United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, WEDNESDAY, APRIL 26, 2006 No. 47

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. CAPITO).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 26, 2006.

I hereby appoint the Honorable SHELLY MOORE CAPITO to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend John Hergenrother, Presiding Judge, Tribunal of the Archdiocese of Chicago, offered the following prayer:

Lord, God, Father, Allah, Higher Power, we address You with many names, but You are one. We are many people striving to be united in mutual justice, equity and concern. 444 of Your people have the awesome responsibility to represent, to lead, to care, to legislate for over 260 million of Your people.

May the laws that come from this House strengthen, nourish and keep us united in the bond that we share as citizens and as Your children. With all of our ideals, and all of our limitations, we pray for the Members and staff. Give them insight, guidance and vision to discern the common good of all Your people in this land and beyond. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. ESHOO) come forward and lead the House in the Pledge of Allegiance.

Ms. ESHOO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

FREEDOM IN MACEDONIA

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Madam Speaker, as a member of the House Democracy Assistance Commission, I was honored this past week to host a delegation of Parliamentarians from the Republic of Macedonia, in my home State of Michigan.

The Macedonia delegation was immersed in many factors important to the development of a democratic society. They visited our State capitol, as well as visiting one of our major daily newspapers, understanding that a free press is critical to a thriving democracy.

They met with State elections officials to talk about how to run free and fair elections, a fundamental caveat of a thriving democracy. They visited the University of Michigan's famed Center for Russian and Eastern European Studies. They visited our courts to get a better understanding of our system of justice, and we enjoyed each other's fellowship at a banquet held in their honor at our local Macedonian cultural center.

This week we welcome them to Washington D.C. The Republic of Macedonia is a great emerging democracy, and its leaders are committed to the cause of freedom and liberty for every individual.

Da zivee slobodna, Makedonia.

Long live freedom and democracy in Macedonia.

NATIONAL DAY OF SILENCE

(Mr. FARR asked and was given permission to address the House for 1 minute.)

Mr. FARR. Madam Speaker, I rise today to give voice to those who are silent: the many youth in our high schools and middle schools who are afraid to speak out of their place in our society because they are gay, lesbian, bisexual, transgender, intersex or questioning their sexual identity.

Today marks the 10th National Day of Silence in which we celebrate the diversity in our society, but acknowledge a deep-seated intolerance toward that diversity.

In my district, several efforts are being made to turn the intolerance into tolerance. The Watsonville YMCA has added a group called Latinas y Lesbianas y Aliadas. It is one of the few programs in the Nation dedicated to reaching out to the Spanish-speaking community, which has not historically had access to such support systems. I hope this becomes a national movement.

I am also proud to represent several Shoreline Middle School eighth graders who have been nominated for the Queer Youth Leadership Awards. These brave students have worked to end homophobia and discrimination, making their school or community a safer place for people of all walks of life. These students are joined by their families, but should not be alone in their efforts.

For this reason, I join my colleague Eliot Engel in cosponsoring H. Con. Res. 86 which memorializes the National Day of Silence and encourages each State or local jurisdiction to adopt laws to prohibit discrimination and harassment against persons of alternative sexual orientation.

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GEORGIA: AMERICA'S PROVEN ALLY

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

Mr. WILSON of South Carolina. Madam Speaker, this week the House Democracy Assistance Commission, led by Chairman David Dreier, is hosting parliamentarians and staff from five emerging democracies.

Last week, I welcomed the delegation from the Republic of Georgia, led by M.P. Nino Nakashidze, vice chairman of the Foreign Relations Committee. The delegation toured the Midlands of South Carolina, visiting the State House, the University of South Carolina, top international businesses, Fort Jackson, the Lexington Rotary Club and the Batesburg-Leesville Chamber of Commerce, coordinated by special assistants Walt Cartin and Jonathan Black.

It is inspiring to meet fellow colleagues such as Georgia's, whose country has evolved from a repressed Soviet Republic to a vibrant democracy, promoting freedom with troops in Iraq and Afghanistan. The Republic of Georgia is an appreciated new ally of America, participating in the greatest spread of democracy in the history of the world.

In conclusion, God bless our troops, and we will never forget September 11.

GAS PRICES AND THE NEED FOR LOBBYING REFORM

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Madam Speaker, yesterday President Bush said record oil prices and large cash flows also mean that these companies don't need unnecessary tax breaks. How does the President think that these oil companies got the tax breaks in the first place? A Republican Congress of course.

Energy companies spent $86 million lobbying Congress last year, and in return the Republican Congress gave them $14.5 billion of hard-earned money by the taxpayers. You can't get a return like that on Wall Street. Before the President signed the energy bill of June 6, 2005, energy was $2.09 a gallon. Today it is $3.30 in my district.

The debate about lobbying reform is a debate about a $14.5 billion taxpayer giveaway to Exxon, Chevron and ConocoPhillips. But what this Congress is going to vote on tomorrow is not lobbying reform. To quote The Washington Post, it is a sham. To quote The New York Times, it is a laughing stock. You could say the same and use the same adjective to describe the energy bill.

Remember, it all started with the Vice President behind closed doors meeting with energy executives. They weren't exactly playing Scrabble or gin rummy back there. Madam Speaker, the Republican bill isn't reform, it is just another sign that the people's House is still for sale.

ROBBER BARON BUREAUCRATS

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, as this Victims Rights Month of April comes to an end, the bureaucrats are also trying to end a fund that supports victims of America. The Victims of Crime Act requires convicted criminals to put money into a fund that then pays for crime victim services.

What a great idea: make criminals pay for the system that they have created. Make them pay rent on the courthouse. This fund is about $1.6 billion. This is not Federal money, this is not taxpayer money, this is victim money.

Now the robber baron bureaucrats want to take this money and put it into the abyss of the Federal Treasury. As one of the members of the Victims Rights Caucus, along with Jim Costa and Katherine Harris, we do not want the government to victimize victims again.

This money belongs to thousands of victims and thousands of victims organizations, including domestic violence shelters, rape centers, child abuse centers, and should not be taken away. Congress needs to prevent this stealth stealing of victims' money, and we must demonstrate to America that criminals will pay and be accountable for the misdeeds against the American people.

And that's just the way it is.

HONORING THE LIFE OF RICHARD KOHNSTAMM

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Madam Speaker, last week Oregonians were saddened by the sudden death of Richard ''Dick'' Kohnstamm.

He was a visionary leader who conceived and then for half a century led the Kohnstamm family crusade to restore the jewel that is Timberline Lodge. This historic structure, a Depression-era public works project on Oregon's majestic Mt. Hood, is today an artistic and historic treasure.

Dick was not just a leader in alpine sports, an innovator in year-round skiing, but also a force in recreation and tourism at the national level as well. His passions ranged from historic preservation to, notably, public broadcasting leadership. He was a pioneer in creative ways to fashion public and private partnerships before the buzz word became popular.

He will be sorely missed but leaves a vision, a committed family, and a State that is grateful for over half a century of leadership.

EXTENSION OF ALTERNATIVE MINIMUM TAX

(Mrs. KELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KELLY. Madam Speaker, millions of Americans filed their income tax returns last week.

The tax relief measures we have passed in Congress during the past 5 years have helped drive down the Federal tax bill of all Americans, but more work needs to be done to enable our constituents to keep more of the money they earn, rather than sending it here to Washington in taxes.

This year, we have got to get the alternative minimum tax off the backs of small business and the middle-class families once and for all.

It was a tax increase in 1993 that failed to adjust the AMT exemption amounts for inflation. That negligence left us with a stealth tax that is looming at the doorstep of middle-class families throughout New York and across our country.

We protected those middle-class families by increasing the AMT exemption amounts in tax relief we enacted during the past few years, but if middle-class exemptions are not extended or made permanent this year, the number of New Yorkers forced to pay the AMT will more than quadruple to 1.6 million next year, and this is just New York.

Let us not repeat the mistake Congress made in 1993. Let us stop the alternative minimum tax on the middle class and on America's small businesses. Let us commit ourselves to lowering taxes, not raising them.

EXCESSIVE OIL COMPANY PROFITS

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

Mr. KUCINICH. Madam Speaker, Congress must break the hold which the oil companies have on the politics of our country.

The American people are demanding action. The price of gasoline has climbed to over $3 a gallon, headed towards $4, maybe $5 a gallon. But listen to this: since 2001, the five largest oil companies have made over $280 billion in profits. ExxonMobil alone made $36 billion in profits last year.

There is only one way to stop the oil companies from an endless series of increases in the price of gasoline.

Nearly 50 Members of Congress have now signed on to my bill, H.R. 2070, which calls for a 100 percent excess profits tax on the oil company profiteering. This act does not tax the price of gasoline so it will not increase the cost. However, by taxing excessive profits, it puts the breaks on price gouging and will lower the price of gasoline.

Congress must not stand by while the oil companies are stealing from the American people.

RECOGNIZING NATIONAL CRIME VICTIMS RIGHTS WEEK

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Madam Speaker, I would like to take this opportunity to recognize Crime Victims Rights Week with my colleagues from the Congressional Victims Rights Caucus.

Recently, the Judiciary Crime Subcommittee examined the issue of crime victims where we discovered that one violent crime occurs every 6 seconds in this country, one rape or sexual assault occurs every 2½ minutes.

The issue of how crime victims are treated within the criminal justice system has been of paramount importance to myself and many of us throughout our tenure in Congress. I was the sponsor of the Crime Victims Rights constitutional amendment back in the 106th, 107th and 108th Congresses. That legislation would have given crime victims the right to be reasonably protected from the accused, to be heard at all court proceedings, to receive full and just compensation in the form of restitution and, most importantly, to be treated with fairness and dignity and respect.

Unfortunately, despite numerous hearings and attempts by Senators KYL and FEINSTEIN, it was bipartisan, myself and others, we did not have the votes to pass a constitutional amendment. However, the Crime Victims Rights Act was included as title I of the Justice for All Act.

We need to recognize and support all crime victims in this country.

□ 1015

WELCOME TO STUDENTS AND PRINCIPAL OF ST. JOSEPH'S AT SACRED HEART SCHOOL

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Madam Speaker, I am very pleased to welcome a special group to the Capitol this morning. It is the season where so many students come to Washington to see their government in action and to visit the historic sites in Washington. This week the students of St. Joseph's School of the Sacred Heart in Atherton, California, are here.

The school is over 100 years old. It was founded by the religious of the Sacred Heart, the beloved religious of the Sacred Heart, and the traditions and their mission of excellence in education and the formation of the character and the spiritual formation of students continues today. How proud I am that they are here; how proud I am of the teachers; how proud I am of the principal of St. Joseph's at Sacred Heart, my daughter, Karen Eshoo.

Welcome, students, and enjoy your memorable and historic visit to our Capitol. May what you see and what you experience remain with you for a lifetime.

SUPPORT LEGISLATION TO ADVANCE ENERGY INDEPENDENCE

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

Mr. WELLER. Madam Speaker, the statistics say it all: two-thirds of the oil we consume today is imported. Sixty percent of our trade deficit, the increase, is as a result of oil imports, and today we are paying $3 or more per gallon of gasoline. The message is clear: we need independence from imported oil.

Last year's energy bill was a good start. In the district I represent, we are seeing new jobs created and much investment in wind energy, ethanol production, and a doubling of biodiesel production at the local plant, but we need to do more. I urge this House to take up and advance comprehensive legislation to replace oil with renewable fuels.

Would you support legislation that would replace 1.6 million barrels of oil a day? I would hope so. We have that opportunity with the Biofuels Act, H.R. 4973, legislation that would increase the amount of ethanol and biodiesel we produce from 4 billion gallons a year today to 25 billion gallons by the year 2025. This legislation will reduce our oil imports, create energy independence, and it is home-grown fuels.

''DO-NOTHING'' CONGRESS REPUBLICANS HAVEN'T CHANGED MUCH FROM TRUMAN'S TIME

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

Mr. MCDERMOTT. Madam Speaker, back in 1948, President Truman dubbed the Republican-led House the ''Do-Nothing Congress.'' He came up with the name because the House barely ever met.

Would you believe that as bad as the 1948 Congress was, the Republican-led Congress of 2006 is worse? So far this year we have only been in session 22 days, and we are only scheduled to hold votes on a total of 97, which is 11 days less than the ''Do-Nothing Congress'' of 1948.

There is so much to do, gas prices and all the rest, but here in Washington the House Republicans seem content just to ignore our Nation's problems. Maybe they are satisfied with the work they have already done on behalf of their special interests for the election.

There is another thing this group has in common with the 1948 Republican ''Do Nothing Congress.'' Consider this comment from President Truman in 1948: ''Something happens to Republican leaders when they get control of the government. They have a hard time hearing what the ordinary people of the country are saying, but they have no trouble at all hearing what Wall Street wants.''

It is time for the 2006 Congress to do something about the problems of the people in this country.

DEMOCRATS' HYPOCRISY ON ENERGY

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Madam Speaker, the Democrats sure do like to have their cake and eat it, too. Over and over again they complain about something, then turn right around and oppose any commonsense solutions offered by Republicans.

Democrats whine about our deficit, but vote against slowing the growth of spending. They complain about our President's plan in Iraq, but they offer no alternatives. They say we need to increase border security, yet vote against the bills that would do just that. The list goes on and on.

The Democrats' latest case of hypocrisy: they hold a press conference, complain about our rising energy prices, even though their actions have contributed directly to the problem. For a party that claims it is looking out for the best interests of the American people, it has a funny way of showing it.

For decades the Democrats have fought to stop production of all forms of energy. They voted against increasing domestic energy supplies, which would not only lower prices, but create more jobs here at home. The Democrats have opposed Republican efforts to lessen the tax burden at the pump. They have opposed nuclear energy and renewable fuels. They have opposed cracking down on price gouging.

Madam Speaker, Republicans have been working hard to address rising energy prices, yet all the Democrats do is vote ''no.''

GAS CRISIS

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

Mr. INSLEE. Madam Speaker, if you liked the administration and the Republican Congress' response to Hurricane Katrina, you are going to love the response to this gas crisis. Because while folks said they could not anticipate that the levees would be topped, when you do what the administration has done, you should have been anticipating $3 plus, $3.25, and $3.35 gasoline at the pump.

When you go into secret energy meetings, as the Vice President did, to devise an energy strategy and come out with a giveaway to the energy industry; when you have a President who refuses to act when Enron was stealing billions of dollars from the economy,

telling the oil industry you can go ahead and do the same thing because I will not act; when three times Democrats stood proudly to have a bill to allow the FTC to investigate this price gouging and the Republicans voted in lockstep against it, you could anticipate the levees would be topped, and you could anticipate that the oil companies would run rampant with the price of gasoline.

Now, how has this President responded? He wants to do this thing with a slow one-half of one-third of 1 percent increase in production to do something about it. If your house is on fire, the President would bring you a thimbleful of water, and that is the only assistance we are getting. We need real action, not these baby steps.

REFINING CAPACITY

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

Mr. SULLIVAN. Madam Speaker, we all know that gas prices are very high right now, but one of the reasons that gas prices are high is that we haven't built or expanded a refinery in this country for 30 years, and the reason is because the environmental extremists won't allow that to happen. That is one of the reasons there is not enough supply for the demand out there. It is very simple. That is what it is, supply and demand.

Our refineries right now are operating at maximum capacity. They can't pump out any more gas to the people of this country. So we need to expand domestic production. We need to expand refining capacity in this country. It is critically important we do that, and that in return will help to reduce gas prices in this country.

So we need to build these around the country and to build them with geographical diversity as it relates to the refining capacity. Katrina underscored that, because 40 percent of our refining capacity is down in the gulf, and it was affected by Katrina. We saw gas prices go up when they were affected. So one of the things we need to do is spread refining capacity around the country.

One of the best places to build a refinery in this country is Cushing, Oklahoma. I say that not only because I am from Oklahoma, but because nine major oil pipelines intersect in Cushing. We have the infrastructure in place already and the supply there. It is about a near perfect place to build a refinery in this great country. We need it desperately. Let's make it a megarefinery producing 500,000 barrels a day.

GAS PRICES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Madam Speaker, it is breathtaking what President Bush and congressional Republicans will say or do when it comes to skyrocketing gas prices. In discussing tax breaks for oil companies, the President said yesterday, and I quote, ''RECORD oil prices and large cash flows also mean that Congress has got to understand that these energy companies don't need unnecessary tax breaks.''

Coming from the single greatest champion of tax breaks for oil companies that the Oval Office has ever known, that is rich. The President has spent the last 5 years fighting for these tax breaks that he now disavows. Last year's energy bill, which he signed, had $8 billion of corporate welfare for oil companies. For him to suggest now that he opposes these tax breaks is, in my opinion, dishonest, cynical, and the height of hypocrisy.

When it comes to solving the energy crisis, President Bush and his Republican Congress have no credibility. Had they spent the last 5 years working to reduce demand by raising fuel standards, rolling back the billions of dollars in tax breaks and royalty relief to the big oil companies; and if he were about promoting alternative fuels, as Democrats have proposed, we might now today be on the road to energy independence. Instead we are bracing ourselves for $4 gas prices.

The American people expect leadership from their President and Congress, Madam Speaker. They are not getting it from either.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from referring to the President in personally offensive terms.

COMMONSENSE APPROACH TO BORDER SECURITY

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

Mr. KELLER. Madam Speaker, I rise today to talk about a commonsense approach to border security. I recently conducted three town hall meetings throughout central Florida. The message I received from my constituents was loud and clear: our first priority must be to secure our borders and enforce the law. After that we can then determine for ourselves how many workers we need for construction, agriculture, landscaping, and other jobs.

It is really a matter of common sense. For example, imagine there was a bucket of water sitting next to a wall. Just above the bucket is a faucet turned on full blast. Your job is to take a ladle and remove the water from the bucket. You could do that job for the rest of your life, or common sense would tell you to first turn off the faucet, then it would be much easier to decide what to do with the remaining water.

Let's use our common sense and make securing our borders and enforcing the law our top priority in Congress.

NINETEEN DAYS UNTIL BUSH RX DRUG TAX TAKES PLACE

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHAKOWSKY. Madam Speaker, when are House Republicans going to stop being a rubber stamp for President Bush and join us in being on the side of seniors and the disabled instead of the pharmaceutical companies?

House Republicans don't have too much time left to make the right decision. As this calendar shows, Congress has only 19 days left to act on behalf of millions of American senior citizens who have still not chosen a drug plan. Despite a multimillion-dollar campaign and months of heavy promotion by the administration, only 8 million uninsured Medicare beneficiaries have voluntarily signed up so far for a private drug plan, leaving 14 million seniors still without any drug coverage.

Well, some of these seniors have simply determined that the new prescription drug plan will not help them and their prescription drug bills. Others are still navigating through dozens of different plans hoping to find one that will help them. House Republicans should not add to this pressure by supporting the President's unreasonable May 15 deadline.

House Republicans should join the Democrats in extending the deadline until the end of the year. As we mark off another day, the countdown continues.

DEMOCRATS CAN'T HAVE IT BOTH WAYS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Madam Speaker, you know, as we are talking about energy, and as we are talking about fuel prices today, it is quite amazing to watch selective memory and revisionist history take place within this Chamber. To my liberal colleagues I would simply say: you cannot have it both ways.

And I hope we are learning a lesson from what we are hearing in this Chamber and from what we are seeing in the papers. Thirty years of environmental extremist policies on energy consumption in this Nation leads to the situation that we have today. For 30 years we have not been able to build new refineries because of environmental regulations. For 30 years we have not been funding exploration and development of new sources. Couple that with what has happened with Katrina and Rita, and, yes, we have a painful situation with energy prices.

Let us learn the lesson. Let us come together and let us be certain that we are thoughtful and that we realize our Nation depends on an energy source that is going to be consistent and supply lines that are going to be open.

□ 1030

VICTIMS RIGHTS WEEK

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

Mr. COSTA. Madam Speaker, I rise today to speak on behalf of the Victims Rights Caucus which Congressmembers POE, HARRIS and I chair. We have introduced a resolution that recognizes what many Americans know all too well: crime does not know any geographic, demographic, or political boundary. It touches all of our communities.

We support the Victims Rights Week and the Crime Victims Fund, legacies that President Reagan and Congress passed in the 1980s. The Crime Victims Fund is distributed to service providers who assist millions of crime victims annually throughout our communities in a host of ways. It is paid for by fines levied on criminals, not taxpayers.

Yet today, our caucus is fighting to protect that fund from this administration's wrongheaded attempt to balance the budget on the backs of victims by putting those dollars into the general fund. That is simply wrong.

We must ensure that this fund is used for its original intent: to provide for crime victims, to provide for probation departments, and to help the victims who truly need and deserve our assistance to hold offenders accountable.

PASS LOBBYING REFORM

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

Mr. PENCE. Madam Speaker, after months of scandal and years of deficit spending, millions of Americans fear that this Congress is fiscally and ethically bankrupt.

This week, thanks to the bold leadership of Speaker DENNIS HASTERT, Congress will consider historic lobbying reform legislation that will bring new transparency to the relationship between lobbyists and lawmakers, and I applaud it.

But as important as these changes are, we must also change the way we spend the people's money here on the floor of this Chamber. And this legislation also includes commonsense reforms in earmark spending that will end an era of unaccountable pork-barrel spending in Congress.

It is said that righteousness exalts a nation, and meaningful lobbying reform and earmark reform will lift the spirits of the American people demoralized by years of disappointment from Washington, D.C.

I urge my colleagues to come together in the spirit of that high standard and this privileged service and support lobbying reform legislation.

GOP IGNORED ENERGY PROBLEM FOR 5 YEARS

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

Mr. FILNER. Madam Speaker, it is hard to believe that when President Bush took office in 2001, the average price of gasoline was $1.65. Since that time, on both the President and Congressional Republicans' watch, gas prices have doubled, leaving everyday families squeezed to afford other necessities.

Washington Republicans have had 5 years to develop a comprehensive energy proposal that would not only free America from reliance on Middle East oil, but would also crack down on price gouging and market manipulation. Instead, almost immediately after taking office, the Vice President began holding secret meetings with oil and gas company executives to create a special-interest energy plan. The secret Bush administration energy plan was finally rubber-stamped by the Republican Congress last year.

Under this energy plan, oil companies got at least $20 billion in both tax breaks and royalty-free drilling rights, while hardworking Americans got stuck with the bill.

It is no wonder that their initials are G-O-P: Gas, Oil and Petroleum. Democrats refuse to do the dirty work of the special interests and are demanding that this Congress crack down on price gouging. It is time House Republicans join us in providing some real relief to the American consumer.

ENERGY SOLUTIONS

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

Mr. KINGSTON. Madam Speaker, in 1995 President Clinton, led by his environmental hard-core left-wing friends, vetoed drilling for oil in the Alaska National Wildlife Reserve. Now, had he signed that bill in 1995, which had passed the Senate and the House, we would have a 20 percent higher supply in domestic oil, 1 million barrels of gas each day more than what we have in our current supply. How big is the wildlife reserve? It is the size of South Carolina. How big is the exploration area? About 2,000 acres.

How many of the environmentalists and how many of the Democrats drove to town today in an SUV that makes 15 miles a gallon? We could use that supply. It is not the total answer, but it is part of the answer. And the Democrats always conveniently overlook that 10 years ago their President vetoed a bill that would have increased domestic gas supply today 20 percent.

There are other solutions that we are continuing to work on, and I hope that we can get them to join us on them.

REPUBLICANS REFUSE TO HELP CONSUMERS WITH GAS PRICES

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Madam Speaker, yesterday the Republican-controlled House returned from a second spring break recess. Today is the 116th day of 2006. Remember, you set the House schedule.

Would you believe, Madam Speaker, that this is only the 22nd day we have had votes here in the House this year? That is 22 days out of a total of 116. We indeed are a do-nothing Congress.

House Republicans simply have not focused on the concerns of average Americans. Today, Americans face record prices at the gas pump. In some areas, gas prices are hovering around $4 a gallon. Since President Bush took office in 2001, gas prices have doubled, and yet for 5 years now, House Republicans have done absolutely nothing to address the problem. They passed an energy bill last year, but the Bush administration's own Energy Department admitted that it would not do anything to reduce gas prices.

Madam Speaker, it is time for House Republicans to stop sending us home for breaks. The American people were rightfully demanding a solution to the energy crisis. It is time for the do-nothing Congress to do something.

BETTER ENERGY POLICY IS POSSIBLE

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Madam Speaker, the American people seem wedged between record oil company profits, half-billion-dollar retirement packages for oil executives, and a Federal energy policy that just does not work. Now Americans have to choose between not only medicine through a prescription drug plan that is a boon to pharmaceuticals and a doggle to the people who need the drugs, but the people are also being victimized by a secret energy plan drawn up by oil barons. For years, people like me have been saying that this Nation needs to decrease oil dependence, that it was depletable, causes global warming, was not worth destroying ANWR or waging wars over.

Better policy is possible, but we won't get it from this administration of oil barons.

ENERGY SOLUTION NEEDED

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

Mr. DAVIS of Tennessee. Madam Speaker, I do not want to blame Republicans or Democrats for the price of gas. I think perhaps all of us have somewhat to share in it. We need to find a solution so we can become energy independent.

I believe that the scientists, those people who live in our country who won a war, have the capability of creating a situation and doing the scientific research necessary to make us self-sufficient.

But I do have a suggestion. I hear a lot from the other side about the environmental issues. We have passed several trade agreements in this country: GATT and the WTO that regulates environmental issues and labor issues and prohibits the employers in this country from even negotiating issues with those countries. So corporate America is leaving in an exodus from this country to build factories in Asia and other parts of the world. My suggestion to Big Oil is they use part of the $113 billion that they earned last year just to move south of Padre Island and south of San Diego and build refineries if that is what is causing all of our high gas prices. They can build them there without environmental issues, and certainly no labor issues would be involved. That is my answer.

ADDRESSING SKYROCKETING ENERGY PRICES

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

Mr. LYNCH. Madam Speaker, we have to stop the partisan bickering here. The American people need our help. I am sure we are all aware of the effects and hardships that $3-a-gallon gas prices are having on average American citizens and their families. It amounts to a huge tax increase. And the saddest part of this fiasco is that much of this price increase is the result of mere speculation. It is, therefore, preventable.

We, the Democrats, have an answer which will provide immediate relief to American families. It is H.R. 3936 offered by the gentleman from Michigan (Mr. STUPAK). It would regulate and put an end to the process of price gouging. We have been trying to get this bill passed for some time.

For once we need to forget about the rich oil companies and record profits and tax cuts for the oil companies. That needs to go away. We need to start remembering the American people who need our help. The Republican leadership needs to realize this economy is going in the toilet as a result of this administration's economic policies and millions of American families are suffering. We need to pass the Stupak anti-price-gouging bill.

REPUBLICANS TOO COZY WITH OIL AND GAS COMPANIES

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

Mr. PALLONE. Madam Speaker, last year when gas prices hit record highs after Hurricane Katrina, House Republicans called the CEOs of the oil and gas companies to a closed-door meeting for an explanation.

One of the CEOs Republicans met with was ExxonMobil's chief executive, Lee Raymond, who just walked away with a $400 million retirement package. House Republicans voiced dismay as to why these CEOs did not get the message last fall.

Who was the House Republican leadership trying to fool? Why would oil and gas executives worry about Republicans taking action against them? After all, House Republicans have refused repeated Democratic efforts to allow a vote on tough legislation that would empower the Federal Government to end price gouging.

House Republicans also supported an energy bill last year that did little more than provide $20 million in gifts to the oil and gas companies.

Madam Speaker, House Republicans have a cozy relationship with these guys, and they have had it for too long to be taken seriously. It is no wonder oil and gas CEOs did not get the Republican message.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 443

In the Senate of the United States, April 25, 2006.

Whereas Francis R. (Frank) Valeo served with distinction as chief of the Foreign Affairs Division of the Legislative Reference Service and specialist in the Far East, before beginning his service to the United States Senate in 1952 on the staff of the Committee on Foreign Relations;

Whereas Frank Valeo in 1958 became foreign policy advisor and assistant to the Majority Whip, Senator Mike Mansfield, and then served as Majority Secretary from 1963 to 1966;

Whereas Frank Valeo served as Secretary of the Senate from 1966 to 1977;

Whereas Frank Valeo accompanied many United States Senators on missions to all parts of the globe, assisted the Majority Leader in regularly reporting on conditions in Southeast Asia, and was part of the first congressional delegation to visit the People's Republic of China in 1972;

Whereas Frank Valeo represented the United States Senate on the Federal Election Commission from 1974 to 1977, and in that role participated in the 1976 landmark Supreme Court decision of Buckley v. Valeo;

Whereas Frank Valeo helped to modernize and set professional standards for service in the diverse offices that report to the Secretary of the Senate, and served as a member of the Commission on the Operation of the Senate, from 1975 to 1976, where he helped craft its proposals for structural and technological reforms in Senate operations;

Whereas Frank Valeo faithfully discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty, and humanity; and

Whereas Frank Valeo's clear understanding and appreciation of the challenges facing the nation have left his mark on those many areas of public life: Now, therefore, be it

Resolved, That (a) the Senate has heard with profound sorrow and deep regret the announcement of the death of Frank Valeo.

(b) The Secretary of the Senate shall communicate these resolutions of the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

(c) When the Senate adjourns today, it shall stand adjourned as a further mark of respect to the memory of Frank Valeo.

The message also announced that pursuant to section 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators to serve as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the Second Session of the One Hundred Ninth Congress:

The Senator from Colorado (Mr. ALLARD).

The Senator from Ohio (Mr. VOINOVICH).

The message also announced that pursuant to section 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators to serve as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the Second Session of the One Hundred Ninth Congress:

The Senator from Vermont (Mr. LEAHY).

The Senator from Hawaii (Mr. AKAKA).

The message also announced that pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, the Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, appoints the following individual to the United States Commission on International Religious Freedom:

Preeta D. Bansal of Nebraska for a term of two years (May 15, 2006 to May 14, 2008).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. CAPITO). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

URGING THE GOVERNMENT OF CHINA TO REINSTATE ALL LICENSES OF GAO ZHISHENG AND HIS LAW FIRM AND REVISE LAW AND PRACTICE IN CHINA SO IT CONFORMS TO INTERNATIONAL STANDARDS

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 365) urging the Government of China to reinstate all licenses of Gao Zhisheng and his law firm, remove all legal and political obstacles for lawyers attempting to defend criminal cases in China, including politically sensitive cases, and revise law and practice in China so that it conforms to international standards.

The Clerk read as follows:

H. CON. RES. 365

Whereas, since November 2005, the Beijing Judicial Bureau has shut down the law firm and suspended the license of Mr. Gao Zhisheng, one of China's best known lawyers and legal rights defenders;

Whereas Mr. Gao has represented citizens of China in lawsuits against various local and administrative governmental bodies of the People's Republic of China over corruption, land seizures, police abuse, and violations of religious freedom;

Whereas Mr. Gao wrote 3 open letters to President Hu Jintao and Premier Wen Jiabao condemning the methods employed by the Government of China in implementing its ban on ''evil cults'', such as the Falun Gong and an additional letter documenting severe persecution of Christians in Xinjiang Uighur Autonomous Region;

Whereas Mr. Gao's law practice filed a petition to appeal the verdict against Cai Zhuohua, who was found guilty of ''illegal business practices'' based upon his distribution of Bibles and religious material;

Whereas Mr. Gao's home has been constantly monitored by agents from the Ministry of State Security and Mr. Gao was prevented by the Public Security Ministry from meeting with the representatives of the United Nations Special Rapporteur on Torture during his November 2005 visit to Beijing;

Whereas agents of the Public Security Bureau of China, numbering between 10 and 20, have consistently monitored the activities and whereabouts of Mr. Gao, his wife, and his daughter since late November 2005;

Whereas, on November 10, 2005, an open letter, signed by 138 organizations worldwide, was submitted to President Bush calling on him to voice support of Mr. Gao and his legal practice during the President's November 2005 visit to China;

Whereas other human rights lawyers, collectively known as ''rights defenders'', or Wei Quan, have also faced harassment, arrest, and detention for their consistent and vigorous activities to defend the fundamental rights of the people of China, contrary to measures within the law of China protecting human rights and rights of lawyers;

Whereas Mr. Chen Guangcheng, a blind human rights lawyer who has exposed cases of violence against women, including forced abortion and forced sterilization perpetrated by authorities of China under the 1-child policy, was beaten on October 10, 2005, and currently remains under house arrest;

Whereas law professor and People's Political Consultative Congress Delegate, Xu Zhiyong, who advocates on behalf of petitioners filing grievances with the Central government in Beijing, was also beaten on October 10, 2005, when meeting with Chen Guangcheng;

Whereas Mr. Yang Maodong (also known as Guo Feixiong), a lawyer representing villagers in Taishi village who attempted to oust their village head in peaceful elections, has been arbitrarily detained repeatedly and remains under consistent surveillance by security agents;

Whereas Mr. Tang Jingling, a Guangdong based lawyer also working on the Taishi village elections case, has been fired from his law firm and was beaten on February 2, 2006, after attempting to meet with Yang Maodong;

Whereas, on February 28, 2006, the Joint United Nations Programme on HIV and AIDS (also known as ''UNAIDS'') office in China expressed concern regarding the disappearance of Mr. Hu Jia, an activist who worked to organize the legal defense of AIDS patients in Henan Province, and who has been placed in detention and has not been permitted to contact his friends and family since February 16, 2006;

Whereas, according to the Department of State 2005 Country Reports on Human Rights Practices, lawyers who aggressively tried to defend their clients continued to face serious intimidation and abuse by police and prosecutors, and some of these lawyers were detained;

Whereas the Constitution of China states that the courts shall, in accordance with the law, exercise judicial power independently, without interference from administrative organs, social organizations, and individuals, but in practice, the judiciary is not independent and it receives policy guidance from both the Government of China and the Communist Party, whose leaders use a variety of means to direct courts on verdicts and sentences, particularly in politically sensitive cases;

Whereas the Criminal Procedure Law of China gives suspects the right to seek legal counsel, but defendants in politically sensitive cases frequently find it difficult to find an attorney;

Whereas the Lawyers Law of the People's Republic of China states that a lawyer may ''accept engagement by a criminal suspect in a criminal case to provide him with legal advice and represent him in filing a petition or charge or obtaining a guarantor pending trial'';

Whereas according to Article 306 of the Criminal Law of China, defense attorneys can be held responsible if their clients commit perjury, and prosecutors and judges in such cases have wide discretion in determining what constitutes perjury;

Whereas according to the All-China Lawyers Association, since 1997 more than 500 defense attorneys have been detained on similar charges, and such cases continued during the last year despite promises made by the Government of China to amend Article 306;

Whereas the State Department's 2005 Annual Report on Human Rights states that China's human rights record ''remained poor'', that authorities of China quickly moved to suppress those who openly expressed dissenting political views, and that writers, religious activists, dissidents, lawyers, and petitioners to the Central Government were particularly targeted;

Whereas directly following their August 2005 visit to China, the United States Commission on International Religious Freedom found that—

(1) the Government of China actively seeks to control and suppress the activities of unregistered religious organizations;

(2) China has outlawed unregistered religious organizations and provides severe penalties for engaging in unregistered religious activities;

(3) leaders of unregistered Protestant organizations have come under increased pressure to register their churches and affiliate with one of the government approved organizations, and those who refuse, for theological or other reasons, are subject to harassment, detention, arrest, and closing of their religious facilities;

(4) groups determined by the Government of China to be ''evil cults'', such as Falun Gong, are brutally suppressed; and

(5) practitioners of Falun Gong have experienced severe persecution, including arrests, numerous detentions, torture, irregular trials, imprisonment, and subjection to the reeducation through labor system, whereby accused criminals are subject to up to 3 years detention;

Whereas despite questions raised by the Government of the United States and others about the charges made against Pastor Cai Zhuohua, the Government of China sentenced Pastor Cai and other members of his family to 3 years in prison for ''illegal business practices'' for their printing and distribution of religious materials;

Whereas, according to China's Regulations on Religious Affairs, promulgated in March 2005, any religious organization that carries out activities without registering with the government is subject to civil punishment and to criminal prosecution;

Whereas since the promulgation of the Regulations on Religious Affairs, the Government of China has stepped up its efforts to eliminate unregistered religious activity, with raids on ''house church'' Christian groups in several provinces, resulting in detention of hundreds of leaders of the house church, dozens of whom remain in custody; and

Whereas the Government of China has, on several occasions, stated a commitment to ratify the International Covenant on Civil and Political Rights, but has delayed ratification since signing the document in 1998: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That —

(1) Congress—

(A) commends ''rights defense'' lawyers and activists of China for their courage and integrity, and expresses moral support for this grass-roots ''rights defense'' movement in China;

(B) urges the Government of the People's Republic of China, at all levels, to cease its harassment of Mr. Gao Zhisheng, overturn the suspension of his license to practice law, and restore his legal right to represent the clients of his choosing as protected by China's own Constitution, its Criminal Procedure Law, and its Lawyers Law;

(C) urges the Government of the People's Republic of China to repeal Article 306 of the Criminal Code of China, which provides penalties for lawyers whose clients are accused of perjury and has been used to curtail the active legal defense of individuals accused of political crimes;

(D) urges the Government of the People's Republic of China to undertake measures to further amend the Lawyers Law to ensure lawyers' rights to investigate charges brought against their clients, to provide a vigorous defense of their clients, and to remain free of harassment and intimidation throughout the course of representing clients, including clients who are charged with offenses related to political or religious activities;

(E) urges the Government of the People's Republic of China to respect fully the universality of the right to freedom of religion or belief and other human rights;

(F) urges the Government of the People's Republic of China to ratify and implement in law the International Covenant on Civil and Political Rights, and to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the Covenant;

(G) urges the Government of the People's Republic of China to amend or repeal Article 300 of the Criminal Code of China so it is consistent with international law, and to halt its crackdown on spiritual movements;

(H) urges the Government of the People's Republic of China to halt arrests, harassment, and intimidation of leaders of unregistered religious organizations on the basis that their organizations violated the law by not registering with the Government of China;

(I) urges the Government of the People's Republic of China to Amend the Regulations on Religious Affairs to conform more closely with the internationally recognized freedom of thought, conscience, religion or belief and allow all religious believers in China to practice their religion without interference from the government or from government sponsored ''patriotic religious associations'';

(J) urges the Government of the People's Republic of China to release Pastor Cai Zhuohua, his wife, and others imprisoned with him, and to allow Pastor Cai to resume religious activities and to resume leadership of his congregation in Beijing; and

(K) urges the Government of the People's Republic of China to invite the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief to China as promised according to an agreement between the Ministry of Foreign Affairs of China and the Department of State of China in March 2005; and

(2) it is the sense of Congress that—

(A) the Government of the United States should support democracy and human rights programs that strengthen protection of basic rights and freedoms, and should initiate programs to train lawyers, judges, academics, and students in China about international human rights law, to inform citizens of China about international human rights norms, and to build organizations and associations to promote these priorities;

(B) the Government of the United States should seek grant proposals and fund programs to promote legal protections and cultural awareness of the right to the freedom of religion or belief commensurate to ongoing rule of law programs funded by the Human Rights and Democracy Fund for Chinese workers, women, and public interest law training; and

(C) the President should raise the issue of the Government of China's harassment, arrest, detention, and persecution of rights defense lawyers and activists and the need for the Government of China to respect the basic human rights of its citizens and the rule of law during his planned meeting with Chinese President Hu Jintao in April 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank our good friend, Mr. MARK KENNEDY, for sponsoring this important human rights legislation. It is very well crafted. It sends a clear and unambiguous message to the People's Republic of China. Having worked the China issue for 26 years as a Member of Congress, I want to thank him for his extraordinary leadership on this. It is an excellent resolution.

This resolution can probably be summed up in one phrase: Rule of law. When you get past the details, it asks China simply to adhere to the rule of law. First, it demands that China adhere to its own Constitution, its own procedure law, and its own law on lawyers. This is not asking a great deal. These instruments give very few rights, it is true, but unless China protects the rights it already acknowledges, nobody in China can have any genuine fundamental human rights.

China acknowledges the right of defendants to a lawyer, the right of a citizen to seek redress of their legitimate grievances through the courts, and the duty of lawyers to represent clients. Yet China tramples on even these minimal rights.

Lawyers like Gao Zhisheng, who dare to follow the law and represent clients, are harassed, threatened, beaten, forbidden to practice, detained and imprisoned. Defense lawyers are faced with the constant threat of indictment for perjury if and when the government decides their clients have lied. These practices must stop.

Secondly, the resolution demands that China cease its assault on basic human rights, an assault that is the real reason behind the persecution of Gao Zhisheng and other Chinese lawyers.

□ 1045

They are being punished for their courageous defense of religious freedom, the right of women not to be violated by China's coercive population control program, the right of citizens to protest corrupt officials, the rights of citizens to petition their government to redress grievances. Such rights are not Western or American inventions. They are universal. No rule of law can exist unless such rights are acknowledged and protected.

Last week, Madam Speaker, on the eve of President Bush's meeting with Chinese President Hu Jintao, I held a hearing to examine China's human rights abuses, and it was my 26th hearing on human rights abuses in the People's Republic of China. Our witnesses included three individuals—survivors—who have spent considerable time in Chinese concentration camps—Laogai—including Harry Wu, who spent 19 years in prison. The hearing focused on some of the worst abuses, including Chinese censorship of the Internet, the use of the Internet as a tool of repression, violations of the rights of Chinese citizens to worship freely; also the trampling of labor rights, and coercive family planning, which continue to be a serious and highly pervasive abuse by the Chinese Government.

Madam Speaker, Beijing has increasingly viewed the information available on the Internet as a potential threat to the party's ability to control the population and monopolize political power. It has turned China into one of the most repressive and restrictive Internet countries in the world. It is important to note that freedoms that we enjoy in America allowing individuals to publish information and news on the Web unfiltered is not something that Chinese individuals have. Those freedoms do not exist in China. Individuals who attempt to speak freely are imprisoned and tortured.

At the very least, U.S. corporations should not be aiding in that process. Yet at a February hearing I chaired on the Internet in China, we learned in greater and disturbing detail how some of the biggest corporations of America have partnered with the much-hated Chinese secret police to find, apprehend, convict and jail religious believers, labor activists, and prodemocracy advocates.

Yahoo told us at the hearing how they profoundly regretted sending Shi Tao to prison for 10 years, but then they couldn't tell us and didn't seem to want to know how many others were condemned to jail and torture because of Yahoo's complicity with the secret police. When I asked under what conditions, a court order, police demand, a fishing trip, Yahoo surrenders e-mails and address files, Yahoo told us that they couldn't reveal this information because it would break Chinese law. Give me a break.

Google, for its part, created an exclusively Chinese search engine that only a Joseph Goebbels could love. Type in any number of vile words like ''human rights'' or ''Tiananmen Square massacre'' or ''Falun Gong,'' and you get rerouted to government propaganda, much of it heavily anti-American, much of it heavy anti-President Bush, and filled with hate, especially for the Falun Gong.

How did Google respond to our deep concern about their enabling of a dictatorship to expand its hate message? They hired big-time Washington lobbying firms like Podesta-Mattoon and the DCI Group to put a good face on it all, and presumably kill my pending legislation, the Global Online Freedom Act of 2006.

Amazingly, Cisco showed no seller's remorse whatsoever that its technology, especially Policenet, a tool for good in the hands of honest cops and legitimate law enforcement, but a tool of repression in the hands of Chinese

police, has now effectively linked and exponentially expanded the capabilities of the Chinese secret police.

Microsoft also censors and shuts down blogs that Big Brother objects to. You can be sure that no serious discussion of human rights was on the agenda at President Hu's visit with Bill Gates at Microsoft.

China's continued repression of religion is among the most despotic in the world. In February, a BBC report said that China had warned Hong Kong's newly appointed Cardinal, Joseph Zen, a well-known critic of China's suppression of religious freedoms, to remain quiet on political issues. Citizens practicing a faith other than officially sanctioned religions are often subjected to torture, imprisonment and death, at which time prisoner organs are frequently harvested to meet demand. Christians, Tibetan Buddhists, and Muslim Uighurs are all being persecuted for their faith. Today numerous underground Roman Catholic priests and bishops and Protestant pastors languish in the infamous concentration camps known as the Laogai for simply proclaiming the Gospel of Jesus Christ.

In the early 1990s, Madam Speaker, I met a bishop, Bishop Su Zhimin of Baoding Province, a gentle and kind man who celebrated mass for our small delegation. I was deeply inspired by his faith. He had recently been let out of jail, and his compassion was overwhelming even for those who jailed and mistreated him. He had no animosity for his jailers, only compassion and forgiveness. Soon after my visit—he was sent back to prison. What kind of regime incarcerates a truly noble man like this? Bishop Su has now spent 30 years of his life in prison for loving God and for loving his neighbor and even loving the despotic dictatorship that so hates him. What kind of barbaric regime hurts a man like this?

And then there is the special hate that Beijing pours out on the Falun Gong. Nearly 7 years ago the Chinese Government began its brutal campaign to completely eradicate the Falun Gong through whatever means necessary. Many party members as early as 7 years ago or so and army officials began to practice Falun Gong. Like all dictators and totalitarian terror systems, the PRC fears and hates what it cannot control, so it decided to destroy and intimidate those who practice Falun Gong. We see before us now a Stalinist nightmare revived for the 21st century, hundreds, perhaps thousands, dead as a result of torture; tens of thousands of jailed individuals without trial held in labor camps, prisons and mental hospitals where they are forced to endure torture-brainwashing sessions.

I would note parenthetically that when a woman protested on the White House lawn when President Hu was making his speech, it may have been impolite for her to do that, but had she done that in China, Madam Speaker, she would be dead now, having been subjected to torture and then an execution. That is the reality on the ground in the People's Republic of China.

Just over a year ago, Madam Speaker, Beijing finally released the renowned Uighur human rights activist Rebiya Kadeer, who also testified at our hearing from prison, where she had be held on trumped-up charges and lived there in prison for over 6 years. We had hoped this signaled some sort of genuine improvement. Maybe things were beginning to turn. However, we have now learned that nothing could be further from the truth, and the Muslims, like the Tibetan Buddhists and like so many others, are being continually harassed and put into prison.

Madam Speaker, coercive family planning in China has slaughtered more innocent children than any war in human history. It is a weapon of mass destruction. Coercive family planning has wounded Chinese women by the millions. And one psychological consequence is that some 500 women commit suicide each and every day in the People's Republic of China. China's one child per couple policy decreed back in 1979 has killed hundreds of millions of babies by imposing Draconian fines up to 10 times annual salaries for both husband and wife on their parents who are told they must abort their child. Brothers and sisters in China, Madam Speaker, are illegal.

Sex selection abortions, a direct consequence of the one child per couple policy, has led to gendercide. Approximately 100 million girls are missing in China, killed by sex selection abortion. One Chinese demographer has admitted that by the year 2020, 40 million Chinese men will not be able to find wives because Beijing's weapon of mass destruction, population control, destroyed the girls.

Then there is the whole issue of labor rights. We heard from the policy director of the AFL–CIO who raised significant and profound issues of labor rights violations by the Government of China, Ms. Thea Lee, who spoke at our hearing. We all know that solidarity in Poland made the difference in ushering in respect for human rights in Central and Eastern Europe and then Russia, and that in China there are no labor rights, and there is no recourse for hundreds of millions of Chinese laborers trapped in these poor working conditions. Ms. Lee pointed out that those who protest unjust wage and labor practices are often put into prison. They, like religious and prodemocracy advocates, are tortured and cruelly mistreated by the Government of China.

So let me just say, Madam Speaker, this resolution puts us on record as a Congress in a bipartisan way; Mr. LANTOS, who has been just outstanding and a champion on behalf of the human rights in China, MARK KENNEDY and FRANK WOLF and so many others who daily speak out against these abuses. This resolution gives us all an opportunity to speak truth to a despotic power that is literally getting away with murder that they must stop these egregious violations of human rights, and they must stop now.

I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I might consume. I rise in strong support of this resolution.

Madam Speaker, before dealing with this resolution, I would like to commend my friend from New Jersey Chairman SMITH for holding an extraordinary hearing during the visit of the Chinese President Hu Jintao here in Washington. I had the privilege of watching that hearing from California, and I want to commend my friend for injecting a sorely needed dose of realism into this very ceremonial and in many ways misleading visit. You did the country great service, Mr. SMITH.

I would like to acknowledge the efforts of the leading Democratic cosponsor of this important measure, Representative DENNIS CARDOZA, my fellow Californian, and an emerging leader on human rights issues on the International Relations Committee.

Madam Speaker, during his groundbreaking trip to South Africa in 1966, the late Robert Kennedy addressed students at the University of Cape Town. His remarks that day were particularly eloquent, and I quote, ''Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential vital quality for those who seek to change the world which yields most painfully to change.''

Madam Speaker, Chinese human rights lawyer Gao Zhisheng is precisely the type of individual Robert Kennedy had in mind 40 years ago in Cape Town. As a former soldier in the People's Liberation Army and a member of the Chinese Communist Party, Gao was set to join China's political and social elite. But, instead of power and prestige, Gao opted to become a human rights lawyer in a nation where respect for human rights and political freedoms are not part of the government's lexicon.

Gao's struggle for human rights within China's legal system has not been without cost. His law firm has been shut down by the Chinese Government. Gao and his family are subject to constant surveillance by an army of government agents. Police officers called him a few months ago to say, we have gathered a lot of information about you, including your home, your wife and your children. We even know which bus your children usually take to go to school.

Madam Speaker, these scare tactics are unfortunately standard practice against Chinese lawyers who fight for real justice in the Chinese legal system. Gao provoked Beijing's wrath by defending a Chinese activist who had worked on behalf of the villagers trying to unseat their corrupt village

chief, and by representing a journalist sentenced to jail for posting his own political thoughts on line. And perhaps, most importantly, Gao had written an open letter to the Chinese leadership condemning the unfounded persecution of the Falun Gong.

The resolution before the House today commends Gao and other Chinese human rights lawyers for their brave and principled actions on behalf of individual Chinese citizens fighting the government's injustice. It also condemns the Chinese Government's ceaseless efforts to harass, intimidate and imprison lawyers who are simply attempting to uphold China's own Constitution.

Madam Speaker, when Bob Kennedy spoke to South African students four decades ago, it seemed inconceivable that apartheid would fall and that human rights and democracy would one day flourish in South Africa.

□ 1100

The skeptics were wrong. Today it seems similarly probable that China will one day have a democratically elected government that respects human rights. But Gao and his fellow human rights lawyers have bravely refused to concede defeat, and we remain grateful to their moral courage and willingness to persevere despite all the odds. When the day comes that human rights are respected in China, we will all stand to applaud Gao and his colleagues.

Madam Speaker, I strongly support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Minnesota (Mr. KENNEDY), the author of this resolution.

Mr. KENNEDY of Minnesota. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, I rise today to call attention to the persecution that has been well laid out to those who dare challenge the Chinese Government on matters of human rights and religious freedom. This resolution calls on the Government of China to stop its persecution of lawyers who defend clients in human rights and religious freedom cases and to repeal its laws designed to prohibit unlicensed religions from meeting freely.

The case of Gao Zhisheng, one of China's best-known lawyers and human rights defenders, is illustrative of the abuse that the Chinese people suffer for the exercise of rights that many Americans take for granted.

Mr. Gao has dared to represent Chinese citizens in lawsuits over corruption, land seizures, police abuse, and violations of religious freedom. One of these lawsuits was filed to appeal a verdict against Cai Zhuohua, who was found guilty of illegal business practices because he dared to distribute Bibles. Because of his human rights defense work, Mr. Gao had his law practice closed and virtually everyone he knew and his family followed by state agents.

Madam Speaker, just as troubling is the case of Chen Guangcheng, a human rights lawyer who is blind and who exposed cases of violence against women, including forced abortion and forced sterilization under China's one-child policy. For his advocacy, last October Mr. Chen was beaten by state agents, placed under house arrest, and this past March taken into police custody. His whereabouts are presently unknown.

These are not isolated cases, according to the Department of State 2005 Country Report on Human Rights Practices in China. That report detailed the serious intimidation and abuse that continues to occur in China for those who defend basic human rights and religious freedom. In fact, with the promulgation of the Regulations on Religious Affairs, the Chinese Government has stepped up its efforts to eliminate unregistered religious activity with raids on house church Christian groups and the detention of hundreds of house church leaders, dozens of whom remain in custody.

Last November I stood with Chairman CHRIS SMITH, Ranking Member LANTOS, and Minority Leader NANCY PELOSI and listened as the U.S. Commission on International Religious Freedom report the active efforts to suppress religion it found in China. The commission's report detailed systematic activity against religious freedom, including the criminalization of unregistered religious organizations and severe penalties for those who engage in unregistered religious activities. Those who defy these rules are subject to harassment, detention, arrest, and closing of their religious facilities. Some, like the members of Falun Gong, face brutal oppression for their beliefs and horrific acts of torture that shock the conscience.

Madam Speaker, when I traveled to China last year, I spoke with government officials, including representatives of the Chinese Catholic Patriotic Association, to address these subjects. I spoke of the need for the U.S. and China to have an open dialogue about the importance of respecting these values. As I said then, fundamental human rights such as religious freedom should face no ideological, political, or geographic boundaries. These are rights given to man by the Almighty. They are part of who we are as human beings and are bigger than any government.

Madam Speaker, I urge the Chinese Government to release Chen Guangcheng and to cease persecution of Gao Zhisheng and reinstate his license. If China wants the respect of the world, it needs to respect its own people. I ask my colleagues to support this resolution. Let us make a statement that the Chinese Government and the Chinese rights defenders will hear.

Mr. LANTOS. Madam Speaker, this body stands united in calling on the Chinese Government to release this courageous fighter for human rights, and we urge all Members to vote for this resolution.

I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I want to thank Mr. KENNEDY for his eloquent statement as well as TOM LANTOS for his always eloquent statements on behalf of human rights.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 365.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

IRAN FREEDOM SUPPORT ACT

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 282) to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran, as amended.

The Clerk read as follows:

H.R. 282

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Iran Freedom Support Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title
Sec. 2. Table of contents
TITLE I—CODIFICATION OF SANCTIONS AGAINST IRAN
Sec. 101. Codification of sanctions
Sec. 102. Liability of parent companies for violations of sanctions by foreign entities
TITLE II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS ACT OF 1996 AND OTHER PROVISIONS RELATED TO INVESTMENT IN IRAN
Sec. 201. Multilateral regime
Sec. 202. Imposition of sanctions
Sec. 203. Termination of sanctions
Sec. 204. Sunset
Sec. 205. Clarification and expansion of definitions
Sec. 206. United States pension plans
Sec. 207. Technical and conforming amendments

TITLE III—DIPLOMATIC EFFORTS TO CURTAIL IRANIAN NUCLEAR PROLIFERATION AND SPONSORSHIP OF INTERNATIONAL TERRORISM
Sec. 301. Diplomatic efforts
Sec. 302. Strengthening the Nuclear Nonproliferation Treaty
TITLE IV—DEMOCRACY IN IRAN
Sec. 401. Declaration of Congress regarding United States policy toward Iran
Sec. 402. Assistance to support democracy in Iran
Sec. 403. Waiver of certain export license requirements

TITLE I—CODIFICATION OF SANCTIONS AGAINST IRAN

SEC. 101. CODIFICATION OF SANCTIONS.

(a) CODIFICATION OF SANCTIONS.—United States sanctions, controls, and regulations with respect to Iran imposed pursuant to Executive Order 12957, sections 1(b) through (1)(g) and sections (2) through (6) of Executive Order 12959, and sections 2 and 3 of Executive Order 13059 (relating to exports and certain other transactions with Iran) as in effect on January 1, 2006, shall remain in effect until the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the Government of Iran has verifiably dismantled its weapons of mass destruction programs.

(b) NO EFFECT ON OTHER SANCTIONS RELATING TO SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—Subsection (a) shall have no effect on United States sanctions, controls, and regulations relating to a determination under section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) relating to support for acts of international terrorism by the Government of Iran, as in effect on January 1, 2006.

SEC. 102. LIABILITY OF PARENT COMPANIES FOR VIOLATIONS OF SANCTIONS BY FOREIGN ENTITIES.

(a) IN GENERAL.—In any case in which an entity engages in an act outside the United States which, if committed in the United States or by a United States person, would violate Executive Order 12959 of May 6, 1995, Executive Order 13059 of August 19, 1997, or any other prohibition on transactions with respect to Iran that is imposed under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and if that entity was created or availed of for the purpose of engaging in such an act, the parent company of that entity shall be subject to the penalties for such violation to the same extent as if the parent company had engaged in that act.

(b) DEFINITIONS.—In this section—

(1) an entity is a ''parent company'' of another entity if it owns, directly or indirectly, more than 50 percent of the equity interest in that other entity and is a United States person; and

(2) the term ''entity'' means a partnership, association, trust, joint venture, corporation, or other organization.

TITLE II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS ACT OF 1996 AND OTHER PROVISIONS RELATED TO INVESTMENT IN IRAN

SEC. 201. MULTILATERAL REGIME.

(a) REPORTS TO CONGRESS.—Section 4(b) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended to read as follows:

''(b) REPORTS TO CONGRESS.—Not later than six months after the date of the enactment of the Iran Freedom Support Act and every six months thereafter, the President shall submit to the appropriate congressional committees a report regarding specific diplomatic efforts undertaken pursuant to subsection (a), the results of those efforts, and a description of proposed diplomatic efforts pursuant to such subsection. Each report shall include—

''(1) a list of the countries that have agreed to undertake measures to further the objectives of section 3 with respect to Iran;

''(2) a description of those measures, including—

''(A) government actions with respect to public or private entities (or their subsidiaries) located in their territories, that are engaged in Iran;

''(B) any decisions by the governments of these countries to rescind or continue the provision of credits, guarantees, or other governmental assistance to these entities; and

''(C) actions taken in international fora to further the objectives of section 3;

''(3) a list of the countries that have not agreed to undertake measures to further the objectives of section 3 with respect to Iran, and the reasons therefor; and

''(4) a description of any memorandums of understanding, political understandings, or international agreements to which the United States has acceded which affect implementation of this section or section 5(a).''.

(b) WAIVER.—Section 4(c) of such Act (50 U.S.C. 1701 note) is amended to read as follows:

''(c) WAIVER.—

''(1) IN GENERAL.—The President may, on a case by case basis, waive for a period of not more than six months the application of section 5(a) with respect to a national of a country, if the President certifies to the appropriate congressional committees at least 30 days before such waiver is to take effect that—

''(A) such waiver is vital to the national security interests of the United States; and

''(B) the country of the national has undertaken substantial measures to prevent the acquisition and development of weapons of mass destruction by the Government of Iran.

''(2) SUBSEQUENT RENEWAL OF WAIVER.—If the President determines that, in accordance with paragraph (1), such a waiver is appropriate, the President may, at the conclusion of the period of a waiver under paragraph (1), renew such waiver for subsequent periods of not more than six months each.''.

(c) INVESTIGATIONS.—Section 4 of such Act (50 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(f) INVESTIGATIONS.—

''(1) IN GENERAL.—The President shall initiate an investigation into the possible imposition of sanctions against a person upon receipt by the United States of credible information indicating that such person is engaged in activity related to investment in Iran as described in section 5(a).

''(2) DETERMINATION AND NOTIFICATION.—

''(A) IN GENERAL.—Not later than 180 days after an investigation is initiated in accordance with paragraph (1), the President shall determine, pursuant to section 5(a), whether or not to impose sanctions against a person engaged in activity related to investment in Iran as described in such section as a result of such activity and shall notify the appropriate congressional committees of the basis for such determination.

''(B) EXTENSION.—If the President is unable to make a determination under subparagraph (A), the President shall notify the appropriate congressional committees and shall extend such investigation for a subsequent period, not to exceed 180 days, after which the President shall make the determination required under such subparagraph and shall notify the appropriate congressional committees of the basis for such determination in accordance with such subparagraph.

''(3) DETERMINATIONS REGARDING PENDING INVESTIGATIONS.—Not later than 90 days after the date of the enactment of this Act, the President shall, with respect to any investigation that was pending as of January 1, 2006, concerning a person engaged in activity related to investment in Iran as described in section 5(a), determine whether or not to impose sanctions against such person as a result of such activity and shall notify the appropriate congressional committees of the basis for such determination.

''(4) PUBLICATION.—Not later than 10 days after the President notifies the appropriate congressional committees under paragraphs (2) and (3), the President shall ensure publication in the Federal Register of the identification of the persons against which the President has made a determination that the imposition of sanctions is appropriate, together with an explanation for such determination.''.

SEC. 202. IMPOSITION OF SANCTIONS.

(a) SANCTIONS WITH RESPECT TO DEVELOPMENT OF PETROLEUM RESOURCES.—Section 5(a) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in the heading, by striking ''TO IRAN'' and inserting ''TO THE DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN'';

(2) by striking ''(6)'' and inserting ''(5)''; and

(3) by striking ''with actual knowledge,''.

(b) SANCTIONS WITH RESPECT TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.—Section 5(b) of such Act (50 U.S.C. 1701 note) is amended to read as follows:

''(b) MANDATORY SANCTIONS WITH RESPECT TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.—Notwithstanding any other provision of law, the President shall impose two or more of the sanctions described in paragraphs (1) through (5) of section 6 if the President determines that a person has, on or after the date of the enactment of this Act, exported, transferred, or otherwise provided to Iran any goods, services, technology, or other items knowing that the provision of such goods, services, technology, or other items would contribute to the ability of Iran to—

''(1) acquire or develop chemical, biological, or nuclear weapons or related technologies; or

''(2) acquire or develop destabilizing numbers and types of advanced conventional weapons.''.

(c) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—Section 5(c)(2) of such Act (50 U.S.C. 1701 note) is amended—

(1) in subparagraph (B), by striking '', with actual knowledge,'' and by striking ''or'' at the end;

(2) in subparagraph (C), by striking '', with actual knowledge,'' and by striking the period at the end and inserting ''; or''; and

(3) by adding after subparagraph (C) the following new subparagraph:

''(D) is a private or government lender, insurer, underwriter, or guarantor of the person referred to in paragraph (1) if that private or government lender, insurer, underwriter, or guarantor engaged in the activities referred to in paragraph (1).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to actions taken on or after March 15, 2006.

SEC. 203. TERMINATION OF SANCTIONS.

Section 8(a) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in paragraph (1)(C), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) poses no significant threat to United States national security, interests, or allies.''.

SEC. 204. SUNSET.

Section 13 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in the section heading, by striking ''**; SUNSET**'';

(2) in subsection (a), by striking the subsection designation and heading; and

(3) by striking subsection (b).

SEC. 205. CLARIFICATION AND EXPANSION OF DEFINITIONS.

(a) PERSON.—Section 14(14)(B) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) by inserting after ''trust,'' the following: ''financial institution, insurer, underwriter, guarantor, any other business organization, including any foreign subsidiaries of the foregoing,''; and

(2) by inserting before the semicolon the following: '', such as an export credit agency''.

(b) PETROLEUM RESOURCES.—Section 14(15) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by inserting after ''petroleum'' the second place it appears, the following: '', petroleum by-products,''.

SEC. 206. UNITED STATES PENSION PLANS.

(a) FINDINGS.—Congress finds the following:

(1) The United States and the international community face no greater threat to their security than the prospect of rogue regimes who support international terrorism obtaining weapons of mass destruction, and particularly nuclear weapons.

(2) Iran is the leading state sponsor of international terrorism and is close to achieving nuclear weapons capability but has paid no price for nearly twenty years of deception over its nuclear program. Foreign entities that have invested in Iran's energy sector, despite Iran's support of international terrorism and its nuclear program, have afforded Iran a free pass while many United States entities have unknowingly invested in those same foreign entities.

(3) United States investors have a great deal at stake in preventing Iran from acquiring nuclear weapons.

(4) United States investors can have considerable influence over the commercial decisions of the foreign entities in which they have invested.

(b) PUBLICATION IN FEDERAL REGISTER.—Not later than six months after the date of the enactment of this Act and every six months thereafter, the Secretary of State shall ensure publication in the Federal Register of a list of all United States and foreign entities that have invested more than $20,000,000 in Iran's energy sector between August 5, 1996, and the date of such publication. Such list shall include an itemization of individual investments of each such entity, including the dollar value, intended purpose, and current status of each such investment.

(c) SENSE OF CONGRESS RELATING TO DIVESTITURE FROM IRAN.—It is the sense of Congress that, upon publication of a list in the relevant Federal Register under subsection (b), managers of United States Government pension plans or thrift savings plans, managers of pension plans maintained in the private sector by plan sponsors in the United States, and managers of mutual funds sold or distributed in the United States should, to the extent consistent with the legal and fiduciary duties otherwise imposed on them, immediately initiate efforts to divest all investments of such plans or funds in any entity included on the list.

(d) SENSE OF CONGRESS RELATING TO PROHIBITION ON FUTURE INVESTMENT.—It is the sense of Congress that, upon publication of a list in the relevant Federal Register under subsection (b), there should be, to the extent consistent with the legal and fiduciary duties otherwise imposed on them, no future investment in any entity included on the list by managers of United States Government pension plans or thrift savings plans, managers of pension plans maintained in the private sector by plan sponsors in the United States, and managers of mutual funds sold or distributed in the United States.

SEC. 207. TECHNICAL AND CONFORMING AMENDMENTS.

(a) FINDINGS.—Section 2 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking paragraph (4).

(b) DECLARATION OF POLICY.—Section 3 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking ''(a) POLICY WITH RESPECT TO IRAN.—''; and

(2) by striking subsection (b).

(c) TERMINATION OF SANCTIONS.—Section 8 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking ''(a) IRAN.—''; and

(2) by striking subsection (b).

(d) DURATION OF SANCTIONS; PRESIDENTIAL WAIVER.—Section 9(c)(2)(C) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended to read as follows:

''(C) an estimate of the significance of the provision of the items described in section 5(a) or section 5(b) to Iran's ability to, respectively, develop its petroleum resources or its weapons of mass destruction or other military capabilities; and''.

(e) REPORTS REQUIRED.—Section 10(b)(1) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking ''and Libya'' each place it appears.

(f) DEFINITIONS.—Section 14 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in paragraph (9)—

(A) in the matter preceding subparagraph (A), by—

(i) striking '', or with the Government of Libya or a nongovernmental entity in Libya,''; and

(ii) by striking ''nongovenmental'' and inserting ''nongovernmental''; and

(B) in subparagraph (A), by striking ''or Libya (as the case may be)'';

(2) by striking paragraph (12); and

(3) by redesignating paragraphs (13), (14), (15), (16), and (17) as paragraphs (12), (13), (14), (15), and (16), respectively.

(g) SHORT TITLE.—

(1) IN GENERAL.—Section 1 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking ''and Libya''.

(2) REFERENCES.—Any reference in any other provision of law, regulation, document, or other record of the United States to the ''Iran and Libya Sanctions Act of 1996'' shall be deemed to be a reference to the ''Iran Sanctions Act of 1996''.

TITLE III—DIPLOMATIC EFFORTS TO CURTAIL IRANIAN NUCLEAR PROLIFERATION AND SPONSORSHIP OF INTERNATIONAL TERRORISM

SEC. 301. DIPLOMATIC EFFORTS.

(a) SENSE OF CONGRESS RELATING TO UNITED NATIONS SECURITY COUNCIL AND THE INTERNATIONAL ATOMIC ENERGY AGENCY.—It is the sense of Congress that the President should instruct the United States Permanent Representative to the United Nations to work to secure support at the United Nations Security Council for a resolution that would impose sanctions on Iran as a result of its repeated breaches of its nuclear nonproliferation obligations, to remain in effect until Iran has verifiably dismantled its weapons of mass destruction programs.

(b) PROHIBITION ON ASSISTANCE TO COUNTRIES THAT INVEST IN THE ENERGY SECTOR OF IRAN.—

(1) WITHHOLDING OF ASSISTANCE.—If, on or after April 13, 2005, a foreign person (as defined in section 14 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), as renamed pursuant to section 208(g)(1)) or an agency or instrumentality of a foreign government has more than $20,000,000 invested in Iran's energy sector, the President shall, until the date on which such person or agency or instrumentality of such government terminates such investment, withhold assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to the government of the country to which such person owes allegiance or to which control is exercised over such agency or instrumentality.

(2) WAIVER.—Assistance prohibited by this section may be furnished to the government of a foreign country described in subsection (a) if the President determines that furnishing such assistance is important to the national security interests of the United States, furthers the goals described in this Act, and, not later that 15 days before obligating such assistance, notifies the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate of such determination and submits to such committees a report that includes—

(A) a statement of the determination;

(B) a detailed explanation of the assistance to be provided;

(C) the estimated dollar amount of the assistance; and

(D) an explanation of how the assistance furthers United States national security interests.

SEC. 302. STRENGTHENING THE NUCLEAR NONPROLIFERATION TREATY.

(a) FINDINGS.—Congress finds the following:

(1) Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or ''NPT'') states that countries that are parties to the Treaty have the ''inalienable right . . . to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.''.

(2) Iran has manipulated Article IV of the Nuclear Nonproliferation Treaty to acquire technologies needed to manufacture nuclear weapons under the guise of developing peaceful nuclear technology.

(3) Legal authorities, diplomatic historians, and officials closely involved in the negotiation and ratification of the Nuclear Nonproliferation Treaty state that the Treaty neither recognizes nor protects such a per se right to all nuclear technology, such as enrichment and reprocessing, but rather affirms that the right to the use of peaceful nuclear energy is qualified.

(b) DECLARATION OF CONGRESS REGARDING UNITED STATES POLICY TO STRENGTHEN THE NUCLEAR NONPROLIFERATION TREATY.—Congress declares that it should be the policy of

the United States to support diplomatic efforts to end the manipulation of Article IV of the Nuclear Nonproliferation Treaty, as undertaken by Iran, without undermining the Treaty itself.

TITLE IV—DEMOCRACY IN IRAN

SEC. 401. DECLARATION OF CONGRESS REGARDING UNITED STATES POLICY TOWARD IRAN.

(a) IN GENERAL.—Congress declares that it should be the policy of the United States to support independent human rights and peaceful pro-democracy forces in Iran.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed as authorizing the use of force against Iran.

SEC. 402. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The President is authorized to provide financial and political assistance (including the award of grants) to foreign and domestic individuals, organizations, and entities that support democracy and the promotion of democracy in Iran. Such assistance may include the award of grants to eligible independent pro-democracy radio and television broadcasting organizations that broadcast into Iran.

(2) LIMITATION ON ASSISTANCE.—In accordance with the rule of construction described in subsection (b) of section 401, none of the funds authorized under this section shall be used to support the use of force against Iran.

(b) ELIGIBILITY FOR ASSISTANCE.—Financial and political assistance under this section may be provided only to an individual, organization, or entity that—

(1) officially opposes the use of violence and terrorism and has not been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) at any time during the preceding four years;

(2) advocates the adherence by Iran to nonproliferation regimes for nuclear, chemical, and biological weapons and materiel;

(3) is dedicated to democratic values and supports the adoption of a democratic form of government in Iran;

(4) is dedicated to respect for human rights, including the fundamental equality of women;

(5) works to establish equality of opportunity for people; and

(6) supports freedom of the press, freedom of speech, freedom of association, and freedom of religion.

(c) FUNDING.—The President may provide assistance under this section using—

(1) funds available to the Middle East Partnership Initiative (MEPI), the Broader Middle East and North Africa Initiative, and the Human Rights and Democracy Fund; and

(2) amounts made available pursuant to the authorization of appropriations under subsection (g).

(d) NOTIFICATION.—Not later than 15 days before each obligation of assistance under this section, and in accordance with the procedures under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), the President shall notify the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate. Such notification shall include, as practicable, the types of programs supported by such assistance and the recipients of such assistance.

(e) SENSE OF CONGRESS REGARDING DIPLOMATIC ASSISTANCE.—It is the sense of Congress that—

(1) contacts should be expanded with opposition groups in Iran that meet the criteria under subsection (b);

(2) support for a transition to democracy in Iran should be expressed by United States representatives and officials in all appropriate international fora;

(3) efforts to bring a halt to the nuclear weapons program of Iran, including steps to end the supply of nuclear components or fuel to Iran, should be intensified, with particular attention focused on the cooperation regarding such program—

(A) between the Government of Iran and the Government of the Russian Federation; and

(B) between the Government of Iran and individuals from China and Pakistan, including the network of Dr. Abdul Qadeer (A. Q.) Khan; and

(4) officials and representatives of the United States should—

(A) strongly and unequivocally support indigenous efforts in Iran calling for free, transparent, and democratic elections; and

(B) draw international attention to violations by the Government of Iran of human rights, freedom of religion, freedom of assembly, and freedom of the press.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State such sums as may be necessary to carry out this section.

SEC. 403. WAIVER OF CERTAIN EXPORT LICENSE REQUIREMENTS.

The Secretary of State may, in consultation with the Secretary of Commerce, waive the requirement to obtain a license for the export to, or by, any person to whom the Department of State has provided a grant under a program to promote democracy or human rights abroad, any item which is commercially available in the United States without government license or permit, to the extent that such export would be used exclusively for carrying out the purposes of the grant.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

Mr. PAUL. Madam Speaker, I request the time in opposition if neither gentleman is opposed to the bill.

The SPEAKER pro tempore. Does the gentleman from California support the motion?

Mr. LANTOS. Yes, I support the motion, Madam Speaker.

The SPEAKER pro tempore. Then the gentleman from Texas (Mr. PAUL) is entitled to control 20 minutes in opposition.

Mr. SMITH of New Jersey. Madam Speaker, I yield 10 minutes of my time to the gentleman from California (Mr. LANTOS) and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

I rise in very strong support of H.R. 282, the Iran Freedom Support Act. And I want to thank our colleague from Florida, Chairman ROS-LEHTINEN, for sponsoring this important legislation. I am proud to be an original cosponsor.

The United States and the world community, Madam Speaker, are at a crucial point in our efforts to prevent Iran from producing nuclear weapons. Let us be clear: Iran's acquisition of nuclear weapons will be a devastating blow to peace and security not only in the Middle East but in the entire world.

Iran has been designated, as we know, as a ''State Sponsor of Terrorism'' for over two decades. The Department of State has declared in its most recent Country Reports on Terrorism that Iran ''remained the most active state sponsor of terrorism in the world.'' Iran maintains ''a high profile role,'' they go on to say, ''in encouraging antiIsraeli terrorist activity, both rhetorically and operationally,'' according to the State Department. Supreme religious leader Khamenei does not just praise Palestinian terrorist operations; Iran also provides Lebanese and Palestinian terrorist groups, most notably Hamas, with funding, safe haven, training, and weapons. Iran has now pledged to contribute $50 million to Hamas so that the Hamas regime in Palestine can continue to resist international pressure to recognize Israel's right to exist.

In October Iran's President Ahmadinejad called for Israel to be ''wiped off the map.'' In December he declared the Holocaust ''a myth.'' Last Monday he attacked Israel as a ''fake regime'' that ''cannot logically continue to live.'' Can we doubt that such people are capable of carrying out their threats if they ever acquire the means to do so? Have we learned nothing in 60 years?

This prudent measure will strengthen our sanctions regime against Iran's nuclear weapons proliferation. To keep up economic pressure, the bill tightens the existing sanctions against Iran by requiring a yes-or-no decision on whether to impose sanctions on firms reported to be making investments in the Iranian petroleum sector. The bill also amends the Iran-Libya Sanctions Act, or ILSA, Public Law 104–172, to eliminate the 5-year sunset clause included in the original ILSA. We should certainly not give the Iranians the impression that they can wait us out on the sanctions issue.

The bill requires that all bilateral U.S. sanctions, controls, and regulations on Iran related to weapons of mass destruction remain in effect until Iran has verifiably dismantled its WMD programs. The bill also provides the means and moral pressure to encourage American investors and American pension plans to divest from companies

that invest in Iran's energy sector. Such investment can be a powerful tool in our efforts to stop Iran's march towards nuclear weapons.

In February, Madam Speaker, H. Con. Res. 341 passed overwhelmingly by this House, 404–4. We called on all members of the U.N. Security Council, in particular the Russian Federation and the People's Republic of China, to take expeditious action in response to Iran's noncompliance with the mandate of the Security Council, and it calls on ''all responsible members of the international community'' to impose economic sanctions designed to deny Iran the ability to develop nuclear weapons.

We were severely criticized by many members of the world community, Madam Speaker, for not relying on the Security Council and on sanctions in our confrontation with Saddam Hussein. Now is the time for the world community, for China and Russia especially, to show that they are indeed responsible members of the international community and take effective action to stop this terrorist regime in Iran.

Time is running out. The world needs to act now. The Bush administration deserves high praise for working with our friends to get Iran to the Security Council where once again next week it will be on the agenda.

This bill renews our call for diplomatic and multilateral action and will strengthen the President's hand with our international partners.

Finally, we must work to change Iran itself by working to promote democracy and human rights within Iran. This bill authorizes the President to provide democracy assistance to individuals who are working through exclusively peaceful means to support democracy and promote democracy in Iran. It does not in any way authorize the use of force.

The bill was introduced, as I noted, by our friend and colleague Ms. ROS-LEHTINEN of Florida, who has devoted tremendous efforts to secure its passage. She now has 360 cosponsors. Chairman HYDE had asked her to manage the bill, but she has a family emergency in Florida that required her to leave for Florida and to be with her family. Our thoughts and prayers are with her during this time.

Madam Speaker, I reserve the balance of my time.

Mr. PAUL. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, I sought the time in opposition mainly because it is a very opportune time to talk about our foreign policy and the disadvantages that intervention poses for us.

There are two types of foreign policy we can have: interventionism, where we tell other people what to do; and the more traditional American foreign policy of nonintervention and not using force to tell other people what to do. The policy of foreign intervention has been around a long time, and it is not only one party that endorses it. In 1998 we had a similar bill come up to the floor. It was called the Iraqi Freedom Act. And that was the preliminary stages of leading to a war, which is a very unpopular, very expensive, and deadly war going on right now in Iraq. So this is a similar bill moving in that direction.

□ 1115

The 1998 resolution, which required regime change and laid the plans out for regime change, did not come up under this administration. That occurred with the previous administration.

But I have no qualms about the goals of the authors of this legislation. They would like to see freedom in Iran. I would, too. It is just that I believe the use of force backfires on us, and when we use force such as sanctions and subsidizing and giving money to dissidents, what we really do is the opposite of what we want. Those individuals who are trying to promote more freedom in Iran actually are forced to ally themselves with the radicals, so instead of undermining the system, it has made it worse. It is always argued that they will welcome us when we march in as liberators, and Iraq proved that that was not the case. Iran won't be much better.

But let me just say a few things about interventionism. Interventionism, which is essentially something that was gradually developed over the 20th century, led to a century of war and killing and was very expensive to the American people in costs. It means that we assume the moral right and the constitutional authority to be involved in the internal affairs of other nations, and yet there is no moral right for us to get involved in the internal affairs of other countries, and there is no constitutional authority for us to do so.

We are not designated as ''the nation builder.'' No matter how well-intended it is, it doesn't work, and we don't have this authority to do this. We have not been designated the ''policeman of the world,'' although we have assumed that role more so every year, and that has been going on for several decades.

There are always more costs than anybody imagines. Iraq was supposed to cost $50 billion. It is now hundreds of billions of dollars. There is economic harm done. There is inflation that it causes. Yet it continues, and instead of coming to an end, it tends to spread. That is why I fear this so much.

I see the way we are dealing with Iran as just spreading a problem that we contributed to in the Middle East. Too many innocent lives are lost, innocent American lives, GIs that go over and are killed so needlessly, especially since we don't achieve the goal of bringing freedom and liberty and democracy to these countries.

Interventionism endorses the principle that we have this authority to change regimes. We have been doing it for more than 50 years through activities of the CIA in a secret manner, and now we are doing it in a much more open manner where we literally invade countries. We initiate the force. We start the war because we believe that we have a monopoly on goodness that we can spread and teach other people to understand and live with.

There are too many unintended consequences, too much blow-back. It comes back to harm us in the long run. At one time we were an ally of Saddam Hussein. At one time we were an ally of Osama bin Laden. These things don't work out the way we think they are going to.

The one thing that interventionism endorses, which I strongly disagree with, it really deemphasizes diplomacy. It deemphasizes it to the point where if we don't feel like it, we are not willing to talk to people. When we feel like it, we might demagogue it and pretend we are talking. But it really doesn't encourage diplomacy.

Another reason why interventionism is so bad for us, it encourages special interests to get behind our foreign policy and endorse what we are doing and influence what we are doing, possibly another country and possibly some industry that might influence us.

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

Madam Speaker, I rise in strong support of this resolution. The single-most important action that we will take today is to ensure that the Iran-Libya Sanctions Act is not extended. Libya no longer needs to be subject to such punitive measures. It is our partner in the global goal of controlling the spread of unconventional weapons.

