

minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, until this week, there were two prohibitions on offshore drilling, two prohibitions from keeping us from accessing billions of barrels of American oil. One was imposed by Congress; another by executive order in 1990. But now President Bush has lifted the executive ban.

Standing in the Rose Garden he said, "The only thing now standing between the American people and these vast oil resources is action from the U.S. Congress. Now the ball is squarely in Congress' court."

There can be no mistake. Congress must answer to the American people why we are not allowing the production of American-made energy right here at home, why Congress prefers the money to be sent to dictators and unsavory regimes around the world.

Speaker PELOSI and the Democratic leadership in this House should bring legislation to the floor to vote on opening the deep waters off our coast to allow us to access billions of barrels of American-made energy immediately. Otherwise, the price of gasoline and home heating oil will continue to rise.

#### THE TIME FOR ACTION IS NOW

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

Mrs. BLACKBURN. Mr. Speaker, it is hot in Tennessee this summer, and in my district, a lot of us are moving the thermostat up, the house is a little bit warmer, we're sitting on the front porch, and we're asking ourselves a question: Are we better off or worse off today than we were in the summer of 2006? I will tell you what my constituents are saying: They were better off in 2006, and they're asking what has happened since that time.

Well, the Democrats took control of both chambers of this House. And you know what? They are not doing one thing to turn the heat down on the American consumer. As long as the energy crisis is not addressed, the price of oil is going to affect everything else: transportation, food, home cooling, home heating this fall. TVA, which provides electricity for most Tennesseans as well as six other States and over 8.8 million people, recently had to increase its wholesale fuel cost. Of course, the price gets passed on to the consumer and the consumer pays the bill.

We have legislation that would address this issue, Mr. Speaker. It is time for action.

□ 1030

#### WELCOMING FATHER JOHN GARRETT, PAROCHIAL VICAR OF OUR LADY OF SORROWS-ST. ANTHONY'S CHURCH

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

Mr. SMITH of New Jersey. Mr. Speaker, it is my distinct honor to welcome our guest chaplain, Father John Garrett, the parochial vicar of Our Lady of Sorrows-St. Anthony's Church, located in my hometown of Hamilton, New Jersey.

I have known, respected, and admired Father Garrett all of his life. Even as a young man, I was deeply impressed by his innate goodness, generosity, enthusiasm, motivation, tenacity, and above all, deep faith. It was a privilege for me to nominate Father Garrett, then known as J.C., as my first page, way back in the 1981-1982 school year. That's how far back we go.

Throughout his life, Father Garrett has always applied his enormous talents in ways that benefit others. In addition to living and preaching the gospel, he is also a board certified psychologist. His expertise includes helping those with depression, anxiety, panic disorders, PTSD, personality disorders, and the chronically mentally ill.

Along with his doctorate in psychology, Father Garrett has two master's degrees and has served as director of the graduate program at Columbia College in Missouri.

A man of deep faith, Father Garrett has and continues to make enormous contributions in promoting and securing the mental and spiritual health and well-being of others.

I welcome him back to the House of Representatives and thank him for his extraordinary commitment to serving others and for so effectively and faithfully radiating the love, the mercy, and the compassion of Christ.

Welcome, Father Garrett.

#### PROVIDING FOR CONSIDERATION OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1343 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1343

*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. 5959) to authorize appropriations for fiscal year 2009 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 except those arising under clause 9 of rule XXI. 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 except those arising under clause 9 or 10 of rule XXI. 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.

SEC. 2. During consideration in the House of H.R. 5959 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 1343 provides for consideration of H.R. 5959, the Intelligence Authorization Act for Fiscal Year 2009, under a structured rule. The rule provides 1 hour of debate controlled by the Permanent Select Committee on Intelligence and makes in order seven amendments.

Three amendments are to be offered by my colleagues in the minority, including one by the Republican whip and one by the ranking Republican of the Intelligence Committee. Three are to be offered by Democrats, and the last one by two bipartisan sponsors. This is a fair rule, and I urge my colleagues to support it.

