Mr. FARENTHOLD. Mr. Speaker, since December, fires have been ravaging drought-stricken Texas, claiming 2 lives, more than 1,500 homes, and 3.5 million acres of land. My deepest prayers and sympathy go out to the victims of these wildfires. My thanks and appreciation go out to those brave firefighters battling these devastating flames.

FEMA and the White House must help Texas during this time of natural disaster and provide the tools needed to fight these devastating fires. Dissaters like these fires is why FEMA was created. Just this week, fires have crept into eight more counties, forcing thousands to evacuate and wait in fear, praying their homes and life savings don't go up in smoke.

I'll do more than pray. The House of Representatives will find the necessary tools to combat this disaster, and I'll push government at all levels to provide the necessary resources for firefighters.

If you live in one of these danger zones, like folks in Bastrop and surrounding counties, please listen to Federal, State, and local officials' warnings and advice. And I will continue to pray for rain and the safety of those involved in this disaster and those in harm's way.

GETTING AMERICANS BACK TO WORK

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

Mr. CICILLINE. Madam Speaker, having spent the last several weeks in Rhode Island with families, small business owners, manufacturers and builders, people in my district are hurting, facing real struggles every single day. The jobs crisis is causing real anxiety and real havoc in their daily lives.

Last night, the President laid out a serious plan to get Rhode Islanders and Americans back to work. The President put forth a jobs plan that reflects many of the priorities I have been working on and have heard during my community suppers, small business tours, and visits with manufacturers. We heard strategies to rebuild American manufacturing and to make it in America again, creating jobs by enacting small business tax cuts, supporting workers by expanding middle class tax cuts, and rebuilding our Nation's roads, bridges, and schools. And providing greater support and job opportunities for returning veterans, the long-term unemployed, and our young people.

The time for taking action to create jobs is now. Americans have endured the crushing consequences of this economic recession for far too long, and there is no time to waste.

TEXAS FIRES

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

Mr. Speaker, since December, fires have been ravaging drought-stricken Texas, claiming 2 lives, more than 1,500 homes, and 3.5 million acres of land. My deepest prayers and sympathy go out to the victims of these wildfires. My thanks and appreciation go out to those brave firefighters battling these devastating flames.

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CONGRESS SHOULD DO WHAT'S RIGHT FOR AMERICA

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today with a simple message: Let's stay here and work for America. Last night, the President stood right there and challenged us to do what's right for America. We should do that. But you know what we're going to do? We're going to knock off early at noon today.

The President wasn't allowed to speak on Wednesday because we had important business: we had one procedural vote to allow the Capitol grounds to be used for an event. That is unacceptable. We should stay here and work and git 'er done.

Last night, I brought Lee Hiller to the speech. Lee is a heavy crane operator with the Operating Engineers. He said one thing to me: I've got guys who want to work; they're ready to work; put us to work.

Today, schoolteachers are waking up all across America, getting up early and staying late to educate our children. Nurses are going to work 12-hour shifts curing the sick, and veterans overseas will work long hours protecting this Nation. The least we can do is stay here and do our job.

Mr. Speaker, I encourage Americans all across this great Nation to call their Members of Congress, tell them to git 'er done and work the way they're paid to do. Let's stay here and do that.
days in which to revise and extend their remarks and include extraneous material on H.R. 1892.

The SPEAKER pro tempore (Mr. BRADY of Texas). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 392 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. 1892.

Most honorably,

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. 1892) to authorize appropriations for fiscal year 2012 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 Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will continue 30 seconds.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

Madam Chair, I first wish to announce that, subsequent to ordering the bill reported, the committee has modified the classified schedule of authorizations to the bill with respect to the level of funding of certain programs, with bipartisan agreement between myself and my ranking member, Mr. RUPPERSBERGER.

The classified annex containing the schedule of authorizations is available for review by all Members of the House, subject to the rules of the House. The committee has defined the scope of this schedule to include all programs modified through this process. The committee has ensured that the Small Business Administration and national security programs are not included in the classified annex.

In order to expedite Floor consideration of the legislation, the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill.

The bill also reflects our tough economic times as well, Madam Chair. After passage of the Budget Control Act, the committee revamped the bill it reported out of committee in May to double budget savings in FY12. The bill is significantly below the President's FY12 budget request and further still below the FY11 authorized and appropriated levels. We accomplished this without impacting the mission. The committee cut costs through a whole series of joint work and effort by many to merge services and find savings that would bring efficiencies, as I said, again, Madam Chair, without impacting the mission of the intelligence services.

The bill curbs unnecessary personnel growth. The cost of additional personnel would squeeze funding for high-tech investments, which is our competitive advantage in intelligence. While the bill denies most of the administration's requested personnel increases, it adds some key positions in high priority areas such as cyber defense. The bill also promotes major operating efficiencies in a number of areas, including data processing, IT, and office leases, finding over $100 million in savings.

This bill also makes only “best value” investments and saves $1 billion from a handful of very large-ticket hardware items and programs that the intelligence community is involved in. The bill protects investments in cutting-edge R&D and redirects $500 million of savings to invest in some game-changing technologies.

The bottom line is this bipartisan bill preserves and advances national security, and it is also fiscally responsible. Secrecy is a necessary part of our country’s intelligence work, so the intelligence committees must conduct strong and effective oversight on behalf of the American people. That oversight is impossible, however, without an annual Intelligence Authorization bill. Madam Chair, that’s why we stand before you today with a bill that I think this body can be proud of. America can be proud of, and our intelligence community can take to the bank that we’re investing in their mission success.

H. RUPPERSBERGER, Chairman, House Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR CHAIRMAN ROGERS: I write to confirm our mutual understanding regarding provisions in the Intelligence Authorization Act for Fiscal Year 2012 within the jurisdiction of the Committee on Foreign Affairs Committee, specifically the preparation of Nuclear Proliferation Assessment Statements and a requirement that the Department of State provide information concerning individual detained at Naval Station, Guantanamo Bay, Cuba. We appreciate your agreeing to include the House Foreign Affairs Committee and the Senate Foreign Relations Committee in the list of committees to which this information will be submitted.

In order to expedite Floor consideration of the legislation, the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill. The Committee takes this action with the mutual understanding that the Committee will not object to the inclusion of these two provisions onto the bill.

The Committee reserves the right to seek appointment to any House-Senate conference on this legislation, and requests your support if such a request is made. I would appreciate your including this letter in the Congressional Record during consideration of the legislation on the House Floor.

Sincerely,

Ileana Ros-Lehtinen,
Chairman.

H. ROGERS, Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN ROGERS: Thank you for your letter regarding H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012. As you noted, this bill falls within the jurisdiction of the Committee on Foreign Affairs. I will continue to work with you on these sections and will support the request of the Committee on Foreign Affairs for conference in any conference that may occur on the bill.

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 Foreign Affairs and any jurisdiction it may have over provisions of the bill or any matters under your jurisdiction, 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,

Mike Rogers
Chairman

I reserve the balance of my time. 

Mr. RUPPERSBERGER. Madam Chair, I rise today in favor of the Intelligence Authorization Act for FY 2012, and I yield myself such time as I may consume.

When Chairman ROGERS and I took over leadership of the House Permanent Select Committee on Intelligence, we made a commitment to getting back into the practice of passing intelligence budgets. We made a commitment to the men and women of the intelligence community to do what is right—to give our intelligence professionals the resources, capabilities, and authorities they need to keep us safe.

We on the Intelligence Committee have a responsibility to provide effective oversight; to help build up the community, not to tear it down; to hold the community accountable for performance while upholding the Constitution and protecting civil liberties. This is even more important today as we approach the 10-year anniversary of 9/11, where close to 3,000 innocent Americans lost their lives.

The bill makes smart choices by trimming where possible, eliminating duplicative efforts, and ensuring we do not affect the current critical capabilities that protect our nation now and in the future.

The bill aligns our resources with our current threats in a fiscally responsible manner. After the debt debate this last summer, our committee trimmed our budget even further to keep its costs in check. The bill curbs personal growth when appropriate, never affecting the core mission. It invests in new positions for select high-priority needs, such as FBI surveillance officers to keep watch on terrorists, NSA cyber professionals to protect computers from malicious intrusions, and Treasury financial analysts to unravel terrorist plots.

We found major savings in operating costs, pushed down the price of programs through intense oversight, required acquisitions to come in on budget and on schedule, and invested in research and technology to keep our competitive edge. We fully funded the President’s major satellite program as well as commercial imagery to ensure our intelligence professionals, the warfighters and our allies have the information they need on the front lines around the world.

Right now, this bill includes two controversial provisions relating to Guantanamo Bay detainees and another making the Director of the National Security Agency a Senate-confirmed position. These provisions garnered a veto threat from the White House. Chairman ROGERS and I worked together to come up with a solution. Today’s manager’s amendment withdraws the Gitmo and the NSA Director provisions. I encourage all Members to vote in favor of the manager’s amendment. If these provisions can be successfully eliminated, I will support this bill and look forward to seeing it become law. This bill will make great investments in space, cyber, and the warfighter.

Republicans and Democrats have worked together with our Senate counterparts to make this a good bipartisan bill. Intelligence is clearly the best defense against terrorism. This is even more important as we approach the 10-year anniversary of the September 11 attacks.

If this bill is signed into law, it will be the third time in 3 years that the Intelligence Committee passed an Intelligence Authorization Act. For the 5 years before that, we did not have an Intelligence bill.

With this bill, we are giving the intelligence community guidance and critical direction. We are doing our job. With the passage of the manager’s amendment, I believe this is a good bipartisan bill that makes important decisions to protect our families and communities. I urge my colleagues to support it.

I reserve the balance of my time. 

Mr. RUPPERSBERGER. I yield 4 minutes to the gentleman from California (Mr. THOMPSON), the vice chair on the Democratic side of the Intelligence Committee.

Mr. THOMPSON of California. Madam Chair, I rise in support of H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012, as amended by the manager’s amendment.

As the ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, I am pleased that we were able to work together to bring a bipartisan Intelligence authorization bill to the floor today.

