from California (Ms. HARMAN) if she has any thought about how we need to move forward, basically because I believe again, as I said earlier, that such actions fly in the face of our own democratic principles.

Ms. HARMAN. Mr. Speaker, will the gentlewoman yield?

Ms. LEE. I yield to the gentlewoman from California.

Ms. HARMAN. Mr. Speaker, I thank the gentlewoman for yielding.

I thank the gentlewoman for raising this issue. I want to assure her that I understand and support the general principle she has raised, and I believe that we should be mindful of that issue.

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman for her comments and her attention to this issue. I look forward to working with her.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. DANIEL E. LUNGREN.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, one of the previous speakers said we just do not get it. To him I would say, and to others, yes, we do get it.

I came back to this body after 9/11 precisely because of the attack on Americans and the loss of three people that I knew personally. I came back here with the idea that we needed to fight for America and defend ourselves and not tear up the Constitution in the process.

The suggestion made by some that we are engaged in wide-scale torture, that we are somehow morally equivalent with others is absolutely absurd. The proper way for us to respond to allegations is to do what the Congress is supposed to do, and what the gentleman from Texas (Mr. THORNBERRY) said we are about, which is the proper congressional oversight, not mock hearings like we had last week, not setting up independent commissions, not politicizing this, but doing it in the way the Constitution requires us to do it.

If there is any problem, it is with the Congress not doing proper oversight. We have the commitment from the committees and the subcommittees to do it. Let us rise above partisanship. Let us do the right thing, and let us get rid of this nonsense of a moral equivalency between the United States and some of those terrible regimes around the world. It is not worthy of this body.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong opposition to this restrictive rule.

The gentleman from California (Mr. WAXMAN) offered a reasonable amendment, which was rejected by the Rules Committee, that would have put the House on record in support of a bipartisan, independent investigation into detainee abuse at Abu Ghraib prison in Iraq and the facility at Guantanamo Bay.

Because there are known cases of abuse, and there are more questions than answers about the extent of abuse on people held by or for the United States, we need to shine a very bright light on detainee treatment. Only when we know the full scale of the problem will we be able to stop, prevent, and correct any wrongs that have been done in our country's name.

And if it is true, as Vice President CHENEY says, that the prisoners are peddling lies, then let us investigate prisoner treatment so that we have evidence and not just assertions. The United States should be the standard bearer of democracy, freedom and human rights throughout the world. However, it has been over a year since the story broke about prisoner abuse at Abu Ghraib, and we have yet to conduct a through independent investigation.

Opening the door to an independent investigation would be a major step toward returning our country's standing as a moral leader. And to those who would try to justify what we do by saying, well, it is not as bad as those unspeakable beheadings or other things, well, I should certainly hope not, because we are not like them. We are better than them. We are the United States of America.

And now, those who call on our country to uphold the rule of law and who reject becoming debased ourselves by conducting torture, they become the object of relentless criticism. Those patriots who want to stand up to our values and our belief in the rule of law, we are a proud and a great Nation blessed with immense freedom and with military personnel who proudly defend us. We should not fear the truth; we should demand it with an independent investigation.

Mr. PUTNAM. Mr. Speaker, the gentlewoman is absolutely right when she says we are better than them. She is absolutely right when she says we are not equal to them. I hope she shares that thought with the senior Senator from Illinois.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, I have listened to this debate with interest. And I rise in support of the rule and in support of a realistic foreign policy that some in this Chamber apparently misunderstand.

The actions of September 11, 2001, were not criminal acts; they were acts of war against this Nation.

□ 1400

One of the fundamental problems when you separate all the venom and vitriol that we have heard in this debate and certainly from someone in the other body who compared American fighting men and women to the Soviets with their gulags and the Third Reich and Pol Pot's regime in Cambodia, one of the fundamental problems seems to be the willingness of many to equate this with some sort of law enforcement problem. It is not.

And to those who are expending such efforts and such rhetoric on behalf of the alleged rights of enemies of this country, let me remind you that the Constitution's first three words are "We the people," not "they the terrorists," or "they the insurgents," or "they the accused."

In wartime the Constitution is a mechanism for the survival of the Republic. And as Mr. Justice Jackson pointed out years ago, the Constitution is not a suicide pact. This need not be a partisan controversy. One look only so far as the History Channel as columnist Thomas Sowell pointed out 2 weeks ago. Do you know what happened at World War II to unfortunate combatants; that is, those without representing a nation state or wearing the uniform or insignia of a military nation or state during World War II?

When those unlawful combatants were apprehended, they were lined up and shot. The Commander in Chief at that time was Franklin Delano Roosevelt. That was in adherence with the Geneva Convention.

We are in a war where people behead Americans. It would be nice to see one-tenth of the passion on behalf of American citizens that we see for the terrorists and their alleged rights. Vote in favor of the rule.

Mr. PUTNAM. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. FLAKE). The gentleman from Florida (Mr. PUTNAM) has 2 minutes remaining. The gentleman from Florida (Mr. HASTINGS) has 1½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I want to take a second to speak to my friend from Florida (Mr. HASTINGS), and he is my friend, but I think he is wrong when he says human rights issues are something that we just do not get.

