

H.R. 872: Mr. MEEHAN and Mr. GUTIERREZ.
H.R. 883: Mr. PEASE, Mr. THUNE, Mr. HOLDEN, Mr. CHAMBLISS, Mr. HANSEN, Mr. MCCOLLUM, and Mr. GEKAS.
H.R. 895: Mr. HOUGHTON, Mr. JEFFERSON, and Mr. LUTHER.
H.R. 900: Mr. RUSH, Mr. PALLONE, Mr. DIXON, Mr. LANTOS, Mr. MEEKS of New York, Mr. WAXMAN, Mr. WYNN, Mr. HINOJOSA, Mr. STENHOLM, and Mrs. MEEK of Florida.
H.R. 937: Mr. LARGENT.
H.R. 957: Mr. SESSIONS, Mr. BOEHLERT, Mr. PEASE, and Mr. GREEN of Wisconsin.
H.R. 1001: Mr. COOKSEY, Mr. THOMAS, and Mr. BATEMAN.
H.R. 1012: Mrs. NORTHUP, Mr. WYNN, Mr. EHRLICH, Mr. TANCREDO, Mr. DEMINT, Mr. SOUDER, Mr. SAM JOHNSON of Texas, and Mr. HALL of Texas.
H.R. 1052: Mrs. MEEK of Florida, Mr. ANDREWS, Mr. PAYNE, Mr. BOEHLERT, Mr. HOLT, Mr. GREEN of Texas, Mr. CAPUANO, and Mr. ROHRBACHER.
H.R. 1057: Mr. BONIOR, Ms. WOOLSEY, Mr. ABERCROMBIE, Mr. OLVER, Ms. RIVERS, and Mr. ACKERMAN.
H.R. 1070: Mr. SWEENEY, Mr. OSE, Mr. LUCAS of Kentucky, Mr. PORTMAN, Ms. DUNN, Mr. UDALL of New Mexico, Mr. BLUMENAUER, Mr. LAFALCE, and Mr. MORAN of Virginia.
H.R. 1071: Mr. PASTOR and Ms. STABENOW.
H.R. 1098: Mr. MCINTOSH.
H.R. 1130: Mrs. CHRISTENSEN, Mr. LUTHER, and Mr. QUINN.
H.R. 1154: Mrs. TAUSCHER and Mr. GOODE.
H.R. 1168: Mrs. MINK of Hawaii, Mr. DEFAZIO, Mr. PRICE of North Carolina, Mr. WEINER, and Mrs. EMERSON.
H.R. 1180: Ms. BERKLEY, Ms. DELAURO, Mr. GREEN of Wisconsin, and Mr. MORAN of Virginia.
H.R. 1194: Mr. KOLBE and Ms. KILPATRICK.
H.R. 1205: Mr. UPTON.
H.R. 1214: Ms. KILPATRICK and Mr. LUTHER.
H.R. 1217: Mr. LUCAS of Kentucky, Mr. JOHN, Mr. DEUTSCH, Mr. BARCIA, Mr. MALONEY of Connecticut, Mr. WEINER, Mr. CRAMER, Mr. BAIRD, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. HOLT, Ms. CARSON, and Mr. SAXTON.
H.R. 1222: Mr. GONZALEZ.
H.R. 1259: Mr. FOLEY, Mr. TERRY, and Mr. RYAN of Wisconsin.
H.R. 1298: Mrs. EMERSON.
H.R. 1300: Mr. DIXON, Mrs. FOWLER, Mr. SMITH of Washington, Mr. HASTINGS of Florida, Mr. ROEMER, and Mr. CHAMBLISS.
H.R. 1320: Mr. UNDERWOOD.
H.R. 1329: Mr. BILBRAY and Mr. HOUGHTON.
H.R. 1332: Mr. GUTIERREZ.
H.R. 1349: Mr. GREEN of Wisconsin and Mr. CONDIT.
H.R. 1350: Mrs. KELLY, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. CONYERS, and Mr. DIXON.
H.R. 1385: Mr. OBERSTAR, Mr. BLUNT, Mr. COOKSEY, Mrs. TAUSCHER, Mr. BOYD, and Mr. DELAHUNT.
H.R. 1402: Mr. WAMP, Mr. KILDEE, Mrs. NORTHUP, Mr. HAYWORTH, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. TRAFICANT, Mr. BRADY of Texas, Mr. CLAY, Mr. HILL of Montana, Mr. LARGENT, Mr. GOODLATTE, and Mr. NEAL of Massachusetts.
H.R. 1408: Mr. ROYCE and Mr. JEFFERSON.
H.R. 1445: Mr. SHERMAN, Mr. NEAL of Massachusetts, Mr. BARRETT of Nebraska, Mr. KENNEDY of Rhode Island, and Mrs. KELLY.
H.R. 1476: Ms. CARSON.
H.R. 1484: Mr. GREEN of Texas.
H.R. 1491: Mr. MCGOVERN.
H.R. 1496: Mrs. EMERSON, Mr. MOORE, and Mr. MCKEON.
H.R. 1507: Mr. HAYWORTH and Mr. SALMON.
H.R. 1514: Mr. BONIOR and Ms. STABENOW.
H.R. 1590: Mr. OBEY and Mrs. CHRISTENSEN.
H.R. 1620: Mr. ARMEY, Mr. BACHUS, Mr. CANADY of Florida, Mr. EHLERS, Mr. HEFLEY,