In December 2003, Libya took a bold and courageous step. It pledged to rid itself of all weapons of mass destruction. I was in Tripoli immediately thereafter in January 2004 to encourage the leadership of Libya to follow through with its stated goal. After that, Libya loaded its nuclear weapons onto American ships. These weapons, together with all detailed plans and programs, are today under lock and key in Tennessee. As a result, the legislation now before us removes all references to Libya from the Iran-Libya Sanctions Act. ILSA, Madam Speaker, is dead, and the Iran Sanctions Act will rise in its place.

The weight of American sanctions will now be focused exclusively on Iran because the mullahs in Tehran continue to pursue blatantly their nuclear ambitions. The message to Tehran is simple: follow the Libya model, and we in Congress are more than prepared to open a new, constructive and happy chapter in U.S.-Iranian relations.

Madam Speaker, the Iran Freedom Support Act will dramatically ratchet up the economic pressure on Tehran to abandon its head-long pursuit of nuclear weapons. If we fail to use both our economic and our diplomatic tools, the world will face a nightmare that

knows no end; a despotic, fundamentalist regime that avidly supports terrorism, exploiting and threatening to use the ultimate weapon of terror.

Just yesterday the leader of Iran indicated that they stand ready to share their nuclear technology with the Government of Sudan, which as we speak here this morning is engaged in genocide in Darfur. This is the regime that we are dealing with.

It is very naive, Madam Speaker, to expect that we can convince Iran to end its nuclear program voluntarily based on reason. We can only hope to inflict economic pain at the highest levels in Tehran and starve the Iranian leadership of the resources it needs to fund a costly nuclear program. And that is the purpose of our legislation.

Some argue that this legislation might undermine our relations with European allies which invest in Iran, but who have also helped lead an important diplomatic effort to bring the Iranian nuclear issue to the U.N. Security Council. But that argument, Madam Speaker, is a pure and simple misreading of the contents of our bill.

Our legislation is intended to reinforce diplomacy with economics. We ask our allies to do what the United States did over a decade ago, divest from Iran's energy sector, the cash cow of the ayatollahs' nuclear plans.

At the same time, our legislation does not put the President in a straitjacket. If a verifiable deal to eliminate Iran's nuclear program can be negotiated, or if certain sanctions will undermine the national security of our own Nation, the President may waive implementation of our law.

But, Madam Speaker, let me be clear on one point: Congress will no longer tolerate lax enforcement of American sanctions against Iran. For over a decade both Democratic and Republican administrations failed to implement the Iran-Libya Sanctions Act measures that we do have in place. Meanwhile, Iran's nuclear program has marched forward at a frighteningly rapid pace.

Our legislation will extend the Iran Sanctions Act indefinitely. It will dramatically boost congressional oversight over its implementation. The administration will have to enforce the law fully. Ignoring the law will no longer be an option.

I commend the administration for convincing the International Atomic Energy Agency in Vienna to send its Iran file to the U.N. Security Council. Unfortunately, the Russians have already made clear that the Security Council action will be impeded by them. Just last week, the Russian Foreign Minister announced that Moscow would only consider U.N. sanctions on Iran if it were shown what it called concrete proof of Iran's nonpeaceful intentions.

Madam Speaker, what gall. As we all know, there is no shortage of proof to be found in the numerous International Atomic Energy Agency reports over recent years. These reports demonstrate conclusively that for two decades, for two decades, Iran has run a clandestine nuclear program in violation of its commitments under the treaty of the nonproliferation of nuclear weapons.

I can't help but wonder what the Russians require as proof. Perhaps Iran parading a nuclear device through the streets of Tehran, or Israel being wiped off the map, as the Iranian President has declared.

The leadership in Moscow ought to know that support for terrorists is not a policy that the United States or other civilized nations will accept, especially from a country that expects to be treated as a member of the G–8 nations, seven of which are a true democracy. Russia clearly is not.

Madam Speaker, I would be delighted if our legislation were rendered redundant by serious Security Council action, but the attitudes shown by Russia and China thus far show that that is a most unlikely development. In the meantime, we cannot shirk our responsibility to employ every peaceful means possible to undermine Iran's ugly nuclear ambitions. That, in essence, is the reason for the urgency of passing H.R. 282 today.

Madam Speaker, I strongly support this bill for the sake of staving off a looming, long-term nuclear threat, and I urge all of my colleagues to do as well.

Madam Speaker, I ask unanimous consent that the balance of my time be controlled by my good friend, our colleague from New York (Mr. CROWLEY) since I have responsibilities in the International Relations Committee.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana (Mr. PENCE) will now control the time that the gentleman from New Jersey (Mr. SMITH) previously had controlled.

There was no objection.

Mr. PAUL. Madam Speaker, I yield myself 20 seconds for a quick quote, and then I am going to yield to the gentleman from Oregon.

The quote: ''The people of England have been led in Mesopotamia into a trap from which it will be hard to escape with dignity and honor. They have been tricked into it by a steady withholding of information. The Baghdad communiques are belated, insincere, incomplete. Things have been far worse than we have been told, our administration more bloody and inefficient than the public knows. We are today not far from a disaster.''

This comes from Lawrence of Arabia, 1920. We should learn from our mistakes and other countries' mistakes.

Madam Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this resolution.

One of the reasons, Madam Speaker, that I argued against our invasion of Iraq long before the war began was because I felt we needed to face far more serious threats like the danger posed by Iran. In the 3 years since that attack, the threat from Iran has grown, and our capacity to meet that threat has diminished. Now Iran has a President who exploits Iranian national grievances to consolidate power and has threatened to wipe Israel off the map. Our troops are bogged down in Iraq, placing them at risk should Iran launch a new wave of terrorism.

□ 1130

We have done nothing to break our dependency on oil, the control of which gives Iran its greatest ability now to blackmail us and other countries.

I appreciate the leadership of my good friend Mr. LANTOS and others bringing the resolution forward to spotlight the problems with Iran. I appreciate their working with us to improve the bill.

For instance, now the bill will not allow us to deal with terrorist groups on our own watch list. I think that is very, very important. Unfortunately, this legislation does not provide solutions. Instead it limits the administration's flexibility to pursue diplomacy without providing any new tools not already at their disposal.

We need allies and partners to address the Iranian threat. We need the cooperation of the European Union, of China and, yes, Russia, since we have no more unilateral sanctions to place on Iran.

Our global standing is at a low point. Yet this bill sanctions not Iran, but the very countries we need for a strong diplomatic effort. This bill tragically gives equal weight to overthrowing the Iranian Government as it does to the immediate threat of nuclear proliferation.

Now, I am strongly opposed to this regime, but preventing them from developing nuclear weapons capacity must be our first priority, not prioritizing behavior change over regime change. We pull the rug out from underneath anybody in the current Iranian leadership who values survival over the nuclear program, and it clearly works to eliminate incentives for diplomatic solutions.

I have a sense of deja vu when I think back to the Iraq Liberation Act of 1998 which did not explicitly authorize the use of force, but certainly got the ball rolling that led to the tragedy of this Iraq war. Knowing what they know today, how many Members of this House would have voted differently 8 years ago?

I am very worried about where all this ends. We have heard reports from the Pentagon of plans to attack Iran, indeed plans for a nuclear strike on Iran, the repercussions of which should make us all recoil with horror. Now, the administration dismisses these news reports, but the American people

and this Congress got better information about what happened in Iraq from reporters like Seymour Hirsch than it got from, sadly, the President, Secretary Rumsfeld and Secretary Rice.

I do not pretend to imagine the horrific things that Iran would do with nuclear weapons. We are all opposed to that. That is why we need a strong, smart, constructive diplomatic strategy. This bill does not provide it.

For over half a century, Madam Speaker, we have made a series of mistakes regarding Iran, starting in 1953 when the United States led the charge to overthrow the democratically elected Government of Iran and replace them with a dictatorship in the person of the Shah. Our support for that dictatorship and its repressive policies fueled the reaction that led to the Iranian revolution. It was part of what happened with the hostage crisis in Iran.

More recently there are very credible reports that diplomatic feelers extended by the Iranian Government were dismissed by this administration 2 and 3 years ago. I sincerely hope that we do not overwhelmingly and unthinkingly pass a resolution today that makes us feel good because we all hate this regime, but instead sets in motion a process that actually is destabilizing and makes the peaceful future that we all seek harder.

Mr. PENCE. Madam Speaker, I ask unanimous consent that debate on this bill be extended by 40 minutes equally divided, and I yield 10 minutes of my time to the gentleman from New York (Mr. CROWLEY) which I ask he be permitted to control.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PENCE. Madam Speaker, I yield myself 5 minutes.

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

Mr. PENCE. Madam Speaker, debates of this nature, I think, are wholly constructive in the life of the Nation. I rise today not just to support the Iran Freedom Support Act, but to engage in a thoughtful debate.

I commend my colleagues, 360 of whom have cosponsored this legislation brought forward by the admirable Representative ROS-LEHTINEN of Florida and supported strongly by the International Relations Committee. But I also speak with admiration on behalf of my colleagues who are here debating and opposing this measure. In fact, the gentleman from Oregon just made some eloquent comments in which he called, and I paraphrase, with respect for strong, smart, diplomatic efforts.

And while we may disagree on the meaning of those words, I would borrow them, Madam Speaker, to say that I believe that is precisely what the Iran Freedom Support Act is. It is strong, it is smart, and it is a diplomatic measure expressed by the Congress, the will of the American people, into a circumstance that is real, that is meaningful, and for which the clarity of the position of the United States of America is essential at this moment.

Let me speak for just a second about the Iran Freedom Support Act, which does just a couple of things that are worth restating, and then I want to talk about the nature of this confrontation.

This legislation attempts to deny the Iranian regime critical technical and financial resources to pursue unconventional weapons, incite terror and oppress the Iranian people. It is important to note that H.R. 282 does not authorize the use of force against Iran, despite the tone and tenor of some of the debate today.

Specifically this bill requires that WMD-related U.S. sanction controls and regulations on Iraq remain in effect until Iran has verifiably dismantled its WMD program. It also authorizes the President to provide democracy assistance to foreign and domestic individuals and organizations promoting freedom within that country, and engages in a host of additional economic measures and sanctions, including amending the Iran-Libyan Sanctions Act to recognize the historic gains that Ranking Member LANTOS referred to in relation to our relationship with Libya.

Now, that being said, I just want to talk as a Hoosier from the Midwest about the real stakes here, and about the nature of the present leadership in Iran, and the importance of us to speak as the one people and as one Nation forcefully into this diplomatic engagement.

Listen to some of the quotes of the leadership of Iran today. President Ahmadinejad said in September of last year, ''Iran is ready to transfer nuclear know-how to the Islamic countries due to their need.''

We are not just dealing with nuclear proliferation within a country that has a long and profound history of association with terrorism, but one that desires to export nuclear technologies.

President Ahmadinejad said in October of last year, ''God willing, with the force of God behind it, we shall soon experience a world without the United States and without Zionism.'' And it was not long ago that he said that Iran would inflict both ''harm and pain on the United States.''

And his threats against Israel in particular should be deeply offensive to every freedom-loving person in the world, and every American who cherishes our relationship with our ally, Israel. President Ahmadinejad said in October of last year, ''As the Imam said, Israel must be wiped off the map.'' And the President of Iran also said, ''Anyone who recognizes Israel will burn in the fire of the Islamic Nations' fury.''

This is real, Madam Speaker. This is a confrontation that I pray we will be able to resolve with strong, smart, diplomatic efforts. But if the United States fails to act with clarity, including adopting the Iran Freedom Support Act, the potential consequences of inaction could be catastrophic.

I urge my colleagues to join the 360 Members, Republicans and Democrats alike, who have supported this legislation when it comes to the floor later today.

Madam Speaker, I reserve the balance of my time.

Mr. PAUL. Madam Speaker, this bill authorizes strong sanctions as well as funding to dissident groups inside Iraq to overthrow that government. In my interpretation that is the use of force, and I yield 6½ minutes to the gentleman from Ohio.

Mr. KUCINICH. Madam Speaker, I thank the gentleman from Texas for the point that he made that is well taken.

With all due respect to my colleagues who may have a difference of opinion about this bill, I think that most American people know that this administration has already made a mess of international relations with respect to the illegal and unwarranted invasion of Iraq.

We now know that Iraq did not have weapons of mass destruction, that Iraq was not cooperating with al Qaeda with respect to 9/11, that Iraq had neither the intention nor the capability of attacking the United States, and yet we took steps, starting with the policy of regime change, that took us into a war against Iraq that we clearly did not have to initiate, and we clearly should not be there.

Now, if you love the steps which took this country into a war in Iraq, then you are going to like this bill because it does the same thing, which is why I rise in opposition to it. This bill sounds a lot like the Iraq Liberation Act of 1998, which many Members voted for in good faith, not knowing later on it would be evoked as a cause for the prosecution of war against Iraq.

Overall this bill seriously inhibits the ability of the United States Government to use diplomacy, and diplomacy is the strongest and most rational tool we have to resolve the situation regarding Iran's nuclear program.

Instead I submit that this bill sets our country on a path to war with Iran. You can be sure the Government of Iran will view this bill in this way. First, the bill makes it official U.S. policy to impose international sanctions through the U.N. Security Council for Iran's ''repeated breaches'' of its nuclear nonproliferation obligations.

Now, this sounds eerily familiar to actions pursued in the lead-up to the invasion of Iraq, and which, as we know, were for appearances only. Similarly, advocating international sanctions against Iran through the Security Council is for appearances only. This administration has apparently made up its mind it wants to attack Iran. There is evidence that the U.S.

military is already inside Iran, and I ask to include at this point in the debate an article from the New Yorker by Seymour Hirsch which asserts just that.

Including this section in the bill that I just referred to is simply an attempt to cover the President's slap in the face of the international community with respect to Iran.

Second, H.R. 282 also promotes regime change in Iran as opposed to behavior change, regime change as a solution to the stand-off regarding Iran's nuclear program. By advocating regime change, we indicate our priority is not, in fact, to encourage Iran to adhere to its nonproliferation treaty obligation, but to remove the leadership in Iran even if it were to make some concessions.

□ 1145

This communicates to the world community that, to the U.S., Iran has passed the point of no return, which completely undermines any efforts towards diplomacy and negotiations. Furthermore, while this bill makes the point of so-called not authorizing the use of force against Iran, be assured this is a stepping stone to the use of force, the same way that the Iraq Liberation Act was used as a stepping stone.

Third, H.R. 282 supports anti-government advocates in Iran promoting regime change. Now this is highly problematic. While an important amendment offered by my friend Congressman BLUMENAUER was adopted in this bill during markup to prohibit U.S. assistance to groups that are on the State Department's list of terrorist organizations or have been on the list for the last 4 years, there are ways around this.

For example, according to a Newsweek article from February 14, 2005 that the U.S. has been recruiting individuals from the MEK, a group currently labeled as terrorists by the State Department, who have agreed to form a new group with the same mission as the MEK, regime change in Iraq.

I will insert this article from Newsweek in the RECORD at this point.

[From Newsweek, Feb. 14, 2006]

LOOKING FOR A FEW GOOD SPIES

(By Christopher Dickey, Mark Hosenball and Michael Hirsh)

This is a terrorist cultleader? Maryam Rajavi is dressed in a Chanel-style suit with her skirt at midcalf, lilac colored pumps and a matching headscarf. Over a dinner of kebab, rice and French pastries, Rajavi smiles often and laughs easily. She's at once colorful and demure, like many an educated woman in the Middle East. Indeed if George W. Bush—who relies on powerful females for counsel—were pressed to identify a Muslim model of womanhood, this 51-year-old Iranian would look very much the part.

But of course that's exactly the impression Rajavi seeks to give. Behind her smile is a saleswoman's savvy—and a revolutionary's zeal to prove that she and her mysterious husband, Massoud Rajavi, are neither cultists nor terrorists. Maryam Rajavi is demanding that the exile groups they lead together, centered on the Mujahedin-e Khalq (People's Holy Warriors) or MEK for short, should be taken off the State Department's list of terrorist organizations, their assets unfrozen and their energies unleashed. The MEK, Rajavi says, is the answer to American prayers as Tehran continues to dabble defiantly in both terrorism and nuclear arms. ''I believe increasingly the Americans have come to realize that the solution is an Iranian force that is able to get rid of the Islamic fundamentalists in power in Iran,'' she told Newsweek in a rare interview at her organization's compound in the quiet French village of Auvers sur Oise. The group's own former role in terrorist attacks dating back to its support for the U.S. Embassy takeover in 1979, Rajavi insists, is ancient history. And the MEK is not a Jim Jones-like cult as critics allege, with forced separation between men and women and indoctrination for children, all overseen by the Rajavis' autocratic style. Instead, she insists, it is ''a democratic force.''

Whatever Rajavi's true colors, Newsweek has learned that her role may be growing in the calculations of Bush administration hard-liners. At a camp south of Baghdad—it's called Ashraf, after Massoud Rajavi's assassinated first wife—3,850 MEK members have been confined but gently treated by U.S. forces since the invasion of Iraq (once they were allies of Saddam against their own country in the 1980s Iran-Iraq war). Now the administration is seeking to cull useful MEK members as operatives for use against Tehran, all while insisting that it does not deal with the MEK as a group, American government sources say.

Some Pentagon civilians and intelligence planners are hoping a corps of informants can be picked from among the MEK prisoners, then split away from the movement and given training as spies, U.S. officials say. After that, the thinking goes, they will be sent back to their native Iran to gather intelligence on the Iranian clerical regime, particularly its efforts to develop nuclear weapons. Some hawks also hope they could help to reawaken the democratic reform movement in Iran, which the mullahs have silenced. ''They [want] to make us mercenaries,'' one MEK official told Newsweek.

These individuals have been conducting military activity in Iran with United States support. I just wanted to remind everyone that the MEK was the group responsible for the U.S. Embassy takeover in Tehran in 1979. This group also had a camp in Iraq where Osama bin Laden's first fighters were reportedly trained. The MEK also trained and supported Taliban fighters. Now we are recruiting help from members of the MEK which makes a total mockery of the so-called war on terror.

Fourth, H.R. 282 states that it is U.S. policy to focus attention to stopping cooperation, stopping cooperation, between Iran, Russia, China and Pakistan. Considering Russia and China have the strongest leverage with Iran, yet are also opposed to Iran's violations of the Nonproliferation Treaty obligations, the U.S. should try to work with Russia and China to try to find a path to diplomacy, not to isolate Russia and China.

In the end we are only isolating ourselves and setting our country on another unilateral path of war. Our troops are already extended in Iraq, and they are in a vulnerable position. Starting a war in Iran is the last thing we should be doing.

I urge a vote against this dangerous bill. Stop this unilateralism. Work with diplomacy and work towards peace.

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

I rise in support of the Iran Freedom Support Act. This legislation received strong bipartisan support when it was passed in the International Relations Committee last month.

I commend my colleague from Florida, Ms. ILEANA ROS-LEHTINEN, for introducing this bill and working both sides of the aisle to produce this strong bipartisan piece of legislation.

I would also like to thank my ranking member, TOM LANTOS, for his continued leadership on ensuring that Iran does not gain access to nuclear weapons. This legislation is not the first step towards war, like I have heard some contend, but I believe a tightening of the current restrictions on Iran. We must use every tool we have, whether it be diplomatically or economically, to limit the development of Iran's nuclear weapons. Iran has shown time and time again that they do not respect the international community, or the International Atomic Energy Agency, the United Nation's nuclear watchdog.

Iran made a deal with the international community when they designed the Nuclear Nonproliferation Treaty, and that was to not seek nuclear weapons in exchange for civilian nuclear technology. Iran broke this deal 18 years ago when they began to pursue a secret nuclear program with the aim of producing enough material to create nuclear weapons to threaten the stability of the region and of the world. We cannot allow a terrorist state like Iran to attain such deadly weapons.

On Monday of this week, Iranian President Ahmadinejad vowed to press ahead with uranium enrichment and boasted how he did not expect the United Nations Security Council to impose sanctions on this terrorist state. This legislation is needed to let our allies know that the House of Representatives and the United States are serious about using economic means to isolate Iran and ensure they end their nuclear weapons ambitions. The permanent five members of the Security Council have all declared they are opposed to Iran gaining the knowledge to develop nuclear weapons, but words are sometimes not enough.

When the IAEA presents its report to the Security Council on Friday, the members of the Security Council must be prepared to move forward with sanctions if Iran chooses to remain in noncompliance of the IAEA. I hope this House speaks with a unified voice today to let our allies know we are serious about stopping Iran's pursuit of nuclear weapons. I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. PENCE. Madam Speaker, it is my privilege to yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), our distinguished majority whip.

Mr. BLUNT. Madam Speaker, I rise today in support of H.R. 282, the Iran Freedom Support Act, and I particularly want to join in thanking Representative ILEANA ROS-LEHTINEN for her efforts on this bill. The United States and the international community should hold the current regime in Iran accountable for its threatening behavior. We do need to encourage the Government of Iran to change.

We need to focus on the danger of allowing the President of Iran, a man who has repeatedly called for the destruction of Israel and is willing to support terrorist organizations such as Hamas and others, to be in control of the most dangerous weapons in the world. This is a serious test for the international community. Passing this bill alone will not prevent Iran from developing nuclear weapons. However, it will send a message that the United States considers any person or entity that helps Iran develop weapons of mass destruction to be an obstacle to peace and security.

This bill also encourages the forces of democracy in Iran. Among all nations of the world, Iran has one of the longest and strongest national heritages, and many Iranian Americans join in these efforts to strengthen the potential for an Iran that proudly embraces freedom and proudly embraces the idea of the rule of law.

I urge my colleagues to support this bill. It is essential to the well-being and safety of our country, and the entire international community that the Iranian regime does not possess nuclear weapons to hold the world hostage, and that the Iranian people are allowed to move proudly toward freedom.

Mr. PENCE. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CANTOR), our chief deputy majority whip.

Mr. CANTOR. Madam Speaker, I thank the gentleman from Indiana.

I too rise today in strong support of the Iran Freedom Support Act, and I would like to also commend the leadership of Chairman ROS-LEHTINEN for her leadership on this bill and all those that she continues to fight for in the defense of freedom around the world.

The world is clearly at a critical juncture. We are in the midst of waging a global war on terrorism to defend the free world from terrorists who seek not only to kill us, but to destroy our way of life. Make no mistake about it; the very essence of the rights and freedoms for which our forefathers fought are at stake.

This bill that stands before us today is a key component of our war on terror. Iran is one of the largest state sponsors of terror in the world. They have funneled money and arms to terrorist cells throughout the Middle East, and have American blood on their hands. Iran, without a doubt, is one of the most dangerous threats to our national security and to world stability.

Now Iran stands on the verge of obtaining a nuclear weapon, yet another tool in its arsenal of terror and violence. Iran's President Ahmadinejad is a maniacal dictator who thrives on his hatred for the United States and its desire to destroy our freedom. The world cannot and will not tolerate a nuclear Iran.

It is not only the United States which is at risk, but our allies as well. President Ahmadinejad has made clear his intentions to wipe off the map Israel, our longest-standing democratic ally in the Middle East.

This week, Madam Speaker, we commemorate Yom Hashoah, Holocaust Memorial Day. We remember with great reverence and respect the victims of another maniacal dictator who threatened to wipe an entire people off the map and who wanted to impose his theory of a perfect society on the rest of the world.

We must learn from our mistakes of the past to take these threats seriously and act hastily.

The Iran Freedom Support Act is an important step in neutralizing the threat Iran poses to the world. I must stress, however, that passage of this bill should be the first step, not the last. God forbid we stand on this floor 60 years from now memorializing the victims of yet another Holocaust.

Let us fulfill our pledge to never forget. Let us learn from the lessons of our history and continue to strengthen our tools to fight this global war on terror and preserve our freedoms.

Mr. PAUL. Madam Speaker, I yield myself 1 minute before I yield to the gentleman from Iowa.

I want to quote from Article IV of the NonProliferation Treaty of which Iran is a signator: ''Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production, and use of nuclear energy for peaceful purposes without discrimination.''

Our position is that they do not have the right to enrich. Those who deny the right to enrich are more in violation of the NPT Treaty than Iran itself.

What do we do for those who are totally in defiance to international law in the NPT Treaty, like India and Pakistan? We reward them and subsidize them. At the same time, there is no proof that there has been any violation of this treaty by Iran, and yet the rewards go to those who are in total defiance.

Madam Speaker, I would yield 5 minutes to the gentleman from Iowa (Mr. LEACH).

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

Mr. LEACH. Madam Speaker, I know of no circumstance in the world in which more options are all bad than this particular one. We all have to be clear-headed about the challenge of Iran. It is a more difficult society to deal with, a more difficult government than Iraq.

It is absolutely clear that Iran does seek nuclear capacity. It is absolutely clear that Iran has been the greatest State promulgator of terrorist activity in the Middle East. Those are bases that we all have to understand.

Then we have to think through what is our response and what are the kinds of strategies that the United States should develop and are there lessons that exist today that might lend to this circumstance.

One of the lessons is that some things we do as a society can be counterproductive. All of us are concerned with the security and the fate of the State of Israel as well as the American national security, but if we think it through, does our policy in Iraq advance the security of Israel? Does a preemption of Iran advance the security of Israel? Does it advance the security of the United States?

If the United States acts militarily, for instance, in Iran, do we spark and ensure the great prediction, that none of us want to come to pass, that we will enter into one of these clashes of civilization made inevitable by another war of the West against another Muslim State? Muslims would view this as a circumstance that the Judeo-Christian world is attacking the world of Muslim culture. We have to think deeply and seriously about this.

Then when it comes to nuclear weapons, it is bad for Iran to have a nuclear weapon, but there are things that are worse. One of the things that is worse is to give them reason to use that nuclear weapon, whether it be against ourselves or an ally of the United States.

The administration has informed the committee of jurisdiction that it profoundly opposes this piece of legislation and that it prefers a tack of stressing international diplomacy, and it is suggested to the committee in the strongest possible terms that this type of legislation undercuts their effort to be multilateral.

□ 1200

And so, while many Members of this body, many members of the public have objected to this administration for being too unilateral, this Congress is saying, with this kind of legislation, that we will be more unilateral than the administration wishes to be. In other words, with an administration that no one of any stripe would argue is not muscular—it is a very muscular administration—this Congress is trying to out-macho the muscular. That is something we should all think very seriously about.

Then we ought to think through what it means if we go forth in a given kind of direction, which words like ''regime change'' imply. What does preemption mean? It is clear that if we

move in a muscular direction and, for example, preemptively strike Iraq, that that will slow down the capacity of Iraq to develop a nuclear weapon. But will it stop it? Not necessarily, partly because of the capacities Iran has to develop WMD capacity in a more decentralized way than Iraq once did, but there are other ways of getting nuclear weapons. One can get nuclear weapons through the ''loose nuke'' dilemma of purchase or theft. And if one gives Iran reason to attack, it will, and it will in many ways that are now available in the world through decentralized terrorist activities, but also potentially through nuclear. And the potential of nuclear use increases if they are attacked.

Now we have the other option which is stressed in this bill—but the first, force being implied, but what is stressed is economic sanctions. So our two options are to shoot Iran or to shoot ourselves in the foot economically. And I will tell you that I can't think of anything that is more outrageous in logic. So I think we have to think through new types of approaches involving new ways of dialogue, new ways of international pressure of a very different nature than are proposed by this committee at this time.

While I have enormous respect for the proponents of this legislation, particularly the distinguished chair of the Subcommittee on the Middle East and Central Asia (Ms. ROS-LEHTINEN) and our distinguished ranking member on the full committee (Mr. LANTOS), I am convinced that in its present form the approach brought before this body complicates ongoing diplomatic efforts to peacefully resolve the building crisis with Iran.

Indeed, it is for this reason that the Department of State indicated that the Administration would be unable to support the legislation. As noted in a letter to Chairman HYDE, the bill would ''narrow in important ways the President's flexibility in the implementation of Iran sanctions, create tensions with countries whose help we need in dealing with Iran, and shift the focus away from Iran's actions and spotlight differences between us and our allies. This could play into Iran's hands, as it attempts to divide the U.S. from the international community as well as to sow division between the EU–3, China, and Russia. It would also create dissension among UNSC members, as the Council considers the Iran nuclear dossier.''

There are few areas of the world with a more troubling mix of geopolitical problems than the Middle East. The irony is that the war in Iraq which has consumed so much of our country's political and economic capital may hold less far-reaching consequences than challenges posed in neighboring Middle Eastern countries.

To the West, the Israeli-Palestinian stand-off remains the sorest point in world relations, complicated by the incapacitation of Ariel Sharon and the rise of a Hamas-led government in the occupied territories. To the East, the sobering prospect of Iran joining the nuclear club stands out.

In life, individuals and countries sometimes face circumstances in which all judgments and options are bad. The Iranian dilemma is a case-in-point. But it is more than just an abstract bad-option model because at issue are nuclear weapons in the hands of a mullah-controlled society which has actively aided and abetted regional terrorists for years.

Indeed, the issue has become even more acute with the election in Iran of its hard-line, populist President, Mahmood Ahmadinejad, who suggested late last year that the murder of six million European Jews by the Nazis did not occur and called for Israel to be wiped off the map.

In reference to recent disclosures of enhanced Iranian efforts to develop nuclear weapons as well as missile delivery systems to carry such weapons, concerned outside parties are actively reviewing options.

The Europeans have led with diplomatic entreaties; neo-con strategists in the U.S. with open-option planning—including, if investigative journalist Seymour Hersh is to be believed—the possible use of nuclear weapons.

In the background are references to the 1981 preemptive strike by the Israeli Air Force against Iraq's Osirak reactor.

At issue is the question of whether preemption is justified; if so, how it should be carried out; and, if carried out, whether intervention would lead to a more conciliatory, non-nuclear Iran or whether the effects of military action would be short-term, perhaps pushing back nuclear development a year or two, but precipitating a new level of hostility against the U.S. and Israel in Iran and the rest of the Muslim world which could continue for decades, if not centuries.

Since the American hostage crisis which so bedeviled the Carter Administration in the late 1970s, we have had a policy of economic sanctions coupled with comprehensive efforts to politically isolate Iran.

Six years ago, Senator ARLEN SPECTER and I invited Iran's U.N. Ambassador to Capitol Hill, the first visit to Washington by a high-level Iranian representative since the hostage crisis.

On the subject of possible movement toward normalization of relations with Iran, I told the ambassador that while many would like to see a warming of relations, it would be inconceivable for the U.S. to consider normalizing our relationship so long as Iran continued its support of Hamas and Hezbollah. The ambassador forthrightly acknowledged that Iran provided help to both these terrorist organizations, but also noted, in what for some might be considered the most optimistic thing he said that day, that his government was prepared to cease support to anti-Israeli terrorist groups the moment a Palestinian state was established with borders acceptable to Palestinians.

For decades in the Muslim world, debate has been on-going whether to embrace a credible two-state (Israel and Palestine) approach or advance an irrevocable push-Israel-to-the-sea agenda. The implicit Iranian position, as articulated by the ambassador, was support for a two-state approach, but if the U.S. on its own, or Israel as a perceived surrogate, were to attack Iran, the possibility that such a compromise can ever become possible deteriorates.

While angst-ridden, the Muslim world understands the rationale for our intervention in Afghanistan where the plotting for the 9/11 attack on the U.S. occurred. It has no sympathy for our engagement in Iraq, which had nothing to do with 9/11, but if these two interventions were followed by a third in Iran, the likelihood is that such would be perceived in the vocabulary of the Harvard historian, Samuel Huntington, as an all-out ''clash of civilizations,'' pitting the Judeo-Christian against the Muslim world. In the Middle East it would be considered a war of choice precipitated by the United States. We might want it to be seen as a short-term action to halt the spread of nuclear weapons, but the Muslim world would more likely view it as a continuance of the Crusades: a religious conflict of centuries' dimensions, with a revived future.

If military action is deemed necessary, the U.S. broadly has only three tactical options: (a) full-scale invasion a la Iraq; (b) surgical strikes of Iranian nuclear and missile installations; or (c) a surrogate strike by Israel, modeled along the lines of Osirak.

The first can be described as manifestly more difficult than our engagement in Iraq, particularly a post-conflict occupation. The second presents a number of difficulties, including the comprehensiveness of such a strike and the question of whether all aspects of a program that is clandestine can be eliminated. The third makes the U.S. accountable for Israeli actions, which themselves are likely to be more physically destructive but less effective than the 1981 strike against Osirak.

In thinking through the consequences of military action, even if projected to be successfully carried out, policymakers must put themselves in the place of a potential adversary. A strike that merely buys time may also be a strike that changes the manner and rationale of Iranian support for terrorist organizations. It may also change the geo-strategic reason and methodology for a country like Iran to garner control of nuclear weapons. ''Loose nukes'' abound. Countries with money and will can garner almost anything in the world despite efforts by the U.S. and others to make theft or sale difficult.

It is presumed that the major reasons that Iran currently seeks nuclear weapons relates to: (1) Pride: a belief that a 5,000 year-old society has as much right to control the most modern of weapons systems as a younger civilization like America or its neighbors to the west, Israel, and to the east, Pakistan; (2) Power: the implications of control of nuclear weapons with regard to its perceived hegemony as the largest and most powerful country in the Persian Gulf, particularly with regard to its nemesis, Iraq, which not only once attacked Kuwait, but Iran itself using chemical weapons; (3) Politics: the concern that Israeli military dominance is based in part on the control of weapons that cannot be balanced in the Muslim world, except by a very distant Pakistan.

The issue of the day from an American perspective is weapons of mass destruction, their development and potential proliferation to nation-states and non-national terrorist groups. The question that cannot be ducked is whether military action against Iran might add to the list of reasons Iran may wish to control such weapons: their potential use against the United States. Perhaps as significantly, American policymakers must think through the new world of terrorism and what might be described as lesser weapons of mass destruction.

Any strike on Iran would be expected to immediately precipitate a violent reaction in the

Shi'a part of Iraq, where the U.S. has some support today. With ease, Iranian influence on the majority Shi'a of Iraq could make our ability to constructively influence the direction of change in Iraq near hopeless.

And there should be little doubt that in a world in which "tit for tat" is the norm, a strike on Iran would increase the prospect of counter-strikes on American assets around the world and American territory itself. The asymmetrical nature of modem warfare is such that traditional armies will not be challenged in traditional ways. Nation-states which are attacked may feel they have little option except to ally themselves with terrorist groups to advance national interests.

We view terrorism as an illegitimate tool of uncivilized agents of change. In other parts of the world, increasing numbers of people view terrorist acts as legitimate responses of societies and, in some cases, groups within societies who are oppressed, against those who have stronger military forces.

If Afghanistan, an impoverished country as distant from our shores as any in the world, could become a plotting place for international terrorism, such danger would increase manifoldly with an increase in Iranian hostility, especially if based on an American attack.

If there exists today something like a one-in-three chance of another 9/11-type incident or set of incidents in the U.S. in the next few years, a preemptive strike against Iran must be assumed to double or triple such a prospect.

And Iran, far more than Osama bin-Laden, has within its power the ability not only to destabilize world politics, but world economies as well. Oil is, after all, the grease of economic activity, and an Iranian-led cutback in supply precipitated by us or them cannot be ruled out.

Given the risk, if not the untenability, of military action, policymakers are obligated to review other than military options. One, which has characterized our post-hostage taking Iranian policy for a full generation, is isolation of Iran. This policy can be continued, but as tempting as it is, there is little prospect of ratcheting it up much more, except in ways, such as a naval embargo on Iranian oil, that would be difficult to garner international support for and would, in any regard, damage us more than Iran.

The only logical alternative is to consider increasing dialogue without abandoning the possibility of future sanctions with this very difficult government.

Iran—its government and people—has to be fully engaged, and I am pleased that U.S. Ambassador Khalilzad in Baghdad has been authorized to talk to the Iranians about the situation in Iraq. The Iranians played a stabilizing role regarding Afghanistan just several years ago, and logically they have a stake in a stable Iraq. I would urge the leadership in Tehran to re-think its apparent decision to close the door on this potentially productive avenue for dialogue.

With respect to the Iranian nuclear program, however, it is difficult to see how confrontation can be avoided if we will not talk directly with Tehran in appropriate foras about this and other matters. The stakes could not be higher. If diplomacy fails, there is a credible prospect that Iran will follow the North Korean model of rapid crisis escalation, including the cessation of international inspections, with a wholly unsupervised nuclear program leading in time to the production of nuclear weapons and the dangerously unpredictable regional consequences that might flow from that; or a perilous move to an Iraq-like preventive military strike, with even more far-reaching and alarming consequences both regionally and worldwide.

A proposal that might be suggested is negotiation of a Persian Gulf nuclear-free zone, which would reduce, although given the high possibility of cheating, not eliminate entirely one of the reasons Iran presumably seeks nuclear weapons—fear that it may be at a disadvantage in a conflict with an oil-rich neighbor. In this context, Iran, the EU and Russia, with U.S. support, might agree on a proposal under which Iran would indefinitely and verifiably suspend domestic enrichment activity in exchange for an internationally guaranteed fuel supply, U.S.-backed security assurances, and a gradual lifting of sanctions by and resumption of normal diplomatic relations with the U.S., including expanded country-to-country cultural ties.

Here, it should be stressed, hundreds of thousands of Iranians have been educated in the United States. The people, although not the government of Iran, have democratic proclivities. While real power in Iran is controlled by the mullahs. Few societies in the world have if given a chance more potential to move quickly in a democratic direction than Iran. And just as it is hard to believe that outside military intervention would lead to anything except greater ensconcement of authoritarian mullah rule, a bettering of U.S. relations with Iran provide a greater prospect of progressive change in Iranian society.

There is nothing the new government of Iran, or for that matter Osama bin Laden and his al Qaeda movement, benefit more from than an aggressive, interventionist U.S. policy toward Iran.

Finally, a note about arms control. If the U.S. wishes to lead in multilateral restraint, we might want to consider joining rather than rebuking the international community in development of a comprehensive test ban (CTB). All American administrations from Eisenhower on favored negotiation of a CTB. This one has taken the position the Senate took when it irrationally rejected such a ban seven years ago. The Senate took its angst against the strategic leadership of the Clinton Administration out on the wrong issue. This partisan, ideological posturing demands reconsideration. We simply cannot expect others to restrain themselves when we refuse to put constraints on ourselves.

We are in a world where use of force can not be ruled out. But we are also in a world where alternatives are vastly preferable. They must be put forthrightly on the table.

Mr. PENCE. Madam Speaker, it is my privilege to yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the distinguished majority leader of the House of Representatives and an original cosponsor of this legislation.

Mr. BOEHNER. Madam Speaker, I appreciate my colleague for yielding, and I want to congratulate Chairman HYDE and Ranking Member LANTOS of the International Relations Committee, as well as Ms. ROS-LEHTINEN for her work on this issue, and I rise strongly today to support H.R. 282, the Iran Freedom Support Act. The Iran Freedom Support Act sends, I think, a strong message: the United States expects Iran to be a responsible member of the international community.

Iran has repeatedly asserted its rights to nuclear power, but its government has remained silent on their international obligations. Iran must be transparent in meeting its international nuclear obligations. In particular, Iran's refusal to answer the International Atomic Energy Agency's questions about critical elements of its nuclear power program is of deep concern to me.

In addition, Iran's sponsorship of terrorism raises troubling questions about its true intentions and its long-term goals. It is impossible to have faith in a regime which spreads fear, violence, and disruption through its support of terrorist organizations and networks.

I support President Bush's efforts to work with the United Nations Security Council and the International Atomic Energy Agency to compel the Iranian regime to be a responsible member of the international community.

Mr. CROWLEY. Madam Speaker, at this time I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank Mr. CROWLEY for yielding time, Madam Speaker, and I rise in strong support of the Iran Freedom Support Act. I am proud to be an original cosponsor of this important legislation and ask for its immediate passage.

It would be difficult to overstate the danger Iran represents. Unchecked Iranian nuclear proliferation, combined with increasing support for international terrorism, will help to further destabilize the entire region.

Iran currently possesses ballistic missiles capable of striking 1,200 miles away. This places U.S. forces in this region, moderate Islamic Arab countries located in the region, as well as the State of Israel in grave danger. Imagine, if you will, if these missiles had nuclear delivery capability.

For over two decades, the Iranian regime has been pursuing a covert and now overt nuclear program. It has manufactured centrifuges, sought completion of heavy-water reactors, and experimented with uranium enrichment. According to one weapons inspector, it has already converted 45 tons of uranium into gas, enough to build more than one nuclear bomb.

In a perfect world, we should be able to rely on the United Nations to curb Iranian nuclear proliferation. In a perfect world, the eight reports by the International Atomic Energy Agency regarding Iran's violation of the Nuclear Nonproliferation Treaty would be enough to motivate action. In a perfect world, all of the members of the Security Council would appreciate the seriousness and catastrophe of a nuclear Iran. But since we cannot count on the international community, China and Russia are far too interested in Iranian oil and Iranian trade money, the

United States must step up the pressure and do what is right.

This bill, in my opinion, accomplishes that goal. U.S. sanctions would dramatically increase the pressure on the Iranian regime to give up their nuclear ambitions and allow international inspections of their facilities. Since the President of Iran was elected last summer, Iran's stock market has lost 40 percent of its value, there has been a capital flight of more than $200 billion, and Iran's manufacturing sector is increasingly dependent on imports. Iran is struggling financially. This legislation will further squeeze Iran and deny it the financial resources to continue its path towards nuclear armament.

There is no debate, not anywhere, not in this body, that Iran is a radical and fundamentalist country headed by a President who is willing to share nuclear technology with the most unstable countries in the world, and by mullahs who raise religious fanaticism to a new art form. Every pronouncement this President makes further dramatizes how mentally unstable and unbalanced and dangerous he is. The United States must act quickly and decisively if we are to counter the continuing threat posed by the Iranian regime. We must deny Iran the technology and assistance and financial resources it needs to pursue this unacceptable behavior.

I have no illusions. I can't guarantee that the sanctions contained in this bill will have the desired effect, but I do know that it is a far better alternative to invading Iran or bombing Iran. And unlike the Iraq Freedom Act, which many people have cited today as a reason not to pass this particular piece of legislation, there is nothing in this act that we are debating today, there is nothing in this legislation that can be construed as authorizing use of force against Iran, and none of the assistance should be used to support covert action that is contained in the legislation.

Mr. CROWLEY. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman from New York and the gentleman from Indiana, and I am happy to be an original cosponsor of this bill. I want to compliment Congresswoman ROS-LEHTINEN and Congressman LANTOS for this bill. I rise in strong support of this resolution, and I condemn the actions and statements of the Iranian Government.

I believe this is one of the greatest crises since the end of the Cold War, and we have to be up to the challenge. Under the guise of saying it needs to meet its own energy needs, Iran has, for years, been engaged in secret efforts to develop nuclear technology that has weapons capability.

Let us be very clear. Iran is lying when she says she wants to use this for peaceful purposes. Iran is a major oil exporter and doesn't need nuclear power for peaceful purposes. She is doing this for one reason and one reason only: to be hostile; defying and misleading the international community.

Iran's President Ahmadinejad has gone to extremes to stir up anti-American and anti-Israel sentiment in Iran and throughout the Arab world. Not only, as was stated before, has he publicly declared his hope for ''a world without America,'' he has also stated his desire ''to wipe Israel off the map.''

These remarks demonstrate a gross disregard for the rule of law, human life, and the core principles of the United Nations. I wholeheartedly support the United Nations Security Council's looking into taking swift and strong action to counter Iran's growing threat, and I urge prompt adoption of H.R. 282.

This is a commonsense resolution. This has nothing to do with Iraq, to my colleagues who were talking about Iraq. There is no analogy here. This is another threat, and we have to stand up to the threat. If the world had stood up to Hitler in the 1930s, maybe the Holocaust wouldn't have happened. Maybe World War II wouldn't have happened. Every time there is a chance, society and the world has to stand up to prevent worse things from happening in the future. I don't want to be around if Iran detonates a nuclear weapon and say I stood here in Washington and was afraid to act.

As Ms. BERKLEY pointed out, this resolution doesn't say anything about any kind of military action. We hope this can be resolved diplomatically, but, frankly, I believe that all options should be on the table. The military should be an absolute, absolute, ultimate last resort, but we have to tell these thugs in Iran that we are not going to stand idly by and allow them to be destructive, allow them to make threats, allow them to kill people, or allow them to have another Holocaust.

Mr. PAUL. Madam Speaker, there has been talk in the media and elsewhere about the necessity of bombing Iran, and we are talking today about regime change, which is an act of force, yet some of us believe we are acting too hastily. Others deny that; that something imminently is going to happen. But I want to read a little quote here from John Negroponte, Director of National Intelligence. He says, ''Our assessment at the moment is that even though we believe that Iran is determined to acquire a nuclear weapon, we believe that it is still a number of years before they are likely to have enough fissile material to assemble into or put into a nuclear weapon; perhaps into the next decade. So I think it is important that this issue be kept in perspective.'' This is John Negroponte. And I think those who are so eager to pass this legislation and move toward regime change are moving in the wrong direction too hastily, and there are a lot of analogies to this and to Iraq, so we caution you about that.

Madam Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I do think this is an important conversation for us to have on this floor. I am pleased that the debate time was extended, and I hope our colleagues will take the time to scroll through the information that is available and think of the consequences.

For instance, I would enter into the record, a letter from Under Secretary of State Nick Burns to Chairman HYDE. I will just quote a little and then insert the rest in the RECORD.

> We have enormous concerns about this proposed legislation, particularly title II. These provisions would impair our ability to continue working closely and successfully with our allies to deal with the threat that Iran poses.

Nobody here, nobody here, apologizes for this regime. And my good friend from Indiana is correct, there is a lot of shared interest and deep concern. The notion that this despotic regime would have control of nuclear weapons is terrifying, absolutely terrifying.

We long for the day that the Iranian people are free, in no small measure because the United States' history with the Iranian people over more than half a century is one where we have not always been on the side of democracy for the Iranian people, overthrowing their democratically elected regime in 1953. That was not a proud moment in our history when we helped install a dictator, but we called him the Shah.

We are united in our commitment to deal meaningfully with this problem. This legislation, as the administration has made clear, falls short of the mark. It is not tightening our sanctions against Iran.

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We have done that.

There have been administrations, both Republican and Democrat, who have maybe not been as zealous in implementing those sanctions; but that is on the books. We have done it.

What this talks about doing is extending sanctions against the very people whose cooperation we need to solve this problem. We are confusing our goals. Is it more important to threaten a regime change and thereby consolidate it? This Government of Iran by all indications is not monolithic. There are people who disagree with the sad and repulsive face of the current leader. There are a vast number of young people in Iran who are not at this point violently anti-American. They are pro-Western. There is interest in the United States. If we misplay this, we can end up turning another generation against us in Iran.

We have had empty threats against North Korea that did not stop them from going full speed ahead developing nuclear weapons, in fact, we are probably less safe today because we have not been focused and effective.

I do strongly identify with the words of my friend, the gentleman from Iowa

(Mr. LEACH). I have been one who has been somewhat critical of this administration in its actions in the past. I would find it absolutely inappropriate to not reinforce when I think they are trying to reposition themselves vis-a-vis Iran. There are many people on our side of the aisle who were against the rush to war in Iraq and many more who have found that it was a mistake to do so. We have supported more diplomatic initiatives, and this is the opportunity we have now.

This legislation is not each-handed. It is not focused. The administration does not want it. It sanctions our allies. I strongly urge that we do things that are coming down the pike now that we in Congress can do that will make a difference in Iran. Think about how we deal with India and nuclear weapons. This is a decision that is looming ahead of us that will make a difference for China and other countries that have nuclear technology about how we treat them in that situation.

And for heaven's sake, when people have suddenly discovered $3-a-gallon gasoline and that we are addicted to foreign oil, which is part of Iran's strength right now, maybe we in Congress can forget the goofy energy bill we passed and get serious about conservation, alternative energy, increasing fuel standards and giving full value to the American public for our oil and gas resources. These are things that we can do now that will make a difference. Let the administration do its job diplomatically; provide oversight, but do not go over the edge with this legislation.

DEPARTMENT OF STATE,
Washington, DC.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, House of Representatives.

DEAR MR. CHAIRMAN: I am writing to comment on HR 282, the ''Iran Freedom Support Act of 2005,'' that currently is pending before your Committee.

We have serious concerns about this proposed legislation, particularly Title II, which would amend the Iran and Libya Sanctions Act (ILSA). These provisions would impair our ability to continue working closely and successfully with our allies to deal with the threat that Iran poses.

The Iran issue is sensitive and critically important. The September 24 IAEA resolution, tabled by the EU–3 (Germany, the UK, and France), was an important step forward. We are going to have to continue working with our international partners to isolate Iran and to build and maintain an international coalition to ensure that Iran does not acquire a nuclear weapons capability. In doing so, the President needs the flexibility that HR 282 would impede.

I note that one portion of the bill, Title IV, regarding support for democracy in Iran, could, with relatively minor modifications, make a positive contribution to our Iran objectives, and we would welcome the opportunity to work with Congress in developing this approach.

Sincerely,

R. NICHOLAS BURNS,
Under Secretary of State for Political Affairs.

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

There have been repeated assertions by several of my colleagues today about the administration's position on the bill we are considering today. In fact, it has been characterized repeatedly by several colleagues that the administration ''strongly opposes'' this legislation.

With great respect to my colleagues, they are referring specifically to an administration letter that expressed an opinion to the chairman of the Committee on International Relations before the bill provided further flexibility to the President, and it is not a response to the text of the bill we are considering today. The administration has not taken a position on the legislation, as amended, that we are considering today.

In specific reference to the concerns that were addressed, I would like to address title II of the legislation before I recognize the gentleman from Pennsylvania.

Title II of the bill was the focus of the administration's letter, and it had to do in particular with that section concerning the ability of the President of the United States to waive certain provisions of this act in the national interest. The legislation that we consider today states that the President may on a case-by-case basis waive for a period of not more than 6 months with respect to national security the certifications required in this bill if such a waiver is ''vital to the national security interests of the country'' and the country of the national has undertaken substantial measures to prevent the acquisition and development of weapons of mass destruction.

What we in effect did here is we lowered the threshold significantly for the President's waiver in this case. It is significant that the administration has not expressed opposition to the legislation, as amended. For the sake of clarity of the record, I wanted to add that to our debate today.

Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON), the distinguished vice chairman of the Armed Services Committee.

Mr. WELDON of Pennsylvania. Madam Speaker, I thank the gentleman for yielding me this time and the leaders for bringing this bill forward.

I just want to refresh the memories of my colleagues who say we should not take any action. It was in 1997 when we had evidence that Iran was getting cooperation on developing a missile system that we brought a bill before this body called the Iran Missile Sanctions Act. For my colleagues who were not here, 398 Members voted ''yes,'' 98 Senators voted ''yes,'' the White House opposed the bill, and President Clinton vetoed the bill that year because he said we did not need it.

Last summer, Iran paraded the Shabab III missile system down the streets of Tehran. It is completed. It is the most capable offensive system in the Middle East. We could have stopped it and we didn't.

Madam Speaker, for the past 3 years I have been feeding the CIA information about Iran's efforts to undermine Iraq, the Middle East, and to foment terrorism around the world. It got so uncomfortable that I had to write a book. Everything that I said that I gave to the CIA for the past 3 years is now true: the support for Bani Sadr, the efforts for taking two teams up into North Korea to acquire nuclear technology, the attempts to assassinate Mullah al-Sastani. All of those things are now verified, and all of them I told the CIA and they ignored.

We do need to be aggressive with Iran and we need an approach that does not call for war. I am not for war with Iran. The people of Iran are not our enemy. It is a young nation. The people there want to be back as friends with America and the West. We need to work with those Iranians in exile, and that is what this legislation calls for.

Madam Speaker, 2 months ago I was out in California where I spoke to the 13 largest Iranian radio and television stations that beamed by satellite into Iran. For 2 hours I spoke directly to the Iranian people by satellite, 12 million households. I came back 8 hours later and took calls from people inside of Iran.

Madam Speaker, 400 Iranians called through the satellite and through cell phones to issue their recommendations and their questions to me live.

Madam Speaker, only 1 of 400 supported the regime of Ahmadinejad and Ayatollah Khomeini, who really runs the government there. Every other caller said we need your help, we need to do what you did with Ukraine, you need to help us take back our government. You need to do what they did in Georgia, to have an internal revolution, to bring about change so we truly can be friends with the West. That is what this legislation calls for.

But there is one other point this legislation does not focus on that I feel strongly about, and this was mentioned by my friend and colleague, the gentleman from Ohio (Mr. KUCINICH). The closest nation to Iran is Russia, and what we have to do is renew our efforts diplomatically to have Russia play a significant role to peacefully convince the people of Iran to get their government to back off of this nasty rhetoric and of this effort to build up this offensive capability using WMD, including nuclear weapons. This is of vital urgency for us. This is the number-one threat we face in the world.

While this legislation may not be perfect, it certainly sends a signal that we are not going to do what we did back in 1997. We are not going to allow any administration to back us off from stopping the development of technology like the missile system that Iran currently possesses.

Mr. CROWLEY. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Madam Speaker, let me thank my friend for yielding me this time.

Madam Speaker, I agree with many of the comments that have been made on this floor about the dilemma we have now in Iran as a result of our policies in Iraq. I opposed the U.S. involvement in Iraq. I thought it was wrong. And as one of the consequences, it has caused us to lose focus on our war against terror and to make it more difficult for us to deal with Iran.

Having said that, I think this is an important bill that we need to move forward. It is an important effort to make it clear that Iran cannot be permitted to become a nuclear weapons power.

Madam Speaker, let me point out some of the proudest moments in U.S. history have been the use of sanctions. I think back about U.S. leadership and imposing sanctions basically against the Soviet Union which allowed people to be able to leave that country.

I think back about the U.S. leadership in South Africa when it was an apartheid country and how we imposed sanctions against South Africa and were accused of causing problems in doing that. But what we did was bring down the apartheid Government of South Africa without the necessary use of force.

So I think it is critically important that we stand united in our efforts to impose sanctions against Iran to make it clear that we cannot allow Iran to become a nuclear weapons power. Make no mistake about it, Iran is trying to do that. We know Iran is trying to do that. We know about the vote of the IAEA of 27–3 that referred Iran to the Security Council, that they are enriching uranium clearly to develop a nuclear weapon, that they have supported terrorist organizations, the Hezbollah and the Islamic Jihad. The Iranian President has made it clear that he wants a world without the United States and he wants to wipe Israel off the face of the map. These are serious threats that we need to take seriously.

Therefore, we need effective sanctions against Iran so they change their way. This legislation is an effort to strengthen the sanctions against Iran by removing the sunset, by taking away some of the discretion and removing the sanctions unless Iran changes its way.

Madam Speaker, I look at this as a way to engage the international community to work with us. We did not do that in Iraq, and that was one of the fatal flaws of our policy in Iraq is that we did not engage the international community.

This legislation says, look, we have a chance with Iran to get them to change their ways through the imposition of sanctions and isolating the country, but we do need the help of our friends around the world. We do need them to work with us. It is in the interest of the civilized world to prevent Iran from becoming a nuclear weapons power. We need their help. Working with them, we can add another proud history to America in its international leadership of saying yes, we are going to use our international power, our diplomatic skills, to change the direction of a country that otherwise would become even a more dangerous risk to the United States and the civilized world. I urge my colleagues to support the legislation.

Mr. PAUL. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, there has been a lot of talk here about what this bill is doing and that it does not authorize the use of force. As a matter of fact, the language in the bill says this does not authorize the use of force. But my contention is it is a contradiction to the bill itself because the bill itself does authorize the use of force. No, not tanks and airplanes and bombs yet, but we know that all these options are still on the table.

□ 1230

But what it does authorize is something that is equivalent to force, and that is sanctions. Sanctions are used as an act of war.

Also, this bill has money in it, and it is open-ended, an authorization of appropriation. There is authorized to be appropriated to the Department of State such sums as may be necessary to carry out this section. And what is this section talking about? Subsidies and funding of dissident groups to go in there and undermine the Iranian government.

Yes, we quote Ahmadinejad about his vitriolic statements, and they are horrible, but how do you think they interpret other statements when we say we are going to wipe their regime off the face of the Earth? We are going to have regime change. So from their viewpoint we are saying the same thing, and we should not be blinded to that and pretend, because our language is not quite as violent. We are saying the same thing, because look at the result of the violence in Iraq as a result of our efforts of regime change.

Now, one of the major authors of the Iraqi war, a leader of the neoconservative movement, came before the committee when this resolution was debated and when we had hearings on it. I want to read a quote from him because it clarifies this issue. The quote comes from Michael Ledeen, and he wants regime change. This is what he had to say. ''There is much that is praiseworthy in the Iran Freedom Support Act. I think it can be improved by more openly embracing a policy of regime change in Iran and allocating an adequate budget to demonstrate our seriousness in this endeavor. I know some Members would prefer to dance around the explicit declaration of regime change as the policy of this country, but anyone looking closely at the language, and that is what I have done, and content of the Iran Freedom Support Act and its close relative in the Senate can clearly see that it is, in fact, the essence of the matter. You can't have freedom in Iran, that is, we can't have our way, without bringing down the mullahs.''

That is an outright threat. That is the testimony of a neoconservative who led us and promoted and pushed the war in Iraq, and nothing would please him and others who are behind this type of resolution to see regime change. There is no denial of that.

The question is how do we do it? Are we going to do it pussyfooting around? Or are we going to use force and violence? We did, we used bombs for a long time against Iraq. But we had a bill in 1998 that said explicitly we are going to get rid of the Iraqi government, and it took a few years to get the war going.

Both parties are involved in this. It is not just this administration that has promoted this type of foreign policy, which, quite frankly, I see is not in the best interest of our country. This is why I am a strong advocate of minding our own business. Don't get involved in nation building. Don't police the world. Don't get involved in the internal affairs of the other nations. Otherwise, we have a big job ahead of us.

What about the fact that Kim Jong Il is still in power? We are talking to him. We talked to Qadaffi. Mao was in power, and he had nuclear weapons. What did we do; did we attack him? No. What did we do with Stalin? Stalin and Khrushchev had 30,000 nuclear weapons. Were we ready to use force and intimidation and yelling and screaming? And Khrushchev was ready to wipe us off the face of the Earth also.

But I am asking you to reconsider the fact that moving in this direction is the same thing as we did against Iraq, and it won't do us any good. It is going to cost us a lot of money, and it is going to cost a lot of lives, and it is un-American. It is not constitutional. It is not moral. We should not pursue this type of foreign policy. We should take care of ourselves, and we should be more friendly with nations. We should be willing to trade. And if you are concerned about the world, why not set a good example? When our house is clean, when we have a good democracy and a worthy Republic, and we do well, believe me, they will want to emulate us.

But attacking and intimidating other nations, the way we go at it now, literally backfires on us. What is it doing to the dissidents, those who would love to overthrow the Islamic radicals in Iran right now? It unifies them. Did we become unified in this country when we were attacked on 9/11? Do you think Republicans and Democrats were divided on 9/11 and 9/12? No, it brings them together. So this policy does exactly the opposite of what you pretend that you want to do, and that is encourage those people who don't like their government. But by doing it this way, you literally are doing the very opposite.

So I just plead with you to be more cautious. Negroponte says there is no rush. Take some time. They are not about to have a nuclear weapon. And

whether or not that is their plan or not probably at this moment is irrelevant. I mean, if we stood down all these nations and all these nuclear weapons in the past, why can't we practice more diplomacy to resolve our differences. I was talking to somebody the other day and they said, well, maybe in 10 years they might have a nuclear weapon, so we must act now. Get the bombs ready. They are talking about a nuclear attack on Iran in order to stop them from producing a nuclear bomb. It is time to step back and look at the policy. The policy of nonintervention and peaceful relations with the world and peaceful trade is the American way to go, and it will lead to peace and prosperity.

I yield the balance of my time to the gentleman from Ohio.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Ohio is recognized for 5¾ minutes.

Mr. KUCINICH. I want to thank the gentleman from Texas for his very calm and patient approach to this. I don't think the American people want our Nation set on a path of war with Iran, and I believe the American people are very concerned about the steps which set us on a path to war against Iraq. There are questions that have to be answered by this administration before Congress should rightfully even vote on this.

You know, it has been reported recently that U.S. troops are conducting military operations in Iran. In Iran. Now, if that is true, then apparently the administration has made a decision to commit U.S. military forces to a unilateral conflict with Iran, even before direct or indirect negotiations with the Government of Iran have been attempted, without U.N. support and without authorization from this Congress.

First things first here. Where are we right now? Are we already inside Iran? According to Seymour Hersh, in the New Yorker, there is evidence that suggests that we are. The presence of U.S. troops in Iran would constitute a hostile act against that country.

Now, put that in the context of this particular bill. At a time when diplomacy is urgently needed, this bill would escalate an international crisis that is already percolating by the probability or at least the possibility that this administration has already committed troops to Iran. What we are seeing here is an undermining of any attempt to negotiate with the Government of Iran, and we are seeing the undermining of any diplomatic efforts at the U.N.

I said this before and I will say it again. Any kind of saber rattling against Iran puts our troops in Iraq at jeopardy. The achievement of stability in transition to Iraqi security control will be compromised, reversing any progress that has been cited by the administration.

I am sure that many Americans are saying, you know, it is hard to believe that the United States could have already taken such an imprudent decision as committing troops to Iran, but we have had a number and variety of sources confirming this. Over a week ago Air Force Colonel Sam Gardner related on CNN that the Iranian Ambassador to the IAEA, Aliasghar Soltaniyeh, reported to him that Iranians have captured dissident forces who have confessed to working with U.S. troops in Iran. Earlier that week, Seymour Hersh reported that a U.S. source told him that U.S. Marines were operating in the Baluchi, Azeri and Kurdish regions of Iran.

Now, any kind of military deployment in Iran would and should constitute an urgent matter of national significance. And I think that the administration has an obligation to this Congress, before Congress would vote on this kind of a bill, to tell us exactly what is going on with the activities of American forces with regard to Iran.

Also, there are reports that the U.S. is fomenting opposition and supporting military operations in Iran among insurgent groups and Iranian ethnic minority groups, some of whom are operating from Iraq. The Party for a Free Life in Kurdistan, PEJAK, is one such group, and the other group is called the MEK, the Mujahedin e-Khalq. It is an Iranian antigovernment group which was listed as a terrorist group by the State Department since 1997. An article by Jim Lobe, published in antiwar.com, on February 11, 2005, claims that the Pentagon civilians in Vice President CHENEY's office are among those in the U.S. Government who support MEK. We also know from the Hersh article in the New Yorker which confirms that U.S. troops are establishing contact with antigovernment ethnic minority groups in Iran.

Now, U.S. support for insurgent activity in Iran would not be tolerable. The administration has claimed numerous times that the object of the so-called war on terrorism is to target lawless insurgent groups. It would be a breach of trust if the administration is involved in this. Iran does not present an imminent threat. Any setting the stage for an attack on Iran is setting the stage for a unilateral act of war.

I think that this country needs to move very slowly anytime we are setting the stage for conflict with another nation. Don't we have enough problems in Iraq to clean up without setting the stage for another conflict in Iran? We must use diplomacy. We must use our relationships with Russia and China and other nations in order to avert a conflict with Iran.

Mr. CROWLEY. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I heard our colleague thank Mr. PAUL of Texas for being calm and patient. I don't know how much more patient we can be with a country that supports international terrorism as Iran does.

Let me point out, this bill does not authorize the use of force. It does not authorize the use of force. We can say it over and over again. That is clearly not getting through. But this country, we are talking about Iran, is bent on the destruction of our ally Israel, bent on the destruction of our ally Israel and the interests of the United States in that region.

This is a peaceful way to help resolve this issue. It will restrict access to reserves by the mullahs in Iran to pursue development of weapons of mass destruction and nuclear weapons. So, Madam Speaker, once again, I rise in strong support of this legislation. I hope my colleagues on both sides of the aisle see the wisdom of this legislation that is seen as well in the Senate, and the President understands the wisdom of this legislation and signs it into law.

I yield the balance of my time to my friend, Mr. PENCE.

The SPEAKER pro tempore. The gentleman from Indiana is recognized for 1 minute.

Mr. PENCE. I thank the gentleman from New York for yielding and for his strong leadership on the international stage today and at other times in his career.

To the gentlewoman from Florida who is in our thoughts and prayers today, ILEANA ROS-LEHTINEN, who authored the Iran Freedom Support Act, I express gratitude.

Mr. CROWLEY of New York just said it best. The bill we will consider today codifies U.S. sanctions on Iran and requires that they remain in place until Iran has verifiably dismantled its chemical, biological and nuclear weapons program. It does not, this legislation today does not authorize the use of force against Iran. It does a host of other things that represent economic sanctions. It supports independent human rights and peaceful prodemocracy forces within Iran.

But the Iran Freedom Support Act is the right bill at the right time. It is a strong diplomatic measure. The potential consequences of inaction could be catastrophic. Congress and this administration must act before it is too late, before our options are severely limited, and this diplomatic measure today, the Iran Freedom Support Act, is such a measure.

I ask my colleagues to render their overwhelming support of this legislation.

Ms. ROS-LEHTINEN. Madam Speaker, Iran is the full ticket—a defiant rogue state, defined by the State Department as the world's most active—state sponsor of terrorism. Its ambition to develop weapons of mass destruction capabilities has been deliberate, deceptive, and long in the making.

U.S. policy has to date pursued a patient course of diplomacy including working with our allies, heeding the findings of the International Atomic Energy Agency, and accepting ineffectual incentives.

However, diplomacy does not mean surrender and of the "constructive engagement", incentives, and inducements of the Iranian regime have been no more effective than Neville Chamberlain's famous failed policies of appeasement during World War II.

It is time for the U.S. and our allies to undertake the sacrifices required to deny Iran the political legitimacy, technology, materials, and financial resources to pursue its destructive policies—policies that threaten U.S and global security.

It is our hope that H.R. 282 will serve as leverage for cooperation from those allies who claim to be concerned about the growing Iranian threat but who continue to invest billions in Iran's energy sector and continue to assist Iran's nuclear and missile programs.

Ten years ago, the U.S. called on our European allies to take steps to deny Iran the financial resources to nuclear capabilities.

The U.S. also called on Russia and China to cease their support for Iran's nuclear and missile program.

These calls were ignored.

Then, four years ago, the Iran saga within the context of the IAEA begins.

According to multiple IAEA reports Iran's deceptions and breaches of its international obligations have dealt with the most sensitive aspects of the nuclear cycle.

By September of 2004, as Iran resumed large-scale uranium conversion, then Secretary of State Colin Powell called for the Iran case to be referred to the United Nations Security Council for sanctions to be imposed.

That was not to be. The response from the international community was to offer Iran yet more incentives and to increase its investments in Iran's energy sector.

Every step along the way, Iran has demonstrated contempt for the IAEA and has mocked the international community.

In fact, Iran's former nuclear negotiator recently boasted: "When we were negotiating with the Europeans in Tehran we were still installing some of the equipment at the Isfahan site . . . In reality, by creating a same situation, we could finish Isfahan."

That is but a microcosm of how concessions and inaction—inaction including the failure to implement U.S. laws such as the Iran-Libya Sanctions Act—have only served to embolden the Iranian regime and increase the threat Iran poses to U.S. national security interests and global stability.

Just in the last few months, Iran: Resumed its nuclear efforts, removing the IAEA seals on uranium conversion plants; announced it could successfully use biotechnology for its nuclear program, thereby improving its capacity to build nuclear weapons; called for Israel to be wiped off the map; Iran's Defense Minister said that it is "Iran's absolute right to have access to nuclear arms . . ."; Iran is identified by U.S. military commanders as the source of some of the IEDs being used in terrorist attacks in Iraq; Iran's leader announces that Iran would inflict "harm and pain" on the U.S.

Just over a week ago, Iran's so-called president announces that Iran has an indigenous capability to enrich uranium and that it continues to pursue a more sophisticated technology, P–2 centrifuges, that could speed Iran's path to nuclear weapons.

Just yesterday, Iran's Grand Ayatollah underscored that Iran would share nuclear technology with other Islamic nations.

This announcement was made during a meeting with Sudan's brutal leader where the Ayatollah praised the Sudanese regime's policies.

This clearly indicates that the Iranian threat is more than just about its nuclear pursuits. This is a repressive regime that denies the Iranian people the most fundamental freedoms.

It is a regime that, since the infamous day in November 1979 when the U.S. embassy was overrun by Iranian radicals and Americans were taken hostage and held for 444 days, has increasingly viewed terrorism as a legitimate means to further its ideological and strategic aims.

Iran provides Hezbollah with funding, safe haven, training, and weapons that have been estimated by some at more than $80 million per year.

Hezbollah has been linked to the 1983 attacks on the U.S. Marine barracks in Lebanon.

Hezbollah has also been linked to the bombing of the U.S. Embassy and the Embassy annex, in Beirut in 1984.

Iran is directly linked to the June 1996 truck bombing of the Khobar Towers U.S. military housing complex in Saudi Arabia.

Iran has used Hezbollah to assert a global reach that has extended into the Western Hemisphere. We witnessed the 1992 bombing of the Israeli embassy in Argentina and the July 1994 bombing of the AMIA Jewish Community Center, also in Buenos Aires.

In December 2001, Matthew Levitt, a former FBI counter-terrorism official, detailed the beginning of al-Qaeda's links with Iran.

Levitt noted: "According to U.S. intelligence reports, Osama bin Laden's operatives approached Iranian Ministry of Intelligence and Security, MOIS, agents in 1995 and again in 1996, offering to join forces against America."

He added: "In fact, phone records obtained by U.S. officials investigating the 1998 U.S. embassy bombings in Kenya and Tanzania revealed that 10 percent of the calls from the Compact-M satellite phone used by bin Laden and his key lieutenants were to Iran. "

Testimony from defendants in the Kenya and Tanzania U.S. embassy bombings, indicate that Al-Qaeda and Hezbollah, with Iranian assistance, have had strategic meetings throughout the years in Sudan and elsewhere.

This is just the tip of the iceberg.

There is still time to contain the threat posed by Iran and adopt short and long-term policies that will compel Iran to change its unacceptable behavior.

H.R. 282 provides such a response.

Briefly, this bill: Codifies U.S. sanctions on Iran and requires that they remain in place until Iran has verifiably dismantled its chemical, biological, and nuclear weapons programs; amends the Iran-Libya Sanctions Act, ILSA, including by enlarging the number of entities that would be subject to sanctions, limiting its application to Iran, and eliminating the expiration date of the law; requires that the names of all individuals, governments and companies that have invested a total of at least $20 million in Iran's energy sector be published in the Federal Register; denies U.S. assistance to countries that are invested in Iran's energy sector; authorizes the President to provide U.S. assistance to peaceful pro-democracy and human rights groups in Iran and for independent broadcasts into Iran.

We must use all available political and economic means to truly make Iran pay for its behavior, and to leverage for cooperation from our allies and convince them to deny Iran the resources to continue along this track.

We must act before it is too late and our options are severely limited.

I ask my colleagues to render their overwhelming support to this legislation.

Mr. McDERMOTT. Madam Speaker, the U.S. Chamber of Commerce, National Foreign Trade Council, Coalition for Employment Through Exports and USA*Engage yesterday distributed to members a very cogent description of some of the reasons to oppose H.R. 282. I recommend that members review it.

Hon. JIM McDERMOTT,
House of Representatives,
Washington, DC.
Re H.R. 282, Iran Sanctions Act.

DEAR CONGRESSMAN McDERMOTT: Our organizations write in opposition to the Iran Sanctions Act, H.R. 282, which has been placed on the House suspension calendar for this week. While we recognize the serious concerns raised by the current regime in Iran, we are concerned that the changes which have been proposed to the U.S. sanctions program would hinder, not help, our efforts to address the situation. Specifically, these changes would remove the vital flexibility of U.S. sanctions policy, drive a wedge between U.S. and our allies in the on-going joint efforts to influence the Iranian regime, increase the involvement of courts in U.S. foreign policy, and discourage foreign investment in the United States. We urge you to oppose passage of H.R. 282 when it comes up under suspension of the rules this week to allow for fuller and more informed consideration over the negative consequences of these changes to U.S. law.

In particular, we note the following concerns with the current bill as it was ordered reported by the House International Relations Committee on March 15:

The bill would remove the extremely useful periodic review of the Iran sanctions regime by removing the sunset provision included in the earlier Iran Libya Sanctions Act. Sunset provisions are vital to creating an effective sanctions regime as they permit Congress to review sanctions to ensure that they are effective and useful over time. Congress engaged in a useful debate over reforms in Iran when sanctions up for renewal in 2001 and it is important that Members allow for such a debate in the future.

H.R. 282 would make the United States more vulnerable to international commercial complaints and damage U.S. global financial leadership by greatly expanding the entities subject to sanctions to include insurers, creditors and foreign subsidiaries. The United States would undoubtedly face complaints and lawsuits from our trading partners questioning their legality. It would also stoke "economic nationalism," which may seriously disrupt vital U.S. business overseas.

The capital market sanctions contained in H.R. 282 would discourage foreign investment in the United States and could potentially damage U.S. business interests abroad. By requiring publication of the names of entities that have investments in violation of the sanctions, ordering a report by an office of the Security and Exchange Commission, and encouraging divestment of stocks, H.R. 282 sends a negative signal to foreign companies interested in investing in the United States. This bill encourages global companies to avoid investments in the United States by leaving them exposed to potential capital market sanctions. Foreign governments may also seek to retaliate against U.S. firms abroad based on their own political motivations.

H.R. 282 would hinder the flexibility of the President to conduct foreign policy. The bill would require the President to direct the Treasury Department to initiate investigations into the potential for sanctioning firms investing in Iran and would require the President to determine to impose sanctions

on such entities within 360 days. This provision would also apply retroactively, requiring sanctions determinations on pending investigations of prior investments within ninety days of enactment. If the President chose to waive the sanctions, which is possible under an inadequately narrow provision in this bill, he would be required to renew that waiver every six months. This policy of requiring investigations and sanctions determinations on each and every past and future investment in Iran by a person described in the Act would severely restrict the Administration's flexibility to conduct foreign policy in ways that can adapt to complex, changing circumstances.

Finally, we encourage Congress and the House International Relations Committee to rethink the sanctions regime in light of their serious unintended impact on the people of Iran and our own ability to forge vital international alliances. When we hear of reports like those raised in the March 15 hearing of the Committee on International Relations—about the difficulties that humanitarian organizations have had operating to relieve suffering by earthquake victims—it seems appropriate to take a closer look at whether there might be a better way for the United States to address the serious concerns raised by the policies of the Iranian government.

At the very least, we hope that there will be an opportunity to hold a fuller debate over the proposed radical changes to the Iran Libya Sanctions Act, and therefore respectfully request that you vote against H.R. 282.

Respectfully submitted,

USA*Engage.

Coalition for Employment Through Exports.

National Foreign Trade Council.

U.S. Chamber of Commerce.

Mr. BERMAN. Madam Speaker, several years ago we discovered that Iran was operating a secret program to enrich uranium and carry out other sensitive nuclear fuel cycle activities.

Iran's failure to report these activities to the International Atomic Energy Agency was a blatant violation of its obligations under the Nuclear Non-proliferation Treaty.

The more we have learned about Iran's nuclear program in the intervening months, the more obvious it's become that Tehran's true intention is not peaceful power generation, but the development of a nuclear arsenal that could threaten the United States, our allies in the Middle East, and any other part of the world within the range of Iran's increasingly sophisticated ballistic missiles.

Any seeds of doubt on the purpose of Iran's nuclear activities were dispelled once and for all by their outright rejection of a sensible proposal offered by our European allies and, more recently, Iran's resumption of uranium enrichment in defiance of the international community.

The election of Iranian President Ahmadinejad has made the urgency of preventing Iran from acquiring nuclear weapons that much greater.

His messianic world view, vocal support for "wiping Israel off the map," and close ties to Hezbollah, Hamas and other terrorist organizations make the prospect of a nuclear-armed Iran truly unimaginable.

Everyone hopes we can find a diplomatic solution to this crisis, and the IAEA's recent decision to refer Iran to the U.N. Security Council was a long-overdue step in the right direction.

But tough words must be backed by tough action, and we have got to keep the pressure on Russia and China to support meaningful measures that will cause the Iranian regime to reevaluate the wisdom of its current course.

And, through this legislation before us today, we must push our own Executive Branch to enforce the Iran-Libya Sanctions Act, legislation passed by Congress back in 1996 to deter investment in Iran's oil and gas sector.

By requiring the President to impose sanctions on foreign firms that continue to invest in Iran, we hoped to starve the Iranian regime of hard currency necessary to pursue nuclear weapons and support terrorism.

In the months after ILSA was signed into law, there were strong indications that it was having the intended deterrent effect.

But then, in an effort to avoid offending our allies, the Clinton Administration made a decision not to enforce the law—a shortsighted policy continued by President Bush.

H.R. 282 would close a legal loophole that has allowed the State Department to sit on investigations for years without making a determination, one way or the other, if a foreign firm has in fact made an investment in Iran.

Madam Speaker, this legislation won't make Iran's nuclear program go away, but it is an important step in the right direction, and—with 360 cosponsors—sends a clear signal that Congress is extremely concerned about this critical matter.

Mr. GENE GREEN of Texas. Madam Speaker, I urge my colleagues to join me today in supporting H.R. 282, the Iran Freedom Support Act.

I want to thank Ms. ROS-LEHTINEN and Mr. LANTOS for drafting this bill that has gathered great support from our colleagues to address the urgent and problematic situation in Iran.

This bill will extend and strengthen existing sanctions designed to cut off funds Iran could use for its illicit atomic programs.

Inspections by the International Atomic Energy Agency (IAEA) over the past three years have turned up evidence that Iran has been pursuing nuclear technology for nearly two decades. Despite recent rulings by the IAEA Board of Governors that found Iran to be in noncompliance with its Nuclear Nonproliferation Treaty safeguards agreement, and a presidential statement last month by the United Nations Security Council that called upon Iran to reinstitute its voluntary suspension of enrichment and reprocessing, Iran has stated that it will continue development of its nuclear program.

The U.S. and our allies cannot stand by and watch Iran develop nuclear capabilities, and this legislation is just a first step in what must be done to address this problem.

A state that has vowed to continue supporting terrorist activity against the West and the U.S., has openly stated that Israel must be wiped off the map, and has threatened to retaliate to international pressure and sanctions by giving nuclear technology to other states, must be dealt with before it has a robust nuclear program.

Iran's pursuit for weapons of mass destruction—and nuclear technology in particular—along with its outright support for international terrorism require a strong response from our government.

Passing H.R. 282 is a first step in addressing this urgent situation, and I ask my colleagues to join me in supporting this bill.

Ms. HARRIS. Madam Speaker, I rise in support of H.R. 282, the Iran Freedom Support Act. For more than two decades the Iranian regime has displayed its contempt for the rule of law by willingly and aggressively breaching its international obligations, in pursuit of nuclear weapons.

The incendiary remark made by Iranian President Ahmadinejad, that Israel is a "fake regime [that] can not logically continue to live," underscores the importance of this measure.

H.R. 282 denies technical assistance and financial resources to the regime of President Ahmadinejad, and strengthens sanctions against those who would facilitate the development of a covert nuclear program in Iran. This bill sends a clear and unambiguous message to Iran that their behavior is unacceptable.

The overwhelming 37–3 vote by which this measure passed the International Relations Committee exemplifies the bipartisan nature of the issue.

Madam Speaker, with the proliferation of nuclear weaponry at issue, there is neither room for error, nor for mixed signals. The price to be paid for inaction or indecision is beyond consideration. This legislation is a measured, responsible demonstration of our commitment to ensuring the freedom of Iranians and Americans alike.

Mr. SMITH of New Jersey. Madam Speaker, I am attaching an exchange of letters between Chairman HYDE and Chairmen DAVIS, THOMAS, MCKEON and OXLEY concerning the bill H.R. 282 "The Iran Freedom Support Act" for printing in the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, April 13, 2006.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to consideration of H.R. 282, the Iran Freedom Support Act, which the Committee on International Relations ordered reported on April 13, 2006. In the bill as ordered reported by your Committee, section 206, specifically the provisions providing Senses of Congress urging U.S. government pension plan and thrift savings plan managers to take certain actions (section 206(c) and (d)) and the provision requiring certain disclosures by managers of U.S. government pension plans and thrift savings plans (section 206(e)) are within the jurisdiction of the Government Reform Committee.