Mr. Speaker, today, more than ever, strengthening our intelligence apparatus and giving it the flexibility it needs to meet continuing threats should be one of this body's highest priorities. The resurgence of al Qaeda and increasing global threats underscore the importance of the authorization bill before us today.

The Intelligence Authorization Act authorizes funding for 16 United States intelligence agencies and intelligence-related activities of the United States Government for fiscal year 2009.

Due to the classified nature of this bill, I wish to point out that Members can view the classified portions of the bill by making an appointment with the Intelligence Committee in H-405 of the Capitol.

Despite the House's best efforts, for the past 3 years an intelligence authorization bill has not become law. Therefore, I am very pleased today with this well-balanced, bipartisan bill. I am hopeful that this great work will continue, concluding with the President's signature of the underlying legislation into law.

This year's intelligence authorization bill adds crucial funding to enhance human intelligence collection, as well as for other enduring and emerging global security challenges we face in Asia, Africa, and Latin America. The bill also provides funding to address the impact of climate change on our national and energy security.

Mr. Speaker, in recent years, we have seen the devastating costs that flawed intelligence and a misinformed Congress can have on national security. This bill enhances accountability and transparency through long overdue oversight and monitoring.

The underlying bill increases reporting requirements to the House and Senate Intelligence Committees on the nuclear capabilities of North Korea, Iran, and Syria.

The bill also amends the National Security Act to require the executive branch to provide Congress with the necessary information about our intelligence operations to ensure proper oversight.

As someone who sat through countless hours of Intelligence Committee hearings and briefings, I have been appalled by the unwillingness and outright stonewalling of the Bush administration when Members have asked even the most basic of questions about our intelligence community policies and practices.

Additionally, the underlying legislation helps restore our Nation's global credibility by ensuring that we meet our international obligations. The reporting requirements on compliance with the Detainee Treatment Act and the Military Commissions Act regarding detentions and interrogations bring credibility and security to our Nation for future generations.

The bill also furthers our commitment to improving the intelligence community's security and clearance process. It increases pay for intelligence officers—and I would underscore much-needed increases—and enhances oversight and accountability through the creation of an intelligence community Inspector General.

Moreover, the underlying legislation includes a provision that would require reporting on plans to enhance diversity within the intelligence community, and a lot of effort has gone into this particular measure, beginning with our former colleague, Louis Stokes, and our departed colleague, Julian Dixon, and the work of my colleague, SANFORD BISHOP, and myself, as well as the Chair and countless members of the committee in trying to ensure that we have appropriate diversity in the intelligence community.

The diversity of our Nation should be directly reflected in our intelligence community's workforce. We cannot, and will not, appropriately meet our security challenges without ensuring this. I appreciate and support these efforts, as the issue, as I expressed, was one of my top concerns when I served on the Intelligence Committee.

Finally, I would like to thank Chairman REYES for including in his amendment a provision written by my colleague on the Rules Committee, Representative PETER WELCH, that addresses the employment needs of resettled Iraqi and Afghani interpreters.

Our government has a moral responsibility to provide proper resources for these allies who risked their lives to assist our efforts to fight global terrorist threats. This measure will help fill gaps in our intelligence-gathering activities and is a start toward fulfilling our obligations to our Iraqi and Afghani allies.

Mr. Speaker, the threats posed to our Nation are only intensifying. To keep pace, America's intelligence community requires the most robust and modern tools to identify and disrupt such attacks. This Intelligence Authorization Act does just that.

I urge my colleagues to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend and namesake from Florida for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

Mr. Speaker, the underlying intelligence authorization bill that this rule makes in order generally has bipartisan support in this House. This support comes in part from a number of Republican amendments that were adopted during the Intelligence Committee markup.

Among the adopted amendments was one offered by Ranking Member HOEKSTRA to eliminate all earmarks from the bill and to strike the provision transferring \$39 billion to the Department of Justice for an entity known as the National Drug Intelligence Center.

This appropriateness of earmarking intelligence funds, and controversy surrounding this earmark in particular, was a serious issue during last year's consideration of this bill.