Mr. HOBSON, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SOUDER, Mr. TIAHRT, and Mr. WELDON of Florida.

H.R. 1622: Mrs. MORELLA, Mr. WAXMAN, Mr. DICKS, Mr. CAPUANO, Mr. DOYLE, Mr. FARR of California, Mr. BLUMENAUER, Mr. MORAN of Virginia, and Mr. DEFAZIO.

H.R. 1627: Mrs. CHRISTENSEN.

H.R. 1676: Mr. BARRETT of Wisconsin, Mr. SANDERS, Mr. FROST, Ms. KILPATRICK, and Mrs. JONES of Ohio.

H.R. 1678: Mr. MCHUGH, Mr. McNULTY, and Mr. WALSH.

H.R. 1679: Mr. MCHUGH and Mr. WALSH.

H.R. 1710: Mr. GILMAN.

H.R. 1751: Mr. FARR of California.

H. Con. Res. 60: Mr. TANCREDO, Mr. BISHOP, and Mr. SHAYS.

H. Con. Res. 75: Ms. KILPATRICK, Mr. VENTO, and Mr. OBERSTAR.

H. Con. Res. 78: Mr. LANTOS, Ms. HOOLEY of Oregon, Mr. SABO, Mr. TIERNEY and Mr. HOYER.

H. Res. 41: Mr. DEMINT.

H. Res. 62: Mr. WOLF.

H. Res. 90: Ms. KILPATRICK, Ms. NORTON, Ms. FROST, and Mr. UNDERWOOD.

H. Res. 92: Mr. McNULTY.

H. Res. 109: Mr. REYES, Mr. LUCAS of Kentucky, Mr. CLEMENT, Mr. LUCAS of Oklahoma, Mr. SIMPSON, and Mr. SUNUNU.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 329: Mr. SHOWS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1555

OFFERED BY: Mr. BARR OF GEORGIA

AMENDMENT NO. 1: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON LEGAL STANDARDS APPLIED FOR ELECTRONIC SURVEILLANCE.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of Central Intelligence, the Director of the National Security Agency, and the Attorney General shall jointly prepare, and the Director of the National Security Agency shall submit to Congress a report in unclassified form describing the legal standards employed by elements of the intelligence community in conducting signals intelligence activities, including electronic surveillance.

(b) MATTERS SPECIFICALLY ADDRESSED.—The report shall specifically include a statement of each of the following legal standards:

(1) The legal standards for interception of communications when such interception may result in the acquisition of information from a communication to or from United States persons.

(2) The legal standards for intentional targeting of the communications to or from United States persons.

(3) The legal standards for receipt from non-United States sources of information pertaining to communications to or from United States persons.

(4) The legal standards for dissemination of information acquired through the interception of the communications to or from United States persons.