I thank you for your agreement to support the removal of section 206(e) from the bill and to modify sections 206(c) and (d) with the addition of language recognizing the fiduciary duties of U. S. government pension plan managers, as you work to move this important legislation forward. Given the importance and timeliness of the Iran Freedom Support Act, and your willingness to work with us regarding pension issues, I will not request a sequential referral of this legislation to the Committee on Government Reform. However, I only do so with the understanding that this procedural route should not be construed to prejudice the Committee on Government Reform's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I would expect Members of the Committee on Government Reform be appointed to the conference committee on these provisions.

Finally, I would ask that you include a copy of our exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

TOM DAVIS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, April 13, 2006.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 282, the Iran Freedom Support Act. I concur with your assessment that Section 206 of the bill, as ordered reported by the Committee on International Relations, which deals with United States Pension Plans, falls within the Rule X jurisdiction of the Committee on Government Reform—specifically Section 206(e), which requires certain disclosures by managers of U.S. government pension plans. In addition, the Senses of Congress contained in Sections 206 (c) and (d), urging U.S. government pension plan managers to take certain actions, are also within the jurisdiction of your Committee.

I thank you for your agreement to support moving this important legislation forward. Based on our discussions, this Committee will remove Section 206(e) from the bill, modify Sections 206 (c) and (d), and add language recognizing the fiduciary duties of pension plan managers. I appreciate your willingness to forego seeking a sequential referral of this legislation. I understand your willingness to do so does not in any way prejudice the Committee on Government Reform's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to your Committee in the future. Should these or similar provisions be considered in a conference with the Senate, I will urge the Speaker to appoint members of the Committee on Government Reform to the conference committee.

As you requested, I will include a copy of our exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 6, 2006.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing regarding H.R. 282, the ''Iran Freedom Support Act,'' which the Committee on International Relations marked up on March 15, 2006.

As per the agreement between our Committees, to be included in a manager's amendment to H.R. 282, the amended bill would modify the language in Section 101(a) so that the import sanctions contained in Executive Order 12959 may remain in effect under the terms of the Executive Order but would not be codified by this bill, In addition, Sections 202(a) and 202(b) of the reported bill will remain in the amended version. These sections would change current law by striking the statutory option the President currently has to ban imports against both Iran and Libya.

Because all of these provisions have the effect of modifying and altering the application of an import ban, they fall within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confinning this understanding with respect to H.R. 282, and would ask that a copy of our exchange of letters on this matter be included in your Committee report.

Best regards,

BILL THOMAS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, April 7, 2006.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 282, the ''Iran Freedom Support Act,'' which the Committee on International Relations marked up on March 15, 2006.

As per the agreement between our Committees, I will include in the manager's amendment to H.R. 282 language which would modify the text in Section 101(a) so that the import sanctions contained in Executive Order 12959 may remain in effect under the terms of the Executive Order but would not be codified by this bill. In addition, Sections 202(a) and 202(b) of the reported bill will remain in the amended version. These sections would change current law by striking the statutory option the President currently has to ban imports against both Iran and Libya.

I concur that these provisions have the effect of modifying and altering the application of an import ban and, therefore, they fall within the jurisdiction of the Committee on Ways and Means. I appreciate your willingness to assist in expediting this legislation by foregoing action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee on Ways and Means with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

As you requested, I will be pleased to include a copy of this exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 7, 2006.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 282, the Iran Freedom Support Act. This bill was ordered reported by the Committee on International Relations on March 15, 2006. Section 206, ''United States pension plans'', and section 207, ''Report by Office of Global Security Risks'', of the bill as ordered reported by your committee are within the jurisdiction of the Committee on Financial Services under clause 1(g) of rule X of the Rules of the House of Representatives.

Ordinarily, the Committee on Financial Services would be entitled to receive a sequential referral of the bill. However, I thank you for your agreement to support in moving this important legislation forward the removal of section 206(e) and section 207 from the bill and to modify section 206(b) by inserting the Secretary of State in lieu of the President. Given the importance and timeliness of the Iran Freedom Support Act, and your willingness to work with us regarding these issues, I will not seek a sequential referral of this legislation. However, I do so only with the understanding that this procedural route should not be construed to prejudice the jurisdictional interest of the Committee on Financial Services on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I would expect members of the Committee on Financial Services be appointed to the conference committee on these provisions.

Finally, I would ask that you include a copy of our exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

MICHAEL G. OXLEY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, April 7, 2006.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 282, the Iran Freedom Support Act. I concur that the bill, as ordered reported by the Committee on International Relations on March 15, 2006, contains language which falls within the Rule X jurisdiction of the Committee on Financial Services. Specifically, Section 206, ''United States Pension Plans,'' and Section 207, ''Report by Office of Global Security Risks,'' of the bill are within your Committee's jurisdiction.

Our two committees have reached agreement that, in the interest of moving this important legislation forward, the text of the bill which we will place in the manager's amendment will remove Section 206(e) and Section 207 from the bill and will modify Section 206(b) by inserting the ''Secretary of State'' in lieu of ''the President.'' Given the importance and timeliness of the Iran Freedom Support Act, I appreciate your willingness to work with us regarding these issues and to forego sequential referral of this legislation. I understand that by doing so, it should not be construed to prejudice the jurisdictional interest of the Committee on Financial Services on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to your Committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I will request the Speaker to name members of the Committee on Financial Services to the conference committee.

As you requested, I will be pleased to include a copy of this exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate

to call me. I thank you for your consideration.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, April 6, 2006.

Hon. HENRY J. HYDE,
Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN, I am writing to confirm our mutual understanding with respect to the consideration of H.R. 282, the Iran Freedom Support Act. Section 206, United States Pension Plans, of the bill as ordered reported by your committee is within the jurisdiction of the Committee on Education and Workforce—specifically, section 206 (e), which requires certain disclosures by managers of private pension plans. In addition, the Senses of Congress contained in sections 206 (c) and (d) urge private pension plan managers to take certain actions and are also within the jurisdiction of the Committee on Education and the Workforce.

I thank you for your agreement to support the removal of section 206 (e) from the bill and to modify sections 206 (c) and (d) with the addition of language recognizing the fiduciary duties of pension plan managers, as you work to move this important legislation forward. Given the importance and timeliness of the Iran Freedom Support Act, and your willingness to work with us regarding pension issues, I will not seek a sequential referral of this legislation. However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I would expect members of the Committee on Education and the Workforce be appointed to the conference committee on these provisions.

Finally, I would ask that you include a copy of our exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, April 6, 2006.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 282, the Iran Freedom Support Act. I concur with your assessment that Section 206 of the bill, as ordered reported by the Committee on International Relations, which deals with United States Pension Plans, falls within the Rule X jurisdiction of the Committee on Education and Workforce—specifically Section 206(e), which requires certain disclosures by managers of private pension plans. In addition, the Senses of Congress contained in Sections 206 (c) and (d), urging private pension plan managers to take certain actions, are also within the jurisdiction of your Committee.

I thank you for your agreement to support moving this important legislation forward. Based on our discussions, this Committee will remove Section 206(e) from the bill, modify Sections 206 (c) and (d), and add language recognizing the fiduciary duties of pension plan managers. I appreciate your willingness to forgo seeking a sequential referral of this legislation. I understand your willingness to do so does not in any way prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to your Committee in the future. Should these or similar provisions be considered in a conference with the Senate, I will urge the Speaker to appoint members of the Committee on Education and the Workforce to the conference committee.

As you requested, I will include a copy of our exchange of letters in the Committee Report on H.R. 282 and in the Congressional Record during the consideration of this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

Mr. CARDIN. Madam Speaker, I rise in strong support of H.R. 282, the Iran Freedom Support Act. This bill strengthens U.S. sanctions on Iran, and requires that they remain in place until Iran has dismantled its chemical, biological, and nuclear weapons programs.

Iran is actively seeking weapons of mass destruction, which poses a threat to the national security of the United States and to the world. Iran has repeatedly violated its obligations to the international community, specifically the 1973 Safeguards Agreement with the International Atomic Energy Agency (IAEA). In 2002 the world learned that Iran was illegally continuing to develop a secret nuclear program, which has led to years of negotiations with the international community. Last August, however, the Iranian government resumed its conversion of uranium. In February the IAEA voted 27 to 3 to report Iran to the United Nations Security Council for further action. In March the U.N. Security Council directed Iran to its nuclear activities. Iran defied the United Nations, and made an announcement that it had enriched uranium to reactor-grade levels, which is a precursor to the development of a nuclear bomb. This week the U.N. Security Council is meeting to evaluate Iran's behavior, and I urge the Security Council to use all the tools at its disposal to pressure Iran to meet its commitments to the IAEA.

I am pleased that the legislation today establishes mandatory sanctions for contributions to development of weapons, limits the President's flexibility to waive sanctions, authorizes funding to promote democracy activities in Iran, and supports efforts to strengthen the Nuclear Nonproliferation Treaty. Finally, this bill eliminates the sunset of sanctions against Iran, and requires them to remain in place until the President certifies that Iran has dismantled its WMD programs.

I am pleased that the United States has continued to work closely with the international community—including the European Union, Russia, and China—on this urgent matter. I urge the President to keep Congress fully and current informed on this matter, as called for in this resolution. I urge the international community to impose economic sanctions designed to deny Iran the ability to develop nuclear weapons.

We cannot allow a rogue nation such as Iran to obtain nuclear weapons. Iran has actively supported terrorist groups, such as Hezbollah in Lebanon and Palestinian Islamic Jihad. Iran has funded suicide bombers in Israel and militant organizations elsewhere. Many of these terrorist groups are seeking weapons of mass destruction (WMD) so that they can kill or injure thousands or even millions of people. The Iranian President has publicly expressed his hope for a world without America, his desire to wipe Israel off the map, and has denied the existence of the Holocaust.

Ms. LEE. Madam Speaker, although not a perfect bill, I plan to support H.R. 282 based on several important decisions I authored and that were included in the committee-passed bill. First, and most importantly, this bill includes my language explicitly stating that this bill in no way constitutes an authorization to use military force against Iran. Additionally, it includes my provision clarifying that none of the funds authorized for democracy promotion should be used to fund destabilizing activities against Iran. Moreover, in the report accompanying this legislation, I was able to include language aimed at ensuring that none of the funds authorized in this legislation are channeled to democracy promotion organizations that may in turn bankroll covert action against Iran.

My vote today in no way detracts from my vigilance regarding this administration and its reported interest in another preemptive strike—this time against Iran. I have and will continue to strongly oppose the so-called doctrine of preemption and believe we must engage Iran in smart and tough diplomacy regarding its nuclear programs.

Mr. FARR. Madam Speaker, I am very concerned about Iran's nuclear power program. I am extremely opposed to any attempts by the Administration to preemptively strike Iran. We must work multilaterally to bring Iran back to the negotiation table and into compliance with the Nonproliferation Treaty.

While the government of Iran continues to defy international pressure to conform to the NPT, unilateral military action against Iran is not the solution. The repercussions and unintended consequences of a U.S. military attack on Iran are terrifying to contemplate. I personally do not believe that a military strike on Iran would advance U.S. or regional security. I am afraid it could create a backlash against the U.S. that would be a more serious threat than a nuclear Iran. Congress has the constitutional responsibility to debate the commitment of troops or military action, and the obligation to the American people to have an up or down vote before the Administration takes any steps towards military engagement.

The solution to the Iranian problem lies in diplomacy. The Administration needs to work with other members of the U.N. Security Council and gain a strong coalition of support for a diplomatic solution. I urge my colleagues to join me in calling on the Administration to find peaceful means of ensuring Iran's compliance with the NPT.

Mr. HOLT. Madam Speaker, I rise today in strong support of Iran Freedom Support Act, H.R. 282. I am a cosponsor of this important legislation because I remain deeply troubled by the current regime and situation in Iran.

It is long past time for the House to address the security challenge posed to the world community and our allies in the Middle East by the current regime in Iran. The hateful and threatening comments made by the President of Iran against Israel cannot be tolerated. Further, the provocative actions taken by Iran to

further their nuclear weapons program must be stopped. A nuclear Iran would destabilize the region and threaten the United States and our allies. We must use every tool at our disposal today to end Iran's nuclear ambitions. Iran must change its way.

This important legislation would codify bilateral U.S. sanctions against Iran and strengthens third-party sanctions through amendments to the Iran-Libya Sanctions Act. H.R. 282 would make the removal of these sanctions contingent upon a Presidential certification that Iran no longer poses a threat to the national security of the United States, its interests, or allies. It would also require the Administration to report to Congress on countries cooperating (or not) with U.S. efforts to forge a multilateral Iran sanctions regime. The bill would also provide U.S. assistance to pro-democracy groups in Iran and to independent broadcasts into Iran from abroad.

I was troubled when I read the recent reports about the Administration seriously considering a nuclear attack on Iran. While I strongly oppose Iran's efforts to create a nuclear weapons program, it would be unconscionable to use nuclear weapons in an attempt to eliminate their program. The President must reassure the world that America remains a responsible world power. He must state unambiguously that the United States will never use nuclear weapons in a first strike against Iran or any other sovereign nation.

H.R. 282 is in keeping with United States priorities to address the multiple threats posed by the Iranian regime, as well as with our goal to bring peace and stability the people of the Middle East. I support this important legislation.

Mr. BLUMENAUER. Madam Speaker, I would like to include the following article, which I referenced on the floor, in the RECORD of the debate on H.R. 282, the "Iran Freedom Support Act."

[From the Asia Times, March 30, 2006]

NEO-CON CABAL BLOCKED 2003 NUCLEAR TALKS

(By Gareth Porter)

WASHINGTON.—The George W. Bush administration failed to enter into negotiations with Iran on its nuclear program in May 2003 because neo-conservatives who advocated destabilization and regime change were able to block any serious diplomatic engagement with Tehran, according to former administration officials.

The same neo-conservative veto power also prevented the administration from adopting any official policy statement on Iran, those same officials said.

Lawrence Wilkerson, then chief of staff to secretary of state Colin Powell, said the failure to adopt a formal Iran policy in 2002–03 was the result of obstruction by a "secret cabal" of neo-conservatives in the administration, led by Vice President Dick Cheney.

"The secret cabal got what it wanted: no negotiations with Tehran," Wilkerson wrote in an e-mail to Inter Press Service (IPS). The Iranian negotiating offer, transmitted to the State Department in early May 2003 by the Swiss ambassador in Tehran, acknowledged that Iran would have to address U.S. concerns about its nuclear program, although it made no specific concession in advance of the talks, according to Flynt Leverett, then the National Security Council's senior director for Middle East Affairs.

Iran's offer also raised the possibility of cutting off Iran's support for Hamas and Islamic Jihad and converting Hezbollah into a purely socio-political organization, according to Leverett. That was an explicit response to Powell's demand in late March that Iran "end its support for terrorism".

In return, Leverett recalls, the Iranians wanted the U.S. to address security questions, the lifting of economic sanctions and normalization of relations, including support for Iran's integration into the global economic order.

Leverett also recalls that the Iranian offer was drafted with the blessing of all the major political players in the Iranian regime, including Supreme Leader Ayatollah Ali Khomeini.

Realists, led by Powell and his deputy, Richard Armitage, were inclined to respond positively to the Iranian offer. Nevertheless, within a few days of its receipt, the State Department had rebuked the Swiss ambassador for having passed on the offer.

Exactly how the decision was made is not known. "As with many of these issues of national security decision-making, there are no fingerprints," Wilkerson told IPS. "But I would guess Dick Cheney with the blessing of George W. Bush."

As Wilkerson observes, however, the mysterious death of what became known among Iran specialists as Iran's "grand bargain" initiative was a result of the administration's inability to agree on a policy toward Tehran.

A draft National Security Policy Directive (NSPD) on Iran calling for diplomatic engagement had been in the process of interagency coordination for more than a year, according to a source who asked to remain unidentified.

But it was impossible to get formal agreement on the NSPD, the source recalled, because officials in Cheney's office and in under secretary of defense for policy Douglas Feith's Office of Special Plans wanted a policy of regime change and kept trying to amend it.

Opponents of the neo-conservative policy line blame Condoleezza Rice, then the national security adviser, for the failure of the administration to override the extremists in the administration. The statutory policymaker process on Iran, Wilkerson told IPS in an e-mail, was "managed by a national security adviser incapable of standing up to the cabal . . ."

In the absence of an Iran policy, the two contending camps struggled in 2003 over a proposal by realists in the administration to reopen the Geneva channel with Iran that had been used successfully on Afghanistan in 2001–02. They believed Iran could be helpful in stabilizing postconflict Iraq, because the Iraqi Shi'ite militants whom they expected to return from Iran after Saddam Hussein's overthrow owed some degree of allegiance to Iran.

The neo-conservatives tried to block those meetings on tactical policy grounds, according to Leverett. "They were saying we didn't want to engage with Iran because we didn't want to owe them," he recalled.

Nevertheless, U.S. ambassador to Afghanistan Zalmay Khalilzad (now envoy in Iraq) was authorized to begin meeting secretly in Geneva with Iranian officials to discuss Iraq. The neo-conservatives then tried to sandbag the talks by introducing a demand for full information on any high-ranking al-Oaeda cadres who might be detained by the Iranians.

Iran regarded that information as a bargaining chip to be given up only for a quid pro quo from Washington. The Bush administration, however, had adopted a policy in early 2002 of refusing to share any information with Iran on al-Oaeda or other terrorist organizations.

On May 3,2003, as the Iranian "grand bargain" proposal was on its way to Washington, Tehran's representative in Geneva, Javad Zarif, offered a compromise on the issue, according to Leverett: if the U.S. gave Iran the names of the cadres of the Mujahideen-e Khalq (MEK) who were being held by U.S. forces in Iraq, Iran would give the U.S. the names of the al-Oaeda operatives they had detained.

The MEK had carried out armed attacks against Iran from Iraqi territory during the Hussein regime and had been named a terrorist organization by the U.S. But it had capitulated to U.S. forces after the invasion, and the neo-conservatives now saw the MEK as a potential asset in an effort to destabilize the Iranian regime.

The MEK had already become a key element in the alternative draft NSPD drawn up by neo-conservatives in the administration.

The indictment of Iran analyst Larry Franklin on Feith's staff last year revealed that, by February 2003, Franklin had begun sharing a draft NSPD that he knew would be to the liking of the Israeli Embassy.

(Franklin eventually pleaded guilty to passing classified information to two employees of an influential pro-Israel lobbying group and was sentenced to 12 and a half years in prison.)

Reflecting the substance of that draft policy, ABC News reported on May 30, 2003, that the Pentagon was calling for the destabilization of the Iranian government by "using all available points of pressure on the Iranian regime, including backing armed Iranian dissidents and employing the services of the Mujahideen-e Khalq . . ."

Nevertheless, Bush apparently initially saw nothing wrong with trading information on MEK, despite arguments that MEK should not be repatriated to Iran. "I have it on good authority," Leverett told IPS, "that Bush's initial reaction was, 'But we say there is no such thing as a good terrorist.'" Nevertheless, Bush finally rejected the Iranian proposal.

By the end of May, the neo-conservatives had succeeded in closing down the Geneva channel for good. They had hoped to push through their own NSPD on Iran, but according to the Franklin indictment, Franklin told an Israeli Embassy officer in October that work on the NSPD had been stopped.

But the damage had been done. With no direct diplomatic contact between Iran and the U.S., the neo-conservatives had a clear path to raising tensions and building political support for regarding Iran as the primary enemy of the United States.

Ms. SCHWARTZ of Pennsylvania. Madam Speaker, I rise in strong support of the Iran Freedom Support Act.

Iran's continued pursuit of nuclear weapons, support for international terrorist organizations, and abhorrent human rights practices pose one of the greatest threats to global security.

Further, the Iranian government has made clear its intentions toward the United States. Six months ago, Iranian President Mahmoud Ahmadinejad stated that a world without the United States is a "possible goal and slogan". This is not a veiled threat and we must take him seriously.

Our greatest responsibility is the safety and security of the American people. As such, we must employ every option at our disposal to ensure that Mr. Ahmadinejad's stated goals remain unattainable.

The Iran Freedom Support Act takes a responsible and sensible approach—tightening and codifying economic sanctions against the Iranian regime. It will hinder Iran's ability to acquire nuclear weapons and fund terrorist groups and it will send a clear signal to the

Iranian regime that it will be held accountable for its threatening behavior.

The United States must also continue to push the United Nations Security Council for strong action to thwart Iran's nuclear ambitions. In the meantime, it is our job to take meaningful steps to eliminate the threats posed by Iran. And that is why I urge my colleagues to support this bill.

Miss. McMORRIS. Madam Speaker, I rise today in support of H.R. 282, the Iran Freedom Support Act. I applaud this bi-partisan effort by Congress to address the increasing threat posed to our country and world by Iran.

Many defense experts have predicted that we face no greater threat from a single country than from Iran. Iran's leaders, including Iranian President Mahmoud Ahmadinejad, have continuously called for the destruction of Israel, rejected overtures from the world community, including the United Nations, supported international terrorism, and continued to advance their nuclear program with the announcement on April 11 that Iran had successfully enriched fuel-grade uranium.

All of these actions are unacceptable. We would be remiss to ignore a country that perilously threatens our allies and the security of the world while simultaneously seeking to advance its unsupervised nuclear capabilities. We must not allow Iran to bully the world or our allies or fail to show Iran that we will take their irresponsible and careless behavior seriously.

H.R. 282 will help support democracy while taking a firm stance against the radical and reckless leaders of Iran and those that would support them. At this time, supporting democracy in Iran is an important ingredient to resolving this situation peacefully. One of my top priorities in Congress is to ensure our national security, and I support H.R. 282 as an important step in combating the rising risk of Iran.

Mr. DEFAZIO. Madam Speaker, I rise today in reluctant opposition to H.R. 282, the Iran sanction bill. If this bill was only about imposing targeted sanctions against the Iranian regime, or companies and countries who invest in Iran, I could support it. In fact, I voted in favor of the original Iran sanctions bill when it was approved in 1996, and I voted to extend the bill when it came up for renewal in 2001.

Unfortunately, the bill on the floor today does not just extend or expand sanctions against Iran and those doing business with that country; it also establishes a U.S. policy in favor of regime change in Iran. Therefore, I am extremely concerned that H.R. 282 is the first step in taking our country down the same misguided path that was taken with Iraq. The Iranian exile groups that would likely benefit from the provisions in this bill to support groups seeking regime change in Iran eerily echo Ahmad Chalabi's Iraqi National Congress. You may recall that Chalabi's INC worked with the Bush administration to mislead Congress and the American people about Iraq's supposed weapons of mass destruction in order to gain support for toppling Saddam Hussein using U.S. forces.

It is my hope that as this bill continues through the legislative process, it will be amended to focus on sanctions and diplomacy rather than U.S. sponsored regime change. I believe that sanctions should be targeted at foreign investment in Iran, which would force Iranian leaders to choose between a growing economy and their desire for nuclear weapons. Sanctions could also be targeted at Iran's leaders by freezing their assets and imposing travel bans. Targeted sanctions can ratchet up the pressure on Iran's leaders without harming or alienating the Iranian people.

Mr. SHAYS. Madam Speaker, when Iran will have a nuclear weapon is not the right question. Rather, we need to focus on when Iran will have the indigenous capability to produce nuclear fissile materials. This is the point of no return and should be our benchmark regarding the urgency of addressing Iran's behavior.

It is an undisputed fact Iran is pursuing nuclear capabilities. It is a fact Iran is the world's must egregious exporter of terrorism. And we all heard for ourselves when Iran's president threatened to "wipe Israel off the map" and when Ayatollah Khamenei, just yesterday, told another one of the world's worst human rights abusers, Sudan, that Iran would gladly transfer nuclear technology. When one considers these points together, it becomes clear how important it is we act today.

Some residents of Connecticut's Fourth Congressional district have already expressed concern to me about the United States' consideration of the use of force against Iran to eliminate its nuclear weapons program and end its state support of terrorism. Such action, while not off the table, must be an absolute last resort. That is why it is so critical our government utilize the tools at our disposal including economic and diplomatic sanctions and the appropriate distribution of foreign aid as suggested in this bill, to deter the threat Iran poses to global security. It is also appropriate for us impose pressure on the other nations of the world who prop up the Iranian government and the extremists at its helm by investing heavily in that nation.

While I understand the concern the Administration has expressed that by passing this bill we are tying its hands to conduct foreign policy, I would be more sympathetic if it were doing more to enforce the laws Congress has already passed.

The International Relations Committee states in the report accompanying this legislation that, "the laws which have been enacted, as enforced, and other steps taken by current and past Administrations, have proven inadequate . . . Specifically with respect to ILSA, the Committee is deeply dismayed that the current Administration, like the prior Administration, has not acted to sanction a single enterprise for investing in Iran, but has delayed its decisions on 'alleged' investments well past the point of failing the 'laugh test.'"

Given the extreme rhetoric of Iranian President Ahmadinejad, I do not expect this legislation will bring an immediate change to Iran's aggressive and ill-advised march to acquire nuclear capabilities. It does send an important message, however, that the United States will not stand by as Iran pursues its nuclear ambitions and threatens international security.

The bottom line is, in defiance of its assurances to the contrary, Iran remains committed to a nuclear weapons program. The United States must be unequivocal in its rejection of these ambitions.

I urge support of this legislation and appreciate the leadership of Chairman HYDE and Ranking Member LANTOS to bring it to the floor today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. PENCE) that the House suspend the rules and pass the bill, H.R. 282, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. PENCE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. PUTNAM. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 774 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 774

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5020) to authorize appropriations for fiscal year 2007 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 first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the

House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. PUTNAM. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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.)

Mr. PUTNAM. Madam Speaker, House Resolution 774 is a structured rule that provides for consideration of H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007. Madam Speaker, I am pleased to bring this resolution to the floor for its consideration. This is the fifth intelligence authorization bill that this House has considered since the tragic events of September 11, which changed this institution's outlook on intelligence. It has certainly changed our intelligence community's approach to collection and analysis.

H.R. 5020 is the first intelligence authorization that is based on a budget request fully determined by our new Director of National Intelligence, again reflecting the changes, reflecting the evolution, the progress of our approach to keeping America secure, protecting our citizens, protecting our forces abroad through an ever-changing architecture.

The DNI, created in H.R. 10, the Intelligence Reform and Terrorism Prevention Act of 2004, created this new Office of the Director of National Intelligence, a responsible authority that would oversee and orchestrate a coordinated effort by the entire intelligence community composed of 15 different intelligence agencies. This legislation today continues the sustained effort and long-term strategy to achieve optimum performance in human intelligence, signals intelligence, imagery intelligence, open-source intelligence, analysis, counterintelligence, counternarcotics, and counterterrorism.

This bill authorizes appropriations for fiscal year 2007 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. In addition to funding these agency activities, the legislation contains other noncontroversial intelligence community housekeeping matters that will help create a more efficient and effective intelligence community. The legislation reflects recent administrative action and formally includes the Drug Enforcement Administration in the intelligence community and authorizes its activities conducted within the National Intelligence Program. It also requires the DNI, the Director of National Intelligence, to conduct a regular strategic review of intelligence capabilities against threats, similar to the Quadrennial Defense Review, and limits the DNI's authority to hire civilian personnel in excess of the specifically authorized numbers to no more than 2 percent of the authorized amount of employees.

To more formally increase oversight, the bill specifically provides that reporting requirements contained in the classified annex will be considered as required by the underlying law. Additionally, it requires a comprehensive inventory of special access programs conducted within the National Intelligence Program to be provided to the committee in classified format. This provision was included in the House-passed bill for fiscal year 2006 as well.

The underlying bill also contains language offered by the ranking member, Ms. HARMAN, that expresses the sense of the Congress that the DNI should promptly examine the need for establishing and overseeing the implementation of a multilevel security clearance system across the intelligence community to leverage the cultural and linguistic skills of subject matter experts and individuals proficient in foreign languages that are deemed critical to our Nation's security.

I am pleased with the efforts of the House Permanent Select Committee on Intelligence. Chairman HOEKSTRA and his ranking member, Ms. HARMAN, have done yeoman's work, with the assistance of their committee, on a bipartisan basis to produce this bill. It is a perfect example of how Congress can achieve a bipartisan product that meets the needs of our Nation. I commend them for their hard work.

I urge the Members to support the rule and the underlying bill.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself 7 minutes.

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

Mr. MCGOVERN. Madam Speaker, H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007, deals with one of the most important aspects of our national security: our ability to gather and analyze intelligence effectively so that our policies are based on fact, not fantasy or obsessive desire, so that our Federal law enforcement agencies can defend us from the threat of attack, and so that our allies can rely on our resources for timely, coordinated operations in defense of freedom abroad.

I want to commend Chairman HOEKSTRA and Ranking Member HARMAN and members of the Intelligence Committee for authorizing 100 percent of the funding required for our counterterrorism operations. Regrettably, President Bush only included 78 percent of this funding in his budget request; so I thank the committee for correcting this dangerous shortfall.

The Intelligence Authorization Act traditionally receives strong bipartisan support and will likely receive that same support this year. But despite its many attributes, this bill could have and should have been better. This bill could have and should have required a dedicated funding line for the Privacy and Civil Liberties Oversight Board. When Congress passed the Intelligence Reform and Terrorism Prevention Act in December 2004 in response to the findings and recommendations of the 9/11 Commission report, it created this board to serve as a civil liberties watchdog on the potential erosion of the basic constitutional rights of the American people in a post-9/11 world.

Now, 15 months later, we find our concerns about basic civil rights to have been well founded, but the oversight board is barely up and running. The President did not nominate the members of the board for 9 months. The Senate took 5 months to confirm the chair and vice chair. And, once again, the President's budget failed to include a single penny for the board's operation in fiscal year 2007.

This could have and should have been fixed in committee. Congressmen HASTINGS, REYES, and HOLT offered an amendment to provide $3 million in dedicated funding for the oversight board, an amendment that should have had bipartisan support. But the majority chose to reject this funding and abandon their promise to the American people to safeguard their most basic freedoms and rights. And last night in the Rules Committee, the Republican leadership compounded this mistake by denying Congressman REYES the right to offer this same amendment for debate on the House floor.

And then we have the issue of the National Security Agency's spying on U.S. citizens. In committee, Representative ESHOO offered a carefully crafted amendment to withhold 20 percent of the NSA's budget until the executive branch provided the Intelligence Committee with the total cost of its surveillance program. That is all: just inform the committee of this one number. The Eshoo amendment was not looking for more operational details. It was not passing judgment on whether the NSA's domestic spying program is legal or not, even though that is a controversial matter in this House. All it was looking for is how many of our tax dollars are being spent on this surveillance program.

This is a question that should concern every single Member of this body on both sides of the aisle. But with just one exception, the Republican majority found it too much to ask and rejected the Eshoo amendment.

Yesterday in the Rules Committee, the Republican leadership went even further. The Republican Rules Committee denied Representatives SCHIFF, FLAKE, HARMAN, and INGLIS the right to offer their bipartisan amendment for debate. This amendment would have required a classified disclosure to the Intelligence and Judiciary Committees, the two committees with jurisdiction and oversight responsibilities over the NSA and the FISA process, on which U.S. citizens have been the subject of NSA electronic surveillance, and what criteria was used to target them. Such a classified report would allow Congress to understand the program and whether any current laws need to be amended to grant the President the authority he needs to carry out this program more effectively or make any changes to safeguard against abuse. In short, these two committees need this information in order to do their jobs, in order to carry out their oversight responsibilities.

This bipartisan amendment should have received bipartisan support from the Rules Committee, but it did not; not from the Republican majority on this Rules Committee and certainly not from the Republican leadership of this House.

It is outrageous, Madam Speaker. Many of us believe that when the President authorized the NSA surveillance of Americans, he broke the law, plain and simple. And when the Attorney General says that Congress somehow granted the authority for this program after September 11, he is just wrong.

We are talking about the most basic fundamental civil liberties that protect the American people, and the Republican leadership will not even let us debate it. What are they afraid of?

I would ask my Republican friends to re-read their Constitution. Congress was not designed to be a rubber stamp for the President. Congress was not designed to protect Members from difficult votes on controversial issues. Congress was not designed to protect the President's political rear end. But under this leadership that is exactly what Congress has become.

If my friends on the other side of the aisle believe that this President should have the ability to spy on Americans without a warrant and without going to the FISA court, then they should write that bill and bring it to the floor. They should at least show that level of respect for this House and for this Constitution.

I am willing to bet that the majority of my colleagues on both sides of the aisle believe that what the President is doing is wrong. But either way, the very least we could do is have a debate and a vote.

Madam Speaker, 25 amendments were brought to the Rules Committee last night. They dealt with issues ranging from how the NSA carries out surveillance of American citizens to how the Intelligence Committee and other relevant committees are briefed about weapons of mass destruction or the situations in Iran, North Korea, Iraq, and other hot spots. They dealt with how information is classified or reclassified, how national security whistle-blowers are protected or punished, and whether and how the amount of funds requested and appropriated for various intelligence-related activities are reported to Congress.

□ 1300

These are not trivial matters, Madam Speaker. Yet only five amendments, five amendments, Madam Speaker, plus the manager's amendment, were made in order under this highly restrictive rule.

Why is the Republican leadership so afraid to debate these issues? Why is it so afraid to debate, period? After nearly 4 months of a lackluster Congress, are we suddenly on some tight time clock so there is no time to debate matters affecting national security? Do we need to get out of town by Thursday afternoon? I am happy to stay in town on Friday if it means we can get a full debate on the Intelligence Authorization Act.

I am tired of restrictive rules. I am tired of stifling debate. I am tired of ignoring or running away from the big issues. I urge my colleagues to vote ''no'' on this restrictive rule and to support an open debate on important issues facing our national security and intelligence agencies.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am glad that the gentleman acknowledged in the beginning of his remarks that this is a bipartisan bill that enjoyed unanimous support coming out of committee. As we move forward on the other issues of contention, we certainly look forward to that debate.

Madam Speaker, I am pleased to yield 5 minutes to one of this institution's experts on national security, a member of the Intelligence Committee, the distinguished gentlewoman from New Mexico (Mrs. WILSON), a graduate of one of America's fine service academies.

Mrs. WILSON of New Mexico. Madam Speaker, I thank the gentleman for the time.

Madam Speaker, we have had the good fortune in this country for the last 4½ years to have not had another terrorist attack on our soil, and it is not because they haven't tried. The reason for that success boils down to two things: the courage of our soldiers and the quality of our intelligence. Exceptional intelligence is the first line of defense for America in the long war on terrorism.

I intend to support this rule today, and I intend to support this bill. I think it is a good bill. It is one that moves us forward to restore our Nation's intelligence capabilities across the board, HUMINT intelligence, technical and tactical intelligence, and strengthens our global understanding and awareness and analysis of what is going on in the world. I intend to support it. I also think this rule is a pretty good rule, and I have to disagree on a couple of points with my colleague from Massachusetts.

My colleague from Massachusetts has said we should debate here an amendment that was debated in our committee offered by Ms. ESHOO, one that I was a Republican Member who supported. It asked for the cost of the program that the President has acknowledged exists, the terrorist surveillance program.

I believe that whenever a member of an oversight committee asks for the cost of a program, we should get that answer. That answer has now been provided to the committee in a classified letter that is available in the Intelligence Committee spaces.

The reason that we didn't need to debate Ms. ESHOO's amendment on the floor today is because we have already gotten the answer to her question, and it doesn't make sense to me to continue to have that debate here on the floor, even though I supported that amendment in committee. So I think we have gone beyond that, and I don't think we have to have that debate and discussion here today on the floor.

The second thing that he talks about is having a debate here on the floor on the Flake proposal with some of his colleagues from the Democratic side of the aisle on the Foreign Intelligence Surveillance Act. The question here for this body is how do we move forward with effective oversight of the National Security Agency program that the President has acknowledged exists.

Now, I believe that the President and the Congress share the same goal: we want to keep America safe and free. We have different responsibilities under our Constitution. The President has the responsibility for conducting our foreign affairs. He is the Commander in Chief. He makes sure that agencies follow the law and execute the programs which we have authorized.

The Congress appropriates funds. We establish agencies. We authorize programs, and we oversee implementation of those programs. We spy on our enemies. But we also oversee these programs to ensure that those very powerful tools are used within the constraints of our Constitution and the Bill of Rights. That is why I stood up and demanded that this Congress and our committees on intelligence conduct oversight of this program. That oversight is now under way.

I think as a responsible body we have to start out by getting the facts. That means hard work that is done largely in secret in the House Permanent Select Committee on Intelligence. That oversight is under way, and, for the most part, the National Security Agency has been very forthcoming.

We have to understand this program in its details before we make recommendations to this body about any changes in statute or continuing mechanisms for oversight. It would be premature to legislate today on changing the Foreign Intelligence Surveillance Act.

The reality is that technology is changing. The Foreign Intelligence Surveillance Act was put in place in 1978, the same year that I graduated from high school. I was one of the last classes at the Air Force Academy to get issued a slide rule. In 1978, the words ''cell phone'' and ''Internet'' were not even in the dictionary.

We may need to make some changes to the laws to continue to keep this country both safe and free, but we are not ready today to make those changes effectively. That debate on the floor today would be uninformed and premature.

I would ask this House to support this rule today and to also support the work, the continuing work, of the Permanent Select Committee on Intelligence as we do our duty under the Constitution to oversee these vital programs.

Mr. MCGOVERN. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, I want to respond to the gentlewoman from New Mexico, whom I have a lot of respect for.

First of all, the cost of the program that we were debating was only given to members of the committee that the President chose, not all members of the committee.

Secondly, I find it scandalous, quite frankly, that this Congress is abdicating its responsibility to put in place checks and balances on the President's domestic spying program. When you talk about enforcing and abiding by the Constitution of the United States, that is one of our responsibilities. I think what the President is doing is illegal. We should have a debate on this. The White House should be more forthcoming. Quite frankly, it is an outrage.

Madam Speaker, I yield 4 minutes to the ranking Democrat on the House Intelligence Committee, the gentlewoman from California (Ms. HARMAN).

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

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, Americans awoke today to deadly terrorist bombings in Egypt and a threatening new tape from al-Zarqawi, and today is our chance to debate a bill that authorizes funds and sets new directions in the fight to protect America. But this rule stifles debate about critical issues and I strongly oppose it.

Members of our committee offered responsible amendments to strengthen this bill, and we were shut out by the Rules Committee. As a result, Madam Speaker, there will be no amendments today about the unlawful eavesdropping on American citizens, the overhyping of Iran intelligence without adequate basis, and the double standard this administration applies to leaks.

Two amendments were filed that dealt with the President's NSA program. Congresswoman ESHOO's amendment, which is different from her request in committee that the budget for the program be disclosed to our committee, would have expressed the sense of Congress that all electronic surveillance, all eavesdropping of U.S. persons inside the U.S., must comply with the Foreign Intelligence Surveillance Act and the fourth amendment.

A bipartisan amendment offered by Representatives FLAKE, SCHIFF, ENGLISH and me states that FISA is the exclusive way to conduct surveillance of Americans on U.S. soil. FISA has been our policy since 1978, until this NSA program was implemented by the White House.

The American people want our government to track the communications of al Qaeda. Surely I do. But they also want our President to follow the law and the Constitution.

I have been briefed on the President's NSA program several times, and no one has convinced me why FISA cannot cover the entire program. The two amendments, the Eshoo amendment and the Flake-Schiff amendment, should have been made in order.

I am particularly outraged that Congressman BOSWELL's amendment to require quarterly classified assessments of Iran's nuclear program was rejected. What do we want to do in Iran? Do we want to repeat the mistakes of Iraq? Do we want to have intelligence that is totally wrong and base our national policy on totally wrong intelligence? I don't think so.

Chairman HOEKSTRA, chairman of our committee, said just this weekend, ''As decisions are being made on Iran, we don't have all the information that we would like to have.'' So why is it a bad idea to require our Intelligence community to update Congress every three months with accurate information so that at least Congress has information on which to base responsible decisions? The Rules Committee apparently thinks that is not a good idea.

Congressman REYES submitted an amendment to provide dedicated fund for the Privacy and Civil Liberties Board, which we will all recall was a key part of the intelligence reform bill that we passed almost two years ago.

Sure we want enhanced security, but we also want respect for American values and our Constitution. The whole idea was we would have this Board helping craft careful policy that enhanced security and also protected civil liberties. Well, that Board now has two confirmed members and no money, and in this bill we unfortunately do nothing about providing any money.

Finally, Congressman HOLT submitted an amendment to ensure that we don't have a double standard on leaks. None of us condones leaks of classified information. That is wrong. But why is it that people are prosecuted for leaks, unless you work in the White House, in which case the President or the Vice President can authorize you to leak classified information to favored reporters in order to discredit political enemies? A double standard is wrong.

This rule is inadequate. Sadly, this bill is inadequate. I ask for a no vote on the rule.

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

Madam Speaker, I would like to address three of the points that the distinguished ranking member made, and I would point out that we appreciate her bipartisan efforts in crafting this bill, the underlying bill that the rule addresses, that came out of the committee on a voice vote.

First, the program that she categorized, that has been categorized, I apologize, Madam Speaker, the program that has been categorized as an ''illegal eavesdropping program'' had in a previous press release been characterized in this way: ''As the ranking member on the House Intelligence Committee, I have been briefed since 2003 on a highly classified NSA foreign collection program that targeted al Qaeda. I believe the program is essential to U.S. national security and that its disclosure has damaged critical intelligence capabilities.''

That was the statement of the ranking member of the House Intelligence Committee as it relates to what has now been characterized by saying it is illegal eavesdropping.

Secondly, this question of Iran reports, the Iran crisis scares the dickens out of me. It is a very serious issue for this entire Chamber, for this entire Nation. It is a country that is not only engaged in what could be a speculative threat against its neighbors and the United States and the world as a whole, but are bringing in cameras to show that they are breaking IAEA seals, along with their red-hot rhetoric coming out of their President calling for the destruction of our ally, bragging about the uranium enrichment capabilities, talking about the difference between P–1 and P–2 centrifuges.

It is a very serious issue, one that all Members of Congress should make themselves aware of. As chairman of the policy committee, I was joined by my Energy Subcommittee in going to New York on Monday to receive such a briefing, the kind of briefing that every Member of Congress is entitled to. As members of the House Intelligence Committee, they are entitled to even higher-level briefings on the Iranian situation at their request.

So, the requirement, the responsibility, for us to engage the administration, to engage the Intelligence Community, to engage the appropriate persons who are tracking this crisis is on us. And it is not a mere every-90-day

exercise. It should be an ongoing exercise as developments come in through the media and through other open sources that call on us to further update our awareness of what is a very dangerous situation.

Thirdly, this idea of zero funding for the Civil Liberties Protection Board, that is an issue within the White House budget. It is not germane to the intelligence authorization bill, it is not an issue that we can fund, and it was ruled out of order for that reason. It is a matter for the appropriators who are dealing with the White House budget line, not for the Intelligence Community's overall budget.

□ 1315

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL) who is a member of the committee.

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

Mr. BOSWELL. Madam Speaker, today we will authorize the largest intelligence budget in our history. I am pleased to be part of this authorization, because I believe we have no higher purpose than to support the brave soldiers, sailors, airmen, marines, and the civilian intelligence officers of the front lines of our national security.

However, I am sad to say this. There is a lingering threat, spoken to by Ms. HARMAN, that we have not addressed, which we should have. Last night the Rules Committee dealt a blow to our ability to gather intelligence on Iran's nuclear and missile capability by denying an amendment that I had offered.

Now, if somebody else would like to offer that amendment, it is okay with me. We have got to do what is right. I would ask you, Mr. Chairman, if you are listening, that you might even think about doing that. But it would require the Director of National Intelligence to provide us quarterly written reports.

You know, people do best what we check. And if we were checking this, and they were coming to us in our committee, and it is a classified environment, it is safe, they could come there and we would have a chance to see if they are actually doing the job. We should have done that.

So it appears to me, and I am very disappointed to say this, that it appears to me that it was pure politics that my amendment was denied. And I am disappointed. When I joined this committee 5 years ago, I was under the impression that politics would not interfere with our intelligence work. But, apparently, not so.

If I might quote from the President's bipartisan, if you will, WMC Commission, cochaired by Judge Lawrence Silverman and former Senator Charles Robb: ''Across the board, the Intelligence Community knows disturbingly little about the nuclear programs of many of the world's most dangerous actors. In some cases it knows less now than 5 or 10 years ago.''

I just came across this thing from the Washington Times that our chairman was quoted as: We really do not know. We really do not know the status of Iran's nukes. We are getting lots of different messages from their leadership.

Well, maybe I should just rest my case there, but we may have lost the chance to offer this amendment. But I cannot overstate the seriousness of this threat to global security, which could come from a nuclear armed Iran. I wish we would have been able to address this issue in the bill, and I hope my colleagues will support my efforts to do so in the future.

Maybe somebody over there would like to offer the amendment. I do not care. It needs to be done. It should. We in Congress must be a better consumer of intelligence. It is a lesson we learned the hard way with regard to Iraq. It is a sham that this amendment was denied. It is a good bill, but it could have been better.

Madam Speaker, I urge my colleagues to vote ''no'' on the previous question.

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

Madam Speaker, I appreciate the gentleman's comments on the concern about Iran. As I said earlier, it is a huge issue and a major international crisis for all of us to be tracking on a very routine basis, especially those members of the Intelligence Committee who have access to a higher level of information than the rest of us.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Speaker, I want to thank all of those who served in gathering intelligence to protect the American people. It is regrettable that intelligence is often reshaped to fit doctrine instead of doctrine being reshaped in the face of the facts of intelligence.

This rule blocks several important amendments that the House should have had the opportunity to debate. I sponsored one of those amendments that would have resolved the concerns of media leaks by intelligence community agents.

Several high-profile classified leaks to the media have emerged in the last few years. These leaks have led to considerable release of information about secret programs related to our intelligence agencies. From these media leaks, we became aware of the efforts to manipulate intelligence, to falsify a cause for war against Iraq.

We became aware of the illegal NSA domestic wiretapping program without a court order. We became aware of the rumored CIA detention centers in Eastern Europe, and the CIA's extraordinary rendition program, used to transport suspects to other nations with less restrictive torture policies.

The House Intelligence Committee report for this bill states that leaks to the media damage our national security. In response, the CIA fired an agent who had unapproved contacts with reporters last week. I understand the concerns raised when intelligence leaks are reported in the media.

However, if this House had conducted effective oversight, we would not have been there in the first place. Our democracy was bolstered by these leaks, and the world is a safer place as a result. Absent these leaks, the current administration would see no limit to its dangerous policies and continue to inflict its failed war on terrorism without limitation.

To resolve this conflict I proposed an amendment that would remove barriers to intelligence agency employees communicating with certain committees of Congress. The purpose was to provide intelligence employees a more appropriate outlet than the media and give Congress better oversight capability.

This amendment provided an obstacle-free path for intelligence employees to report to key Members of Congress their concerns. By providing this outlet, the employees would not feel any need to leak information to the media. So we need to do everything we can to protect these who serve in intelligence who want to get information out to the American people.

They should do it through the Congress, but there is no provision for that in this bill. We need to protect this Nation, but we need to protect it with the truth, not with manipulated intelligence.

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

Madam Speaker, I want to address this issue of leaks briefly. Before presenting this rule to the House, I took it upon myself to read the bill. And because of the nature of the bill, it is only available in Intelligence Committee space. And all Members have the opportunity to review the material that we are going to be voting on later today.

In the context of this discussion about leaks, I was reminded that at the beginning of every Congress, upon our election, we, all Members of this House, have to sign something saying that we recognize that House rules prevent us from disclosing classified information.

In addition, when you go to read the bill that we are here today to consider, you sign another form reaffirming that you have taken this oath, this obligation to not disclose classified information. That is what Members of Congress have to do.

When you join the CIA, you sign a standard secrecy agreement that says that you are going to keep the things that you are working on secret to protect the interests of our Nation. You

are not going to go writing books about it, you are not going to make a movie about it, you are not going to cash in on this Nation's security.

When you have access to sensitive compartmented information, you sign yet another nondisclosure agreement, again to drive home the point to the employees who are guarding the very secrets that keep us safe and free that you cannot capitalize on America's secrets.

This was very clear to the leaker. This was made very clear to Members of Congress. There is no double standard. What the individual did was against the law, was a complete breach of the secrecy agreement that that individual signed upon becoming an employee and then having progressively higher levels of access to more and more sensitive information. It is abundantly clear that what she did was wrong.

Mr. KUCINICH. Madam Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Speaker, I would ask my good friend from Florida a simple question, that is, what happens when Congress is given false information in these briefings, having signed something that then they cannot disclose what they are told?

See, this is the problem here. I just wanted to respectfully share that with you. Thank you.

Mr. PUTNAM. Madam Speaker, reclaiming my time, I respect the gentleman's perspective.

That is why this bill is so important, number one; and number two, it is why it is so vitally important that our representatives on that committee, that our House Members on both sides of the aisle on the House Permanent Select Subcommittee on Intelligence, ask the correct questions, are given the proper orientation, dig into these issues, make this committee a priority, because they are the rest of this House's eyes and ears on those very sensitive issues.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, that last discussion actually interested me. The question would be, what penalty would a Member of Congress face if, having left a classified briefing, that Member disclosed information that turned out to be false?

You know, in libel, truth is a defense. Perhaps when it comes to disclosing classified information that comes from this administration, falsity would be a defense on the grounds that if it was not true, who is going to be hurt?

The gentleman from Florida talked about oaths. I want to talk about one that I took, to uphold the Constitution of the United States, because the Rules Committee is interfering with my ability to do that. We have one of the most serious constitutional issues facing this country now that we have faced in a very long time: the assertion by the President of the United States that because of terrorism, he basically is freed from restraints.

He has announced by the way, remember, it is not directly relevant to this bill, but he has announced that as President he may order the imprisonment for an indefinite period of time of an American citizen, and that citizen has no recourse to any tribunal to disprove any charges against him, and there may not be any charges lodged.

That is one of the things he said. In that same breathtaking assertion of untrammeled power, he says he can order the wiretapping of any American citizen; and it has gone beyond, as was brought out in the questions by the Judiciary Committee of the Attorney General, even within America. I think that is a dangerous abuse of power.

I believe we are able to protect ourselves against terrorists, and we should protect ourselves against these murderous fanatics, but I believe we are able to do that while still observing the Constitution. And I want to be very clear. I want to give law enforcement power. I believe law enforcement, they are the good guys, but they are not the perfect guys.

You give the good guys power, but you give it to them in a series of balances and restraints. You do not give them untrammeled power. The President has announced that he has carried out a program of wiretapping invasion of the most private moments of any American, with nobody else given any involvement, no warrants.

Now the gentleman from California (Mr. SCHIFF) presented to the Rules Committee a very thoughtful amendment that would reaffirm that we want to go by the law of 1978, that would repudiate one of the most outrageous and, I am going to use the technical term here, ''cockamamie'' arguments I have ever heard; namely, that when all of us voted to justify, to authorize the force against the Taliban in Afghanistan, we were somehow authorizing warrantless wiretapping.

You know, I want to say to the people who say that, follow one of my rules. In a political debate, no matter how convenient it seems to you, please do not say anything that no one believes. It will not be helpful. No one believes that. But we now this have situation where the bill that includes some of the money that carries out the warrantless wiretapping is before us.

People may think warrantless wiretapping is fine. I think it is a violation of the Constitution. But they should not be controversial. Should not this House of Representative be able to vote on that subject?

The gentleman from California presented a bipartisan amendment dealing with wireless wiretapping, reaffirming what some of us think; that there should be restraint, repudiating the outrageous argument that the Afghan resolution okayed it. And you have, Madam Speaker, and your party, refused to allow the House to vote on it. That is the disgrace. That is the abuse of the Constitution.

We are not even going to be allowed to vote on an amendment that would deal with this central constitutional question. And I would just say in closing, we are now in the process of instructing the people of Iraq about how to ruin parliamentary democracy.

As they see you deny us the right to vote on this central constitutional question, I say again what I have said before: if anybody from the Iraqi Parliament is watching our procedures, please do not try this at home.

Mr. PUTNAM. Madam Speaker, the cultural differences in this House are intriguing. Hailing from the South, we would label ''cockamamie'' a theory where the President would conspire to break the law and invite Members of the other party in on the deal. We would call that a pretty cockamamie theory.

And so when the President, in an effort to keep America safe and to monitor members of al Qaeda who are communicating with people inside our borders, probably not checking the weather, probably not seeing how the Yankees or the Mets are doing, but plotting very dangerous, tragic, consequential events to destroy our way of life, to cause mayhem, to cause loss of life, we want to know what they are up to.

And the President, under this cockamamie theory, conspired to protect us, in the gentleman's words illegally protect us; but he did so in a way that brought in a team of lawyers, reviewed the program every 45 days, and invited members of leadership from both parties, from both Houses of the legislative branch, to be in on that discussion.

□ 1330

That is a cockamamie theory that he was conspiring to break the law in that regard. He was fulfilling his oath to protect this Nation.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. FRANK of Massachusetts. First, I guess I didn't know we would get in great detail about what was cockamamier than what; but when I used that phrase, I was referring specifically only to one argument: the argument that the Afghanistan force resolution authorizes. That is all I said.

I repeat, anybody who makes that argument is, let's use a Southern expression, had too much moonshine. Beyond that, I understand the gentleman thinks it is okay for warrantless wiretapping. The question is not wiretapping, but warrantless.

But my question is this: Why can't the House of Representatives vote on it? By what right does the Rules Committee arrogate to itself the right to

extinguish debate? I expect that there will be differences.

Mr. PUTNAM. Reclaiming my time, I recognize that the gentleman's use of ''cockamamie'' was directed at another aspect of this debate. But I stand by my comment that the President of the United States did not conspire to engage in any illegal, inappropriate activity by, first, calling a team of lawyers and, second, calling the leadership of the opposite party.

Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. THORNBERRY), another member of the House Intelligence Committee, another leader on national security issues for us.

Mr. THORNBERRY. Mr. Speaker, I appreciate the gentleman from Florida for yielding his time and his handling of this rule.

Actually, there were a number of statements made by my colleague from Massachusetts with which I fully agree. As a matter of fact, one of the challenges, I think, of bringing this bill to the floor is that we are all, in an age of terrorism, attempting to find the right place where we are effective against the terrorists who are trying to kill as many of us as possible, but also not lose sight of our Constitution and our freedoms and the fundamental nature of this society.

One of the key elements in trying to get that right is a whole area of government activity which we cannot talk about, and which the Intelligence Committee is charged with overseeing and helping shape. And so every year, our challenge is to bring a bill that oversees and helps shape those activities to this floor in a very public forum.

A number of the issues that we talk about have been reported extensively in various newspaper articles. And we know that some of it is right and some of it is wrong, and yet you can't come here and correct the factual misstatements and the improper impressions which people have.

I think it is important to affirm two things. Number one is that there is much in this bill which is largely agreed upon. Now, the nature of coming to the floor with this kind of bill is that we are going to spend most of our time talking about differences, or at least making up differences to talk about, when they didn't exist maybe a week or two ago. But the central direction, and most of the provisions of this bill, for the people who have taken the time to go read it, are largely agreed upon by both sides of the aisle.

The second thing that I think it is important to emphasize is that the members of the Intelligence Committee take their responsibilities very seriously. If you have any doubt about that, just listen again to the comments, for example, of the gentlewoman from New Mexico who was, one, standing up to insist upon a much greater role by this Congress in oversight of the terrorist surveillance program.

That oversight is under way. As she said, it is very important for us to understand the details and the procedures and the process and the specifics of this program before we come to the floor and decide about how various laws ought to be changed in different ways. But that is just one example.

There are many, many issues before the Intelligence Committee on which we attempt to exercise our oversight in a very serious and responsible way. We may not agree on all the details or where things ought to go, but this committee is not a rubber stamp for any administration, or any President, and at the same time we take very seriously the recommendations which were in the Commission on Weapons of Mass Destruction that our oversight needs to be strategic; not just following the headlines of the day hither and yon as reporters may write stories, but to follow strategic oversight in a way that makes this country safer. That is always going to be our goal.

Of course, any rule which brings an intelligence authorization bill to the floor has got to be somewhat restrictive, because there is so much that we simply cannot talk about on the floor without damaging the country's security.

I think this is a good rule. It frames debate on key issues. I think it should be supported as well as the bill.

Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT) who was also shut out of being able to offer an amendment in the Rules Committee last night.

Mr. HOLT. Mr. Speaker, I thank the gentleman. I rise in opposition to this rule. A number of amendments were denied to some very responsible Members of this body. One amendment would have required the President or the Vice President, if they intend to declassify intelligence documents, to inform the congressional Intelligence Committees and the originating agencies ahead of time.

As we have learned in the last month through court filings, the President, without informing, much less consulting our committee, elected to secretly and selectively declassify portions of the 2002 national intelligence assessment about Iraq's weapons of mass destruction. Now, by sworn statement, we know that this was done to rebut critics of the administration who questioned the rationale for the war.

The American people deserve to have the full facts. This amendment that I offered but we were denied the opportunity to debate on the floor would have ensured that any future classification efforts would have been disclosed. It would have exposed what the ranking member of our committee called the double standard of leaks.

Another amendment that I would have offered would have required any inquiries about intelligence employees or contractors made by nonintelligence community government officials, such as the President, the Vice President, the White House staff, would be reported to the congressional Intelligence Committees together, so that the propriety of such an inquiry could be considered. Had my amendment passed, it would have given Congress the opportunity to say clearly whether outing a career intelligence officer for gratuitous reasons would be tolerated.

Now, the gentleman from Florida said with regard to this bill before us, all Members will have the opportunity to review the material before us. No, not so. Even the cost of the unwarranted surveillance program will be provided only to a few Members.

The gentlewoman from New Mexico said that she has been informed, but I can tell you 425 other Members of this body have not been informed even about the cost of this program. And they cannot and they will not be informed, yet they are asked to vote on what is one of the most significant changes in intelligence collection in American history.

The checks and balances spelled out in this document, which I refer to my friend from Florida, known as the Constitution of these United States, this hallowed document, those checks and balances, are eroded. The debate here, allowed by the Rules Committee, or the lack of it, makes a mockery of this hallowed document.

Amendments by Representatives BOSWELL, REYES, ESHOO, HARMAN, FLAKE, FRANK, KUCINICH, MALONEY, SCHIFF, SHAYS and others have been denied. We have been denied the opportunity to debate significant issues on the floor.

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

The gentleman from New Jersey is a very capable member of the Intelligence Committee, and surely he is not suggesting that covert actions of the United States Government should be made available to every single Member of Congress. Surely the gentleman is not suggesting that every classified program that this United States is engaged in should be available to every single Member.

I would invite the gentleman to respond. Would the Manhattan Project have been available to every single Member who asked about its cost, the number of employees, where the activity was going on, how many people were involved? Would the gentleman have suggested that every Member of Congress would have been clued in on that, even when the Vice President wasn't?

Mr. HOLT. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from New Jersey.

Mr. HOLT. Mr. Speaker, I think it certainly would not be asking too much that every member of the Intelligence Committee had access to this and far from it, if I may complete the answer, just as the President has decided he can pick and choose which laws apply to him.

These are significant issues that need to be debated here on the floor.

Mr. PUTNAM. Reclaiming my time, I think the gentleman, by his answer, has answered the question that clearly we have an Intelligence Committee specifically for the purpose of being our eyes and ears, because we do not empower every single Senator and every single House Member with every single detail of every activity going on in the intelligence community, and there are very strong reasons for that. So, clearly, that would not be the proper course of action.

Under longstanding committee tradition, the chair and the ranking member of both Houses were brought into a different level of awareness on certain activities that were going on. Under Democratic and Republican control, that was the case.

As a result of the terrorist surveillance program, the Senate created an entire new subcommittee to deal with the issue, and the House expanded access to that information to 11 Members, an unprecedented number of Members going beyond the historical, under the Democratic model, four Members who had been given access to those types of programs and activities.

Mr. HOLT. Mr. Speaker, if the gentleman will further yield, the gentleman says unprecedented number. Yes, an unprecedentedly small number.

We on the Intelligence Committee have a responsibility to review these issues on behalf of all 435 Members of the House of Representatives. I am not for a moment suggesting that all things need to be discussed here on the floor or in open. Of course, it is necessary so that we preserve national secrets.

Mr. PUTNAM. Mr. Speaker, relaiming my time, the gentleman had suggested that the other 420 Members of the House had not had access to the information, and that is precisely how it is set up, that they would not have access to that information. That is why we have talented Members like yourself on the committee, and that is why we have expanded access to information about that program to more members of the committee than ever before.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY), who also was shut off being able to offer an amendment.

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his leadership on the Rules Committee.

As we can tell by the debate, there were a number of critical issues, the warrantless wiretaps and many others, that were denied by this restrictive rule.

It has become clear to me that the Republican leadership of this House simply does not care about protecting the civil liberties of the American people.

Last night, in a bipartisan effort, Congressman SHAYS and I went before the Rules Committee for the fifth time, seeking the opportunity to debate an amendment that would create the Privacy and Civil Liberties Board as envisioned by the 9/11 Commission. This morning, we learned for the fifth time in a row that the Rules Committee has denied this House even the opportunity to debate this important amendment that is supported unanimously by the 9/11 Commission and by the 9/11 families.

This is just the latest in a series of actions by the Republican House leadership to deny us the opportunity to have a full debate on the protection of our civil liberties, and I want to make sure that people listening know the track record of this House.

When we were considering the intelligence reform bill that enacted many of the 9/11 Commission's recommendations, it was this House that refused to include a committee-approved, bipartisan amendment to create this board in any legislation passed by the House of Representatives. It was this House that stripped the Privacy and Civil Liberties Oversight Board's subpoena power, bipartisan makeup, and qualifications requirements during conference negotiations. All of these provisions had passed the Senate, a vote of 96–2, but the House of Representatives struck it out.

□ 1345

It is this House that has refused amendments by members of the Intelligence Committee to require a budget line for this board and the authorization we are voting on today backing up the President's action to defund the board in his budget. And it is this House that denies our repeated attempt to even debate an amendment that would give the board the power and authority that it needs to do the job. I hope the American people are watching, because this House refuses to do anything to protect the civil liberties of the American people.

And I would like to quote from the 9/11 Commission report where they said, ''If our liberties are curtailed, we lose the values that we are struggling so hard to defend.''

Again, they have spoken out many times in support of this Civil Liberties and Privacy Board that would provide balance and restraint to the National Intelligence Reform Act, and I urge my colleagues to have a strong ''no'' vote on this restrictive rule.

Mr. PUTNAM. Mr. Speaker, setting aside the fact that the amendment the gentlewoman refers to is not germane to this bill, I point out to the gentlewoman that the amendment that she refers to creates a commission that, A, already exists; and, B, the chair and vice chair have already been confirmed by the Senate, and the members have been appointed.

Mr. Speaker, I am pleased to yield 2½ minutes to another member of the House Intelligence Committee, the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. I thank the gentleman.

I want to help clear up a couple of confusing issues here. First of all, when we talk about the resolution of force that was passed by the House of Representatives, both Republicans and Democrats, we were talking about our response to the attacks on this country after 9/11. We were talking about morphing the force; being able to have liquidity and being able to take the capability of this country and go after terrorists, who don't confine themselves to the border of one country.

You talk about the resolution of force, and you mention the country of Afghanistan as if it was only limited to the boundaries of Afghanistan. It is a falsehood to say so to the American people. It is not right. It is wrong. We took the resolution of force and said, you, the President, you have got to manage the intelligence, you have got to manage the Armed Forces, you have got to go after terrorists all around the world like a cancer that metastasizes itself. You have to go where they are. You have to be able to listen to them calling into the United States. You have to break up their terrorist cells. The American people expect you to do so.

There has been a lot of talk and a lot of rhetoric of people on this committee about a point that we debated ad nauseam in committee, which is that the President somehow didn't inform the committee. That is a falsehood. The President fully informed the committee to the letter of the law. The 1947 Intelligence Act established that the President shall inform the committee, but the establishment language of the act says that the President and the Congress shall establish the procedures.

So what were the procedures established under Truman? That it was okay for the President to inform the Gang of Eight, the House and the Senate, and limit it to four on each side. It is okay to do that. And Truman did it, and Carter did it, and Reagan, and Clinton, and this President did it, and he abided by the law. And to say so otherwise is to ill inform the American people. It is misguided, and it is false.

Mr. MCGOVERN. Mr. Speaker, let me, before I introduce our next speaker, let me just respond by saying what has the American people concerned is that we have a set of procedures in place, the so-called FISA procedures, which allow the President to put anybody under surveillance here in the United States providing that he gets a warrant. And he can even get a warrant after he puts somebody under surveillance. The question is why can't he follow the procedures in place? In my opinion, he is breaking the law.

And I would also say that the other question is, why in the world, given the controversy on this issue, can't this Congress have an up-or-down vote on this issue? If the majority thinks that the President should be able to put anybody under surveillance he wants

without a warrant, fine. Then write the bill and bring it to the floor, let us debate it and pass it up or down.

I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank my friend on the Rules Committee, ranking member, for allowing me to interject in this discussion at this point, because I am stunned to hear now that there are people still defending the President's right to have illegal spying on Americans when actually we didn't know about it until the leaks occurred. He wasn't telling everybody regularly about it. What we are dealing with now is some spurious claims. And I am interested that the authorization for the use of military force was supposed to allow domestic wiretapping on Americans.

Ladies and gentlemen, we already have a couple of systems dealing with terrorism surveillance. One is called the Foreign Intelligence Surveillance Act. There is plenty of room here for us to survey spying. If we want to take care of spying, let us do that, but we are talking about spying on Americans where there is no connection with foreign intelligence. No question about it at all.

And so Sandra Day O'Connor declared to that kind of an argument that in the case of combatants captured in the battlefield, it is clear that a state of war is not a blank check for the President when it comes to the rights of the Nation's citizens. So what we debate on the rule here today is whether or not there should have been an allowance for the Schiff amendment, and all we are saying is that there should have been.

Mr. PUTNAM. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore (Mr. REHBERG). Both sides have 2½ minutes.

Mr. PUTNAM. I have no further speakers, Mr. Speaker, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I will be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will amend the rule to allow the House to consider the Boswell amendment on Iran nuclear programs. This amendment was offered in the Rules Committee last night, but was defeated on a straight party-line vote. It is yet another example of what I believe is the abuse of power by the Republican-dominated Rules Committee.

Mr. Speaker, this amendment requires the Director of National Intelligence to submit reports to Congress on Iran's weapons of mass destruction every 90 days. It requires these reports to include an assessment of Iran's nuclear programs, an evaluation of intelligence sources, a summary of new intelligence for any information that would increase confidence in overall assessment.

Mr. Speaker, we are deeply concerned over the ominous situation in Iran with regard to the potential for nuclear weapons in that country, and I think most Members of this body would agree that it is absolutely critical that we continue to monitor the situation very closely and receive frequent updates on Iran. We need to have constant and accurate updates on this very serious situation. There is too much at stake here for us to do less.

Have we learned nothing from what we experienced with regard to the misleading intelligence and the false intelligence on Iraq? Have we learned nothing from the fact that this Congress did not do its job; did not take its oversight responsibility seriously; did not ask the questions; did not hold the administration accountable?

Mr. Speaker, this should not be a controversial issue. Chairman HOEKSTRA and Ranking Member HARMAN have worked in a bipartisan way. This should have been worked out in a bipartisan way. I cannot imagine why anybody would be opposed to this amendment.

Members should be aware that a ''no'' vote will not prevent consideration of the intelligence bill and will not affect any of the amendments that are in order under this rule, but a ''no'' vote will allow us to add this important amendment that seeks to fully understand the depth of the nuclear situation in Iran.

I would again urge my colleagues on both sides of the aisle to vote for this. This should be a bipartisan vote. There is no reason, there is no reason to vote this down unless somehow you do not want to hear the information; unless somehow you do not want to demand this administration be accountable and inform the Members of this Congress.

On the issue of nuclear weapons in Iran, it should be every Member of this Congress, quite frankly, who should have access to relevant material. We need to learn our lesson. We are in a mess right now in Iraq. We are involved in a quagmire that has cost over 2,500 lives, hundreds of billions of dollars, and we know the intelligence was wrong. Let us do it right this time. Let us not rush into a war unnecessarily. Let us demand from this administration some accountability and some truth.

Vote ''no'' on the previous question.

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

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

There was no objection.

Mr. PUTNAM. Mr. Speaker, my friend from Massachusetts had me with Iran and lost me with Iraq. Everything that he said regarding the seriousness of the threat from Iran, a nuclear-capable Iran, is unacceptable to our interests. Everything he said is absolutely correct.

And I can save him the vote on the previous question by asking him to turn to page 22 of the public version of the intelligence authorization bill, where it says, under the subheading Reporting Regarding Iran and North Korea, ''The committee has conducted regular and ongoing oversight of these efforts and expects the DNI to ensure that the Intelligence Community continues to provide timely, detailed, and frequent reporting on the current intentions and capabilities on Iran and North Korea's nuclear, chemical, biological, radiological, and missile programs, as well as the Intelligence Community's capabilities to understand and evaluate these programs. In particular, the committee is interested in receiving, on an ongoing basis current assessments of Iran and North Korea's nuclear, chemical, biological weapons, and missile programs; information on new intelligence developed, including intelligence collected from both open and clandestine sources; and full discussion of any gaps in knowledge, dissents, caveats, and other information that would tend to reduce confidence in the overall assessment. The committee believes these reports will provide timely information to help better inform Congress as it is asked to make decisions regarding U.S. policy towards Iran and North Korea.''

The reporting requirement is in the bill. Mr. Speaker, this is a very important issue. I urge the gentleman, I urge the Congress to support the rule, support the underlying bill, and support the hardworking men and women.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 774—RULE ON H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution the amendment specified in section 3 shall be in order as though printed after the amendment numbered 6 in the report of the Committee on Rules if offered by Representative Boswell of Iowa or a designee. That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 5020, AS REPORTED

OFFERED BY MR. BOSWELL OF IOWA

At the end of title III (page 16, after line 10), insert the following new section:

SEC. 308. IRAN INTELLIGENCE OVERSIGHT.

(a) SHORT TITLE.—This section may be cited as the ''Iran Intelligence Oversight Act''.

(b) FINDINGS.—Congress finds the following:

(1) The development of nuclear weapons and the long-range missiles capable of delivering them by the Islamic Republic of Iran threatens the national security of the United States and its allies.

(2) Denying these capabilities to Iran is among the most important national security interests of the United States.

(3) Iran's avowed hostility towards the United States and Israel, Iran's stated commitment to develop all elements of the nuclear fuel cycle, Iran's continued defiance of international efforts to account for its nuclear program, Iran's development of long-range ballistic missile technology, and Iran's

three decades of support for international terrorist organizations raise grave suspicions about the purpose of its nuclear and missile programs.

(4) The United States Government's current intelligence on Iran may not be sufficient to assess the capabilities and intentions of Iran with a high degree of certainty.

(5) The bipartisan Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, co-chaired by Judge Lawrence Silberman and former Senator Charles S. Robb, reported in 2005 that ''across the board, the Intelligence Community knows disturbingly little about the nuclear programs of many of the world's most dangerous actors. In some cases, it knows less now than it did five or ten years ago''. This statement aptly describes the challenge faced by policy-makers in the United States with regard to Iran's weapons ambitions.

(6) If the President and Congress are to develop an effective policy to counter the weapons programs of Iran, such a policy must be based on accurate and timely intelligence to the extent that it is possible to collect such intelligence.

(7) Under section 502(a)(2) of the National Security Act of 1947 (50 U.S.C. 413a(a)(2)), the intelligence community must ''furnish the congressional intelligence committees any information or material concerning intelligence activities . . . which is within their custody or control''.

(8) Regular reports to Congress on the intentions and capabilities of Iran with regard to Iran's nuclear program, in addition to the continuing requirement to ensure that the congressional intelligence committees are kept fully and currently informed of all intelligence activities, will assist Congress in the development of effective policy to counter the weapons programs of Iran.

(c) QUARTERLY INTELLIGENCE BRIEFINGS TO CONGRESS ON IRAN.—

(1) REPORT.—Not later than 30 days after the date of the enactment of this Act, and at least every 90 days thereafter, the Director of National Intelligence shall submit to the relevant committees a report, in classified form, on the current intentions and capabilities of the Islamic Republic of Iran with regard to the nuclear program of Iran, including—

(A) an assessment of nuclear weapons programs;

(B) an evaluation, consistent with existing reporting standards and practices, of the sources upon which the intelligence is based, including the number of sources and the reliability of each source;

(C) a summary of any new intelligence gathered or developed since the previous report, including intelligence collected from both open and clandestine sources; and

(D) a discussion of any dissents, caveats, gaps in knowledge, or other information that would reduce confidence in the overall assessment.

(2) ACCESS TO REPORT.—Each report submitted under paragraph (1) shall be made available to all members of the relevant committees and to all staff of the relevant committees with appropriate security clearance. Other members of the Senate or the House of Representatives may review the reports by following security procedures established by each of the relevant committees.

(3) RELEVANT COMMITTEES.—In this section, the term ''relevant committees'' means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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.

PARLIAMENTARY INQUIRY

Mr. McGOVERN. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. McGOVERN. My parliamentary inquiry, Mr. Speaker, is: Isn't it accurate that the language that the gentleman just referred to in the bill is discretionary, whereas what we are talking about is statutory language that would require reporting every 90 days so that we don't make the same mistake we did in Iraq?

The SPEAKER pro tempore. The Chair cannot respond to that inquiry. It is not the province of the Chair to interpret the substance of the bill.

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

Mr. McGOVERN. 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.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 774 will be followed by 5-minute votes on adopting House Resolution 774, if ordered; suspending the rules and adopting House Concurrent Resolution 365; and suspending the rules and passing H.R. 282.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 10, as follows:

[Roll No. 102]

YEAS—228

Aderholt	Crenshaw	Green (WI)
Akin	Cubin	Gutknecht
Alexander	Culberson	Hall
Bachus	Davis (KY)	Harris
Baker	Davis, Jo Ann	Hart
Barrett (SC)	Davis, Tom	Hastings (WA)
Bartlett (MD)	Deal (GA)	Hayes
Barton (TX)	DeLay	Hayworth
Bass	Dent	Hefley
Beauprez	Diaz-Balart, L.	Hensarling
Biggert	Diaz-Balart, M.	Herger
Bilirakis	Doolittle	Hobson
Bishop (UT)	Drake	Hoekstra
Blackburn	Dreier	Hostettler
Blunt	Duncan	Hulshof
Boehlert	Ehlers	Hunter
Boehner	Emerson	Hyde
Bonilla	English (PA)	Inglis (SC)
Bonner	Eshoo	Issa
Bono	Everett	Istook
Boozman	Feeney	Jenkins
Boustany	Ferguson	Jindal
Bradley (NH)	Fitzpatrick (PA)	Johnson (CT)
Brady (TX)	Flake	Johnson (IL)
Brown (SC)	Foley	Johnson, Sam
Brown-Waite, Ginny	Forbes	Jones (NC)
Burgess	Fortenberry	Keller
Burton (IN)	Fossella	Kelly
Buyer	Foxx	Kennedy (MN)
Calvert	Franks (AZ)	King (IA)
Camp (MI)	Frelinghuysen	King (NY)
Campbell (CA)	Gallegly	Kingston
Cannon	Garrett (NJ)	Kirk
Cantor	Gerlach	Kline
Capito	Gibbons	Knollenberg
Carter	Gilchrest	Kolbe
Castle	Gillmor	Kuhl (NY)
Chabot	Gingrey	LaHood
Chocola	Gohmert	Latham
Coble	Goode	LaTourette
Cole (OK)	Goodlatte	Leach
Conaway	Granger	Lewis (CA)
	Graves	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)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
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
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
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
Etheridge
Farr
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseth
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
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
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 (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—10

Baca
Evans
Fattah
Hastings (FL)
Millender-McDonald
Moore (WI)
Osborne
Ros-Lehtinen
Scott (GA)
Shuster

□ 1419

Mr. COOPER and Mr. RANGEL changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. ESHOO. Mr. Speaker, on rollcall No. 102, I inadvertently cast a "yea" vote when I intended to cast a "nay" vote.

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

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

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 198, not voting 7, as follows:

[Roll No. 103]

YEAS—227

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
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)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
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
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
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
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—198

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
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseth
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
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
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—7

Bono
Evans
Hastings (FL)
Millender-McDonald
Moore (WI)
Osborne
Ros-Lehtinen

□ 1432

Ms. WATERS changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

URGING THE GOVERNMENT OF CHINA TO REINSTATE ALL LICENSES OF GAO ZHISHENG AND HIS LAW FIRM AND REVISE LAW AND PRACTICE IN CHINA SO IT CONFORMS TO INTERNATIONAL STANDARDS

The SPEAKER pro tempore (Mr. REHBERG). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 365.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 365, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, answered ''present'' 1, not voting 10, as follows:

[Roll No. 104]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—10

Evans
Gallegly
Hall
Hart
Hastings (FL)
Millender-McDonald
Moore (WI)
Osborne
Ros-Lehtinen
Sullivan

□ 1440

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IRAN FREEDOM SUPPORT ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 282, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 282, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 21, not voting 14, as follows:

[Roll No. 105]

YEAS—397

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa

Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—21

Baldwin
Blumenauer
Boyd
DeFazio
Duncan
Flake
Hostettler
Jones (NC)
Kucinich
Leach
McDermott
McGovern
McKinney
Oberstar
Obey
Olver
Paul
Rahall
Snyder
Stark
Taylor (MS)

NOT VOTING—14

Beauprez
Boehner
Buyer
Evans
Gillmor
Hastings (FL)
Lewis (CA)
Mica
Millender-McDonald
Moore (WI)
Osborne
Ros-Lehtinen
Sweeney
Tiahrt

□ 1449

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

ELECTION OF MEMBER TO CERTAIN STANDING COMMITTEE OF THE HOUSE

Mr. CLYBURN. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 778) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 778

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mr. Berman (to rank immediately ahead of Mrs. Jones of Ohio).

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5020.

The SPEAKER pro tempore (Mr. HAYES). Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The SPEAKER pro tempore. Pursuant to House Resolution 774 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5020.

□ 1453

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5020) to authorize appropriations for fiscal year 2007 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, with Mr. REHBERG in the chair.

The Clerk read the title of the bill.

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

The gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. HARMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

Mr. Chairman, I first wish to announce that, subsequent to reporting the bill, the committee has modified the classified annex to the bill with respect to the authorized level of funding for certain programs with bipartisan agreement between myself and the ranking member.

The classified annex containing the modified schedule of authorizations is and was available for review by all Members of the House, subject to the rules of the House and the Permanent Select Committee on Intelligence under the procedures described in my announcement to the House on April 6, 2006.

Mr. Chairman, the House Permanent Select Committee on Intelligence has a reputation for conducting its business in a bipartisan manner. With the intelligence authorization legislation before us today, I can say that we have clearly hit that mark again. I look across the aisle to my colleague and friend, the committee's ranking Democrat member, Ms. HARMAN, and say thank you for once again helping to craft a very good bipartisan piece of legislation that will allow the talented, dedicated and patriotic men and women of our Nation's intelligence community, our first line of defense, to protect America, its people and our friends around the world.

Mr. Chairman, this bill is all about national security. It is about authorizing the intelligence resources, capabilities and operations necessary for us to know about foreign threats and to defend ourselves in an increasingly dangerous world. It is about rebuilding, reshaping and indeed fixing a community that was decimated by the budget cuts of the 1990s.

Because of these cuts, on September 11, 2001, we were without a robust human intelligence capability and without a robust analytic capability that may have helped prevent or minimize these attacks on the United States. This bill continues a many-year effort to transform, build up and recreate an intelligence community that can know and respond to threats.

There will be those here today who will not share our concerns about the many threats against which our intelligence community must operate. There will be those who do not agree with the necessary activities of our intelligence community. There will be even be those who actually accuse our dedicated intelligence professionals of violating, if not the law, then the spirit of American values. This as they go about a business to protect you and me.

To those who would and will take such positions, I say: you are wrong. The threats are real. The professional

dedication, the discipline, the expertise and the extraordinary respect for the civil liberties of all Americans that the honorable men and women of our intelligence community exhibit is real. To them we owe a great debt. To them we must make our best collaborative efforts to provide the resources and authorities that H.R. 5020 authorizes.

Finally, because of them, we have the responsibility to rise above any partisan politics in order to come together and pass this national security bill.

This is the first intelligence budget request that was fully determined by the new Director of National Intelligence, or the DNI. Although the Office of the DNI is still in its formative stages, I am pleased that the promise of the Intelligence Reform and Terrorism Prevention Act of 2040, the legislation that created the DNI, is beginning to bear fruit, and that incremental but real improvements have been made since the standup.