By adopting the Republican ban on earmarks in committee, such controversies are diminished, but Mr. Speaker, the larger need for earmark reform across Congress still remains.

Mr. Speaker, I support a 1-year earmark moratorium for all Members to allow for reforms to take place. Key among these reforms should be a definition of what is an appropriate allocation of Federal funds and what is an abuse of taxpayer dollars that assumes no essential or relevant Federal Government need.

□ 1045

Republican efforts to institute a 1-year ban on earmarks and to allow for a reform have been stymied by opposition from Speaker PELOSI and the other liberal leaders of the House.

While it is a small sign of success that earmarks have been stricken from this bill, a great deal more needs to be done to restore the American people's faith on how Congress spends taxpayers' money.

Now, Mr. Speaker, on the rule itself, I would like to make two points. First, the rule is unnecessarily restrictive and only makes in order half of the 20 amendments filed with the Rules Committee; just 10 amendments will be debated on this bill. There were other relevant amendments that were offered by Representatives on both sides of the aisle that were blocked by the Democrat Rules Committee.

In this instance, Mr. Speaker, the best that can be said about this unfair rule is that it at least treats both Republicans and Democrats unfairly by blocking an almost equal number of amendments from Representatives of each party. However, Mr. Speaker, restricting debate on both sides of the aisle is not what the American people were promised by those who now control this House. They promised an historic level of bipartisan openness, not

the record-setting shutdown of debate on the House floor that they've been practicing for the past year and a half.

Finally, Mr. Speaker, this rule waives the PAYGO rule written and passed by the liberal Democrat majority in January of 2007. Now my colleagues on the other side of the aisle may rush to say that they had to waive PAYGO rules because this is an intelligence bill and there is a classified section that isn't public, so it can't be read to make a parliamentary ruling on whether PAYGO has been violated. That's what the argument will probably be. Yet, Mr. Speaker, this is a false excuse.

The fault here rests not with the need to keep secret the classified information in the bill, it's that the Democrat majority chose to write the new House rules—initially—behind closed doors without consulting with the whole House or with Republicans. In doing so, they have made error after embarrassing error. On multiple occasions, this House has had to go back and fix mistakes in the rules that Democrat leaders made by refusing to work or even consult with Republicans. They had to do it on charitable fund raising, plane travel, and banning Members from flying their own airplanes.

And when it comes to PAYGO, not only was the rule written poorly to apply to classified parts of the bill, but it's a rule that Democrat leaders have decided to ignore for politically expedient reasons.

There is a great deal of talk from the liberal majority on their allegiance to PAYGO, yet they've just ignored it time after time when it suits their purposes; for example, on the farm bill, on unemployment insurance extensions, and on fixing the alternative minimum tax.

Mr. Speaker, it's inconsistent to use PAYGO as an excuse to block proposals and amendments you oppose and then ignore PAYGO on a bill that you really want to pass. PAYGO is simply a smokescreen, Mr. Speaker, that this Democrat Congress is trying to use to cover for the largest proposed tax increase in American history and tens of billions of dollars in higher government spending.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 5 minutes to my good friend from Massachusetts (Mr. MCGOVERN) with whom I serve on the Rules Committee.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this rule. And I want to take my time to also rise in support of the Blunt amendment on Colombia.

Mr. Speaker, I cannot describe the joy and the excitement that I felt on July 2 when I knew the rescue operation had been successful and that

Mark Gonsalves, Keith Stansell, Thomas Howes, Ingrid Betancourt and 11 Colombians were finally free after years of torment and brutality suffered at the hands of the FARC.

I immediately wrote President Uribe congratulating him on the successful rescue. I also told President Uribe and members of the Colombian families that I remain committed to working for the release of the rest of the hostages. I would like to enter a copy of that letter into the RECORD.

Mr. Speaker, I know I speak for all my colleagues when I say that I want to see an end to the conflict in Colombia. I want to see the dismantling of all paramilitary, FARC, ELN, and other armed groups in Colombia. Clearly, this is in the best interests of the Colombian people as well as the United States.