(c) INCLUSION OF LEGAL MEMORANDA AND OPINIONS.—The report under subsection (a) shall include a copy of any legal memoranda, opinions, and other related documents with respect to the conduct signals intelligence activities, including electronic surveillance by elements of the intelligence community, prepared by the Office of the General Counsel of the National Security Agency or by the Office of General Counsel of the Central Intelligence Agency.

(d) DEFINITION.—As used in this section:

(1) The term "intelligence community" has the meaning given that term under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) The term "United States persons" means a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.

H.R. 1555

OFFERED BY: Mr. BARR OF GEORGIA

AMENDMENT NO. 2: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON LEGAL STANDARDS APPLIED FOR ELECTRONIC SURVEILLANCE.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of Central Intelligence, the Director of the National Security Agency, and the Attorney General shall jointly prepare, and the Director of the National Security Agency shall submit to the appropriate congressional committees a report in classified and unclassified form describing the legal standards employed by elements of the intelligence community in conducting signals intelligence activities, including electronic surveillance.

(b) MATTERS SPECIFICALLY ADDRESSED.—The report shall specifically include a statement of each of the following legal standards:

(1) The legal standards for interception of communications when such interception may result in the acquisition of information from a communication to or from United States persons.

(2) The legal standards for intentional targeting of the communications to or from United States persons.

(3) The legal standards for receipt from non-United States sources of information pertaining to communications to or from United States persons.

(4) The legal standards for dissemination of information acquired through the interception of the communications to or from United States persons.

(c) INCLUSION OF LEGAL MEMORANDA AND OPINIONS.—The report under subsection (a) shall include a copy of all legal memoranda, opinions, and other related documents in unclassified, and if necessary, classified form with respect to the conduct of signals intelligence activities, including electronic surveillance by elements of the intelligence community, utilized by the Office of the General Counsel of the National Security Agency, by the Office of General Counsel of the Central Intelligence Agency, or by the Office of Intelligence Policy Review of the Department of Justice, in preparation of the report.

(d) DEFINITION.—As used in this section:

(1) The term "intelligence community" has the meaning given that term under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) The term "United States persons" has the meaning given such term under section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

(3) The term "appropriate congressional committees" means the Permanent Select

Committee on Intelligence and the Committee on the Judiciary of the House of Representatives, and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

H.R. 1555

OFFERED BY: MR. ENGEL

AMENDMENT NO. 3: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON KOSOVA LIBERATION ARMY.

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to the appropriate congressional committees a report (in both classified and unclassified form) on the organized resistance in Kosovo known as the Kosova Liberation Army. The report shall include the following:

(1) A summary of the history of the Kosova Liberation Army.

(2) As of the date of the enactment of this Act—

(A) the number of individuals currently participating in or supporting combat operations of the Kosova Liberation Army (fielded forces), and the number of individuals in training for such service (recruits);

(B) the types, and quantity of each type, of weapon employed by the Kosova Liberation Army, the training afforded to such fielded forces in the use of such weapons, and the sufficiency of such training to conduct effective military operations; and

(C) minimum additional weaponry and training required to improve substantially the efficacy of such military operations.

(3) An estimate of the percentage of funding (if any) of the Kosova Liberation Army that is attributable to profits from the sale of illicit narcotics.

(4) A description of the involvement (if any) of the Kosova Liberation Army in terrorist activities.

(5) A description of the number of killings of noncombatant civilians (if any) carried out by the Kosova Liberation Army since its formation.

(6) A description of the leadership of the Kosova Liberation Army, including an analysis of—

(A) the political philosophy and program of the leadership; and

(B) the sentiment of the leadership toward the United States.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—As used in this section, the term "appropriate congressional committees" means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

H.R. 1555

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 4: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON ACTIVITIES OF THE CENTRAL INTELLIGENCE AGENCY IN CHILE.

(a) IN GENERAL.—By not later than 120 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to the appropriate congressional committees a report describing all activities of officers, covert agents, and employees of all elements in the intelligence community with respect to the following events in the Republic of Chile:

(1) The assassination of President Salvador Allende in September 1973.

(2) The accession of General Augusto Pinochet to the Presidency of the Republic of Chile.

(3) Violations of human rights committed by officers or agents of former President Pinochet.