It was our intent to better unify the disparate pieces of the intelligence community; to create a more cohesive whole that is greater than the sum of the parts. That goal is a work in progress, and we will continue to support the DNI's efforts to create a more effective intelligence community.

We will support that effort, but we also provide the necessary oversight, and this bill provides some mechanisms to make sure that we get the intelligence community that the ranking member and I envisioned when we worked so hard at passing that legislation.

Mr. Chairman, as you also know, much of this legislation is classified and can't be discussed here on the floor. We must be very careful to ensure that today's debate does not involve classified information. That said, I do want to discuss, at an unclassified level, some specific items contained in the authorization bill before us.

The first is our continuing support for an effective Director of National Intelligence that can, as I mentioned earlier, bring together all of the agencies of the intelligence community. We need an effective and efficient DNI that fully coordinates and sets the direction for the high-fidelity capabilities of the intelligence community.

In this legislation we are sending a strong signal that the vision of the 2004 intelligence reform legislation was about building a qualitatively better intelligence establishment and not building a bureaucracy.

This bill continues to pursue improvements to our core intelligence for human intelligence, intelligence analysis, infrastructure and counterintelligence capabilities. Improvements in these areas are absolutely critical to gaining the upper hand in the war against worldwide terrorism. We have, for example, made recommendations for improved HUMINT training and associated support. We have recommended additional funding for analytical tools. And we have put a great deal of emphasis on increasing counterintelligence programs and personnel, because, in case you have not been looking, there are many nations and nonstate actors actively trying to steal America's secrets.

This bill also puts a renewed and continued emphasis on overhead imagery architecture. As many know, last year there were some decisions that were made that included terminating a part of the Future Imagery Architecture program. This was a tough decision. It had its positive aspects. It also had its negative downside. We are now in a late-to-need race to ensure we do not have future capabilities gaps. I am concerned that the current approach has not adequately addressed this problem. So this legislation vigorously pursues one of a very limited number of options.

Finally, I would like to also address a provision that was mentioned in one of the amendments that was proposed by the minority for today. I want to reinforce to my colleagues on the intelligence committee that we remain very, very committed to active oversight and reporting by the intelligence community on the progress that they are making in Iran. We have provisions in the bill for Iraq. We have got some of that language for Iran and other hot spots around the world. But as the ranking member and I have discussed, as the rule was being debated, the spirit of the amendment is one that we embrace. We may have some technical or drafting differences, but the intent of that amendment is one that we will stay focused on. We believe it is inherently important for us to focus on those kinds of issues and to do this in a bipartisan basis.

□ 1500

The issues and the threats that we are facing, al Qaeda, radical Islam, Iran, North Korea, as well as future threats that are on the horizon that we are only beginning to think about, require us to continue to work in a bipartisan basis.

I recognize that we had some disagreements on the bill. We have got disagreements between Republicans and Democrats. We have got disagreements within each side of the aisle. But the important thing is that we continue to focus on working in a bipartisan basis to keep America safe. That is the request that our colleagues on both sides of the aisle have placed to us, and I hope that we will continue in working in that direction.

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

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

Mr. Chairman, in my 12 years in Congress, in my 8 on the Intelligence Committee, I have always supported intelligence authorization bills, but never in my 12 years and never in my nearly 4 decades involved in public policy have I been as concerned as I now am about our Nation's security.

Just this week bin Laden and Zarqawi issued new threats against the United States and our allies, yet we do not know what they are plotting. We do not even know where they are. Despite 4½ years of effort and the expenditure of tens of billions of taxpayer dollars, we still do not have a handle on al Qaeda, a threat that is metastasizing and growing ever more dangerous.

We are losing soldiers in Iraq, in part because we never had intelligence dominance. We still do not have it. The so-called war on terror outside Iraq is essentially an intelligence war, but we did not know that home-grown terrorists were going to blow themselves up on London's subways. We did not know about Madrid, Bali, Casablanca, Istanbul or Dahab, Egypt. We do not know if America will be hit tomorrow or where.

Iran is making noisy threats, but we do not know if Ahmadinejad poses a real danger or if he is bluffing, because our intelligence on Iran is weak. And again we are hearing the drumbeat for war, without a clear idea of where the targets are, whether we can hit them effectively, or what would happen the day after.

We have taken our eye off over-the-horizon threats, the networks of Muslim extremists growing in Europe, Africa and Latin America, the threat of loose nukes from the former Soviet Union and the rising power of China.

Here at home our intelligence reorganization is a slow start-up, and the CIA is in free fall. The Director of National Intelligence, a position Congress created to integrate the activities of the entire Intelligence Community after 9/11, has not taken command yet of that community. Meanwhile at CIA, our premier intelligence organization, 300 years of experience have either been pushed out or left in frustration, and morale is dangerously low.

The DNI is giving away authority to the Pentagon, which is happy to receive it, as it expands its own role in intelligence-gathering abroad and here at home. The efforts to integrate homeland intelligence between the FBI and DHS is still uneven.

And our borders, airports, seaports remain vulnerable. As we speak, the House Homeland Security Committee on which I serve is trying to report a strong port security bill. I hope that effort succeeds. We surely need it.

Given all this, what does this bill do, and as important, what does it not do? It funds an NSA program that in my view violates a clear statute passed by Congress. It fails to require that the program be fully briefed to Members of the Intelligence Committee.

I surely support, and I have said this over and over again, the capability to monitor al Quaeda. I want to know what their plans are so we can disrupt them before they harm us. But I do not support violating the law or the Constitution. Enhanced security without respect for law gives away the very values we are fighting to defend, and I believe that the program I am talking

about can and must fully comply with the Foreign Intelligence Surveillance Act and with our Constitution.

The bill also fails to give clarity to the issue of leaks. Leaks of classified information are wrong, but it is also wrong to have a double standard. When career professionals blow the whistle on controversial activities, it is illegal, a firing offense, but when the President and Vice President authorize the selective leaking of classified information to discredit criticism, it is defended as a prerogative of the Presidency, part of the President's inherent authority.

This bill includes a provision that gives arrest powers to the protective officers at CIA and NSA in order to help them protect agency officials. This provision, in my view, has been somewhat misconstrued in the press as granting new warrantless surveillance powers to these agencies. It does not. It simply gives these protective details the same authority that the Capitol Police, the Secret Service and other Federal authorities have. But, like all new powers, they are susceptible to abuse without strong oversight, and so it would be my hope that we will include more safeguards before this provision becomes law.

I do want to say to the chairman of the committee that I appreciate the bipartisanship which the majority has shown in accepting some initiatives raised over many years by committee Democrats. For 2 years committee Democrats have registered strong opposition to the practice of funding counterterrorism through supplemental budgets. We fought this reckless practice in committee and on the floor.

This year, again, the President's budget provided 22 percent less than what is needed for counterterrorism operations. On a bipartisan basis we are now authorizing 100 percent of the Intelligence Committee's counterterrorism funding needs for 2007 in this base bill, and that is something the majority agreed to, and I applaud them for that.

Second, for years our Intelligence Community has been denied the service of many patriotic Americans from versus ethnic backgrounds, Iraqi Americans, Iranian Americans, who want to serve, but who cannot get security clearances. Committee Democrats offered an amendment to last year's bill to require a multitier system of clearances so that these Americans, despite the fact that they may have relatives in these countries, can get clearances up to a certain level to help us with language and cultural issues. That language is in this bill, and I commend the majority for including it.

On a personal level, Chairman HOEKSTRA and I have made a major effort to work together to put America first. I am grateful for that and for him. I appreciate your kind words, PETER, and I thank you. We will continue to try to do our best to get the best possible legislation enacted.

Mr. Chairman, this bill, in my view, misses an enormous opportunity to send a message to the White House, and that message is that surveillance of Americans must comply with our law and our Constitution; that intelligence on Iran is not good enough; that protection of privacy and civil liberties must be part of our effort to improve intelligence gathering, not an afterthought; and that we will not tolerate a double standard on leaks of classified information.

I hope this debate, Mr. Chairman, will assure me that this bill is adequate. The dedicated women and men of the Intelligence Community not only deserve our full support, but our best effort to enact funding legislation that truly upholds America's values and America's principles.

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

Mr. HOEKSTRA. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. THORNBERRY), who is the chairman of the oversight subcommittee assigned with the responsibility of making sure that the reshaping and the rebuilding of the intelligence community under the Office of the Director of National Intelligence is a successful launch and does rebuild the community into what we need after what we inherited in the 1990s.

Mr. THORNBERRY. Mr. Chairman, I thank Chairman HOEKSTRA for all of his work in this area.

Mr. Chairman, there is no perfect bill that comes across this floor. And particularly in the area of intelligence, there is no perfect amount of information that tells us everything that we want to know. But rather than use this bill to send a message to the White House, I think that the committee generally has come together to try to fashion a bill that makes our country safer.

It is not perfect, it does not do everything that I would like it to do, but the members of this committee on both sides of the aisle take their job very seriously, and realize how much is at stake, and have generally avoided the kinds of partisan rhetoric that we sometimes see.

The chairman and ranking member have assigned the oversight subcommittee with strategic oversight. That means we are not to follow the headlines of the day, but the distinguished gentlemen from Alabama (Mr. CRAMER) and I have worked very well together, I think, to try to find those strategic issues, focusing on them. That really make a difference in the long run.

As the chairman mentioned, one of our areas of focus is to make sure that this new DNI office gets started on the right foot; is not just another bureaucracy, but truly brings the intelligence community together so there is not the duplication, not the stovepipes, not the gaps that we have seen in the past.

And it is important for folks to know that we did not just pass a bill, the intelligence reform bill, and walk away from it. We are engaged day after day in trying to work with the administration and with the agencies to make sure that it is a success.

This bill includes a requirement for a strategic planning process that is a part of that effort to make it a success. In addition to that, the oversight subcommittee has focused on reducing unnecessary paperwork burdens, reports and studies that often require many manhours, many dollars to prepare, but then come to nothing, where no one up here reads them.

Rather, we are trying to focus on information exchanges that matter, and particularly in the area of metrics, so that, for example, when we talk about Iran, we can quantify the quality differences, the quantity differences that come from sustained efforts in human and technical intelligence.

I think this bill does help make the country safer, and I suggest that Members support it.

Ms. HARMAN. Mr. Chairman, I appreciate that sending messages to the White House is not all we should do here, but there are very few ways to send those messages.

I yield 2 minutes to a senior member of our committee, also a member of the Armed Services Committee, the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I thank the ranking member for yielding me time on this important issue.

I agree with my colleague from Texas that very few pieces of legislation are perfect. It is not that we are looking for perfection, we are looking for an effort that gives us the cooperation, an effort that gives us the ability to hold people accountable for doing their jobs.

Earlier today we heard that one of the amendments, the amendment that has been proposed by my colleague, the gentleman from Iowa (Mr. BOSWELL), had been ruled out of order, and that amendment required a quarterly report to Congress on the nuclear program of Iran. The report would be submitted every 90 days and would include an assessment of nuclear weapons programs; an evaluation on the sources upon which the intelligence is based; a summary of any new intelligence that had been gathered since the previous report; and a discussion of any dissents, caveats, gaps in knowledge, or other information that would reduce the confidence in the overall assessment.

People may wonder why would we want to include an amendment like that. Well, the reason goes back to why we are in Iraq today. The reason goes back to our lack of oversight and the issues of WMD, weapons of mass destruction.

The reason is because we have not done our job as a Congress in holding the administration accountable in WMD, in the issue of Abu Ghraib, and the issue of the leaking of the Valerie Plame outing, and many other different issues.

□ 1515

Our Founding Fathers had the idea that the best democracy, the best form

of government, would be one that would be a balanced approach. We haven't done our job in balancing that by oversight.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to my distinguished colleague from New York (Mr. MCHUGH) who in the past year has sat through seven briefings on Iran in the Intelligence Committee.

Mr. MCHUGH. Mr. Chairman, I thank the distinguished chairman of the Intelligence Committee for his work, his effort, and all Members', to bring this product to the floor here today.

I certainly associate myself with the comments of previous speakers about perfection. I am one of the newer members of the committee, I have to be very frank. As a long-term member of the Armed Services Committee, I was shocked at the condition, or lack of positive condition of our intelligence resources coming out of the 1990s. Let us be honest about it. Congress, particularly the administration, did a terrible job in maintaining the kind of infrastructure programs and resources necessary to do adequate intelligence.

The good news is I think this bill continues the recent efforts, particularly since post-9/11, to try to rebuild those communities. It has not been an easy job, and it has been a bipartisan one, and I can hope that will continue.

With respect to this bill, I would say that it does, indeed, help meet the President's goal of growing our analytic cadre by 50 percent. It continues efforts that were begun with the Intelligence Reform Act to rebuild the community.

As I said, after it was literally devastated by what I would categorize as irresponsible budget cuts in the 1980s, the passage of this bill would provide the DNI with the necessary resources to best identify practices for analysis, and will fund use of experts from across the spectrum, academia, the private sector, to supplement the intelligence community expertise.

More than that, it will support fundamental assessment of the community's analytic resources, and that can serve as the ''yellow pages'' for intelligence community analysts, and it will serve as well to illustrate what skills and expertise the community still needs as we continue that very, very important challenge. In addition, H.R. 5020 provides our intelligence community with resources and authorities necessary to win the war on terror.

It shakes off the last vestiges of the Deutsch doctrine, which tied our hands for all intelligence officers. It is a long road back. This bill takes us a long way down that path and I strongly support its passage.

Mr. CRAMER. Mr. Chairman, I now yield 3½ minutes to the gentlewoman from California (Ms. ESHOO), a member of the committee.

Ms. ESHOO. Mr. Chairman, I thank our distinguished colleague for yielding.

Mr. Chairman, this bill provides the brave men and women of our intelligence community with the tools they need to conduct their constant silent struggle to guarantee our national security. They deserve it. They place their lives on the line every day, and they should have these resources provided to them.

What I am deeply disappointed about in this bill is that we are not using this opportunity to crack down on the administration's reckless and unlawful abuses in the field of intelligence gathering.

For the first time in our Nation's history, we are living under an administration that asserts it has the right, without statutory or judicial review, to eavesdrop on the electronic communications of American citizens. The NSA wiretapping program, revealed last December and acknowledged by the President himself, represents for the first time ever the completely warrantless surveillance of U.S. citizens, an unheard of breach of our rights guaranteed under the Constitution.

We have learned from news reports that the Counter-Intelligence Field Activity, CIFA, part of the Department of Defense, has illegally collected and retained information on Americans, including several in my district in California. Worse, they did this on the basis of protected first amendment activity, notably the exercise of free speech about military recruiting at the University of California at Santa Cruz.

When I learned of this, I was able to investigate and learn that the reports had been improperly entered into and retained in a Department of Defense database. I objected, and the DOD has promised in writing to correct the situation and issue guidance to employees to prevent future abuses. I am pleased with their attention to the problem, and I hope that we have turned the corner with CIFA.

This has not been the case with the President's NSA wiretapping program. Not only does the program fall outside the statutory guidelines of the Foreign Intelligence Surveillance Act, but the President continues, in my view, to violate the law by failing to brief the full Intelligence Committee about the program.

Our Nation was founded on the premise of three coequal branches of government, providing checks and balances on the abuse of power by any one body. Yet this administration continues to act without regard for congressional or judicial guidelines. This is not only un-American, it is dangerous, and we have a responsibility to put an end to it.

I offered an amendment to this bill in committee which sought only to determine the cost of the President's program. It was a reasonable and measured attempt at meaningful oversight. It didn't seek operational details or names of targets, but just the most basic oversight questions, what is in the budget. It was defeated. When the vote is cast on this, Members are voting in the dark.

I offered another amendment last night which was rejected by the Rules Committee. That was even more benign. It simply expressed the sense of Congress that all electronic surveillance must comply with the Constitution and FISA.

This bill has shortcomings, Mr. Chairman, and I regret that it does because I think that it is not good for our country.

Mr. HOEKSTRA. Mr. Chairman, I yield 2½ minutes to our distinguished colleague from New Mexico (Mrs. WILSON) who has responsibility as chairwoman of the Tactical and Technical Subcommittee.

Mrs. WILSON of New Mexico. Mr. Chairman, I rise in support of the bill we hope to pass this afternoon, because it continues to rebuild America's global intelligence capability and implemented intelligence reform.

I think we have to be honest with ourselves and the American people that the intelligence challenge that we face today is much more difficult than the challenge that we faced during the Cold War. The Soviet Union was powerful but predictable. They were knowable, understandable. Al Qaeda is deadly but amorphous, adaptive, parasitic, and suicidal.

The intelligence challenge, the bar, is much higher than it used to be. This bill helps us move forward to meet that challenge.

In the area of technical and tactical intelligence, this bill raises the standards for program planning. In the area of broad missions like ballistic missile technical collection, we require agencies to work together to come up with a comprehensive plan to gather the information needed and not duplicate programs.

We require agencies to plan not only for a technical program, but for the life cycle of that program: the tasking, the processing, the exploitation and dissemination, the training of personnel, and those kinds of efforts that have to be put in place.

Thirdly, we know we have serious deficiencies in some technical programs in our technical architecture. There is one essential program that has not been successful, and the way forward is fraught with risk. We put the resources and authorize them in this bill to develop long-term comprehensive solutions to the technical architectures we need to keep this country safe.

I ask my colleagues to support this legislation.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Chairman, I rise in support of the 2007 Intelligence Authorization Act. I believe that good intelligence is the best defense against terrorism. As we continue to fight this war on terror, I believe we must give the intelligence community the resources it needs to

keep our families and communities safe.

As a member of the House Permanent Select Committee on Intelligence, I support this legislation because I believe that it provides intelligence officials with key resources as they work to protect our country.

The bill improves the U.S. human intelligence activities, boosts U.S. counterintelligence programs and personnel, and increases funding for counterterrorism programs by 22 percent to achieve full funding, something the President's budget did not do.

But I do have some reservations about this bill as well. This legislation, supported by the Bush administration, moves a large number of intelligence agents and analysts from the FBI's new national security branch, currently under the authority of the Director of National Intelligence, to the Department of Justice. I do not believe this move is good for our country's security.

The agents in this new FBI branch specialize in collecting and analyzing domestic intelligence. They work to penetrate terrorist cells currently operating in the United States to thwart another attack on our soil.

After the horrific attacks of 9/11, Congress created the Director of National Intelligence, known as the DNI, to ensure better coordination and communication between the 15 intelligence agencies. The DNI was created to connect the dots, something that did not happen before 9/11.

It is the Department of Justice's job to investigate and indict criminals for breaking our laws.

I fear that shifting a large number of agents and analysts from the DNI to the Department of Justice will keep the status quo. If we want to change the culture, change the system that failed us before 9/11, and effectively break up terrorist cells in our country, the FBI's new security branch must stay under the DNI, the Director of National Intelligence.

Mr. HOEKSTRA. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Virginia (Mrs. JO ANN DAVIS), our distinguished colleague who is the chair of our subcommittee responsible for rebuilding human intelligence capabilities.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise in strong support of H.R. 5020, the Intelligence Authorization Act of 2007, and I applaud Chairman HOEKSTRA for presenting a bill that addresses the funding needs for the global war on terrorism and ongoing intelligence operations in Iraq.

Mr. Chairman, as chair of the Terrorism, Human Intelligence, Analysis and Counterintelligence Subcommittee, I have been directed to ensure that the intelligence community has the resources necessary to complete the thousands upon thousands of intelligence operations conducted each year in direct support of our Nation's diplomatic and military efforts worldwide, all during a time of war.

Although the risks involved in intelligence operations are inherently high, they are significantly greater when conducted against blood-thirsty insurgents and radical extremists, both of which accept that the mass murder of innocent men, women and children is justifiable.

When faced with an enemy that is so brutal and remorseless, we must ensure that the intelligence community has the personnel and the operational tools needed to collect, analyze, and disseminate the type of intelligence that allows us to disrupt the activities of such an enemy. H.R. 5020 does this as it provides the resources needed to increase human intelligence operations, enhance analytical capabilities, and sustain intelligence collection platforms.

Insightful, accurate and timely intelligence has always been the key to understanding the plans and intentions of our adversaries. It is not a secret that some of these adversaries have little respect for human rights or the internationally accepted rule of law. They are determined to destroy growing democracies and strip their citizens of the liberties we as Americans often take for granted.

They are committed to bringing the war back to the homeland, where our families and friends might be subjected to similar horrors as were experienced on 9/11. We cannot and we will not let this happen. We cannot appear irresolute in our goal to ensure our political and military leaders have the best intelligence possible while we are waging this war.

It is our duty to ensure that the Nation is protected, and H.R. 5020 strives to guarantee that the right type of intelligence is provided to our leaders so that they may protect our Nation. It is also our duty to provide resources to improve the ability of our servicemembers and intelligence officers as they confront terrorism worldwide and combat insurgents in Iraq and Afghanistan.

Authorizing any amount less than the full funding requested for the global war on terrorism or operations in Iraq would place members of our armed services and our intelligence community under greater peril than they are today. Not authorizing the full amount would be tantamount to compromising our national security.

I urge my colleagues to support this legislation, and, once again, I congratulate my chairman on his outstanding effort.

Ms. HARMAN. Mr. Chairman, how much time remains on each side?

The CHAIRMAN. The gentleman from Michigan (Mr. HOEKSTRA) has 12½ minutes remaining. The gentlewoman from California (Ms. HARMAN) has 14 minutes remaining.

Ms. HARMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama (Mr. CRAMER), who is ranking member on our new Oversight Subcommittee, on which Mr. THORNBERRY is doing, I think, a superb job attempting to oversee activities of our intelligence.

□ 1530

Mr. CRAMER. Mr. Chairman, I thank the gentlewoman from California, and I want to congratulate you on your leadership in this committee, along with the chairman as well. I have been on this committee for several terms now, and as the chairman stated and the ranking member stated, we bend over backwards to work in a bipartisan way. This hasn't been easy, and this hasn't been an easy year. And I say to both of you, congratulations for trying to help us work through this very difficult year.

This is not a perfect bill, and I am disappointed that several of the amendments were not allowed in order. I think the chairman is, too. I think there are some of the issues that were ruled out, particularly Mr. BOSWELL's issue, that we can work through together, and so I look forward to the chairman and ranking member's leadership.

I do stand in support of H.R. 5020. This bill does address many of the issues surrounding the way in which the intelligence community is being restructured. I say to my friend, the gentleman from Texas (Mr. THORNBERRY), thank you for the leadership you have enjoyed with me and with this full committee over the Oversight Subcommittee. We haven't always had an Oversight Subcommittee, and this makes sense that we now have the opportunity, particularly as we have stood up the DNI, to engage the new people at the DNI, the new leaders at the DNI that we are looking to to lead this country into a new era of intelligence management that we haven't had. This is our opportunity to hold their feet to the fire.

The stand-up of the DNI has been slow, and it has been frustrating, but we have been working together, Mr. THORNBERRY and I, to bring information back to the full committee from the DNI and the relevant agencies. We have taken on the tough issues, interrogation, detention operations, information sharing, overall management structure of the DNI, and we have done this in ways that the committee hasn't worked before. We have done it by having briefings; we have done it by going to their turf, their sites, sitting with their personnel, leaving the country, talking to our people in sensitive parts of the world that are doing brave and noble things for this country, and then we have brought that information back into the subcommittee and into the full committee as well. This is the way I enjoy working.

Also in this bill there is an investment in an analytical initiative that draws on the expertise resident at three centers, the Missile and Space Intelligence Center, which just happens to be in Huntsville, Alabama, my home district; the National Air and Space Intelligence Center in Dayton, Ohio; and at the National Ground Intelligence Center in Charlottesville, Virginia. These centers collaborate and they

work to analyze weapons that we bring back that could be threats to this country and to our aircraft and to our personnel as well. So those people in those locations get a reinvestment in their work through this bill.

All in all, I think this is a good bill, and I urge my colleagues to support it.

Mr. HOEKSTRA. Mr. Chairman, I yield 2½ minutes to my colleague from the great State of Michigan (Mr. ROGERS), who chairs our policy committee on the Intelligence Committee, responsible for identifying and understanding the threats that we face as a Nation.

Mr. ROGERS of Michigan. Thank you, Mr. Chairman. I want to compliment you, your staff, and that of both the ranking member and the majority on a job well done on this bill.

The challenges that we face came from the 1990s, and many of the problems the ranking member even pointed out were a different direction set, a different policy set from where they wanted our intelligence services to go. They went so far as to say back then that we don't even want you to talk to somebody who is a bad character or may be an embarrassment to the United States. So they did the honorable thing; they shut down their human operations. They followed the law and the policies of the United States. If you would have asked an intelligence official back then, they would have told you it was a bad idea. We shouldn't have done it.

Today, through the leadership of this committee and this chairman, and the folks who are out in the field today trying to rebuild our human intelligence, it is nothing short of miraculous. These people are incredibly talented, and I think we miss that sometimes. We miss it in the halls here and in the debates in committee. And by the way, we have debated ad nauseam many of the issues brought up today on these things, as we should in that context. But these are great people who could do a myriad of other things: make more money. A lot of them came to the CIA, and they took pay cuts because they believe in what they are doing. And they are risking their lives today for this country and for our safety.

I had the great privilege to reenlist a young soldier in a very remote part of the world in a small, dinky little room with all the windows taped up and with a small American flag hanging behind us because that is all we could find, because he believed. He said, yeah, this is hardship, but I believe in my country more than I believe in anything.

So when we talk about the problems of intelligence and the policies of the past, let us not forget one thing: when you bump into somebody whose morale is low, it isn't because of the work that they are doing. They are off the charts excited about making a difference for their country. It is because policymakers back here use words like ''illegal wiretap,'' even though they have never been briefed into the program at all and have no concept of what it is; because they say ''Abu Ghraib'' like it paints everybody who has ever been involved in an interrogation as doing something wrong and breaking the law.

Shame on us if we allow this to continue to happen and affect the morale of people who are risking their lives on work that is so precious to our safety, security and liberty. We ought to applaud them today, and this bill, I think, does that.

Mr. Chairman, again I want to applaud you and thank you for your work. And I want to caution all the Members of this Chamber: we shouldn't be more worried about winning in November than we should be about winning the war on terror. We should stand with these people, tell them we are proud of them, tell them we are proud of the work they are doing, and thank you for signing up to defend the greatest Nation on the face of the Earth.

Let this squabbling go by. We know that the folks who have come down on this floor, and it has shocked me today, Mr. Chairman, that some would even come out here after getting the full brief and describe a program in terms that they didn't describe it in the privacy and the security and with the confidence of previous briefings. This is the wrong time to do that.

Let us continue to work together. We have done it so well in those committees. I look forward to working with you, Mr. Chairman, and I look forward to standing up for the very people who risk their lives today defending this great country and going after probably the toughest enemy we have ever seen.

Ms. HARMAN. Mr. Chairman, I would just say to my friend Mr. ROGERS that all of us on this committee put America first, though we may disagree about precisely what this bill should include.

It is now my pleasure to yield to the gentleman from New Jersey (Mr. HOLT), the ranking member on our policy committee, 3½ minutes.

Mr. HOLT. Mr. Chairman, I thank my colleague, the ranking member, the gentlewoman from California, for affording me a few minutes to comment on this bill.

I agree with many of my colleagues that there are some very important and positive features of this bill. The dedicated and often brave members of the intelligence agencies have earned and deserve our support, but this bill weakens our freedoms.

There are a number of points, and I hardly know where to begin, but the basic point is that the bill fails to address what I believe are some of the core oversight challenges facing our committee and this body. There are under way some of the greatest changes in intelligence collection in American history, and it deserves our careful oversight.

This bill turns a blind eye, really, to misuses of executive power that threaten our liberties and the constitutional balance of powers which we are sworn to protect. And I say this advisedly. I don't mean to overstate the matter.

The bill does not provide funding for privacy and civil liberties oversight. There has been some mention of that. The bill also does not address this really important issue of domestic spying. Make no mistake, all of us in Congress support intercepting communications of terrorists set on doing us harm, doing Americans harm anywhere in the world, but there are multiple examples of how innocent people are ensnared.

The Muslim American lawyer Brandon Mayfield, we have spoken about him on the floor; Christian peace activists; others who have been falsely labeled as terrorist coconspirators and domestic security threats based on their political beliefs or simple mistaken erroneous information. This is what happens when there are no checks and balances.

To date, there has been no independent audit of the NSA program, the domestic spying surveillance program, to determine whether similar abuses have occurred. That is our role, but we have been stonewalled in our efforts. Eavesdropping on Americans must comply with FISA, that is what I maintain. If the other side disagrees, let us have it out here on the floor. At least let us have it out in committee.

The President says FISA, the Foreign Intelligence Surveillance Act, doesn't apply to him. However, the President doesn't get to pick and choose which laws he will follow and which ones he won't.

The administration still refuses to brief all members of the Intelligence Committee on this program. The National Security Act requires him to do that. The failure to brief the full committee compromises our oversight responsibility, violates the law, I think, and makes a mockery of the checks and balances that we are sworn to protect.

In another case, the Iraq NIE, the National Intelligence Estimate, the information that was leaked, we now know for purely political purposes to try to discredit a public servant. We are talking about the protection of intelligence for its proper use. Classified information should never be misused as a political weapon through selective declassification and leaking to attack opponents a particular point of view. No, I am not flogging a dead horse, I am talking about the principles that we are supposed to protect.

Mr. Chairman, the bill also provides no meaningful protections for national security whistleblowers. Members of the national intelligence community can sometimes be discouraged or even intimidated from raising concerns within their agencies.

Mr. Chairman, I recommend that we vote against this bill.

Mr. HOEKSTRA. I yield 2½ minutes to a great member of the committee, someone who understands that the Civil Liberties and Privacy Board is funded out of the budget of the Executive Office of the President and does

not come out of the Intelligence Committee authorization bill, the gentleman from Alabama (Mr. EVERETT).

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

Mr. EVERETT. Mr. Chairman, I thank the gentleman from Michigan, and I do rise in support of the intelligence authorization bill for fiscal year 2007. Chairman HOEKSTRA is to be congratulated and commended for his efforts in drafting this important legislation to meet the intelligence needs of the country.

There are many great things in this bill for the warfighter and for the intelligence community; however, I would like to focus on a very important reconnaissance and surveillance program, the U–2. Recently, a program budget decision was released by the Air Force to retire the U–2 by 2011. This transition flight plan would replace the U–2 with the Global Hawk UAV that is not yet capable of taking on this mission. This plan is premature, and after further review it appears that the Air Force now shares my concerns. The bill before us prevents the retirement of the U–2 unless the Secretary of Defense can certify that there will be no loss of intelligence collection capabilities.

Just to make a point, I am associated with the U–2 all the way back to the 1950s when it made its first flight. It has been upgraded continuously over the years with a large variety of mature intelligence collection sensors. The U–2 is, in fact, the force behind our long-range stand-off intelligence capabilities today.

The last U–2 left the production line in 1989. Its airframe is engineered for 75,000 hours. The U–2 provides critical multisensor intelligence through all phases of conflict, including peacetime, the war on terror, low-intensity conflict, and high-scale hostilities. The U–2 has even provided photographs to FEMA in support of the Hurricane Katrina and other national disasters. The U–2's modular payload design allows the aircraft to be reconfigured to perform various missions and can perform them until 2050 at the rate we are now using them.

Mr. Chairman, intelligence is the first line of defense and necessary for the security of the Nation. Our warfighters, to be successful on the battlefield, have to have this intelligence. I urge all my colleagues to support this bill, and again I congratulate the chairman and our ranking member for us being able to get this bill to the floor.

In particular, I'd like to focus on a very important Reconnaissance and Surveillance Program: the U–2.

Recently, a Program Budget Decision was released by the Air Force to retire the U–2 by 2011. This "transition flight plan" would replace the U–2 with the Global Hawk UAV that is not yet capable of taking on this mission. This plan is premature, and after further review, it appears the Air Force now shares some of my concerns. The bill before us prevents the retirement of the U–2 unless the Secretary of Defense can certify that there will be no loss of intelligence collection capabilities.

Just to make a point about the capability of the U–2, although the origins of the aircraft go back to the 1950s, it has been upgraded continuously over the years with a large variety of mature intelligence collection sensors. The U–2 is, in fact, the force behind our long-range, stand-off intelligence capabilities today.

The last U–2 left the production line only in 1989. Its airframe is engineered for 75,000 hours, yet our fleet of operational aircraft averages only 10,000 hours. The U–2 provides critical multi-sensor intelligence through all phases of conflict, including peacetime, the war on terror, low-intensity conflict and large-scale hostilities. The U–2 has even provided photographs to FEMA in support of Hurricane Katrina and other natural disasters. The U–2's modular payload design allows the aircraft to be reconfigured to perform various missions, and can perform them until 2050 at the rate we are using them today.

The Bill rightly directs that the Secretary of Defense must certify that there will be no loss of intelligence capabilities in transitioning from the U–2 to the Global Hawk, and that the collection capabilities reach parity, before a final decision is made. This will help ensure that the "persistent stare" goal in the Quadrennial Defense Review is met.

Mr. Chairman, intelligence "is" the first line of defense and necessary for the security of this Nation, and for our war fighters to be successful on the battlefield. I urge my colleagues to vote in favor of this legislation.

□ 1545

Ms. HARMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, the intelligence authorization bill before us today is a bit of a mixed bag. It does, on the positive side, direct the Director of National Intelligence to better conform to the committee's intent that the Director of National Intelligence be a coordinator of intelligence, that it not create an additional layer of bureaucracy, and that it strengthen the community's capability to penetrate hard targets.

It does, at the Democrats' insistence, provide full funding for counterterrorism programs instead of going along with the President's 22 percent cut. It does contain report language requiring that the Department of Defense inspector general audit the controversial activities of the Department of Defense Counterintelligence Field Activities, or CIFA.

But there are concerns that remain unanswered, and among these concerns are the continued insistence of this administration to limit access to information about the President's domestic surveillance program. After weeks of debate, the program remains limited to only a select group of the already select Intelligence Committee. We should not expect members charged with the oversight to write a blank check to the President to conduct intelligence activities under a shroud of secrecy from the very group that was established on behalf of this Congress to do oversight. Members of this full House look to the members of the Select Committee on Intelligence for advice, and in this case the President has limited that committee in full from being able to get the information necessary to be able to advise and lead on these issues.

The Intelligence Reform and Terrorism Prevention Act of 2004 established the Director of National Intelligence with strong statutory budget authorities to enable that office to reach across the whole community and to reallocate resources and personnel to respond to emerging threats. The administration appears to be on a path to dismantle this critical budgetary authority, piece by piece.

The 2007 budget request of the President moves significant resources and personnel permanently out of the management and control of the Director of National Intelligence. Most of those transfers move intelligence assets to the control of the Secretary of Defense and the Attorney General.

We should keep in mind over the last 2 years the military intelligence program has grown by 25 percent while the national intelligence program has actually shrunk by almost 1 percent. Both press reports and the Quadrennial Defense Review evidence the Pentagon's intention to expand special operations activities worldwide to engage in operations traditionally reserved for the Central Intelligence Agency and the State Department.

In the committee I proposed an amendment that would protect the authorities of the Director of National Intelligence, at least pending a Federal review and some answers from the administration with respect to its intentions in this regard. That failed, but I understand that the Senate is believed to have this issue in its sights, under consideration, and I should hope it is for the purposes of being in line with my amendment.

Allowing the Department of Defense to creep into the intelligence areas, especially when the result would be to avoid oversight, is problematical in the least. I have strong reservations about this bill, and I ask Members to consider these before they vote on this measure.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. RENZI), a distinguished member of the committee.

Mr. RENZI. Mr. Chairman, I appreciate your work and the ranking member's work on this bill.

I want to also go back to some things that were said earlier concerning civil liberties and the Republican Party, in its effort to try to balance civil liberties post-September 11. It is unfair and unwise to enter into the CONGRESSIONAL RECORD the misleading information that this is the first time in history that terrorist surveillance was conducted outside of FISA. Every one of you over there knows that President Clinton conducted terrorist surveillance outside of FISA, and he was justified in doing so by Jamie Gorelich at

the Justice Department based on an argument of Article II of the Constitution. It is not the first time in history outside of FISA it has been conducted.

This legislation also, as the gentlewoman from New Mexico talked about, goes to restore and rebuild our capabilities that were very much slashed during the 1990s. It was a time when our intelligence officers declined by 30 percent. It was a time when a number of CIA sources worldwide were cut by 40 percent. The number of intelligence reports that our intelligence community was able to produce was cut in half.

If you remember back during the Reagan administration when President Reagan had to rebuild our military, this is very much like how our history stands right now in trying to restore and rebuild our intelligence capability. There was a time when our intelligence officers were hamstrung by the Deutsch guidelines, when poor management and a lack of urgency at the top did not allow our intelligence agents to function properly in the field. That has changed.

This intelligence authorization bill allows us to gather more information globally at more locations than we had in the recent past. When famine strikes in Africa, when the saber-rattling in Venezuela is conducted, when the narcoterrorists along the Mexican border begin control, this intelligence bill acts.

I want to once again thank the chairman. As a Member from Arizona, we need the kind of increases that our agents are asking for, particularly on our Mexican border.

Ms. HARMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am the longest-serving member currently on this committee. I love this committee; I love the issues we consider. My district is the place where most of our intelligence satellites are made. It is the location of the Air Force Space and Missiles Command, which just opened a state-of-the-art complex and develops and fields our satellite and missile capabilities.

I was there in El Segundo 2 days ago, and I am immensely proud of the work of SMC and the people who do the work, both in uniform and civilians.

Mr. Chairman, I have traveled the corners of the earth with our committee members. They are my friends. I am very fond of them on a bipartisan basis and I have been very moved by some of the comments made about this bill. A lot of what they say I truly and sincerely agree with. I think this bill is a lot better than it would have been because there has been bipartisan cooperation. I appreciate that. And I appreciate the personal effort that Chairman HOEKSTRA made to work with me and work with the minority.

What has upset me today, and I do not think anyone has missed it, is what I view as callous, partisan behavior by the Committee on Rules at a level that I have not felt and experienced, at least with respect to the Intelligence Committee. Members on our side offered responsible amendments. All of them were shown to the majority; and in one case, the Boswell amendment, the majority collaborated with us on adjusting the language so it was mutually acceptable. Then at the last minute, for no good reason other than pure partisanship, the Boswell amendment was made out of order.

That experience has prompted me to revisit some of the things that still bother me. The NSA program bothers me. It is not that I do not support the capability; surely I do. I have made that clear. But I do not support any part of that program being outside of FISA, because I believe, based on information that I have, that it can fully comply with FISA. There is no reason to exempt that program.

Mr. RENZI was just talking about the actions of President Clinton that he claimed were outside of FISA. My understanding is that at the time, physical searches were not covered by FISA, and later FISA was amended to cover it. That is the right way to go, and that is what I would hope our committee would end up doing.

Mr. Chairman, it is a tough call whether to support the bill at this stage. I hope and expect that I will support the conference report. I think the conference report will be better than the bill we pass in this House, because I think that the other body and the conference will consider and make decisions about some of these issues we have not addressed adequately here.

In closing, it is always on my mind that dedicated men and women are serving overseas taking tough risks for our freedom. I love them and I have been there to tell them that. This bill has to honor them, which means this has to be the best bill we can field. I do not think it is the best bill we can pass. I will make a decision about my vote later in this debate. I know that some members on our committee will support it and some will oppose it and I respect their views, as I do the views of the majority.

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

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent at this point to include for the RECORD an exchange of letters with other committees of jurisdiction and the executive branch with respect to this legislation. I appreciate the willingness of those committees to work with us on this legislation.

The CHAIRMAN. The gentleman's request to insert matter at this point is already covered by his request for general leave in the House.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, April 25, 2006.

HON. PETER HOEKSTRA,
Chairman, House Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: On April 6, 2006, the House Permanent Select Committee on Intelligence reported H.R. 5020, the ''Intelligence Authorization Act for Fiscal Year 2007.'' As you know, the bill includes provisions within the jurisdiction of the Committee on Government Reform.

In the interests of moving this important legislation forward, I agreed to waive sequential consideration of this bill by the Committee on Government Reform. However, I did so only with the understanding that this procedural route would not be construed to prejudice the Committee on Government Reform's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Government Reform should this bill or a similar bill be considered in a conference with the Senate. Finally, I request that you include this letter and your response in the Congressional Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM DAVIS.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, April 25, 2006.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Government Reform's jurisdictional interest in H.R. 5020, the ''Intelligence Authorization Act for Fiscal Year 2007,'' and your willingness to forego consideration of H.R. 5020 by the Government Reform Committee.

I agree that the Government Reform Committee has a valid jurisdictional interest in certain provisions of H.R. 5020 and that the Committee's jurisdiction will not be adversely affected by your decision to not request a sequential referral of H.R. 5020. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

PETER HOEKSTRA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 26, 2006.

Hon. PETER HOEKSTRA,
Chairman, House Committee on Intelligence, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN HOEKSTRA: I write to confirm our mutual understanding regarding H.R. 5020, the ''Intelligence Authorization Act for Fiscal Year 2007.'' This legislation contains subject matter within the jurisdiction of the Committee on the Judiciary. However, in order to expedite floor consideration of this important legislation, the Committee waives consideration of the bill. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdictional interests over this and similar legislation are in no way diminished or altered. I also wish to confirm our

mutual agreement that the authorization of the Drug Enforcement Agency's (DEA) Office of National Security Intelligence within the National Intelligence Program in no way impairs or affects the Committee on the Judiciary's jurisdiction over law enforcement and information sharing activities of all components of the DEA, including those carried out by this Office.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 5020 on the House floor. Thank you for your attention to these matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, April 26, 2006.

Hon. F. JAMES SENSENBRENNER,
Chairman, Committee on the Judiciary, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of April 26, 2006, regarding H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007. As you noted, elements of the bill as reported fall within the jurisdiction of the Committee on the Judiciary. I will support the request of the Committee on the Judiciary for conferees on these provisions.

In addition, the bill reflects action on the part of the Administration to include specified elements of the Drug Enforcement Administration within the Intelligence Community. As you know, I intend to offer a manager's amendment to the bill to clarify that the DEA's membership in the Intelligence Community is specifically limited to the DEA's Office of National Security Intelligence, the authorization for which has been requested within the National Intelligence Program, the program for which we have jurisdiction. I will be glad to work with you on a continuing basis to ensure that this designation is not construed in any way to limit the conduct of oversight by the Committee on the Judiciary with respect to law enforcement and information sharing activities of all components of the DEA, which I fully recognize are within the jurisdiction of the Committee on the Judiciary.

I appreciate your willingness to forego consideration of the bill in the interest of expediting this legislation for floor consideration. I acknowledge that by agreeing to waive consideration of the bill, the Committee on the Judiciary does not waive any jurisdiction it may have over provisions of the bill or any matters under your jurisdiction.

Finally, I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor. Thank you for your assistance in this matter.

Sincerely,

PETER HOEKSTRA,
Chairman.

DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, OFFICE OF CONGRESSIONAL AFFAIRS,
Washington, DC, April 25, 2006.

Hon. PETER HOEKSTRA,
Chairman, Permanent Select Committee on Intelligence, Washington. DC.

DEAR CHAIRMAN HOEKSTRA: Thank you for supporting a portion of Drug Enforcement Administration (DEA) joining the Intelligence Community (IC). This is in response to your staff inquiry regarding the organizational relationship between the Office of National Security Intelligence and the Central Tasking Management System (CTMS).

As you know, DBA has created the Office of National Security Intelligence at DEA headquarters to oversee and coordinate the three major functions necessary for the Office of National Security Intelligence integration into the IC: all-source analysis, a Central Tasking Management System, and liaison with IC members. All-source analysis of drug trafficking investigative and other information will enhance the intelligence available to policy makers in the law enforcement and intelligence communities. The CTMS will allow DBA to notify IC partners of pertinent drug information related to national security.

We appreciate your interest in the organizational structure of the Office of National Security Intelligence. Please contact us again if you have additional questions, or need additional information.

Sincerely,

ERIC J. AKERS,
Chief, Office of Congressional Affairs.

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

In closing, I appreciate again the work of the ranking member, my colleagues on both sides of the aisle, and the staff on both sides of the aisle, to pull together a bill which I think addresses the priorities that we established at this committee really beginning a year and a half ago: that we were going to stay focused on rebuilding an intelligence capability to match the threats that America faces today.

This legislation puts in the necessary fences that will ensure that this committee has the oversight over the standup of the Office of the Director of National Intelligence. We all want this process to work. We would all like it to go faster because of the significant threats that we face as a Nation. But standing up the Office of the DNI will be the responsibility of monitoring, and that will be the responsibility of our oversight subcommittee.

Our policy committee is going to continue to monitor and evaluate the threats that we face as a Nation. Whether it is al Qaeda, radical Islam, the affiliated groups to al Qaeda, Iran, Iraq, North Korea, China, we want to make sure that we as a committee have a good grasp of making sure that the intelligence community is structured to go after these threats and provide us as policymakers with the information that we need to be successful.

The third thing that we are going to do is to make sure that we thoroughly take a look at what we can accomplish to stop leaks, the devastating leaks from within the community and outside of the community that damage our capabilities and give those who want to attack us insight as to what our plans, intentions and capabilities are.

And then for my colleagues who have talked about the TSA program and other activities, it is the responsibility of this committee, it is the responsibility of the members of this committee to make sure that we do effective oversight, to make sure that the executive branch operates within the parameters that we have established, the legal parameters that we have established for it to operate within.

Mr. Chairman, I yield the balance of my time to the gentleman from Kansas (Mr. TIAHRT) to close the general debate on our side.

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Michigan (Mr. HOEKSTRA) for yielding me this time, and I apologize for being late.

Mr. Chairman, this legislation before us provides funding resources and authorization to support our intelligence community, and I think it is coming at a very important time so we can protect our Nation from attack.

Following September 11, 2001, our economy suffered a $2 trillion loss. That does not really address the nearly 3,000 lives lost as a by-product of the terrorist attacks. Certainly that carries greater weight.

We have held hearings, appointed commissions and watched documentaries about this tragedy. It is clear during the 1990s, our government reduced the human intelligence capabilities and let our infrastructure fall into disrepair. This bill, which is so important, continues to rebuild our intelligence community.

First, it provides full funding for the global war on terror instead of piecemealing in increments through supplementals and emergency bills.

Second, the legislation provides much-needed new buildings and rehabilitates other capital investments that deteriorated during the 1990s under the last administration.

And finally, it begins a long process of training agents, recruiting recourses, and hiring the support personnel needed to achieve the human intelligence capability that we need to protect ourselves, our families, and our economy.

Mr. Chairman, I strongly urge my fellow colleagues to support this bill. I would like to say this is an important step in the right direction to allow our new Director of National Intelligence to have the voice that he needs to coordinate our activities, to break down the stovepipes and to continue the process of doing an excellent job of protecting this Nation, as they have done since September 11, 2001.

Mr. MORAN of Virginia. Mr. Chairman, almost 2 years ago, the 9/11 Commission reported that our intelligence community failed our Nation because of its aversion to share information, lack of oversight and limited imagination in how to deal with emerging sources of information. Since that final report was issued, Congress has authorized an overhaul of intelligence agencies, but progress has not met with our expectations. We all experienced what can happen with inadequate intelligence on 9/11, so the path that is being taken should serve as a brilliant warning sign that much more needs to be done.

When the House of Representatives votes on this year's Intelligence Authorization, I will vote against the bill. In doing so, my opposition is not because Congress shouldn't fund intelligence activities, but rather I believe that

it is disingenuous for this body to act as if the intelligence community is not the source of great concern. The resistance to change, the absence of leadership and partisan politics have tempered positive evolution and hurt our Nation. Indeed, in the place of real progress, the intelligence community has been a source of a number of controversial and classified programs that the public has since learned about. Last year, we were made aware that:

The President initiated an illegal program to secretly intercept international phone calls, including intercepting calls of American citizens, without fully briefing the House and Senate Intelligence Committees. This new spy program subverts the congressionally approved standard and no one comprehends the full scope of the program;

The United States government operated a secretive program known as "extraordinary rendition" that shipped accused terrorist suspect to other countries for imprisonment and interrogation, all to avoid U.S. laws prescribing due process and prohibiting torture;

The White House selectively declassified information and offered it to preferred reporters to discredit political adversaries;

Intelligence officials sat on a report contradicting the Administration's claim that mobile laboratories in Iraq were developing weapons, while the President announced to the Nation that "we have found the weapons of mass destruction"; and

Last week the CIA fired lifelong federal employee Mary McCarthy for disclosure, offering the misimpression she was fired for a leak she never knew anything about.

These instances are only the most grievous, but they highlight this administration's contempt for accountability and put the unassailable standing of our civil liberties in doubt. And when given the opportunity, the White House has dragged its feet to appoint the staff, fund and begin the work of the Privacy and Civil Liberties Oversight Board which is intended to safeguard our citizens from unnecessary government intrusion. .

I understand the formidable challenge that is being undertaken and I applaud the many brave and good hearted people who work to secure our nation every day. Unfortunately, the White House and the leadership of these agencies are undercutting reform by failing to deliver greater communication, transparency and accountability. We are reminded repeatedly with reports that the CIA is losing key personnel because of the politicization of the agency, or when the 9/11 Commission gives "D" grades to government-wide information sharing and intelligence oversight reform.

The American public looks to Congress to safeguard our civil liberties, and to ensure that intelligence is good and intelligence reform is meaningful. I'm afraid that in the last year there has been increasing evidence that this institution has failed to do its job. Mr. Chairman, instead of passing a reauthorization bill today that does little to address the nation's concern we should reexamine what we can do to ensure our intelligence agencies can do their job and instill our constituent's faith in our intelligence community.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of H.R. 5020, the Intelligence Authorization Act for fiscal year 2007.

In supporting this bill, I want to emphasize to Chairman HOEKSTRA that the Defense Appropriation Subcommittee will do what it can to work with the House Permanent Select Committee on Intelligence in the weeks and months ahead. We intend to follow through with a fiscal year 2007 Department of Defense Appropriations bill that supports the major areas of emphasis addressed in the authorization bill now before us.

I intend to work closely with Chairman HOEKSTRA and the HPSCI to provide the funds necessary to strengthen U.S. intelligence collection and analysis, improve the technical means that support the Intelligence Community, and strengthen the organization of the Intelligence Community. I also stand ready to work with his Committee as we carefully scrutinize the fiscal year 2007 budget request to ensure that funding is used as effectively and as efficiently as possible to obtain the best return for the American taxpayer.

While I support this measure, I must also advise that some areas of difference between the Authorization and Appropriations bills may arise. Of course, we intend to try to minimize any such issues. However, the committees have different institutional roles, responsibilities, and processes, and while I fully respect the role of the Chairman of the authorizing committee, I know he appreciates my role as well.

In an increasingly constrained spending environment, the Appropriations Committee may find it necessary to reduce the overall funding available for the Department of Defense Appropriations bill. We will have to make hard choices on how best to address those constraints.

I offer my congratulations to Chairman HOEKSTRA for his work on this legislation, and my support for final passage.

□ 1600

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5020

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

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.
Sec. 105. Incorporation of reporting requirements.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence Activities.
Sec. 303. Clarification of definition of Intelligence Community under the National Security Act of 1947.
Sec. 304. Delegation of authority for travel on common carriers for intelligence collection personnel.
Sec. 305. Retention and use of amounts paid as debts to Elements of the Intelligence Community.
Sec. 306. Availability of funds for travel and transportation of personal effects, household goods, and automobiles.
Sec. 307. Purchases by elements of the intelligence community of products of federal prison industries.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Clarification of delegation of transfer or reprogramming authority.
Sec. 402. Clarification of limitation on co-location of the Office of the Director of National Intelligence.
Sec. 403. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.
Sec. 404. Appointment and title of Chief Information Officer of the Intelligence Community.
Sec. 405. Leadership and location of certain offices and officials.
Sec. 406. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.
Sec. 407. Repeal of certain authorities relating to the Office of the national counterintelligence Executive.
Sec. 408. Membership of the Director of National Intelligence on the transportation security oversight Board.
Sec. 409. Temporary inapplicability to the Office of the Director of National Intelligence of certain financial reporting requirements.
Sec. 410. Comprehensive inventory of special access programs.
Sec. 411. Sense of Congress on multi-level security clearances.
Sec. 412. Access to information by staff and members of the congressional intelligence committees.
Sec. 413. Study on revoking pensions of persons who commit unauthorized disclosures of classified information.

Subtitle B—Central Intelligence Agency

Sec. 421. Enhanced protection of Central Intelligence Agency intelligence sources and methods from unauthorized disclosure.
Sec. 422. Additional exception to foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.
Sec. 423. Additional functions and authorities for protective personnel of the central intelligence agency.
Sec. 424. Protective services for former officials of the intelligence community.
Sec. 425. Strategic review process.

Subtitle C—Defense Intelligence Components

Sec. 431. Enhancements of National Security Agency training Program.
Sec. 432. Codification of authorities of national security agency protective personnel.

Subtitle D—Other Elements

Sec. 441. Clarification of inclusion of Coast Guard and Drug Enforcement Administration elements in the Intelligence Community.

Sec. 442. Clarifying amendments relating to Section 105 of the Intelligence Authorization Act for Fiscal Year 2004.

TITLE V—OTHER MATTERS

Sec. 501. Aerial reconnaissance platforms.
Sec. 502. Elimination of certain reporting requirements.
Sec. 503. Technical amendments to the National Security Act of 1947.
Sec. 504. Technical clarification of certain references to joint military intelligence Program and tactical intelligence and related Activities.
Sec. 505. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 506. Technical amendment to the Central Intelligence Agency Act of 1949.
Sec. 507. Technical amendments relating to the multiyear National Intelligence Program.
Sec. 508. Technical amendments to the Executive Schedule.
Sec. 509. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the national Geospatial-Intelligence Agency.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Department of State.

(8) The Department of the Treasury.

(9) The Department of Energy.

(10) The Department of Justice.

(11) The Federal Bureau of Investigation.

(12) The National Reconnaissance Office.

(13) The National Geospatial-Intelligence Agency.

(14) The Coast Guard.

(15) The Department of Homeland Security.

(16) The Drug Enforcement Administration.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2007, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill H.R. 5020 of the One Hundred Ninth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2007 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall promptly notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives whenever the Director exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2007 the sum of $990,000,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2008.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1,539 full-time personnel as of September 30, 2007. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2007 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for research and development shall remain available until September 30, 2007.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2007, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2007 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year as the Director of National Intelligence considers necessary.

SEC. 105. INCORPORATION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—Each requirement to submit a report to the congressional intelligence committees that is included in the joint explanatory statement to accompany the conference report on the bill H.R. 5020 of the One Hundred Ninth Congress, or in the classified annex to this Act, is hereby incorporated into this Act, and is hereby made a requirement in law.

(b) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

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

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2007 the sum of $256,400,000.

TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. CLARIFICATION OF DEFINITION OF INTELLIGENCE COMMUNITY UNDER THE NATIONAL SECURITY ACT OF 1947.

Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by striking ''other'' the second place it appears.

SEC. 304. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 404k(b)) is amended—

(1) by inserting ''(1)'' before ''The Director'';

(2) in paragraph (1), by striking ''may only delegate'' and all that follows and inserting ''may delegate the authority in subsection (a) to the head of any other element of the intelligence community.''; and

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

''(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may further delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.''.

(b) SUBMITTAL OF GUIDELINES TO CONGRESS.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (2) of section 116(b) of the National Security Act of 1947, as added by subsection (a).

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means—

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

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

SEC. 305. RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

''RETENTION AND USE OF AMOUNTS PAID AS DEBTS TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

''SEC. 1103. (a) AUTHORITY TO RETAIN AMOUNTS PAID.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, the head of an element of the intelligence community may retain amounts paid or reimbursed to the United States, including amounts paid by an employee of the Federal

Government from personal funds, for repayment of a debt owed to the element of the intelligence community.

''(b) CREDITING OF AMOUNTS RETAINED.—(1) Amounts retained under subsection (a) shall be credited to the current appropriation or account from which such funds were derived or whose expenditure formed the basis for the underlying activity from which the debt concerned arose.

''(2) Amounts credited to an appropriation or account under paragraph (1) shall be merged with amounts in such appropriation or account, and shall be available in accordance with subsection (c).

''(c) AVAILABILITY OF AMOUNTS.—Amounts credited to an appropriation or account under subsection (b) with respect to a debt owed to an element of the intelligence community shall be available to the head of such element, for such time as is applicable to amounts in such appropriation or account, or such longer time as may be provided by law, for purposes as follows:

''(1) In the case of a debt arising from lost or damaged property of such element, the repair of such property or the replacement of such property with alternative property that will perform the same or similar functions as such property.

''(2) The funding of any other activities authorized to be funded by such appropriation or account.

''(d) DEBT OWED TO AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term 'debt owed to an element of the intelligence community' means any of the following:

''(1) A debt owed to an element of the intelligence community by an employee or former employee of such element for the negligent or willful loss of or damage to property of such element that was procured by such element using appropriated funds.

''(2) A debt owed to an element of the intelligence community by an employee or former employee of such element as repayment for default on the terms and conditions associated with a scholarship, fellowship, or other educational assistance provided to such individual by such element, whether in exchange for future services or otherwise, using appropriated funds.

''(3) Any other debt or repayment owed to an element of the intelligence community by a private person or entity by reason of the negligent or willful action of such person or entity, as determined by a court of competent jurisdiction or in a lawful administrative proceeding.''.

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

''Sec. 1103. Retention and use of amounts paid as debts to elements of the intelligence community.''.

SEC. 306. AVAILABILITY OF FUNDS FOR TRAVEL AND TRANSPORTATION OF PERSONAL EFFECTS, HOUSEHOLD GOODS, AND AUTOMOBILES.

(a) FUNDS OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.—Funds appropriated to the Office of the Director of National Intelligence and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(b) FUNDS OF CENTRAL INTELLIGENCE AGENCY.—Funds appropriated to the Central Intelligence Agency and available for travel and transportation expenses shall be available for such expenses when any part of the travel or transportation concerned begins in a fiscal year pursuant to travel orders issued in such fiscal year, notwithstanding that such travel or transportation is or may not be completed during such fiscal year.

(c) TRAVEL AND TRANSPORTATION EXPENSES DEFINED.—In this section, the term ''travel and transportation expenses'' means the following:

(1) Expenses in connection with travel of personnel, including travel of dependents.

(2) Expenses in connection with transportation of personal effects, household goods, or automobiles of personnel.

SEC. 307. PURCHASES BY ELEMENTS OF THE INTELLIGENCE COMMUNITY OF PRODUCTS OF FEDERAL PRISON INDUSTRIES.

Section 404 of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2632) is amended—

(1) by striking ''by the Central Intelligence Agency'' and inserting ''by an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))''; and

(2) by striking ''the Director of the Central Intelligence Agency determines that the product or service'' and inserting ''the head of that element determines that the product or service (including a surveying or mapping service)''.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. CLARIFICATION OF DELEGATION OF TRANSFER OR REPROGRAMMING AUTHORITY.

Section 102A(d)(5)(B) of the National Security Act of 1947 (50 U.S.C. 403–1(d)(5)(B)), as added by section 1011(a) of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458; 118 Stat. 3643), is amended in the second sentence by striking ''or agency involved'' and inserting ''involved or the Director of the Central Intelligence Agency (in the case of the Central Intelligence Agency)''.

SEC. 402. CLARIFICATION OF LIMITATION ON CO-LOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103(e) of the National Security Act of 1947 (50 U.S.C. 403–3(e)) is amended—

(1) in the heading, by striking ''WITH'' and inserting ''OF HEADQUARTERS WITH HEADQUARTERS OF'' ;

(2) by inserting ''the headquarters of'' before ''the Office''; and

(3) by striking ''any other element'' and inserting ''the headquarters of any other element''.

SEC. 403. ADDITIONAL DUTIES OF THE DIRECTOR OF SCIENCE AND TECHNOLOGY OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) COORDINATION AND PRIORITIZATION OF RESEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE COMMUNITY.—Subsection (d) of section 103E of the National Security Act of 1947 (50 U.S.C. 403–3e) is amended—

(1) in paragraph (3)(A), by inserting ''and prioritize'' after ''coordinate''; and

(2) by adding at the end the following new paragraph:

''(4) In carrying out paragraph (3)(A), the Committee shall identify basic, advanced, and applied research programs to be carried out by elements of the intelligence community.''.

(b) DEVELOPMENT OF TECHNOLOGY GOALS.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

''(5) assist the Director in establishing goals for the elements of the intelligence community to meet the technology needs of the intelligence community; and''; and

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

''(e) GOALS FOR TECHNOLOGY NEEDS OF INTELLIGENCE COMMUNITY.—In carrying out subsection (c)(5), the Director of Science and Technology shall—

''(1) systematically identify and assess the most significant intelligence challenges that require technical solutions; and

''(2) examine options to enhance the responsiveness of research and design programs of elements of the intelligence community to meet the requirements of the intelligence community for timely support.''.

(c) REPORT.—(1) Not later than June 30, 2007, the Director of National Intelligence shall submit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2021.

(2) The report shall include—

(A) an assessment of the highest priority intelligence gaps across the intelligence community that may be resolved by the use of technology;

(B) goals for advanced research and development and a strategy to achieve such goals;

(C) an explanation of how each advanced research and development project funded under the National Intelligence Program addresses an identified intelligence gap;

(D) a list of all current and projected research and development projects by research type (basic, advanced, or applied) with estimated funding levels, estimated initiation dates, and estimated completion dates; and

(E) a plan to incorporate technology from research and development projects into National Intelligence Program acquisition programs.

(3) The report may be submitted in classified form.

SEC. 404. APPOINTMENT AND TITLE OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

(a) APPOINTMENT.—

(1) IN GENERAL.—Subsection (a) of section 103G of the National Security Act of 1947 (50 U.S.C. 403–3g) is amended by striking ''the President, by and with the advice and consent of the Senate'' and inserting ''the Director of National Intelligence''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any nomination of an individual as Chief Information Officer of the Intelligence Community that is made on or after that date.

(b) TITLE.—Such section is further amended—

(1) in subsection (a), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(2) in subsection (b), by inserting ''of the Intelligence Community'' after ''Chief Information Officer'';

(3) in subsection (c), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''; and

(4) in subsection (d), by inserting ''of the Intelligence Community'' after ''Chief Information Officer''.

SEC. 405. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A(a) of the National Security Act of 1947 (50 U.S.C. 404o–1(a)) is amended—

(1) by striking ''ESTABLISHMENT.—Not later than 18 months after the date of the enactment of the National Security Intelligence Reform Act of 2004, the'' and inserting ''(1) ESTABLISHMENT.—The''; and

(2) by adding at the end the following new paragraphs:

''(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be appointed by the Director of National Intelligence.

''(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.''.

(b) OFFICERS.—Section 103(c) of that Act (50 U.S.C. 403–3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

''(9) The Chief Information Officer of the intelligence community.

''(10) The Inspector General of the intelligence community.

''(11) The Director of the National Counterterrorism Center.

''(12) The Director of the National Counter Proliferation Center.''.

SEC. 406. ELIGIBILITY FOR INCENTIVE AWARDS OF PERSONNEL ASSIGNED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Subsection (a) of section 402 of the Intelligence Authorization Act for Fiscal Year 1984 (50 U.S.C. 403e–1) is amended to read as follows:

''(a) AUTHORITY FOR PAYMENT OF AWARDS.—(1) The Director of National Intelligence may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

''(2) The Director of the Central Intelligence Agency may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency in the same manner as such authority may be exercised with respect to personnel of the Agency.''.

(b) REPEAL OF OBSOLETE AUTHORITY.—Such section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b), by striking ''to the Central Intelligence Agency or to the Intelligence Community Staff'' and inserting ''to the Office of the Director of National Intelligence or to the Central Intelligence Agency''; and

(2) in subsection (c), as redesignated by subsection (b)(2) of this section, by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence or Director of the Central Intelligence Agency''.

(d) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—

(1) in subsection (b)—

(A) by inserting ''PERSONNEL ELIGIBLE FOR AWARDS.—'' after ''(b)'';

(B) by striking ''subsection (a) of this section'' and inserting ''subsection (a)''; and

(C) by striking ''a date five years before the date of enactment of this section'' and inserting ''December 9, 1978''; and

(2) in subsection (c), as so redesignated, by inserting ''PAYMENT AND ACCEPTANCE OF AWARDS.—'' after ''(c)''.

SEC. 407. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402c) is amended—

(1) by striking subsections (d), (g), (h), (i), and (j); and

(2) by redesignating subsections (e), (f), (k), (l), and (m) as subsections (d), (e), (f), (g), and (h), respectively.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''subsection (f)'' each place it appears in paragraphs (1) and (2) and inserting ''subsection (e)''; and

(2) in subsection (e)(2), as so redesignated, by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''.

SEC. 408. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

Subparagraph (F) of section 115(b)(1) of title 49, United States Code, is amended to read as follows:

''(F) The Director of National Intelligence, or the Director's designee.''.

SEC. 409. TEMPORARY INAPPLICABILITY TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE OF CERTAIN FINANCIAL REPORTING REQUIREMENTS.

The Director of National Intelligence shall not be required to submit an audited financial statement under section 3515 of title 31, United States Code, for the Office of the Director of National Intelligence with respect to fiscal year 2005 or 2006.

SEC. 410. COMPREHENSIVE INVENTORY OF SPECIAL ACCESS PROGRAMS.

Not later than January 15, 2007, the Director of National Intelligence shall submit to the congressional intelligence committees (as defined in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7))) a classified report providing a comprehensive inventory of all special access programs under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 401a(6))).

SEC. 411. SENSE OF CONGRESS ON MULTI-LEVEL SECURITY CLEARANCES.

It is the sense of Congress that the Director of National Intelligence should promptly establish and oversee the implementation of a multi-level security clearance system across the intelligence community to leverage the cultural and linguistic skills of subject matter experts and individuals proficient in foreign languages critical to national security.

SEC. 412. ACCESS TO INFORMATION BY STAFF AND MEMBERS OF THE CONGRESSIONAL INTELLIGENCE COMMITTEES.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members and staff of the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate accounts for and access to the Intelink System (or any successor system) through the Joint Worldwide Intelligence Communications System (or any successor system). Such access shall include access up to and including the level of sensitive compartmented information and shall be provided in the sensitive compartmented information facilities of each Committee.

SEC. 413. STUDY ON REVOKING PENSIONS OF PERSONS WHO COMMIT UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) STUDY.—The Director of National Intelligence shall conduct a study on the feasibility of revoking the pensions of personnel in the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) who commit unauthorized disclosures of classified information, including whether revoking such pensions is feasible under existing law or under the administrative authority of the Director of National Intelligence or any other head of an element of the intelligence community.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report containing the results of the study conducted under subsection (a).

Subtitle B—Central Intelligence Agency

SEC. 421. ENHANCED PROTECTION OF CENTRAL INTELLIGENCE AGENCY INTELLIGENCE SOURCES AND METHODS FROM UNAUTHORIZED DISCLOSURE.

(a) RESPONSIBILITY OF DIRECTOR OF CENTRAL INTELLIGENCE AGENCY UNDER NATIONAL SECURITY ACT OF 1947.—Subsection (d) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) protect intelligence sources and methods of the Central Intelligence Agency from unauthorized disclosure, consistent with any direction issued by the President or the Director of National Intelligence; and''.

(b) PROTECTION UNDER CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended by striking ''section 102A(i)'' and all that follows through ''unauthorized disclosure'' and inserting ''sections 102A(i) and 104A(d)(4) of the National Security Act of 1947 (50 U.S.C. 403–1(i), 403–4a(d)(4))''.

(c) CONSTRUCTION WITH EXEMPTION FROM REQUIREMENT FOR DISCLOSURE OF INFORMATION TO PUBLIC.—Section 104A(d)(4) of the National Security Act of 1947, as amended by subsection (a), and section 6 of the Central Intelligence Agency Act of 1949, as amended by subsection (b), shall be treated as statutes that specifically exempt from disclosure the matters specified in such sections for purposes of section 552(b)(3) of title 5, United States Code.

(d) TECHNICAL AMENDMENTS TO CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—Section 201(c) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2011(c)) is amended—

(1) in the subsection heading, by striking ''OF DCI'';

(2) by striking ''section 102A(i)'' and inserting ''sections 102A(i) and 104A(d)(4)'';

(3) by striking ''of National Intelligence''; and

(4) by inserting ''of the Central Intelligence Agency'' after ''methods''.

SEC. 422. ADDITIONAL EXCEPTION TO FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) ADDITIONAL EXCEPTION.—Subsection (g) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(2) in paragraph (2), by striking ''position or category of positions'' each place it appears and inserting ''individual, individuals, position, or category of positions''; and

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

''(3) Paragraph (1) shall not apply to any individual in the Directorate of Intelligence or the Directorate of Operations of the Central Intelligence Agency who is serving in a Senior Intelligence Service position as of December 23, 2005, regardless of whether such individual is a member of the Senior Intelligence Service.''.

(b) REPORT ON WAIVERS.—Section 611(c) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3955) is amended—

(1) in the first sentence, by inserting ''individuals or'' before ''positions''; and

(2) in the second sentence, by striking ''position or category of positions'' and inserting ''individual, individuals, position, or category of positions''.

SEC. 423. ADDITIONAL FUNCTIONS AND AUTHORITIES FOR PROTECTIVE PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) PROTECTION OF CERTAIN PERSONS.—Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(4)) is amended—

(1) by striking ''and the protection'' and inserting ''the protection''; and

(2) by striking the semicolon and inserting '', and the protection of the Director of National Intelligence and such personnel of the Office of

the Director of National Intelligence as the Director of National Intelligence may designate;''.

(b) AUTHORITY TO ARREST.—

(1) Chapter 203 of title 18, United States Code, is amended by adding at the end the following:

''§3065. Powers of authorized personnel in the Central Intelligence Agency

''(a) The Director of the Central Intelligence Agency may issue regulations to allow personnel designated to carry out protective functions for the Central Intelligence Agency under section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f) to, while engaged in such protective functions, make arrests without a warrant for any offense against the United States committed in the presence of such personnel, or for any felony cognizable under the laws of the United States, if such personnel have probable cause to believe that the person to be arrested has committed or is committing that felony offense.

''(b) The powers granted under subsection (a) may be exercised only in accordance with guidelines approved by the Attorney General.''.

(2) The table of sections at the beginning of chapter 203 of title 18, United States Code, is amended by adding at the end the following:

''3065. Powers of authorized personnel in the Central Intelligence Agency.''.

SEC. 424. PROTECTIVE SERVICES FOR FORMER OFFICIALS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 409a et seq.) is amended by inserting after section 303 the following new section:

''PROTECTIVE SERVICES FOR FORMER OFFICIALS OF THE INTELLIGENCE COMMUNITY

''SEC. 304. (a) IN GENERAL.—Subject to subsection (b), the head of an element of the intelligence community may not provide personnel for the protection of a former official of an element of the intelligence community unless—

''(1) there is a specific and credible threat to such former official arising from the service of such former official to the United States; and

''(2) such head of an element of the intelligence community submits to the Director of National Intelligence notice of the intention to provide such personnel and an assessment of—

''(A) the threat to such former official; and

''(B) the level of protective services necessary to protect such former official based on such threat.

''(b) EXCEPTION FOR RECENT TERMINATION OF EMPLOYMENT.—The head of an element of the intelligence community may provide personnel for the protection of a former official of an element of the intelligence community without a specific and credible threat to such former official for not more than one year after the termination of the employment of such former official if such former official requests such protection.

''(c) THREAT ASSESSMENT UPDATES.—Not later than 180 days after the date on which the head of an element of the intelligence community begins providing personnel for the protection of a former official of an element of the intelligence community, and at least every 180 days thereafter until such head of an element of the intelligence community determines that there is no longer a threat to such former official, such head of an element of the intelligence community shall submit to the Director of National Intelligence an updated assessment of the threat to such former official and the level of protective services necessary to protect such former official based on such threat.

''(d) TERMINATION OF PROTECTIVE SERVICES.—If the head of an element of the intelligence community that is providing personnel for the protection of a former official of an element of the intelligence community pursuant to subsection (a) determines that there is no longer a threat to such former official, such head of an element of the intelligence community shall cease providing personnel for the protection of such former official not later than 30 days after determining such threat no longer exists.

''(e) REPORT.—Not later than 7 days after the date on which the head of an element of the intelligence community begins providing personnel for the protection of a former official of an element of the intelligence community, the Director of National Intelligence shall submit to the congressional intelligence committees notice of the provision of personnel for the protection of such former official.''.

(b) TABLE OF CONTENTS.—The table of contents of such Act is amended by—

(1) striking the second item relating to section 301;

(2) striking the second item relating to section 302;

(3) striking the items relating to sections 304, 305, and 306; and

(4) inserting after the item relating to section 303 the following new item:

''Sec. 304. Protective services for former officials of the intelligence community.''.

SEC. 425. STRATEGIC REVIEW PROCESS.

Section 102A(f) of the National Security Act of 1947 (50 U.S.C. 403–1(f)) is amended by adding at the end the following new paragraph:

''(9) Not later than September 30, 2007, and every four years thereafter, the Director of National Intelligence shall, in consultation with the heads of the elements of the intelligence community, manage and oversee the conduct of a strategic review of the intelligence community to develop intelligence capabilities required to address threats to national security. Such review shall analyze near-term, mid-term, and future threats to national security and shall include estimates of the allocation of resources and structural change that should be reflected in future budget requests.''.

Subtitle C—Defense Intelligence Components

SEC. 431. ENHANCEMENTS OF NATIONAL SECURITY AGENCY TRAINING PROGRAM.

(a) TERMINATION OF EMPLOYEES.—Subsection (d)(1)(C) of section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by striking ''terminated either by'' and all that follows and inserting ''terminated—

''(i) by the Agency due to misconduct by the employee;

''(ii) by the employee voluntarily; or

''(iii) by the Agency for the failure of the employee to maintain such level of academic standing in the educational course of training as the Director of the National Security Agency shall have specified in the agreement of the employee under this subsection; and''.

(b) AUTHORITY TO WITHHOLD DISCLOSURE OF AFFILIATION WITH NSA.—Subsection (e) of such section is amended by striking ''(1) When an employee'' and all that follows through ''(2) Agency efforts'' and inserting ''Agency efforts''.

SEC. 432. CODIFICATION OF AUTHORITIES OF NATIONAL SECURITY AGENCY PROTECTIVE PERSONNEL.

(a) PROTECTION OF CERTAIN PERSONS.—The National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended by adding at the end the following new section:

''SEC. 20. (a) The Director is authorized to designate personnel of the Agency to perform protective functions for the Director and for any personnel of the Agency designated by the Director.

''(b) Nothing in this section shall be construed to impair or otherwise affect any authority under any other provision of law relating to the performance of protective functions.''.

(b) AUTHORITY TO ARREST.—

(1) Chapter 203 of title 18, United States Code, as amended by section 423 of this Act, is amended by adding at the end the following:

''§3066. Powers of authorized personnel in the National Security Agency

''(a) The Director of the National Security Agency may issue regulations to allow personnel designated to carry out protective functions for the Agency to—

''(1) carry firearms; and

''(2) make arrests without warrant for any offense against the United States committed in the presence of such personnel, or for any felony cognizable under the laws of the United States, if such personnel have probable cause to believe that the person to be arrested has committed or is committing that felony offense.

''(b) The powers granted under subsection (a) may be exercised only in accordance with guidelines approved by the Attorney General.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 203 of title 18, United States Code, as amended by section 423 of this Act, is amended by adding at the end the following:

''3066. Powers of authorized personnel in the National Security Agency.''.

Subtitle D—Other Elements

SEC. 441. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION ELEMENTS IN THE INTELLIGENCE COMMUNITY.

Section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended—

(1) in subparagraph (H)—

(A) by inserting ''the Coast Guard,'' after ''the Marine Corps,''; and

(B) by inserting ''the Drug Enforcement Administration,'' after ''the Federal Bureau of Investigation,''; and

(2) in subparagraph (K), by striking '', including the Office of Intelligence of the Coast Guard''.

SEC. 442. CLARIFYING AMENDMENTS RELATING TO SECTION 105 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Section 105(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 117 Stat. 2603; 31 U.S.C. 311 note) is amended—

(1) by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) by inserting ''or in section 313 of such title,'' after ''subsection (a)),''.

TITLE V—OTHER MATTERS

SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.

(a) LIMITATION ON TERMINATION OF U–2 AIRCRAFT PROGRAM.—The Secretary of Defense may not begin the process to terminate the U–2 aircraft program until the Secretary certifies in accordance with subsection (b) that there would be no loss of national or Department of Defense intelligence, surveillance, and reconnaissance (ISR) capabilities in transitioning from the U–2 aircraft program to the Global Hawk RQ–4 unmanned aerial vehicle platform.

(b) REPORT AND CERTIFICATION.—

(1) STUDY.—The Secretary of Defense shall conduct a study of aerial reconnaissance platforms to determine whether the Global Hawk RQ–4 unmanned aerial vehicle has reached mission capability and has attained collection capabilities on a par with the collection capabilities of the U–2 Block 20 aircraft program as of April 1, 2006.

(2) REPORT.—The Secretary shall submit to the congressional committees specified in subsection (c) a report containing the results of the study. The Secretary shall include in the report the Secretary's determination as to whether the Global Hawk RQ–4 unmanned aerial vehicle—

(A) has reached mission capability; and

(B) has attained collection capabilities on a par with the collection capabilities of the U–2 Block 20 aircraft program as of April 1, 2006.

(3) CERTIFICATION.—The Secretary shall include with the report the Secretary's certification, based on the results of the study, as to whether or not there would be a loss of national or Department of Defense intelligence, surveillance, and reconnaissance capabilities with a transition from the U–2 aircraft program to the

Global Hawk RQ–4 unmanned aerial vehicle platform.

(c) SPECIFIED COMMITTEES.—The congressional committees specified in this subsection are the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 502. ELIMINATION OF CERTAIN REPORTING REQUIREMENTS.

(a) INTELLIGENCE SHARING WITH UN.—Section 112 of the National Security Act of 1947 (50 U.S.C. 404g) is amended by striking subsection (b).

(b) IMPROVEMENT OF FINANCIAL STATEMENTS FOR AUDITING PURPOSES.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended—

(1) by striking section 114A; and

(2) in the table of contents in the first section, by striking the item relating to section 114A.

(c) FINANCIAL INTELLIGENCE ON TERRORIST ASSETS.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended—

(1) by striking section 118; and

(2) in the table of contents in the first section, by striking the item relating to section 118.

(d) COUNTERDRUG INTELLIGENCE.—The Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306) is amended—

(1) by striking section 826; and

(2) in the table of contents in section 1(b), by striking the item relating to section 826.

SEC. 503. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended as follows:

(1) In section 102A (50 U.S.C. 403–1)—

(A) in subsection (c)(7)(A), by striking ''section'' and inserting ''subsection'';

(B) in subsection (d)—

(i) in paragraph (3), by striking ''subparagraph (A)'' in the matter preceding subparagraph (A) and inserting ''paragraph (1)(A)''; and

(ii) in paragraph (5)(A), by striking ''or personnel'' in the matter preceding clause (i); and

(C) in subsection (l)(2)(B), by striking ''section'' and inserting ''paragraph''.

(2) In section 119(c)(2)(B) (50 U.S.C. 404o(c)(2)(B)), by striking ''subsection (h)'' and inserting ''subsection (i)''.

SEC. 504. TECHNICAL CLARIFICATION OF CERTAIN REFERENCES TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended—

(1) in subsection (c)(3)(A), by striking ''annual budgets for the Joint Military Intelligence Program and for Tactical Intelligence and Related Activities'' and inserting ''annual budget for the Military Intelligence Program or any successor program or programs''; and

(2) in subsection (d)(1)(B), by striking ''Joint Military Intelligence Program'' and inserting ''Military Intelligence Program or any successor program or programs''.

SEC. 505. TECHNICAL AMENDMENTS TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458) is amended as follows:

(1) In section 1016(e)(10)(B) (6 U.S.C. 458(e)(10)(B)), by striking ''Attorney General'' the second place it appears and inserting ''Department of Justice''.

(2) In section 1061 (5 U.S.C. 601 note)—

(A) in subsection (d)(4)(A), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''; and

(B) in subsection (h), by striking ''National Intelligence Director'' and inserting ''Director of National Intelligence''.

(3) In section 1071(e), by striking ''(1)''.

(4) In section 1072(b), by inserting ''AGENCY'' after ''INTELLIGENCE''.

(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended as follows:

(1) In section 2001 (28 U.S.C. 532 note)—

(A) in subsection (c)(1), by inserting ''of'' before ''an institutional culture'';

(B) in subsection (e)(2), by striking ''the National Intelligence Director in a manner consistent with section 112(e)'' and inserting ''the Director of National Intelligence in a manner consistent with applicable law''; and

(C) in subsection (f), by striking ''shall,'' in the matter preceding paragraph (1) and inserting ''shall''.