I want to see the Colombian military and security forces finally break their ties to armed groups, drug lords and criminals, and to fully respect the rights of all Colombian citizens.

The Blunt amendment notes how intelligence and other cooperation by the United States contributed to weakening all of Colombia's illegal armed actors—the paramilitaries, the FARC and the ELN. It states that such assistance should continue to capitalize on recent successes. Mr. Speaker, I couldn't agree more. According to an analysis by the Center for International Policy, what is most interesting about the hostage rescue operation and other recent successes is how different it is from what has failed in the past, namely, massive and expensive military offenses, fumigation, and racking up civilian body counts. The rescue highlights what has worked—the intelligence and cooperation that the gentleman from Missouri encourages us to continue:

A greater intelligence focus aimed at the top leadership of the FARC and the captors of the hostages;

A public relations campaign making it clear to the guerrilla rank-and-file that those who desert and who surrender to the government will not be tortured or disappear as in the past, but instead will get job training, a stipend, and the promise of a new life;

And an increased presence by security forces in population centers and on main roads aimed at protecting civilians rather than treating them as suspects.

Mr. Speaker, most interesting about these strategies is that, with the exception of the cost of increased manpower and protective presence, they are relatively inexpensive. These efforts, which have proven so effective, make up only a sliver of Colombia's defense budget and only a sliver of U.S. assistance. Planners of future aid packages to Colombia should take note.

Intelligence and encouragement of desertion work—these relatively cheap

but vastly improved capabilities made the bloodless rescue mission possible. It is hard to imagine the Colombian military of even just 2 years ago pulling off an operation like this, but today we celebrate the freedom of 15 Colombians and Americans.

Mr. Speaker, I would like to enter into the RECORD a letter sent by Senator RICHARD LUGAR to President Uribe urging him to seize this moment and open up negotiations with the FARC and the ELN to end the conflict and release the hundreds of Colombians who remain in captivity. Thus, indeed, will Colombia finally defeat the guerrillas and hopefully reunite the remaining hostages with their families and loved ones. I remain committed to this cause, and every Member of this Chamber should remain committed to this cause.

Mr. Speaker, I have many, many deep concerns about the human rights situation in Colombia and some of the aid we send. But the Blunt amendment is not an endorsement of the "same old, same old." It is a recognition of something that has worked.

I urge all my colleagues to support the Blunt amendment, and I urge passage of this rule.

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 2, 2008.

Hon. ÁLVARO URIBE VELEZ,  
President, Republic of Colombia, Casa de Nariño  
Bogotá, Colombia.

DEAR PRESIDENT URIBE, I just want to express my deepest appreciation and gratitude for the successful operation that freed 15 of the hostages—eleven Colombians, Ingrid Betancourt, and the three Americans.

No doubt like everyone watching the breaking news throughout this afternoon, I simply have no words to express what I'm feeling.

I can only say thank you to you and to everyone who was involved in this very successful and intelligent ruse that resulted in freeing so many without a single shot fired or anyone injured.

As always, I remain committed to working with you and with my counterparts in the international community to secure the freedom of the remaining Colombian captives.

Sincerely,  
JAMES P. MCGOVERN,  
Member of Congress.

U.S. SENATE,  
Washington, DC, July 8, 2008.

His Excellency, ALVARO URIBE,  
President of the Republic of Colombia,  
Bogota, Colombia.

DEAR MR. PRESIDENT: I write to congratulate you on the Colombian military's daring operation to rescue hostages held by the Revolutionary Armed Forces of Colombia (FARC), including three American military contractors, Ingrid Betancourt, and several members of the Colombian military. I believe this operation marks a turning point in Colombia's struggle against the violent and decades-long conflict and will be viewed as an example of the progress that the United States and our Latin American friends can realize when acting in partnership.

It will not go unnoticed that this historic success against violent guerrillas was most distinguished by cooperation and execution

of a non-violent nature. I remain hopeful that this event opens a new chapter in Latin American history, one in which ideological and territorial disputes may be resolved through persuasion rather than coercion.