H.R. 1892 will support critical U.S. intelligence capabilities by strengthening funding for our intelligence collection programs, enhancing counterintelligence efforts, and improving upon critical training operations vital to the future of the intelligence community.

This legislation also includes two provisions that I authored. The first provision requires the Director of National Intelligence to compile a threat assessment on the mid-level drug traffickers that are increasingly turning to public lands in the United States to further their operations.

Last year alone, over 3 million marijuana plants were eradicated on 62,000 acres of federal land. I have seen firsthand the impact of these illegal drugs’ growth has been profound, leading to unacceptable levels of violence and the devastation of our environment and our natural resources. Our public lands have been taken away from our citizens. This is wrong, and it must be stopped.

This threat assessment will examine the ability of law enforcement and the intelligence community to gather, process, and share critical intelligence information regarding the presence of foreign drug traffickers on our Federal public lands. This coordination between the intelligence community and local law enforcement is extremely important.

The second provision that I authored requires the Director of the Central Intelligence Agency to provide Congress with a full report on the events surrounding the May 2011 Osama bin Laden raid. This record, once complete, will provide an official account of a critical point in our country’s history.

We are all proud of the intelligence community’s extraordinary effort in carrying out the bin Laden operation. I believe it is necessary that we never forget what actually happened in the raid and to be able to recognize the amazing contribution of the intelligence community and this important success.

The historical significance of this mission cannot be understated. That’s why we must make a determined effort to document and preserve all that went into this operation so that in the future the history books will be accurate and complete. I would like to just take a moment to thank my friend, a former committee colleague of ours, Representative Espelid, for her work on this important part of the bill.

Madam Chair, our intelligence community must be prepared for any and all threats. While Osama bin Laden may no longer pose a direct threat to our country’s safety and security, the remaining elements of al Qaeda and other emerging terrorist organizations are more determined than ever. It is critical for Congress to pass an Intelligence authorization that furthers our national security, which I believe this bill, with a manager’s amendment, will do.

This legislation is necessary, will enhance the capabilities of the intelligence community, specifically our counterterrorism efforts, and will make our Nation stronger. I urge my colleagues to support the amended bill.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time. 

Mr. RUPPERSBERGER. Madam Chair, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend from Marysville.

Madam Chair, I rise in strong support of the dedicated public servants of our intelligence community. Their work to ensure national security is to be commended. However, I must oppose the Intelligence Authorization Act of 2012. All too often, after 9/11, the United States continues to use its intelligence and defense apparatus in ways that undermine the rule of law at home and abroad.

There are plenty of examples, in Pakistan, Afghanistan, Iraq, and...
They found that they were following the politics and all the rhetoric around the power and said, all of the kinds of things and all the rhetoric around the political campaign just wasn’t true. They found that they were following the law. They were complying with the missions and guidelines and objectives in accordance with the law of the United States. So they are, in fact following the law.

There was no, absolutely no role for the CIA to overthrow the Qadhafi regime. That is just false. So I think we need to be careful about making these assertions that are pretty damning, if you will, that are completely inaccurate. We may believe that happened. I can tell you right now, chairman, and my friend, DUTCH RUPPERSBERGER, we watch this closely.

One of the reasons I hope he will change his mind on the bill, Madam Chair, is that we need the ability to have oversight of these 17 agencies. This bill allows us to do it. By having no bill for 6 years, no authorization bill of any meaning was passed in this House. That’s when problems start.

Mr. RUPPERSBERGER. Will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Ohio.

Madam Chair, I have a lot of respect for the gentleman from Ohio. I think on this, unfortunately, his facts were just not correct. It’s interesting in the business of intelligence because so much of it is classified that the rhetoric is easy to throw around and the condemnation is easy to heap on the very brave men and women who are following the law that we give them overseas. And I think that’s one of the reasons that this administration came to power. Much of it is classified that the rhetoric and all the rhetoric around the political campaign just wasn’t true. They found that they were following

There was no CIA involvement in the regime change, none. That did not happen. I don’t know where that got started. That is inaccurate information, and I would be careful about throwing out that the agency was involved in some regime changes. They were not.

We have pressed the administration to be more aggressive on accounting for and rendering safe weapons systems that are scattered all around Libya. We saw this in Iraq. When the regime uses these weapons, it’s not to protect the citizens of its own state but to protect its regime, it becomes much more difficult to get a handle on it. We ought to be celebrating the agency’s work in trying to determine where these systems are and how we render them safe and account for them, and one way we can do that is passing this bill that gives them the resources to do exactly that.

I would hope the gentleman would have a change of heart.

Mr. RUPPERSBERGER. Will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Ohio.

Mr. RUPPERSBERGER. I just want to confirm, Mr. KUCINICH, I do respect your comments and your point of view, but our role on the Intelligence Committee is oversight. When we can pass bills, we work and oversee all these agencies. And if we find out where there are allegations of a concern, let’s discuss them, and we will work on what we can do to get information. But I know of no situation that we have not been told in the last couple of years, when Mr. Rogers and I have been working together.

I think it’s important for the United States of America to remember this. In my opinion, the best defense against terrorism is intelligence, and it’s got to be done the right way and protect civil liberties.

Mr. ROGERS of Michigan. I respect the gentleman from Ohio’s position as well and hope that we can work out those differences as we move forward. I reserve the balance of my time.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the ranking member for his leadership in so many ways before this Congress, and Chairwoman ROGERS for his lifetime commitment to protecting Americans even as a former FBI agent.

I want to underscore what the ranking member said. The best defense against terrorism is intelligence, and we need to support this bill in every single way. We were reminded of the need for intelligence yesterday when Mayor Bloomberg announced there was a credible threat against New York and Washington. And where did this information come from? It came from the intelligence community. The 9/11 Commission report said the biggest failure in preventing 9/11 was a failure in our intelligence system. This Congress came together, and
I was proud to have worked with and helped author a bill that was the first major reorganization and the most fundamental since 1948, where it brought all 17 agencies together under Homeland Security and one director to gather information to make us safer.

This bill very critically supports the task forces, the joint terrorism task forces that are sharing information and protecting our citizens, and this bill approaches and focuses on cyber attacks, which are one of the most serious and those that we have in our country now on the Pentagon and on financial institutions. Foreign countries are hacking into our information systems. This bill addresses that and focuses resources and oversight in that area.

I congratulate this bipartisan effort. I consider it one of the most important bills that we have an opportunity to vote on, and I support it completely.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair. I yield 3 minutes to my good friend from Rhode Island, Jim LANGEVIN.

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

Mr. LANGEVIN. Let me just say how proud I am to support the FY 2012 Intelligence Authorization Act. I appreciate the leadership of both Chairman ROGERS and Ranking Member RUPPERSBERGER in crafting this bill. This has truly been a bipartisan effort of which I have been proud to be a part.

I am pleased that this bill includes funding to accelerate implementation of an insider threat detection program, and that’s both on the cyber front but also in cases like the Hasan case that was tragically in the news and that occurred not long ago and cost many lives.

This bill basically requires best practices implemented within the Army to be reviewed for inclusion across the intelligence community. That’s referring to their insider threat detection program.

In addition, the bill supports critical resources needed for cybersecurity, the broader cybersecurity threat, a threat which demands the attention of our national security specialists and the entire country.

As the successful operation against Osama bin Laden showed us earlier this year, the intelligence community has made significant strides toward working together to counter the most complex threats facing our Nation. This productive cooperation and integration embodies the intent of Congressional intelligence reforms made after the tragic events of 9/11, and I’m encouraged to see this progress in the area of information-sharing.

Yet while the sharing of classified information is imperative to keep our country safe, unrestrained and unregulated access can put our country at great risk. As we have seen from both the damage of WikiLeaks and historical espionage cases, the threat from a malicious insider with the keys to the kingdom is very real. We are far beyond the risk of paper documents being copied and carried out. Today the question is how much information can a potential leaker or spy fit on to a USB drive or a CD.

Although technological advances have strengthened the efforts our intelligence community, they have also increased the risk.

Now, with this serious concern in mind, I’m proud that this bill requires the DNI to review improvements made by the Army’s insider threat regulations and consider implementation of these practices across the entire intelligence community.

In addition, the bill accelerates other technical initiatives within the insider infrastructure. I know that it is imperative that we ensure that our security officers and network administrators have the capabilities in place to protect our most sensitive information.

Now, in enormous resources spent on security clearances, protecting classified information, and securing networks across the globe, it also makes fiscal sense to protect our investment by taking advantage of the auditing software already available today. The access to classified information bears with it significant responsibilities, one that I know that I and my colleagues on the committee take very seriously.

The other serious threats which this bill addresses are the risks posed to our broader cyber networks. Now, I’m proud that it strengthens resources and it furthers the administration’s efforts to address the threats of our critical infrastructure. I know that that is something that is also shared by my colleague, Congressman RUPPERSBERGER.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman 1 additional minute.

Mr. LANGEVIN. While I applaud the administration’s work, I think that we need to go further to raise awareness and work with both public and private sector partners to meet this threat. We cannot afford to continue operating with the massive digital vulnerabilities to not just our sensitive information but also our important intellectual property and the foundation of our innovative economy. Addressing these threats must become a national priority, and we must work quickly to grow our current and future cyber workforce to fill the rising demand for cybersecurity information assurance.

This bill helps secure our sensitive information and vital networks to threats from malicious actors beyond our borders and on the inside because of these important provisions, along with the other merits cited by my colleagues today.

I thank again Chairman ROGERS and Ranking Member RUPPERSBERGER for the outstanding bipartisan cooperation we’ve seen in their leadership and also the other members of the committee. It’s a committee that I’m proud to serve on. I thank them and the committee for their work.

I urge Members to support this bill. Mr. ROGERS of Michigan. Madam Chair, I reserve the balance of my time to close.

Mr. RUPPERSBERGER. I yield myself the balance of my time.

It took a long time for us to get here today: days of important hearings, analyzing the intelligence community, hours of critical meetings, making important decisions of what to include and not to include in the bill and lots of time pulling it together.