(2) In section 2006 (28 U.S.C. 509 note)—

(A) in paragraph (2), by striking ''the Federal'' and inserting ''Federal''; and

(B) in paragraph (3), by striking ''the specific'' and inserting ''specific''.

SEC. 506. TECHNICAL AMENDMENT TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking ''authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of section 103, subsections (a) and (g) of section 104, and section 303 of the National Security Act of 1947 (50 U.S.C. 403(a)(2), (3), 403–3(c)(7), (d), 403–4(a), (g), and 405)'' and inserting ''authorized under subsections (c), (d), (e), and (f) of section 104A of the National Security Act of 1947 (50 U.S.C. 403–4a)''.

SEC. 507. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—

(1) in the subsection heading, by striking ''FOREIGN''; and

(2) by striking ''foreign'' each place it appears.

(b) RESPONSIBILITY OF DNI.—That section is further amended—

(1) in subsections (a) and (c), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(2) in subsection (b), by inserting ''of National Intelligence'' after ''Director''.

(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows:

"SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.".

SEC. 508. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.

(a) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new item:

''Director of the Central Intelligence Agency.''.

(b) EXECUTIVE SCHEDULE LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking the item relating to the General Counsel of the Office of the National Intelligence Director and inserting the following new item:

''General Counsel of the Office of the Director of National Intelligence.''.

§ 509. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the national Geospatial-Intelligence Agency

(a) TITLE 5, UNITED STATES CODE.—(1) Title 5, United States Code, is amended by striking ''National Imagery and Mapping Agency'' each place it appears in a provision as follows and inserting ''National Geospatial-Intelligence Agency'':

(A) Section 2302(a)(2)(C)(ii).

(B) Section 3132(a)(1)(B).

(C) Section 4301(1) (in clause (ii)).

(D) Section 4701(a)(1)(B).

(E) Section 5102(a)(1) (in clause (x)).

(F) Section 5342(a)(1) (in clause (K)).

(G) Section 6339(a)(1)(E).

(H) Section 7323(b)(2)(B)(i)(XIII).

(2) Section 6339(a)(2)(E) of such title is amended by striking ''National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency''.

(b) TITLE 44, UNITED STATES CODE.—(1)(A) Section 1336 of title 44, United States Code, is amended by striking ''National Imagery and Mapping Agency'' both places it appears and inserting ''National Geospatial-Intelligence Agency''.

(B) The heading of such section is amended to read as follows:

"§ 1336. National Geospatial-Intelligence Agency: special publications".

(2) The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 1336 and inserting the following new item:

''1336. National Geospatial-Intelligence Agency: special publications.''.

(c) HOMELAND SECURITY ACT OF 2002.—Section 201(f)(2)(E) of the Homeland Security Act of 2002 (6 U.S.C. 121(f)(2)(E)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(d) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' each place it appears and inserting ''National Geospatial-Intelligence Agency''.

(e) ETHICS IN GOVERNMENT ACT OF 1978.—Section 105(a)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(f) OTHER ACTS.—(1) Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2006(b)(2)(A)(i)) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

(2) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) is amended by striking ''National Imagery and Mapping Agency'' and inserting ''National Geospatial-Intelligence Agency''.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–438. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HOEKSTRA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109–438 offered by Mr. HOEKSTRA:

In section 421, strike subsection (c) (page 29, lines 15 through 23).

Page 29, line 24, redesignate subsection (d) as subsection (c).

Amend paragraph (1) of section 441 (page 39, line 8) to read as follows:

(1) in subparagraph (H), by inserting ''the Coast Guard'' after ''the Marine Corps'';

Page 39, line 15, strike the final period and insert a semicolon.

Page 39, after line 15, insert the following new paragraphs:

(3) by redesignating subparagraph (L) as subparagraph (M); and

(4) by inserting after subparagraph (K) the following new subparagraph:

''(L) The Office of National Security Intelligence of the Drug Enforcement Administration.''.

The CHAIRMAN. Pursuant to House Resolution 774, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, this is the manager's amendment to the bill. It contains two provisions. The first strikes the provision of the committee's amendment relating to the Freedom of Information Act at the request of the Committee on Government Reform. The second specifically clarifies that the new membership of the Drug Enforcement Administration in the intelligence community is limited to the DEA's Office of National Security Intelligence. This clarification was requested by the Department of Justice and the DEA. I do not believe that either of these changes are controversial. I urge Members to support the amendment.

I reserve the balance of my time.

Ms. HARMAN. Mr. Chairman, I will support this amendment, but I rise to note that the chairman has agreed to modify a provision, and I appreciate the modification that he has made, and that relates to the CIA Director's responsibility under the Freedom of Information Act. The minority felt that the provisions were restricting FOIA requests, and the majority agreed to accommodate us and struck the language, and I would like our colleagues to know that that accommodation has been made. It makes the manager's amendment a better amendment, and I support the manager's amendment.

Mr. HOEKSTRA. If the gentlewoman has no additional speakers, I will yield back the balance of my time.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. FOSSELLA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109–438 offered by Mr. FOSSELLA:

At the end of the bill, add the following (and conform the table of contents accordingly):

TITLE VI—COMMUNICATION OF INFORMATION CONCERNING TERRORIST THREATS

SEC. 601. IDENTIFICATION OF BEST PRATICES.

(a) STUDY.—The Secretary of Homeland Security and the Director of National Intelligence shall conduct jointly, or contract with an entity to conduct, a study of the operations of Federal, State, and local government entities to identify best practices for the communication of information concerning a terrorist threat.

(b) CONTENTS.—

(1) IDENTIFICATION OF BEST PRACTICES.—The study conducted under this section shall be focused on an analysis and identification of the best practices of the information sharing processes of the following government entities:

(A) Joint Terrorism Task Forces, which are operated by the Federal Bureau of Investigations with the participation of local law enforcement agencies.

(B) State Homeland Security Fusion Centers, which are established by a State and share information with Federal departments.

(C) The Homeland Security Operations Center, which is operated by the Department of Homeland Security for the purposes of coordinating information.

(D) State and local law enforcement agencies that collect, utilize, and disseminate information on potential terrorist attacks.

(E) The appropriate elements of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a), involved in the sharing of counter-terrorism information.

(2) COORDINATION OF GOVERNMENT ENTITIES.—The study conducted under this section shall include an examination of methods for coordinating the activities of Federal, State, and local entities in responding to a terrorist threat, and specifically the communication to the general public of information concerning the threat. The study shall not include an examination of the sources and methods used in the collection of the information.

(c) OBTAINING OFFICIAL DATA.—In conducting the study, the Secretary, in conjunction with the Director, with due regard for the protection of classified information, may secure directly from any department or agency of the United States information necessary to enable the Secretary to carry out this section. Classified information shall be handled through established methods for controlling such information.

(d) TEMPORARY DUTY OF FEDERAL PERSONNEL.—The Secretary, in conjunction with the Director, may request the head of any department or agency of the United States to detail to temporary duty personnel within the administrative jurisdiction of the head of the department or agency that the Secretary may need to carry out this section, each detail to be without loss of seniority, pay, or other employee status.

(e) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary, in conjunction with the Director, shall submit to Congress a report that contains—

(A) a detailed statement of the findings and conclusions of the study, including identification of the best practices for the processing, analysis, and dissemination of information between the government entities referred to in subsection (b)(1); and

(B) recommendations for a formalized process of consultation, communication, and confidentiality between Federal, State, and local governments, incorporating the best practices of the various entities studied, to facilitate communication and help prevent the unauthorized dissemination of information and criticism of decisions concerning terrorist threats.

(2) CLASSIFIED INFORMATION.—To the extent determined appropriate by the Secretary, in conjunction with the Director, the Secretary may submit a portion of the report in classified form.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2007.

SEC. 602. CENTERS OF BEST PRACTICES.

(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Director of National Intelligence, shall make grants for the establishment and operation of 3 centers to implement the best practices, identified by the study conducted under section 601, for the processing, analysis, and dissemination of information concerning a terrorist threat (in this section, each referred to as a ''Center'').

(b) LOCATION OF CENTERS.—In carrying out subsection (a), the Secretary, in consultation with the Director, shall make grants to—

(1) the State of New York for the establishment of a Center to be located in New York City;

(2) the State of Michigan for the establishment of a Center to be located in Detroit; and

(3) the State of California for the establishment of a Center to be located in Los Angeles.

(c) PURPOSE OF CENTERS.—Each Center shall—

(1) implement the best practices, identified by the study conducted under section 601, for information sharing concerning a terrorist threat;

(2) coordinate the communication of these best practices with other metropolitan areas;

(3) coordinate with the Secretary and the Director to develop a training curriculum to implement these best practices;

(4) provide funding and technical assistance to other metropolitan areas to assist the metropolitan areas in the implementation of the curriculum developed under paragraph (3); and

(5) coordinate with the Secretary and the Director to establish a method to advertise and disseminate these best practices.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under this section—

(1) $10,000,000 for fiscal year 2007 for the establishment of the Centers; and

(2) $3,000,000 for each of fiscal years 2008 through 2012 for the operation of the Centers.

(e) REPORT TO CONGRESS.—Not later than March 31, 2010, the Secretary, in consultation with the Director, shall submit to Congress a report evaluating the operations of the Centers and making recommendations for future funding.

The CHAIRMAN. Pursuant to House Resolution 774, the gentleman from New York (Mr. FOSSELLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

First, let me thank the chairman and the ranking member for allowing me to bring this amendment forward in the Rules Committee.

One of the essential elements of government responsibility is to communicate effectively to the American people, especially in time of a potential terrorist attack or a natural disaster.

On October 6 of 2005, New York City was made aware of several reports that terrorists were planning a large-scale attack on the subway systems. That evening, as New Yorkers watched the news, they had to struggle with two conflicting messages about the day's events. City officials, led by the mayor and the police commissioner, announced that a credible threat was aimed at New York City subway system, and stated that the threat was specific enough to warrant an immediate and overwhelming response.

However, the news also reported that officials in Washington were down playing the severity of the threat. A spokesman for the Department of Homeland Security described it as ''specific, yet noncredible.'' Other antiterrorism officials stated that the information gathered about the plot was not verifiable.

New York officials first learned of the threat earlier in the week. The information gained from a reliable informant indicated that the people in Iraq were plotting with people in the United States to hide bombs in baby strollers, briefcases and packages and set them off in the city's subways.

But the Department of Homeland Security had a different take. They released to law enforcement agencies an unclassified bulletin on the threat to the subway system, indicating that the FBI and Department of Homeland Security had doubts about the credibility of that threat. Yet the document also stated that a team of operatives, ''some of whom may travel to or who may be in the New York City area,'' might attempt an attack on or about October 9, 3 days after this warning. It also said that the terrorists might use remote-controlled or timed explosives hidden inside or underneath baby carriages and briefcases or suitcases.

Vetting and verifying information is one thing. Having our government sending out conflicting messages to the American people when conflict can be avoided is another.

I have always and will continue to be supportive of all efforts by antiterrorism forces at the Federal, State and local levels, but it pained me, and I am sure many others, to watch the confusion that unfolded that October.

The trend continued weeks later in Maryland. Officials responded to a bomb threat in the I–95 tunnel under Baltimore Harbor, which the closing of resulted in stopping of thousands of cars for hours along a major transportation corridor. However, Baltimore's mayor and police commissioner said they learned of the tunnel closure and the bomb threat from the news media. This is not the way the system should work.

Bear in mind, since 9/11, law enforcement at all levels has responded to a variety of threats every day such as a misplaced bag, a suspicious package or unknown substance. In general, these agencies and the men and women who work for these agencies are dedicated, responsible, diligent, and respond very well to these potentially dangerous situations.

But what clearly needs to be done and to be improved is how different levels of government interact with each other when these threats are elevated. We need to get everyone on the same page and, when a credible threat occurs, inform the public in a coordinated way. In short, what is needed is a 911 call center for first responders. To achieve that, my amendment works in the following ways:

It authorizes a study to be conducted by the Secretary of Homeland Security and the Director of National Intelligence to identify the problems and the success of terrorist threat information sharing between the Federal, State and local levels of government.

Number 2, in addition to identifying the best practices, it will recommend a formalized process between the Federal, State and local levels of government for communicating threats to the public in a coordinated way.

Once complete, the study will be made available to all Federal, State and local government entities involved in terrorist intelligence gathering.

Finally, based on the results of the study, three centers of best practices will be created; staffs of the centers tasked with developing techniques to teach State and local governments how to improve their information sharing and planning techniques in conjunction with the Federal Government.

The center's staff will ensure the results of the study are incorporated in the daily workings of homeland security preparedness and responsive activities through all levels of government.

And finally, let me just say it is a fact that not every city can dedicate resources to terrorism. On the one hand, we have New York City where more than 1,000, about 1 in every 40, police officers in New York City are dedicated to antiterrorism duties. The reality is New York City faces a threat every single day. New York can be Exhibit A. But for other municipalities developing advanced techniques on fighting the war on terrorism, it is not so important. They don't have the resources, the manpower to dedicate. This amendment is not limited to just New York. The other centers of best practices, a suggestion would be in Detroit and Los Angeles, and can disseminate and share their techniques with other cities, whether it be Topeka or Peoria.

The sad fact is that the same terrorist scenarios, if they occurred in five different States, there could be five different sets of responses to the American people. We need, at a minimum, a level of coordination on communicating threats to the public. This amendment, I believe, will achieve that goal. The American people deserve it.

I yield back the balance of my time.

Ms. HARMAN. Mr. Chairman, I move to strike the last word, and rise in support of the Fossella amendment. I think it is an excellent amendment, and I think the explanation by Mr. FOSSELLA was excellent.

We had meltdowns, as he well describes, both in New York and Baltimore recently. I think local officials acted responsibly. The information they had showed direct threats to their municipalities, so they had no choice.

We can improve this. We not only need to share information better horizontally, a point we have been making in this committee and one of the reasons we set up the Director of National Intelligence, but we need to share it better vertically. Some of the best ideas are in our hometowns, and some of the best people trying to keep us safe are in our hometowns. I think the Fossella amendment will help us, through the establishment of centers of excellence, develop best practices to share information horizontally and vertically and get best information to those in our hometowns who are trying to protect us.

This is a great idea. I am kind of embarrassed we didn't have it in the base bill. It shows that when this House works together, we bring good information to the floor, and we improve legislation. I only wish that we had been able to bring some other good amendments to the floor to improve this legislation. I say to Mr. FOSSELLA, I strongly support you.

Mr. FOSSELLA. Would the gentlewoman yield?

Ms. HARMAN. Yes, I would be happy to yield to the gentleman.

Mr. FOSSELLA. I would just like to thank the gentlewoman for her efforts and that of your staff, especially Chairman HOEKSTRA, that of Chairman PETER KING and his staff and Rob O'Connor. But I thank the gentlewoman for her comments and strong support.

Mr. HOEKSTRA. Will the gentlewoman yield?

Ms. HARMAN. I would be happy to yield to the gentleman.

Mr. HOEKSTRA. I would like to thank the gentlewoman for her comments. I don't have time on this amendment. I also would like to indicate our side's support of this amendment. And this is something that you and I have talked about before. And again, we have gone through this the way it should be gone through. Appreciate your help.

Ms. HARMAN. Well, I agree. And just reclaiming my time, this is how this House should be working. This is bipartisan collaboration at work. It is going to make our cities safer, and it is going to send a message to the American people of one team, one fight, which is the message they want to hear.

I yield back, Mr. Chairman.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–438 offered by Ms. LEE:

At the end of the bill, add the following new section:

SEC. 510. REPORT ON AUTHORIZATION TO OVERTHROW DEMOCRATICALLY ELECTED GOVERNMENTS.

Not later than 120 days after the date of the enactment of this Act, the President shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing any authorization granted during the 10-year period ending on the date of the enactment of this Act to engage in intelligence activities related to the overthrow of a democratically elected government.

The CHAIRMAN. Pursuant to House Resolution 774, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

Let me first thank our ranking member of the committee, my colleague and friend from California, Congresswoman JANE HARMAN, for her support of this amendment and for her leadership.

Mr. Chairman, this amendment is very simple and noncontroversial. It merely requires the President to submit a report to the House and Senate Intelligence Committees describing any authorization granted over the last 10 years to engage in intelligence activities related to the overthrow of a democratically elected government.

Mr. Chairman, we all know that democracy promotion is at the top of this administration's agenda, and I believe that there is no question that supporting democracy should be a nonpartisan issue that we all agree on because it is at the core of our Nation's values. It is, quite simply, fundamental to who we are as a people and what we stand for as a Nation. That is why we must support democratic movements as they take place across the world. Nothing less than our values are on the line if we don't. That is why we must be vigilant and safeguard against any actions that would undermine or threaten our ability to support democratic efforts.

It is clear that actions that undermine democracies also undermine our credibility in the world and, therefore, our ability to be viewed as a serious and legitimate agent of democracy. So if promoting democracy is to remain a critical pillar of our foreign policy, we must ensure that our ability to be this voice for people's movements throughout the world is not damaged by contrary actions. Who will believe us if our actions are inconsistent with our words? How successful will we be in achieving our goals?

So today I offer this amendment to support and protect our efforts toward promoting democracy and to help ensure that our actions are consistent with our values. Toward that end this amendment will help Members of this body stay well informed about our Nation's actions related to these types of overt or covert intelligence activities which is especially critical at this moment. This amendment will help increase transparency in the process by requiring a report that is organized and comprehensive over the past 10 years. It will also help provide this information in an organized fashion so Members do not need to sort through voluminous records or seek information on a country-by-country basis.

It is also critical to point out that that amendment in no way compromises the confidential and sensitive nature of the information as it requires the report to be delivered to the House and Senate Intelligence Committees and for Members to review it in a confidential and secure setting.

So, Mr. Chairman, I want to conclude by thanking again our ranking member for her support, and want to strongly urge all my colleagues here to stand up for democracy and to stand up for transparency by supporting this amendment.

I reserve the balance of my time.

Mr. HOEKSTRA. Mr. Chairman, I would like to claim the time in opposition to the amendment.

I will not oppose the amendment, but I do want to just have a couple of clarifying comments. We should not presume and we are not presuming by accepting the amendment that any such authorization to overthrow democratically elected governments has ever happened or been authorized.

□ 1615

But we think it would be helpful to have this 10-year history to clarify that. The reporting requirements are very much appropriate. So with that clarification, we are inclined to accept the amendment.

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

Ms. LEE. Mr. Chairman, I want to thank the chairman for his support and want to make sure that it is on the record that we have talked and agreed with regard to the intent of this amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN), ranking member of the committee.

Ms. HARMAN. Mr. Chairman, I thank the gentlewoman for yielding to me. I commend her for her courageous voice in Congress, she knows I do, on many important issues.

I also want to commend our chairman for saying that he will accept this amendment. He should know, and the gentlewoman surely does know, that we have worked together over the years to describe this issue in a manner acceptable to many in the committee. She and I have had conversations on the floor in past years about this issue. This year she is offering her concerns in the form of legislation, and I think this legislation is really very good. I think the goals of democratization and transparency are both good goals. Our President says he supports democratization. It surely is one of our major foreign policy goals.

I am for, and I mince no words about this, the robust use of intelligence to find out the plans and intentions of people who are plotting to do us harm. I do not think this amendment in any way compromises that, and I think the fact that the report is to be prepared and will be delivered to our committee in a classified form makes absolutely certain that we are not advertising to our enemies how we deploy our resources.

So, again, I want to commend the gentlewoman for offering this amendment and offer my strong support for it.

Ms. LEE. Mr. Chairman, I yield myself the balance of my time.

I want to thank the gentlewoman for her leadership and for her support. And, yes, we have talked over the years about this and wanted to come to some bipartisan agreement and solution. So I think this is a very modest yet very important amendment, and I want to thank again our chairman and ranking member for their support.

Let me also thank our staffs on both sides of the aisle. Especially I want to thank my chief of staff, Julie Nixon, for her support and leadership, and both the minority and majority staff for, again, helping us to figure out the appropriate language to accomplish the goals that we want to accomplish. I thank them for their support.

Ms. WATERS. Mr. Chairman, I rise to support the Lee amendment, which would require the President to submit to Congress a report describing any authorization in the past 10 years to engage in intelligence activities related to the overthrow of a democratically-elected government.

In February of 2004, our government was a party to a coup d'etat that overthrew President Jean-Bertrand Aristide, the democratically-elected President of Haiti. Former soldiers and other heavily-armed thugs took over several Haitian cities and then marched into Haiti's capital, while opposition groups representing Haiti's wealthy elites staged confrontational demonstrations throughout the country. Early in the morning on February 29, U.S. Marines and Embassy officials entered President Aristide's home and told him to leave immediately or he and thousands of other Haitians would be killed. President Aristide was flown aboard a U.S. plane to the Central African Republic and left there.

The Bush administration had been working with the wealthy Haitian elites who hated President Aristide to force him to step down. The International Republican Institute, which is affiliated with the Republican Party, funneled U.S. taxpayer dollars to the Aristide-haters; and Roger Noriega, President Bush's former Assistant Secretary of State for Western

Hemisphere Affairs, conspired with sweatshop-owner Andre Apaid to organize, train and finance the opposition.

Congress has a right to know why the Bush administration allowed a small minority of wealthy elites and a group of heavily armed thugs to overthrow a democratically-elected government. More importantly, Congress has a right to know whether U.S. intelligence agencies and operatives were directly involved in this coup d'etat.

I urge my colleagues to support the Lee amendment and demand that Congress uncover the truth about the coup d'etat in Haiti.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. PRICE OF NORTH CAROLINA

Mr. PRICE of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–438 offered by Mr. PRICE of North Carolina:

At the end of title III, add the following new section:

SEC. 308. ACCOUNTABILITY IN INTELLIGENCE CONTRACTING.

(a) REPORT ON REGULATIONS GOVERNING INTELLIGENCE COMMUNITY CONTRACTING.—

(1) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report on regulations governing covered contracts under the National Intelligence Program and, at the discretion of the Director of National Intelligence, the Military Intelligence Program.

(2) MATTERS COVERED.—

(A) The report required by paragraph (1) shall include a description of any relevant regulations prescribed by the Director of National Intelligence or by the heads of agencies in the intelligence community, including those relating to the following matters:

(i) Types of functions or activities that may be appropriately carried out by contractors.

(ii) Minimum standards regarding the hiring, training, security clearance, and assignment of contract personnel.

(iii) Procedures for conducting oversight of covered contracts to ensure identification and prosecution of criminal violations; financial waste, fraud, or abuse; or other abuses committed by contractors or contract personnel.

(B) The report also shall include a description of progress made by the Director of National Intelligence in standardizing the regulations described in subparagraph (A) across the different agencies of the National Intelligence Program to the extent practicable.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be in unclassified form, but may contain a classified annex if necessary.

(b) ACCOUNTABILITY REQUIREMENTS FOR CONTRACTS AWARDED BY INTELLIGENCE COMMUNITY AGENCIES.—

(1) INFORMATION ON INTELLIGENCE ACTIVITIES TO BE PERFORMED.—Each covered contract in an amount greater than $1,000,000 shall require the contractor to provide to the contracting officer for the contract, not later than 5 days after award of the contract, the following information regarding intelligence activities performed under the contract:

(A) Number of persons to be used to perform such functions.

(B) A description of how such persons are trained to carry out tasks specified under the contract relating to such functions.

(C) A description of each category of activity relating to such functions required by the contract.

(2) UPDATES.—The information provided under paragraph (1) shall be updated during contract performance as necessary.

(3) INFORMATION ON COSTS.—Each covered contract shall include the following requirements:

(A) Upon award of the contract, the contractor shall provide to the contracting officer cost estimates of salary, benefits, insurance, materials, logistics, administrative costs, and other costs of carrying out intelligence activities under the contract.

(B) Before contract closeout (other than closeout of a firm, fixed price contract), the contractor shall provide to the contracting officer a report on the actual costs of carrying out intelligence activities under the contract, in the same categories as provided under subparagraph (A).

(c) ACCOUNTABILITY REQUIREMENTS FOR CONTRACTING AGENCIES OF THE INTELLIGENCE COMMUNITY.—

(1) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report containing the information described in paragraph (2) on contracting activities in the intelligence community.

(2) MATTERS COVERED.—The report required by paragraph (1) shall include the following information:

(A) A list of contracts awarded for intelligence activities by each agency in the intelligence community during the one-year period preceding the date of submission of the report.

(B) A description of the activities to be performed by contractors in fulfillment of each contract on the list under subparagraph (A), including whether such activities are classified or unclassified.

(C) The number of personnel carrying out work under each such contract.

(D) The estimated cost of performance of the work required by each such contract.

(d) RETENTION OF INTELLIGENCE COMMUNITY PROFESSIONALS.—

(1) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Director of National of Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report on hiring, promotion, and retention of intelligence community professionals.

(2) MATTERS COVERED.— The report required by paragraph (1) shall include the following:

(A) Recommendations regarding any bonuses, benefits, or other inducements that would help the intelligence community to hire, promote, and retain its professional workforce in order to compete effectively against the attraction of private sector opportunities.

(B) Recommendations regarding any policy changes, including changes to policies governing the awarding of security clearances, that may promote hiring, promotion, and retention of the intelligence community professional workforce.

(C) A description of any additional authority needed from Congress to implement the recommendations under subparagraphs (A) and (B).

(3) FORM OF REPORT.—The report required by paragraph (1) shall be in unclassified form, but may contain a classified annex if necessary.

(e) DEFINITIONS.—In this section:

(1) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) COVERED CONTRACT.—The term ''covered contract'' means—

(A) a prime contract with any agency or office that is part of the intelligence community;

(B) a subcontract at any tier under any prime contract with an office or agency referred to in subparagraph (A); or

(C) a task order issued under a task or delivery order contract entered into by an office or agency referred to in subparagraph (A, if the work to be performed under the contract, subcontract, or task order includes intelligence activities to be performed either within or outside the United States.

The CHAIRMAN. Pursuant to House Resolution 774, the gentleman from North Carolina (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since the 9/11 attacks, the budgets of U.S. intelligence agencies and the scope of their operations have increased, and they have increasingly turned to private sector contractors to help do their work. Experts both within and outside the intelligence community have warned that the expanded use of private contractors is posing some major challenges. According to the Washington Post, the Director of National Intelligence, Mr. Negroponte, has himself expressed concern about this issue.

It is an important matter. About half of the intelligence community's budget is reportedly now spent through contracts awarded to private sector firms. So we are talking about several billion dollars in contracts each year.

While the intelligence community has addressed some of the questions about how private contractors are being used and how they should be used, there needs to be a deeper examination and discussion of these issues both in the community and in Congress. My amendment would solicit information from the Director of National Intelligence and, I hope, would spur such dialogue.

It would also ask the director to provide suggestions on how to help him recruit and retain top-notch personnel, too many of whom we are now losing to private sector opportunities. Over and over again, we see the government invest thousands of dollars in training and obtaining top-level security clearances for intelligence personnel, only to lose them to lucrative jobs in the private sector. I know Representative

JOHN TIERNEY and others have been interested in this issue, and I appreciate their support for my amendment.

I have worked with the Intelligence Committee majority and minority to draft this amendment in a way that will give Congress the information it needs to conduct proper oversight without posing an undue reporting burden on the intelligence community. I believe we have achieved a good balance with my amendment, and, as I have indicated to the chairman, I am happy to continue working with him and the ranking member to further improve the language as the legislation moves forward.

I urge my colleagues to support this amendment and help us shed some light on an important and largely unnoticed shift in the way we gather intelligence.

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

Mr. PRICE of North Carolina. I yield to the gentleman from Alabama.

Mr. CRAMER. Mr. Chairman, I would like to make a point for the benefit of the members of the committee. Mr. THORNBERRY and I have been aggressively involved in standing up to DNI and we have been concerned, the committee has been concerned, that we do not establish a new set of regulations and reporting requirements for our intelligence agencies.

Would your amendment have that kind of impact? Could you explain that to us?

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the question. My amendment, in fact, does not establish new regulations for the intelligence community nor does it prohibit contractors from carrying out any type of work. It simply requires contractors and the intelligence community to provide Congress with more information so we can do our job effectively. It is not about more regulations. It is about information, about what practices and policies are already in effect.

As for the reporting requirements, this amendment would require reports on private contracting. We have crafted the amendment to minimize the additional burden on the agency. The vast majority of what we are requesting is information that the agency either has or should have already, but it is a matter of assembling that information and making it available to the appropriate committees of the Congress.

Mr. CRAMER. If you would continue to yield, I think you clearly raise issues that we need to continue to address, and this is information that we should continue to have. I would support your amendment and would urge my colleagues in the committee to do the same thing.

Mr. PRICE of North Carolina. Mr. Chairman, I thank my colleague for his support, and I reserve the balance of my time.

Mr. HOEKSTRA. Mr. Chairman, I would like to claim time in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Chairman, again, I believe that with some of the dialogue we have had before, we will not oppose the amendment, but I just want to add some clarification.

I am very appreciative of the efforts of the gentleman from North Carolina to work closely with the committee to perfect his original amendment. The intent of this amendment, as I understand it, is to improve contractor management, civilian retention, and to eliminate fraud, waste, and abuse across the intelligence community. These are the goals that the Intelligence Committee has embraced and we fully support.

The amendment as written requires numerous duplicative and onerous reports that will only increase costs in personnel overhead at the intelligence community agencies, and particularly within the Office of the Director of National Intelligence, an issue that the ranking member and I and other members of the committee have been very, very concerned about.

As Mr. CRAMER has also identified, the Oversight Subcommittee has been working in a way to try to reduce the number of reports. This amendment, we believe, as an example, within 90 days of enactment of the legislation, there would be a requirement for the delivery of a report on hiring, promotion, and retention of all intelligence community professionals. The text does not define intelligence professional; so the amendment basically would ask for this report on every career field within the intelligence community. This may simply not be necessary. It would potentially be overly burdensome. Since it also applies to parts of the Defense Department that are part of the military intelligence program, our friends at the House Armed Services Committee have expressed some concerns about this. But based on the discussions that we had before the amendment came up indicating Mr. PRICE's willingness to work with us on refining this amendment once we are in conference, we are inclined to accept the amendment and to move on.

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

Mr. PRICE of North Carolina. Mr. Chairman, I thank the chairman and once again assure him that we indeed do stand ready to work on refining this language so we get the information we need in the Congress but that we do not impose undue reporting requirements.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. HARMAN), ranking member.

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding.

And I agree that there is more to explore about this subject in conference. But outsourcing is a big deal, and it is probably a bigger deal than any of us on the committee knows.

Oversight of the intelligence community in today's world means oversight of contractors. We have outsourced more and more of the community, and I think that more serious thought needs to go into the impact of this.

The good thing about the Price amendment is that it does not mandate any particular solution. It just requires the DNI to examine the problem in a meaningful way. It essentially calls for an inventory of contracts and of rules regarding what duties may be outsourced. And I think giving us full information will allow better policy.

I applaud the gentleman for introducing this amendment and urge our colleagues to support it.

The CHAIRMAN. All time has expired on the proponent's side.

Mr. HOEKSTRA. Mr. Chairman, again I am looking forward to working in conference in a bipartisan way to work out any concerns or any additional issues that may arise with this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. ANDREWS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109–438 offered by Mr. ANDREWS:

At the end of the bill, add the following new section:

SEC. 510. REPORT ON INTELLIGENCE RELATING TO INSURGENT FORCES IN IRAQ.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence shall submit to Congress a report, in classified form, on intelligence relating to the disposition of insurgent forces in Iraq fighting against Coalition forces and the forces of the Government of Iraq, including—

(1) an estimate of the number of insurgent forces;

(2) an estimate of the number of insurgent forces that are—

(A) former members of the Ba'ath Party; and

(B) members of al Qaeda or other terrorist organizations;

(3) a description of where in Iraq the insurgent forces are located;

(4) a description of the capability of the insurgent forces; and

(5) a description of how the insurgent forces are funded.

The CHAIRMAN. Pursuant to House Resolution 774, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, there are many different views in the House as to how we should prosecute the war effort in Iraq. There are many different views as to

what we should do next. But I believe there is only one view about the constitutional responsibility of this branch of government, and that is that we have the solemn and grave responsibility of oversight.

It is our job on behalf of our constituents to ask questions about the direction, the efficacy, and the future of American policy in Iraq. In order to appropriately answer those questions, it is important that certain facts be adduced and be available to the Members on a regular basis. Because of the sensitive nature of those facts, it is important that the facts be available on a classified basis so that those who are prosecuting the war and the related intelligence activities are not compromised in any way.

The purpose of my amendment is to serve the twin goals of promoting fact-based oversight while maintaining the confidentiality and security of sources and methods of intelligence gathering.

My amendment says this: on a quarterly basis, the relevant intelligence authorities would be responsible for producing for the House a classified report that would set forth the best intelligence estimates as to the number of resistance fighters in Iraq. These categories would be broken down according to the various sources of the disruption and violence that we are seeing: former regime elements, insurgents from outside of the country, groups associated with terrorist organizations around the world, and so forth.

I am not suggesting that the only metric of the success of our policy would be the diminution of such forces, but I am suggesting that a critical metric of the success or failure would be the metric of that reduction. Similarly, if we are having trouble pinpointing the number in each category, that alone is a relevant fact that would help us understand the nature of the problem that we face and the nature of remedies to those problems.

So this report would produce an important metric for review by the Members as to the progress or lack thereof with respect to defeating the resistance in Iraq.

I want to reemphasize that this report is quarterly and it is classified. This would be handled much in the same way that the intelligence budget is handled, where Members who have properly executed the proper oath would have access to the information on a quarterly basis, would have the opportunity to review it, would be bound by the appropriate rules of confidentiality in discussing what they have seen, but would be able to form a more factual basis for an evaluation of the success or lack thereof of our policies in Iraq.

□ 1630

Again, I believe that this amendment serves the many different views we have with the prosecution of this policy in Iraq. For those who would call for an expeditious withdrawal, for those who would call for staying the course, for all those in between, this would be fact-based information that I think would enrich our debate and further advance our constitutional responsibility of oversight.

Mr. Chairman, I would respectfully urge adoption of the amendment, and I thank you for this opportunity to explain it.

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

Mr. HOEKSTRA. Mr. Chairman, I rise to claim the time in opposition to the amendment.

Mr. Chairman, I will not oppose the amendment. I think this information is very consistent with the type of information that the Intelligence Committee receives on a regular basis, but we need to make sure that we continue receiving it in the future.

Again, we will be inclined to accept this amendment.

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

Mr. ANDREWS. Mr. Chairman, I thank my friend from Michigan and my friend from California for their cooperation, and I yield back the balance of my time.

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

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. RENZI

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109–438 offered by Mr. RENZI:

At the end of the bill, add the following new section:

SEC. 510. SENSE OF CONGRESS REGARDING UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.

(a) FINDINGS.—Congress finds the following:

(1) The Supreme Court has unequivocally recognized that the Constitution vests the President with the authority to protect national security information as head of the Executive Branch and as Commander-in-Chief.

(2) The Supreme Court has recognized a compelling government interest in withholding national security information from unauthorized persons.

(3) The Supreme Court has recognized that secrecy agreements for government employees are a reasonable means for protecting this vital interest.

(4) The Supreme Court has noted that ''It should be obvious that no one has a 'right' to a security clearance''.

(5) Unauthorized disclosures of classified information relating to national security are most damaging when they have the potential to compromise intelligence sources and methods and ongoing intelligence operations.

(6) Potential unauthorized disclosures of classified information have impeded relationships with foreign intelligence services and the effectiveness of the Global War on Terrorism.

(7) Media corporations and journalists have improperly profited financially from publishing purported unauthorized disclosures of classified information.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should utilize the constitutional authority of the President to the fullest practicable extent, where warranted, to classify and protect national security information relating to intelligence activities and information and to take effective action against persons who commit unauthorized disclosures of classified information relating to intelligence activities and information contrary to law and voluntary secrecy agreements.

The CHAIRMAN. Pursuant to House Resolution 774, the gentleman from Arizona (Mr. RENZI) and a Member opposed will each control 10 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, within our Nation's media organizations there exists a great number of professionals who provide America with information of substance and great importance. The media's role is vital to this Nation. They provide checks and balances of power and oversight of our political activity, and I want my words today to be respectful, particularly of those true professional journalists who have a hard time choosing in the battle to get their story and the need to protect our Nation.

Yet amongst the journalistic profession there are a few, a small few, who disclose our most sensitive intelligence sources and methods to our enemies. They even boldly have justified their actions recently by claiming themselves to be whistleblowers.

Yet it is not the role of a reporter working with a disgraced or disgruntled politically motivated former government employee or those who are on the verge of retirement to determine when to reveal our national secrets.

Some reporters explain that the information that they are disclosing is illegal. If you suspect it to be illegal, then notify the FBI or the intelligence committees. If you feel that there will be inactivity or political coverup, then inform both Republicans and Democrats. But do not publish classified information for personal gain.

My amendment expresses the sense of Congress that the President ought to use his full authority, where warranted, not to overclassify information, but to protect national security information and take effective action against those persons who have betrayed this Nation during wartime by publishing current, ongoing operational disclosures of classified information.

We all want to protect our frontline agents. It is vital to the war on terror. It is also vital that those nations who we conduct joint operations with are able to trust us, not to ask our agents in the field whether or not we can even keep a secret.

I understand our publishers and their need to get the story, but I also understand that it is their right that by free speech they also safeguard this Nation and help contribute to our victory in this war on terror.

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

Ms. HARMAN. Mr. Chairman, I rise in opposition to this amendment, though I may not oppose it. I really rise for the purpose of entering into a colloquy with the amendment's sponsor.

Mr. Chairman, there is much that is good in this amendment. All of us, certainly this Member, oppose the leaks, unauthorized leaks, of classified information. That is the wrong thing to do. All of us who serve on the Intelligence Committee not only took the general oath as Members of Congress, but I believe we signed a second oath as members of the committee, and I have no reason to believe that any one of us ever, not for a nanosecond, has compromised classified information, nor would we. I am sure the amendment's author agrees.

I think it is important to say that the Congress wants those who leak in an unauthorized fashion to be prosecuted. I think that is a fair thing to say. I am also in full agreement that the President should use the fullest extent of his power to properly classify information and to protect classified information.

But two things are on my mind, and one of them relates to the language here. One thing on my mind, as I stated earlier, is we should not have a double standard. If we are against leaks of classified information, we should be against leaks of classified information everywhere, and I don't believe, and I am not asking the sponsor, unless he would like to comment, that it is proper for the President or the Vice President to use inherent power to authorize their own aides to discuss what was classified information with selected reporters.

But the question I want to ask the sponsor is this: there is one section of this amendment that I think is overly broad, and it is clause (7) of the findings, where it says, ''Media corporations and journalists have improperly profited financially from publishing purported unauthorized disclosures of classified information.'' That may be conjecture. I don't personally think that is true.

I would like to ask the amendment's sponsor whether he will work with us as this bill goes to conference to modify this language so that it can be absolutely accurate and convey on a bipartisan basis the view that unauthorized leaks are wrong, but that our findings are completely factual on the point.

Mr. RENZI. Mr. Chairman, if the gentlewoman will yield, I appreciate the dialogue with the ranking member and have great respect, as she knows, for her command of this subject matter.

In recent weeks we have almost seen a glorification, a self-glorification, almost a self-indulgence with this issue. In my opinion, with the rewards that have gone with the Pulitzer Prize, the money that goes with it, the trophies, the whole idea of leaking information and making it part of the marketplace was the motive for why I had that language put in.

If you are asking if I am willing to work with you, absolutely. From day one I want to work with you on it, and I would ask the chairman to look at it as it relates to the conference. But I think we need to send a message to the publishers in America that they have got to help us in this war on terror, and the motivation cannot be an ambition that is out of the realm of asking our media outlets to be reasonable. I would just offer that to the ranking member.

Ms. HARMAN. Mr. Chairman, reclaiming my time, I appreciate the gentleman's sincerity. You know, I enjoy working with you, but I doubt, and that is why I said we need more facts here, I don't think we should allege this unless it is factually based. I doubt the motivation in many of these cases was financial. I doubt it.

I understand that books have been written and prizes have been garnered based on publishing classified information, but we have a strong tradition of freedom of the press and a strong constitutional amendment, the first amendment, that protects freedom of speech. So I think we should be very careful in making claims like this.

What I am seeking is just a commitment that we will review this language and make sure that we all feel it is factually based.

Mr. RENZI. Mr. Chairman, if the gentlewoman will yield further, I appreciate the gentlewoman from California and her comments. I only would point out that books on these are in the millions and millions of dollars. I don't mean to limit it to just awards. But taking and listening to your initiative, I would also ask that the chairman look at his leadership role on this and his ideas and be able to formulate the final opinion along with you. I appreciate that.

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

Mr. RENZI. Mr. Chairman, I yield such time as he may consume to our chairman, the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank my colleague from Arizona. My commitment is to work with the ranking member and with the gentleman from Arizona on making sure that this language, we move it to somewhere that we are all agreeable. I think we can find that common ground.

I just want to say I rise to support the gentleman from Arizona's amendment today. We need to set the record straight about our national security. Specifically, Congress must speak with a single voice, clear and unwavering, about the value of our intelligence information and about who makes decisions regarding its use. We need to speak now.

This amendment says the right things. We are at war. Every day our Armed Forces and intelligence services do battle with an enemy whose sole purpose is to kill Americans. This point sounds fairly basic. It is. But the point bears repeating as long as some individuals here in Washington behave as if they have forgotten that we are at war.

Our government has a vital interest in protecting sensitive national security information during a time of war. The United States Supreme Court has recognized this vital interest in preserving secrecy. This interest is not merely some speculative opinion. It is the law of the land. This amendment makes that point.

The Constitution places the responsibility and authority to protect national security with the President of the United States. The President does so as the head of the executive branch and Commander in Chief. The U.S. Supreme Court has recognized this fact as law. The gentleman's amendment again makes that point.

Under our system of laws, the President must decide what sensitive national security information can be shared with the public and what must remain closely guarded. The President does not make these decisions lightly. He is elected by the American people to exercise his judgment in this regard and to make such decisions with the best interests of the American people in mind. Ultimately he is accountable to the people at the voting booth.

We have worked with the President and disagreed with his opinions and directions, most recently the decision to declassify over 48,000 boxes of documents that were obtained in Iraq. The position of the intelligence community and the executive branch for an extended period of time was to hold that information. After working with the executive branch, that information is now in the process of being declassified and released to the American people. That is a good decision.

But we went through a process. Individuals who disclose sensitive national security information without authority undermine the rule of law. These people substitute their judgment for that of the President, and they exercise that authority when legally it does not even belong to them. These individuals may act for self-determined reasons, not in the best interests of the American people, but in their own interests. I think that is what makes it different. Unless they are prosecuted, they remain unaccountable to the American people for their actions.

Mr. RENZI. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I thank the gentleman from Arizona for yielding.

Mr. Chairman, I support his amendment and share his concern about the destructive consequences of unauthorized disclosures or leaks. This was one

of the strategic oversight areas which the chairman and ranking member assigned to the Oversight Subcommittee at the beginning of this Congress.

We have held several hearings, including an open hearing, to discuss this problem. One of the results is that we have found that there are a limited number of tools that the agencies have to deal with those inside the agencies who choose to violate the law and disclose classified materials.

One of the things that is in this bill is to request information from the Director of National Intelligence on other tools, administrative or contractual avenues perhaps, with which we can help encourage people to follow their oath and to obey the law.

□ 1645

I think what is in the bill, as well as what is in the gentleman from Arizona's amendment, work very well together to convey the seriousness with which we take this problem.

I applaud the gentleman's amendment and support it.

Mr. RENZI. Mr. Chairman, I continue to reserve the balance of my time.

Ms. HARMAN. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, we have no further speakers and I do appreciate the comments of the amendment's sponsor on his amendment. I do intend to support the amendment and then to work with him and our chairman on some modifications of that amendment in the conference.

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

Mr. RENZI. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, I very much appreciate the ranking member and her kindness on the issue. I just want to wrap up by saying that the leaks are absolutely vital to our victory against the Islamofascists who very much want to establish a worldwide caliphate. It is that real.

The leaks have got to stop to protect our frontline agents. They have got to stop in order to rebuild the trust between our nations and our allies. I would urge my colleagues to support this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. RENZI).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 366, noes 56, answered ''present'' 1, not voting 9, as follows:

[Roll No. 106]

AYES—366

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOES—56

Abercrombie
Ackerman
Baldwin
Blumenauer
Conyers
Costello
Delahunt
DeLauro
Dingell
Doggett
Farr
Filner
Frank (MA)
Grijalva
Gutierrez
Hinchey
Inslee
Jackson-Lee (TX)
Johnson, E. B.
Kucinich
Larson (CT)
Lee
Lewis (GA)
Lynch
Maloney
Markey
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Moran (VA)
Nadler
Neal (MA)
Oberstar
Obey
Olver
Owens
Pastor
Payne
Rangel
Sánchez, Linda T.
Scott (VA)
Serrano
Slaughter
Solis
Stark
Tierney
Towns
Udall (NM)
Waters
Watson
Watt
Woolsey
Wu

ANSWERED ''PRESENT''—1

Capuano

NOT VOTING—9

Case
Evans
Ford
Hastings (FL)
Millender-McDonald
Miller, George
Moore (WI)
Ros-Lehtinen
Schakowsky

□ 1713

Messrs. STARK, MEEHAN, OWENS, Mrs. MALONEY, Ms. MCCOLLUM of Minnesota, Mr. LYNCH, Ms. DELAURO, Messrs. LARSON of Connecticut, WATT, INSLEE, RANGEL, TIERNEY, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT of Virginia, Mr. TOWNS, Ms. SOLIS, Mr. PASTOR, Ms. JACKSON-LEE of Texas, and Mr. COSTELLO changed their vote from ''aye'' to ''no.''

Ms. BEAN, Mr. DAVIS of Illinois and Mr. WAXMAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no other amendments, the question is on the amendment in the nature of a substitute, as amended.

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KUHL of New York) having assumed the chair, Mr. REHBERG, Chairman of the Committee of the Whole House on the State of the Union, reported that that

Committee, having had under consideration the bill (H.R. 5020) to authorize appropriations for fiscal year 2007 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 774, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

□ 1715

The SPEAKER pro tempore (Mr. KUHL of New York). Under the rule, the previous question is ordered.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Speaker, I offer a motion to recommit

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHIFF. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schiff moves to recommit the bill, H.R. 5020, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendment:

At the end of title III (Page 16, after line 10), add the following new section:

SEC. 308. NSA OVERSIGHT ACT.

(a) SHORT TITLE.—This section may be cited as the ''NSA Oversight Act''.

(b) FINDINGS.—Congress finds the following:

(1) On September 11, 2001, acts of treacherous violence were committed against the United States and its citizens.

(2) Such acts render it both necessary and appropriate that the United States exercise its right to self-defense by protecting United States citizens both at home and abroad.

(3) The Federal Government has a duty to pursue al Qaeda and other enemies of the United States with all available tools, including the use of electronic surveillance, to thwart future attacks on the United States and to destroy the enemy.

(4) The President of the United States possesses the inherent authority to engage in electronic surveillance of the enemy outside of the United States consistent with his authority as Commander-in-Chief under Article II of the Constitution.

(5) Congress possesses the authority to regulate electronic surveillance within the United States.

(6) The Fourth Amendment to the Constitution guarantees to the American people the right ''to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures'' and provides that courts shall issue ''warrants'' to authorize searches and seizures, based upon probable cause.

(7) The Supreme Court has consistently held for nearly 40 years that the monitoring and recording of private conversations constitutes a ''search and seizure'' within the meaning of the Fourth Amendment.

(8) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) and chapters 119 and 121 of title 18, United States Code, were enacted to provide the legal authority for the Federal Government to engage in searches of Americans in connection with criminal investigations, intelligence gathering, and counterintelligence.

(9) The Foreign Intelligence Surveillance Act of 1978 and specified provisions of the Federal criminal code, were expressly enacted as the ''exclusive means by which electronic surveillance . . . may be conducted'' domestically pursuant to law (18 U.S.C. 2511(2)(f)).

(10) Warrantless electronic surveillance of Americans inside the United States conducted without congressional authorization may have a serious impact on the civil liberties of citizens of the United States.

(11) United States citizens, such as journalists, academics, and researchers studying global terrorism, who have made international phone calls subsequent to the terrorist attacks of September 11, 2001, and are law-abiding citizens, may have the reasonable fear of being the subject of such surveillance.

(12) Since the nature and criteria of the National Security Agency (NSA) program is highly classified and unknown to the public, many other Americans who make frequent international calls, such as Americans engaged in international business, Americans with family overseas, and others, have a legitimate concern they may be the inadvertent targets of eavesdropping.

(13) The President has sought and signed legislation including the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (Public Law 107–56), and the Intelligence Reform and Terrorism Protection Act of 2004 (Public Law 108–458), that have expanded authorities under the Foreign Intelligence Surveillance Act of 1978.

(14) It may be necessary and desirable to amend the Foreign Intelligence Surveillance Act of 1978 to address new challenges in the Global War on Terrorism. The President should submit a request for legislation to Congress to amend the Foreign Intelligence Surveillance Act of 1978 if the President desires that the electronic surveillance authority provided by such Act be further modified.

(15) The Authorization for Use of Military Force (Public Law 107–40), passed by Congress on September 14, 2001, authorized military action against those responsible for the attacks on September 11, 2001, but did not contain legal authorization nor approve of domestic electronic surveillance not authorized by chapters 119 or 121 of title 18, United States Code, or the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(c) REITERATION OF CHAPTERS 119 AND 121 OF TITLE 18, UNITED STATES CODE, AND THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 AS THE EXCLUSIVE MEANS BY WHICH DOMESTIC ELECTRONIC SURVEILLANCE MAY BE CONDUCTED.—

(1) EXCLUSIVE MEANS.—Notwithstanding any other provision of law, chapters 119 and 121 of title 18, United States Code, and the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance may be conducted.

(2) FUTURE CONGRESSIONAL ACTION.—Paragraph (1) shall apply until specific statutory authorization for electronic surveillance, other than as an amendment to chapters 119 or 121 of title 18, United States Code, or the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), is enacted. Such specific statutory authorization shall be the only exception to paragraph (1).

(d) DISCLOSURE REQUIREMENTS.—Not later than 14 days after the date of the enactment of this Act, the President shall submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate a report in classified form identifying the United States persons who have been the subject of electronic surveillance not authorized to be conducted under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or chapters 119 or 121 of title 18, United States Code, and the basis for the selection of such persons for such electronic surveillance.

(e) ELECTRONIC SURVEILLANCE DEFINED.—In this section, the term ''electronic surveillance'' has the meaning given the term in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)).

Mr. SCHIFF (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of the motion.

Mr. SCHIFF. Mr. Speaker, the motion to recommit is based on bipartisan legislation that I introduced, along with Representatives FLAKE, HARMAN and INGLIS, dealing with the NSA surveillance program. And the basic premise of this legislation is that the Government must have all the tools it needs, it must have all the authority it needs to pursue al Qaeda using every tool in the toolbox.

But the premise is also that we are a Nation of laws, and that whereas the Commander in Chief has the authority to eavesdrop and surveil off American shores, when it comes to the electronic surveillance of Americans on American soil, Congress has the authority to regulate that surveillance. And, in fact, Congress has regulated that surveillance through title III and through the Foreign Intelligence Surveillance Act; and, in fact, those two laws form the exclusive authority to surveil Americans on American soil.

Now, we have learned, both through a disclosure in The New York Times and through the disclosures of the present administration, that there is an NSA surveillance program that, among others things, surveils conversations between Americans or people on U.S. soil and people overseas who may be affiliated with al Qaeda. Other than a small number of us, we don't know much about the contours of this program.

Recently when the Attorney General testified in the Judiciary Committee, I asked about the limiting principle of this program: Was it restricted only to these international calls? What if the Attorney General decided tomorrow or

the administration decided tomorrow that it had the inherent authority as Commander in Chief to tap purely domestic calls between two Americans; did it feel it would need to go to court for that authority? And the Attorney General said he would not rule it out. He would not rule out having the pure authority, without going to court, to tap the calls between two Americans on American soil.

So what is the limiting principle if this program can change from day to day without the input of Congress? The only limiting principle is the good faith of the executive, which when the executive shows it is infallible might be a sufficient limiting principle. But the executive is no more infallible than we are here in Congress, and so we have a role to play.

And this motion to recommit says that that role is the following: that, first, when we pass a law, like FISA and Title III, where we say the exclusive means of domestic eavesdropping is under these provisions with court approval, we mean what we say; that, second, the authorization to use military force that we voted on in the immediate aftermath of 9/11 did not create an exception to the authority to eavesdrop on Americans on American soil; that, third, if the President believes that FISA or existing law is insufficient to the task, he should come to Congress through his representatives and ask us to amend the law.

And this is what is most disturbing about what has happened so far. When the administration did come in the context of the PATRIOT bill and asked us to change FISA, we made changes to FISA. When one of the Republican Senators asked the administration, do you need us to change FISA more; is there a problem with FISA; is it not keeping pace with the terrorists or technology? The answer from the administration was, no, FISA is working just fine. The more truthful answer would have been, no, because we don't feel bound by FISA. We feel we can do what we choose to, what we feel we must, without consulting with Congress.

So this bill says, importantly, that if the administration feels that existing law is not enough, it should come to us and ask for amendment. And, finally, it asks the administration to report to Congress on the extent to which Americans have been surveilled on American soil so we can do our job as a coequal branch of government.

Mr. Speaker, I yield to my colleague, the ranking member from California.

Ms. HARMAN. I thank the gentleman for yielding and commend him and Messrs. FLAKE and INGLIS for their bipartisan leadership on this issue.

Mr. Speaker, every Member of this body supports tracking the communications of al Qaeda. That is not the issue. The issue is whether the electronic surveillance of Americans must comply with law and the fourth amendment. I believe it must. And as one of the few in this body who has been briefed on the highly classified program we are talking about, I believe it can. This program can and must comply with FISA. That is what the amendment says. The President believes his inherent authority trumps Article I of the Constitution, and I respectfully disagree.

Recommitting this bill and adding this provision will make a good bill stronger and will honor the sacrifice and dedication of those who serve us so courageously in the field.

Mr. HOEKSTRA. Mr. Speaker, I am opposed to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleagues on the other side of the aisle for this motion to recommit so that we can talk about this issue.

The language that is being used to describe the President and the executive branch is absolutely outrageous. Today we have heard the charges ''unlawful, reckless, abusive, infallible, without consulting with Congress.'' For 4½ years, Republicans and Democrats have been brought into this program.

Immediately when this program was started, to protect Americans both here and abroad, the leadership, on a bipartisan basis, was informed on the program. They consistently on a quarterly or a 4-month basis met with the executive branch, met with the Vice President and the people operating this program, and they came back united and said this program is legal, it is limited, the safeguards are in place to protect American civil liberties, it is effective, it is making a difference, and it is necessary.

And only when someone leaked it to the press all of a sudden did it become all of these other things that you have ascribed to the President. The President has reached out. The President has worked with Congress to make sure that we address these concerns.

America is at war. We were at war when this program started. We continue to be at war. Bin Laden was on tapes this weekend. Zarqawi is on a tape. We have bombings in Egypt, and troops in Iraq and Afghanistan. This continues to be the same thing that on a bipartisan basis people said needed to be done. It is legal, it is limited, it is necessary, and it is making a difference.

Mr. Speaker, I yield to my colleague from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Thank you, Mr. Speaker.

I have to say to my colleague from California that I really don't understand. For over 3 years, the ranking member of the Intelligence Committee and the minority leader of this House, Ms. PELOSI, have gone along with this and accepted limited briefings without insisting that the Intelligence Committee be informed and that oversight happen.

In January of this year, Ms. HARMAN said, ''This program is essential to U.S. national security, and its disclosure has damaged critical national intelligence capabilities.'' But now that effective oversight is taking place, because I demanded it, and this committee, the Intelligence Committee, is conducting effective oversight, you want a report.

Mr. SCHIFF has proposed not a benign piece of amendment, but a specific report on by-name targets, not only to the Intelligence Committee, but to the Judiciary Committee, an unprecedented release of sources and methods of intelligence that you know would compromise ongoing operations critical and vital to the security of this country.

The oversight of this program is proceeding. This committee went to the NSA on the 8th of April. We are going again on Friday. The Director of National Intelligence and the Deputy Director have briefed this committee, and continuing information comes in as we speak.

We will do our job as the Intelligence Committee, and we will also protect the security of the United States in the process. I urge my colleagues to oppose this motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SCHIFF. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 7, as follows:

[Roll No. 107]

AYES—195

Abercrombie	Cardoza	Doggett
Ackerman	Carnahan	Doyle
Allen	Carson	Edwards
Andrews	Case	Emanuel
Baca	Chandler	Engel
Baird	Clay	Eshoo
Baldwin	Cleaver	Etheridge
Bean	Clyburn	Farr
Becerra	Conyers	Fattah
Berkley	Costa	Filner
Berman	Costello	Flake
Berry	Cramer	Frank (MA)
Bishop (GA)	Crowley	Gonzalez
Bishop (NY)	Cuellar	Gordon
Blumenauer	Cummings	Green, Al
Boren	Davis (AL)	Green, Gene
Boswell	Davis (CA)	Grijalva
Boucher	Davis (FL)	Gutierrez
Boyd	Davis (IL)	Harman
Brady (PA)	Davis (TN)	Herseth
Brown (OH)	DeFazio	Higgins
Brown, Corrine	DeGette	Hinchey
Butterfield	Delahunt	Hinojosa
Capps	DeLauro	Holden
Capuano	Dicks	Holt
Cardin	Dingell	Honda

Hooley
Hoyer
Inglis (SC)
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)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Mollohan
Moore (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
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)
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

NOES—230

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
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 (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
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)
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
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
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
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
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Ford
Hastings (FL)
Millender-McDonald
Miller, George
Moore (WI)
Ros-Lehtinen

□ 1746

Mr. SKELTON changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. KUHL of New York.) The question is on the passage of the bill.

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

RECORDED VOTE

Ms. HARMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 327, noes 96, not voting 9, as follows:

[Roll No. 108]

AYES—327

Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOES—96

Abercrombie
Ackerman
Andrews
Baldwin
Becerra
Blumenauer
Boyd
Brady (PA)
Capuano
Conyers
Costello
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Duncan
Eshoo
Farr
Fattah
Filner
Frank (MA)
Grijalva
Gutierrez
Harman
Hinchey
Holt
Honda
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kilpatrick (MI)
Kind
Kucinich
Larson (CT)
Lee
Lewis (GA)
Lofgren, Zoe
Lynch
Markey
Matsui
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Moran (VA)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Reyes
Rothman
Roybal-Allard
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Scott (VA)
Serrano
Sherman

Slaughter	Towns	Waxman
Solis	Velázquez	Weiner
Stark	Visclosky	Wexler
Tauscher	Waters	Woolsey
Thompson (CA)	Watson	Wynn
Tierney	Watt	

NOT VOTING—9

Davis, Tom	Millender-McDonald	Radanovich
Evans	Miller, George	Ros-Lehtinen
Ford	Moore (WI)	
Hastings (FL)		

□ 1758

Messrs. GUTIERREZ, WYNN and DOGGETT changed their vote from ''aye'' to ''no.''

Mr. CUMMINGS changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TOM DAVIS of Virginia. Mr. Speaker, on rollcall vote No. 108, final passage of the Intelligence Authorization Act, I am recorded as not voting. Although I was present in the Chamber, my vote was not recorded.

I intended to vote ''aye'' and would like to be recorded as such.

PARLIAMENTARY INQUIRY

Mr. LAHOOD. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. LAHOOD. Mr. Speaker, when a Member of the House offers the motion to recommit and is asked the question whether they oppose the bill and say that they do in order that they can offer the motion, is it a violation of the rules of the House that that Member then votes for the bill and contradicts his statement that he was against the bill when he offered the motion to recommit? Is that a violation of House rules?

The SPEAKER pro tempore. The Chair would state to the gentleman from Illinois that the Chair takes a Member who makes that statement on the floor at his word.

Mr. LAHOOD. Is it a violation of the House rules for a Member to have the prerogative to offer the motion to recommit and state at that time that they are opposed to the bill, and then vote for the bill, which is what occurred here on the House floor on the intelligence authorization bill?

The gentleman from California offered the motion to recommit. He was asked by the Chair if he opposed the bill. He said he opposed the bill. And he is recorded as voting for the bill. Is that a violation of the House rules?

□ 1800

The SPEAKER pro tempore (Mr. KUHL of New York). Again, for the gentleman from Illinois, at the time that a Member makes his statement that he opposes the bill, the Chair takes him at his word. But it is not necessarily a violation of the House rules for a Member to vote one way or another.

Mr. LAHOOD. Well, Mr. Speaker, I think in the future, the leadership on the other side should instruct their Members about what the rules of the House are, that if a Member wants to offer a motion to recommit, that is well within their right to do it, but they have to vote against the bill.

Let me ask another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. LAHOOD. Is it possible, then, for the Chair to instruct a Member that wants to vote against the bill that offered the motion to recommit, that they in fact, according to House rules, have to vote against the bill? Can the Chair instruct a Member that perhaps does not know the rules of the House that when they stand up to offer a motion to recommit and they are opposed to the bill, that in fact they have to vote against the bill?

They cannot have it both ways, can they, Mr. Speaker?

The SPEAKER pro tempore. The gentleman will suspend.

Mr. LAHOOD. My parliamentary inquiry is, Mr. Speaker, can they have it both ways?

The SPEAKER pro tempore. The gentleman from Illinois will suspend.

Mr. LAHOOD. Can they have it both ways?

The SPEAKER pro tempore. The gentleman will suspend.

As previously indicated to the gentleman from Illinois, the Chair takes a Member at his word when assessing his qualification to offer the motion. But it is not the province of the Chair to instruct a Member how to vote thereafter.

Mr. HOYER. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER pro tempore. Without objection, the gentleman from Maryland is recognized.

There was no objection.

Mr. HOYER. Mr. Speaker, the gentleman from Illinois, in my opinion, is casting aspersions on the character and motives of a Member. That is clearly against the rule. But what I want to stand and say is that clearly, as we know, DUNCAN HUNTER offered a resolution on the floor of this House in response to Mr. MURTHA's press conference, that mischaracterized Mr. MURTHA's position, but, more importantly, we had some hours of debate on that resolution, and Mr. HUNTER, of course, voted ''no'' on that resolution.

Furthermore, I would say to the gentleman from Illinois that a Member may well be opposed to a bill, I say to my friend, and want the opportunity to offer an amendment, but when that amendment fails, the situation has changed. The circumstances have changed. And the circumstances that have changed is then that Member is left with either supporting a bill that he may not think was perfected as he thought it should be but on which the majority of the House disagreed. At that point in time, I say to my friend, the situation has changed.

And so for any one of us 435 to judge our 435th Member who sees a different situation confront him is, in fact, as I respectfully tell my friend, against the rules of the House of Representatives.

AUTHORIZING THE CLERK TO MAKE CHANGES IN ENGROSSMENT OF H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5020, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

RULES OF THE HOUSE

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois is recognized.

There was no objection.

Mr. LAHOOD. Mr. Speaker, my response to my friend from Maryland is that I cast no aspersions on any Member. You know better than that. But we have rules around here, and people need to know what the rules are. When the Rules Committee folks come down here and criticize the majority because they do not particularly like the way the Rules Committee operates, then I think it is perfectly proper for Members to realize that if they want to offer the motion to recommit because they have a grievance, because they did not get their amendment, that is well within their right to do it; but they ought to do it under the rules of the House. That is my only point.

I cast no aspersions on Mr. SCHIFF. I have great admiration and respect for him. But I just think all the Members ought to know what the rules are around here.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Because the irony is Members are put in a position where they have no alternative by the Rules Committee because their amendments are not made in order, which may well have been supported by the overwhelming majority of the House of Representatives, and that is the position that Members are put in on a regular basis. The situation, I suggest to the gentleman, does, in fact change when an amendment is defeated, and a Member then has a new judgment to make. That was my point.

Mr. LAHOOD. I take your point.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. McDERMOTT. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. McDermott moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4297 be instructed—

(1) to agree to the following provisions of the Senate amendment: section 461 (relating to revaluation of LIFO inventories of large integrated oil companies), section 462 (relating to elimination of amortization of geological and geophysical expenditures for major integrated oil companies), and section 470 (relating to modifications of foreign tax credit rules applicable to large integrated oil companies which are dual capacity taxpayers), and

(2) to recede from the provisions of the House bill that extend the lower tax rate on dividends and capital gains that would otherwise terminate at the close of 2008.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Washington (Mr. McDERMOTT) and the gentleman from Louisiana (Mr. McCRERY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Speaker, I rise on behalf of my Democratic colleagues to offer a motion to instruct the House conferees who are negotiating with Senators in a conference committee to work out differences on H.R. 4297, Tax Cut Reconciliation.

We have an opportunity to stand up for America's middle class, and I urge every Member to support the two key provisions in our Democratic motion: one, closing tax loopholes for oil companies; and, two, dropping the provision to extend tax holidays for the super rich beyond 2008.

The timing of this conference committee could not be more urgent. And the time has come for this House to prove to the American people that they, and not the oil companies, come first.

All across this country, Americans are looking for a pump that has gasoline in it for under $3 a gallon, and nothing has happened here. The time has come for the Republicans to stop being the party of the 1 percent and to govern on behalf of all the American people.

Today's gas prices are so high, you almost need a space shuttle to see the top. We are getting near $4 in some parts of this country, and by all indications, the oil companies fully intend to keep raising prices at the pump. Record-shattering quarterly profits, one after another, but underinvestigating in new refinery capacity quarter after quarter. This crisis is not about supply and demand. It is about a handful of oil companies refusing to supply the demand in order to drive up the prices.

This Nation needs more than energy independence from the Middle East. It needs energy independence from oil companies who are willing to crush the American middle class. Today, oil prices are forcing American families to choose between basic necessities or more debt to pay the oilman. And how we have paid, and paid, and paid.

Net income of oil companies has nearly tripled in the last 4 years. Earnings per share are up 50 percent, but the dividends are only up 10 percent. And oil companies on average have doubled their purchases of U.S. Treasury bonds. They are financing the Federal budget deficit even as it soars higher because of energy prices. That is the definition in my book of a double dip.

Now, the Senate wants oil companies to pay their fair share in corporate taxes, nothing more, nothing less. Republicans, however, in the House want the oil companies to continue to cook their books, using perfectly legal but completely immoral loopholes their lobbyists have fed the Republicans in the House. The Senate is right, and the House should stop defending oil companies and start protecting the American people. It is also a time to represent all the American people, not just the top 1 percent.

We have a war we cannot pay for. We have a deficit we cannot control. We have a growing number of Americans going into poverty, cuts in student loans and cuts for needy families. And the Republicans think the answer is to extend tax holidays for the wealthy in capital gains and dividend cuts.

Over half of this benefit goes to people earning over $1 million a year, most of whom drive into the gas station and they do not even look at the pump to see what it costs. They have extended their wealth while America has expanded its debt. This is not sound fiscal policy for the American people. It is reckless profiteering Republicans are providing the wealthy in this country.

The tax holiday continues for another 2 years, but the Republicans want to reward the rich by adding another 2 years; 2008 is not enough, they want to go out to 2010.

Now, the American middle class is struggling to make ends meet, and House Republicans are scrambling to reward their friends just months ahead of the election. In today's Washington Post, the majority leader of the House, Republican, says we will stop any attempt to deal with the oil companies and control their profits.

It is time to put the American people first, ahead of oil companies, ahead of special interests, ahead of the super rich. This motion to instruct is a call to restore the American middle class to its rightful place in the center of domestic policy. And I urge every Member to make America the only special interest we care about.

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

GENERAL LEAVE

Mr. McCRERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of the motion under consideration.

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

There was no objection.

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

Mr. Speaker, the Democratic motion to instruct conferees is, I believe, ill thought out in terms of energy policy, in terms of tax policy, and certainly in terms of the cost to the average American. In addition, Mr. Speaker, the motion to instruct conferees includes a number of provisions that many believe are critical to a meaningful tax reconciliation bill. In such a case when a Member tries to tie the hands of conferees on this many provisions, this Member believes that it is certainly ill advised in general.

As far as the specifics of the motion to instruct, Mr. Speaker, I said that I thought it was ill advised in terms of energy policy. Right now my constituents are concerned about the price of gasoline at the pump. Now, we all know there are lots of reasons for the price of gasoline going up. We all should know that among those reasons and probably the principal reason is the law of supply and demand.

□ 1815

If supply stays the same and demand goes up, generally speaking the price goes up. If supply goes down and demand stays the same, price goes up. If supply goes down and demand goes up, the price goes up even further. Certainly, with the effects of Hurricanes Katrina and Rita, with increased demand from China, India and other developing nations around the world, we can see that there is indeed less supply and more demand.

Now, also I think a commonly held and commonly believed law of economics is if you tax something, you get less of it, well, that is what this motion to instruct would have our conferees do. We are going to tax oil more, and if you tax oil more, you are going to get less of it. That exacerbates the problems that we are experiencing right now with the price of gasoline. If you tax the supply more, you are going to get less supply, but you are not going to do anything on the demand side. So that would make things worse at the pump, not better.

Mr. Speaker, on the issue of the capital gains and dividend tax, we believe that those two provisions are principal reasons that our economy has continued to grow over the last several years, that several million jobs have been created in this country over the last several years. In fact, the stock market has reached its highest point in 6 years

partly because we believe in these two very important provisions.

These provisions on capital gains and dividends allow corporations to make sound decisions, to plan their decisions on the allocation of their profits to shareholders, and we know that those decisions, having been made on that basis of cash, are transparent. We don't have to worry about accounting games. We don't have to worry about corporate fraud. It is cash. We know it. If they give a dividend, we know they have got the cash. This provision encourages corporations to do that. So not only is it good tax policy, it is good policy in terms of transparency of corporate activity.

It is good tax policy also because it lessens the double taxation of corporate profits. Right now when corporations make a profit, they pay the corporate income tax rate on those profits. Then when they send some of those profits back to shareholders in the form of dividends, the shareholders have to pay tax on the dividends. So that income, that corporate income, is taxed twice.

At least by lowering the rate of taxation on those dividends, we have lessened the double taxation of corporate income, and that, I would submit, is good tax policy and should be continued.

As far as my friend from Washington's characterization of capital gains and dividends being for the super rich, well, the data just does not bear out that characterization. The Joint Committee on Taxation data show nearly 60 percent of Americans receiving capital gain or dividend incomes have incomes of $100,000 or less. That is not super rich. One in five taxpayers, 20 percent of taxpayers with capital gains, and one in four, 25 percent of taxpayers with dividends, have incomes below $50,000 a year. That certainly is not the super rich.

So, Mr. Speaker, I would submit that the gentleman's motion to instruct conferees should be soundly defeated. Give our conferees the flexibility to deal with our Senate colleagues and produce a meaningful tax reconciliation bill.

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

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

Mr. Speaker, I will enter into the RECORD the Federal Reserve study article that is in the Wall Street Journal which says ''Did the Dividend Tax Cut Work?'' No. Absolutely not. It ''didn't boost market's aggregate value,'' and it has been a dud.

[From the Wall Street Journal, Dec. 6, 2005]

DID THE DIVIDEND-TAX CUT WORK?

(By Karen Richardson)

When President Bush slashed the tax on dividends in 2003, supporters hailed the move as a way to stimulate the economy and boost the stock market.

At least for the stock-market part of that plan, the jury is still out. A group of Federal Reserve Board economists concludes that the tax cut, which slashed the dividend-income tax on stocks to 15% from about 30%–38%, was a dud when it came to boosting the stock market when it was announced and passed in 2003—a time period, they say, that the stock market should have reacted most strongly.

Nor did the tax cut lead to a significant increase in the amount of money companies paid out to investors as a proportion of their earnings, the study adds.

''We fail to find much, if any, imprint of the dividend tax cut news on the value of the aggregate stock market,'' the economists—Gene Amromin, Paul Harrison, Nellie Liang and Steve Sharpe—wrote in a paper they presented in October.

Administration supporters point to the 2003 tax cuts on dividend income and long-term capital gains (also reduced to about 15% from about 20%) as successful center pieces of President Bush's economic policy. White House officials already are lobbying for an extension of the tax cut, which expires in 2008. The White House budget office, in a memo to the Senate in November, said the extensions are ''necessary to provide certainty for investors and business and are essential to sustaining long-term economic growth.''

The Fed economists' paper compares U.S. stock-market returns with those of European stocks over various ''key periods'' in 2003. The economists tracked stock performance during a few days in early January, after the Bush administration officially announced the tax-cut proposal, and two weeks in the latter half of May, when the tax bill was being discussed in the Senate and was eventually signed into law by the president May 28.

While those ''event windows'' are small, they are sufficient to capture the stock market's reaction to news of the tax cuts, the economists say. ''The markets should have absorbed the tax-cut news within a month, if not a week or a few days, afterward, since markets are somewhat efficient in responding to news,'' says co-author Mr. Sharpe.

Theoretically, U.S. stocks should have performed better than European stocks because U.S. investors, who hold far more U.S. stocks than European stocks, would benefit from the tax cut and presumably drive up stock prices with their new expected windfall. Instead, the economists found that the S&P Euro 350, which covers about 70% of Europe's market capitalization, performed similarly to or better than U.S. stocks tracked in the S&P 500.

The authors assumed that the anxiety of the impending war in Iraq was the main influence on all stock markets around the world over those periods. So by comparing European stocks with U.S. stocks, they aimed to control for major world events. Thus, ''any effect of the dividend tax should have resulted in a differential in performance,'' according to Mr. Sharpe.

Still, the economists didn't address other factors that might have contributed to a rise in European stocks or a drop in the U.S. market during the review periods.

For example, in the U.S., a stock-market rally in early January that some observers at the time said might have been driven by the tax-cut news ended after a few days when aluminum giant and Dow Jones Industrial Average component Alcoa Inc. reported bearish fourth-quarter results. Also, a terrorist bombing in Saudi Arabia in mid-May rattled the U.S., along with concerns about the weak dollar. Meanwhile, some Europe firms were reporting strong earnings.

While more companies paid out dividends in 2003, they didn't increase their average total payouts to shareholders as much as they have in the past. The authors found that 66% of S&P 1500 firms increased their total payouts to shareholders that year—through some combination of dividend payouts and share-repurchase programs—compared with the average of 89% that did so in the period of 1993 to 2002.

''The dividend tax cut did prompt a substitution from repurchases to dividends, but the effect on total payouts was much more muted,'' the authors conclude.

Other market observers see it differently. The dividend tax-cut has ''definitely'' helped to stimulate the stock market, and has contributed to the slow but steady increase of dividend payouts this year, says Howard Silverblatt, equity market analyst at Standard & Poor's.

According to Mr. Silverblatt's research, the tax cuts on both dividends and long-term capital gains will result in individual investors saving a total of $114 billion from 2003 to 2008. ''We believe a lot of that will filter back into the stock market,'' he says, pointing out that investors often reinvest their windfalls in other stocks.

Also, a Thomson Financial model shows that dividend tax cuts should theoretically result in higher stock-market returns each year, while, not surprisingly, higher tax rates should lower returns. However, Michael Thompson, director of research at Thomson Financial, cautions that attributing stock-market gains to one isolated factor risks being ''intellectually dishonest.''

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, this vote is going to be scored by the American people, and it is going to speak volumes about whether people just talk or whether they act. We know what is happening at the gas pump. The average price is $2.92. A gallon of gas today is 71 cents more than a year ago.

There were two announcements today on profits: Conoco, quarterly up 13 percent; Valero Energy Corporation, the Nation's biggest independent oil refiner, said Tuesday its first quarter profit jumped 60 percent as revenues surged from higher product margins and greater refining volume.

Exxon, as we know, decided to give a $60 million compensation package and a $98 million pension payout to its former CEO, but can't do anything about these sky-high prices.

Well, what is before us? Yesterday the President said, ''Record oil prices and large cash flows also mean that Congress has got to understand that these energy companies don't need unnecessary tax breaks.'' That is exactly what these provisions are.

Don't obscure and talk about windfall profit taxes. We will talk about that some other day. These are three provisions that passed the Senate that clearly are a tax break, a loophole, and closing it would generate $5 billion.

Mr. MCDERMOTT has quoted the headline from The Washington Post. ''GOP,'' that means the House GOP, ''blocks measures boosting taxes on oil company profits. Provisions passed by the Senate would raise about $5 billion.'' So there is a clear choice today.

I did look at the report on contributions to candidates by the oil and gas

industry in this cycle. The top 20 are all Republicans. People are going to have to decide what interests they are going to support.

Mr. MCCRERY, you said ''tie the hands.'' There are 100 provisions. This is three plus one. Tie the hands? No. What we are trying to do is to speak up for the people of this country.

I close with this: you always talk about one aspect in terms of capital gains and dividends. What you don't say is that every analysis we have seen indicates that this extension that you are insisting on, about 40 to 50 percent, and some say a little more than 50 percent, would go to people making over $1 million a year.

So tomorrow when people vote, they are going to have a clear choice. It is going to be the vast majority of the American people who go to the gas pump and know how much they are paying and are hurting; or people for whom that increase to three bucks a gallon and more doesn't really matter.

So, as I said at the beginning, I don't know which interest group is going to score this. I know how the American people are going to score this.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER), a distinguished member of the Committee on Ways and Means.

Mr. HERGER. Mr. Speaker, I want to refer for a moment to how the seniors of our country feel about this. I stand firmly against today's motion to instruct.

I recently received an e-mail from a senior citizen in Chico, California, in my northern California district, underscoring the importance of tax relief for capital gains and dividend income. I quote: ''Please do what you can to see that the 15 percent tax rate on dividends is extended, and, when the time is right, to see that it is made permanent. I am one of the retired who are not rich and not poor, but over time have saved enough and invested enough so that I am comfortable. I depend on the money from investments to put me in the 'comfortable' area. The President urges people to save for their retirements. It is only fair that the fruits of those efforts are given their due.''

These comments highlight a part of the debate frequently ignored. A majority of seniors benefit from reduced capital gains taxes and dividend tax rates.

They also track with the study by the nonpartisan Tax Foundation which states, ''As stock ownership becomes more universal in America, stock owners are becoming increasingly middle-class.'' It continues. ''A sizable percentage of taxpayers who claim dividends or capital gains are over age 55, and the majority of taxpayers over age 55 claim some form of capital gains or dividend income.''

Again, Mr. Speaker, I urge my colleagues to reject the motion to instruct conferees and in so doing support the extension of capital gains and dividend rates.

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

Mr. Speaker, while the gentleman from California was talking, Exxon's profits went up $160,000. They are making profit this quarter at $80,000 a minute, and the Republicans don't want to do anything.

Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from Washington, and I join with the distinguished gentlemen from Washington and Michigan, and I associate myself with their remarks.

I thank Representative MCDERMOTT for bringing forward a practical, pragmatic and effective solution that joins with the Senate in recognizing what we can do immediately to rectify this situation.

I say to my colleague from California who receives letters from the elderly, I would like to give him the scores of my e-mails and letters from the elderly who make daily choices between heating and cooling their homes; providing themselves with transportation money that they need to get back and forth to their doctors for their appointments, where they then, because of this administration and Republican control of Congress, have to become refugees of their own health care system and travel to Canada in order to get prescription drugs. If ever there was a need for relief and a focus on a matter that needs urgent attention, it is here in this pragmatic proposal that has been put forward.

You have to be aghast when you look at the policy. At least the President has come forward and recognized apparently what our colleagues on the other side of the aisle have not, that there is a need to roll back these excessive tax cuts. He stated so yesterday. We applaud him for that.

But we are confounded by an administration policy that Thomas Friedman best described in terms of its international perspective as ''leave no mullah behind.'' We find ourselves in the confounding situation where we see profits going abroad to the very nations, including Saudi Arabia, Iran and the Sudan, who in turn fund the madrassas and fund the very people that are working against our men and women in the field and serving this country so valiantly.

Here at home the domestic policy becomes ''leave no oil executive behind.'' In the reports that come out daily, CEOs are granted $400 million, while we cut LIHEAP provisions to the very needy in the Northeast and across this great Nation of ours, people who are struggling to make ends meet. ''Leave no oil executive behind'' becomes the hue and cry we hear from the other side of the aisle.

In my district, and as I am sure everyone did going home this past week, in talking to a number of people, most notably rock-rib Republicans like John Mitchell, the former mayor of South Windsor, who happens to be the past president of the Independent Connecticut Petroleum Dealers.