Well, that is wrong. I think we do get it. I think it is fairly clear to the Members of this body, it is fairly clear to the people of this country, that many of you Democrats are very interested in human rights of the prisoners down in Guantanamo Bay, people who would kill your children, who would kill your families and destroy your homes. And we are interested in getting information in a reasonable manner from prisoners or terrorists in order to save the lives of American people, to save the lives of our military.

So it is a simple matter. It comes down to whose side are you really on?

Are you on the side of the terrorists so you can be against President Bush, or are you on the side of the American people and the American families?

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I answer the gentleman from Georgia (Mr. NORWOOD), I am on the side of the American people and I am on the side of the rights that I believe are principles inherent in our United States Constitution and throughout the United States Constitution.

I do not have time to yield to the gentleman, otherwise I would.

Make no mistake about it, most of us feel as strongly as most of you do, and I do not think that anybody here ought question our patriotism.

This Nation is the greatest Nation on this Earth, and we do not have to have anything to fear. We do not have to have any worry about trying people who harm this Nation.

Mr. Speaker, I will be asking Members to oppose the previous question. If the previous question is defeated, I will modify this rule so we can consider the amendment by the gentleman from California (Mr. WAXMAN) that was rejected in the Committee on Rules last night.

Mr. Speaker, I ask unanimous consent to insert the text of this amendment immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, the Waxman amendment has been explained. It would establish an independent commission, similar to the 9/11 Commission, to conduct an extensive, bipartisan, and thorough investigation into the multiple accounts of prisoner abuse that have occurred in Iraq, Afghanistan, and Guantanamo.

Mr. Speaker, it has been well over a year since the shocking and humiliating photographs of prisoner abuse at Abu Ghraib first became public. I doubt there is any Member of this Chamber who was not appalled at that disgraceful act. Yet, in spite of these events, the House has done very little of substance.

Mr. Speaker, if you allow me to conclude by saying, a ''no'' vote will allow Members to vote on the Waxman amendment, so we can take immediate steps to fully investigate these very disturbing incidents of prisoner mistreatment.

Mr. PUTNAM. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this has been a vibrant, robust debate and a good solid beginning of the undeniable debate that will follow on the underlying bill.

In case you missed it from the debate over the rule, there is a lot more to this rule than just Abu Ghraib and Guantanamo. This is an important rule that allows us to consider the intelligence authorization bill that gives our men and women around the world the tools and skill and support they need to win the war against terrorism on our behalf, important new assets in terms of technical capabilities, and a tremendous investment in the most important piece that we have in intelligence, which is those hardworking men and women who were called to public service.

This is a fair rule. It allows for a great deal more consideration of these issues that we have already begun to discuss in terms of detainees and the role of American intelligence in our society and the tools that they need around the world. I encourage everyone to support it and to support the underlying bill.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION ON H. RES. 331—RULE FOR H.R. 2475 INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

''In the resolution strike ''and (3)'' and insert the following:

''(3) the amendment printed in Section 2 of this resolution if offered by Representative Waxman of California or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall not be subject to amendment, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (4)

SEC. 2. The amendment by Representative Waxman referred to in Section 1 is as follows:

AMENDMENT TO H.R. 2475, AS REPORTED OFFERED BY MR. WAXMAN OF CALIFORNIA

At the end, add the following new title:

TITLE V—ESTABLISHMENT OF INDEPENDENT COMMISSION TO INVESTIGATE DETAINEE ABUSES

SEC. 501. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch the Independent Commission on the Investigation of Detainee Abuses (in this title referred to as the ''Commission'').

SEC. 502. DUTIES.

(a) INVESTIGATION.—The Commission shall conduct a full and complete investigation of the abuses of detainees in connection with intelligence and intelligence-related activities of Operation Iraqi Freedom, Operation Enduring Freedom, or any operation within the Global War on Terrorism, including but not limited to the following:

(1) The extent of the abuses.

(2) Why the abuses occurred.

(3) Who is responsible for the abuses.

(4) Whether any particular Department of Defense, Department of State, Department of Justice, Central Intelligence Agency, National Security Council, or White House policies, procedures, or decisions facilitated the detainee abuses.

(5) What policies, procedures, or mechanisms failed to prevent the abuses.

(6) What legislative or executive actions should be taken to prevent such abuses from occurring in the future.

(7) The extent, if any, to which Guantanamo Detention Center policies influenced policies at the Abu Ghraib prison and other detention centers in and outside Iraq.

(b) ASSESSMENT, ANALYSIS, AND EVALUATION.—During the course of its investigation under subsection (a), the Commission shall assess, analyze, and evaluate relevant persons, policies, procedures, reports, and events, including but not limited to the following:

(1) The Military Chain of Command.

(2) The National Security Council.

(3) The Department of Justice.

(4) The Department of State.

(5) The Office of the White House Counsel.

(6) The Defense Intelligence Agency and the Central Intelligence Agency.