Republicans and Democrats came together to make important choices to do what’s right for the intelligence community, a force for oversight over the 17 agencies. I think it’s imperative that we ensure that our security officers and network administrators have the capabilities in place to protect our most sensitive information.

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Mr. RUPPERSBERGER. I yield myself the balance of my time.

I want to thank the gentleman from Maryland, who is not only a colleague but a friend, in working so diligently over the course of the summer and really at the beginning of this year to reestablish the Intelligence Committee as a force for oversight over the 17 agencies. It is a tremendous amount of money, and it is a tremendous amount of responsibility because most of what we do happens behind closed doors and is classified.

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at the same table at the same time, which sounds a little—something that should happen more often but it did not and we have reestablished that. We have reestablished the quarterly reviews on all of the programs so that we have regular and consistent oversight on what happens in the intelligence community. That all wouldn’t really have happened without the leadership of Mr. RUPPERSBERGER and his team and my team as well.

There are too many to name who spent countless hours on this particular bill, the leadership team here and all the folks on the Intelligence staff. Honorable mention to Brian Smith, our budget director, who gave a lot of his heart and soul to go through every line and find every penny for us. I know on Mr. RUPPERSBERGER’s staff they have sat beside him the entire time to make that happen.

Without further ado, Madam Chair, we’ll get to the amendments; but, again, the reason this is a product is because this reflects the best of what Congress can do when we work together, and the best of the most amazing people in our intelligence community and what they have to offer in the protection of the United States of America.

With that, I yield back the balance of my time.

Mr. VAN HOLLEN. Madam Chair, I rise in support of H.R. 1892, The 2012 Intelligence Authorization Act and to congratulate Chairman ROGERS and Ranking Member RUPPERSBERGER for their close collaboration on the bill and for their willingness to work together to shape a bi-partisan measure. This legislation demonstrates the Intelligence Committee’s continued commitment to honoring the sacrifices and dedication of the public servants who comprise the Nation’s intelligence community.

Sunday marks the 10th anniversary of the attacks of September 11th, 2001. Today this body will consider two pieces of legislation directly related to that event, H. Res. 391 and H.R. 1892, which expresses the sense of the House regarding the anniversary of the attacks and H.R. 1892.

H.R. 1892, the FY12 Intelligence Authorization Act, authorizes about $80 billion in funding for the 17 agencies that oversee and conduct the nation’s intelligence and intelligence-related activities including the Office of the Director of National Intelligence, the CIA, and the National Security Agency, as well as intelligence activities of the Defense Department, FBI, State Department, Homeland Security Department, and other agencies. The Intelligence Committee has written the bill with enhanced oversight and accountability features to better protect the American taxpayer’s investment in national security and to prevent the wasting of resources. In that regard, the bill cuts one billion dollars from the intelligence budget without sacrificing the Nation’s security by merging services and finding other savings. The bill is fiscally responsible and preserves national security. I support both H. Res. 391 and H.R. 1892 and encourage my colleagues to do the same.

The intelligence apparatus of the country has evolved and improved since the tragic events of September 11th and now collabo-
Sec. 503. Technical amendments to title 18,
Sec. 502. Technical amendments to the National
Ties of the following elements of the United
Sec. 201. Authorization of Appropriations.

SECTION 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Account as of September 30, 2012, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Appropriations referred to in section 102(a).

TITLe V—OTHER MATTERS

Sec. 203. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize the employment of additional full-time equivalent personnel in such element equal to the number of full-time equivalent contract personnel performing such activities,

(1) in a single program, trainee program, or

(2) in a reserve corps or as a reemployed annuitant,
or

(3) in details, joint duty, or long-term, full-
time training.

(b) AUTHORIZATION OF PERSONNEL LEVELS.—In addition to amounts authorized to be appropriated for the Community Intelligence Management Account as of September 30, 2012, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Appropriations referred to in section 102(a).

SEC. 203. 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 amounts as are necessary to comply with the provisions of the Federal Compensation Act of 2011, including the increased benefits authorized by law.
SEC. 302. RESTRICTION ON CONDUCT OF INTEL- LIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitu-
tion or the laws of the United States.

SEC. 303. ANTI-DEFENSE CONTRACTOR HIRING OF NA- TIONAL SECURITY EDUCATION PROGRAM PARTICIPANTS.

Not later than 46 days after the end of each fiscal year 2012, 2013, and 2014, the head of each element of the intelligence community shall submit to the congressional intelligence committees a report concerning the hiring of National Security Education Program participants, containing the number of personnel hired by such element during such fiscal year that were at any time a recipient of a grant or scholarship under section 508 of the National Security Education Act of 1991 (50 U.S.C. 1901 et seq.).

SEC. 304. ENHANCEMENT OF AUTHORITY FOR FLEXIBLE PERSONNEL MANAGEMENT AMONG THE ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 102A of the National Security Act of 1947 (50 U.S.C. 401) is amended—

(1) in subsection (a)(2)—

(A) by inserting "(a)" after "(2)"; and

(B) by adding at the end the following new subparagraph:

"(B) for major system acquisitions requiring a service or capability from another acquisition or program to deliver the end-to-end functionality for the intelligence community end users, independent of the acquisition or program to which such service or capability belongs, the head of the intelligence community shall, to the extent practicable, include the cost of new analysis, training, new hardware and software for data exploitation and analysis, and any unique or additional costs for data processing, storing, and power, space, and cooling across the life cycle of the program. If such costs for proc-

essor, exploitation, dissemination, and storage are scheduled to be executed in other elements of the intelligence community, such element shall identify and annotate such costs for such other elements accordingly."; and

(2) in subsection (e)(2)—

(A) by inserting "(A)" after "(2)"; and

(B) in paragraph (A), as so designated, by striking "associated with the acquisition of a major system" and inserting "associated with the development, acquisition, procurement, op-

eration, and sustainment of a major system across its proposed life cycle."; and

(C) by adding at the end the following:

"(C) in accordance with subsection (a)(2)(B), each independent cost estimate shall include all costs required across elements of the intelligence community to develop, acquire, operate, and sustain the system to provide the end-
to-end intelligence functionality of the system, including—

(i) for collection programs, the cost of new analyst training, new hardware and software for data exploitation and analysis, and any unique or additional costs for data processing, storing, and power, space, and cooling across the life cycle of the program; and

(ii) costs for processing, exploitation, dis-

semination, and storage costs are scheduled to be executed in other elements of the intelligence community, such element shall identify and an-

notate such costs accordingly.".

SEC. 305. PREPARATION OF NUCLEAR PRO lifERATION ASSESSMENT STATEMENTS.

Section 102A of the National Security Act of 1947 (50 U.S.C. 401-3), as amended by section 304 of this Act, is further amended by adding at the end the following new subsection:

"(w) NUCLEAR PROLIFERATION ASSESSMENT STATEMENTS—The Director of National Intelligence, in consultation with other elements of the intelligence community and the Secretary of State, shall provide to the President, the congressional intelligence committees, the Committee on Foreign Affairs of the House of Represen-
tatives, and the Committee on For-

eign Relations of the Senate an addendum to each Nuclear Proliferation Assessment Statement accompanying a civilian nuclear cooperation agreement, containing a comprehen-
sive analysis of the country’s export control system with respect to nuclear-related matters, in- cluding interactions with other countries of pro-
liferation danger, and actual and suspected nuclear, dual-use, or missile-related transfers to such countries.

SEC. 306. COST ESTIMATES.

(a) The amendment of section 506A of the National Security Act of 1947 (50 U.S.C. 45a-1) is amend-
ed—

(1) in subsection (a)(2)—

(A) by inserting "(a)" after "(2)"; and

(B) by adding at the end the following new subparagraph:

"(B) for major system acquisitions requiring a service or capability from another acquisition or program to deliver the end-to-end functionality for the intelligence community end users, inde-

pendent of the acquisition or program to which such service or capability belongs, the head of the intelligence community shall, to the extent practicable, include, to the max-

imum extent practicable, all estimated costs across all pertinent elements of the intelligence community. For collection programs, such cost estimates shall include the cost of new analy-

sis, training, new hardware and software for data exploitation and analysis, and any unique or additional costs for data processing, storing, and power, space, and cooling across the life cycle of the program. If such costs for proc-

essor, exploitation, dissemination, and storage are scheduled to be executed in other elements of the intelligence community, such element shall identify and annotate such costs for such other elements accordingly."; and

SEC. 307. DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

SEC. 308. UPDATES OF INTELLIGENCE RELATING TO TERRORIST RECIDIVISM OF DE TAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) UPDATE.—The Director of National Intelligence shall make publicly available a classified report described in paragraph (1). The amendment made by this section shall supersede or modify any other classified intelligence report on terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba.

(b) TABLE OF CONTENTS.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after section 506H the following new section:

"SECTION 506I. SUMMARY OF INTELLIGENCE RELATING TO TERRORIST RECIDIVISM OF DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

"Sec. 506I. Summary of intelligence relating to terrorist recidivism of detainees currently or formerly held at the Naval Detention Facility at Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station.

"(1) Initial update.—Initial update shall be made publicly available not later than 180 days after the date of the enactment of this Act.

"(2) Update.—Not less frequently than once every 6 months, the Director of National Intelligence shall update and make publicly available an unclassified summary of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from Naval Station.

"(3) Initial update.—The initial update required by section 506I(b) of such Act, as added by this section, shall be made publicly available not later than 10 days after the date the first report following the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 is submitted to members and committees of Congress pursuant to section 319 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 10 U.S.C. 401 note).

"(b) TABLE OF CONTENTS.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506H the following new item:

"Sec. 506I. Summary of intelligence relating to terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba."
(b) INFORMATION REQUIRED.—The information required by subsection (a) shall include the following:

(1) An assessment of the sufficiency of the monitoring undertaken by each foreign country to which an individual referred to in subsection (a) has been transferred.

(2) Any written or verbal agreement between the Secretary and the government of a foreign country that describes monitoring and security assurances related to such an individual.

(3) Each Department of State cable, memorandum, or report relating to or describing the threat such an individual may or may not pose.

