

It was decided in the { Yeas 120
negative } Nays 291

41.14 [Roll No. 137]
AYES—120

Abercrombie	Gutknecht	Oberstar
Allen	Hill	Obey
Baldacci	Hilliard	Olver
Barcia	Hinchev	Owens
Barrett (WI)	Hooley	Pastor
Becerra	Jackson (IL)	Paul
Blumenauer	Jackson-Lee	Payne
Boniore	(TX)	Peterson (MN)
Boucher	Johnson (WI)	Petri
Brown (CA)	Kanjorski	Porter
Brown (FL)	Kaptur	Poshard
Brown (OH)	Kilpatrick	Ramstad
Camp	Kind (WI)	Rangel
Capps	Kingston	Rivers
Carson	Klecza	Rodriguez
Chabot	Kucinich	Roemer
Clay	Lee	Rohrabacher
Clayton	Lewis (GA)	Roybal-Allard
Coble	Lipinski	Royce
Conyers	Lofgren	Rush
Costello	Luther	Sanchez
Cummings	Maloney (CT)	Sanders
Davis (IL)	Markey	Schumer
DeFazio	Mascara	Sensenbrenner
DeGette	McCarthy (MO)	Shays
Delahunt	McDermott	Slaughter
DeLauro	McGovern	Stabenow
Doggett	McKinney	Stark
Duncan	Meehan	Stearns
Ensign	Meeks (NY)	Strickland
Eshoo	Metcalfe	Thompson
Evans	Millender-	Tierney
Farr	McDonald	Torres
Fattah	Miller (CA)	Upton
Filner	Minge	Velazquez
Fox	Mink	Vento
Frank (MA)	Moakley	Waters
Furse	Moran (VA)	Watt (NC)
Gephardt	Morella	Woolsey
Green	Nadler	Yates
Gutierrez	Neal	

NOES—291

Ackerman	Condit	Goodlatte
Aderholt	Cook	Goodling
Andrews	Cooksey	Gordon
Archer	Cox	Goss
Armey	Coyne	Graham
Bachus	Cramer	Granger
Baesler	Crane	Greenwood
Baker	Crapo	Hall (OH)
Ballenger	Cubin	Hall (TX)
Barr	Cunningham	Hamilton
Barrett (NE)	Danner	Hansen
Bartlett	Davis (FL)	Harman
Barton	Davis (VA)	Hastert
Bass	Deal	Hastings (WA)
Bentsen	DeLay	Hayworth
Bereuter	Deutsch	Hefley
Berman	Diaz-Balart	Herger
Berry	Dickey	Hilleary
Bilbray	Dicks	Hinojosa
Bilirakis	Dooley	Hobson
Bishop	Doolittle	Hoekstra
Blagojevich	Dreier	Holden
Bliley	Dunn	Horn
Blunt	Edwards	Hostettler
Boehlert	Ehlers	Houghton
Boehner	Ehrlich	Hoyer
Bonilla	Emerson	Hulshof
Bono	Engel	Hunter
Borski	English	Hutchinson
Boswell	Etheridge	Hyde
Boyd	Everett	Inglis
Brady	Ewing	Istook
Bryant	Fawell	Jefferson
Bunning	Fazio	Jenkins
Burr	Foley	John
Burton	Forbes	Johnson (CT)
Buyer	Ford	Johnson, E. B.
Callahan	Fossella	Johnson, Sam
Calvert	Fowler	Jones
Campbell	Franks (NJ)	Kasich
Canady	Frelinghuysen	Kelly
Cannon	Frost	Kennedy (MA)
Cardin	Gallely	Kennedy (RI)
Castle	Ganske	Kennelly
Chambliss	Gejdenson	Kildee
Chenoweth	Gekas	Kim
Clement	Gibbons	King (NY)
Clyburn	Gilchrest	Klink
Coburn	Gillmor	Klug
Collins	Gilman	Knollenberg
Combest	Goode	Kolbe

LaHood	Paxon	Smith (NJ)
Lampson	Pease	Smith (OR)
Lantos	Pelosi	Smith (TX)
Largent	Peterson (PA)	Smith, Adam
Latham	Pickering	Smith, Linda
LaTourette	Pickett	Snowbarger
Lazio	Pitts	Snyder
Leach	Pombo	Souder
Levin	Pomeroy	Spence
Lewis (CA)	Portman	Spratt
Lewis (KY)	Price (NC)	Stenholm
Linder	Pryce (OH)	Stokes
Livingston	Quinn	Stump
LoBiondo	Rahall	Sununu
Lowe	Redmond	Talent
Lucas	Regula	Tanner
Maloney (NY)	Reyes	Tauscher
Manton	Riggs	Tauzin
Manzullo	Riley	Taylor (MS)
Matsui	Rogan	Thomas
McCarthy (NY)	Rogers	Thornberry
McCollum	Ros-Lehtinen	Thune
McCree	Rothman	Thurman
McDade	Roukema	Tiahrt
McHale	Ryun	Towns
McInnis	Sabo	Traficant
McIntosh	Salmon	Turner
McIntyre	Sandlin	Visclosky
McKeon	Sanford	Walsh
Meek (FL)	Sawyer	Wamp
Menendez	Saxton	Watkins
Mica	Scarborough	Watts (OK)
Miller (FL)	Schaefer, Dan	Waxman
Mollohan	Schaffer, Bob	Weldon (FL)
Moran (KS)	Scott	Weldon (PA)
Myrick	Serrano	Weller
Ney	Sessions	Wexler
Northup	Shadegg	Weygand
Norwood	Shaw	White
Nussle	Sherman	Whitfield
Ortiz	Shimkus	Wicker
Oxley	Shuster	Wise
Packard	Sisisky	Wolf
Pallone	Skeen	Wynn
Pappas	Skelton	Young (AK)
Pascrell	Smith (MI)	Young (FL)

NOT VOTING—21

Bateman	Hefner	Neumann
Christensen	LaFalce	Parker
Dingell	Martinez	Radanovich
Dixon	McHugh	Skaggs
Doyle	McNulty	Solomon
Gonzalez	Murtha	Stupak
Hastings (FL)	Nethercutt	Taylor (NC)

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. NEY, assumed the Chair.