With the FARC on its heels for the moment, I encourage you to press for its disarmament and its renunciation of drug trafficking and extortion in exchange for a seat at the negotiating table. In this regard, I applaud Colombia's decision to seek direct talks with FARC rebels to explore further hostage releases; these steps could lay the groundwork for broader gains in the interest of peace for the people of Colombia. In addition, I would urge you to consider including the National Liberation Army (ELN) as part of future talks to end the violence. Lastly and more generally, I would encourage you to consider Brazil, a country with a record of bridging ideological divisions and displaying an awareness of regional sensitivities, as a possible mediator for any discussions. These, of course, are decisions for your government to make, but your many friends want to be as helpful and supportive as possible.

For the United States, Colombia's achievement should be taken as a sign of the tangible results that patient, committed and consistent policies of cooperation and assistance can yield. These latest blows against the FARC demonstrate how U.S. funding can be spent constructively for the cause of peace in our region, and I am hopeful that the U.S. Congress will deepen support for you and your country's quest for peace.

Once again, I applaud your leadership, the Colombian military's impressive action against the FARC, and the steadfastness of the Colombian people.

Sincerely,

RICHARD G. LUGAR,  
*United States Senator.*

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Washington for yielding.

Mr. Speaker, I do rise in opposition to the rule for consideration of the fiscal year 2009 Intelligence Authorization Act.

As a former member of the House Select Committee on Intelligence, I strongly believe we must enact all of the 9/11 Commission's intelligence recommendations, even those that apply to our own congressional committees.

In its final report, the 9/11 Commission concluded that, "Of all our recommendations, strengthening congressional oversight may be among the most difficult and important. So long as oversight is governed by the current congressional rules and resolutions, we believe the American people will not get the security they want and need."

The bipartisan 9/11 Commission report and the subsequent 9/11 Public Disclosure Project recommended three alternatives for reforming congressional oversight of intelligence. These options include:

One, establishing a joint committee on intelligence modeled after the old Joint Committee on Atomic Energy;

Two, establishing House and Senate committees on intelligence with authorizing and appropriating authority; or

Three, establishing a new appropriations subcommittee on intelligence.

In the wake of the terrorist attacks of 2001, Congress enacted a large majority of the commission's recommendations. However, as it turns out, it has been those recommendations that apply directly to the tangled rules and procedures here in the United States Congress which have been left unfinished.

Last year, Congress applied a Band-Aid to this problem by creating a powerless Intelligence Oversight Panel that has very little control over actual funding decisions. Despite what I am certain are sincere efforts on the part of members of this panel, this is clearly not what the 9/11 Commission recommended. In fact, its report plainly states that "tinkering with the existing committee structure is not sufficient."

As a result, experts on the 9/11 Commission, including a leading Democrat from the commission who I happened to speak with this morning, are concerned that intelligence agencies can dodge effective oversight by going around the authorizing committees that scrutinize them most closely. For example, last year, the ranking member of the Senate Intelligence Committee described what he called a "consistent pattern" in which the authorizing committee held in-depth hearings and then made specific funding recommendations for several secret programs only to have appropriators go in a dramatically different direction.

Yesterday, Congressman SHAYS and I appeared before the Rules Committee and offered a simple amendment to the bill before us calling for a sense of Congress that this House should act at the start of next year to implement these crucial 9/11 recommendations. Unfortunately, despite vocal support from both Democrats and Republicans on the Rules Committee last night, this amendment was denied under today's rule.

I have no doubt that implementing this proposal will be a challenge, yet we cannot continue to just sweep this vital 9/11 Commission recommendation under the rug while at the same time calling for other government agencies to make reforms. A former 9/11 Commission member, Tim Roemer, noted recently, "Out of all the many recommendations of the 9/11 Commission, the congressional reform one might be the hardest, but it may be the single most important."