SEC. 310. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK

(a) DEFINITIONS.—In this section:

(1) COVERED AGENCY.—The term “covered agency” means any element of the intelligence community other than an element within the Department of Defense.

(2) COVERED ITEM OF SUPPLY.—The term “covered item of supply” means an item of information technology (as that term is defined in section 10101 of title 40, United States Code) that is purchased for inclusion in a covered system, and the use of which could result in a supply chain risk for a covered system.

(3) COVERED PROCUREMENT.—The term “covered procurement” means—

(A) a source selection for a covered system or a covered item of supply; or

(B) any contract action involving a contract for a covered system or a covered item of supply where the award of the contract includes a clause establishing requirements relating to supply chain risk.

(4) COVERED PROCUREMENT ACTION.—The term “covered procurement action” means any of the following actions, if the action takes place in the course of conducting a covered procurement:

(A) The exclusion of a source for the purpose of reducing supply chain risk in the acquisition of covered systems.

(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task order or delivery order.

(C) The decision to withhold consent for a contractor to subcontract with a particular source or to direct a contractor for a covered system or subcomponent to subcontract with a particular source.

(D) A source selection for a covered system.

(E) A source determination for a covered system.

(F) A source determination for a covered item of supply.

(G) A notice that an individual poses a threat to national security.

(h) INFORMATION REQUIRED.—The information required by subsection (a) shall include the following:

(1) A source determination for a covered system or a covered item of supply, including—

(A) the use of the authority in subsection (h)(1) is necessary to protect national security by reducing supply chain risk;

(B) less intrusive measures are not reasonably available to reduce supply chain risk; and

(C) in a case where the head of the covered agency plans to limit disclosure of information to reduce an unacceptable risk to national security due to the disclosure of such information outweighs the risk due to not disclosing such information.

(2) notifying the Director of National Intelligence that there is a significant supply chain risk to the covered system concerned, unless the head of the covered agency making the determination is the Director of National Intelligence; and

(b) AUTHORITY.—Subject to subsection (c), the head of a covered agency may exercise the authority provided in subsection (b) only after—

(1) any appropriate consultation with procurement or other relevant officials of the covered agency;

(2) making a determination in writing, which may be in classified form, that—

(A) the use of the authority is in subsection (b)(1) is necessary to protect national security by reducing supply chain risk;

(b) less intrusive measures are not reasonably available to reduce supply chain risk;

(c) in a case where the head of the covered agency plans to limit disclosure of information to reduce an unacceptable risk to national security due to the disclosure of such information outweighs the risk due to not disclosing such information.

(d) SAVINGS.—The authority under this section is in addition to any other authority under any other provision of law. The authority under this section shall not be construed to alter or affect the exercise of any other provision of law.

(e) EFFECTIVE DATE.—The requirements of this section shall apply to covered procurement actions (as defined in subsection (b)(4)) that take effect after one year after the date of the enactment of this Act, and shall apply to contracts awarded on or after such date.


SEC. 311. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS

(a) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 104(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 403–1b(b)) is amended by striking paragraphs (3) and (4).

(b) INTELLIGENCE ACT FOR FISCAL YEAR 2003.—Section 904(d)(1) of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 682(d)(1)) is amended by striking “on an annual basis”.

(c) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1999.—Section 809 of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. App. 2170b) is amended—

(1) by striking subsection (b); and

(2) in subsection (c), by striking “reports referred to in subsection (a)” and inserting “reports referred to in subsection (a).”

(d) REPORT ON TEMPORARY PERSONNEL AUTHORIZATIONS FOR CRITICAL LANGUAGE TRAINING.—Section 113(e)(1) of the National Security Act of 1947 (50 U.S.C. 403–1(e)), as amended by section 306 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 124 Stat. 2661), is amended by striking “The” and inserting “For each of the fiscal years 2010, 2011, and 2012, the.”

TABLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. REPORT AND STRATEGIC PLAN ON DRUG TRAFFICKING ORGANIZATIONS AND IMPACT ON PUBLIC LANDS

(a) REQUIREMENT FOR REPORT.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on—

(1) the intelligence collection efforts of the United States that assess the threat from covered entities that take close intelligence gaps previously used public lands in the United States to further their operations; and

(2) efforts to protect public lands of the United States entities of public lands for illegal purposes.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the intelligence collection efforts of the United States dedicated to covered entities.

(2) An assessment of any problems that may require the overall effectiveness of United States intelligence collection and analysis to identify and protect public lands from illegal drug grows and other activities and threats of covered entities.

(A) intelligence collection gaps or inefficiencies;

(B) information sharing practices in the intelligence community and other agencies, including Federal land management agencies; and

(C) cooperation among Federal departments or agencies.

(3) A strategic plan prepared by the Director of National Intelligence that describes actions the appropriate elements of the intelligence community can take to close intelligence gaps related to covered entities, and provide intelligence in support of efforts by Federal land management agencies to counter the use by covered entities of public lands for illegal purposes.

(4) A description of appropriate goals, schedules, milestones, or metrics to measure the long-term effectiveness of actions implemented to carry out the plan described in paragraph (4).

(c) IMPLEMENTATION OF STRATEGIC PLAN.—Not later than 30 days after the date on which the Director of National Intelligence submits the report required by subsection (a), the Director shall begin implementation of the strategic plan described in subsection (b)(4).

(d) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term “covered entity” means an international drug trafficking organization or other actor involved in drug trafficking generally.

(2) FEDERAL LAND MANAGEMENT AGENCY.—The term “Federal land management agency” includes—

(A) the Forest Service of the Department of Agriculture;

(B) the Bureau of Land Management of the Department of the Interior;

(C) the National Park Service of the Department of the Interior;

(D) the Fish and Wildlife Service of the Department of the Interior; and

(E) the Bureau of Reclamation of the Department of the Interior.

(3) PUBLIC LANDS.—The term “public lands” has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

SEC. 402. APPLICATION OF CERTAIN FINANCIAL REPORTING REQUIREMENTS TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

For each of the fiscal years 2010, 2011, and 2012, the requirements of section 3515 of title 31,
United States Code, to submit an audited financial statement shall not apply to the Office of the Director of National Intelligence if the Director of National Intelligence determines and notifies Congress in writing that audited financial statements for such years for such Office cannot be produced on a cost-effective basis.

SEC. 403. PUBLIC AVAILABILITY OF INFORMATION REGARDING THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 108B of the National Security Act of 1947 (50 U.S.C. 403–3b) is amended by adding at the end the following new subsection:

(o) INFORMATION ON WEBSITE.—(1) The Director of the Intelligence Community shall establish and maintain on the homepage of the publicly accessible website of the Office of the Director of National Intelligence information relating to the Office of the Inspector General of the Intelligence Community including methods to contact the Inspector General.

(2) The information referred to in paragraph (1) shall be obvious and facilitate accessibility to the information related to the Office of the Inspector General of the Intelligence Community.

SEC. 404. CLARIFICATION OF STATUS OF CHIEF INFORMATION OFFICER IN THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by adding at the end the following new section: "Chief Information Officer of the Intelligence Community.".

Subtitle B—Central Intelligence Agency

SEC. 411. BURIAL ALLOWANCE.

(a) In General.—Section 11 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403k) is amended—

(1) in the heading, by inserting "AND BURIAL ALLOWANCE" after "GRATUITIES"; and

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

(c)(1) At the request of a representative of the estate of any officer or employee of the Agency (as determined in accordance with the laws of a State) who dies in a manner described in subsection (a)(1), the Director may pay to such estate a burial allowance.

(2) A burial allowance paid under paragraph (1) may be used to cover burial expenses, including recovery, mortuary, funeral or memorial service, cremation, burial costs, and costs of transportation by common carrier to the place selected for final disposition of the deceased.

(3) Each payment made under this subsection shall be—

(A) in an amount no greater than $15,000 plus the actual costs of transportation referred to in paragraph (2); and

(B) in addition to any other benefit that may be due under any other provision of law.

(4) The Director may annually increase the amount in paragraph (3)(A) to reflect any increase in the Consumer Price Index occurring during the preceding calendar year.

(5) The Director may pay the burial benefit authorized under this subsection more than once for funeral, memorial, or burial expenses stemming from a single death of an officer or employee of the Agency if the remains of such officer or employee were not recovered, were recovered after considerable delay, or were not recovered intact.

(b) EFFECTIVE DATE OF AUTHORITY TO INCREASE ALLOWANCE.—Section 11(c)(4) of the Central Intelligence Agency Act of 1949, as added by section 203, shall apply to any increase on the date that is one year after the date of the enactment of this Act.

SEC. 412. ACCEPTANCE OF GIFTS.

Section 12 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403–4a) is amended—

(1) in subsection (a)—

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

(B) by striking the second and third sentences and inserting the following:

"(2) Any gift accepted under this section (and any income produced by any such gift)—

(A) may be used only for—

(i) artistic display;

(ii) purposes relating to the general welfare, education, or recreation of employees or dependents of employees of the Agency or for similar purposes;

(iii) purposes relating to the welfare, education, or recreation of an individual described in paragraph (3); and

(B) under no circumstances may such a gift (or any income produced by any such gift) be used for operational purposes.

(3) An individual described in this paragraph is an individual who—

(i) resulted from hostile or terrorist activities;

(ii) occurred in connection with an intelligence activity having a significant element of risk; or

(iii) occurred under other circumstances determined by the Director to be analogous to the circumstances described in clause (i) or (ii);

(B) is a family member of such an employee or former employee (including the spouse and a parent, child, or sibling of such employee or former employee);

(C) is a surviving family member of an employee of the Agency who died in circumstances described in clause (i), (ii), or (iii) of subparagraph (A).

(4) The Director may not accept any gift under this section that is expressly conditioned upon any expenditure not to be met from the gift itself or from income produced by the gift unless such expenditure has been authorized by law.

(5) The Director may, in the Director's discretion, determine that an individual described in subparagraph (A) or (B) of paragraph (3) may accept a gift for the purposes described in paragraph (2)(A)(iii); and

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

(f) The Director, in consultation with the Director of the Office of Government Ethics, shall issue regulations to carry out the authority provided in this section. Such regulations shall ensure that such authority is exercised consistent with all relevant ethical constraints and principles, including—

(1) the avoidance of any prohibited conflict of interest or appearance of impropriety; and

(2) a prohibition on acceptance of a gift from a foreign government or an agent of a foreign government.