When Mr. THORNBERRY, Chairman, pursuant to House Resolution 420, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1999".

(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. Community management account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Application of sanctions laws to intelligence activities.

Sec. 304. Sense of the Congress on intelligence community contracting.

Sec. 305. Annual report on intelligence community cooperation with domestic Federal law enforcement agencies.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Enhanced protective authority for CIA personnel and family members.

Sec. 402. Technical amendments.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Extension of authority to engage in commercial activities as security for intelligence collection activities.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1999 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The National Reconnaissance Office.
- (11) The National Imagery and Mapping Agency.

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, 1999, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 3694 of the 105th Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1999 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall

promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1999 the sum of \$139,123,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2000.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Community Management Account of the Director of Central Intelligence is authorized 283 full-time personnel as of September 30, 1999. Personnel serving in such elements may be permanent employees of the Community Management Staff 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 Community Management Account by subsection (a), there is also authorized to be appropriated for the Community Management Account for fiscal year 1999 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 1999, there is authorized such additional personnel for such elements as of that date as is specified in the classified Schedule of Authorizations.

(d) **REIMBURSEMENT.**—Except as provided in section 113 of the National Security Act of 1947, during fiscal year 1999, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the 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 for the performance of temporary functions as required by the Director of Central Intelligence.

(e) **NATIONAL DRUG INTELLIGENCE CENTER.**—

(1) **IN GENERAL.**—Of the amount appropriated pursuant to the authorization in subsection (a), the amount of \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2000, and funds provided for procurement purposes shall remain available until September 30, 2001.

(2) **TRANSFER OF FUNDS.**—The Director of Central Intelligence shall transfer to the Attorney General of the United States funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) **LIMITATION.**—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403-3(d)(1)).

(4) **AUTHORITY.**—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

(f) **TRANSFER AUTHORITY FOR FUNDS FOR SECURITY REQUIREMENTS AT OVERSEAS LOCATIONS.**—

(1) **IN GENERAL.**—Of the amount appropriated pursuant to the authorization in subsection (a), the Director of Central Intelligence may transfer funds to departments or other agencies for the sole purpose of supporting certain intelligence community security requirements at overseas locations, as specified by the Director.

(2) **LIMITATION.**—Amounts made available for departments or agencies under paragraph (1) shall be—

(A) transferred to the specific appropriation;

(B) allocated to the specific account in the specific amount, as determined by the Director;

(C) merged with funds in such account that are available for architectural and engineering support expenses at overseas locations; and

(D) available only for the same purposes, and subject to the same terms and conditions, as the funds described in subparagraph (C).

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 1999 the sum of \$201,500,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

Section 905 of the National Security Act of 1947 (50 U.S.C. 441d) is amended by striking out “January 6, 1999” and inserting in lieu thereof “January 6, 2000”.

SEC. 304. SENSE OF THE CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of the Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

SEC. 305. ANNUAL REPORT ON INTELLIGENCE COMMUNITY COOPERATION WITH DOMESTIC FEDERAL LAW ENFORCEMENT AGENCIES.

Not later than 90 days after the end of each fiscal year ending after the date of the enactment of this Act, the Director of Central Intelligence shall submit a report to the Congress that describes the level of cooperation and assistance provided to domestic Federal law enforcement agencies by the intelligence community during such fiscal year relating to the effort to stop the flow of illegal drugs into the United States through the United States-Mexico border and the United States-Canada border.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. ENHANCED PROTECTIVE AUTHORITY FOR CIA PERSONNEL AND FAMILY MEMBERS.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(4)) is amended by striking out “and the protection of Agency personnel and of defectors, their families” and inserting in lieu thereof “and the protection of current and former Agency personnel and their immediate families, and defectors and their immediate families”.

SEC. 402. TECHNICAL AMENDMENTS.

(a) **CENTRAL INTELLIGENCE AGENCY ACT OF 1949.**—(1) Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended—

(A) by striking out “subparagraphs (B) and (C) of section 102(a)(2)” and inserting in lieu thereof “paragraphs (2) and (3) of section 102(a)”;

(B) by striking out “(c)(5)” and inserting in lieu thereof “(c)(6)”;

(C) by inserting “(3),” after “403(a)(2),”;

(D) by inserting “(c)(6), (d)” after “403-3”; and

(E) by inserting “(a), (g)” after “403-4”.

(2) Section 6 of such Act (50 U.S.C. 403g) is amended by striking out “(c)(5)” each place it appears and inserting in lieu thereof “(c)(6)”.

(b) **CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.**—Section 201(c) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2011(c)) is amended by striking out “(c)(5)” each place it appears and inserting in lieu thereof “(c)(6)”.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. EXTENSION OF AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended by striking out “December 31, 1998” and inserting in lieu thereof “December 31, 2001”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. NEY, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶41.15 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GOSS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make such technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶41.16 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, May 11, 1998, at 2 o'clock p.m.

¶41.17 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns on Monday, May 11, 1998, it ad-