Mr. Speaker, the American people have insisted that we implement all of these important recommendations, even those that are difficult. We will be doing this country a disservice until we put in place an effective committee structure capable of giving our national intelligence agencies the oversight, support and leadership they need.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise to oppose this resolution, but recognize that three Republican amendments were made in order and three Democratic amendments.

But what troubles me is that this House, over so many years, continues to avoid meaningful debate. I was at the NAACP Convention in Cincinnati this week. Before BARACK OBAMA spoke that night, they had a debate between college students from Stockton, California and Detroit, Michigan, about health care. They had three speakers for the pro position and three speakers for the con. It was a fascinating experience. It was electric.

We were witnessing a debate on an issue with 10,000 people listening. And I thought, I haven't experienced this in years. I haven't heard such a meaningful debate in years. And yet I serve in Congress, and we haven't had that kind of debate. And we're not going to have a meaningful debate on the authorization bill on intelligence today.

The amendment Mr. CASTLE talks about deserves to be debated. It was a recommendation of the 9/11 Commission. My Democratic colleagues won this House in part by saying we need to implement the recommendations of the 9/11 Commission, but they won't allow a debate on something so fundamental.

Why shouldn't there be a Joint House and Senate Committee on Intelligence, or, why shouldn't we establish a House and Senate Committee on Intelligence with authorization and appropriation powers; or, at least have a separate Appropriations Committee on Intelligence because now the defense subcommittee of appropriations decides what goes in the intelligence bill.

Why shouldn't we have a debate about that? Why shouldn't we educate ourselves about the pros and the cons of it? Why shouldn't the American people be allowed to hear such a debate?

Why is Congress failing to live by the recommendations—or at least debate the recommendations of the 9/11 Commission, which my colleagues on the other side of the aisle professed to want to do before the election? Not to even have a debate is hard to understand.

□ 1100

There was a second amendment that was not allowed in order. This one was to declassify the bottom line of the budget on Intelligence. In other words, we would know what it is. The remarkable thing is our adversaries know. I won't talk about recent numbers, but I will tell you this: Ten years ago, when you read about the numbers in the New York Times, we couldn't say the number was accurate, but it was the number. The Times was right 10 years ago,

11 years ago and 12 years ago and 13 years ago and 14 years ago. The New York Times knew, but the American people are not allowed to know. Our adversaries knew. The Soviet Union knew. Who didn't know? The American people.

It's not just that. Another problem is we have to hide tens of billions of dollars in our budget that are going to the Intelligence Committee.

So there are things throughout the budget that really aren't going to the things we say they are. They're not going there. They're going to the Intelligence Committee. So we have to distort our budget by tens and tens and tens of billions of dollars and tell people the money is going there when it isn't.

We even have Members come on the House floor who want to take out money from those appropriations, and they don't know that they're not taking it out of what that says it's going to go to, because it's going to go to the Intelligence Committee.

So let's just step back a second and think. Our adversaries know what the bottom line of our budget is and the American people don't, but when my constituents look at expenditures and say "why are you spending money here or there?" I can't tell them we're not. I can't tell them it's really going to the Intelligence budget, but we don't want you to know the bottom line in the Intelligence budget.

All we would have to do is just say, "X" billion of dollars is going to Intelligence. Then we wouldn't have to fit in "X" billion of dollars throughout the budget and hide it. We would just give the bottom line, and then the other parts of the budget would be honest.

Now, some members may not be concerned with this, but the sad thing is we're not going to have a debate on it because this amendment was not allowed by the Rules Committee. I don't know if it's ever going to happen.

When I ran for Congress, I thought we would have a debate about real things. We're not having that and we haven't for a long time.

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule. I understand there was an amendment adopted in committee that struck all of the earmarks in the bill. I applaud this. It's a great day when we decide that the Intelligence Authorization Bill is not the place to put secretive earmarks. So that was, indeed, a good thing.

I should also mention that the committee also prohibited \$39 million from

going from the National Drug Intelligence Center. This is a center that has been in need of closing down for years. The administration says that the NDIC has proven ineffective in achieving its assigned mission. Yet it still receives money every year, not because it's effective, not because it does anything that the other drug centers do—there are some 19 of them, I believe, that are already in existence, and it simply duplicates some of those efforts—but because there is a powerful appropriator who continues to make sure that that center is funded.