SEC. 413. FOREIGN LANGUAGE PROFICIENCY REQUISITES FOR SENIOR INTELLIGENCE AGENCY OFFICERS.

(a) In General.—Section 104A(g) of the National Security Act of 1947 (50 U.S.C. 403–4a) is amended—

(1) in paragraph (1)—

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

(i) by inserting "in the Directorate of Intelligence career service or the National Clandestine Service career service" after "an individual";

(ii) by inserting "or promoted" after "appointed"; and

(iii) by striking "individual" and inserting "individual has been certified as having a professional speaking and reading proficiency in a foreign language, such proficiency being at least level 3 on the Interagency Language Roundtable Language Skills Level or commensurate proficiency level using such other indicator of proficiency as the Director of the Central Intelligence Agency considers appropriate.";

(B) by striking subparagraphs (A) and (B); and

(2) in paragraph (2), by striking "position or category of positions that term appears and inserting "position, category of positions, or occupation".

(b) EFFECTIVE DATE.—Section 611(b) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 50 U.S.C. 403–4a note) is amended—

(1) by striking "or promotions" after "appointments"; and

(2) by striking "that is one year after the date".

(c) 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—

(A) by striking "positions" and inserting "individual waivers"; and

(B) by striking "Directorate of Operations" and inserting "National Clandestine Service"; and

(2) in the second sentence, by striking "position or category of positions" and inserting "position, category of positions, or occupation".

(d) REPORT ON TRANSFERS.—Not later than 45 days after the date of the enactment of this Act, and on an annual basis for each of the following 3 years, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the number of Senior Intelligence Service employees of the Agency who—

(1) were transferred during the reporting period to a Senior Intelligence Service position in the Directorate of Intelligence or the National Clandestine Service career service; and

(2) did not meet the foreign language requirements specified in section 104A(f)(1) of the National Security Act of 1947 (50 U.S.C. 403–4a(g)(1)) at the time of such transfer.

SEC. 414. PUBLIC AVAILABILITY OF INFORMATION REGARDING THE DIRECTORATE GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a) is amended by adding at the end the following new subsection:

(A) INFORMATION ON WEBSITE.—(1) The Director of the Central Intelligence Agency shall establish and maintain on the homepage of the Agency's publicly accessible website information relating to the Office of the Inspector General including methods to contact the Inspector General.

(2) The information referred to in paragraph (1) shall be obvious and facilitate accessibility to the information related to the Office of the Inspector General.

(3) The information referred to in paragraph (1) shall be obvious and facilitate accessibility to the information related to the Office of the Inspector General.

SEC. 415. CREATING AN OFFICIAL RECORD OF THE OSAMA BIN LADEN OPERATION.

(a) FINDINGS.—The Congress finds the following:

(1) On May 1, 2011, United States personnel killed terrorist leader Osama bin Laden during the course of a targeted strike against his secret compound in Abbottabad, Pakistan.

(2) Osama bin Laden was the leader of the al Qaeda terrorist organization, the most significant terrorism threat to the United States and the international community.

(3) Osama bin Laden was the architect of terrorist attacks which included the hijacking of four planes and crashed them into the World Trade Center in New York City, the Pentagon in Washington, D.C., and, due to heroic efforts by civilian passengers to disrupt the terrorists, near Shanksville, Pennsylvania.

(4) Osama bin Laden planned or supported numerous other deadly terrorist attacks against the United States and its allies, including the 1998 bombings of United States embassies in Kenya and Tanzania and the 2000 attack on the U.S.S. Cole in Yemen, and against innocent civilians in countries around the world, including the 2004 attack on the mail trains in Madrid, Spain and the 2005 bombings of the mass transit system in London, England.
5) Following the September 11, 2001, terrorist attacks, the United States, under President George W. Bush, led an international coalition into Afghanistan to dismantle al Qaeda, deny them safe haven in Afghanistan and ungoverned areas along the Pakistani border, and bring Osama bin Laden to justice.
6) In 2009, President Obama in 2009 committed additional forces and resources to efforts in Afghanistan and Pakistan as “the central front in our enduring struggle against terrorism and extremism.”
7) The valiant members of the United States Armed Forces have courageously and vigorously pursued al Qaeda and its affiliates in Afghanistan and Pakistan.
8) The anonymous, unsung heroes of the intelligence community have pursued al Qaeda and affiliates in Afghanistan, Pakistan, and around the world with tremendous dedication, sacrifice, and professionalism.
9) The close collaboration between the Armed Forces and the intelligence community prompted the Director of National Intelligence, General James Clapper, to state, “Never have I seen a more remarkable example of focused integration, seamlessly all the events that led to the magnificence as was demonstrated by the Intelligence Community in the ultimate demise of Osama bin Laden.”
10) The death of Osama bin Laden represents a significant blow to the al Qaeda organization and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to United States national security.
11) President Obama said, “For over two decades, bin Laden and al Qaeda were our nation’s most wanted fugitive and primus inter pares. The death of bin Laden marks the most significant victory against terrorism in a generation.”
12) President Obama went on to state, “At this event as a defining point in the history of the United States, history will note how we used our intelligence capabilities and teamwork; how our nation comes together in the service of its people and its ideals. Americans will look back at this event as a defining point in the history of the United States.”
13) It is vitally important that the United States retain the events that led to the raid so that future generations will have an official record of the events that transpired before, during, and as a result of the operation; and
14) Finally, an independent inquiry now will allow the United States to have an accurate account of the events while those that participated in the events are still serving in the Government.

Title C—National Security Agency

SEC. 421. CONFIRMATION OF APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) Director of National Security Agency.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended—

(1) by inserting “(b)” before “There”;

(b) Sense of Congress.—It is the sense of Congress—

(1) that the raid that killed Osama bin Laden demonstrated the best of the intelligence communities capabilities and teamwork;

(2) for it to come, Americans will look back at this event as a defining point in the history of the United States; and

(c) Effective Date and Applicability.—

(1) In General.—The amendments made by subsection (a) shall take effect upon the earlier of—

(A) the date of the nomination by the President to perform such duties after such date of nomination.

SEC. 422. ADDITIONAL AUTHORITIES FOR NATIONAL SECURITY AGENCY SECURITY PERSONNEL.

(a) Authority to Transport Apprehended Persons.—Paragraph (5) of section 11(a) of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended—

(1) by striking “(b)” and “(c)” and inserting “(b)”;

(2) by striking “the Secretary” and inserting “the Director”;

(3) by inserting at the end the following new subparagraph (D):—

(D) transfer such individual to a location within 30 miles of the premises described in subparagraphs (A) and (B) of paragraph (1).".

(b) Conforming Amendment Relating to Tort Liability.—Paragraph (1) of section 11(d) of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; or”;

and

(3) by adding at the end the following new subparagraph:—

“(D) transport an individual pursuant to subsection (a)(2).”.

Subtitle D—Other Elements

SEC. 431. CODIFICATION OF OFFICE OF INTELLIGENCE AND SECURITY AND THE DEPARTMENT OF HOMELAND SECURITY AS ELEMENT OF THE INTELLIGENCE COMMUNITY.

Section 3(4)(K) of the National Security Act of 1947 (50 U.S.C. 401a(4)(K)) is amended to read as follows:—

“(K) The Office of Intelligence and Analysis of the Department of Homeland Security.”.

SEC. 432. FEDERAL BUREAU OF INVESTIGATION—PART III—DEPARTMENT OF JUSTICE LEAVE BANK.

Subsection (b) of section 6372 of title 5, United States Code, is amended to read as follows:—

“(b) The Director of the Federal Bureau of Investigation may authorize an individual employed by the Bureau to participate in a leave bank program administered by the Department of Justice under this subchapter if the Director’s judgment such participation will not adversely affect the protection of intelligence sources and methods.”.

SEC. 433. ACCOUNTS AND TRANSFER AUTHORITY FOR APPROPRIATIONS AND OTHER AMOUNTS FOR INTELLIGENCE ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) In General.—Chapter 21 of title 10, United States Code, is amended by inserting after section 428 the following new section:


(1) ACCOUNTS FOR APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENT—The Secretary of Defense may transfer appropriations of the Department of Defense which are available for the activities of Defense intelligence elements to an account or accounts established for receipt of such transfers. Each such account may also receive transfers from the Director of National Intelligence if made pursuant to Section 102A of the National Security Act of 1947 (50 U.S.C. 403-1), and transfers and reimbursements arising from transactions, as authorized by law, between a Defense intelligence element and another agency. Appropriations transferred to each such account may be transferred back to the account or accounts from which such appropriations originated as appropriation refunds.

(2) RECORDATION OF TRANSFERS.—Transfers made pursuant to subsection (a) shall be recorded as expenditure transfers.

SEC. 434. AVAILABILITY OF FUNDS.—Funds transferred pursuant to subsection (a) shall remain available for the same time period and for the same purpose as the appropriation from which transferred and shall remain subject to the same limitations provided in the act making the appropriation.

(3) Obligation and Expenditure of Funds.—Funds transferred pursuant to subsection (a) shall only be obligated and expended
in accordance with chapter 15 of title 31 and all other applicable provisions of law.

"(e) Defense Intelligence Element Defined.—In this section, the term "defense intelligence element" means any of the Department of Defense agencies, offices, and elements included within the definition of 'intelligence community' under section 344(d) of the National Security Act of 1947 (50 U.S.C. 401a(3))."

(b) Clerical Amendment.—The table of sections at the beginning of subtitle I of such chapter is amended by adding at the end the following new item:

"429. Appropriations for Defense intelligence elements: accounts for transfers; transfer authority.""
The term “Federal land management agency” includes—
(A) the Forest Service of the Department of Agriculture;
(B) the Bureau of Land Management of the Department of the Interior;
(C) the National Park Service of the Department of the Interior;
(D) the Fish and Wildlife Service of the Department of the Interior; and
(E) the Bureau of Reclamation of the Department of the Interior.