□ 1830

He said to me, JOHN, you know I care deeply about the people that are being impacted daily by these costs. And he says, I got to tell you, I have been in business for more than 30 years, and I have never witnessed anything like this before.

He said, I have been a Republican all my life. He says, but I will be damned if I am going to stand by and watch what is happening to this country and watch what is happening at the gas pumps and what is happening to home heating oil.

He said, there is no reason. There are no corollary between supply and demand that is going on here. He says, what this amounts to is nothing more than fear and arbitrarily raising prices based on greed.

I was further joined by Gene Gilford, the executive director, who also had the same thing to say with respect to what is going on here.

Mr. MCDERMOTT has proposed very logical amendments, amendments that the Senate has already embraced that make sense, that only go a small way in terms of the help that we need. Other measures that the Democrats have put forward wait for brave Republicans to come forward and sign discharge petitions so that we can even have an open and honest debate about the escalating prices at the gas pump, and what is happening to our senior citizens and all of our citizens across this country as they deal with the high cost of heating and cooling their homes this past winter and as we approach yet another summer season.

So I ask my colleagues on the other side to join us in supporting this measure. Embrace your President, and provided an opportunity to join the very practical and pragmatic provisions that Mr. MCDERMOTT has put forward, and then join in signing with Mr. STUPAK and others in the vote for the Free Act and the Pump Act that Democrats have been proposing.

Mr. MCCRERY. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I get a big kick out of my colleagues on the other side of the aisle, for whom I have great respect.

You know, I remember when Jimmy Carter was President of the United States, we had those gas lines that went all of the way around the block, and people carrying gas cans to get 3 gallons.

They said, we are going to become energy independent. We are not going to rely on the Saudis, or we are not going to rely on the Middle East or anybody else. That is what the Democrats in charge said they were going to do. That was back in the 1970s. In the 1970s.

And we drill for oil in California. And we drill for oil in Texas. And we drill for oil in Oklahoma. And we drill for oil in Kansas. All of those are very densely populated areas of the United States. We are all concerned about the environment and everything.

And yet I have been up to the ANWR in Alaska. There is nothing up there. Alaska is three and a half times the size of Texas, and we can get between 1 and 2 million barrels of oil a day, which would reduce the problem of supply and demand, and yet almost all of my Democratic colleagues who are down here hollering to high heaven tonight about the energy prices, they voted against it.

They sold out to the environmental people saying, oh, my gosh we cannot drill in the ANWR, which is 5,000 miles from nowhere. We cannot drill in the ANWR because we want to protect some animal that is not up there.

Then they came down here and have the unmitigated gall to tell the American people the reason the price of gasoline is so high is because of the Republicans, when they have, since the 1970s, not done a darn thing to deal with the energy problem, even when they were in the majority for 40 years.

It really bothers me. It bothers me a great deal. We have got a 500-year supply of natural gas in the ground in this country, in the continental States of the United States, and yet we have not drilled. Do you know why? Because the environmental nut cases have your party in their iron grip. You will not drill for it. You can do it in an environmentally safe way.

We can put natural gas in almost every car in America that is being produced today. It would be environmentally safe, would not hurt the environment in one way, would not hurt the atmosphere in one little bit, and yet you will not allow us to drill for it. Why not? Because you sold out to the environmentalists. And then you come down here and say, oh, my gosh, we are responsible for the high gas prices. The fact of the matter is before you start criticizing the Republicans, you ought to look in our own house. You ought to get with the program.

If we are going to be energy independent, what we are going to have to do is start drilling in the United States so we can do it in an environmentally safe way.

We ought to drill in the ANWR. We passed an energy bill in this House that would produce at least 1 million barrels of oil a day, and it went to the Senate, and your Democrat colleagues, the environmental nut cases took it out of the bill. And Senator STEVENS from Alaska was beside himself. He is the Senator from up there. And yet you guys who are complaining about high gas prices today killed it. You killed it.

And so if I were talking to the American people tonight, I would say, if you want lower gasoline prices, if you want lower natural gas prices, if you want to see the United States move towards energy independence, then elect people who will drill for those products here in the United States where we have quite a bit of them, a pretty good supply.

And yet they will come down here tonight and blame everybody because they want your vote in November. But they got to earn it. They have got to do what is necessary to make us energy independent and quit just talking about it.

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

Madam Speaker, I will enter into the RECORD at this point an article from the Wall Street Journal dated January 31 that talks about Exxon's excess profits, and also the one from The New York Times from April 13 about the Exxon chairman's retirement package of $398 million.

[From the Wall Street Journal, Jan. 31, 2006]

EXXON POSTS ANOTHER RECORD PROFIT

(By Jeffrey Ball)

Exxon Mobil Corp., the world's biggest publicly traded oil company by market value, racked up another record profit, saying its fourth-quarter earnings surpassed $10 billion, a result likely to intensify political heat on the energy industry.

Amid high oil, gasoline and natural-gas prices, Exxon said its net income surged to $10.71 billion, up 27% from $8.42 billion a year earlier and 8% above Exxon's third-quarter result of $9.92 billion, which itself was a company record. Exxon said fourth-quarter revenue was $99.66 billion, up 20% from $83.37 billion a year earlier.

The Exxon result amounted to a profit of about $80,842 per minute during the quarter. It was one of the biggest quarterly profits of any company in history. Though a handful of other companies have posted higher quarterly profits, those were largely accounting adjustments, while Exxon's result came mainly from operations.

Net income per share was $1.71, compared with $1.30 a share a year earlier. Exxon's results included a special gain of $390 million related to a lawsuit. The result surpassed the predictions of a Wall Street that expects boom times in the oil patch. At 4 p.m. in New York Stock Exchange composite trading, Exxon's shares rose $1.82, or 3%, to $63.11.

The biggest driver of Exxon's surging profit was high energy prices amid the world's increasing thirst for oil and natural gas. The company's ''upstream'' earnings—income from producing and selling crude oil and natural gas—rose 44% from a year earlier. Exxon's ''downstream'' earnings—what the company makes from refining crude oil into finished products like gasoline and heating oil and selling them—rose 2% from a year earlier. Higher prices for those products were partly offset by lower production volumes following the hurricanes that temporarily shut down a big chunk of the U.S. refining infrastructure.

Exxon, of Irving, Texas, was the latest major U.S. energy company to report roaring fourth-quarter results because of high energy prices. Exxon's profit soared even though the company produced less fossil fuel. Total oil-equivalent production in the fourth quarter fell 1% from a year earlier; the company said. Oil production rose 2.5% as increased output from West Africa, Azerbaijan and the North Sea offset declines from mature fields, continuing below-normal production in the Gulf of Mexico as a result of the hurricanes and other factors. Natural-gas production fell 5.8%.

Exxon's record take is likely to ratchet up calls in Washington for a crackdown on energy-industry profits. President Bush today is to deliver his State of the Union address to a nation pinched by high energy costs. Sunday, the average U.S. price of regular unleaded gasoline averaged $2.34 a gallon. While that price was down from the peak after last year's hurricanes, it was up about 24% from a year earlier and up 6.6% from a month ago, according to AAA, the motoring club.

The Senate has passed two provisions that would effectively raise the tax bills of major oil companies. One would reduce their ability to trim tax bills through an inventory-accounting method known as ''last-in, first-out,'' which ties the cost of goods sold to the cost of the most-recent purchases. The other would bar them from claiming credits against U.S. tax bills for the taxes they pay in some oil-rich countries. Oil-company officials say they consider the two a threat. Some analysts doubt the measures will pass the House.

Exxon has been trying to pre-empt a backlash. Exxon said it is boosting spending on finding and producing stores of oil and natural gas. Capital and exploration spending in the quarter was $5.3 billion, up 26% from a year earlier, a sizable rise by industry standards.

[From the New York Times, Apr. 13, 2006]

EXXON CHAIRMAN GOT RETIREMENT PACKAGE WORTH AT LEAST $398 MILLION

(By Jad Mouawad)

Last year's high oil prices not only helped Exxon Mobil report $36 billion in profit—the most ever for any corporation—they also allowed Lee R. Raymond to retire in style as chairman of Exxon Mobil.

Mr. Raymond received a compensation package worth about $140 million last year, including cash, stock, options and a pension plan. He is also still entitled to stock, options and long-term compensation worth at least another $258 million, according to a proxy statement filed by Exxon with the Securities and Exchange Commission yesterday.

The total sum for Mr. Raymond's golden years comes to at least $398 million, among the richest compensation packages ever. The record was the payout of $550 million to Michael D. Eisner, the former head of Walt Disney, in 1997.

Exxon's board also agreed to pick up Mr. Raymond's country club fees, allow him to use the company aircraft and pay him another $1 million to stay on as a consultant for another year. Mr. Raymond agreed to reimburse Exxon partly when he uses the company jet for personal travel. ''It begs the old question again, When is enough, enough?'' said Brian Foley, an executive compensation consultant in White Plains. ''This looks like a spigot that you can't turn off.''

Mr. Raymond, 67, spent 43 years at Exxon, including 12 as chairman. He orchestrated the merger between Exxon and Mobil in 1999, making it the largest oil company in the world as well as the most profitable. He was widely recognized for his financial acumen and focus on cost-cutting, whether in good times or bad. Some of the company's recent success, of course, can also be attributed to the doubling of oil prices over the last two years, higher refining margins and record high demand.

While Exxon showed record earnings, the total return to shareholders over the last five years averaged just under 8 percent a

year, about the same as the industry average.

''The numbers reflect the long-term nature of Mr. Raymond's leadership at the corporation, and a long and distinguished career,'' Mark Boudreaux, a spokesman for Exxon, said. ''The compensation committee considered his performance and the fact he guided the company to industry-leading earnings for multiple years.''

Exxon's proxy filing also showed that Rex W. Tillerson, the current chairman and chief executive, received $13.4 million in 2005, about a third more than what he got the previous year. That includes $1.67 million in salary; a $1.25 million bonus, restricted shares worth $8.75 million, and an incentive payout of $1.73 million. He also realized $2.3 million by exercising stock options he held.

Mr. Raymond owns 3.26 million restricted shares worth a total of $183 million as of December 31.

Those shares produced a separate windfall of $3.1 million in cash dividends. Mr. Raymond also owns 4.15 million options that hold a potential value of $69.6 million.

Upon retiring at the end of last year, Mr. Raymond opted to collect his pension benefits as a one-time lump sum instead of receiving annuities. That amounted to $98.4 million.

The company also paid $210,800 for Mr. Raymond's country club fees, financial planning and tax assistance services. It also provided two years of protection for Mr. Raymond and his wife, including paying for a security system for his principal residence, security personnel, a car and a driver.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Madam Speaker, I rise in support of the motion to instruct conferees. I wish to thank my colleague from Washington for yielding, and, more importantly, for his leadership on this important issue.

Madam Speaker, President Bush reminded the American people last week that he is a decider. His decisions affecting our economy, gas prices in particular, decidedly favor the wealthiest of his base. Thanks to terribly misguided economic priorities, oil and gas CEOs get two tax breaks for the price of one.

Subsidies worth $16.5 billion in the energy bill make it possible for oil and gas companies to lavish obscene compensation on their CEOs, who then, in turn, get to claim another break on capital gains and dividends.

This belies both the need for permanent rate cuts and the industry's argument that market forces instead of price fixing are responsible for gas approaching $4 a gallon. Do not take my word for it. IRS data show that for the 90 percent of all taxpayers who made less than $100,000, dividend cuts benefited only 1 in 7, and capital gains reductions helped just 1 in 20. While congressional leaders seem prepared to allow a stealth middle-class tax increase, which will negatively impact 19 million families, they are insisting on extending the dividends and capital gains cuts which will shower benefits on only 234,000 families in the main.

We can thank our President and congressional majority for these terrible choices and for the disastrous results.

Therefore, Madam Speaker, I urge my colleagues to support the McDermott motion to restore sanity to our economic and energy policies, and so that they reflect the real values, needs and priorities of middle-class families and consumers.

Mr. MCCRERY. Madam Speaker, I continue to reserve the balance of my time.

Mr. MCDERMOTT. Madam Speaker, I yield 2 minutes to the gentlemen from New York (Mr. HIGGINS).

Mr. HIGGINS. Madam Speaker, I thank the gentleman from Washington for yielding me time, and support his motion to instruct.

Madam Speaker, the American people and the people from western New York are at the center of the energy policy disaster. The House majority told the American people that upon passage of the energy bill, that it would reduce our dependence on foreign oil, and it has not. They told us that it would reduce gas prices at the pump, and it certainly has not. They told us this bill, with its incentives to Big Oil, would promote the development of alternative energy sources, and it has not.

The President told the American people in January that they were addicted to oil and signed a bill 5 months previous to that that provided huge subsidies, some $15 billion in tax giveaways, to the very companies who are feeding that addiction.

Madam Speaker, I urge support of this motion to put real muscle in this Nation's energy policy to promote real alternatives to foreign oil that promotes alternative energy sources and provides real relief to real Americans who every day are paying way too much for gasoline at the pump.

Mr. MCCRERY. Madam Speaker, I continue to reserve the balance of my time.

Mr. MCDERMOTT. Madam Speaker, I yield 4 minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Madam Speaker, I thank the gentleman for yielding me time.

Before I address some of the specific provisions of the motion to instruct, which I urge my colleagues to support, I do need to take a moment to respond to Mr. BURTON, the gentleman from Indiana, who spoke moments ago.

In my opinion, we need to elect people who will make a true commitment to developing renewable energy in this country. His statements toward all of us on this side of aisle, respectfully, were overinclusive. I am someone who has supported a balanced and diversified energy policy and an approach to meeting the needs of this country that includes domestic oil and gas exploration.

But even using the best estimates of our percentage of the world's reserves of our domestic oil supply, we simply cannot drill our way out of this problem. And step number one should be a true commitment to renewable energy, not step number one being where we can drill next.

In recent days we have heard a lot of rhetoric from our colleagues on the other side of the aisle regarding the need to provide relief for those facing severe hardships due to today's sky-high energy prices. Now, I agree with the need to act. We should have acted last fall when we confronted the same problem. This is probably the most pressing concern on the minds of my constituents in South Dakota right now, who, as rural citizens, drive further to work, drive further to get their kids to school, drive further to get to the doctor. We had farmers who had the most expensive harvest last fall because of fuel prices, who are now facing the prospect of the most expensive spring planting season for the same reason. So I am sincerely hoping that my colleagues ultimate actions on the other side of the aisle will reflect and match their words.

We have learned that House Republican conferees have been objecting to Senate-passed provisions in the tax reconciliation package that would strip unnecessary oil company tax breaks from the bill. This includes some changes to arcane inventory laws and other reasonable changes that Big Oil simply does not need in this time of record profits and record prices, as my colleagues have noted.

So adopting these Senate provisions would raise nearly $5 billion in Federal revenue over 5 years. That is very good in this tight budgetary environment, and it is an important reason to do it, but it is not the primary reason to do it.

The primary reason to do it is that Big Oil is making record profits, profits made on the backs of taxpayers who are truly struggling to fill their tanks. And those same taxpayers should not be subsidizing them with unnecessary tax breaks that the oil companies clearly do not need.

Madam Speaker, I oppose this whole reckless tax package, because at a time of record deficits in this country, we simply cannot afford to pass a budget bill that actually makes the deficit worse.

This motion to instruct by my colleague from Washington is an opportunity to inject a small amount of sanity and fiscal discipline into what has otherwise been a broken and misguided process. The Senate saw the wisdom of including these provisions and the folly of continuing to grant more than $5 billion in tax breaks to huge oil companies at a time of record profits and record prices. Even President Bush said yesterday that at least $2 billion of the subsidies to Big Oil through special tax breaks lavished by the Republican Congress on the oil companies is unnecessary.

I only hope that the conferees from this Chamber also see the correctness of the President's statement and the Senate approach to these provisions, agree to this motion, and to recede to

the Senate provisions in the bill. It will benefit all Americans as both energy consumers and taxpayers.

Madam Speaker, I urge my colleagues to support the motion.

□ 1845

Mr. MCCRERY. Madam Speaker, the gentlewoman from South Dakota said step one should be something, and I would submit to the gentlewoman that the energy bill we passed was a much better approach than step one. It was step one, two, three, four and five. We don't need to do just one thing. We need to do a number of things to increase supply in this country, to reduce demand, and to wean ourselves from dependence on foreign oil. The energy bill that we passed just recently does that. It will take some time.

But we addressed in that bill her step one, our step one, as she characterized it, and several other steps. In our bill we did include some provisions that would encourage more exploration and production in this country of oil and gas, but we also included provisions that would increase our refining capacity for gasoline that is part of the supply problem.

Her party has chosen for their own reasons, over the last number of years, to consistently block measures, other measures designed to increase production in this country. The gentleman from Indiana earlier spoke of some of those. Our bill encouraged increased production, not as robustly as we would have liked to. We would have liked to have included exploration of ANWR, for example. We would have liked to have included greater exploration and production of offshore capacity in this country that we know we have. But we did address that step one, our step one, as she characterized it.

But we also included provisions encouraging conservation of fuels. That is an important element of getting this supply-and-demand situation under control. We did also include about $3 billion in that bill for renewable fuels. So we took a multifaceted approach in our energy bill that we did pass and got signed by the President, to address this very vexing problem of supply and demand of the primary energy source for this country.

Whether we like it or not, oil and gas is going to be the primary energy source for this country for a long time. Yes, we should pursue renewable fuels. Yes, we should pursue research into fuels that we can use other than oil and gas, but that is going to take time. We all know that. So in the meantime, we ought to be doing those things, but also encouraging an increase in the supply here in this country of oil and gas. We have tried to do that.

This bill, as I stated earlier, would exacerbate the problem of supply. It would exacerbate the pressure on prices at the pump. A $4.3 billion tax increase on oil is not going to lower the price at the pump. If anything, it is going to increase prices at the pump when you raise taxes on the supply. That is what this motion to instruct would have us do, $4.3 billion retroactive tax increase.

This accounting provision that is the subject of this provision of the opposing party is used by every corporation that has inventory, not just the oil and gas industry; every corporation that has inventory in any industry uses this accounting system. Last in, first out, LIFO accounting system.

This provision proposed today on the floor by the Democrats would say the oil and gas industry would be the exception. They would be the only industry that could not use this standard accounting system.

Is that fair? I don't think so. If you think that is a commonsense way to do the accounting of inventory, let us apply it to all industries in this country. We don't hear the Democrats proposing that. Why? Because they know it would not make much sense from an accounting standpoint.

If you apply this provision to the oil and gas industry, it amounts to a retroactive huge tax increase on that industry at the very time that we need to be lowering their costs, not raising their costs. The other provision that we haven't talked about too much this evening applies to foreign tax credit rules. They are calling it a loophole.

Well, what this so-called loophole does for the oil and gas industry, that also applies to other industries across America, reduces the level of double taxation of profits of our American companies gained overseas with their overseas operations.

Is it right for an American company who is doing business, say, in Europe, to pay the tax in Germany and then have to turn around and pay tax on the very same income here in the United States? Surely, surely we don't think that is fair. Surely, we don't think that puts our domestic corporations in an equitable position vis-a-vis their world competitors.

Surely, we must realize that if we double-tax American companies' income derived from overseas operations, we are putting them at a disadvantage in the world market. We are guaranteeing they are going to lose market share to foreign companies. Should that be the policy of this Congress? I certainly hope not, but that is what this one provision and the gentleman's motion to instruct would accomplish.

Now, getting back to dividends and capital gains, the IRS preliminary data from 2004, which is the first year we have since the passage of a lower dividend rate, shows us that dividends paid by corporations in 2004 over 2003 increased by 30 percent. That should be proof positive that the change in the law we made produced the desired result.

Corporations started paying more out in dividends. That has salutary effects not only for the senior citizens that Mr. HERGER talked about earlier who depend on dividend income in their retirement, it also has a salutary effect on corporate management, corporate accountability. These are very sound tax policy provisions that this Congress wisely enacted a couple of years ago, and we certainly should extend them 2 more years to give certainty to those corporate planners who are trying to plan their corporation's ability to raise money and to distribute or allocate their profits to their shareholders.

Madam Speaker, I would submit that this motion to instruct should be defeated for a number of reasons, and would hope that the House would soundly reject this tomorrow when we have a chance to vote on it.

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

Mr. MCDERMOTT. Madam Speaker, it is always interesting to listen to my good friend from Louisiana defend the Republican Party. It is the party of 1 percent that he is over there defending. As I listen to him, I was reminded of a remark that President Reagan was often fond of saying. He would say, well, there you go again. If he were here today, he would say exactly that, and he would be absolutely right.

The Republicans are running a do-nothing Congress. It is not even a do-nothing, it is they cannot do anything. They come out here and admit that with gas prices where they are, they can't do a thing about it. Can't do a thing about it. It is hopeless.

So the American people are stuck with the Republicans, and the people should remember that as the election comes, because the Republicans stood out here today and said they cannot do anything.

We went after the oil companies to get some of that money to do things with that this society needs, but the Republicans are only interested in the 1 percent. The other 99 percent are on their own luck. There has been a lot of energy here tonight telling us how big oil companies should continue to fleece the people at the pumps. But that is what big oil companies have a right to do, and we all should pay more. They want to be sure that we continue to have the American millionaires have 2 more years of a comfortable tax holiday.

Now, people can talk about numbers out here, but I want to talk about a couple of people, one of whom is the Exxon chairman who just retired. They gave him $398 million. This is a guy making $1.6 million every year, okay? I mean, that is just for starters.

Now, as he retired, they said we know you are going to play golf when you are retired; we will pick up your golf fees. They will pay his golf fees forever at $210,000 a year. I mean, they are going to let him use the corporate airplane for the rest of his life, and they are going to keep him on for a year at $1 million as a consultant.

Then there is Joe Public. He is at the pump tonight, or he is watching us talk about this, having just come from

the pump, or Sally Public, either one of them has been to the pump today, and they have watched that thing go around at $3 a gallon and realized the average income in this country is $40,000. Forty thousand dollars.

Now, the Exxon president, or the executive that I just talked about, is going to get a $32,000 tax break from this bill that my friend says is going to somehow cripple the economy.

What is fair about that? The average person has to buy gasoline to get to work, take their kids to school, heat the house. If you live where I do, you do not need so much heat as you do in other parts of the country, and down where the gentleman from Louisiana lives, you do not need much heat. But other places they have to use a lot of heat in the wintertime. They are still paying 4 bucks a gallon for it, or are going to be paying 4 bucks a gallon.

The average person, you talk about these capital gains; oh, well, everybody gets capital gains, yes. The Exxon chief will take $32,000 in tax breaks away on average, and the average $40,000 person in this country is going to get 7 bucks. That is the average. That is 2 gallons of gas.

Now, is that fair? Is that what you think America is all about? Is that what the Republicans say? Well, you know, the gas prices are going up. I guess it is supply and demand. I don't know. I don't know how come the oil companies are making all this extra money. We shouldn't be able to cut down how much money they make. They should just be able to make more money. They are taking it out of the hides of the working people in this country.

Now, we don't want people on welfare, no, sir. We don't want people on welfare. You can't buy a house in many places or find a place to live in many cities because the prices are so high.

When I was in New Orleans just about 4 or 5 weeks ago, I asked the president of Tulane Medical School, if I could do one thing for you, what would it be? He said, do you know what it would be? Bring some housing downtown, because all my nurses have to live 70, 80 miles away and drive into work every day, and all the workers in the hospitality industry have to live out of town. They are all paying 4 bucks a gallon for gasoline, driving all the way from Baton Rouge all the way down.

That is not just in Louisiana. It is all over this country. You are sitting here telling us that we cannot do anything, that Big Oil has to be protected. Well, they will just go down in a pile.

Then the real interesting part is to come out here and blame the environmentalists. Here we have got global warming, absolutely clear, and everybody is tackling the environmentalists saying, oh, they are the ones who are creating the problem. We have got to get off oil.

The President, I got to say, occasionally the President is right. I don't say that very often on the floor, but I will say the President was right when he said we are addicted to oil. Boy, this Congress is addicted to oil. When we cannot close three loopholes and take back $5 billion that we could use for home heating oil or student loans or Medicare or Medicaid or all the things that this society needs, we can't take that and use it for the public good, there is something very wrong in this society.

□ 1900

And if the people are going to have a choice in November, they are going to say, well, Republicans stood by and watched the deficit go up out of sight, and they watched the oil prices go up out of sight, and they said, well, we don't know what to do. Nothing we can do about that. We have to keep passing tax breaks to the 1 percent in this society who are doing very well.

The President gets out there and tries to tell everybody that things are going well in this country economically, but the people don't believe it. You know why? Because it isn't going well for most people. They are stuck with $3- and $4-a-gallon gas. They have no way to avoid that. It is hard to ride your bike 70 miles into town to get to work. Now, you can do it, but it really takes a lot of effort. Most people aren't able to change from a car with a gasoline engine to a bicycle, so they are stuck. They can't walk to work. They are stuck in this society. In our city they are talking about raising the rates on the mass transit because of the cost of gasoline. So even those riding the bus are going to get socked by this.

When we come out here and offer a modest motion to something that the Republican Senate went along with, you know how bad it is. And that is the irony of ironies, to have me up here arguing for three amendments that have been approved by the Republican Senate. If I will go along with that, I will take anything to make it better for the American people. But not the Republicans in the House. Oh, no, no, no, must not touch the oil companies. Huh-uh. We can't take a single dime away from them or the whole thing will come unraveled.

And they want to be sure that America's millionaires are comfortable for at least two more years of tax holidays.

Meanwhile, the rest of us get to pay for their fiscal recklessness.

They can't do anything about gasoline prices, and won't fight to make oil companies pay their fair share in taxes—fair share—like the rest of us do.

They can't do anything about the rise in poverty in America, where one in five children—1 in 5—lives in poverty today.

They can't do anything about helping Middle Class kids have access to student loans to pay for college.

They can't do anything about a prescription drug benefit that benefits the drug companies and confounds senior citizens.

They can't do anything about controlling special interests, because they are the Party of special interests. Republicans are the Party of One Percent.

If you're a fat cat, Republicans are inviting you to dinner, and they are serving the American Middle Class.

We have an opportunity to do something that benefits the American people, all of them. The oil companies ought to pay their taxes like everyone else. And millionaires will just have to manage with only two more years on tax holiday.

We have an opportunity to take a stand for the 99 percent of the American people who have been left out of a Republican nation.

The American people should be first in line, not first to pay.

It's time we do something about it.

Pass this Motion to Instruct. Make this the day we tell the oil companies to supply the demand, and stop demanding more tax subsidies to enrich only themselves.

I urge my colleagues to vote for this and do something for the American middle class.

The SPEAKER pro tempore (Mrs. DRAKE). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

BLOCKING PROPERTY OF ADDITIONAL PERSONS IN CONNECTION WITH NATIONAL EMERGENCY WITH RESPECT TO SYRIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–100)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act, as amended (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order blocking property of persons in connection with the terrorist act in Beirut, Lebanon, on February 14, 2005, that resulted in the assassination of former Lebanese Prime Minister Rafiq Hariri and the deaths of 22 others, and other bombings or assassination attempts in Lebanon since October 1, 2004, that are related to Hariri's assassination or that implicate the Government of Syria or its officers or agents. I issued this order to take additional steps with respect to the national emergency declared in Executive

Order 13338 of May 11, 2004, concerning certain actions of the Government of Syria. In Executive Order 13338, I determined that the actions of the Government of Syria in supporting terrorism, continuing its occupation of Lebanon, pursuing weapons of mass destruction, and undermining United States and international efforts in Iraq constituted an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and declared a national emergency to deal with that threat.

The United Nations Security Council, in Resolution 1595 of April 7, 2005, established the international independent investigation Commission (the ''Commission''), reiterated its call for the strict respect of the sovereignty of Lebanon, and reaffirmed its unequivocal condemnation of the February 14, 2005, terrorist bombing that killed Lebanese Prime Minister Rafiq Hariri and 22 others. The Commission's charter included identifying the bombing perpetrators, sponsors, organizers, and accomplices. United Nations Security Council Resolution (UNSCR) 1636 of October 31, 2005, called upon all States to provide necessary assistance to the Commission concerning its investigation into the February 14, 2005, terrorist bombing and to freeze the assets of those persons designated by the Commission or the Government of Lebanon as suspected of involvement in this terrorist act, upon notification of such designation to, and agreement of, the Committee of the Security Council established by UNSCR 1636. United Nations Security Council Resolution 1644 of December 15, 2005, condemned other terrorist attacks in Lebanon since October 2004 and reaffirmed that all those involved in these attacks must be held accountable for these crimes, and in doing so, authorized the Commission to extend its technical assistance to Lebanese authorities with regard to their investigations regarding the terrorist attacks perpetrated in Lebanon since October 1, 2004.

In view of UNSCR 1636, my new order takes additional steps with respect to the national emergency declared in Executive Order 13338 by blocking the property and interests in property of persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to be, or to have been, involved in the planning, sponsoring, organizing, or perpetrating of the terrorist act on February 14, 2005, that resulted in the assassination of former Prime Minister Rafiq Hariri and the deaths of 22 others, or any other bombing, assassination, or assassination attempt in Lebanon since October 1, 2004, that is related to Hariri's assassination or that implicates the Government of Syria or its officers and agents, or to have obstructed or otherwise impeded the work of the Commission. The order further authorizes the Secretary of the Treasury, after consultation with the Secretary of State, to designate for blocking those persons determined to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, any such terrorist act, bombings, or assassination attempts, or any person designated pursuant to this order, or to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person designated pursuant to this order.

I delegated to the Secretary of the Treasury, after consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the United Nations Participation Act, as amended (22 U.S.C. 287c), as may be necessary to carry out the purposes of my order. The order was effective at 12:01 a.m. eastern daylight time on April 26, 2006.

I am enclosing a copy of the Executive Order I have issued.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 26, 2006*.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IRAQ FORUM

Ms. WOOLSEY. Madam Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, the carnage and the bloodshed continue in Iraq. Things are getting worse, not better. April is indeed the cruelest month for 63 American soldiers who won't be making it home. In fact, it is the deadliest month so far in the year 2006.

We are coming up on the 3-year anniversary of the President's infamous aircraft carrier flight suit stunt, and I am still looking for someone who can answer this question: How is it possible that we have lost more than 2,000 of our troops after this mission was supposedly accomplished?

Today's big headline? The President has a new spokesman. As if the same talking points, the same platitudes, the same wretched ideas coming out of a different mouth is going to make a lick of difference. The White House doesn't have a PR problem, it has a policy problem. Do they actually think two out of every three Americans are unhappy with the President's performance because of his Press Secretary? Are they that dismissive of the intelligence of the people they are sworn to serve?

It is as if the administration were our landlord in a house that was being condemned, with a foundation crumbling and every corner infested with vermin, and when we register our complaints, they go ahead and change the drapes. There will be a new talking head at the briefing room podium, but the administration's approach remains stubbornly resistant to change.

The other big news of the day is that Secretaries Rice and Rumsfeld dropped in on Iraq, and from this visit we learn that there may be a troop reduction by the end of the year. But that strikes me as a cosmetic, contrived move that is driven by the political calendar. It is clearly not enough.

Remember, this President, who says he doesn't believe in timetables, made it perfectly clear that he intends to keep our troops in Iraq for at least as long as he is in office. And there is every reason to believe that the construction of permanent military bases has begun. This is exactly the open-ended, long-term occupation that fuels the rage of the insurgency.

I, for one, am not willing to stay silent on the sidelines. I will do everything in my power to make the case that the troops should come home now. I will continue to explore alternatives to our current Iraq policy, and I will continue to shine a spotlight on conditions on the ground in Iraq.

To that end I invite my colleagues to join me tomorrow morning as I convene a forum that will help put a human face on the Iraq conflict. We will hear from an impressive panel of witnesses, including:

A Georgetown professor, who spent the bulk of his career with the CIA, where he was considered one of the Agency's preeminent counterterrorism experts.

We will hear from a Shia Iraqi woman, a civil engineer married to a Sunni, who has lived through the invasion and the occupation and then fled to Jordan after her son was briefly detained as a political prisoner.

A marine who served in the Iraq war and was discharged last year due to his post-traumatic stress disorder.

A young American doctor, half Iraqi, half Jewish, who recently returned to Iraq, where she lived as a young child. She has put her medical practice on hold to raise awareness about the devastating impact the war is having on the people in Iraq.

I will also be joined by several of my colleagues, the gentleman from New York (Mr. HINCHEY), the gentleman from Maine (Mr. ALLEN), the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman from North

Carolina (Mr. JONES), and the gentlewomen from California, Ms. LEE and Ms. WATERS, among other Members of the House of Representatives. We will engage in a dialogue with these panelists, and we will offer our own thoughts on Iraq.

I had a similar forum last fall, which was focused more on shifting policy direction and brainstorming about how we might carry out a military exit strategy. That will be a component of tomorrow's discussion, but my intent tomorrow is to present firsthand accounts from people who have lived through this war and can speak authoritatively about its human cost.

We hear virtually every day from the White House, the civilian leadership at the Pentagon, and the military commanders. I think it is important that we give a platform to those who have stared this war directly in the eye, outside of the Green Zone, without a security detail or an armored limousine. I hope you can join me tomorrow.

THE CITIZENS SPEAK OUT ON ILLEGAL ENTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, this House must have the will to secure our borders from unlawful, illegal entry into this sovereign Nation by other nations. Many of my fellow Texans have written me about this problem, and I am going to read a few of those tonight.

David in Splendora, Texas, writes: ''I totally disagree with the guest worker program. If the government allows an amnesty program for the illegals, then every person crossing the border would qualify. Also, the borders need to be more secure. I work with immigrants here in Houston, and it amazes he how they can go back and forth to Mexico. The immigrants who have their family in other countries are sending their money there, and they do not even spend it here anyway.''

Tim, in Groves, Texas, writes: ''Vicente Fox and Mexico are not our friends. The Mexicans are laughing at their neighbors to the north while their illegal countrymen clog our streets and harass U.S. citizens with marches and demonstrations. Why aren't they demonstrating in Mexico for jobs and better pay? That is the source of their problems. Our legislators are afraid of enacting tough laws on these people while American citizens pick up the tab.''

Donald, in Nederland, Texas, agrees and writes: ''When did Vicente Fox become head of American immigration policy? Fox has no business telling the United States what to do with its citizens who illegally enter the United States. We can't control Mexico's immigration laws, and all attempts to handle the illegal entry of millions of Mexicans into the United States have fallen on deaf ears. They came to America to work in many fields hired by business interests, and when their visas expired, they didn't return home as required by law. Businesses then allow them to continue working at salaries below those needed by American workers who they replaced.''

□ 1915

''Employers who hire illegal foreign workers should be required to make sure their employees leave the country when their visas expire or be fined and pay the government's expense for returning them to their home country when they are caught. Amnesty by any other name, guest worker, is still amnesty; get illegals out of America.''

Michael in Crosby, Texas, writes, ''Sir, I implore you to be as tough as necessary to halt this wave of illegal immigration, and to seal up our borders. It honestly worries me about the reports on C–SPAN of the border incursions by Mexican military personnel, and the possibility of smuggling a weapon of mass destruction into our country via the border with Mexico.''

Randy in LaPorte, Texas, writes, ''I am an American and my wife is a legal alien. We have worked for many years to get citizenship for her and it is hard and expensive and takes a long time. It makes me see sick to see the Mexican flag in our streets and demanding rights from the U.S. Some in our government talk of a path for citizenship for them, and this makes me just sick. I hope you can pass immigration laws that will protect Americans and not protect illegal aliens.''

Ernest in Dayton, Texas, writes, ''As I watch the demonstrations by the illegal immigrants, I am appalled by the fact that they are carrying a Mexican flag and not the American flag. This myth that no one will work the jobs that illegals work is exactly that, it's a myth. Congress can be blamed for taking the jobs away from qualified 16- and 17-year-olds. I went to work at a butcher shop at 12 years of age and I have worked ever since. Guest worker program, my hind leg. It is nothing more than an amnesty program. The politicians in this country created the situation. It is important they get off their high horse and do the work of the United States and not special interest groups.''

He goes further to point out, Madam Speaker, ''You need to come to the Exxon station on highway 90 in Liberty, Texas, and bring the INS with you and see how many illegals you can round up at that one location.''

Finally, Madam Speaker, Jean in Kingwood, Texas, writes, ''I felt compelled to write today after days of hearing about the Mexican protests and the Mexican flag waving going on in our country. First, let me say for a very long time I felt immigration has been out of control but that the politicians in America consider it a way to gain votes and will not touch the issue. I am outraged that we are in such a state as we are now.

''Recently, I had to take a job in order to supply health insurance for my family because my husband lost his job. Then it wasn't long after that that I had to go to the emergency room. I went to the emergency room at 4:45 p.m. and didn't leave until 5:01 a.m. the next day. I cannot tell you the number of immigrants with three or more children in that waiting room. I wondered if any of them actually had health care insurance, and how much free health insurance they received on their visit. Here I am working so I can supply health insurance to my family, yet the illegals and those that have no health insurance walk in and obtain free health care.

''Everyone in America knows the stats on this and the stress being placed on our system because of those that are able to obtain free health care just by walking into the emergency room.''

Madam Speaker, this House had better listen to the American citizens, and we need to be more concerned about what they think than those who have illegally invaded and colonized our Nation think.

Madam Speaker, that's just the way it is.

REPUBLICAN ENERGY BILL

Mr. STUPAK. Madam Speaker, I ask unanimous consent to proceed out of order.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

Mr. STUPAK. Madam Speaker, today the Speaker of the House, Mr. HASTERT, announced that he will be bringing an energy package to the floor as soon as next week. As a member of the Committee on Energy and Commerce, I must express my concerns that this legislation has not been reviewed, had a hearing, or even been seen by members of the committee with the proper jurisdiction. In fact, the contents of this legislation are not available to be reviewed by the American people, let alone my colleagues who will be required to vote on the bill.

All that anyone knows about this bill that is supposed to be on the floor next week is a one-page press release the Speaker put out. Yet we will be forced to vote on this bill as soon as we get back next week. This sounds like the Vice President's secret energy task force. And what have we seen since then? The price of gas has almost doubled and the profits of the oil companies have almost tripled since those secret meetings in the White House that no one seems to know anything about. But we know gas prices continue to go up and nobody knows why.

The American people deserve real answers and real solutions to these high

gas prices. Consumers are currently paying an average of $2.91 per gallon for gasoline. Last summer it was $2.25. Why the almost 70-cent increase? This summer, as the real driving season begins, Americans are expected to pay even more at the pump than last summer.

But in the meantime, look at these profits. Look at ExxonMobil, one of the larger oil companies in this country. Look at their profits. You can take all of the net income of the oil companies, their profits in the last year was $113 billion in profits.

While the majority party has put out a one-page press release talking about things they would like to do, Democrats have real solutions that could be brought to the House floor today that would have an immediate effect and lower the price of gasoline for all Americans.

For example, there are currently no Federal laws against gas price-gouging. The only way the Federal Trade Commission can attempt to prosecute unfair pricing is by using the antitrust laws or the monopoly laws of this country. To date, in the entire history of the Federal Trade Commission, not one, not one case has ever been brought before the courts to prosecute for price gouging. Because the Federal Government does not have a clear definition or standard of what price gouging is, the FTC cannot do little more than make a study of the current gas price situation. Americans are tired of studies and want real answers.

Last September I introduced a bill to increase the Federal Government's ability to prosecute price gougers. My bill, the FREE Act, the Federal Response to Energy Emergencies, will provide the Federal Trade Commission and the Department of Justice with the authority to investigate and prosecute those who engage in predatory pricing from oil companies all of the way down to distributors, with an emphasis on those who profit the most.

The FREE Act, our legislation that could be on the floor tomorrow, will also allow each State attorney general to go into Federal district court to prosecute unfair pricing practices.

When we talk about unfair price practices, we talk about everything in the chain and distribution and supply of oil and gasoline. Take a look at this here, from the time it comes out of the ground, refineries to distributors and retailers, taxes, all of the way to the consumer. We should be able to investigate every aspect of it. If you look at what the Republicans have been proposing, you only get to do an investigation when the President declares a national emergency and it is only for the distributors and retailers, not the refinery who has a 255 percent increase in the cost of refining a gallon of gasoline in a year, nor even the crude oil producers who went up 46 percent in the last year.

When we introduced our bill to increase the Federal Government's ability to prosecute price gougers, we included everybody. We want to make sure that the American people are protected from the time it comes out of the ground until you put it in your vehicle. Our legislation expands the Federal Trade Commission's authority to more aggressively pursue market manipulations such as geographic price settings or territorial restrictions put forth by the refineries.

Why has gas gone up? In the last 12 months, from September 2004 to September 2005, it has gone up 255 percent. Is that price gouging? We happen to think it is, but we need a clear definition. Right now there are 28 States with different standards as to price gouging. That is why it is so important to have a Federal standard.

Our bill also imposes tough civil penalties up to triple the damages on excess profits.

Madam Speaker, we are trying to fight high gas prices. Democrats stand ready, willing and able to do our job.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE GATHERING STORM OF VENEZUELA'S HUGO CHAVEZ

Mr. MACK. Madam Speaker, I ask permission to take my Special Order at this time.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MACK) is recognized for 5 minutes.

Mr. MACK. Madam Speaker, while freedom is on the march in many places around the world, a resurgence of Socialist, Communist and anti-freedom governments and movements in Latin America represent an emerging threat to freedom and the United States.

The instigator is Venezuela's Socialist President Hugo Chavez, who is using state-owned oil money to underwrite his iron-fisted control of the Venezuelan people, and to back his alliances with leftist leaders and causes throughout Latin America.

With Chavez sitting on top of 6.5 percent of the world's proven oil reserves, and buoyed by oil at roughly $75 a barrel, Chavez has assumed the identity of a modern-day Simon Bolivar, who attempted to unify Latin America in the 1800s. Oil is Chavez's ATM to finance a ''Bolivarian revolution'' that abuses Presidential power in Venezuela and fans the flames of Socialists, and regional instability.

In an interview last year, Chavez was clear in his motives. ''I am a revolutionary. I have to support the left wing movements in Latin America. We have to change Latin America.'' That is exactly what he is doing at the expense of freedom, security and prosperity.

Democratic institutions are eroding rapidly in Venezuela. The legislative branch is controlled by Chavez, made up entirely of Chavez allies. The judicial branch is controlled by Chavez. The National Electoral Council is controlled by Chavez. It is no longer impartial. The Electoral Council addresses the interests of Chavez and the government, not civil society.

The council is no longer acting in conformity to the law, and many question the reliability of the electronic voting machines in Venezuela.

Chavez, a former paratrooper, sees the military as an instrument of social transformation. And now he is openly recruiting and arming civilians to join his newly created militia under the false suspicion that the United States is going to invade Venezuela.

The public prosecutor, the Office of the Comptroller, and the People's Advocate are all controlled by Chavez. President Chavez has packed the Supreme Court with his supporters, and justices are biased in his favor. Make no mistake, the independence of the judiciary has been compromised.

Human rights and fundamental freedoms are under threat. Discrimination on political grounds is growing and members of the human rights community are often charged with treason and as coup plotters. Acts of violence and prosecution of human rights defenders are growing.

Those active in the defense of democracy in Venezuela are being prosecuted and imprisoned without due process. Leaders of the political opposition group Sumate are being prosecuted for accepting a small grant from the National Endowment for Democracy under a judicial system where the nation's courts have been packed with Chavez cronies.

Freedom of expression is under siege. Chavez is snuffing out a free press and free speech with new laws that impose jail terms for journalists for gravely offending the President or the government. The media is now subject to surveillance, censorship, and intimidation.

And to ensure the unfettered ability to spread his anti-freedom messages throughout the region, Chavez last year launched his own television network, Telesur. Telesur announced a formal alliance with Al-Jazeera, bolstering Chavez's Socialist-Based propaganda with the resources and reach of pro-terrorist programming.

Chavez is taking control over private banks and confiscating large parcels of private property. And to make matters worse, Chavez is planning a new assault on the private sector in Venezuela by taking major steps towards nationalizing Venezuela's oil industry

that could hurt American oil companies, reduce production, and put further pressure on already high global oil prices.

He has already seized private oil fields if companies do not convert operating contracts to joint ventures in which the Chavez government assumes a majority stakeholder share. In free countries, that is called extortion.

Elsewhere in Latin America, Nicaragua, Bolivia, and Argentina, Chavez is forging alliances with Socialist groups and narcoterrorists. In Nicaragua, former Sandinista leader Daniel Ortega announced that local governments in Nicaragua that are friendly to Sandinista's cause would receive low-cost oil from Chavez.

Venezuela has been flagged as a major transit country for illegal drug shipments to the United States and Europe. In fact, more than one-third of all cocaine that reaches the U.S. travels through Venezuela from Chavez's allies' countries.

What is worse, at the same time Chavez is cracking down on freedom within Venezuela and exporting his Socialist revolution throughout Latin America, he has embarked on an alarming military build-up.

Chavez is receiving military and intelligence assistance and training from Fidel Castro's government; and he has tried to acquire nuclear technologies from Iran, and reports suggest that Iran has actively sought uranium supplies inside Venezuela.

I have introduced a resolution that addresses these problems and expresses our support for the people of Venezuela to restore democratic institutions. I urge my colleagues to join me in fighting for freedom for the Venezuelan people.

Mr. Speaker, Hugo Chavez seeks nothing less than absolute authoritarian power. He despises freedom. He is determined to alter the balance of power in the Western Hemisphere, and he is leveraging his nation's oil supply to do all he can to achieve his dream of a unified, socialist Latin America.

After all, it was Chavez himself who, with Fidel Castro by his side said, "Fidel, 'I think you were always right: It's socialism or death.' "

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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WE NEED ACTION NOT JUST TALK

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, when you become President and Vice President of the United States, but you have spent your life in the oil industry, I suppose it isn't surprising that decisions that you might make when you are President and Vice President would result in your enriching yourself more from the industry in which you had spent your life.

It may not be surprising that gasoline now in this country is well over $3 a gallon, and imported oil over $70 a barrel, two-thirds of what we consume in making that gasoline coming from the most undemocratic places in the world, Saudi Arabia, Kuwait, Venezuela, Colombia, Nigeria.

It is interesting, if you look at the President and the Vice President, the President spent his life in Midland, Texas, really drilling that community dry, and then he and his family founded the Zapata Oil Company and made relationships with oil companies in Mexico.

The President that we have now had investments in Bahrain prior to his becoming President of the United States. And the Vice President, of course, was the CEO of Halliburton, which got all of those noncompetitively bid contracts in Iraq.

We watched the former President Bush become a major partner in the Carlisle Group, getting big money from all the oil-producing countries in the Middle East and huge investments and speaking fees from these very same places. Is that merely coincidence?

Yesterday, at long last then we see President Bush make a cameo appearance before the Renewable Fuels Association, and he gave a speech that many people had been waiting years to hear. He said in the speech we needed an investigation of why prices are going up the way they have over the last year. I would like to respectfully suggest to the President we need more than an investigation. We need new energy, new energy leadership by the President and Vice President. We don't need any more studies, and we don't need any more investigations.

The President said that every car can run on 10 percent ethanol. Well, where is his action plan to do it? That is what many of us have been arguing, not just this year, not just last year, going back to the beginning of his administration when we pushed for a renewable energy title as part of the farm bill, and his administration has barely funded it, and they fought it every step of the way inside this Chamber.

Now, the President said that with small changes some cars can run on E–85, a blend of 85 percent ethanol and 15 percent gasoline. Mr. President, there are more than 5 million cars, trucks, vans on the road that will run on 85 percent ethanol right now. Every major manufacturer has announced major efforts to produce more E–85 vehicles. DaimlerChrysler announced two more just this week. Guess what, Mr. President? The drivers can't get the fuel for the cars they have bought. What are you doing to help America develop the infrastructure for these new fuels?

The President talks about increased research for new forms of energy, but what are we doing with the research we already have? Where are the Federal standards requiring Federal buildings to use more solar energy? How about the White House itself? How many Federal facilities are putting wind generators on their own property to develop energy? How many of our military bases are converting to biodiesel and to ethanol? When will the Chevy Suburbans that escort the Presidential motorcades actually use E–85 as an example of what can be done? I encourage the President to put a gas pump right over there at the White House.

The President can talk about not buying oil to place in the Strategic Petroleum Reserve to help hold the price of gasoline down by a penny or two, but why is he letting America continue her addiction to imported oil? Wouldn't a good way to break with the past be to rename the Strategic Petroleum Reserve as the Strategic Fuels Reserve and start filling it with stocks of ethanol and biodiesel that can be rotated through the fuel supply system to help make these new fuels a bigger part of our energy mix? I introduced H.R. 3345 last year to do just that. I invite the President's endorsement of that effort.

We need real action for today and tomorrow, not more of these false promises. We really don't need to build any more oil refineries when we are trying to move to new sources of energy. That would be like building more horseshoe factories when the automotive age was dawning.

We need to mandate that oil companies use their exorbitant properties to put E–85 and biodiesel pumps in the ground right now across this country and to use some of their profits to do that.

We need to help our country, not just let these companies enrich themselves and their top executives more. Then the millions of vehicles that are already on the road could help lead America to a new energy future.

We need a President that gives us some action, not just talk.

We need legislation like the Biofuels Energy Independence Act, H.R. 388, my bill to provide additional financing for the marketing, production, and distribution of biofuels, as well as the establishment of a biofuels feed stock reserve held by our farmers.

We need legislation like H.R. 1398, my bill to require that by 2010 gasoline be blended with at least 10 percent ethanol, and that diesel be blended with at least 5 percent biodiesel. We need standards that give us quantifiable goals against which we can measure progress, and to which we can hold ourselves accountable.

In short, Mr. President, while we appreciate your kind words and good wishes, we are begging for your active support in the form of realistic budget requests, speedy implementation action by agencies, and a commitment to making a difference not 10 years from now when your administration has its place in history but in the remaining days that you have to make a difference that can be felt in every

American home, every American business, and every American community.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

(Mr. RAMSTAD addressed the House. His remarks will appear hereafter in the Extensions of Remark.)

COMMEMORATING MILITARY SERVICE OF FOUNDERS OF STATE OF GEORGIA AIR NATIONAL GUARD FIGHTER AIRCRAFT WING, 54TH FIGHTER WING.

Ms. MCKINNEY. Madam Speaker, I ask unanimous consent to address the House out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Madam Speaker, I rise today to commend, celebrate and commemorate the military service of Brigadier General ''Big John'' Collins, Lieutenant General Cuthbert A. ''Bill'' Patillo, Major General Charles C. ''Buck'' Patillo and Major General Joel B. ''Bill'' Paris.

These four generals were, in the year 1946, founders of the first State of Georgia Air National Guard Fighter Aircraft Wing, the 54th Fighter Wing.

Big John Collins is a friend of mine. This friendship began when my efforts resulted in him getting his long overdue war medals. Big John had tried for 20 years to get his medals. And he was a pilot. Bill and Buck Patillo are identical twin brothers who, along with Bill Paris, flew Republic Aircraft Corporation P–47 Thunderbolt fighter aircraft. These four pilots formed a tight ''Diamond'' attack formation.

These four pilots were ordered to fly at air shows around the State of Georgia to boost enlistments in the Georgia National Guard. The idea was a great success; so successful, in fact, that the increase in Georgia enlistments came to the attention of the National Guard Bureau at the U.S. Air Force headquarters at the Pentagon. This work of these four pilots was the foundation upon which the U.S. Air Force Thunderbirds Precision Flying Team was created to rank along with the Blue Angels Precision Flying Team of the U.S. Navy. Air Force Chief of Staff General Hoyt Vandenberg credited the Georgia Air National Guard with being the founders of the Air Force Thunderbirds Precision Flying Team.

All four of these pilots are alive today. They are healthy, and they are happy to have their service recognized in this way. Although the Patillo twins now live in Valrico, Florida, near McDill Air Force Base, I am proud to say that they were born in my district in Decatur, Georgia. Bill Paris was born in my home State and still lives in Georgia, in Alpharetta. Big John Collins, my friend, was born in Oklahoma, raised in Bradenton, Florida, but saw the light and found his way to Georgia where he has lived since 1939. I think he found our sweet Georgia peaches too irresistible to leave.

Bill Paris was a leading fighter pilot ace destroying nine Japanese aircraft. Bill Patillo destroyed a Japanese version of the German ME 262 rocket-powered fighter, one of only three of such fighters destroyed worldwide in World War II. Plus Bill destroyed five other Japanese aircraft. Buck Patillo destroyed five Japanese aircraft. And big John Collins, my constituent who has now become my friend, shot down three Japanese fighter aircraft. Sergeant James Campbell shot down two Japanese fighter aircraft. Sergeant Donald Schopp shot down one Japanese fighter, making a total of six enemy fighters downed on one mission. Plus one Japanese war ship exiting Simpson Harbor at full speed was destroyed. Big John Collins led an attack on Tobera Air Drome, destroying numerous Japanese aircraft on the ground.

Bill and Buck Patillo, Bill Paris and Big John Collins collectively received the following combat medals: 4 Silver Stars, 9 Distinguished Flying Crosses, 9 Legion of Merits, 36 Air Medals, 5 Distinguished Service Medals, 9 Presidential Unit Citations, 4 Government of the Philippines, 2 Croix de Guerre with Palm, US SWPA medal with 9 major campaign battle stars, 121 various noncombat service medals.

Sixty years after the conclusion of World War II, all Americans should renew and rededicate their honor for the noble sacrifices, valorous deeds and enduring accomplishments of military veterans of what has become known as the greatest generation.

I would also like to commend my sister colleague, Congresswoman MARCY KAPTUR, who just spoke, who fought hard to get a memorial on the Mall for them, the greatest generation, including for my four Georgia pilots.

Congratulations to them all for a job well done.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

(Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 60 minutes as the designee of the minority leader.

Ms. WASSERMAN SCHULTZ. Madam Speaker, Members of the House, it is a pleasure to be here tonight as the 30-something Working Group takes the floor each night to talk about our concerns, both as it relates to our generation and our generation's perspective, and also as it relates to the issues that are important to America.

I can tell you that our thanks goes out to our minority leader, Ms. PELOSI and Mr. HOYER. We have been given the privilege to come to the floor and talk about the concerns of all Americans. And, boy, Mr. RYAN, who I am pleased that you have joined me once again tonight, we have been spending quite a bit of time together in the last 14 months since I joined you in the United States Congress, and it has truly been an honor and a pleasure.

There is sure a lot to talk about. We are facing so many different crises, so many different crises of the confidence of Americans, that it is hard to know where to begin sometimes when we take the floor each night. But I know that the thing that is most on the minds of at least the constituents that I represent, and I am certain the ones that you do, because no matter where we go now, particularly in the last 2 weeks when we were home, gas prices and the energy crisis, because there is no other term you can apply to it, that we are in right now is foremost on the minds of Americans. It is virtually impossible for many Americans to be able to afford to get themselves around their communities. Even when they have mass transit, we are literally stuck in the present. We are stuck in neutral, and it is time to shift into overdrive when it comes to looking towards the future and pursuing alternative energy sources.

I mean, when is there going to be some leadership on the Republican side of the aisle here? When is there going to be, instead of political scrambling at the last minute, which is what we have seen in the last several days when now we know they have reached the point of no return in terms of being forced to respond to what is going on with gas prices, when are we going to see some leadership step up? When are we going to see some backbone?

It is just astonishing to me that I guess our Republican colleagues are willing to ignore the concerns of their constituents, ignore the plight that they are facing. You can't turn on the news anywhere in this country and not see a reporter sticking a microphone in one of our constituents' faces and saying, you know, how are you able to afford to fill up your tank? It is mind-boggling.

I yield to the gentleman.

Mr. RYAN of Ohio. So many of our constituents rely on travel to make a living. And I was talking to a gentleman last night who worked for a lab, who was doing a lot of traveling between the labs. And he is charging 30, 40 bucks a day, and that is just the cost of doing business. And trucking, you know, people in the trucking industry are having a difficult time. But average people, as you said, just trying to make a living and get to work, are having a difficult time.

I think this comes down to a couple of different issues, Madam Speaker. This comes down to leadership. And this comes down to, again, and I hate to say it, but the secretive way in which this administration and this Congress do business.

□ 1945

And the leadership, the President, here we are talking about alternative energies. How long have we been talking about figuring out how we are going to find alternative energy sources and what we are going to do and everything else? But yet this Republican majority has not been able to come up with any kind of vision. And the really terrible part was when the President was here for the State of the Union and he said we are going to come up with an alternative energy program that will cut in half by 2025.

Ms. WASSERMAN SCHULTZ. To end the addiction to oil

Mr. RYAN of Ohio. To end our addiction to oil by 2025, if we get around to it, and it will only be in half. And there is not the urgency that I think our constituents are feeling right now. Let us do something. You have the ability as President, especially after 9/11. He could have marshaled our country and put us in another direction to say we want to reduce our dependency on foreign oil, we want to reduce the cost of gas, and we want to move in another direction. He could have done that because we were all ready to do whatever he wanted us to do. We would have walked to work. We would have rode bikes. We would have done whatever the President asked us to do. But he did not challenge us to do anything.

Ms. WASSERMAN SCHULTZ. And you sort of scratch your head and wonder who is it that he is listening to? Who is it that he is hearing? Because it is certainly not the average American.

I am a mini van mom, as you heard me say here on this floor. I drive a mini van and I am schlepping my kids all over the place, soccer and baseball and dance class and all that stuff, and let me tell you it is no less than $50 to fill up my minivan every single time I need to fill up. And fuel economy is one thing and one could argue, okay, DEBBIE, you should drive a smaller car, you should do what you can, take some ownership and some accountability and try to consume less gas. But when you have three kids, I have twin almost 7-year-olds and a 2½-year-old. There is only so small a vehicle that you can drive with all the stuff and getting your kids around and having to carpool and throw other kids in the car with you. I mean some of the external advice is just not doable. So when you need to drive a vehicle of a certain size, out of necessity, it is going to cost you $50.

Mr. RYAN of Ohio. I have a Pontiac Vibe. You could not handle your kids in the little Vibe because I barely fit in the thing myself. I have to sit in the back seat and drive from the back seat so my legs fit all right. But, yes, exactly. It is that kind of lack of compassion, lack of understanding of what average people go through, a total disconnect; kind of like when the Vice President said a few years ago, conservation, that is a good personal virtue to have, but as a Nation it is not really a good policy. Wait a minute. It is not maybe the be-all, end-all, but it is a piece of this puzzle that we need to put together to figure out how we are going to do this.

And I think it is important for us to share not only the costs that you have there, and I will let you show that, but then I want to talk a little bit about back to 2001 when this whole thing was concocted and all this was happening. So go ahead.

Ms. WASSERMAN SCHULTZ. Absolutely. Let us do that. Because the thing that astonished me was that only yesterday did the President make a statement about doing something. And believe me, that statement was only a token statement. He laid out some four-point plan where he is going to try to hold suddenly the oil companies accountable. Holding them accountable? I mean, give me a break. It is a little late in the game now that we are 6 months from an election. Is that not convenient? Is that not nice?

I will tell you I have only been here about 14 months and I am less senior than you. You have been here for at least a couple of years before me. During the time that you have been here, that I have been here, where has the outrage been? Where has the outrage been?

We are only going back to 2002, but in 2002 the summer gas prices, the average price of a gallon of gas was $1.39. You could hear a pin drop, it was so quiet, the reaction from the administration. Okay. No outrage from $1.39 a gallon. Then $1.57 a gallon, a third more, just a summer later. No end in sight. No proposal. No initiative to ease the burden and head this problem off at the pass. A summer later, 2004, $1.90. Now we are approaching almost $2, almost, but one-and-a-half times the cost from the summer before that. No end in sight. No proposal to stem the tide. No proposal to urge the oil companies to diversify or pursue alternative energy sources.

Go to 2005, last summer. Now, last summer was when you really knew that the pressure began to rise. I mean, the boiling point was reached last summer. Last summer was when I really thought okay, there is no way that they can ignore this anymore; yet ignore they did. They reached $2.37 a gallon as the average price of a gallon of gas. And simultaneously last year, in my first year in Congress, two energy bills, two energy bills passed that gave 16 billion, with a ''b'', dollars away to the oil companies.

What we talked about last night I will reiterate again: The United States Government owns the areas in which we allow the oil companies to drill. Whether it is the drilling rights that we grant them in the gulf, in bodies of water, or on land, we own them. And they are supposed to pay us royalties and make tax payments to us in exchange for their being able to drill there. Those two bills that we passed last year, Mr. RYAN, forgave those taxes, essentially gave the oil companies those rights for free. And we have a chart that we will put up. Hopefully we will be able to get access to it. It is stuck in an office, but we will get that chart up here in the hour after next. RECORD profits, both individual quarterly profits that the oil companies made and historical record profits. We are giving tax breaks to companies that are making record profits and providing no relief, no assistance, no urgency to the American people who are struggling to get themselves to their jobs, to get their kids to school? Where is the outrage? It is just of the oil companies, for the oil companies, by the oil companies. That is the kind of policy that is made here.

And before I yield to you, to add insult to injury, on top of that legislation, forgiving the taxes, if you recall, one of those energy bills was one of the bills that the Republican leadership held open the vote for 40 minutes, twisting the arms of our Republican colleagues who knew that bill was the wrong thing to do, who knew we should be doing something about an energy policy, who had their arms wrenched behind their backs. And we watched our vote board that hangs above us, that lights up above us, the Christmas lights, red to green, green to red, all

over the map for 40 minutes until they got their way. Forty minutes. The rubber-stamp Republican Congress did the bidding of their leadership and the bidding of the President and the bidding of the oilmen in the White House. It is disgusting.

Mr. RYAN of Ohio. When the average person hears that their tax dollars that they work hard to make and they send the Republican Congress down here to spend on Medicare and defense and all the other things, when they hear that $16 billion of that went to subsidize the oil companies when they have the highest profits that they have ever had, that is the outrage. And I think the American people are outraged. The Republican bobble-head Congress here who will say yes to whatever President Bush wants, I do not feel the outrage yet from them. And I think this is what our friend, former Speaker Newt Gingrich, said about the Republican Congress, that they are seen by the country as being in charge of a government that cannot function. This is what is happening here. When you have the leader of the Republican revolution that has turned into a devolution saying the government just cannot function, they do not know how to run the government, you are facing it every day at the pumps, Madam Speaker, and the American people are facing this every single day at the pumps.

I want to talk just for a second, because I thought it was interesting that the President said with great enthusiasm that he wants to hold the oil companies accountable. So, Madam Speaker, I have a suggestion. Now, let me share some information with our colleagues here. We have heard a lot about this too. When they were trying to decide what they were going to do for the energy bills years ago in 2001, the Vice President was having meetings that no one knew about, and he was having them with the oil executives, which should not surprise anybody, figuring out that the President and the Vice President both came out of the oil industry. So what has recently happened is that a White House document came out that showed that executives, and this is a third-party validator, this is the Washingtonpost.com, a great newspaper here in town. The White House document shows that executives from big oil companies met with the Vice President's energy task force in 2001, something long suspected by environmentalists but denied as recently as last week by industry officials.

Now, here is what the document says, just so we can get into it. Because this sounds just like Katrina, this sounds just like the war, this sounds just like the Medicare bill, this sounds just like every piece of legislation that has come out of this Congress that the President has pushed. It has been done under a cloud of deceit, Madam Speaker, misleading statements to not only the United States Congress and Members of the United States Congress, but to the American people, Mr. DELAHUNT. But to the American people.

And let me share, as recently as just last week, this document that came from the White House, obtained by the Washington Post, shows that officials from ExxonMobil, Conoco before its merger with Phillips, Shell Oil Company, and BP America, Incorporated, met in the White House complex with CHENEY's aides who were developing a national energy policy, part of which became law. So you would think, well, the Vice President's staff is meeting with BP Oil executives.

Last week in a joint hearing of the Senate Energy and Commerce Committee, the CEO of ExxonMobil, Chevron, and ConcocoPhillips said their firms did not participate, Mr. DELAHUNT, in the 2001 task force. We have got somebody telling us a falsehood, someone misleading us.

So if the President wants to hold the oil companies accountable, let me recommend, Madam Speaker, that people can be fined or imprisoned for up to 5 years for making ''any materially false, fictitious, or fraudulent statement or representation to Congress.'' So everyone denied they had anything to do with this meeting in front of a Senate panel of the Energy and Commerce Committee, and they were there, and we have got all these gas prices and we are wondering about price gouging and everything else, Madam Speaker, and the oil companies are saying, well, we are not price gouging. Well, you know what? Maybe we just do not believe you, because you have a track record here of misleading statements, secrecy. And it hurts me to say that people in Youngstown, Ohio are forced to foot the bill here.

Ms. WASSERMAN SCHULTZ. I yield to Mr. DELAHUNT.

Mr. DELAHUNT. Well, I can assure you, Mr. RYAN and Ms. WASSERMAN SCHULTZ, there will not be any oversight. There will be no investigation because this Congress simply will not do it.

If there is one theme that has characterized the 6 years of this administration and the 6 years of control of the House of Representatives and the United States Senate by the Republican Party, it is a lack of transparency, is secrecy, is a refusal to be held accountable. And much of the responsibility comes right here to this institution.

Now, let me just divert for one moment and cite the example of accountability and oversight in the case of the war in Iraq.

□ 2000

Both the decisionmaking process that led us to intervene militarily in Iraq and what has happened since the so-called major combat phase was announced.

Mr. RYAN of Ohio. ''Mission accomplished.''

Mr. DELAHUNT. It was announced by President Bush as he flew in and landed on that aircraft carrier saying the mission was accomplished.

I happened to be the senior Democrat on a subcommittee of the International Relations Committee, that in that particular capacity I, along with other Members, Democratic Members, have requested again and again and again an opportunity to ask some questions about the whole array of issues, the fraud and the corruption that has absolutely gone wild. It is the Wild West. Everybody that has come back from Iraq that has been in a position to observe and witness the corruption by contractors, by Iraqis, by Americans, by other foreign nationals says it is unlike anything we have ever seen.

Well, you know how many hearings we have had? Let me rephrase that. Something unusual happened today, more than 3 years after the end of the so-called combat phase. The House International Relations Committee had a hearing on Iraq, and witnesses from the administration actually appeared and testified. I am not even going to comment on that hearing, but I would commend Members from both sides of the aisle to go and to read the transcript in the CONGRESSIONAL RECORD, because we had an opportunity to ask some questions. Clearly, clearly, at least on the Democratic side, no one was satisfied with the answers, but we had the opportunity.

Madam Speaker, this is 3 years after March and May of 2003; 3 years later.

Now, an effort was made by some of our colleagues saying, well, we have had hearings. Well, we have had hearings, but I don't know where we had them, because we certainly haven't had them in a room that the American people can observe what the answers were.

Ms. WASSERMAN SCHULTZ. If the gentleman would yield for 1 second, there is a little bit of irony here. Today is April 26, 2006, and we are about 6 months from the election. Isn't it interesting that today, suddenly 6 months before the election, as the heat is intensifying, and elections get closer, and the concern increases on the part of our Republican colleagues about the likelihood of their losing quite a few seats as a result of their not doing what they should have been doing, it becomes more and more of a likelihood and a reality that hearings are beginning to be held, the President is rolling out plans to address the energy crisis and gas prices?

You know, the American people are a little bit smarter than that. They get it. They get when scrambling is going on, when people are trying to, hmmm, I guess the best way to put it is to save their tuchases. That is a Yiddish term, for those of you that don't know what it means.

Mr. DELAHUNT. I think we know what it means.

Ms. WASSERMAN SCHULTZ. Thank you.

Mr. DELAHUNT. But the reality of it is it isn't even the issues themselves, because they stonewalled on the 9/11

Commission until public pressure compelled them to agree to have an independent commission; they would not release the e-mails and other documents in terms of both before Katrina landed on the Gulf States and afterwards from the White House, and they refused to do an independent commission there; and in Iraq we have had no hearings until today.

I thought it was interesting that, like I said, some of the Republican Members said, well, we have had hearings. Well, the subcommittee that has jurisdiction, of course, is the Middle East Subcommittee, and the ranking member Mr. ACKERMAN went through his own records and looked all through the year 2003 to see how many hearings even peripherally might have been related to Iraq. None. None.

In 2004, in all of 2004, that particular subcommittee had one hearing related to Iraq, but it was about the United States and the Iraqi marshlands, an environmental response.

In June of 2005, the next year, there was a hearing on Iraq's transition to democracy. Nothing about all of the other obvious issues that were begging out to be addressed; the competence of the civilian leadership and the role of Secretary Rumsfeld and the disagreements with the military that have performed so well in terms of their service in Iraq.

Ms. WASSERMAN SCHULTZ. I was just going to suggest that you put some of the comments from the generals up on the easel.

Mr. DELAHUNT. Do you know what? We really do have some heroes in this country, people who will speak out and tell the truth and who are not afraid of laying it on the line. If I could indulge you, Mr. RYAN, and you, Ms. WASSERMAN SCHULTZ, I think we have got to recognize what these nonpoliticians, who were leaders in Iraq, the men and women who served this country, had to say about the competence of Secretary Rumsfeld and the civilian leadership in the Department of Defense. If you would indulge me.

Back in March of this year, Major General Paul Eaton, who was responsible, by the way, for the training of the Iraqi security forces, had this to say in reference to the Defense Secretary. Now, these are his words; not my words, but his words. ''He has shown himself incompetent strategically, operationally and tactically, and is far more than anyone responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down.''

That was a Marine general, highly decorated, well-respected and regarded by his colleagues and peers, Paul Eaton.

Ms. WASSERMAN SCHULTZ. While you are putting up the other very damning commentary from the myriad of generals that have called for either Secretary Rumsfeld's resignation or for the President to ask for that resignation, I think it is important to point out that in the face of that unprecedented pressure and unprecedented nonpolitical motivation, because certainly the motives of retired generals could not be questioned, the status quo is being preserved, a steadfast, benign status quo, and that is just yet another example of the bobblehead, rubber-stamp Republicans.

Mr. DELAHUNT. Not a single hearing. I would think, Madam Speaker, if there was a genuine desire on the part of this House to examine in depth the truth of what is happening in Iraq and in the real world, we would have those generals, Madam Speaker, come before the appropriate committees of this House and inquire of them why they make these statements, such as the statement last Thursday by retired Army General John Batiste, again Defense Secretary Don Rumsfeld. Again, I am quoting this American hero.

''We went to war with a flawed plan that didn't account for the hard work to build the peace after we took down the regime. We also served under a Secretary of Defense who didn't understand leadership, who was abusive, who was arrogant, who didn't build a strong team.''

Now, you know, Ms. WASSERMAN SCHULTZ, that the Defense Secretary has come here on the floor of this House, Madam Speaker, in this well, and behind closed doors has briefed us, but we never hear from those generals. We never hear from the generals, Madam Speaker.

Why? Why can't we have a hearing and invite Paul Eaton, a former general in the United States Marine Corps, and Retired Army General John Batiste? Why can't we do that? Is that asking too much, Madam Speaker? Is that asking too much, to let the American people hear for themselves? If there is an answer to that, will someone please give it to me? We haven't had the exercise of any oversight on Iraq ever. Ever.

Ms. WASSERMAN SCHULTZ. You know what else I noticed in the last 14 months since I have been here in my experience is that we haven't had a single Republican come to the defense of these generals or agree, step forward and agree with them. My belief in terms of our role here as public servants is that sometimes you can't be afraid to stand alone. You have to be willing to stand up for the courage of your convictions, even when no one is behind you, because you are the one that has to wake up and look at yourself in the mirror in the morning and know you have done the right thing, and you are only with yourself at the end of the day when you put your head on that pillow.

What I have noticed is not a single colleague of ours on the Republican side of the aisle has stepped forward and said, yes, it is time for Secretary Rumsfeld to resign; it is time for some fresh blood, for some new ideas, for some acknowledgment that it is not going in the right direction.

Why? Because this is what we have on the other side of the aisle in this Chamber. We have bobblehead Republicans. We have people who just shake their head up and down and up and down and are willing to just rubber-stamp whatever it is that they are asked to support, or oppose, for that matter. It is astonishing.

Mr. DELAHUNT. But don't we owe it to the American people, Madam Speaker, to hear directly in the United States Congress at a full committee hearing from General Paul Eaton, from Army Major General John Batiste, and also from Marine Lieutenant General Gregory Newbold? Again speaking about the leadership of Donald Rumsfeld, these are his words. ''My sincere view is that the commitment of our forces to this fight was done with a casualness and swagger that are the special province of those who never had to execute these missions or bury the results.''

□ 2015

Those are very, very powerful words. This is a very tragic and special moment in American history, Madam Speaker. We are at war. We have lost thousands of men and women in this war. The American taxpayers have spent hundreds of billions of dollars in this war.

And, Madam Speaker, why can't we hear from those generals in a public forum? Why? Well, I am not going to reach a conclusion as to what the answer is.

Ms. WASSERMAN SCHULTZ. I know the answer. For the same reason that there has been no accountability, for nothing that Congress should have been exercising its role of oversight of this administration. Where were the independent hearings as far as Katrina? Where were the hearings for the culture of corruption? Where is the Ethics Committee and its total lack of operation in investigating case after case of Members on the other side of the aisle who have violated and been accused of violating the public trust? Where has the outrage been?

The answer is the same, Mr. DELAHUNT. They do not care, on the Republican side of the aisle, to exercise Congress' oversight role. They have ceded, willingly, the legislative branch's oversight role, ceded the authority to the executive branch.

And you know, I have been a legislator for 13 years, it is almost 14 years now. It is the thing that I believe we should most jealously guard, our oversight role, the system of checks and balances, our ability to hold the administration, the executive branch, accountable, even when it is our own administration.

I mean, there certainly was not any hesitation on the part of this Republican Congress to hold the administration accountable and have plenty of hearings from the most minute and unimportant to the significant when there was a Democratic President. But

oh, no, as soon as there is a Republican President, we do not need to ask him any questions, we are just going to let them do whatever they want.

Why? Because they are perfectly happy to be a rubber-stamp Republican Congress. I think the American people are sick and tired of not having people here that serve in the Congress that they send here to stand up and do the right thing, express outrage, understand what they are going through.

I mean, I do not know how some of the constituents, the citizens in America, are tolerating their Member that they have elected staying silent on all of these important issues. I do not get it.

Mr. DELAHUNT. You know, I think it is important to understand that in a democracy, if we are going to enjoy the full measures of citizenship, that those in power, those elected representatives of the people have to act in a transparent way and have to exercise that responsibility to hold accountable all those representatives of government transparency.

I mean, we can have disagreements, and we can do it in a very respectful fashion. But if we do not have the information, if we do not have the facts, if we never hear the truth, then we are doing a disservice to the American people, because we are denying them the opportunity to enjoy the full measure of being an American citizen.

Ms. WASSERMAN SCHULTZ. Well, you know, it is getting ready to happen again tomorrow. We are going to watch them deliberately squander yet another opportunity.

Do you remember several months ago when the Jack Abramoff scandal broke, and he was exposed, and indicted and arrested, and decided to plead guilty and began implicating people who he worked with and who he collaborated with? There were calls from the Republican leadership that they were going to do something about this, make the process more transparent, restore ethics to undergird the American public's confidence in this system.

And that was all supposed to culminate in tomorrow's legislation that we will hear in this body, what the Republican version of lobbying and ethics reform is, Mr. DELAHUNT.

We are all about third-party validators in the 30-something Working Group. I have third-party validators just initially to compare Republican proposals on lobbying reform with the proposals that are coming out of the United States Senate, from the Republican leadership there versus the proposals coming out of the Republican House.

And this was on the front page of USA Today just a couple of days ago, on April 24, just on Monday, the two proposals coming out of the two Republican-led Chambers. Look at the differences, Mr. DELAHUNT, that we have here.

This is the difference between the lobbying legislation the Senate and the House of Representatives, the gift limits that are proposed in the legislation coming from the Senate.

And, again, this is right off the front page of USA Today. The Senate version of the bill would say that Members could receive no gifts from lobbyists to Members or their aides. None. A ban.

The House version of the bill tomorrow, we would have no change from the $50 limit that is current law. That is transparency? That is a restoration of America's confidence that Members are up here doing the job that they were elected to do? Status quo. That is the reform that we are going to consider tomorrow.

The lobbying ban. Right now, former Members have a 1-year ban before they can come and represent clients in front of Congress and contact their former colleagues and advocate on behalf of those clients. The Senate would double that time to 2 years, at least, so that there would be some distance between the time of service that a Member was here and the people that they served with.

And so the idea behind a 2-year ban, Mr. DELAHUNT, is that at least some of the issues that that Member was voting on, that the Members that they were working with, that there is some distance between that time, and that way hopefully you are not going to have undue influence occur. The Senate doubled that to 2 years.

In the House, again this is off the front page of USA Today, there would be no change. The current 1-year time limit would still remain in place.

Let us look at congressional travel. Travel sponsored by lobbyists, again off the front page, in that same graph on the front page of USA Today. The Senate legislation that deals with travel by Members sponsored by lobbyists would say that they have to have preapproval in order for a Senator to travel with lobbyists, on a lobbyist-sponsored trip. The Senate legislation said that that would have to be preapproved by their Ethics Committee.

You know, interesting proposal. There are several ways you can do it. We will go one step further in our proposal, which we will go through in a second. But the House version, this is funny; it is so sad that it is funny. The House proposal tomorrow that we are considering on travel says suspend travel until December 15.

What are they hoping, that we get past the election and people will forget? Or maybe we get past the election and it will not matter anymore and they can just go back to taking trips to Scotland and playing golf when they are supposed to be doing the people's business?

I am not sure who they are trying to kid. It is just truly unbelievable, Mr. DELAHUNT. Their nerve is amazing. So I just wanted to outline that is the difference between the Republican proposals.

Now, I want to just take a minute and go through what the Democrats would do. You know we hear so much that, you know, all the Democrats do is criticize and, you know, we do not have a plan for this, that, or the other thing, which of course we spend each night here trying to outline the plans that we do have, and debunk that oft-repeated myth, which is truly mythological, because we have numerous plans which we will continue to outline.

But let us look at the House Democrats' lobbying and ethics reform proposal, where we would truly crack down and get tough on the culture of corruption and cronyism that exists here. It is called the Honest Leadership and Open Government Act. If that is what we are considering tomorrow, which I truly wish we were, then the gift limits that Democrats proposed would be a ban on gifts including meals, tickets, entertainment, travel from lobbyists and nongovernmental organizations that retain or employ lobbyists. Because, you know, what we could debate, we could have a legitimate debate, I think, Mr. DELAHUNT, on whether or not particularly nongovernmental organizations should be able to sponsor Member travel, those educational trips that I have taken in the time I have been here, once or twice, that are truly helpful.

But, you know, unfortunately, you know that old expression where they talk about the one bad apple spoils it for the whole bunch. In order to restore Americans' confidence in their government, a change like we are proposing, just a total ban would do that. You got to go that far. But that is not what we are considering tomorrow. We are considering just holding off on travel until December 15, squeezing our eyes shut and hoping the problem goes away.

A lobbying ban. We House Democrats would propose, do propose, a 2-year ban for former lawmakers, executive branch officials and senior staff, that they could not represent clients and contact former colleagues for 2 years. It would eliminate floor and gym privileges for former Members who are now lobbyists.

It would require Members and senior staff to disclose outside job negotiations, because the K Street Project, the infamous K Street Project where you have the revolving door of negotiations going on, while staff, while Republican staff are still here working for the public, negotiating lucrative private deals to leave here and then, you know, within a year, representing clients and lobbying their former colleagues.

And the pressure that the K Street Project applies for those private firms to hire those Republican staffers, we would end that practice in the Honest Leadership and Open Government Act.

And finally, these are just highlights. Actually this proposal is far more comprehensive than what is outlined here. Travel sponsored by lobbyists. We would prohibit lobbyists from planning or participating in congressional travel.

It would require Members to pay the full charter cost when using corporate jets for official travel and to disclose relevant costs in the CONGRESSIONAL RECORD. Literally, the piece of the legislation we are going to consider tomorrow, the only change, is corporate travel; in other words, when a Member is using the private plane provided by a lobbyist. Sometimes, you know, a Member needs to get somewhere quicker than commercial travel allows them to. The proposal tomorrow only prohibits the lobbyists from traveling with the Member on the plane.

They can still do it exactly as they do it now, but they cannot go with the Member. That is the accountability that is provided for in this bill. It is a joke.

You know the American people are not going to buy it. You know, the finger in the dike for the next 6 months and hoping that that gets them through. I mean, I am hopeful that that does not work. It appears that the American people finally get it and that they will be behind us in moving this country in a new direction. Sorry I took so long. That has been growing inside me.