(7) The approval process for interrogation techniques used at detention facilities in Iraq, Cuba, and Afghanistan.

(8) The integration of military police and military intelligence operations to coordinate detainee interrogation.

(9) The roles and actions of private civilian contractors in the abuses and whether they violated the Military Extraterritorial Jurisdiction Act or any other United States statutes and international treaties.

(10) The role of nongovernmental organizations' warnings to United States officials about the abuses.

(11) The role of Congress and whether it was fully informed throughout the process that uncovered these abuses.

(12) The extent to which the United States complied with the applicable provisions of the Geneva Conventions of 1949, and the extent to which the United States may have violated international law by restricting the access of the International Committee of the Red Cross to detainees.

SEC. 503. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President, who shall serve as chairman of the Commission;

(2) 1 member shall be jointly appointed by the minority leader of the Senate and the minority leader of the House of Representatives, who shall serve as vice chairman of the Commission;

(3) 2 members shall be appointed by the majority leader of the Senate;

(4) 2 members shall be appointed by the Speaker of the House of Representatives;

(5) 2 members shall be appointed by the minority leader of the Senate; and

(6) 2 members shall be appointed by the minority leader of the House of Representatives.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(2) OTHER QUALIFICATIONS.—Individuals that shall be appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in such professions as governmental service, law enforcement, the armed services, law, public administration, intelligence gathering, human rights policy, and foreign affairs.

(3) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed within 45 days following the enactment of this Act.

(4) MEETINGS.—The Commission shall meet and begin the operations of the Commission as soon as practicable. After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members.

(c) QUORUM; VACANCIES.—Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) CONFLICTS OF INTEREST.—Each member appointed to the Commission shall submit a

financial disclosure report pursuant to the Ethics in Government Act of 1978, notwithstanding the minimum required rate of compensation or time period employed.

SEC. 504. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents,

as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only—

(I) by the agreement of the chairman and the vice chairman; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this subsection, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(3) SCOPE.—In carrying out its duties under this Act, the Commission may examine the actions and representations of the current Administration as well as prior Administrations.

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties of this Act.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purposes of this Act. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive Orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

SEC. 505. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 509.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 506. STAFF OF COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The staff director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 507. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 508. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

(a) IN GENERAL.—Subject to subsection (b), the appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements.

(b) EXCEPTION.—No person shall be provided with access to classified information under this title without the appropriate required security clearance access.

SEC. 509. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to Congress and the President interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to Congress and the President a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) FORM OF REPORT.—Each report prepared under this section shall be submitted in unclassified form, but may contain a classified annex.

(d) RECOMMENDATION TO MAKE PUBLIC CERTAIN CLASSIFIED INFORMATION.—If the Commission determines that it is in the public interest that some or all of the information contained in a classified annex of a report under this section be made available to the public, the Commission shall make a recommendation to the congressional intelligence committees to make such information public, and the congressional intelligence committees shall consider the recommendation pursuant to the procedures under subsection (e).

(e) PROCEDURE FOR DECLASSIFYING INFORMATION.—

(1) The procedures referred to in subsection (d) are the procedures described in—

(A) with respect to the Permanent Select Committee on Intelligence of the House of Representatives, clause 11(g) of Rule X of the Rules of the House of Representatives, One Hundred Ninth Congress; and

(B) with respect to the Select Committee on Intelligence of the Senate, section 8 of

Senate Resolution 400, Ninety-Fourth Congress.

(2) In this section, the term ''congressional intelligence committees'' means—

(A) the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Select Committee on Intelligence of the Senate.

SEC. 510. TERMINATION.

(a) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under section 509(b).

(b) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 511. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated funds not to exceed $5,000,000 for purposes of the activities of the Commission under this Act.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

Mr. PUTNAM. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 8, as follows:

[Roll No. 288]

YEAS—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—8

Carter
Herseth
Lewis (GA)
Murphy
Sessions
Walden (OR)
Whitfield
Young (FL)

□ 1431

Mr. GENE GREEN of Texas changed his vote from ''yea'' to ''nay.''

Mr. GILLMOR and Mr. ISTOOK changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYES). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF MEMBERS TO ATTEND FUNERAL OF THE HON. ''JAKE'' PICKLE

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

Mr. THOMAS. Mr. Speaker, the gentleman from New York (Mr. RANGEL) and I are in the process of putting together the potential list for flying to the Jake Pickle funeral tomorrow at 4 p.m. It is very short notice, and it will be an imposition on the funeral site. We are in contact now.

What we need to know are how many Members, beyond the Texas delegation and the Committee on Ways and Means, have a very strong interest in attending the Jake Pickle funeral? We would leave with ample time to get there prior to the 4 p.m. funeral time, and then we would immediately return. Any Member who has an interest, would they call the Committee on Ways and Means and ask for Allison Giles, 53630. We need to pull together an approximate number of Members who have a strong interest in attending the Jake Pickle funeral.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HOEKSTRA. Mr. Speaker, pursuant to House Resolution 331, I call up the bill (H.R. 2475) to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government,