Public Lands.—The term “public lands” has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

Mr. ROGERS of Michigan (during the reading). I ask unanimous consent that the modification be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIR. Without objection, the amendment is modified.

There was no objection.

The CHAIR. The request to House Resolution 392, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The CHAIR recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, this is the manager’s amendment to the bill. These are the last few details that we were able to work out in a bipartisan way to bring the bill to the floor.

The manager’s amendment is primarily intended to remove three provisions that have been the subject of a veto threat by the administration. In addition, it makes a number of largely technical clarifications and adds a provision on authority to fill vacancies, a provision that was inadvertently omitted from the Rules Committee’s print of the bill.

Madam Chair, as I explained during the general debate, moving this bill forward in a measured way to ensure comprehensive legislative oversight of our intelligence activities and, just as importantly, intelligence budgeting and spending. While I regret that our efforts to reach accommodation on these provisions, which were originally included in the Senate Intelligence Committee’s bill, it is important that we remove these contentious provisions now so that the detailed spending and oversight recommendations in the classified annex can go forward.

The first contentious provision would have required Senate confirmation of the National Security Administration’s Director. The other two contentious provisions subject to veto have required the production of certain State Department cables related to detainee negotiations. While I support the production of these materials, the committees seeking them have other tools at their disposal to obtain them, and the bill should not be held up over that Council vote.

In addition, the manager’s amendment includes a clarification to clarify section 310 on mitigating risks in the supply chain to ensure that those authorities cannot be delegated below the level of a service acquisition executive. The change is important to ensure the appropriate level of management is involved in such important decisions. This change reflects the committee’s understanding that these acquisition authorities will not be used lightly and that all decisions under this provision will be carried out by responsible senior officials within the intelligence community and coordinated and overseen by the Director of National Intelligence.

Finally, the manager’s amendment contains a modification requested by the ranking member to a provision concerning narcotics trafficking on public lands. The modification is needed to clarify the intended scope of the provision to ensure it is not read too broadly.

With that, Madam Chair, I ask Members to support the manager’s amendment, and I reserve the balance of my time.

Mr. RUPPERSBERGER. I claim time in opposition to the amendment, although I am not opposed.

The CHAIR. The objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. Madam Chair, I strongly support the manager’s amendment.

The manager’s amendment deals with the issues that the chairman talked about. Also, it was our negotiation to resolve certain issues, and that has been done. So I fully support it.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Michigan (Mr. ROGERS).

The amendment, as modified, was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. WOLF

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112-200.

Mr. WOLF. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

SEC. 312. ESTABLISHMENT OF COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL.

(a) Sense of Congress.—It is the sense of Congress that—
(1) terrorism and domestic radicalization represent evolving, dynamic, multidimensional threats that necessitate a structured, iterative process of continuously reviewing plans, operations, concepts, organizations, and capabilities; and
(2) past federal experience in competitive analysis conducted by experts drawn from outside the government has helped the intelligence community and policymakers better understand the nature of complex threats to the United States.

(b) Establishment.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following:

“COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL.

SEC. 120. (a) Establishment.—There is established a council to be known as the ‘COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL’ (in this section referred to as the ‘Council’).

(b) Duties.—The Council shall—
(1) advise the Director of National Intelligence on matters of policy relating to the protection of international terrorism and domestic radicalization based on all-source information;
(2) prepare a competitive analysis of each national intelligence estimate concerning al-Qaeda and other foreign terrorist organizations and submit such analysis to the Director of National Intelligence and the National Intelligence Council;
(3) annually submit to Congress a report in an unclassified form, which may include a classified annex, on trends in counterterrorism and domestic radicalization, including a summary of any competitive analysis prepared pursuant to paragraph (2).

(c) Members.—(1) The Council shall be composed of eight members appointed by the Director of National Intelligence, in consultation with the Permanent Select Committee on Intelligence, the Select Committee on Intelligence of the Senate, and the Select Committee on Intelligence of the House of Representatives.

(2) The Council consists of—
(i) officers or employees of the Intelligence Community;
(ii) the Director of National Intelligence; and
(iii) the Secretary of Defense.

(3) Members may not serve more than two terms, except that a member appointed to fill a vacancy may serve two additional terms after the expiration of the term in which the vacancy occurred.

(4) Any member appointed to fill a vacancy occurring before the expiration of a term shall be appointed for the remainder of that term.

(5) The term of a member is five years, although the Director may not appoint an individual if such individual has served as an officer or employee of the Federal Government within a 5-year period of the date of appointment.

(6) The Director may not appoint an individual to the Council if such individual has served as an officer or employee of the Federal Government within a 5-year period of the date of appointment.

(7) The term of a member is five years, although the Director may not appoint an individual if such individual has served as an officer or employee of the Federal Government within a 5-year period of the date of appointment.

(8) Any member appointed to fill a vacancy occurring before the expiration of a term shall be appointed for the remainder of that term.

(9) After two years, the Council shall select a chair and vice chair from among its members.

(10) To the extent provided in advance in appropriation Acts, each member shall be paid at a rate not to exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(11) Any member of the Council may, if authorized by the Council, take any action which the Council is authorized to take by this section.

(12) Staff of Council.—(1) To the extent provided in advance in appropriation Acts, the Council shall appoint and fix the compensation of such staff as may be necessary to enable the Council to carry out its duties.

(2) The Director and staff of the Council may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive
service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that pay fixed by the Director and staff may not exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) In accordance with rules adopted by the Council, and to the extent provided in advance in appropriation Acts, the Council may pay the services of experts and consultants under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(e) Access to intelligence information.—(1) The Director of National Intelligence shall transmit to the Council each national intelligence estimate concerning al-Qaeda and other foreign terrorist organizations.

(2) Upon request of the Council, the Director of National Intelligence shall make available to the Council any intelligence information concerning the possession of the intelligence community.

(3) The Director of National Intelligence shall ensure that the appropriate executive departments and agencies cooperate with the Council in expeditiously providing to the members and staff appropriate security clearances in a manner consistent with existing processes and requirements.

(f) Applicability of Federal Advisory Committee Act.—Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App., relating to the termination of advisory committees), shall not apply to the Council.

(g) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 through 2017. No amount is authorized to carry out this section for a fiscal year unless the appropriation for the Office of the Director of National Intelligence for such fiscal year is reduced by an amount equal to the amount appropriated to carry out this section for such fiscal year.

(c) Initial Report.—The initial report required to be submitted under section 128(b)(2) of the National Security Act of 1947, as amended by subsection (a), shall be filed not later than 1 year after the date of the enactment of this Act.

(d) Technical Amendment.—The table of contents of the National Security Act of 1947 (50 U.S.C. 401 et. seq.) is amended by inserting after the item relating to section 119B the following:

"Sec. 120. Counterterrorism Competitive Analysis Council."

Mr. WOLF. I have a modification at the desk, and I ask unanimous consent for its consideration.

The Chair. The Clerk will report the modification.

The Clerk reads as follows:

Modification to amendment No. 2: Strike the entire text of the amendment and insert the following:

At the end of title III, add the following:

SEC. 312. COUNTERTERRORISM COMPETITIVE ANALYSIS COMMISSION.

(a) Sense of Congress.—It is the sense of Congress that—

(1) terrorism and domestic radicalization represent evolving and dynamic threats to the United States;

(2) biases and group think can prevent intelligence analysts from detecting important changes in such threats that can prevent the detection and prevention of terrorist attacks; and

(3) competitive and alternative intelligence analysis are important tools to prevent, mitigate, and respond to such threats.

(b) Establishment and Duties.—The Commission shall conduct a study on—

(1) how the elements of the intelligence community use real teams, alternative analysis, and competitive analysis of foreign intelligence to address domestic radicalization;

(2) whether such analysis is timely, objective, based upon all sources of available foreign intelligence, and employs the standards of proper analytic tradecraft; and

(C) the feasibility and advisability of establishing a permanent entity to—

(i) advise the Director on matters of policy relating to the threats of international terrorism and domestic radicalization;

(ii) prepare competitive analyses of national intelligence estimates prepared by the intelligence community and submit such analyses to the National Intelligence Commission; and

(iii) annually submit to Congress a report in unclassified form, which may include a classified annex, on trends in counterterrorism and domestic radicalization, including a summary of any competitive analyses referred to in clause (i).

(c) Service and Pay Rates.—The Director and staff may not exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) Experts and Consultants.—In accordance with rules adopted by the Commission, and to the extent provided in advance in appropriation Acts, the Commission may procure the services of experts and consultants under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(e) Security Clearances.—The Director of National Intelligence shall ensure that the appropriate executive departments and agencies cooperate with the Council in expeditiously providing to the members and staff appropriate security clearances in a manner consistent with existing procedures and requirements.

(f) Termination.—The Commission shall terminate on the date that is 30 days after the date on which the Commission submits the report required under subsection (c)(2), or on the date that is 395 days after the date of the enactment of this Act, whichever is earlier.

Mr. WOLF (during the reading). I ask unanimous consent to dispense with the reading.

The CHAIR. Without objection, the reading of the amendment, as modified, is dispensed with.

There was no objection.

The CHAIR. Without objection, the amendment is modified.

There was no objection.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Virginia (Mr. WOLF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. I yield myself such time as I may consume.

Mr. WOLF (during the reading). I asked permission to revise and extend his remarks.

Mr. WOLF. I want to personally thank Mr. Rogers and his staff for helping with regard to this amendment with regard to radicalization, and I also want to thank Mr. Ruppersberger. Also, as somebody who has served here for a number of years, I want to say that I don’t think there have been two finer chairmen and ranking members of the Intelligence Committee since I’ve been here. I think it’s very impressive to see that, and I just want everyone up here, particularly in the country, to know that.

Very briefly, Madam Chair, this amendment deals with radicalization. I will go into the whole thing, but I will just read several examples of radicalization that have taken place in northern Virginia.
In October 2010, Farooque Ahmed from Ashburn, in my congressional dis- trict of Vienna, was arrested for allegedly plotting attacks on the Wash- ington Metro system, targeting Metro stations to find optimal times to kill as many innocent people as possible.