Mr. DELAHUNT. Thank you for that exposition. I just want to return to the original theme. We are connecting the dots, because I think really what is required is an openness that heretofore has been missing. And I honestly believe that the dreadfully low polling numbers for the institution would be changed dramatically.

□ 2030

In other words, rather than 23 percent of the American people approving the performance of Congress, 23 percent as opposed to two-thirds of the American people disapproving of the performance of Congress, can only change with transparency and aggressive oversight.

By aggressive oversight, we don't simply mean partisanship and partisan attacks. We mean putting it all out on the table, letting men like these three generals and many others. I think of the former AID director, the Agency for International Development, who is currently at Georgetown University doing a professorship, who recently made a statement saying that the reconstruction effort in Iraq is plagued by incompetence and turf battles within the administration. It would be healthy.

It would be healthy for us, for the institution, because you said something earlier about the confidence of the American people. If we are going to change those poll numbers, we have to come together, assume our responsibilities and become aggressive about holding the executive branch accountable, holding ourselves accountable, as you just pointed out, and reviewing the performance of the judiciary.

We could debate about it, but let the American people hear directly, without the filter of partisanship, whether it be Democratic or Republican. Let them hear directly as to the observations of those that are involved in whatever the issue is.

I mean, I would suggest that in the aftermath of the passage of the so-called prescription drug benefit program, that aggressive oversight would have entailed bringing before the appropriate committee of Congress those who are involved in hiding from the United States House of Representatives and the U.S. Senate what the estimates were in the administration of the cost of that particular plan.

We should have all been outraged. We should have demanded to hear from the participants, but we didn't. We failed, I would suggest. And know what we have today? We have the lowest rating, I believe, since I have been here, by the American people, according to a poll that I just saw before coming over here, of the performance of the United States Congress. We are a democracy. We have got to become institutionalist once more.

We have got to defend the prerogative of the Congress, whoever is in the White House.

I will tell you what I have learned, Ms. WASSERMAN SCHULTZ, is that when one party controls all of the levers of power in a democracy, accountability just disappears. I am not saying that is peculiar to Republicans. Maybe it is innate just in human nature. We don't want to embarrass our President, if he is of the same party, but we have got to restore a sense of pride in the institution. That is not happening here today.

One hearing, one legitimate hearing on Iraq in 3 years? Meanwhile, thousands of military personnel have died, and we are spending close to $1 trillion already, and more in the pipeline. It is not right. That is why the American people are losing confidence in the U.S. Congress.

Ms. WASSERMAN SCHULTZ. There are lots of reasons, Mr. DELAHUNT, some of the ones you outlined, but many more reasons why the American people are losing confidence in our ability to make sure that we respond to their concerns. Here are some key facts that I pulled together that just might explain why people are so frustrated, aside from the major issues that we have been outlining here tonight.

Just for example, median income, median family income has dropped every year of the Bush administration. Median wages have dropped 6 percent from 2000 to 2004 according to the Federal Reserve Board. A typical middle-class family, and this is the 30-something Working Group, and we just want to provide some highlights of the things that this generation is struggling to deal with, the typical middle-class family is working longer than in 2001 just to pay the bills.

Health care costs have skyrocketed, with a typical family paying $632 more for health insurance, compared with 2000. The number of Americans without health insurance has increased by 6 million, while the number living in poverty has increased by 4.5 million since 2000. Gas prices are 62 percent higher than in 2001. Housing is the least affordable it has been in 14 years.

In my community alone, and I know your community is expensive as well, the average price of a house in south Florida is more than $300,000. Now how is a young couple, just starting out, who wants to reach the ability to buy their first home, going to afford that?

Come on, I am not that far from having bought my first home with my husband. Trust me, if the prices were like that in south Florida when we first started out, there is no way. We would be living in a shack, which many people in America are continuing to struggle to even be able to afford.

College tuition. Let us continue down the path of what young people are struggling with. College tuition has gone up about 40 percent, even if you take inflation into account, according to the college board in 2005. The number of employees in an employer-sponsored retirement plan dropped by more than 2.7 million from 2000 to 2004. That is Congressional Research Service, our objective Congressional Research Service that cited that statistic.

About 3.7 million employees have lost employer-provided health insurance since 2000. The median household debt has climbed 34 percent, to $55,300, from 2000 to 2004. The typical student graduates from college with about $17,500 in debt. While wages and salaries are at a record low as a share of national income, corporate profits are at a 60-year high.

Finally, the last statistic that I was able to pull together, just to outline what the average working family is struggling through, Mr. DELAHUNT, is that the number of U.S. billionaires reached a record of 793, which is up 15 percent from last year. It is no wonder that the American people are fed up with us and fed up with the lack of outrage, with the lack of leadership, and that the polling numbers, when you rate the Congress, are just hitting rock bottom.

Mr. DELAHUNT, I have really enjoyed the opportunity to spend some time here with you tonight. The last couple of minutes we will pull up our 30-something Working Group Web site, which we encourage the Members and anybody who is interested in getting the charts that we have outlined here tonight. They can access that on www.housedemocrats.gov/30something.

Madam Speaker, with that, we want to thank the Democratic leader for the opportunity to speak to our Members tonight, and we yield back the balance of our time.

BEST CHEAP THRILL

The SPEAKER pro tempore (Ms. FOXX). Under a previous order of the House, the gentleman from Minnesota

(Mr. KENNEDY) is recognized for 5 minutes.

Mr. KENNEDY of Minnesota. Madam Speaker, in a story published today, entitled ''Best Cheap Thrill: Crystal Meth,'' the Minneapolis/St. Paul City Pages sunk to a nearly incomprehensible low. In that story the newspaper, and I use that word loosely, had the amoral audacity to advocate for meth use.

Its editor, Steve Perry, then dared to try to justify such lunacy by saying the point of the item was that it is impossible to make entirely too much of the drug hype of the hour.

Drug hype of the hour? Such a statement shows a shocking ignorance of the facts and an unparalleled insensitivity to the thousands of Minnesotans of every age and walk of life who are struggling to rebuild their lives. They were shattered by this alleged, quote, best cheap thrill of the year.

Comparing the harrowing experience of meth addiction to a cheap thrill is an unconscionable act, and it is a disgusting act. The City Pages should immediately retract this filth and issue an apology to every Minnesotan who has been harmed or knows someone who has been harmed by this drug.

Better yet, Madam Speaker, maybe the editors should do as I did and visit a drug treatment facility to see just what devastating harm this can cause to people and their families. I did yesterday visit Teen Challenge and talked to 300 Minnesotans that are struggling with an addiction. These brave souls are trying to piece their lives back together, and they would have plenty to tell Mr. Perry and his associates about just how much the pursuit of, quote, cheap thrills, unquote, like meth cost them in their lives and the lives of their families and friends.

Mr. Speaker, I cannot comprehend the shameful lack of responsibility exhibited by the City Pages and hope its pleas of recklessness fall only on deaf ears.

I remind the children of Minnesota that meth is not a drug hype of the hour. It is a drug whose dangerous addictiveness knows no bounds and must at all costs be avoided.

MEDICARE PART D

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Madam Speaker, thank you so much. It is great to be here again tonight talking to my colleagues as part of the Republican health care public affairs team, and I am pleased that a number of my colleagues will be joining me, hopefully, during the hour, and we will be hearing from them later.

Madam Speaker, I ask this question. If there was a way to save more than $1,000 a year on your heating bill or your food costs or car payments, you would want to know about it, right? I know that my colleagues, I think on both sides of the aisle, would definitely want to know. Well, seniors are saving an average of $1,100 a year on prescription drug costs with the Medicare Part D prescription drug program, $3,700 a year for those low-income seniors who qualify for supplemental help. For many seniors, Medicare Part D marks the first time that they have been able to afford the medications that they need to stay well. For many more, Medicare Part D means they will not have to choose between their medications and other necessities like food and housing costs.

Madam Speaker, I wanted to start out by going through a couple of these slides and pointing out some of the statistics that really just literally jump off the page at you. More than 30 million seniors now have coverage under Medicare Part D. These are our latest statistics. More than 30 million. There are about 43 million Medicare beneficiaries, mostly because of age 65, and maybe 6 million of those because of a disability at a young age.

□ 2045

But when you look at here, and we have not even reached at that magic date yet in this first year, that more than 30 million now have coverage, it is an amazing success story.

And continuing that success story, pharmacists in this country are filling 3 million Medicare part D prescriptions a day. That is 3 million times a day that seniors are saving with prescription drug coverage. And many of these seniors were paying sticker price until they finally had the opportunity to save under this great addition to the Medicare program.

Seniors, as I said, are saving an average of $1,100 a month. And $1,100 a month is a great number and a great benefit in itself, and this is on average, but low-income seniors, of course, are paying now, under this program, $1 for a generic drug and up to $5 for brand name as a copay, and that is it. That is it. Let's say you are on 5 prescription drugs, and they are filled on a monthly basis, usually a 30-day supply. That is $5 a month, or $60 a year.

And I don't want you to just take Congressman Dr. GINGREY'S word for that, my colleagues. We have some stories, some anecdotes, to share with you, some actual patients that want to tell you more about that in these following charts. In fact, some of those very seniors are going to be up here on the Hill tomorrow for a press conference, and we will hear it directly from them. I look forward to that, and I hope many of my colleagues will have an opportunity to attend that press conference.

Well, the newspapers, sometimes we wonder if they give the facts as we know them. I want to share with you on this next slide some of the newspapers and what they are finally saying now that we are about 3 weeks away from May 15. And of course we all know that this bill was passed by this Congress, actually the 108th Congress, in November of 2003, and we have gone through the transition program with the Medicare prescription discount cards, where seniors were definitely saving money. Indeed, the low-income seniors got a $600 credit each of the 2 years. It wasn't quite 2 years, but for each of the 12-month increments they got a $600 credit, and then as we rolled into the actual insurance program January 1 of this year.

But listen to what the Washington Times is saying now. ''Even with the myriad prescription drug plans open to beneficiaries, seniors are not overburdened by choice, two recent surveys demonstrate. The surveys, sponsored by America's health insurance plans, show that of seniors who signed up for the Medicare drug benefit, the vast majority, 84 percent, had no difficulty, no difficulty, enrolling. And finding the right plan is worth the effort of shopping around, two-thirds said. For those who were automatically enrolled, 90 percent had little difficulty receiving their prescription drugs.''

The ones that were automatically enrolled, of course, were those seniors that we refer to as either dual-eligible, in other words, they are on Medicare and the State Medicaid because of their low-income situation, or their income is maybe not low enough to qualify for the Medicaid, but the State helps them pay their deductibles and copay under Medicare. All of those seniors, if they didn't sign up, they were automatically enrolled.

Now, listen to what The New York Times says, and this New York Times is not the bastion of conservatism, of course, as we know. ''Many seniors are clearly saving money on drug purchases. Complaints and call waiting times are diminishing, and many previously uninsured patients are clearly saving money on drug purchases.'' That was in an editorial in The New York Times on April 3, so just a couple or 3 weeks ago.

Well, I said at the outset, Madam Speaker, that I would be joined by some of my colleagues on the Republican health care public affairs team. We have a great group of Members who have expertise not only on this issue, but a lot of issues that we are taking the leadership on in regard to health care in this country, whether we are talking about leveling the playing field in regard to civil justice, so-called medical tort system; or whether we are talking about passing, as we have done so many times under this Republican leadership in this body, something that is referred to as association health plans, which allow small companies who really cannot afford to purchase health insurance for their employees when their numbers are small, 5, 10, 15 employees, to come together in a group and enjoy that benefit of purchasing a policy that is affordable to their employees, health savings accounts; or

our initiative on electronic medical recordkeeping and reduction of medical errors, Madam Speaker.

All of these things this Republican leadership is leading the way on, leading the charge on, and I am very proud to have some of my colleagues with me tonight. And especially am I proud to yield time to my colleague from the great State of Georgia, who just happens also to be a physician Member, and I am proud of that as well. And at this point I would like to turn over the mike to my good friend and colleague, Dr. Representative TOM PRICE.

Mr. PRICE of Georgia. Thank you so much, Congressman GINGREY. I appreciate the opportunity to join you today. I want to thank you for your leadership on this issue. You have been one of the stalwart champions of appropriate health care, health system reform, and come with such a wonderful background of information. You and I served in the State legislature in Georgia together, and now here, and it is just a privilege to join you tonight. I appreciate the opportunity to be with you.

I also want to thank the leadership for making certain that we bring this wonderful news, exciting news for America's seniors to the House of Representatives and to the Nation because it is a time of great opportunity for seniors all across our Nation. We are in a period of time right now, as you mentioned, that seniors are able to sign up voluntarily, voluntarily, and I think it is important that people remember that, it is a voluntary program, and participate in this new Medicare part D program.

As you mentioned, I am a physician as well. We used to practice together in the Atlanta metropolitan area. I am a third-generation physician. My father and grandfather were doctors as well. And the things that I was able to use to care for my patients were a whole lot different than those things that my father and grandfather were able to use, and that is because medicine is an evolving science. It is not set in stone. Things change, and things change virtually daily. But Medicare is a program that has not kept up with medicine. Medicare is a program that has not kept up with medicine.

When Medicare started 40 years ago, there were no drugs included in the program. In fact, drugs at that time, medications at that time really weren't used, well certainly weren't used as much as they are now, but weren't used to the percentage they were in terms of the numbers of patients who utilized medications, and things have changed a lot in those 40 years, as you well know, Madam Speaker.

Over the past 40 years, there have been wonderful opportunities for drug treatments to prevent and to cure diseases. Yet until now Medicare didn't include a single medication, not a single drug, in its plan. None. None. They would cover the expensive surgery it took to take care of a bleeding ulcer, but it wouldn't cover the drugs. It wouldn't cover the medications to prevent the ulcer in the first place. It would cover the surgery, the expensive surgery, and hospitalization to care for a patient that had a stroke, but it wouldn't cover the medications to control the blood pressure in the first place and prevent the stroke.

Now, that, Madam Speaker, certainly doesn't make any sense, and everybody appreciates that it didn't make any sense, and that is why this program was instituted. All that is changing now with the Medicare part D program, which, again, is voluntary, a voluntary program for seniors all across our Nation.

And I will tell you, Madam Speaker, that most seniors, most seniors, would be helped and assisted in their ability to purchase their medications by using this new program. Some say that it is confusing, that it is just too complicated. But when you talk to, as Congressman GINGREY mentioned, when you talk to those folks who have already signed up in these first few months of the program, they say that it really isn't that confusing. You just have to tackle it. And most of them, the vast majority, are remarkably satisfied.

I would encourage all of my colleagues, both sides of the aisle, Republicans and Democrats, to assist further in educating their constituents, educating their seniors about the program. I have held, as I know you have, Congressman GINGREY, a lot of seminars and meetings with seniors around our districts to help them understand about the program, what it means and what the specifics are, and assist them in being able to sign up for the program.

Those folks at CMS, the Center for Medicare and Medicaid Services, have been remarkably helpful as well in assisting seniors in my district, and I know yours and so many across this Nation, to be able to understand the nuances of the program. We need to remember, as we look at this program, that the Medicare program on December 31, 2005, had no medications available, and now it does, and now it does. And that is the important thing to remember for seniors.

Now, you mentioned the important date that is coming up: May 15. May 15 is the deadline to sign up for Medicare part D. It is a deadline that is necessitated because this is a new insurance. This is a new aspect of insurance. And unless individuals sign up by a particular time, then you can't reach the savings that you can get in this kind of program. So I want to commend all seniors to take a serious look at this.

Again, it is a voluntary program, but the vast majority of seniors will be aided by this. Unless seniors have had prescription medication covered through a previous employer, then it is likely that the seniors who could access this program would be benefited by it. I know that in my area all of the seniors that were on the Medigap plan to cover prescription medications, not a single one of those would be able to have access to a plan that is as helpful in terms of improving their health as this plan.

So this is a good program. It is a step in the right direction. It is not what all of us would have designed, I am certain, but it is a move in the right direction. And I want to commend my colleagues who will be here this evening to share information about this program with the House of Representatives and with our Nation and our Nation's seniors for their activity, and I want to thank you very much for the opportunity to join you tonight and commend you for your leadership on this, and I yield back to you.

Mr. GINGREY. Dr. Price, thank you so much for those comments. They are very accurate and very timely.

I know one thing that Representative PRICE mentioned about this deadline, and of course it is approaching. We are 3 weeks away. Of course, a 6-month window of opportunity that started November 15, and we have been doing town hall meetings, of course, since long before that and letting people know. I think there has been a tremendous amount of information both from the Committee on Medicare and Medicaid Services, CMS we call it, the Social Security department, and senior organizations in each community, in every county, in every State in this Nation have been making sure that this information gets out there.

But, still, as we get down to the wire, we have some seniors, unfortunately there may be as many as 8 million, that could still sign up for this benefit. And while some of them clearly will choose not to, because it is an optional plan, we don't want to miss the opportunity of those in that group who are a part of that low-income portion, Madam Speaker, because, as I have said many times from the well of this House floor, for them it is not only a no-brainer, it is a godsend.

So that is why we continue to have these Special Orders. That is why the leadership, our Speaker, our majority leader, our conference chairwoman Representative DEBORAH PRYCE, wants us to come down and spend this hour, and allows us to do this, and as Congressman PRICE was just saying, to talk to Members on both sides of the aisle, because this is not the time to politic over this. This is the time to get the policy right.

□ 2100

So that is really what we are about.

Again as I predicted at the outset, I would be joined by my colleagues on the health care public affairs team, not the least of which is my cochair. And I would like to call on him. I would like to say a word or two about Representative and Dr. TIM MURPHY from the great State of Pennsylvania. He is a clinical psychologist, a teacher and an

author of several books. He has taken a leadership role not only in the overall committee that we cochair, but also especially on the issue of electronic medical recordkeeping and reduction of medical errors and saving lives and saving money. That is something that both DR. MURPHY and former Speaker Newt Gingrich have written a book on. We can talk about that later as we get beyond May 15, but at this time I yield to Mr. MURPHY.

Mr. MURPHY. I appreciate the gentleman yielding me this time and your continued leadership in helping this Nation understand the importance of the Medicare prescription drug plan.

I wanted to echo with you the issues involved with this, which are so important not only to our constituents but actually to people across the Nation as they look at this and reflect back a couple of years ago when many folks were traveling to Canada, looking at trying to import some medications from around the world in an attempt to save money.

The net result of that, the overall savings that came from importing medications from Canada as opposed to price shopping in America, was not that dramatic. And compared to our generic medications, generics still saved a lot more money. But nonetheless, many folks were searching for ways to find less expensive medications.

Secondly, when people were involved in importing drugs from around the world, from Web sites or mail order, what they found many times were counterfeit medications. In one case they were supposed to be a prescription medication, but they were white pills that said the word ''aspirin.'' It is not hard to guess what those were.

In other situations they were completely counterfeited by using paint and other materials to try and make the pills mimic professionally manufactured medications. In other words, people were attempting to save money, and spent more after paying for counterfeit medications.

So along came the prescription drug plan, and people reported to me they did find savings. Some looked at their VA program and were happy with that. In Pennsylvania, we have what is called the PACE program, or the Prescription Assistance Contract for the Elderly. Many were happy with that, and that is fine.

Others said as they looked at their Medicare benefits, they found significant savings. One woman, as she was looking through that, told me she was saving hundreds of dollars. The point is it was voluntary. People compared different plans and found what saved money for them. The main thing is getting people on the medication that they need, rather than trying to seek some discount plan that really does not save them money.

Of course, there are other parts of this Medicare bill that we recognize. One is getting people their checkup with their doctor so someone can review their needs; and also having pharmacists review the medications people take to make sure that we are avoiding duplication and improper doses, which also add costs.

We have to remember one of the ways to reduce the cost of medicine is not just look at discounts and ways the government can help supplement payments, but also patients need to make sure that they are taking only the drugs they need. When people see multiple doctors and go to multiple pharmacists, that is one of the huge risks that occur for senior citizens where they end up with medical problems.

One study read, and I think the CDC sponsored this, it said in Medicare alone, taking the wrong doses for the wrong person has contributed to some $29 billion in costs that were avoidable. So it is important to have all medications coordinated under one plan rather than going to multiple doctors and multiple pharmacists.

But not only is it important for us to look at this program to provide medications that are affordable, but it is also important for us to note when people look at the cost of the prescription drug program for Medicare, what they consistently fail to take into account is what money it saves for health care overall.

I am going to read a couple of points about some medications, and I recognize, although I work in the field of psychology, some of these are areas of expertise for some of the other physicians here on the floor. Some comments I will make, and Dr. GINGREY has commented on this too, that taking the correct medication is a money-saving as well as a life-saving factor that unfortunately the Congressional Budget Office and others who have looked at the cost of the Medicare prescription drug never take into account.

Here is one point dealing with heart disease. Patients with heart failure who are treated with beta-blockers live longer, and treatment costs are about $4,000 lower than patients who do not take these medications. A January 2004 study by Duke researchers found that beta-blocker therapy improves clinical outcomes of heart failure patients and is cost saving to society and Medicare.

Looking more broadly, the researchers found that 5 years of treatment for heart failure without beta-blockers cost a total of $53,000. But with beta-blockers, treatment cost fell by $4,000, and patient survival increased by an average of 3½ months.

Here is a study on depression. New medicines have brought down the cost of treating depression in the 1990s by reducing the need for hospitalization. Medications like Prozac and Paxil are responsible for this. New studies show how newer, better medicines reduce the cost of treating patients with depression. The cost of treating a depressed person fell throughout the 1990s, largely because of a switch from hospitalization to medication and psychotherapy, one study said.

A study that was published in the Journal of Clinical Psychology in December 2003 found that per-patient spending on depression actually fell by nearly 20 percent over the course of the 1990s.

A study on diabetes indicated that medicines that control diabetes help prevent serious complications, reducing the cost of care by about $747 per patient every year. New diabetes medicines are helping patients avoid serious complications and death, and can reduce overall health care spending. One recent study found that effective treatment of diabetes with medicines and other therapy yields annual health care savings of $700 to $950 per patient within 1 to 2 years.

Another study corroborated these results, finding that the use of a disease management program to control diabetes, along with medication and patient education, generated savings of $747 per patient per year.

I might add that the University of Pittsburgh Medical Center found when they engage these disease management programs, they reduced hospitalizations by some 75 percent.

Let me mention Alzheimer's disease. One Alzheimer's medicine was found to reduce spending on skilled nursing facilities and hospital stays. A study of the effects on costs in a Medicare managed care plan showed that, although the prescription cost for the group receiving the drug were over $1,000 higher per patient, the overall medical costs fell to $8,000 compared with $11,947 for the group not receiving drug treatment. This one-third savings was as a result of reduced costs in other areas such as hospital and skilled nursing facilities.

So one of the things that is so important for citizens to take into account as they look at these programs is to please understand not only the cost savings the program has overall, but the more that patients get engaged in following the prescriptions, following the doctor's orders, not only for the medicines themselves but patient education, diet, other therapies that may be recommended, the overall cost of health care goes down. And that is one of the untold stories of how the prescription drug plan works. It saves lives and saves money.

Overall, if Congress continues to pay attention to the bigger picture of how using electronic medical records and electronic prescribing, patient management profiles, to use integrated care of looking at psychiatric care coordinated with medical care, to look at some of these many areas, we will continue to see, I believe, massive savings in health care, which is what we want to do. We want to coordinate all of these efforts in health care so it is not just a matter of saying health care is too expensive, so let us increase copays or deductibles or premiums or reduce coverage. None of those are viable alternatives. Nor is a method used to reduce payments to doctors or hospitals. That

is shifting the cost of care, that is not improving care. And this Medicare prescription drug plan which coordinates those benefits so much better for patients is a very important aspect that we encourage people to take a look at.

I commend Dr. GINGREY for his work on maintaining this important issue and bringing it before the American public to review and understand. I am sure you agree that the issue of the medication, when we only look at the cost up front and not look at the cost of what it saves, we are missing the point. That involves a lot of foresight by those who drafted this legislation to make sure there was coordination of medical treatment and that it was put into this bill.

Mr. GINGREY. I thank Dr. MURPHY, and really among the many important points that you made, there is one that I would like to elaborate on before turning to our next speaker, and that was this issue that Dr. MURPHY mentioned in regard to seniors buying their drugs from Canada, and in some instances not knowing if they were actually coming from Canada.

But I think all of our colleagues understand why they found the need to do that; and our colleague, well, three on our side of the aisle in particular, the gentleman from Minnesota (Mr. GUTKNECHT), the gentlewoman from Missouri (Mrs. EMERSON) and the gentleman from Indiana (Mr. BURTON), spent many hours in this Chamber during Special Orders, talking about the fact that seniors were having to pay so much more in this country for prescription drugs than they could get from north of our border. And in many instances, most instances, the exact same product safely packaged. And who could blame them because what has been happening, until we finally came forward and delivered on this promise after so many years of prior administrations and other leadership on the other side of the aisle and other Presidents, we finally delivered.

This is what has happened. Let me just give a quick summary of some of this before we turn to my good friend from Texas.

In Minnesota, while enrollment in the Medicare drug benefit rose by 9 percent last month, sales of low-cost Canadian drugs fell by 52 percent. Listen to what a State health official says in Minnesota. State officials say that it is impossible to say for sure why sales of Canadian mail order drugs fell to $39,000 this March, the least since that State's program's first month in February 2004. The State actually had a program to help seniors buy from Canada. There could be lots of reasons, they say, but the Medicare drug program probably is one of them. That was by a spokeswoman for the Department of Human Services in Minnesota which operates Rx Connects.

I just want to say to my colleagues that we are pushing so hard for what we refer to as reimportation, making that legal, and while certainly no one has ever been prosecuted for purchasing in that fashion, my feeling all along was when we passed this bill, as we did in November of 2003, Medicare modernization with a prescription drug benefit, the seniors are going to see those prices fall to the point that they will not have to literally take that chance on breaking the law, but, more importantly, risking the possibility that they will be getting some knock-off drug or something that is lower quality or not the right dosage. This is what has happened.

I think the gentleman from Minnesota (Mr. GUTKNECHT) and others may not completely agree with me and I understand that, but hopefully we will be able to take that argument off the table as this program matures, and I feel confident that is going to happen.

At this time, I call on the gentleman from Texas, who is not only my physician colleague and part of this health care team, but he is also an OB-GYN specialist, as I am. I do not think he has delivered quite as many babies as I have, but he constantly reminds me he is not as old as I am either.

At this time, I yield to Doctor and Congressman MIKE BURGESS from Dallas, Texas.

□ 2115

Mr. BURGESS. I thank the gentleman for yielding. And actually that is Ft. Worth, Texas. We are sensitive about that in Ft. Worth.

I wanted to spend just a minute this evening. We have heard a lot. The gentleman is quite right. His leadership on this, too, by the way, has just been exemplary. I am reminded tonight of how many nights we have spent here on the floor of this House talking about this very issue since 2003 when we both started.

But I wanted to take a moment. We have heard a lot about how complicated the program is, and that it is just too complicated, seniors just can't understand it, and make it simpler and then come back and try again. I need to address that.

Remember that if you picked up the Washington Post from a while ago, read the article where the new Medicare benefit is so complicated no one can understand it, no one's going to sign up for it, but I would remind the Speaker and the gentleman from Georgia that this was a Washington Post article from 1966 when Medicare first started. The program itself was complicated then. But guess what? We got a little bit better and a little bit better year over year, to the point where the Medicare system now is one of the more successful Federal programs.

But instead of talking about how complicated it is, let me take another tack. And I want to show you, Madam Speaker, just how easy, how easy it is to sign up for the Medicare program. You take your prescription drugs in one hand so you can read the labels and you can read the dosage and you can read the amount. I apologize, that is not a real Medicare card, but I don't own one yet. But this is a reproduction of a Medicare card. It is actually red, white and blue if you have a real one, and it will have your Medicare number on it.

Now, if you have got your prescriptions, and you have got your Medicare card with your name and your Medicare number on it, you have got all the information you need to sign up for this program. Then take the very simple step of calling 1–800–MEDICARE, talk to the nice people on the other end about your medicines, the dosage you take and the amount that you take, and they will help you work through this program.

Now, for those savvy enough to be on the Internet, there is an Internet plan finder tool that I have found is very, very user-friendly, very amenable to working through it. What I tell people to concentrate on when they look at this program is look at it from the standpoint of cost, coverage and convenience.

If you just print out the plans that are available in the State of Texas, there are 20 plans offering several different options, so there are 47 overall combinations of plans that are available. If you just looked at those in tabular form, it is pretty easy to pick out the cheapest, the next cheapest and the third cheapest. So very quickly you have done a survey that, based on cost, can tell you the least expensive plan.

Now, you also need to look at more than just the monthly premium. You need to look at the deductible. You do need to know about coverage, because that is critical. Make certain that the plan you select covers the medications that you are taking.

And then finally, convenience. Do you want to do mail order? Do you want to do one of the chain drug stores? Do you want to do the corner drug store, the mom-and-pop pharmacy down on the corner? Each of those is available to any senior signing up on this program, and all of that information on cost, coverage and convenience is readily available on the plan finder tool.

Finally, I want to tell the gentleman from Georgia, I am going to be fairly brief tonight, but the gentleman from Pennsylvania was talking a lot about the costs and the cost savings available with this program. He mentioned about the cost of treatment of heart disease and how that can be lowered with this program. I would submit that since the mid-1960s, according to figures from the National Institutes of Health, there has been a reduction in cardiac deaths in this country such that there were 800,000 less premature deaths from cardiac disease than would have been predicted back in 1965 or 1966 when Medicare was first stood up. The reason that that is important is those reductions in premature deaths are largely the result of pharmaceuticals, timely treatment of blood pressure problems, timely treatment of diabetes, the introduction

of the statins 10 or 15 years ago that has made such a significant difference in the prevention of heart disease.

Yes, we are going to save money with this program, but more importantly, we are going to be saving lives. And I think most Americans would agree that is the most important commodity.

Madam Speaker, with that I will yield back to my friend from Georgia and remain close at hand if he has any questions that he needs for me to fill in on.

Once again I would remind the Speaker that 1–800–MEDICARE is where you can get easy access to the information on how to enroll for this program.

Mr. GINGREY. I thank the gentleman from Ft. Worth. I guess I have run my Dallas-Ft. Worth together. But the gentleman has done a great job in working with us on this time, and I appreciate his comments tonight as well.

Madam Speaker, there has been a lot of discussion about extending the deadline to say, well, you know, we don't need to be penalizing seniors if they don't sign up in time, and that is something that hopefully we will have an opportunity tonight to talk a little bit about.

At this point I am going to call on my good friend and teammate on the Republican baseball team, hopefully again this year, and I am talking about the gentlewoman from Pennsylvania, who is also a member of the Ways and Means Committee. And I will tell you, my colleagues, you know, that is so important because the Health Subcommittee on Ways and Means is where these issues relating to Medicare are ironed out before they come to the general membership, to the floor. And the expertise in that committee level is so strong, and so it is wonderful to have Melissa Hart with us tonight. And I would like to turn the mike over to her at this time.

Ms. HART. I would like to thank my colleague, Dr. Gingrey from Georgia, and a very, very good baseball player, I must say, for allowing me to join all the doctors on the floor tonight. I have had a lot of experience with this issue, significant senior population in western Pennsylvania where I live, and represent a lot of folks who have benefited from this program. And I think you and your fellow physicians and a lot of our Members have worked very hard to make sure that people are aware of the program, they are aware of the offering. And so many people who had no coverage whatsoever for prescription drugs are now saving a significant amount of money. And even more importantly, a lot of folks who believed they couldn't really afford their drugs, and so they maybe weren't taking care of themselves the way they should, or they were cutting their pills in half and really not taking the dosages that they really should have been for their health, are now able to do so. They are able to afford the drugs that they need. They are able to take the dosages that they need. And we are going to see a lot more people be a lot healthier a lot longer, and I think that is extremely important.

I would like to make a couple of points, one obviously being what is shown behind me, that seniors are saving on an average of $1,100 a month with the Medicare prescription drug coverage. Low-income seniors who are not having to pay some of the deductibles, some of the other up-front costs, are saving even more, $3,700 a month. That is per month. And we are talking about seniors, so most of them are going to be on a fixed income. And it is certainly a challenge to pay this kind of money out of your pocket if you are working full time.

So the concern that a lot of us had, and the reason that the Members of the House of Representatives and the Senate decided to support a plan within Medicare to provide prescription drugs, was that we want people to be able to access the kind of health care that is delivered today. And our physicians certainly know very, very well, and I am really honored, as a lawyer especially, to be part of the group tonight, explaining to a lot of folks who may not be aware of the program yet or who may, unfortunately, have heard some of the negative comments out there from those who maybe for political reasons don't want this plan to succeed. And really I would like to call for a stop to some of the misleading and dishonest rhetoric that has been used. It seems as though it is designed to purposely scare seniors away from this prescription drug program that is available through Medicare, which is just the worst thing to do for their health.

By every measure this program is succeeding in its core mission of helping Medicare recipients save money on their prescription drugs. Participation in the program has now exceeded its goal of enrolling 30 million by the conclusion of the first year, and it is only April.

In addition, since the beginning of last month, seniors have been enrolling in the prescription drug plan at the average rate of about 416,000 seniors per week. So obviously the message is getting out. But we need to make sure that it gets out that the truth is that this program is helping seniors from coast to coast.

In my district alone, in western Pennsylvania, more than 90,000 seniors now have prescription drug coverage, and the Centers for Medicare and Medicaid Services project that that number will only increase by the end of this year.

The overwhelming reason why Medicare recipients are enrolling is simple. They receive real savings on the cost of their prescription drugs. The average senior, as I said earlier, who signs up for this plan is saving more than 1,100 on prescription drugs. In fact, the robust competition among the Medicare drug plans actually has begun to drive down the cost that we expected seniors would pay when we were initially discussing the legislation. As Dr. GINGREY knows, we were talking about how much the monthly cost would be for the plans, and we were worried that some people might not be able to afford the plan. So we did everything we could to drive down the monthly cost for the prescription drug coverage so that people would buy the coverage and then obviously save a lot of money on their prescriptions. It was originally estimated that we would be nearly $40 a month, and now the average premium is only about $25 a month. And, in fact, some, one that we found in our district, is only about $10.14 a month. And so seniors who have very little means certainly have an opportunity to get into this program even if they don't qualify for the no-cost monthly benefit.

Back home in Pennsylvania, beneficiaries, as I mentioned, have a wide range of choices. It is not just the amount that each of these plans cost, but it is the level of service as well; the broader-based formulary, if you have a lot more needs for different prescriptions. I saw Dr. BURGESS was holding three prescription drug bottles when he was talking. Some seniors may have one or two. Some may have four or five. And so it is important that they make sure, as Dr. BURGESS suggested, that the formulary, that is the list of the drugs that are covered by the plan, actually cover the prescriptions that they need to take to stay healthy.

A Medicare beneficiary in Pennsylvania who doesn't currently have coverage and uses three different prescriptions per month commonly prescribed for diabetes, for high cholesterol and for hypertension is an example of a person who can save a significant amount. On average this beneficiary can save $920, or 33 percent, by enrolling in a Medicare prescription drug plan. This beneficiary can save even more, as much as $1,900, or 68 percent, by using a mail order.

And all of the plans that are offered give each senior options. They can choose to be able to go to their local pharmacist, which is very important because many people would love to talk to their pharmacist every time they have a chance to. Some are very comfortable with their prescriptions or medications, and they don't need to do that. They would rather save money and can get mail order, and so they have the opportunity to save even more that way.

But every State offers different plans that have different benefits, and it is nice to know that whatever your needs are, there is going to be a plan to cover them.

While some outside this Chamber today have sought to discount this plan and say it is too complex for seniors, the savings that people are realizing is having a very serious positive effect on people across the country.

Madam Speaker, these statistics speak for themselves, and the individuals who choose to demagogue the new

program are not only trying to harm seniors, but they are also insulting the intelligence of seniors in the United States. With more than 30 million Americans who are now enrolled in the program, we should be doing everything we can to help seniors and increase the enrollment in the part D program, not scare them. And I really appreciate the fact that our health care professionals who are Members of Congress are here, because they have the credibility of being providers of health care and also now as legislators here in the Congress, who have helped us move forward with this legislation, helped us get through some of the bumps in the initial roll-out of the program to the point now where so many people are benefiting.

And I want to commend you, Dr. GINGREY, for being one of those steadfast individuals who not only represents your district in Georgia, but you are doing a world of good for seniors across the country to make sure that they know that this is a great plan for them, it is going to help them save money, and most importantly, more importantly than anything else, to help them stay healthy. And I want to thank you for allowing me to join you.

Mr. GINGREY. I thank the gentlewoman from Pennsylvania. And I want to comment, too, that I said at the outset that the work that she does on the Ways and Means Committee with Health Subcommittee Chairwoman NANCY JOHNSON from Connecticut and Chairman THOMAS and other members of that committee where all this great work is done.

One of the concerns, Madam Speaker, was that the pharmaceutical companies that had these prescription discount programs that they offered not only to needy seniors, but to people of low income at any age, low-income adults.

□ 2130

And a lot of concern had been expressed. In fact, the Inspector General had some concerns initially and let the pharmaceutical companies know that maybe they needed to look very carefully at these discount programs because of some antitrust violation or whatever. But the members of the Committee on Ways and Means continued to work through this and to make sure that the pharmaceutical companies understood that they could continue these programs and there would be no violation, there would be no penalties or anything of that nature. And I think this is great because, as Representative HART was just talking about in regard to that gap in coverage, that does not exist, of course, for our lowest-income seniors who qualify, as she said, for the low-income supplement. No matter how much money they would incur before this program for prescription drugs, they are only going to pay $1 a month for each prescription as a copay for generic. Maybe a little bit more if it is a brand name.

But most people in the program do face that gap in coverage where, after the first $2,250, then all of the payment is out of their own pocket until, Madam Speaker, the point when they have actually spent in any one year $3,600, and then after that the benefit is outstanding. In fact, 95 percent of any cost above that amount is paid for by the insurance program and only a 5 percent burden on the patient. So that is a tremendous benefit.

But in that gap in coverage, where all of a sudden if somebody reaches that, $2,250 is not the average amount that an individual senior would spend each year on drugs. It is considerably lower than that. It may be closer to $1,400, and they would never get to that point. But some do, and now we know, because of the good work of the Ways and Means Committee, of which Representative HART is a member, we have worked this out so that the pharmaceutical companies can continue to offer those discount programs and to provide at a very low cost these prescription drugs for those seniors who are getting to that point where it is really going to be difficult for them to stay on their medications. And I commend her for that and I think that was something that was very important.

The pharmaceutical industry, the companies, have been attacked so much by the other side of the aisle, and we have heard that over and over and over again, that this is nothing but a giveaway to the pharmaceutical industry, and they wrote the bill and the Republicans passed it in the dark of night. We have all heard that to a farethee-well. Hopefully, our colleagues will now get on board with us and realize that this is a good bill that is saving money, as MELISSA HART indicated. It is not averaging $40 a month; it is averaging $25 a month, or, in some cases, even less. And there are options, of course, the first option being you do not have to sign up for it if you do not want to or if you have something better. But it has been a godsend for so many.

And I thank you so much for being with us tonight, Representative HART.

Ms. HART. It has been a pleasure. I thank you.

Mr. GINGREY. And as I said, premiums, Madam Speaker, a third lower than expected. Even the cost, the overall cost, we got some conflicting numbers back towards the end of 2003 when we were debating and finally passing this bill. The first number, of course, was it was going to cost $450 billion over 10 years extra Medicare spending. Then the number went up to $750 billion. We now know that the cost is going to be lower than those numbers, and probably a lot lower because as we crunch these numbers, the Congressional Budget Office or the Office of Management and Budget, they do what we call static scoring. And as my colleagues earlier were talking about, and I think Dr. BURGESS in particular, Madam Speaker, no credit is given for the fact that when our seniors, my mom and others, can afford to take these prescription drugs and lower that blood pressure, lower that cholesterol, lower that blood sugar, then they are not going to need the expensive benefits of Part A and Part B, whether it is a long stay in the hospital or in the intensive care unit, even more expensive; or on the operating table, having a leg amputated; coronaries; bypass; or maybe even in a worse situation of high blood pressure, having a stroke and spending the rest of their lives in a nursing home covered by Medicare or maybe Medicaid. Who wants that if they can avoid it by spending less money on Part D and preventing this from happening in the first place?

So we shift costs, and we do not get any credit for that in this so-called static scoring that goes on around here, but we should be getting a lot of credit for it.

And I know that my colleagues on both sides of the aisle understand this. But despite it, there are Democrats in this Congress and liberal groups like Families USA and MoveOn.org who are continuing to play politics with our seniors' health, holding town hall meetings to encourage seniors not to enroll. Not to enroll. I thought they would get over the fact that somebody licked the red off their candy or they lost their marbles in a playground game and all of a sudden wanted to pick up and go home.

I remember 1 year ago or 1½ years ago seeing Members, particularly on the other side of the aisle, coming down and literally making a big show out of tearing up their AARP card because this wonderful senior organization of 35 million, of which I am a proud member, had the audacity, audacity, to endorse something that the Republicans, Madam Speaker, had put forward for our seniors. And I guess the frustration of the other side when they had control of this place for 40 years and never could deliver on this promise, I guess it does grate at you a little bit. But I want them to get over it, I really do, and get on board, because we need to let seniors know, more than a few who have not yet signed up, that let us get this done in the next 3 weeks. And there is a deadline, and, yes, there is a penalty if you do not sign up by the deadline.

All we hear by the other side is to extend the deadline. You just need to give them 6 more months or 6 more years. I do not know what they want. But I know this: This Member has a bad habit of procrastinating, and if I did not have a deadline, if there was not a final deadline of getting your income tax return in every year, I would not do it. And that is just human nature. We have to realize that there is a time certain, and if you sign up late and expect to come into the program and pay the same premium, it is not fair, particularly if during that interim

you went from being on no medications and would cost the program very little, and all of a sudden when you have that angina, as we call it, chest pain, and you realize you are now on five medications and you want to hurry up and sign up for the program, that is not fair to the others because, after all, this is an insurance program and it is pooled and that is the way we keep costs down. So I think it absolutely makes sense to get everybody signed up by the deadline, which is fast approaching.

Madam Speaker, it has, as always, been a pleasure to have the opportunity to be given by our leadership, by Speaker HASTERT and Mr. Leader BOEHNER and our conference chairman, DEBORAH PRYCE, to spend this hour with my colleagues talking about something that is so important. And if we can ever in this body, and I know we can, put policy ahead of politics and realize that we can work together in a bipartisan way when we have got something that clearly is a tremendous benefit to our seniors, let us all pull together.

When we go home tomorrow, if we have got some time on Friday, or Monday before we come back to Washington, let us all have town hall meetings and workshops and computers and pharmacists there and vendors and maybe some health screening kiosk as well, and help our seniors take advantage of this great benefit.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Madam Speaker, it is an honor to come to the floor once again. As you know, night after night, and even earlier tonight, Madam Speaker, during the first hour, we had members of the 30-something Working Group on the floor talking about plans that we have on the minority side here in the House of Representatives and assisting not only Americans, but also those that are in the industry of providing energy to this country, who are also Americans and some of them are foreign companies, to be able to provide cleaner burning fuel and also alternatives that Americans will be able to hopefully enjoy for years to come. Energy independence is something that we have embraced for a very long time.

And the debate this week has been about energy, the debate this week has been about ethics, the debate this week has been about a budget vote that we are all waiting to take. But it seems that on the majority side, Mr. Speaker, that the votes are just not there to pass the budget, the Republican-led budget, which I must say that a number of Members on both sides of the aisle have issues with, apparently.

In the 30-something Working Group, we want to thank Leader PELOSI for allowing us to have this hour once again, the second hour of tonight on the Democratic side, and also Mr. Steny Hoyer and Mr. James Clyburn, who is our chairman, and Mr. LARSON, who is our vice chairman, and all of the members that go to committee meetings and fight on behalf of the American people.

Madam Speaker, I believe that we are all on one team until it comes down to what the special interests want and what the American people want. I think that is where the divide comes in. As we start looking at what is happening and the conference calls that I have had and the constituent meetings that I had when I was back in my district during our work break, of just outrage about what is happening in this country as it relates to gas prices, I think that it is very important that we pay more attention than what we have paid to energy and alternative fuels here in this Congress.

One may say, well, we have already passed an energy bill; where were you? Well, there was an energy bill, yes. It was an energy bill that was passed, but for whom? For the special interests, or for the American people?

I can tell you, Mr. Speaker, that the evidence is overwhelming, the fact that right after Hurricane Katrina, and even before, Democratic amendments were voted down here to do exactly what some Members on the majority side, the Republican side, have said that we need to do now, making sure that we put forth penalties to companies that price-gouge the American people. And I am talking about serious penalties, criminal penalties and fines up to $3 million.

We have ExxonMobil executives and oil executives making $150,000 a day in a pension; a day, not a year, not a week, not a month; in a pension with record profits and investors in these corporations that are making money hand over fist, and we have constituents in our districts and Americans throughout this country who cannot even afford to put a quarter of a tank in their car because it is outside of their budget. They cannot afford to take their kids to school. Even when they have a carpool, they cannot afford that.

In rural America there are stories throughout the papers today that are saying, yes, we carpool, but when you are in rural America and you have to drive to the nearest school, that is now a $30- or $40-a-day proposition.

So we look at alternative fuels and we look at penalties that will not allow these oil companies to be able to get away with what they are getting away with.

□ 2145

Mr. Speaker, I think it is also important for us to understand that the President comes out and he says, well, things are going to be the way they are, and prices are going to be high, and it is what it is, but what we are going to do is relax environmental standards to bring the price of gasoline down.

It is almost like a firefighter saying, I know the house is on fire, and it is hard for me even to come up with a metaphor, Mr. Speaker, to describe what the President has done and what the Congress has allowed him to do. The house is on fire. We are going to put a little water here, but not totally put it out, even though we could have prevented that by putting smoke alarms in and other things in to bring attention to all of us as it relates to making sure we keep the house from burning.

I think it is also important for us to pay attention to the fact that the 30-something Working Group and also on the Democratic side, we have put forth proposals in the past that could have avoided this spike in prices right now. There was a press conference today, and a reporter asked me, well, Congressman, are you representing to us that the Democrats, that you all have a plan that will take gas prices down right now, right now, like tomorrow?

No. But if amendments were adopted that were offered here on this floor that Republicans voted down to provide criminal penalties for executives and price gouging, $3 million fines for individuals that knowingly price-gouged Americans to make sure they can have a return for those individuals that are investors, the Federal prosecutor would be in the middle of this.

The situation we are in now is that these oil companies are saying, well, what is the penalty, and who is going to enforce it? The Federal Trade Commission is saying, well, you know, we are not sure if we have jurisdiction.

Now we have the leaders on the Republican side in the House and Senate saying, well, Mr. President, writing him a letter, maybe you want to have these folks look into it, and maybe we need to take back the tax cuts we just gave the oil companies, over the objection of many of us here in this House.

Then you have some Members say that, well, we did it because they needed money more for more exploration. Well, some of that may be true, but when you have oil companies that are beating some countries in revenue and beating all companies on the face of the Earth in profits, and still saying, well, I know you have all this money, and it is heavy, and you can't carry it around, but can I give you some of the taxpayers' money? Maybe, just maybe, you will go out and find oil or go out and drill in some environmentally sensitive place to be able to push up profits.

What it is going to be very disappointing this time, Mr. Speaker and Members, is the fact that we know that when companies present their quarterly reports, it will be another record-breaking quarter for oil companies.

Now, don't get me wrong. Profits are good. It is not a bad word. But I do take issue with the fact that if individuals are making profits, and it is on

the backs of everyday Americans, Democrats, Republicans, Independents, and even those that cannot vote yet, and individuals are making record profits on the backs of them with the help of their government, I think that is the reason why the latest polling indicates that individuals are ready for a change.

Just so Members don't feel this is a Kendrick Meek report or just something the 30-something Group came up with, September 28, 2005, a motion by Congressman STUPAK from Michigan giving the Federal Trade Commission and also the Justice Department authority to investigate and prosecute oil companies for price gouging. Republicans, 226 voted against it; 195 Democrats voted for it. That is roll call vote number 500, H.R. 3402. That actually happened here on this floor. That is not fiction, that is fact.

October 7, 2005, amendment by the same Member, Democratic Member, allowing the Federal Trade Commission to enforce and ban price gouging and set tough criminal and civil penalties, up to $100 million, on oil companies, and allow the President to declare an energy emergency when he needs to. Republicans killed the amendment; not Democrats, not Independents, but the Republican majority killed that amendment, 222 to 199, roll call vote number 517, H.R. 3893.

Time after time after time, Mr. Speaker, the majority has proven when it is time to go on this board and vote on behalf of the American people, that it is whatever the industry wants, they get.

I am so glad to say, Mr. Speaker and Members, that on this side of the aisle, Democrats have said on behalf of the American people, not just on behalf of the Democratic Party and not just on behalf of someone that served here long ago in the majority here long ago when the Democrats were in charge, but on behalf of the American people, that we have come to the floor and we are here to talk about the record. We are here to talk about what we would do if we were in the majority.

Those two votes that I just named a year ago would be law today if Democrats were in the majority of this House. If NANCY PELOSI was Speaker of the U.S. House of Representatives, without any hesitation this legislation would be in place, and we would challenge the President. When he makes decisions, and the Republican Congress rubber-stamps those decisions, rubber-stamps those decisions by saying, Mr. President, whatever you want, so shall it be written, so shall it be done, has gotten us in the situation where we are now.

The same amendments that I just pointed out would have provided relief also to consumers facing skyrocketing home heating costs by expanding the Low Income Home Energy Assistance Program that would have been paid for, Mr. Speaker, and I think this is very, very important for the Members to understand, would have been paid for not with dollars borrowed, and, Mr. Speaker, I am going to talk a little bit about that, too, not with dollars borrowed, but a pay-as-you-go philosophy.

Even when we are dealing with enforcement of energy companies, where there is evidence and also a very strong concern by the American people of how in the world individuals can be paying $3 and change a gallon, and saying it is an issue with production and flow and all of these different examples and explanations and excuses to the American people that no one can really put their hands around, their arms around, and look in the paper and find these companies are making money like countries, these oil companies are making record profits.

Now, pay-as-you-go. I am going to read that again. It dealt with providing consumers facing skyrocketing home heating costs to expand the Low Income Home Energy Assistance Program through the fines from price-gouging companies; not we are going to pass a piece of legislation and just borrow the money.

Mr. Speaker, just to talk about borrowing the money, I want to talk about responsible governance, and I also want to talk about what has happened.

You want to talk about borrowing the money? Some folks say the Democratic plan, they don't necessarily have ways to pay for things. Well, in every piece of legislation that we are putting forth, a supermajority of the legislation that we are putting forth, we are using the pay-as-you-go philosophy. Why do we do it? Because it is the right thing to do on behalf of this country.

I can't help, Mr. Speaker and Members, but think about the fact that there is someone right now, a he or she or someone's mother or father or son or uncle, grandchild, nephew or niece, that are not celebrating what we are celebrating right now. They have been asked on behalf of their country to go to war. They have sand in their teeth, and they probably haven't been able to take a shower like most Americans have been able to take a shower in the last couple of days or this morning or last night or whatever the case may be, so that I would have the opportunity, Mr. Speaker, to come to the floor in this great democracy of ours to talk about what we would do if given the opportunity to lead and to share with the Members and the American people what is happening here in this Capitol.

I will tell you, this chart alone is self-explanatory. Never before in the history of the Republic, I am going to say that again, never before in the history of the Republic, has this country been in the fiscal shape or disrepair that it is right now.

Some folks may say we have our challenges. Yes, we have our challenges, but guess what? There were Congresses before this, the 109th and the 108th and 107th, and Congresses going back 100 years, that have had challenges, too. It is something we called the Great Depression. Another challenge was World War I and World War II. Another challenge was Vietnam and Korea. You name it. Another challenge was times that we had fuel crises. Other challenges have been natural disasters. I know Americans and the membership are very familiar with that.

But when you look at history making, borrowing from foreign nations, $1.05 trillion, $1.05 trillion borrowed in 4 years by the Republican majority and the President, I guarantee you the President could not do it by himself, in 4 years he accumulated more than 42 Presidents and a number of Congresses before them that could only borrow $1.01 trillion. You want to talk about fiscal responsibility? You want to talk about who is spending or who is borrowing the money?

I just want to bring this chart up. Here in the 30-something Working Group we try to break this thing down to the lowest denominator. I want my 8-year-old son, I want my 11-year-old daughter to get it, because it is all about them, and it is all about right now.

We used to, Mr. RYAN, say the future generation, this, that and the other. This generation, we all owe $26,000 and change because of this ever-growing debt. But this is something that I think Members should pay very close attention to. We have divided the debt that this country and this Congress has put on the backs of the American people. We went from surpluses to this.

Japan. Japan, $682.8 billion of our debt. Let me just break that down for you. I am going to take this. This is actually my debit card, but we will say it is a credit card for right now. What the Congress has done, and what the Members on the majority side have done, and what the White House has done with the rubber-stamp Republican Congress, what they have done is said we can have tax breaks that we cannot afford. Swipe the card. We can have a war without a plan and without an exit strategy. Swipe the card. We can spend money, because we weren't prepared for a response to natural disaster in this country without any accountability, without any restraints and no-bid contracts. Swipe the card. We got it.

Oh, no problem. If we want to have government waste on all levels with very little enforcement, and want to give tax breaks to oil companies in the time they are making record profits, and we want to give the top 1 percent tax cuts that they are not even asking for, that is fine. Swipe the card.

By swiping that card, we have now given Japan the power. Japan said, fine, we will buy your debt. Guess what? They are buying a piece of the American pie, $682.8 billion.

China. Red China. Some folks had some concerns. We just had a state visit from the Chinese President. But guess what? He came here knowing

that he owns a piece of the American apple pie at $249.8 billion of our debt.

Did Japan or China come over here and make us overspend? Did they put the credit card in our hand and say, let me force you, Congress and President? Okay, we will buy it. No, they didn't do it.

□ 2200

It is the irresponsible spending and borrowing that the Republican majority has that has put this country in this posture. The United Kingdom, $223.2 billion. This is the truth. This is not fiction.

The Caribbean. Many of you know I am from south Florida. Many of you come through our airport going through. The Caribbean, $115.3 billion of the American apple pie. Taiwan, $71.3 billion of the American apple pie, buying our debt.

OPEC nations. Well, Madam Speaker, let us just talk for a moment about OPEC nations. Who are they? Well, Iran. I think we are pretty familiar with Iran right now. Iraq. We are definitely familiar with Iraq. Saudi Arabia. Oh, definitely heard of that. The United Arab Emirates, UAE, owns a part of this OPEC debt. And I think it is important for people to understand that. And guess what? We are paying through the nose for gas. 67.8 billion.

Germany, $65.7 billion of our debt. Korea, $66.5 billion of our debt. Canada, just north of us, $53.8 billion of our debt.

Now, I am holding this map up empty, Mr. RYAN, and the reason I am holding this map up is because this is the way it looked before President Bush became President, because it was a surplus. This is the way the map looked, Madam Speaker, before the Republican majority became the rubber-stamp Congress.

Mr. RYAN of Ohio. And the Democrats time and time again have tried to put provisions in place that we call PAYGO to try to limit the spending of the Republican Congress. They run away. They spend. They charge on the credit card. Many, many instances over the past few years.

Mr. Stenholm from Texas tried to put provisions in as we were raising, as the Republicans were raising the debt limit. He tried to put these PAYGO provisions in saying if you spend any more money, saying you have either got to raise taxes for somebody to pay for it or cut a program so we can balance the budget. Representative MOORE from Kansas tried to put this provision in through an amendment to try to limit the spending. We have Members on the Democratic side who time and time again have tried to limit spending in the Congress so we do not keep borrowing from the Chinese, so we do not keep borrowing from the Japanese, the Arab countries who we are also buying our oil from, oil-producing countries.

We are trying to limit spending, but it is the Republican side who continue, Madam Speaker, time and time again to waste our money. The tax money that comes into this country time and time again goes out as corporate welfare for the oil companies, corporate welfare for the HMOs and the health care industry, time and time again.

And I want to share with the Members, Madam Speaker, a chart here that is based on the 2007 budget of how much interest, net interest, we are going to pay on the national debt. So all the money that Mr. MEEK was talking about, all the money we are borrowing, we have got to pay interest on this money, Madam Speaker.

This is not a free ride. This is like a bank. You go to the bank, you buy a house, you borrow money. Then you have got to pay interest on it. You buy a house for $200,000. Well, you end up paying $300,000 for the house over the course of the years. It is the same thing that we are doing.

If you look at this chart, the big red tower that we have here is the interest, the net interest that we are paying on the debt. Almost $240 billion of the 2007 budget will be spent on interest on the debt. We are not paying it down. This is just interest payments.

And when you compare that to what we are spending on education or what we are spending on homeland security or what we are spending on veterans benefits, it pales in comparison.

So, Madam Speaker, the folks at home, Members of Congress have to ask themselves, would you rather have your tax money going to pay interest, which makes its way back to the Communist Chinese Government, the Japanese Government, OPEC countries, or would you rather have your tax dollars that come down here? Nobody likes to pay them, but it is like, well, if you are going to pay them, where do you want them to go? Would you not rather have that money invested into the educational systems in the United States of America? Would you not rather have that money focused for Pell Grants? Would you not rather have that money for Head Start?

We are not saying that we do not need reforms in the education system. We do. We admit that. But if you are spending money, and you are asking an American taxpayer, Madam Speaker, you make the decision. Mr. MEEK, you make the decision. Would you rather have your tax dollars go to pay interest on the debt that will make its way back to the Communist Chinese Government, or would you rather have that money invested for educational opportunities for your kids, for you to pay less in tuition costs because we are able to fully fund the Pell Grants?

I remember going to school. I remember looking and seeing what my mom got back or got grant money that we got from the Ohio Instructional Grant, from the Pell Grant. That was a good deal of money to defer the costs of my college education. And because of that, Mr. MEEK, we, my brother and I, we were able to go to college.

Mr. MEEK of Florida. Mr. RYAN, you know I would be a little concerned, just a little, if the validation by the American people, Madam Speaker, was not so strong. I mean, the American people are saying, Congress, what are you doing? Let me just back up. The Republican Congress, what are you doing? It is almost like the Republican majority got elected, started a football game, and at halftime switched jerseys.

I mean, some of the folks who are running down here on the floor having press conferences, you know, fiscal conservatives, fiscal responsibility, we believe it is your money. Well, Mr. RYAN, what you are talking about, what we just talked about here is exactly what is happening here.

Mr. RYAN of Ohio. Mr. MEEK, it is their money. It is the American people's money. They do not want it sent to Communist China to pay down the interest on the debt. They want it invested in the United States of America. They want this money put into our country, not put off and sent to the Communist Chinese Government so that they can start state-owned companies and basically take work from the American people.

Mr. MEEK of Florida. Mr. RYAN, you could not say it better.

But, Madam Speaker, let me just back up, because I want to say this before I talk about why the Republican majority should be alarmed. It is almost unfair, and I said it last night on the floor.

Being in the minority, if someone would have told me at the beginning of the 109th Congress, at the beginning of the 108th Congress, that the cards would be laid out on the table the way they are laid out now, I would say that, wow, that is a lot of work to have the American people understand what is going on here in the Capitol. But guess what? They are getting it. And they got it.

Mr. RYAN of Ohio. The constitutional amendment in 1994 was a part of the Contract with America.

Mr. MEEK of Florida. Well, Contract on America, because that is what it turned out to be. And that we would have Republican and Democratic States suing. And I am talking about Republican and Democratic Governors suing the Federal Government because Leave No Child Left Behind is so underfunded, and that we would have individuals running around here saying, what do you mean we do not have a plan? What do you mean you do not want to talk about how we should take the training wheels off the Iraqi Government and share with them that we cannot be there forever?

Mr. RYAN of Ohio. I want to say that this government run by the Republican majority is in complete disarray.

Mr. MEEK of Florida. Can I give you a third-party validator right now?

Madam Speaker, this man has to look familiar to the Republican majority. He has to. Newt Gingrich was the man that came to the floor night after night and talked about what the Republicans would do if they were able to

take control of the House. He talked about all of the things that, you know, he was talking about that just good government. All right.

Now what is Newt Gingrich saying? They, talking about the Republican majority, are seen by the country as being in charge of a government that cannot function.

Madam Speaker, they. Not, my Republican colleagues; not, my good friends in Congress. They. Here is a major Republican that served as Speaker, the first Speaker in a number of years to serve, Madam Speaker, as the Speaker of this House, calling his former colleagues and the people that he worked with, and his office is right down the hall, they.

Because if Newt Gingrich is saying that this Republican Congress cannot function, cannot run the country like it is supposed to be run, cannot oversee the finances, cannot make sure that Americans have health care and small businesses are able to provide health care, cannot give guidance and oversight to the Department of Defense and Secretary Rumsfeld, cannot make sure that we let oil companies know that we are here to represent the American people and not their special interests, not their profits, and not their CEOs that will retire to a pension making $150,000 a day, not because they are that great, it is because we have taken the taxpayers' money and we have given it to them.

And now we have Republican leaders saying, well, maybe we need to take the tax cuts back you just gave them. And then you read something else. No, we should not take that tax cuts back because, guess what, the oil companies have representation in the Republican majority, period.

As I said last night, a black man with a conspiracy theory. But, Mr. RYAN, I believe, and I know, and it is documented that the Vice President and others sat down with these oil companies and put this in motion long ago.

So Members walking around here were having press conferences talking down this. I do not know what happened. I do not. I did not see it coming. What do you mean you cannot enforce prices? It is just insane, Mr. RYAN, for us to be the country that we are, and for the Federal Trade Commission to say, well, you know, we think we have power, we do not have the teeth that we need to really find out what is going on with those oil companies.

But I will tell you this. I believe that these oil companies have been a part of writing this legislation in the way to where that is hard to prosecute them, and it is hard to get to the bottom line of who is doing what. And guess what? When there are no penalties, it is almost like having a house full of kids saying there is no time out, there is no discipline whatsoever, do as you may. And everything in the house will be broken, and every picture will be ripped off the wall. That is what these oil companies are doing.

Now, I do not fault them. I fault the Republican majority. And like I said last night, Mr. RYAN, I am not going to ask them to lead anymore. If they want to work in a bipartisan way, we are ready to go. We have been ready to go. And if the American people see fit for us to be the majority party in the 110th Congress, Madam Speaker, and they will see an opportunity, we will be able to work in a bipartisan way.

□ 2215

There will be a number of Republicans, that I do know. Some of my friends, Mr. RYAN, and we do know them, a very small number on the other side of the aisle see things the way we see it and the way the American people see it. I know the reason why the poll numbers are what they are right now.

The President is not running again, but the Congress and this House, every 2 years we go before the voters. Like I said last night, Mr. RYAN, Madam Speaker, I do not care if it is a local Republican committee chairman, he or she has to have a problem with the borrowing that has been going on in this Republican majority Congress.

He or she must have a problem with the fact that no one can answer the questions on intelligence and the outing of CIA agents. He or she must have a problem if there are Republican committee persons at the local level and on the State level, with the fact that the K street Project, Madam Speaker, was allowed to operate under this dome by individuals that wore congressional pins that say, yes, we do have a K Street Project; and, yes, if you are not on this list, you don't get access to this government.

Guess what? That was okay. We talked about it, Mr. RYAN. The good thing is, it is almost like showing up somewhere at the scene of an accident and saying, time and time again, we went to the police department, we went to the city hall and said we needed a stop light here. Now, look at this fatality.

I used to be a State trooper. I can see it all the time. Report after report. We didn't get the traffic light out there in time and people died because of it.

Well, guess what? The people were beat down by this Republican majority as it relates to good government, because, not what I am seeing and not what you are seeing, Mr. RYAN, here is what Members on the Republican side of this House have said: Yes, we have a K Street Project.

Then we have a gentleman who admitted you don't have to call the jury, you do not even have to assign a courtroom. I am guilty, I did it. That is what this Republican lobbyist said. Not only did I do it, but I am going to help you go after some Members of Congress that were part of it. I am going to help you identify other lobbyists that were a part of this great operation, the K Street Project.

Then the Republican majority, after he said what he said, and the Federal prosecutors, Madam Speaker, did what they did, said we denounce, no longer, K Street Project. We don't know what you are talking about. We will no longer condone it, the K Street Project.

Well, Mr. RYAN, it sounds like when the President says, well, I don't know quite what we can do about gas prices, but I do know that Americans are addicted to oil, come on. The President and the Vice President were part of putting this thing into motion. The Republican Congress rubber-stamped, Mr. RYAN, everything that this administration said they wanted.

Mr. President, you want tax cuts that you cannot afford so that we can put ourselves in debt and allow foreign countries to own more of America. Fine. Mr. President, the intelligence on Iraq is kind of shaky, but we have to do what you want, and anyone who goes against you or says anything against you is unpatriotic, and we will have Congressional hearings to humiliate those individuals.

Mr. President, pay-as-you-go. I know the Democrats are there talking about maybe we need to pay as we go right now, since we are in so much debt. You want to continue to borrow and spend? We got your back, Mr. President, because we are the Republican Congress, and we are going to allow you to continue to drive this country in the way that special interests want to drive it. Because you know something? When all the resources are gone, and when all the opportunities are gone, and when it is American taxpayers that are in debt, where will the special interests be? That is the question.

Will they help bail this country out of the debt that this Republican Congress has delivered to them? No. That is the reason why, Madam Speaker, that Members, if they are in their offices, or they are walking around this building, and if they are at home right now, they need to sit up in bed and say, you know something, I need to go to work tomorrow with a new attitude. I need to make sure that I fight on behalf of my constituents. I need to have the same kind of drive that I had the night that I was elected, doing all of those things I said I would do. All of those things, all of those plans, everything I talked about in the campaign, about representing whatever district they may be running from, in my case, the 17th Congressional District. They call that being born again, Mr. RYAN, and a Baptist term, being born again to public service.

I am excited by the fact that the American people, they are not getting it, they got it. They got it. Then we will continue to get it, because time after time, Mr. RYAN, this Republican Congress has proven that they are, their allegiance, and I do not want to generalize because there are a few that I know of and you know of, Madam Speaker, that walk up to Mr. RYAN, Ms. WASSERMAN SCHULTZ, Mr. DELAHUNT, and say you all are doing a

good job, keep doing what you are doing. Because if you all are not pointing out what this Republican majority is doing, these are Republicans, then they will continue to do it, Mr. RYAN, and that is the word that they use.

Mr. RYAN of Ohio. Inexcusable incompetence, my friend. Inexcusable. If you look, and I do not want to dwell on this, but if you look at Katrina, if you look at the lack of preparedness in FEMA, if you see a storm coming 5 days in advance, and you have the complete lack of competency to deal with the problem, that is an issue that this Congress needs to look at and needs to fix. If you look at all the promises before the war, day in and day out, we are going to use the money for reconstruction, we are going to be greeted as liberators, this is going to reduce the costs of oil.

All of these things that were promised never came to be. The Medicare prescription drug bill, the costs never came to be. It ended up being almost half a trillion dollars more than what the Republican Congress told us it was going to be. Time and time and time again, the tax cuts were going to create all these jobs.

None of this has happened. And now when you look at what is going on here with the gas prices, if you take what has happened since 2001, and you see that there has been no comprehensive energy policy in this country, and you see the end result 4, 5 or 6 years later, that is higher gas prices, reduced supply, which increases the cost for the average American consumer, when you add all this together, you see that the Republican Congress, as stated by former Speaker Newt Gingrich, is incapable of governing the United States of America.

They are too ideological, they are too tied to the special interests. They have the country going in the wrong direction, and it makes it more and more difficult for us to fix the problem.

Now, I think it comes down to one thing, my friend, and I appreciate your help. I think it comes down to one thing. It comes down to leadership. The Republican Party controls the House of Representatives. The Republican Party controls the United States Senate. The Republican Party controls the White House. They have been in charge of this government, this House, since 1994. Their leader, who led the revolution for them to come into power, is now saying they, calling them ''they,'' as my colleagues stated, they don't know how to run the government. It is total incompetence.

But, and I agree with you, I am excited too, Madam Speaker. I am excited because the American people are beginning to understand. Like you said, they got it that this country needs to go in another direction. We are borrowing money from foreign interests left and right, selling off pieces of the American dream, piece by piece. And average people in Youngstown, Ohio; Warren, Ohio; Akron, Ohio; and in Miami, Florida, it is harder now for them to go to work. Their budgets are getting squeezed. Their health care costs are up. Their gas costs are up, their fuel costs are up. Natural gas, whatever it may be, up, up, up, up, up; tuition costs, up. Everything is making it more difficult for families to make ends meet.

So the Democratic Party, we have a bushel full of plans now. I have noticed that we have got so many plans in our caucus that we have a bushel now, full of them, on homeland security, on education, on technology, and energy. You can go to our Web site that we will show later and find all of those charts, Madam Speaker. Members can look at all of the plans that we have.

I want to make one final point before I kick it back to my friend. This comes down to leadership. After September 11, and I am sure we all remember those difficult days, after September 11th, this country was united and the world was united behind the United States of America.

Even in Europe, at that point, there were European op-eds saying that even in Europe, my friends, they were saying that today we are all Americans. Today we are all Americans. We are such a far cry from that. But the important part was that our President at that point, Madam Speaker, had an enormous amount of political power, and the world was looking at our President.

If he would have asked us to walk to work, if that President, if our President would have asked us to ride a bike to work because we have to reduce our dependence on foreign oil, we would have all done it. We were sending checks to every nonprofit organization because we wanted to give money. We were giving blood until the Red Cross said we do not need any more blood. The American people wanted to give, Madam Speaker. We needed at that point leadership. The best our President could come up with at that critical juncture, the most important moment in the history of the United States of America, was go shopping, Madam Speaker, go shopping. That is leadership? Give me a break.

Mr. MEEK of Florida. And buy duct tape.

Mr. RYAN of Ohio. Buy duct tape, get your plastic. Go shopping. That moment, if there was leadership in this country, that moment, Mr. MEEK, we could have converted our economy over into all kinds of different alternative energy sources, and we could have done it in the next decade. But we lacked the leadership at that critical moment in this country's history, and that is a shame. That is something that you look back on and you regret that we didn't have the proper leadership at that time, and this Republican Congress was a bobble-head. Yes, Mr. President, yes, yes, whatever you say, yes, yes, yes. No leadership.

I am saying, KENDRICK, that 5 years later when we see these increased gas prices, and the President stood here just a few weeks ago and said to the American people, we are going to reduce our American dependency on foreign oil by 50 percent by 2025.

Now, let me just suggest that if we can go to the Moon in a decade that we can certainly convert our economy over and become energy independent in a decade. It is not going to take 20 years. We can do it in 10 years. We need the leadership of this Congress, Mr. President, to do it. And it is obvious that you are offended, and I call them our friends, because they are on the other side of the aisle, are so tied to the special interests in the oil industry, the most profitable industry, that they are even giving them billions of dollars of corporate welfare, that they refuse to put significant resources and a significant commitment into alternative energy.

Mr. MEEK of Florida. Mr. RYAN, it is not personal, it is just business. That is the bottom line.

Madam Speaker, I would kind of, when I walk through the halls of Congress, walk along the walls if I felt that we were coming to the floor, saying things that just were not true. But the sad part, Madam Speaker and Members, that everything that we are sharing with you is a fact, not fiction. It is sad. Like I was saying to Mr. RYAN, if I was a political consultant, I would say, wow, do you mean to tell me not only do we have to work with the fact that Americans do not have health care, small businesses cannot afford to buy health care, we owe foreign countries money that we have never owed them before in the history of the country?

We don't have a plan in Iraq as it relates to a leave-alone coalition in Iraq? We have troops dying every day. Do you mean States that are red States and blue States are suing us at the same time for the underfunding and the mandates that we put on them of Leave No Child Left Behind Act? You mean White House individuals are outing CIA agents that might, some of this outing might have gone as high as the highest office of the land maybe?

Do you mean to tell me that individuals, contractors, have no-bid contracts in war and in natural disasters, without accountability, and American taxpayer dollars are being spent without anyone having any real concern on the Republican side?

□ 2230

Mr. RYAN of Ohio. Where is the oversight?

Mr. MEEK of Florida. You mean to tell me that anything that the President of the United States says that he wants, that the Republican Congress would give it to him; even if it is bad policy, even if it put this country into a record-breaking deficit in a period of 4 years? You mean to tell me, and without naming at least eight other things, Mr. RYAN, that I have all of that to work with, to share with the

American people? I will start with independence. I will start with the Republicans, and I will also share it with some Democrats that may have some concerns.

I tell you this, Mr. RYAN, Democrats will, not maybe, not if we get an opportunity to do so, not we will say it now but we won't do it later, we will, Madam Speaker, work from day 1 taking control of this House.

And someone may say, you know, why is this thing about being in the majority so important? Well, I can tell you the reason why, and I want to make sure everyone understands. It is important because Democratic Members that are putting forth amendments in committees that are being voted down on a partisan vote, like my committee today and homeland security, dealing with this port security, bipartisan bill we are working on of 100 percent container check, Mr. RYAN, versus whatever we can come up with in a year using a ''steady'' kind of philosophy to try to get to some sort of container scan phase-in thing. Now, I am going to tell you, a partisan vote down the line. A 100 percent container check lost, Madam Speaker and Members, by two votes.

If Democrats are in control of this House, for those individuals who are objecting to a 100 percent container check, and I want to be sure we are clear on this, some businesses may say, well, you know, it may slow down the process of trade. It will back up supplies. We are not ready for that.

You know something? We will never get there, because we have allowed the special interests to stand in front of the will of the 9/11 Commission. The Republican majority has allowed special interests to dictate how this Congress will legislate. That is stomach-turning that we would allow individuals, based on their salary, based on their suit, whether it is a Brooks Brothers or a Saint John's, to walk into the office of a Member of Congress and say, this is the amendment language we want.

And individuals go to committee hohum and read right off that piece of paper, Madam Speaker. I am talking about what I know. And the American people around here are counting on us to protect them.

Now, I am going to tell you something, Mr. RYAN, and I am going to say it just as clear as my name is KENDRICK MEEK. We get a container that ends up blowing up in one of these major ports or while it is in transit going to where it needs to go to, I guarantee you Republicans will be running: Where is that amendment for the 100 percent container check? We need to do that. Madam Speaker, file this. Madam Clerk, can we do it?

You know something? I bet they will be looking out in the hall looking for the special interests who were telling them they couldn't do it, and they will be nowhere to be found. I didn't see the special interests standing around on 9/11 at the end of those buildings saying, what can we do to dig these people out and give them their lives back? I am not blaming it on them, but I am just saying that kind of attitude gets us in the position that we can't do something. And we're the country that says we can. We are leading this country.

Mr. RYAN of Ohio. What you are saying is it is an issue of priorities, and why do we continue to focus down in Washington, D.C., Potomac fever, the Republican majority continues to focus on how do we get corporate welfare to the oil companies? How do we subsidize the health care industry, all our friends who donate us billions of dollars? How do we give tax cuts to the wealthiest people?

If you made $10 million in 2003, Mr. MEEK, you got a million-dollar tax break. That is where the focus is. And what we are trying to say here is that we need to focus on port security. So instead of giving a man or a woman who made $10 million in 2003 a million-dollar tax break, we want to spend that money protecting our ports.

Mr. MEEK of Florida. Mr. RYAN, the million-dollar tax break came on behalf of, and I am just going to grab China here, this is the million-dollar tax break right here.

Mr. RYAN of Ohio. You have Japan.

Mr. MEEK of Florida. Oh, Japan. I'm sorry, I didn't even look. It was red, so I just assumed.

Let me just say this, Mr. RYAN. Japan. Little Japan. This is what gave that $10 million person their tax break.

Mr. RYAN of Ohio. That is right.

Mr. MEEK of Florida. Not money we had in surplus. Not money that was there and we had it to spend. This was based on a credit card.

Mr. RYAN of Ohio. And it was another example of lack of focus, lack of leadership, lack of priorities. And look what our friend says again, our guy, Mr. Gingrich, who I like.

Mr. MEEK of Florida. The former Speaker of the U.S. House of Representatives.

Mr. RYAN of Ohio. And the father of the Republican revolution. He said, on March 31, ''He noted that a congressional watchdog agency recently smuggled a truck carrying nuclear material into the country to test security. Mr. Gingrich says, 'Why isn't the President pounding on the table? Why isn't he sending up 16 reform bills?' ''

This is the father of the Republican revolution asking the President, why are you not a good leader? That is what he is saying. Why aren't you leading the country? Focused on oil subsidies? Focused on corporate welfare? Focused on subsidizing the energy companies? Not focused on Katrina. Not focused on the war. This administration has attention deficit disorder of immense proportions, Madam Speaker. They can't focus.

Get this country on the right track. Let's focus and let's get the country moving in the right direction.

Mr. MEEK of Florida. Mr. RYAN, talking about the right direction, I spoke to the fact that we are calling for energy independence from the Middle East in 10 years by developing emerging technologies that work to be able to provide energy for our country, energy alternatives; also to make sure that we make a substantial investment in research and development that is critical in creating cutting-edge technologies that will allow us to develop clean, sustainable energy alternatives that capitalize on America's vast renewable natural resources.

This is what we are talking about, Madam Speaker. We are willing to make the investment as relates to innovation.

Mr. RYAN, you have the Web site, sir.

Mr. RYAN of Ohio. Www.housedemocrats.gov/30something. All of the charts that you have seen here or have seen in the past will be available on the Web site.

But it is important, Mr. MEEK, and I appreciate your vigorous defense of what the Democrats have done and what we want to do because we do have an agenda. We have a bushelful of ideas over there that we want to implement, and we need to state this pretty clearly.

Article I, section 1 of the United States Constitution creates the House of Representatives. We are directly elected. You cannot be appointed to this body by anybody. So the American people speak here. When we get in, we will balance the budget. We will get rid of the deficits over time by restricting spending in certain areas, eliminating the corporate welfare, and asking someone who made $10 million in 2003 to actually pay their fair share.

We don't believe that profit is a dirty word, but we also don't believe that we should go borrow money from China to give the wealthiest people in our country a tax credit.

We will invest this money into reducing the cost of higher education. We will make sure that the least among us have health care and have a roof over their head and have food, which is a pretty basic necessity.

And let me just say, before I kick it to you for one last comment, if we are going to be able to compete with 1.3 billion people in Communist China and over a billion people in India and billions of people around the world, we have to have all 300 million of the citizens in our country on the field playing. Right now we are going on with about a quarter of the team, and they have got the referees and 1.3 billion and 1 billion.

We need to make investments in America. We need to put America first. And we need to make sure at the end of the day that we are guardians of the public tax dollar, and so we need to invest that money back into the United States of America that will yield us value for generations to come, just like the GI bill did. The greatest investment we ever made was the GI bill. Let us do it again and get the country on the right track.

I yield to my friend.

Mr. MEEK of Florida. Mr. RYAN, you are talking fact, not fiction. Anyone who wants to talk about balancing the U.S. budget, the Democrats are the only party in the House, Madam Speaker, that have a right to say that we have done it. We have actually done it.

You have a lot of folks saying, well, we are going to try to cut it in half, and maybe we will get it to a quarter or whatever on the Republican side, the Republican majority with all the power, control of the House, control of the Senate, and control of the Presidency. It should be a smooth-sailing process.

If someone wants to call Democrats names and point fingers, call the former Speaker of the U.S. House of Representatives a name. Call him a liberal. Call him someone who is irresponsible, if you want to name-call. And I challenge Members to come down here and talk about what is good about owing foreign countries money, not because they did something to us, but because this Congress gave the whole country a self-inflicting wound of debt. They have been saying we are going to spend your money irresponsibly, and then we are going to allow these other countries to own a piece of the American apple pie.

Mr. RYAN, you did an excellent closing. I want to thank you, sir, for coming down to the floor.

Madam Speaker, I want to thank the Democratic leadership for allowing us to have this second hour.

91ST COMMEMORATION OF THE ARMENIAN GENOCIDE

The SPEAKER pro tempore (Ms. FOXX). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I rise this evening to commemorate the 91st anniversary of the Armenian genocide. As the first genocide of the 20th century, it is morally imperative that we remember this atrocity and collectively demand reaffirmation of this crime against humanity.

April 24th marked the beginning of the systematic and deliberate campaign of genocide perpetrated by the Ottoman Empire in 1915. Over the following 8 years, 1.5 million Armenians were tortured and murdered, and more than half a million were forced from their homeland into exile.

Last week I was joined by my cochair of the Armenia Caucus and many of my colleagues in Congress on a bipartisan basis in sending yet another bipartisan congressional letter to President Bush urging him to use the word ''genocide'' in his April 24th commemorative statement. With over 178 signatures, the message in that letter is loud and clear: 90 years is too long to wait for justice to be served and proper recognition to be made.