What I wanted to do was to have an amendment here where we could make certain that the NDIC was not funded in any portion of this bill, not just the earmarks in the unclassified version, but to make sure that funding did not go again to the NDIC. That amendment was not allowed.

We really need to tighten this up, Mr. Speaker, as I mentioned. This is a center that the administration has said for years needs to be closed. We know it. The administration knows it. Yet we have a powerful appropriator who ensures that money continues to flow, not because the Nation needs it but simply because we can do it, and that's not a good enough reason.

So I would urge us to reject the rule and to come back with a rule that allows meaningful amendments to be debated here.

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

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, may I inquire of my friend from Massachusetts, who is substituting for my namesake, I gather, if he has any more speakers on his side.

Mr. MCGOVERN. I'm the last speaker, and I'm waiting with great anticipation for your close.

Mr. HASTINGS of Washington. With that then, Mr. Speaker, I yield myself the balance of my time.

This rule provides for the consideration of the Intelligence Authorization Bill for the next fiscal year. This legislation is important to our national security, and it deserves the attention of this House. However, this Congress also needs to address the issue of skyrocketing gas prices that affect both our economic and our national security.

For months now, Democratic leaders have blocked debate and votes on legislation that would produce more American-made energy, which would open parts of Alaska, Federal lands and offshore to oil and gas drilling. As a result, in the long run, it would lower the price of gasoline.

Mr. Speaker, Americans are hurting and Congress needs to act. Therefore, I urge my colleagues to vote "no" on the

previous question so that I can amend the rule to allow for much needed energy legislation to be considered on this House floor.

By defeating the previous question, the House can finally vote on this vital economic and national security issue.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to defeat the previous question so that this House can get serious about rising gas prices and so that we can start producing American-made gasoline.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me say to my colleagues that this is a good rule, and it deserves to be supported. I would urge a "yes" vote on the previous question and on the rule.

I would say to my colleagues that what the gentleman from Washington just proposed on energy is yet another smoke screen by the Republicans in their effort to try to cover up their horrendous record on energy. They have been in control of this Congress. They were in control of the White House for years, and what we have seen are skyrocketing gas prices. They have done nothing to make us more energy independent.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MCGOVERN. No, I will not.

They have frustrated efforts by the Democratic majority to try to support alternative renewable, clean sources of energy from solar, to wind, to fuel cell technology, to you name it, and they have been against it. The President has refused to heed the appeal by Democrats and by the Speaker of the House to tap into the Strategic Petroleum Reserve to provide the American people with immediate relief from these high gas prices.

What we have gotten is the same old, same old. We have two oilmen in the White House, and we have policies being proposed by the other side of the aisle which is the same old same old. Give the oil companies whatever they want. You know what? The oil companies are wrong, and they're gouging the American taxpayer, and it's about time we had a Congress that stood up to them.

Mr. Speaker, I urge a "yes" vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 1343 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2493) to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

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 Democratic 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 Democratic 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 definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

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 Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

Mr. HASTINGS of Washington. Mr. 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.

PROVIDING FOR CONSIDERATION OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1339 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1339

*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. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. 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 Committee on Natural Resources. 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 Committee on Natural Resources 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 except those arising under clause 10 of rule XXI. 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 except those arising under clause 9 or 10 of rule XXI. 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.

SEC. 2. During consideration in the House of H.R. 415 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. The House hereby (1) takes from the Speaker's table the bill (S. 2062) to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes; (2) adopts an amendment in the nature of a substitute consisting of the text of H.R. 2786 as passed by the House; (3) passes such bill, as amended; (4) insists on its amendment; and (5) requests a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

I yield myself as much time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1339.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1339 provides for the consideration of H.R. 415, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System.

This structured rule provides for 1 hour of general debate to be controlled by the Committee on Natural Resources. The rule makes in order four