In July 2010, Zachary Chesser, a graduate of nearby Oakton High School, which is very close to where I live, was arrested in New York en route to join al Shabaab in Somalia. Late last year, Chesser pled guilty to charges of provid- ing material support to terrorists, communicating threats and soliciting crimes of violence, and was sentenced to 30 years in prison.

In November 2009, five American teenagers from Fairfax County, Vir- ginia, were arrested in Pakistan, at- tempting to join militant Islamist or- ganizations. They have been sentenced to 10 years in a Pakistan prison.

In November 2009, Virginia native Army Major Nidal Hassan attacked Fort Hood in Texas and was charged with the shooting deaths of 13 service men and women and civilians. Hassan was a graduate of Virginia Tech and grew up in Arlington County and Roa- noke. In 2004, Abdul Rahman al-Amoudi from Falls Church, Virginia, was con- victed on three charges of terrorist fi- nancing and conspiring to assassinate Saudi Crown Prince Abdullah and was sentenced to 23 years in jail.

In 2003, Ahmed Omar Abu Ali, a northern Virginia resident and the Is- lamic Saudi Academy’s 1999 valedic- torian, was arrested in Saudi Arabia and was later convicted in Federal Dis- trict Court in Alexandria of conspiracy to commit terrorism, including a plot to assassinate President Bush. He was sentenced to life in prison.

Probably the number one terrorist threat today, Anwar Al-Awlaki, who is an American citizen and who went to col- leges on American taxpayers’ money. He was with a mosque in northern Vir- ginia, in Falls Church, which used to be in my old congressional district. So this issue of radicalization is very im- portant.

Again, I want to thank the chairman and his staff and Mr. RUPPERSBERGER and his staff.

With that, I yield back the balance of my time.

Mr. RUPPERSBERGER. I claim time in opposition to the amendment, al- though I do not intend to oppose it.

The CHAIR. Without objection, the gentleman from Maryland is recogn- ized for 5 minutes.

Mr. RUPPERSBERGER. I just want to thank my friend, the gentleman from Virginia, for his involvement in all national security issues. We serve together on the Commerce-Justice Subcommittee in Appropriations and we work very well together. So I appreciate your focus on this area to protect the citizens of our country and our dis- trict.

I yield back the balance of my time. The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Virginia (Mr. WOLF). The amendment, as modified, was agreed to.

The CHAIR. It is now in order to con- sider amendment No. 3 printed in part B of House Report 112–200.

The Chair understands that amend- ment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. HOLT

The CHAIR. It is now in order to con- sider amendment No. 5 printed in part B of House Report 112–200.

Mr. HOLT. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as fol- lows:

At the end of subtitle A of title IV, add the following new section:

SEC. 405. NATIONAL INTELLIGENCE ESTIMATE ON THE IMPACT OF REVOLUTIONS IN NORTH AFRICA AND THE MIDDLE EAST.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Con- gress a national intelligence estimate on the impact of popular revolutions in North Africa and the Middle East on the security of the State of Israel.

The CHAIR. Pursuant to House Reso- lution 392, the gentleman from New Jersey (Mr. HOLT) and a Member op- posed the chair control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Madam Chair, many have expressed deep concern about the secu- rity situation in the Middle East. There are many hopeful signs from the so-called Arab Spring, but there are also concerns about the security of Israel and neighboring States.

Several among us and among my con- stituents expressed concern some months ago about what would happen with the collapse of the border between Egypt and Israel. And, as we all know, on Au- gust 18 several groups of terrorists killed eight Israelis, wounded several more in attacks along the road leading to Eilat.

This is just one example of what we need to pay attention to in the area. Will Egypt become a staging ground for more terrorist attacks against Israel? Can al Qaeda gain new safe haven in any of the countries undergoing mas- sive political change? We hope not, but it is im- portant that we have good, solid intel- ligence assessments of the situation.

My amendment would direct the Di- rector of National Intelligence to sub- mit to Congress within half a year of passage of this law an estimate on the implications of these revolutions for the security of the State of Israel and to report to Congress in a way that is accessible to all Members of Congress on the implications of the so-called Arab Spring changes in the countries around the area.

This amendment is for obvious rea- sons. Israel is an important ally and really is founded on principles of law and fairness and justice, and we want to see those values upheld and ex- tended.

I recognized, in conversations with Chairman ROGERS and the ranking member that the priority of the Director of National In- telligence by way of a letter and that we will have available to Members of Congress this estimate of this security situation.

I thank the chairman and the rank- ing member very much for their coop- eration on this. They are fully aware of this, which is partly why it is not necessary to offer an amendment to that effect.

Mr. ROGERS of Michigan. Will the gentleman yield?

Mr. HOLT. I am pleased to yield to the gentleman from Michigan.

Mr. ROGERS of Michigan. I appre- ciate the gentleman for working with us on this issue. I believe, the ranking member to coordinate this particular report.

I appreciate the gentleman’s consider- ation, because it will allow the com- mittee to prioritize it. It may take 3 weeks or longer, or 3 weeks shorter than an amendment might call for, but it allows them to adjust according to the demands of the particular time on the intelligence community. For that, I want to thank the gentleman, and I look forward to working with him on the issue.

Mr. HOLT. Reclaiming my time, hav- ing served on the Intelligence Com- mittee until this year for a number of years, I am very much aware of the constraints that are sometimes placed on the agencies by lots of reports due on lots of dates.

I look forward to working with the chairman and the ranking member to see that we get this estimate done in the most constructive way.

With that, I ask unanimous consent to withdraw the pending amendment.

The Acting CHAIR. Without objec- tion, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 6 OFFERED BY MR. HUNTER

The CHAIR. It is now in order to con- sider amendment No. 6 printed in part B of House Report 112–200.

Mr. HUNTER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as fol- lows:

After section 501 (page 51, after line 18), in- sert the following new section:

SEC. 502. STRATEGY TO COUNTER IMPROVED EXPLOSIVE DEVICES.

(a) STRATEGY.—The Director of Na- tional Intelligence and the Secretary of De- fense shall establish a coordinated strategy
utilizing all available personnel and assets for intelligence collection and analysis to identify and counter network activity and operations in Pakistan and Afghanistan relating to the development and use of improvised explosive devices.

(2) CONTENTS.—The strategy established under paragraph (1) shall identify—
(A) the domestic improvised explosive device assembly and employment, and smuggling of improvised explosive device components into Afghanistan;
(B) the persons and organizations not closely affiliated with insurgents in Afghanistan who knowingly enable the movement of components and materials used in improvised explosive device construction from factories and vendors in Pakistan into Afghanistan;
(C) the financiers, financial networks, institutions, and funding streams that provide resources to the insurgency in Afghanistan; and
(D) the links to military, intelligence services, and government officials who are complicit in allowing the insurgent networks in Afghanistan to operate.

The CHAIR. Pursuant to House Resolution 392, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

Mr. HUNTER. Madam Chair, my amendment is pretty simple. It requests that the Director of National Intelligence and the Secretary of Defense, 120 days after the passage of this bill, submit a plan and execute the plan to develop a coordinated strategy between our intelligence communities and our Department of Defense to go after IED manufacturers and IED transporters between Pakistan and Afghanistan.

The majority of improvised explosive devices in Afghanistan come from Pakistan. We know where a lot of those IED manufacturers are, but our DOD is not able to execute the strategy of going after those IED manufacturers and the people that transport them across the border on their own. They need the intelligence community and the 16 agencies which make up that community to be on their side.

More than 80 percent of the explosive devices used against our U.S. troops in Afghanistan have homemade explosives as the main charge and are almost exclusively derived from calcium ammonium nitrate fertilizer produced in Pakistan. Homemade explosives are also called HMEs.

The vast majority of IED components, including commercial explosives, explosive precursors that trigger and HME precursors are sourced from and/or transmitted through Pakistan. The continued uncontrolled availability of ammonium nitrate and other HME precursor materials smuggled into Afghanistan from Pakistan is the most significant factor contributing to the Afghan IED problem. Over 70 percent of our casualties in Afghanistan come from these homemade IEDs.

IEDs are also a problem in Pakistan and to the Pakistani people. Since January of 2011, more than 500 people have been killed and over 14,000 people have been injured by IEDs in Pakistan.

The Afghanistan IED threat cannot be defeated without addressing the networks and precursors in Pakistan. To defeat the Pakistan-produced HME-fueled IEDs in Afghanistan, the solution requires integrated efforts and leveraging of the combined authorities, policies, and capabilities of many agencies of our government, coalition partners, and especially the intelligence community.

We need to identify the key facilitators of raw materials supplying the IED networks in Afghanistan. We also need to identify specific financial networks and funding streams for these HME networks, as well as identify these key financiers.

That's what my amendment does. It makes the intelligence community and the defense community get together, submit a plan, and execute that plan to work on the same page, because right now there is a severe gap between what the DOD considers its number 1 priority, our defense guys over there, our soldiers and marines on the ground; their number 1 priority is different from the intelligence community's number one priority.

The intelligence community right now goes after high-value targets. They go after the bad guys wherever they may be found, but they need to work together on these IEDs coming over from Pakistan. It's the only way we can defeat them.

With that, I urge my colleagues on both sides of the aisle to accept my amendment.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

Mr. RUPPERSBERGER. First, I just want to acknowledge the gentleman's service. You have been on the field. I think IEDs are one of the biggest threats that we have to our men and women in theaters, and I strongly support that we move forward with your amendment.

I yield back the balance of my time.

Mr. HUNTER. Madam Chair, I yield the balance of my time to the gentleman from Michigan, Chairman Rogers.

Mr. ROGERS of Michigan. I thank the gentleman from California. This is an important amendment. These are issues we have been working on in committee; and I can tell you, we have been a tad bit frustrated at that lack of coordination. I think it is unfortunate it took this amendment as a part of the Intelligence bill to continue to move. I think the administration needs to get their act together on this particular issue. It is an issue we absolutely must solve, not only for the safety and security of the men and women who serve in our Armed Forces in Afghanistan, but also for the greater impact on the war on terror. I strongly urge support of the Hunter amendment.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER). The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CARNEY

The CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 112-200.