The President should have used the 91st anniversary of the Armenian genocide to promote the U.S. foreign policy that reflects appropriate understanding and sensitivity to human rights, ethnic cleansing, and genocide. But, instead, President Bush once again failed to honor his pledge to properly characterize the Armenian genocide in his annual remarks. Despite pleas by Members of Congress and the Armenian American community, and recognition by much of the international community, he continues to avoid any clear reference to the Armenian genocide while consistently opposing legislation marking this crime against humanity.

The Bush administration continues to be influenced by the Government of Turkey by placing parts of our foreign policy in their hands. When it comes to facing the judgment of history about the Armenian genocide, Turkey, rather than acknowledging truth, has instead chosen to trample on the rights of its citizens to maintain its lies. The U.S. cannot continue to submit to Turkey's shameless threats and intimidation.

Madam Speaker, the U.S. owes it to the Armenian American community, to the 1.5 million that were massacred in the genocide, and to its own history to reaffirm what is fact. As we have seen time and time again, the United States has a proud history of action and response to the Armenian genocide. During a time when hundreds of thousands were left orphaned and starving, a time when a nation was on the verge of complete extermination, the U.S. took the lead and proudly helped end these atrocities. In fact, Americans helped launch an unprecedented U.S. diplomatic, political, and humanitarian campaign to end the carnage and protect the survivors.

If America is going to live up to the standards we set for ourselves and continue to lead the world in affirming human rights everywhere, we need to stand up and recognize the tragic events that began in 1915 for what they were: The systematic elimination of a people. The fact of the Armenian genocide is not in dispute.

Madam Speaker, regardless of President Bush's inaction, I call on Speaker HASTERT to bring the resolution to officially recognize the Armenian genocide to the House floor. The resolution that passed in committee last September, again on a bipartisan basis by an overwhelming majority, has over 148 cosponsors. Now is the time to allow Members to reaffirm the United States' record on the Armenian genocide.

The U.S. Government needs to stop playing politics with this tragic time in history and take a firm stance for the truth. Genocide must not be tolerated.

□ 2245

HEALTH CARE AND WHERE WE ARE GOING

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Madam Speaker, I come to the floor tonight to talk about health care, but I have to spend just a minute or two addressing some of the things that we just heard in the previous hour.

There has been a lot of discussion about the Jobs and Growth Act that was passed in 2003, in fact in May of 2003, a reinvestment of $80 billion back into the American economy, back into the productive sector of the American economy. The American people rewarded the United States Treasury with an increase in collections to the Treasury the next year with $260 billion that were not anticipated. Investment in the productive sector of the American economy works every time it is tried, and I am grateful to be part of the Congress in 2003 that provided that reinvestment opportunity for the American people.

There has been a lot of discussion this past couple of weeks about gas prices. We passed an energy bill at the end of July last year. Part of the deal on that energy bill was that there was going to be no liability protection for a compound called MTBE, a federally mandated oxygenate in gasoline that is sold in this country in order to comply with clean air restrictions.

Without MTBE, we are left with only ethanol as the only oxygenate available for the mixture of gasoline that is required to be sold in States that have clean air issues. We removed the MTBE because it was placed in legal peril.

We had an opportunity in October after the hurricanes hit, after we knew there was going to be trouble, we had an opportunity to address the oxygenate requirements in the blended fuels that are going to be blended and sold for this summer's driving season, precisely the time we are up against right now.

This House passed that bill which would have allowed for that relaxation of oxygenation requirements. We passed it with no Democratic votes. It was only Republican votes that passed the bill, and it has never been taken up by the Senate. The consequences are quite predictable.

Now, we were told during the hearings on the energy bill the prior year by individuals from, and you talk about a special interest group, that is the ethanol lobby; we were told that the ethanol manufacturers in this country had unbelievable success and they were able to produce ethanol that exceeded their wildest expectations. Well, they were wrong and they have not been able to produce the quantity they said, and it is time for this country to look at the tariff that we place on foreign imported ethanol. If we are going to require foreign imported ethanol to be part of our gasoline oxygenate system, we are going to have to import ethanol at least temporarily until we can increase production in this country.

But I did not come to the floor to talk about gas prices and ethanol, although that is important. I came to the floor tonight to talk about health care. I want to talk about where we are and where I see us going. I would like to spend a considerable time on the affordability of health care because I believe that is the central issue. Whether you talk about a single payer, government-run system or a system that embraces the private sector, affordability of health care is going to be one of the main drivers that we need to keep in our uppermost consideration.

We need to talk about the uninsured and federally qualified health centers. We will have a bill in the next couple of weeks in the committee that will authorize the federally qualified health center statute. Those are an important aspect of our delivery of medical care in the 21st century in this country.

We have to talk about liability reform. We have talked about it a lot in the past 3 years. We have yet to produce a satisfactory result, and it is going to continue to be a part of a major discussion on health care until we get something done in that regard.

We have to talk about provider relief and paying our doctors and health care providers what they rightfully earn, and not continue to cut their reimbursement rates year after year in the Medicare system and ask them to shoulder a greater and increasing burden of the health care costs when, after all, we turn to them to take care of the uninsured at no compensation and then we continually cut their Medicare compensation. We are driving good doctors out of practice and that is wrong. We need to address that.

There has been an explosive growth in information technology in virtually every sector of the American economy. Health care is no exception. We need to make certain that we have the right kind of informational technology at the disposal of people who provide health care.

Of course, you cannot look at the last year with the problem with the large hurricanes, the problems that loom on the horizon as hurricane season is upon us again, and the problems that loom on the horizon from an infectious disease, the likes of which none of us have ever seen in our lifetimes, the specter of the avian flu. We have to talk about preparedness.

When ethicists talk about health care and health care in this country, they always seem to talk about affordability, access and quality. I remember an ethicist that spoke to one of our classes years ago said affordability, access and quality; we have only learned how to handle two of the three at any one time.

Since I do not want to pick the one that is going to be left out, let me concentrate on affordability. We will leave quality and access discussions to other days. And I might add that I trust the American medical system to provide us with the quality that we have come to expect.

We already have a system that is paid for by, to a large degree, by governmental agencies and by the Federal Government with a GDP of $10 trillion to $11 trillion and $1.4 trillion spent on health care. In fact, in the HHS appropriations bill that we passed last December, over $600 billion was spent on Medicare and Medicaid alone. So clearly, almost 50 cents of every health care dollar spent in this country arises right here in the halls of the United States Congress. The remainder, the other 50 percent, is largely carried by private insurance, commercial insurance. There is also some amount of that is carried by self-pay. Again, we cannot forget the charitable care that is delivered by hospitals and doctors and nurses all over the country every hour of every day of the year.

The problem that I see if we do not address affordability of health care, the default position on the horizon is going to be a single payer, government-run system. Would that necessarily be a bad thing, to vastly expand the public expenditure on health care? I look to our neighbors to the north that have an entirely government-run, single-payer system, and I think it was just in late 2004 or perhaps 2005 that the Canadian Supreme Court ruled that their system, with its long waiting lines, was no longer adequate. In fact, I think the Canadian Supreme Court, their statement was access to a waiting line is not the same as access to care.

In that system there are the problems with long waits for so-called elective surgeries. Now, an elective surgery may be something as serious as replacement of a diseased hip or fixing a problem that someone has with a ruptured disk in their back or neck. It may even include coronary artery bypass grafting. It may include some things that we may not think of as being entirely elective. I would submit that health care in Toronto would significantly suffer if they did not have the safety net of Henry Ford Hospital in Detroit, Michigan to take care of some of their excess.

On the other hand, in the United States, if we had a single-payer system with long lines for access to care, I do not think we could count on a hospital on our southern border to bail us out in a similar fashion.

So in short, I believe we need the private sector, and in fact I believe we need to encourage and expand the private sector as far as delivery of health care in this country. Congress can take action by promoting policies that keep the private sector involved in the health care marketplace. Indeed, we have done exactly some of those things in the short 3 years that I have been here.

One of the most significant things I think that has happened in the last 10 years, in 1996 with the passage of the Kennedy-Kassebaum Act, and the allowance for the first time for what is called medical savings account. These were those high-deductible insurance policies where you could put money away towards that deductible into a medical IRA, if you will; allow that money to grow tax free to be a medical nest egg for someone who may need it in future years, or to pay that high deductible out of the medical savings account.

Now, medical savings accounts had a lot of restrictions upon them. But even at that, when they were first offered back in 1996 and 1997, I very quickly went out and signed up myself for a medical savings account. I made one available in my medical practice to anyone who wanted it, because I saw this as the tool for the future. It put the decision-making for health care decisions back in the hands of the health care consumer. I thought that was such a powerful concept.

Even though at the time medical savings accounts were kind of an untried and untested premise, I thought that concept of putting the health care decision back into the hands of the health care consumer was so important, I was willing to take a chance on that. Mind you, 1996 and 1997 and 1998 was a time we saw explosive growth of HMOs in this country. And more and more medical care was being dictated by the chief executive officers of HMOs or medical review boards in a HMO, and I saw this as a wonderful chance to reclaim the health care decisions for myself and my family. I gratefully took that option. I am glad I did because that policy served me very well until I came to Congress.

Now, coming to Congress in 2003, medical savings accounts were not available in the Federal Employees Health Benefit Plan. Again, medical savings accounts had a number of restrictions on them and they were capped. Only 750,000 could be offered across the country, and they were not that heavily subscribed.

When we passed the Medicare Modernization Act in November of 2003, we expanded medical savings accounts in a way that I frankly did not think was possible. But kudos to the Ways and Means Committee and Chairman THOMAS; they got the job done and vastly expanded the access to health savings accounts not just for recipients of Medicare, but for anyone who wanted to participate in that kind of high-deductible policy, and having a savings account that is dedicated entirely to their medical expenses.

There are some other improvements that can be made, and indeed there are several pieces of legislation out there currently to allow for a hybridization, if you will, between flexible spending accounts, health reimbursement accounts and health savings accounts. I think those are important steps that yet need to be taken. But with the expansion of health savings accounts in 2003, making them more generally available to the population, we unleashed a very powerful tool for providing insurance to more people in this country.

Madam Speaker, in the year 1994, I had a family member who was no longer able to get insurance off my employer-based insurance. I set out to get an insurance policy for that family member and it was all but impossible to do at any price. I was a practicing physician at the time, willing to write a large check for that insurance coverage, but I could not find anyone who would write a single policy for a young, single, uninsured person.

Well, fast forward 10 years to 2004, the year after we passed the health savings account legislation and the Medicare Modernization Act. And that summer you could go on the Internet, you could go to your favorite search engine and type in ''health savings account'' in the window, click ''go,'' and it would immediately return all kinds of options to that person for the potential purchase of a health care policy. I do this periodically to see what is available in my State for a 20- to 25-year-old single person for single coverage, and you can get a very reasonable, I do not want to say an insurance company's name, but a large insurance company that has a color as part of its first and second name; you can get a reputable insurance company's policy for around $50 a month. Again, a young person age 20 to 25, with a high deductible.

But think of that, a young person getting out of college who wants to, instead of going to work for a large corporation, wants to work for themselves. They want to do an Internet start-up company or any type of self-directed entrepreneurial-type activity. No longer do they have to turn their back on that as a career option because insurance is not available. They can purchase a policy on their own, a policy that is reasonably priced. Yes, it has a high deductible; but they also have the ability to put money away towards that deductible, do so tax free, and the money grows tax deferred.

□ 2300

And if it is used for a medical expense, it is not going to be taxed under any circumstance. We have another tool at our disposal. And the House has passed what are called association health plans. We have passed this two times a year, every year that I have been in the House of Representatives.

The Senate very recently passed an association health plan bill out of their committee. And this, again, is a powerful tool that allows for small businesses, small businesses of a similar business model, to band together and accrue the purchasing powering of a large group. The association health plan is envisioned to be sold across State lines such that a group of realtors in Texas could band with a group of realtors in Oklahoma and combine and pool their resources in order to get a lower price on their insurance coverage. Again, a very powerful tool, one we have passed in the House on several occasions. It did finally pass out of the health committee over in the Senate side, and I do look forward to them taking that issue up to the floor of the Senate, passing that successfully, and let's get to conference and let's get the differences worked out, because this is something we need to provide to our small businesses, the engine that drives productivity in this country. We need to put this tool in the hands of small business in this country.

When you think of consumer-directed health care, like a health savings account, there has to be some method that the consumer, that the purchaser has of evaluating different hospitals, different doctors. There has got be a measure of transparency brought into the overall purchase of that insurance plan. Right now there is opacity in the system, and I understand there is opacity in the system because opacity has value. It is perhaps worthwhile for a health care facility, a hospital, surgery center, doctor's office, to have a little bit of opacity in their pricing structure so that it is a little bit hard to figure out what something costs. But we need to move and make an honest effort to provide the information that the health care consumer needs to make a well-founded, consumer-oriented decision. After all, we are asking for consumer-oriented health care. We can't very well deny the consumer the opportunity to be able to evaluate two health plans side by side, two hospitals side by side, two surgery centers or two doctors' practices side by side. They need the ability to do that.

Finally, a concept that has been around as long as I have been here, and, I suspect, longer, is the concept of tax credits for the uninsured or the underinsured, a voucher system, perhaps, if you will, just helping someone who didn't make enough money to be able to pay for insurance, helping them pay for insurance with an EITC-type tax credit that is prefundable, not refundable. That is at the beginning of the tax year that money would be made available to that person.

Some of the proposals that are out there would fund $1,000 for an individual, $3,000 for a family. A lot of people will say, well, you can't buy much in the way on the health insurance market for $3,000 for an individual. But if you go to the health savings accounts Web sites, you certainly can find products that are available that would allow someone to purchase insurance coverage, again, for well under $1,000 for an individual, perhaps for 6- or $700 a year, and to begin to put money away towards that high deductible. And I think that is a worthwhile product, a worthwhile activity.

And I do look forward at some point to this Congress or the next Congress taking up the concept of tax credits for the uninsured because I believe that will, over the long term, all three of those concepts taken together, health savings accounts, association health plans and tax credits for the uninsured. Mort Kondracke in an editorial in the Roll Call Magazine really 2 years ago estimated that you could cut the number of uninsured by perhaps 13 million by those three entities alone. I actually think the number on his estimate on health savings accounts is a little low, because we have seen, over the last 2 years, an increasing number of people select that type of health insurance, such that now there are over a million people enrolled in health savings accounts. The vast majority of these are individuals over the age of 40, and a great number of these are people who would not be regarded as high-income. Probably 40 percent of people earn under $50,000 a year. So it is not just for the healthy and the wealthy; it is a program that does have high utility for Americans across the spectrum of all age groups and all earning capabilities.

As far as the uninsured is concerned, the U.S. Census Bureau, and it seems like this number is higher every week when I read it, right now between 43- and 45 million people who are estimated to be uninsured. Now, this number is a little bit tricky because it does include people who are uninsured for any portion of the year. So someone who is uninsured for part of the year, but has insurance for the balance of the year is going to be counted uninsured for the entire calendar year.

Does it count people who are perhaps in this country without a valid Social Security number, people who are in this country without the benefit of a valid visa or immigration papers? And the fact is that it does, and it is going to be difficult to provide coverage to someone who breaks the law by entering this country illegally.

But that doesn't remove the fact that there are a lot of people in this country who lack health insurance. One of the things that causes it, of course, is the high cost of health insurance. And when I talk about the affordability of health insurance, I acknowledge that for every dollar that health insurance premiums go up, a certain number of people are going to be excluded from the rolls of the insured. And we have done things that cause the cost of insurance to inexorably go higher and higher, and as we do that, we are going to drive more and more people away from the ranks of the insured onto the rolls of the uninsured.

Now, one of the things that is not often talked about in context with uninsured individuals is the concept of federally qualified health centers. Now, the President talked about federally qualified health centers on at least the last two occasions when he delivered his State of the Union Address, and I believe the last time he was here he said he wanted to see a federally qualified health center in every poor county in the United States.

I submit that is a worthy goal, and I would also submit there are some counties such as in my district back home in Texas that you wouldn't necessarily record as poor, but they have areas of

poverty within them that are as large as counties, and indeed as large as some States back East, and these populations would benefit from access to a federally qualified health center.

Now, we are going to be taking up the bill that will reauthorize federally qualified health centers within the next few weeks in the Energy and Commerce Committee. I suspect it will come to the floor perhaps the latter part of June during Health Care Week. This is a worthy exercise and one that the committee needs to take up, and indeed the whole House needs to take up. I hope there are some improvements that we can make upon the system.

One of the things I learned last year with the large number of evacuees that came to my district from Louisiana, to my district in Ft. Worth, Texas, it takes a long time to set up a federally qualified health center. And if you have a large number of displaced persons who, by virtue of the fact that they are low-income, by virtue of the fact that they had to leave their homes under the worst possible of conditions, and it is taking some time to get them set up in a new life, or perhaps they are just temporarily going to be displaced in my district, it takes too long to set up that federally qualified health center structure to be able to help individuals like this in the time frame where they need the help. So some streamlining of the federally qualified health center application process, I believe, would really go a long way towards helping these individuals. Backstop it. Make certain that within 2 years time all of the other regulations that surround federally qualified health centers have to be complied with, but ease up the rules just a little bit in an area that is desperately medically underserved to allow the setup and startup of one of these centers in a timely fashion.

We have to provide that degree of flexibility. Otherwise, we are only driving up the cost of health care in the hospital emergency rooms in the area, in the doctors' offices in the area, where they are going to see more and more uninsured patients and deliver more and more uncompensated care, which they, in turn, will have to pass that cost off to other patients and other health care consumers.

But the beauty of a federally qualified health center is it allows a patient to have a medical home even though the patient does not have insurance, and that is the least expensive way of delivering health care to that group of individuals. Again, it keeps them out of the emergency room. It keeps them from accessing health care at the most expensive entry point into the health care system. It allows them to enter in at the level of the medical office or medical clinic, as opposed to the emergency room. And they frequently see the same doctor for visit after visit, so that a problem such as high blood pressure, diabetes, congestive heart failure, chronic long-term problems again are going to be better managed if you see the same provider time and time and time and time again. That continuity of care really is worth something in that environment.

Now, there are a number of federally qualified health centers in this country. I don't know the precise number. I believe that the number of people who are actually served by federally qualified health centers is going to number in the 15 million range, so that 15 million individuals who are maybe uninsured but have access to health care through a federally qualified health centers, it may not be actually accurate or fair to carry them on the ranks of the uninsured. And that is why I say that number of 42 to 45 million that is always reported by the Census Bureau may be overreported because it doesn't take into account the millions of people that get their medical care through a federally qualified health center, which is a very reasonable, cost-effective way to get good medical care for someone who doesn't have access in some other form.

We have State governments that have, over the years, required that a lot of things be covered on insurance policy, the so-called mandates that are added to insurance policies. And tonight, not really the purpose to get into what mandates are good and what mandates are bad, but recognize that adding enforced coverage to insurance policies does increase the cost of insurance policies. And again, for every dollar that we drive up the cost of an insurance policy, we are excluding people from insurance.

If it were possible to come to some agreement on what mandates were absolutely necessary, people just can't live without, and which are more optional, and come to a conclusion about is it possible for us to designate a type of insurance, what would be covered under that type of insurance that could be sold from one State to the other, sold on the Internet, get the benefit of that type of competition across the country, if it were possible to come to that type of conclusion about what we have to have, what we can't live without in an insurance policy, and allow insurance companies to market lower-cost products to people who fall into the ranks of the uninsured, I believe that our American insurance companies would look at that 42 to 45 million uninsured as a market opportunity and would want to market an insurance policy to that segment of Americans if they only were allowed to do so.

The good news, Madam Speaker, is we have actually kind of already come to that agreement. And I go back again to the federally qualified health center template. We have already decided within the federally qualified health center structure what procedures have to be offered, what conditions have to be covered, what benefits have to be offered in the federally qualified health center structure. And if we could take that template as a starting point and come to agreement amongst ourselves, Republican and Democrat alike, stop the tennis match of my mandate is more important than your mandate; stop the arguing over this process, and simply come to an agreement, here is an insurance policy that is good enough to be sold to America's uninsured, it covers the things that should be covered, it doesn't add a lot of additional expense for things that might be considered as optional; and then allow American insurance companies to compete to sell to that segment of the market, I think we would find that that is a very powerful tool and one that, quite honestly, we do need to explore. And we need to explore it in this Congress. We don't need to wait. The guys an hour ago were talking about how different things are going to be a year from now.

□ 2315

Well, it does not need to wait for a year from now. This is work that we can do today, this month, this year. And I submit that it is good work and one that we must take up in this Congress.

Madam Speaker, when I was originally talking about this, the concept of liability reform is one that we visited on the floor of this House many, many times since I took office in the beginning of 2003, I believed before and I still believe now that we do need a national strategy for medical liability insurance reform.

And I am from Texas. Texas has done a great job with medical liability reform. Texas has done a great job with putting a cap on noneconomic damages and has, I think, built upon and strengthened some of the earlier programs such as the California program of the Medical Injury Compensation Reform Act of 1975. I think the Texas compromise of 2003 really built on that earlier experience and is a very valuable program. In fact, it is delivering cost savings on liability insurance for the doctors of Texas. One of the unintended consequences was that it really brought the cost of liability down for self-insured, not-for-profit hospitals. They have been able to make more investments in capital and equipment and nursing personnel than they thought possible because of the cost savings they have gotten off of the Texas medical liability reform that was passed in 2003.

Now, in this House we passed H.R. 5, which was a major medical liability reform bill, in 2003. And when we passed that bill, Madam Speaker, the Congressional Budget Office scored that as a savings of $15 billion over 5 years' time. Now, it is not just the lower cost of liability insurance that they are talking about and doctors passing that cost on to their patients. No. The real savings in that H.R. 5 was because of the perceived reduction in what is called defensive medicine: I do not think this person has this condition, but I need to

do this test in case I am wrong and this case comes into court and I want to be certain that I have got this evidence to back up my decision-making process.

A study done back in 1996 at Stanford University estimated that out of the Medicare program alone, just the Medicare program, the cost of defensive medicine in 1996, that was 10 years ago, the cost of defensive medicine for Medicare in this country was nearly $30 billion a year. I submit that that 10-year-old study, if it were done again today, would find that dollar figure to be actually much higher. CBO did not score it as high, but still acknowledged that there was significant savings to the Federal budget every year if the Congress, House and Senate, would pass meaningful, meaningful medical liability reform.

The problems of the expense of defensive medicine and the high cost of the medical liability system as it exists today means that we are taking money out of the health care sector of our economy and pushing it off to somewhere else. And that somewhere else is too often paying a contingency fee for a trial lawyer. And as harsh as it is to say it, we can no longer afford that kind of luxury. We can no longer afford to divest that kind of money in order to continue the medical liability system that we have in this country. We need a fairer medical justice system than we possess today.

The bill that we passed, H.R. 5, back in 2003, again basically put a cap on noneconomic damages. It capped noneconomic damages at $250,000. I believe it was a good bill. I voted for it in 2003. I voted for it in 2004. I voted for it in 2005. In fact, I will vote for it again if we bring it to the floor of the House again this summer. But when you look at the Texas bill that was passed in 2003, it actually structured itself a little bit differently. Yes, there is a $250,000 cap for noneconomic damages, but that cap exists for the physician, for the hospital, and for a second hospital or nursing home if one is involved. So the total aggregate cap is $750,000. I would have been concerned back in 2003 if someone had said this is the way we are going to go about the cap, that that was too high, that that would not bring the cost of medical liability insurance down, that that would not reduce the cost of defensive medicine. But, in fact, the story in Texas is that it has brought costs down.

I will give you an example. In 2002 when I was running for office the first time, we went from 17 insurers in the State of Texas, medical liability insurers, 17 of them in the State of Texas at the start of the year, 2 in the State at the end of the year. And the problem was the high cost of medical liability and the draining of those insurance companies by lawsuits.

The effect of passing that bill in June of 2003 and then the subsequent constitutional amendment that was required to allow that bill to become law in September of 2003, by the middle of 2004, less than a year later, we had gone from 2 medical liability insurers in the State of Texas back up to 13 or 14, and they had come back into the State without an increase in rates. That is pretty powerful, because if you go from 17 insurance companies down to 2, you have not got much in the way of competition. You pretty much have to take what they say as the going rate. So getting those insurers back into the State of Texas was critical as far as keeping doctors involved.

I remember an event that I went to during the fall of 2002 when I was running for Congress, and a young woman who was a radiologist came up to me and said, ''I really hope you get something done on medical liability. I have lost my insurance, not because of a bad case but simply my insurer left the State of Texas and now I cannot get liability insurance, and as a consequence I am a stay-at-home mom now. I am not practicing radiology.'' Because, obviously, she cannot without the protection of a medical liability insurance policy. So the State of Texas had paid for her medical education. The State of Texas had subsidized her during her radiology residency down at the University of Texas at San Antonio. And now just a few years later, she was out of medicine altogether and raising her children. I am sure she was very happy in that role, but at the same time, what a waste of that woman's talents. What a waste of that woman's training that she would not be able to practice radiology in Texas simply because her insurer left the State and she could not get someone else to cover her. That is the kind of very stark reality that we were up against in Texas in 2002. We were one of the top crisis States as designated by the American Medical Association of that year.

Fast forward to June of 2003, a major liability provision was passed. Again, it capped the pain and suffering damages at $250,000 for the doctor, $250,000 for the hospital, $250,000 for a second hospital or nursing home if one was involved, and very quickly there was a turnaround, the insurers coming back into the State, hospitals saving money. Doctors from Texas Medical Liability Insurance Trust, my old insurer of record, the savings now, the accumulative savings, from when that bill was passed to the present day is in excess of 20 percent savings on their medical liability policies. These are policies which, by the way, were going up by 10 and 20 percent every year for the 2 or 3 years that preceded that event.

So I think the Texas plan is a good one, and I like to sing its praises every time that I come to the floor of the House. I think any medical liability reform that we pass in this House, we could do worse than to base it off of the Texas plan and the Texas compromise, the so-called trifurcated cap. I would like to see us champion that concept over in the Senate and see if we could not get their attention with the trifurcated cap and perhaps get a bill that we could get to conference that way.

But one of the critical things about medical liability insurance issues, people say, you are from Texas and if you have solved the problem in Texas, why do you continue to worry yourself about it in the House of Representatives? And I will tell you why. Because that bill is under attack every legislative session in Texas. There are special interests. And, yes, addressing the Democrats, there are special interests that work on your side as well as our side. There are special interest groups that want to roll back that legislation. But there are other issues as well.

During my first term, my first year in Congress, we took a visit up to the ANWR up in Alaska. And coming back from ANWR we came through Nome, Alaska. Nome, Alaska is a pretty remote place out there. So you can just imagine that when a big plane with a bunch of Congressmen land, it is a big deal in Nome, Alaska. They wanted to have a chamber of commerce-type lunch for us, which they did. And when they learned that there was a Congressman who was also a doctor on the plane, all the medical staff got real excited and all 19 doctors on the medical staff of the Nome, Alaska hospital came out to that lunch that we had.

And one of the doctors who was there said, ''Boy, I sure hope you get that medical liability law passed up in Congress, because we cannot afford the medical liability policy for an anesthesiologist here at the hospital; so we need your help and we need you to get that done so we can afford to have an anesthesiologist.''

I said, ''Well, gosh, what kind of medicine do you practice, sir?''

He said, ''I am an OB–GYN, just like you.''

''An OBGYN. How in the world do you practice obstetrics and gynecology? How do you deliver a baby without the availability of anesthesia? Forget a labor epidural and pain relief during labor. What do you do if you have to have do a C-section?''

And he said, ''Congressman we get that woman onto a plane and we get her down to Anchorage as fast as we can.''

Anchorage, an hour and a half away from Nome, Alaska. And I am not entirely sure about this, but I believe there is a significant amount of bad weather in Nome, Alaska. I do not want to upset the people at the chamber there, but I believe there is a significant amount of bad weather in Nome, Alaska, particularly in the winter months. How do we further the cause of patient safety by requiring that that doctor put his patient on a plane and send her to Anchorage to get a C-section done with the care of an anesthesiologist? That system makes no sense.

Another opportunity I had was to visit with someone who was in charge of the residency program of a large New York hospital. I trained at Parkland Hospital, but I was aware of their

training program, and certainly it is a good second to Parkland Hospital in Dallas. But this individual was in charge of the residency program. And I said, ''How has the liability issue affected your ability to recruit medical students for your OB–GYN residency there in New York?''

And she said, ''Well, it is a real problem, and currently we are accepting students that 5 years ago we would not have interviewed.'' In other words, they have lowered their standards in that OB–GYN residency, because medical students coming out of medical school with huge debt do not feel that they can take on the expense and the trauma of a large liability policy when they start their practice; so they just do not go into OB–GYN.

These are our children's doctors. These are our children's children's doctors that we are talking about. How are we furthering the cause of better medical care in this country when we are allowing that system to continue? It truly is unconscionable, and it is time for this Congress to correct that. Both the House and the Senate need to take action on this. We do have a President who has pledged to sign this bill if we will get it to his desk, and I believe that we must do that.

On the concept of physician payment, I will say that we spend a good amount of time in this body discussing health information technology and pay-for-performance scenerios. We talk about them frequently. But we do not address a serious problem that has been plaguing America's physicians for the past 10 years, and that is the issue of the continuing erosion of physician payments under the Medicare system.

Currently, physicians are paid under what is called the sustainable growth rate, or SGR, which provides for a payment cut of 4 percent for every year, year over year, to a cumulative total of some 26 percent. And that has a negative effect upon the number of doctors who continue to provide services for Medicare patients.

Now, I have done a lot of town halls around in my district, and I have heard a lot of discussion about prescription drugs. But I have also had a lot of people come up to me at the end of a town hall and say, ''How come I turned 65 and I have got to change doctors?'' The reason they have to change doctors is that their physician has evaluated the Medicare reimbursement schedule and has decided that it is not in their best interest to continue to provide care for Medicare patients because of this continued erosion of provider reimbursement rates that goes on year over year. Doctors look at that and they think, well, Congress is likely to reverse that at least temporarily this year. But it is very difficult to plan. It is very difficult to hire. It is very difficult to justify equipment purchases if you have got to factor in a pay cut of 4 to 5 percent every year for the forseeable future.

Now, we passed a bill called the Deficit Reduction Act right at the end of the year, but it turned out we really did not pass it until January. Within the Deficit Reduction Act was a provision to keep the doctors from having that negative 4.4 percent update; in other words, just hold payment rates at a level amount and not decrease it.

□ 2330

The effect of not passing that bill in December and allowing January 1st to hit without addressing that problem meant that every physician in the country who does Medicare got a letter from CMS, the Center for Medicare and Medicaid Services, saying your rates just went down 4.4 percent, or our reimbursement to you just went down 4.4 percent. My fax machine lit up, because it was over the holidays and doctors wanted to get word to me, saying here is the letter I accept to my patients, Congressman. I will no longer be able to provide your care after the first of the year because Medicare has again cut my rates.

So doctors not just in my district, but across the State and some even across the country, called me and notified me that they were going to drop their coverage of Medicare patients.

The problem is that these are doctors who are in the peaks of their career. These are doctors who have established practices, the doctors who come to a diagnosis the quickest, the doctors who spend the least amount of time in the operating room, the doctors who are at the pinnacle of their medical expertise, and they are being driven out of the system. The problem is if you drive out your first tier of providers, it is only going to cost you more in the long run.

So when we talk about things like pay for performance, I cannot help but think if we run off our top tier of providers, we are going to have to pay a lot more to get less performance in the future, and it is incumbent upon us to take up that legislation, to take up that concept and pass legislation that will once and for all fix the problems with the sustainable growth rate and not make our provider community face that 4 to 5 percent pay cut every year, year over year.

A concept derived by the Medicare Payment Advisory Council, so-called MEDPAC, was for consideration of what is called the Medicare economic index, which calculates the true cost of providing Medicare health services, and the reimbursements would be based upon a formula which factored in the actual cost of delivering that care, a very powerful concept and an idea whose time I believe is long since overdue.

Another issue that we spend a lot of time talking about here on the House floor and over in committee is the concept of increasing health care technology. This is appropriate for Congress to be considering this. It is an appropriate expenditure. It is terribly difficult for small doctors' offices with one, two, three and four providers in an office, to justify the kind of expense that would be required to purchase that off-the-shelf health care information technology.

A lot of times a hospital would be willing to partner and help offset some of that, because the hospital benefits as well. Currently we have laws such as stark laws and anti-kickback statutes that prevent that from happening. We need to seriously look the a those pieces of legislation. They may have been of some value back in the 1980s, but they are not a great help in the 21st century. They are not really protecting anyone from any malfeasance, and they are preventing getting this technology into the hands of people who need it the most.

The other thing that we have to consider is we have to assure physicians, providers, hospitals, that they are not going to run afoul of some statute in the HIPAA legislation, the patient privacy legislation. Finally we need to concentrate on some coding uniformity so that people will have confidence in these systems and know that they can use them and that they are not only helping their patients, they are helping their practices, they are helping their bottom line, they are helping their hospital. It could be a win-win situation all the way around, but we are going to have to change some Federal regulations to allow that to happen.

One of the things that I talked about when I originally started this evening was that we needed to touch on preparedness. When you talk about preparedness, looking back over the last year, the twin hurricanes of Katrina and Rita that hit Louisiana, Mississippi and then Texas and Louisiana later in the year, it is impossible to talk about preparedness without thinking about some of the lessons that we learned.

When the hurricane was out there churning in the Gulf, the first hurricane, Hurricane Katrina, you just knew it was going to be bad news. It was a hurricane unlike anything that any one of us had seen before, and there is no way in this day and age that it could select a location for landfall along the Gulf Coast where it was not going to affect a significant number of people.

Well, we all know the story. It came ashore. It kind of took a little turn before it came ashore. We thought New Orleans had dodged a bullet, only to find out that it got hit with even a larger bullet than any of us thought possible.

I was back in Fort Worth and Denton, Texas, during the August work period, and it was at that time that almost 25,000 people that were displaced from that storm came to North Texas seeking shelter, seeking medical care. To say that we weren't expecting it would be an understatement. But the people of North Texas opened their homes and their hearts. Hospitals, hotels, church camps did yeoman's work taking in people who were affected by the storm.

Where my district office is in Fort Worth, at the Tarrant County Resource Center, they immediately made provisions to take in 80 individuals. We set up pallets and cots well into the night on Wednesday night and started receiving our first evacuees on Thursday.

A small Baptist camp in Denton, Texas, Camp Copus, opened its gates up and received some 130 people who had driven in buses all night, in two buses all night, from the Superdome in Louisiana when they finally got out of there.

Probably one of the most heartwarming stories in the North Texas area was the way that the Dallas County Medical Society really rallied around and got their members out to provide care for these individuals as they got off the buses. There are about 3,600 members of the Dallas County Medical Society. When they heard the buses were on the way up from the Superdome, we were right on top of Labor Day weekend, so most people were closing their offices early, making plans for a holiday weekend.

The Dallas County Medical Society sent out a blast fax to all its member physicians, and 800 doctors showed up to provide medical care, triage care, urgent care to these people that got off the buses who had been displaced from Hurricane Katrina; people who had chronic medical conditions, who had been off their medications for 3 or 4 days, who with their chronic medical condition were about to have an acute decompensation of hypertension, diabetes, congestive heart failure.

So as these people came off the bus, as the evacuees, they were interviewed. If they thought they were ill enough to have to go to the hospital, they were taken to the hospital, to Parkland Hospital there in Dallas. If they simply needed a shower and a meal and a refill on their medications, that was provided for them.

Of the 17,000 people who got off the bus in those first hours that evening, less than 500, I think the number is actually in the range of about 300, were actually hospitalized at Parkland Hospital, a phenomenally small number when you consider that these were people who had been in the worst of conditions for the past 3 or 4 days, again many of them ill with chronic medical conditions who had been off their medications for several days. Very few required hospitalization because the doctors of the Dallas County Medical Society were there to receive them.

One the great stories of that evening was some of the pharmacies in the area provided mobile communications and mobile computer hookups, and if those patients had received their medicines at one of the chain drugstores in Louisiana, in New Orleans, they were able to actually replicate their medications, duplicate their records for the medications, what they were taking and the dosage schedules, and make sure the right medicines were gotten to the right individuals. A phenomenal story that occurred there on Labor Day weekend.

Another story you will never read about in the newspapers but really was one of the phenomenal good news stories, the way you can save a lot of money with just a small investment, everyone was given a little tube or little canister of hand sanitizer, and every few minutes you would see people sanitize their hands with an antibacterial, anti-viral preparation.

In these kinds of conditions, where you have got a lot of people who have been wet from a storm and then housed in the Superdome and then got wet again when the Superdome flooded, on a bus for hours, you can just imagine the bacteria and viruses find that an environment they can thrive upon.

Diseases like the Norwalk virus, where gastrointestinal illnesses, epidemic diarrheas are very, very common in those types of conditions. They had very, very few people who became ill. Those that did have symptoms were identified early and sequestered off in another facility. But, again, the hand sanitizing that was done by providing low cost hand sanitizing solution to every person within the Reunion Arena shelter there really kept down trouble and spared a lot of human suffering, spared a lot of medical expense for having to treat people then of the subsequent gastrointestinal illnesses, the nausea, the vomiting, the diarrhea, the dehydration that could accompany that.

As a follow-up, I have been to the City of New Orleans twice since Hurricane Katrina hit. The first time was in October. I was there as a guest of one of the hospital administrators who wanted me to see, he had come before our testimony to testify in Washington and he wanted me to see firsthand myself the destruction that is there.

Even if October, two months after the date, it is unbelievable. There is work to be done that realistically will carry on for years. It is a phenomenal task that is ahead of the people of Louisiana, the people of New Orleans, the people of Mississippi and the people of the United States of America as we help that part of the world recover.

I do want to share one other good news story. We toured Charity Hospital and saw the degree of devastation there, and there is a lot of work to be done if Charity Hospital is ever going to recover. Across the street at Tulane Hospital, which is a private hospital, they had invested insurance money, they had invested new capital and were well on their way to having the HCA hospital up and running. In fact, I believe their emergency room was open in time for Mardi Gras. I am not sure if the hospital has opened up any of its wards yet, but it looked like they were well on their way to getting that done.

An entirely different story just across the street from Tulane. They both had the same degree of flooding, they both had the evacuation on the same day, late that week after the storm, but involvement of the private sector really did make a positive difference in the recovery of the Tulane Hospital.

It is my hope that Charity Hospital will be able to recover as well. I hope the individuals there involved in the State Medical System can work with Federal agencies and can work with the doctors and the very capable administrators on the ground, but they have got a long way to go to recover the Charity facility.

I guess one of the main things that was learned down there, one of the main lessons learned, an off-the-shelf preparedness plan that is purchased by a hospital or nursing home is not going to do a bit of good if it is not taken off-the-shelf and put into action. Unfortunately, that did happen in more than one occasion in that area after the hurricane.

I do need to add that just because a hospital was private does not necessarily mean that it fared better than a public hospital. There were other private hospitals that still lag far behind the HCA facility there at Tulane, and it is my hope that more of those will follow the Tulane model and make that private investment, invest those insurance dollars that they receive and bring their facilities up and on line quickly.

We did have hearings. The other side complained this evening about oversight. There were excellent oversight hearings by TOM DAVIS' Special Select Katrina Committee. All Members received or should have received their report. It is called Failure of Initiative. It is a very large book, but it is not a hard read. In fact, it is a very interesting read. For those Members who have received that and not read it, I would urge you to do so.

There is an excellent part in there about medical preparedness, but in fact it talks about preparedness all down the line, and it is a valuable instruction for all of us, especially when we talk about the specter of the avian flu which could be facing us here in this country as early as late August or early September.

When you look at the spread of that illness in bird populations across Southeast Asia and then the Middle East and then in Eastern Europe and now in Europe, clearly there is a continued spread of that disease. When it gets into the flyways of the migratory bird patterns, gets up in the polar regions perhaps by this summer, then down through the upper North American continent in Canada, arriving in the United States, pick the month, but one could easily assume it would be early or late fall of next year.

I must stress that this is still a disease in animals, a disease in birds, but there is a lot about it that is not known. Felines in Germany have contracted the disease. Whether that is because they have come in contact with animal waste or whether they have eaten animals that is diseased, no one

really knows. It does appear to be a different disease in felines than you would expect the avian flu to be in humans if it were to mutate to a human form.

We have a lot of work to do as far as bolstering our vaccine manufacturing capability within our shores, within our borders. It needs to happen in this country. We need some liability relief to allow that to happen quickly, but we also need to protect and indemnify our first responders.

Those 800 people that came to the Reunion Arena parking lot from the Dallas County Medical Society for Katrina victims may have an entirely different view on the situation if they are being called to come attend a large number of casualties from a disease that might well be an infectious disease that they could catch. They will need to have the availability of anti-virals. We will need to have the availability of vaccines. But if those vaccines are relatively new and untested, we need to have the ability to indemnify those first responders or their families if the first responders are harmed by the vaccines.

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The disease knows no boundaries. It does not respect any Governmental jurisdiction. If it does arrive on the upper part of the North American Continent it will spread through the lower parts to the United States.

Can anyone guess how quickly? Suffice it to say that the conditions are a little bit different here than in Southeast Asia and the Middle East. Containment policies that have been somewhat sporadic would likely be much more effective over here on this continent.

But that is not to say that we could not face a very serious problem. It would be economically disruptive if nothing else if large numbers of the poultry population had to be taken off line. But a very serious potential human tragedy if the virus changes in its ability to infect not just bird populations but humans as well.

But in summary, Madam Speaker, we have got a lot of work ahead of us as far as health care is concerned over the balance of this year. I know that the leadership takes this responsibility very seriously. Certainly I want to make certain that the leadership and indeed every Member of Congress knows that those of us who have a background in health care stand ready and willing to help in this regard.

The concept of affordability of health care is one that I just cannot stress enough, because if we do not attend to the affordability of health care we may end up with a default position that none of us really cares for.

And with that, Madam Speaker, I yield back.

RECESS

The SPEAKER pro tempore (Ms. FOXX). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 53 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLE of Oklahoma) at midnight.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4975, LOBBYING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 109–441) on the resolution (H. Res. 783) providing for consideration of the bill (H.R. 4975) Lobbying Accountability and Transparency Act of 2006, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today and Thursday, April 27, on account of attending to important personal and business matters.

Mr. GEORGE MILLER of California (at the request of Ms. PELOSI) for today after 5 p.m.

Ms. MOORE of Wisconsin (at the request of Ms. PELOSI) for today.

Ms. ROS-LEHTINEN (at the request of Mr. BOEHNER) for today on account of a family emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. RYAN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

(The following Members (at the request of Mr. MACK) to revise and extend their remarks and include extraneous material:)

Mr. RAMSTAD, for 5 minutes, today and April 27.

Mr. JONES of North Carolina, for 5 minutes, April 27 and May 2 and 3.

Mr. MACK, for 5 minutes, today.

Mr. KENNEDY of Minnesota, for 5 minutes, today.

Mr. BRADY of Texas, for 5 minutes, April 27.

Mr. BISHOP of Utah, for 5 minutes, April 27.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 592. An act to amend the Irrigation Project Contract Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the States of Wyoming and Nebraska.

S.J. Res. 28. Approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 1 minute a.m.), under its previous order, the House adjourned until today, April 27, 2006, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6980. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Acreage Reports and Noninsured Crop Disaster Assistance Program (RIN: 0560-AG20) received March 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6981. A letter from the Administrator, U.S. Agency for International Development, transmitting a report of a violation of the Antideficiency Act by the U.S. Agency for International Development, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

6982. A communication from the President of the United States, transmitting a request for FY 2006 budget amendments for the Army Corp of Engineers; (H. Doc. No. 109–99); to the Committee on Appropriations and ordered to be printed.

6983. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-20, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Thailand for defense articles and services; to the Committee on Armed Services.

6984. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Glen W. Moorhead III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6985. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Colby M. Broadwater III, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6986. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William J. Lennox, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6987. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of rear admiral accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

6988. A letter from the Assistant Secretary of the Army for Acquisition, Logistics and Technology, Department of Defense, transmitting the annual status report of the U.S. Chemical Demilitarization Program (CDP) as of September 30, 2005; to the Committee on Armed Services.

6989. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

6990. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Daniel James III, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6991. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification of programs that have exceeded the newly defined significant cost growth threshold against their original baseline estimate, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

6992. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the annual report to Congress on the operations of the Export-Import Bank of the United States for Fiscal Year 2005, pursuant to 12 U.S.C. 635g(a); to the Committee on Financial Services.

6993. A letter from the Acting Assistant Deputy Secretary, Office of Innovation and Improvement, Department of Education, transmitting the Department's final rule — Notice of final priorities and eligibility requirements — received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6994. A letter from the Secretary, Department of Energy, transmitting a copy of draft legislation to authorize the Secretary of Energy to use expedited procedures to promulgate rules establishing energy conservation standards; to the Committee on Energy and Commerce.

6995. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''Enforcement First'' to Ensure Effective Institutional Controls at Superfund Sites; to the Committee on Energy and Commerce.

6996. A letter from the Chairman, Nuclear Regulatory Commission, transmitting proposed legislation authorizing appropriations for FY 2007, pursuant to 42 U.S.C. 2017; to the Committee on Energy and Commerce.

6997. A letter from the Acting Senior Procurement Executive, (OCAO), GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Circular 2005-07; Introduction — received January 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6998. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule — Declassification of National Security Information (RIN: 3095-AB38) received March 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6999. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule — Records Management; Electronic Mail; Electronic Records; Disposition of Records (RIN: 3095-AB39) received March 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7000. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Internet Communications [Notice 2006-8] received March 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

7001. A letter from the Inspector General, U.S. House of Representatives, transmitting the results of an audit of the U.S. House of Representatives' annual financial statements for the year ending December 31, 2004; to the Committee on House Administration.

7002. A letter from the Secretary, Department of the Interior, transmitting the 2005 Annual Report for the Office of Surface Mining Reclamation and Enforcement, pursuant to 30 U.S.C. 1211(f), 1267(g), and 1295; to the Committee on Resources.

7003. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas Lease Acreage Limitation Exemptions and Reinstatement of Oil and Gas Leases [WO-310-1310-PP-241A] (RIN: 1004-AD83) received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7004. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog, and Special Rule Exemption Associated with Final Listing for Existing Routine Ranching Activities (RIN: 1018-AJ16) received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7005. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlfie and Plants; Designation of Critical Habitat for Astragalus lentiginosus var. coachellae (Coachella Valley milk-vetch) (RIN: 1018-AT74) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7006. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Kootenai River Population of the White Sturgeon (RIN: 1018-AU47) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7007. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Navarretia fossalis (spreading navarretia) (RIN: 1018-AT86) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7008. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Oklahoma Regulatory Program [Docket No. OK-030-FOR] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7009. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Abandoned Mine Land Reclamation Plan [WY-033-FOR] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7010. A letter from the Director, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Salt Creek Tiger Beetle (Cicindela nevadica lincoliana) (RIN: 1018-AJ13) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7011. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Atriplex coronata var. notarior (San Jacinto Valley crownscale) (RIN: 1018-AJ11) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7012. A letter from the Special Trustee for American Indians, Department of the Interior, transmitting the Department's final rule — American Indian Trust Fund Management Reform Act; Technical Amendments (RIN: 1035-AA05) received March 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7013. A letter from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2006-07 Subsistence Taking of Fish and Shellfish Regulations (RIN: 1018-AU05) received March 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7014. A letter from the Assistant Secretary — Land and Mineral Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS) — Minimum Blowout Prevention (BOP) System Requirements for Well-Workover Operations Performed Using Coiled Tubing with the Production Tree in Place (RIN: 1010-AC96) received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7015. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants (RIN: 1018-AU06) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7016. A letter from the Director, Fish and Wildlife Services, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule to List the Tibetan Antelope as Endangered Throughout Its Range (RIN: 1018-AF49) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7017. A letter from the Acting Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Brodiaea filifolia (thread-leaved brodiaea) (RIN: 1018-AT75) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7018. A letter from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the 2005 Annual Report Regarding Atlantic Highly Migratory Species, pursuant to

16 U.S.C. 971 et seq.; to the Committee on Resources.

7019. A letter from the Assistant Attorney General, Department of Justice, transmitting a report on the activities of the Community Relations Service for Fiscal Year 2005, pursuant to 42 U.S.C. 2000g-3; to the Committee on the Judiciary.

7020. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Criminal Jurisdiction Over Civilians Employed by or Accompanying the Armed Forces Outside the United States, Service Members, and Former Service Members [0790-AH73] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7021. A letter from the Assistant Attorney General, Department of Justice, transmitting a legislative proposal relating to the statute of limitations for espionage offenses; to the Committee on the Judiciary.

7022. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements [Announcement 2006-22] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7023. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revised Regulations Concerning Disclosure of Relative Values of Optional Forms of Benefit [TD 9256] (RIN: 1545-BD97) received March 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7024. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully invest the the portion of the Civil Service Retirement and Disability Fund (CSRDF) not immediately required to pay beneficiaries, pursuant to 5 U.S.C. 8348(l)(2); jointly to the Committees on Government Reform and Ways and Means.

7025. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''National Coverage Determinations,'' pursuant to Public Law 106-554, section 522(a); jointly to the Committees on Ways and Means and Energy and Commerce.

7026. A letter from the Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NESP) for 2003 and 2004, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

7027. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting the results of a study of the known and potential environmental effects of gas and oil drilling activities in the Great Lakes; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Resources.

7028. A letter from the Acting General Counsel, Department of Defense, transmitting the Department's requested legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2007; jointly to the Committees on Armed Services, Energy and Commerce, the Judiciary, Transportation and Infrastructure, Homeland Security, Ways and Means, Government Reform, Science, Intelligence (Permanent Select), the Budget, and International Relations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 3496. A bill to amend the National Capital Transportation Act of 1969 to authorize additional Federal contributions for maintaining and improving the transit system of the Washington Metropolitan Area Transit Authority, and for other purposes; with an amendment (Rept. 109–440). Referred to the Committee of the Whole House on the State of the Union.

[Filed on April 27 (legislative day of April 26), 2006]

Mr. DREIER: Committee on Rules. House Resolution 783. Resolution providing for consideration of the bill (H.R. 4975) to provide greater transparency with respect to lobbying activities, and for other purposes (Rept. 109–441). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MANZULLO (for himself, Mr. MICA, and Mrs. KELLY):

H.R. 5196. A bill to amend the Export Enhancement Act of 1988 to establish the Office of Trade Promotion in the Executive Office of the President, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA:

H.R. 5197. A bill to amend title 49, United States Code, to extend the aviation war risk insurance program; to the Committee on Transportation and Infrastructure.

By Mr. MANZULLO (for himself and Mr. POMEROY):

H.R. 5198. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified equity investments in certain small businesses; to the Committee on Ways and Means.

By Mr. KIRK (for himself and Mr. LARSEN of Washington):

H.R. 5199. A bill to expand the diplomatic infrastructure and economic competitiveness of the United States in the People's Republic of China, and for the other purposes; to the Committee on International Relations, and in addition to the Committees on Education and the Workforce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM DAVIS of Virginia (for himself, Mr. TAYLOR of Mississippi, Mr. GIBBONS, Mr. HAYES, Mr. WILSON of South Carolina, and Mrs. MILLER of Michigan):

H.R. 5200. A bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mr. BILIRAKIS (for himself, Mr. GENE GREEN of Texas, Mr. ALLEN, Ms. BALDWIN, Mr. BASS, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BONILLA, Mrs. BONO, Mr. BROWN of Ohio, Mr. BURGESS, Mrs. CAPPS, Mr. CAPUANO, Mr. CASE, Mr. CLAY, Mr. CLEAVER, Mr. COOPER, Mr. COSTELLO, Mr. DAVIS of Florida, Mr. DEFAZIO, Ms. DEGETTE, Mrs. DRAKE, Mrs. EMERSON, Mr. ENGEL, Ms. ESHOO, Mr. FOSSELLA, Mr. GORDON, Ms. GRANGER, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HONDA, Mr. KENNEDY of Rhode Island, Mr. LAHOOD, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LEACH, Mr. LEWIS of Georgia, Mr. MARSHALL, Mr. MATHESON, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. NADLER, Mr. NORWOOD, Mr. OBERSTAR, Mr. OTTER, Mr. OWENS, Mr. PALLONE, Mr. PICKERING, Mr. RANGEL, Mr. ROSS, Mr. REICHERT, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHWARZ of Michigan, Mr. SCOTT of Georgia, Mr. SESSIONS, Mr. SHAYS, Mr. SHIMKUS, Mr. SIMMONS, Mr. SIMPSON, Mr. STRICKLAND, Mr. SWEENEY, Mr. TERRY, Mr. TOWNS, Mr. UPTON, Mr. WALDEN of Oregon, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WYNN):

H.R. 5201. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act; to the Committee on Energy and Commerce.

By Mr. BRADLEY of New Hampshire (for himself and Mr. FILNER):

H.R. 5202. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. CHABOT:

H.R. 5203. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax of at least $500 to offset the cost of high 2006 gasoline and diesel fuel prices; to the Committee on Ways and Means.

By Mr. EVANS (for himself and Mr. LAHOOD):

H.R. 5204. A bill to designate certain functions as inherently governmental, and for other purposes; to the Committee on Government Reform.

By Mr. FLAKE (for himself and Mr. BARRETT of South Carolina):

H.R. 5205. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYWORTH (for himself, Mr. MCNULTY, Mr. CAMP of Michigan, Mr. FITZPATRICK of Pennsylvania, Mr. BUTTERFIELD, Mr. BROWN of Ohio, Mr. SIMMONS, Mr. LIPINSKI, Mr. UDALL of Colorado, Mr. BACHUS, Mr. EHLERS, Mr. MCCOTTER, Mr. HINCHEY, Mr. SWEENEY, Mr. ROGERS of Michigan, Mr. DENT, Mr. DOOLITTLE, Mr. WOLF, Mr. BARTLETT of Maryland, Mr. CARDIN, Mrs. BONO, Mr. FERGUSON, and Mr. WAMP):

H.R. 5206. A bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5207. A bill to amend the National Housing Act to authorize the Secretary of

Housing and Urban Development to insure mortgages for the acquisition, construction, or substantial rehabilitation of child care and development facilities and to establish the Children's Development Commission (Kiddie Mac) to certify such facilities for such insurance, and for other purposes; to the Committee on Financial Services.

By Mr. NUSSLE (for himself, Mr. LATHAM, Mr. LEACH, Mr. KING of Iowa, Mr. BOSWELL, Mr. OSBORNE, Mr. HULSHOF, Mr. TERRY, and Mr. WELLER):

H.R. 5208. A bill to amend the Internal Revenue Code of 1986 to make permanent certain tax incentives for alternative energy, to amend the Clean Air Act to accelerate the use of renewable fuels, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. GENE GREEN of Texas):

H.R. 5209. A bill to improve the oversight and regulation of tissue banks and the tissue donation process, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 5210. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in grades kindergarten through grade 12 and to amend title II of the Social Security Act to replace the 60-month period of employment requirement for application of the Government pension offset exemption with the rule that last applied before section 418 of the Social Security Protection Act of 2004 was enacted; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 5211. A bill to improve the quality of life for senior citizens; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Ms. GINNY BROWN-WAITE of Florida, Ms. ROYBAL-ALLARD, Ms. KILPATRICK of Michigan, Mr. DELAHUNT, Mr. CONYERS, Ms. DELAURO, Mrs. MALONEY, Ms. LORETTA SANCHEZ of California, Mr. CROWLEY, Mr. HONDA, Ms. LEE, Mr. MOORE of Kansas, Mr. KUCINICH, Mr. ROTHMAN, Mr. SANDERS, Mr. WEXLER, Mrs. JONES of Ohio, Mr. INSLEE, and Mrs. DAVIS of California):

H.R. 5212. A bill to reduce sexual assault and domestic violence involving members of the armed forces and their family members and partners through enhanced programs of prevention and deterrence, enhanced programs of victims services, and strengthened provisions for prosecution of assailants, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Mr. DEFAZIO, Mr. WU, Ms. HOOLEY, Mr. BLUMENAUER, Ms. PELOSI, Mr. GEORGE MILLER of California, Mr. FARR, Mr. COSTA, Ms. WOOLSEY, Mrs. TAUSCHER, Mrs. CAPPS, Ms. ESHOO, Mr. LANTOS, Ms. MATSUI, Mr. CARDOZA, Mr. HONDA, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Ms. LEE, Mr. STARK, Mr. SHERMAN, Mr. BERMAN, Mr. BACA, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Ms. SOLIS, Mr. SCHIFF, Mr. BECERRA, Ms. HARMAN, Mr. FILNER, Ms. WATERS, Ms. WATSON, Ms. ZOE LOFGREN of California, Mrs. DAVIS of California, and Ms. MILLENDER-MCDONALD):

H.R. 5213. A bill to direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 5214. A bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the ''Hugh L. Carey United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 5215. A bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the ''Conrad Duberstein United States Bankruptcy Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. MANZULLO (for himself and Mr. RYAN of Ohio):

H. Con. Res. 390. Concurrent resolution expressing the sense of the Congress that, as a matter of economic and national security, the United States Government should protect and support United States currency; to the Committee on Financial Services.

By Mr. DEFAZIO (for himself, Ms. SCHAKOWSKY, Mr. ABERCROMBIE, Mr. HONDA, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. GEORGE MILLER of California, Mr. SANDERS, Mr. BROWN of Ohio, Mr. DOGGETT, Mr. MCGOVERN, Ms. MCCOLLUM of Minnesota, Ms. BALDWIN, Mr. MCDERMOTT, Mr. BLUMENAUER, Mr. SERRANO, Mr. INSLEE, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. KUCINICH, Mr. CONYERS, Ms. WATSON, Mr. HOLT, Mr. CAPUANO, Mr. HINCHEY, and Mr. OBERSTAR):

H. Con. Res. 391. Concurrent resolution expressing the sense of Congress that the President should not initiate military action against Iran with respect to its nuclear program without first obtaining authorization from Congress; to the Committee on International Relations.

By Mr. WILSON of South Carolina (for himself, Mr. PENCE, Mr. TANCREDO, Mr. CROWLEY, Ms. ROS-LEHTINEN, Ms. MCCOLLUM of Minnesota, Mr. CHABOT, Mr. GARRETT of New Jersey, Mr. FOLEY, Mr. SOUDER, Mr. BROWN of South Carolina, Mr. DOOLITTLE, Mr. SHAW, Mr. RADANOVICH, Mr. BASS, Mr. MCCOTTER, Mr. OWENS, Mr. WAXMAN, Ms. WATSON, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. LOBIONDO, Mr. HIGGINS, Mr. CANTOR, Mr. SCHIFF, Mr. FOSSELLA, Mr. HAYES, Mr. MEEKS of New York, Mr. DAVIS of Kentucky, Mr. GONZALEZ, Mr. HONDA, Mr. VISCLOSKY, Ms. HARRIS, Mrs. MALONEY, Mr. SAXTON, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. DOYLE, Mr. CARTER, Mr. ENGEL, Mr. ISSA, Mr. WEXLER, Mr. SESSIONS, Mr. RYUN of Kansas, Mr. PALLONE, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BISHOP of Utah, Mr. CANNON, Mrs. DRAKE, Mr. KING of New York, Mr. SULLIVAN, Mr. BROWN of Ohio, Mr. HENSARLING, Mr. ROYCE, Mr. MILLER of Florida, Mr. CARNAHAN, Mr. FERGUSON, Mr. POMBO, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. MCCAUL of Texas, Mrs. DAVIS of California, Mrs. NORTHUP, Miss MCMORRIS, Mr. BACA, Mr. KIRK, Mr. GERLACH, Mr. ADERHOLT, Mr. FEENEY, Mr. ROTHMAN, Mr. GALLEGLY, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, Ms. LINDA T. SÁNCHEZ of California, Mr. HERGER, Mr. MCHENRY, Mr. BERMAN, Mr. MARIO DIAZ-BALART of Florida, Mrs. JO ANN DAVIS of Virginia, Mr. BLUMENAUER, Mr. BEAUPREZ, Mr. BACHUS, Mr. SHAYS, Mr. POE, Mr. FRANK of Massachusetts, and Mr. DANIEL E. LUNGREN of California):

H. Con. Res. 392. Concurrent resolution recognizing the 58th anniversary of the independence of the State of Israel; to the Committee on International Relations.

By Mr. CONYERS:

H. Con. Res. 393. Concurrent resolution honoring the African Americans who have served in the Armed Forces; to the Committee on Armed Services.

By Mr. ENGEL (for himself, Mr. DOYLE, and Ms. BALDWIN):

H. Con. Res. 394. Concurrent resolution supporting the goals and ideals of the Day of Silence with respect to discrimination and harassment faced by lesbian, gay, bisexual, and transgender individuals in schools; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLYBURN:

H. Res. 778. A resolution electing a certain Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mrs. KELLY (for herself, Mr. MCDERMOTT, Mr. SHIMKUS, Mr. MOORE of Kansas, Mr. JEFFERSON, and Mr. BRADY of Pennsylvania):

H. Res. 779. A resolution expressing the sense of the House of Representatives with respect to the designation in April of a National Shaken Baby Syndrome Awareness Week, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. SHAYS, Mr. HONDA, and Mr. UDALL of Colorado):

H. Res. 780. A resolution expressing the sense of the House of Representatives that King Gyanendra should immediately release all political detainees, restore constitutional liberties, and undertake good faith negotiations with all involved parties to restore democracy; to the Committee on International Relations.

By Mr. PORTER (for himself, Mr. HOEKSTRA, Mr. MCKEON, Mr. GREEN of Wisconsin, Mr. KIND, and Mr. CASE):

H. Res. 781. A resolution congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WAMP (for himself, Mr. BARRETT of South Carolina, Mr.

NEUGEBAUER, Mr. ROHRABACHER, Mr. AKIN, Mr. CULBERSON, Mr. KUHL of New York, Mr. WESTMORELAND, Ms. FOXX, Mr. WICKER, Mr. GOHMERT, Mr. ISTOOK, Mr. CHABOT, Mr. FRANKS of Arizona, Ms. HART, Mr. SHADEGG, Mr. DOOLITTLE, Mr. CANTOR, Mr. HERGER, Mr. DAVIS of Kentucky, Mr. ADERHOLT, Mr. KING of Iowa, Mr. MCHENRY, Mr. FEENEY, Mr. PRICE of Georgia, Mr. WELDON of Florida, Mr. GOODE, Mr. GARRETT of New Jersey, Mr. KINGSTON, and Mr. HAYWORTH):

H. Res. 782. A resolution expressing the sense of the House of Representatives that the United Nations Security Council should sanction Iran for its noncompliance with the Nuclear Non-Proliferation Treaty; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 128: Mrs. DAVIS of California and Mr. HASTINGS of Florida.
H.R. 202: Mr. TOWNS.
H.R. 414: Mr. HIGGINS, Mr. DOYLE, Mrs. MALONEY, Mr. WELDON of Pennsylvania, and Ms. WASSERMAN SCHULTZ.
H.R. 415: Mr. BISHOP of Georgia, Mr. BOEHLERT, and Mr. VAN HOLLEN.
H.R. 550: Mr. WELDON of Pennsylvania, Mr. MEEKS of New York, and Mr. MCINTYRE.
H.R. 615: Mrs. CUBIN.
H.R. 690: Mr. CLEAVER.
H.R. 752: Mr. TIERNEY, Mr. BACA, Mr. BISHOP of New York, Mr. CASE, and Ms. CORRINE BROWN of Florida.
H.R. 820: Ms. ZOE LOFGREN of California.
H.R. 857: Mr. ROTHMAN and Mrs. KELLY.
H.R. 881: Mr. GORDON and Mr. SWEENEY.
H.R. 884: Mrs. BONO.
H.R. 916: Mr. LIPINSKI and Mr. HOLT.
H.R. 963: Mr. EVANS.
H.R. 968: Mr. MEEHAN and Mr. DAVIS of Illinois.
H.R. 997: Mrs. DRAKE and Mr. BARTON of Texas.
H.R. 1005: Mr. PORTER.
H.R. 1106: Ms. ZOE LOFGREN of California.
H.R. 1186: Mr. BURGESS.
H.R. 1214: Mr. PASTOR.
H.R. 1217: Mr. CARDIN and Mr. PASTOR.
H.R. 1229: Mr. GOHMERT, Mr. MCCOTTER, Mr. BROWN of South Carolina, Mr. DEAL of Georgia, Mr. POE, Mr. OXLEY, Mr. HERGER, and Mr. ENGLISH of Pennsylvania.
H.R. 1241: Mr. CLAY.
H.R. 1306: Mr. BARRETT of South Carolina.
H.R. 1370: Mr. CALVERT.
H.R. 1384: Mr. BARROW.
H.R. 1402: Mr. FITZPATRICK of Pennsylvania.
H.R. 1416: Mr. MCNULTY and Mr. JEFFERSON.
H.R. 1429: Mr. RUPPERSBERGER and Mr. RAHALL.
H.R. 1498: Mr. PRICE of North Carolina.
H.R. 1517: Mr. REYNOLDS.
H.R. 1545: Mr. BISHOP of Utah, Mr. WYNN, and Mr. MCDERMOTT.
H.R. 1548: Mr. LINCOLN DIAZ-BALART of Florida, Mr. CLEAVER, Ms. WOOLSEY, Mrs. BONO, and Mr. BILIRAKIS.
H.R. 1554: Mr. VISCLOSKY.
H.R. 1603: Mr. BARROW.
H.R. 1632: Mr. JINDAL.
H.R. 1634: Mr. MANZULLO, Mrs. MYRICK, Mr. RAMSTAD, Mr. CUMMINGS, Mr. PAUL, Miss MCMORRIS, and Mr. MCINTYRE.
H.R. 1687: Mr. HINOJOSA, Ms. MATSUI, and Mr. HOLDEN.
H.R. 1704: Mr. STARK.
H.R. 1792: Mr. CUELLAR.
H.R. 1796: Mr. KIND.
H.R. 1849: Mr. RANGEL, Mr. ACKERMAN, and Mr. MCCOTTER.
H.R. 1994: Mr. FATTAH, Ms. NORTON, and Mr. CLYBURN.
H.R. 2048: Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Mr. HINCHEY, and Mr. WELDON of Pennsylvania.
H.R. 2193: Mr. BOEHLERT.
H.R. 2231: Mr. GERLACH and Mr. MURTHA.
H.R. 2328: Mr. CAMP of Michigan.
H.R. 2340: Mr. MEEHAN.
H.R. 2389: Mr. GALLEGLY.
H.R. 2421: Mr. RAHALL, Mr. BRADLEY of New Hampshire, Mr. MARSHALL, and Mr. BILIRAKIS.
H.R. 2554: Mr. ABERCROMBIE, Mr. PRICE of North Carolina, Mr. HONDA, Mr. MORAN of Virginia, Mr. COSTELLO, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2642: Mr. ROTHMAN.
H.R. 2671: Mr. CUMMINGS and Mr. LEWIS of Georgia.
H.R. 2683: Mr. BOUCHER.
H.R. 2828: Mr. DEFAZIO.
H.R. 2989: Mr. GILCHREST.
H.R. 3049: Mr. LIPINSKI.
H.R. 3082: Mr. CAMPBELL of California and Mr. PLATTS.
H.R. 3151: Mr. SALAZAR.
H.R. 3159: Mr. SNYDER.
H.R. 3352: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3437: Mrs. KELLY.
H.R. 3476: Mr. CLEAVER and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3616: Mr. LAHOOD.
H.R. 3685: Mrs. EMERSON, Mr. JEFFERSON, Mr. MCGOVERN, Ms. BORDALLO, and Mr. TERRY.
H.R. 3769: Mr. HASTINGS of Florida.
H.R. 3787: Mr. CONYERS.
H.R. 3850: Ms. ROYBAL-ALLARD, Mr. TOM DAVIS of Virginia, and Ms. HERSETH.
H.R. 3858: Ms. LORETTA SANCHEZ of California and Mr. RAHALL.
H.R. 4005: Mrs. MALONEY.
H.R. 4042: Mr. SHAW.
H.R. 4045: Ms. HARRIS.
H.R. 4156: Ms. MOORE of Wisconsin.
H.R. 4166: Mr. BISHOP of Georgia.
H.R. 4178: Mr. STRICKLAND.
H.R. 4190: Mr. DEFAZIO and Mr. BLUMENAUER.
H.R. 4212: Mr. JEFFERSON.
H.R. 4239: Mr. COBLE.
H.R. 4331: Mr. LARSEN of Washington.
H.R. 4341: Mr. KLINE, Mr. BOEHLERT, and Mr. WESTMORELAND.
H.R. 4347: Ms. KILPATRICK of Michigan.
H.R. 4357: Mr. BROWN of Ohio.
H.R. 4371: Mr. MOORE of Kansas.
H.R. 4384: Ms. BERKLEY.
H.R. 4409: Mr. HAYWORTH, Mr. BRADLEY of New Hampshire, Mr. GINGREY, and Mrs. DRAKE.
H.R. 4435: Ms. BERKLEY, Mr. BROWN of Ohio, Mr. LEVIN, and Mr. KIND.
H.R. 4479: Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Ms. BERKLEY, and Mrs. CAPPS.
H.R. 4597: Mr. CONAWAY and Mr. SIMMONS.
H.R. 4624: Mr. WU.
H.R. 4641: Mr. PORTER.
H.R. 4672: Mr. MANZULLO.
H.R. 4712: Mr. KUCINICH, Mr. EVANS, Mr. DEFAZIO, and Mr. MOLLOHAN.
H.R. 4716: Mr. BOREN and Mr. HAYWORTH.
H.R. 4739: Mr. KUCINICH.
H.R. 4740: Mr. LARSEN of Washington and Mr. SALAZAR.
H.R. 4749: Mr. RAHALL.
H.R. 4751: Mrs. EMERSON.
H.R. 4755: Mr. GUTIERREZ, Ms. WOOLSEY, Ms. BALDWIN, Ms. NORTON, Mr. SHERWOOD, Mrs. JO ANN DAVIS of Virginia, Ms. KILPATRICK of Michigan, Mr. EDWARDS, Mr. ISRAEL, and Mr. TIAHRT.
H.R. 4759: Mr. CULBERSON, Mr. MCHENRY, Mr. BISHOP of Utah, Mr. POMBO, Mr. BURTON of Indiana, Mr. CARTER, Mr. AKIN, Mrs. CUBIN, Mr. CANNON, Ms. HART, Mr. BONILLA, Mr. CANTOR, and Ms. PRYCE of Ohio.
H.R. 4761: Mr. PAUL, Mr. SMITH of Texas, and Mr. MELANCON.
H.R. 4790: Ms. HART.
H.R. 4791: Ms. BERKLEY and Mr. MCDERMOTT.
H.R. 4816: Mr. FRANKS of Arizona.
H.R. 4834: Mr. HAYWORTH.
H.R. 4846: Mr. MORAN of Virginia.
H.R. 4857: Mr. PEARCE, Mr. RADANOVICH, and Mr. GOHMERT.
H.R. 4867: Mr. BILIRAKIS.
H.R. 4890: Mr. GOODLATTE.
H.R. 4894: Mr. COLE of Oklahoma and Mr. WELDON of Pennsylvania.
H.R. 4902: Mr. KIND.
H.R. 4903: Ms. HOOLEY, Mr. ALLEN, and Mr. MCDERMOTT.
H.R. 4904: Mr. BROWN of South Carolina, Mr. DEFAZIO, Mr. SMITH of Washington, and Mr. SHERMAN.
H.R. 4922: Mr. MCCOTTER.
H.R. 4953: Mr. GREEN of Wisconsin, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, and Mr. SCHWARZ of Michigan.
H.R. 4954: Mr. GEORGE MILLER of California, Mr. INSLEE, Mrs. CHRISTENSEN, Mr. BISHOP of New York, Mr. CROWLEY, Mr. AL GREEN of Texas, Mr. SMITH of New Jersey, Ms. WATSON, Mr. REICHERT, Mr. FOSSELLA, Mrs. DAVIS of California, Mr. ROTHMAN, Mr. TOM DAVIS of Virginia, Mr. KING of New York, Mr. SMITH of Texas, and Mr. MOORE of Kansas.
H.R. 4981: Mr. MARKEY, Mr. HINCHEY, Mr. FORD, and Mr. WALSH.
H.R. 4991: Mr. EVANS.
H.R. 5005: Mr. SHERWOOD.
H.R. 5013: Mr. HERGER and Mr. SHERWOOD.
H.R. 5015: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GORDON, and Mr. BLUMENAUER.
H.R. 5018: Mr. MCGOVERN.
H.R. 5032: Mrs. JO ANN DAVIS of Virginia and Mr. MILLER of Florida.
H.R. 5035: Mr. TOWNS.
H.R. 5051: Mr. LEWIS of Kentucky and Mr. WELDON of Pennsylvania.
H.R. 5052: Ms. SOLIS, Ms. BALDWIN, Ms. MCCOLLUM of Minnesota, Ms. LINDA T. SÁNCHEZ of California, Mr. EMANUEL, Mr. DOGGETT, and Ms. LEE.
H.R. 5060: Mr. SOUDER, Mr. ENGLISH of Pennsylvania, Mr. GOODE, Mr. HENSARLING, and Mr. MCHUGH.
H.R. 5102: Ms. WOOLSEY.
H.R. 5109: Mr. SIMPSON.
H.R. 5129: Mr. INGLIS of South Carolina, Mr. BARTLETT of Maryland, Mr. MCHENRY, Mr. FEENEY, Mr. PRICE of Georgia, Mr. WELDON of Florida, Mr. GOODE, Mr. GARRETT of New Jersey, Mr. BARRETT of South Carolina, Mr. AKIN, Mr. ROHRABACHER, Mr. CULBERSON, Mr. CAMPBELL of California, Mr. KUHL of New York, Mr. WESTMORELAND, Ms. FOXX, Mr. WICKER, Mr. GUTKNECHT, Mr. BRADY of Texas, Mr. CHABOT, Mr. FRANKS of Arizona, Ms. HART, Mr. NEUGEBAUER, Mr. DOOLITTLE, Mr. HERGER, Mr. DAVIS of Kentucky, Mr. KING of Iowa, Mr. FLAKE, Mr. HENSARLING, Mr. PENCE, Mrs. BONO, and Mr. RYAN of Wisconsin.
H.R. 5152: Ms. BERKLEY.
H.R. 5156: Mr. NORWOOD.
H.R. 5159: Mr. SHERWOOD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FOLEY and Mr. ROTHMAN.
H.R. 5166: Mr. WAMP, Mr. HEFLEY, Mr. JOHNSON of ILLINOIS, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. KUHL of New York, Mr. ROHRABACHER, Mr. BARRETT of South Carolina, Mr. GOODE, Mr. FEENEY, Mr. BARTLETT of Maryland, Mr. KING of Iowa, Mr. HERGER, Mr. HOSTETTLER, Mr. TANCREDO, Mr. KINGSTON, Mr. WALSH,

Mr. CULBERSON, Mr. TOM DAVIS of Virginia, Mr. JENKINS, Mr. FATTAH, Mr. FORBES, Mr. CRENSHAW, Mrs. KELLY, Mr. MANZULLO, Mr. CAMP of Michigan, Mr. HUNTER, Mr. SULLIVAN, Mr. COLE of Oklahoma, Mrs. MILLER of Michigan, Ms. GRANGER, and Mr. BONILLA.

H.R. 5180: Ms. BERKLEY.

H. Con. Res. 224: Mr. BROWN of South Carolina.

H. Con. Res. 274: Ms. WOOLSEY.

H. Con. Res. 328: Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. SMITH of New Jersey, Mr. FORTUÑO, Mr. WELLER, Ms. HARRIS, Mr. KENNEDY of Minnesota, Mr. GOHMERT, Mr. YOUNG of Alaska, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Con. Res. 383: Mr. TERRY, Mr. BROWN of South Carolina, Mr. ADERHOLT, Mr. GRIJALVA, Mr. WESTMORELAND, Mr. TOM DAVIS of Virginia, Mr. WELDON of Florida, Mr. HOEKSTRA, Mr. MANZULLO, Mr. SMITH of Texas, Mr. SULLIVAN, Mr. POE, Mr. KINGSTON, Mr. PUTNAM, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, Mr. WAMP, Ms. PRYCE of Ohio, Miss MCMORRIS, Mr. KOLBE, Ms. FOXX, Mr. SESSIONS, Mr. BARTLETT of Maryland, Mr. GARRETT of New Jersey, Mr. DICKS, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. BOREN, Mr. HIGGINS, Mr. LIPINSKI, Mr. WAXMAN, Ms. LORETTA SANCHEZ of California, Mrs. BLACKBURN, Mr. KING of Iowa, Mrs. KELLY, Mr. MCHENRY, Mr. SODREL, Mr. REYNOLDS, Mr. ROGERS of Alabama, Mrs. WILSON of New Mexico, Mr. GINGREY, Mr. KELLER, Mr. MCCAUL of Texas, Mr. DANIEL E. LUNGREN of California, Mr. FLAKE, Mr. SHIMKUS, Mr. WICKER, Mr. CHABOT, Mr. FITZPATRICK of Pennsylvania, Mr. WILSON of South Carolina, Mrs. DRAKE, Mr. OSBORNE, Mr. LARSON of Connecticut, Mr. NEUGEBAUER, Mr. WOLF, Mr. FOLEY, AND MR. GOODLATTE.

H. Res. 158: Mr. HOLT, Mr. BROWN of Ohio, Ms. DELAURO, Mr. FITZPATRICK of Pennsylvania, Ms. JACKSON-LEE of Texas, Ms. HART, Mr. DOGGETT, Ms. MATSUI, and Mr. ALLEN.

H. Res. 295: Mr. HASTINGS of Florida.

H. Res. 323: Mr. ALEXANDER, Mr. FRANK of Massachusetts, and Mr. MARSHALL.

H. Res. 449: Mr. DICKS.

H. Res. 521: Mr. GEORGE MILLER of California.

H. Res. 638: Mr. BACHUS and Mr. BLUMENAUER.

H. Res. 688: Mr. MELANCON, Mr. PALLONE, Ms. BEAN, Mr. GORDON, Mr. UDALL of Colorado, Mr. POMEROY, Mr. FORD, Mr. HONDA, Mr. SMITH of Washington, and Mr. SALAZAR.

H. Res. 729: Mr. GORDON and Ms. ZOE LOFGREN of California.

H. Res. 753: Mr. BASS, Mr. SCHWARZ of Michigan, Mr. FORTENBERRY, Mr. SNYDER, Mr. BRADLEY of New Hampshire, Mr. THOMPSON of California, Mr. DAVIS of Tennessee, Mr. MELANCON, Mr. BOSWELL, Mr. SALAZAR, Mr. CHANDLER, Mr. BURTON of Indiana, Mr. BLUMENAUER, Mr. INSLEE, Mr. FARR, Ms. BEAN, Mr. MCDERMOTT, Mr. MICHAUD, Mr. MARKEY, Mr. GORDON, Mr. HONDA, Mr. HINCHEY, Ms. SLAUGHTER, Ms. SOLIS, Mr. HASTINGS of Florida, Mr. OBERSTAR, Mr. WYNN, Mr. DICKS, Mr. TIAHRT, Mr. HOYER, Mr. DELAHUNT, Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Ms. BALDWIN, Ms. HOOLEY, Ms. DEGETTE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. BROWN of Ohio, Mr. FOSSELLA, Mr. GENE GREEN of Texas, Mr. WEINER, Mr. BISHOP of New York, Mr. CRAMER, Mr. ENGEL, Mrs. TAUSCHER, Ms. HARMAN, Mr. CARNAHAN, Mr. KIND, Mr. OLVER, Mr. GEORGE MILLER of California, Mr. CARDIN, Mr. KILDEE, Mr. FILNER, Mr. PALLONE, and Mr. GILCHREST.

H. Res. 759: Mr. GRIJALVA, Mr. ABERCROMBIE, Mr. MCGOVERN, Ms. BORDALLO, Mrs. MCCARTHY, Mr. HONDA, Mr. CROWLEY, Mr. FARR, Mr. FATTAH, Mr. ROYCE, Mr. GEORGE MILLER of California, Ms. KILPATRICK of Michigan, Mr. ENGLISH of Pennsylvania, Ms. WATSON, Ms. LEE, Mr. MEEKS of New York, Mr. LEWIS of Georgia, Mr. MILLER of Florida, and Mr. PITTS.

H. Res. 769: Mr. WOLF, Mr. MORAN of Virginia, and Mr. FORBES.