Mr. CARNEY. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows: Insert after section 501 the following new section:

SEC. 502. SENSE OF CONGRESS REGARDING THE PRIORITY OF RAILWAY TRANSPORTATION SECURITY

It is the sense of Congress that—
(1) the nation’s railway transportation (including subway transit security) network is broad and technically complex, requiring robust communication between private sector stakeholders and the intelligence community to identify, monitor, and respond to threats;
(2) the Department of Homeland Security Office of Intelligence and Analysis maintains a constructive relationship with other Federal agencies, state and local governments, and private entities to safeguard our railways; and
(3) railway transportation security (including subway transit security) should continue to be prioritized in the critical infrastructure threat assessment budgets of the intelligence community.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

Mr. CARNEY. Madam Chair, I rise to recognize the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CARNEY).
We have seen the tragic consequences of attacks on rail and subway systems in Britain, Spain, and India. We know al Qaeda was looking to target American rail systems this year. An attack on our rail system here in the United States would simply be devastating.

Earlier this year, the House adopted an amendment I offered to the fiscal year 2011 Intelligence Authorization Act. There was broad bipartisan support for making rail security an intelligence priority. I continue to believe we must ensure the security vulnerabilities in our rail and transit systems. Our intelligence community does great work to coordinate with those who own and operate trains and rail lines. In particular, the Office of Intelligence Analysis within the Department of Homeland Security develops a threat assessment for critical infrastructure.

My amendment is a simple amendment. It affirms the importance of assessments and information sharing among intelligence analysts. It expresses the sense of Congress that the intelligence community must continue to prioritize rail security in identifying and preventing terrorist threats.

As a near-daily rider of Amtrak myself, I want to know that the United States Government is doing all it can to keep my fellow passengers and rail passengers across the country safe. I urge my colleagues to support this amendment. I thank you for your consideration.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Again, I appreciate the gentleman’s concern for rail security. It is an incredibly important issue. I continue to believe, as I did the last go-round, this is not the right course. I have agreed not to officially oppose his amendment.

I just want to again remind individuals that this is 17 agencies across the whole spectrum of intelligence work. And for Congress to step in and say rail priority, even if their agency might be satellite oriented, just does not make a lot of sense to me; and I know it won’t make a lot of sense to them as well.

Again, I agree that rail security is incredibly important. We have segments of the community that I want to re-emphasize segments, and here in our homeland security, that worry about rail security, and I argue that would be a better place for this amendment. As I said, I will not officially oppose it. I have made no official recommendation. Again, I appreciate the gentleman’s position. I will be voting “no,” but I would tell the rest of the Members to do what they see fit.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Delaware (Mr. CARNEY). The question was taken; and the Chair announced that the noes appeared to have prevailed. Mr. CARNEY. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment by the gentleman from Delaware will be postponed.

The Chair understands that amendment No. 8 will not be offered.

AMENDMENT NO. 9 OFFERED BY MR. KEATING

The CHAIR. It is now in order to consider amendment No. 9, printed in part B of House Report 112-200.

Mr. KEATING. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 501 (page 51, after line 18), insert the following new section:

SEC. 502. SENSE OF CONGRESS REGARDING INTEGRATION OF FUSION CENTERS.

It is the sense of Congress that ten years after the terrorist attacks upon the United States on September 11, 2001, the Secretary of Homeland Security, in consultation with the Director of National Intelligence, should continue to integrate and leverage fusion centers to enlist all of the intelligence, law enforcement, homeland security capabilities of the United States in a manner that is consistent with the Constitution to prevent acts of terrorism against the United States.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Thank you, Madam Chair; and thank you, Mr. RUPPERSBERGER, for allowing me to present this timely amendment to the FY12 Intelligence Authorization Act.

Madam Chair, there are 72 fusion centers throughout the United States, including one in Massachusetts, which is also the home of the sole joint terrorism task force that is housed in an airport. However, as noted yesterday by Mr. Lee Hamilton, vice chair of the 9/11 Commission, during the Committee on Homeland Security hearing, which dealt with looking back 10 years after 9/11, all 72 fusion centers have varying degrees of success in measuring the results in gaps in communication. Gaps in sharing, such as agencies’ failure to link information about the individual who attempted the December 25, 2009, airline bombing, prevented him from being included in the Federal Government’s terrorism watch list, a tool used by DHS to screen for persons who pose a significant security threat.

This week, the GAO released a report to the Department of Homeland Security recommending that DHS improve its assistance to State and local homeland security partners and streamline some of the information-sharing mechanisms.

Furthermore, in July 2011, DHS reported that it established performance measures for assessing its information-sharing efforts. These measures include, for example, the percent of intelligence reports customers rated as satisfactory, enabling customers to anticipate emergent threats.

DHS plans to report on these metrics beginning in fiscal year 2012. While these are positive steps, GAO’s work has shown that developing outcome-based performance measures that go beyond information about the intelligence community that are really necessary to strengthen the accountability of these efforts, and we are still waiting for DHS to implement these steps.

Now, as a former district attorney of Osceola County, Florida, I understand how critical it is to share information and how not sharing that information enhances and enables critical activity. That, indeed, carries over to terrorists themselves.

This amendment encourages the President to ensure that the intelligence community considers the concept of streamlining process by further integrating and leveraging fusion centers to enlist all of the intelligence, law enforcement, homeland security capabilities in the United States in a manner that is consistent with the Constitution to prevent acts of terrorism against the United States. It is the sense of Congress that ten years after the terrorist attacks upon the United States on September 11, 2001, the threat of terrorism is at its most heightened state since 9/11. That’s what she’s saying now.

Mr. ROGERS of Michigan. I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Again, I appreciate the gentleman’s interest here. I don’t know any organization that we established not to operate under the rules and construct of the Constitution of the United States. It is a little bit redundant, in my perspective; and also we deal with these issues through IGs, we do this through congressional oversight, and we deal with this in the classified annex. I would encourage the gentleman to take a look at the classified annex. A lot of the work that we do is to make sure that these organizations are functioning according to rules, regulation, and constitutional law.

I am not going to oppose his amendment, I do have no recommendation. I do think, however, it’s probably not well placed in this particular piece of legislation.
With that, I yield back the balance of my time.

Mr. KEATING. I yield such time as he may consume to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. First, I support this amendment. The amendment would include a sense of Congress language to encourage the Director of National Intelligence and the Secretary of Homeland Security to integrate the intelligence-sharing capability of fusion centers and leverages participation from all intelligence, law enforcement, and homeland security agencies to prevent acts of terrorism against the United States.

I thank the gentleman for this amendment, which is very timely as we approach the 10th anniversary of September 11. The Intelligence Committee is holding a series of open hearings in order to acknowledge the progress made in the intelligence and national security community since 9/11 and to identify areas that will need improvement.

One area we will explore is Federal collaboration and response at the State and local levels. The Bipartisan Policy Center and the former cochairman of the 9/11 Commission, Lee Hamilton, recently issued a report about our national response to 9/11 over the last 10 years. They found that Federal and local information sharing is still not as good as it could be.

The proposed Congress is consistent with the findings of numerous organizations, but our Nation still requires better integration of intelligence. I therefore urge a "yes" vote on this amendment.

Also, I acknowledge the fact you are a former prosecutor. I am a former prosecutor. Our chairman is a former FBI agent.

Mr. KEATING. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to, ANNULLMENT OF THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112-200 on which no further proceedings were postponed, in the following order:

Amendment No. 6 by Mr. HUNTER of California.

Amendment No. 7 by Mr. CARNEY of Delaware.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. HUNTER

The CHAIR. The unfinished business is the consideration of an amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the ayes prevailed by vote voice.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.
Mrs. BLACK changed her vote from “aye” to “no.”

Mr. PENCE and Ms. HAYWORTH changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER, Madam Chair, on rollcall No. 696, I was unable to vote. Had I been present, I would have voted “aye.”

Mr. PETRI, Madam Chair, I inadvertently did not vote on the Carney amendment to H.R. 1892. I would have voted for the amendment.

Mr. AKIN, Madam Chair, on rollcall Nos. 695 and 696, I was delayed and unable to vote.Had I been present I would have voted “aye” on both.

PERSONAL EXPLANATION

Mr. WITTMAN, Madam Chair, on rollcall Nos. 695 and 696, I was unavoidably delayed. Had I been present, I would have voted “aye” on 695 and “aye” on 696.

The CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIMM) having assumed the chair, Mrs. MILLER of Michigan, Chair 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. 1892) to authorize appropriations for fiscal year 2012 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, and, pursuant to House Resolution 392, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

I do not, pursuant to clause (c) of rule XIX, further consideration of H.R. 1892 is postponed.

COMMEMORATING SEPTEMBER 11

The SPEAKER pro tempore. The Chair would ask all present to rise for the purpose of a moment of silence.

The Speaker asks that the House now observe a moment of silence in memory of the victims of the terrorist attacks on September 11, 2001.

Mr. CANTOR, Mr. Speaker, I ask unanimous consent that the Committee on Armed Services, Foreign Affairs, Homeland Security, the Judiciary, Oversight and Government Reform, and Transportation and Infrastructure, and the Permanent Select Committee on Intelligence be discharged from further consideration of the resolution (H. Res. 391) expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001, on the 10th anniversary of that date, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 391

Whereas on September 11, 2001, while Americans were attending to their daily routines, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center and in the Pentagon, rescue and recovery efforts continued, and the Permanent Select Committee on Intelligence was discharged from further consideration of the resolution (H. Res. 391) expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001, on the 10th anniversary of that date, and ask for its immediate consideration in the House.

Whereas 10 years later the country continues to, and shall forever, mourn their tragic loss and honor their memory;

Whereas these attacks destroyed both towers of the World Trade Center, as well as adjacent buildings, and seriously damaged the Pentagon;

Whereas these attacks were by far the deadliest terrorist attacks ever launched...