(b) DOCUMENTATION.—(1) The report submitted under subsection (a) shall include copies of unedited documents in the possession of any such element of the intelligence community with respect to such events.

(2) Any provision of law prohibiting the dissemination of classified information shall not apply to documents referred to in paragraph (1).

(c) DEFINITION.—In this section, the term "appropriate congressional committees" means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives, and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

H.R. 1555

OFFERED BY: MR. RYUN OF KANSAS

AMENDMENT NO. 5: At the end, add the following new title:

TITLE VI—ESTABLISHMENT OF COUNTER-INTELLIGENCE PROGRAM AT NATIONAL LABORATORIES OF THE DEPARTMENT OF ENERGY

SEC. 601. COUNTERINTELLIGENCE PROGRAM.

(a) ESTABLISHMENT AT EACH LABORATORY.—The Secretary of Energy, acting through the Director of the Office of Counterintelligence of the Department of Energy, shall establish a counterintelligence program at each of the national laboratories. The counterintelligence program at each such laboratory shall have a full-time staff assigned to counterintelligence functions at that laboratory, including such personnel from other agencies as may be approved by the Director. The counterintelligence program at each such laboratory shall be under the direction of, and shall report to, the Director.

(b) PROHIBITION ON ENTRY ON CERTAIN INDIVIDUALS.—

(1) IN GENERAL.—Subject to paragraph (2), a counterintelligence program carried out under subsection (a) shall prohibit the entrance to a national laboratory of any individual who is a citizen of a nation that is named on the sensitive countries list maintained by the Department. Such prohibition shall apply during the one-year period beginning on the date of the enactment of this Act.

(2) WAIVER AUTHORITY.—The Director may waive the prohibition in paragraph (1) on a case-by-case basis with respect to specific individuals whose admission to a national laboratory is determined by the Secretary to be necessary for the national security of the United States. In the case of a waiver granted by the Director under this paragraph, by not later than five days after granting the waiver, the Director shall submit to the appropriate committees a report describing the waiver and including such information as the Director determines appropriate.

(c) INVESTIGATION OF PAST SECURITY BREACHES.—The Director shall require that the counterintelligence program at each laboratory include a specific plan to investigate any breaches of security discovered after the date of the enactment of this Act that occurred at that laboratory before the establishment of that program at that laboratory.

(d) REQUIRED BACKGROUND CHECKS ON ALL FOREIGN VISITORS.—Before an individual who is a citizen of a foreign nation is allowed to enter a national laboratory, the Director shall require that a security clearance investigation (known as a "background check") be carried out on that individual.

(e) REPORT TO CONGRESS.—The Secretary, after consultation with the Director, shall submit to the appropriate committees a re-

port on the status of counterintelligence activities at each of the national laboratories. The report shall be submitted not earlier than the end of the six-month period beginning on the date of the enactment of this Act and shall include the recommendation of the Secretary as to whether subsection (b) should be repealed.

(f) DEFINITIONS.—

For purposes of this section:

(1) The term "national laboratory" means any of the following:

(A) The Lawrence Livermore National Laboratory, Livermore, California.

(B) The Los Alamos National Laboratory, Los Alamos, New Mexico.

(C) The Sandia National Laboratories, Albuquerque, New Mexico.

(2) The term "sensitive countries list" means the list prescribed by the Secretary of Energy known as the Department of Energy List of Sensitive Countries.

(3) The term "appropriate committees" means the Select Committee on Intelligence and the Committee on Armed Services of the Senate, and the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives.

H.R. 1555

OFFERED BY: MR. SANDERS

AMENDMENT NO. 6: At the end of title I, add the following new section:

SEC. 106. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 2000 to carry out this Act not more than the total amount authorized to be appropriated by the intelligence Authorization Act for Fiscal Year 1999.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by section 201.

H.R. 1555

OFFERED BY: MR. SANDERS

AMENDMENT NO. 7: At the end of title I (page 8, after line 17), insert the following new section:

SEC. 106. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED; REPORT.

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 2000 to carry out this Act not more than the total amount authorized to be appropriated by the Intelligence Authorization Act for Fiscal Year 1999.

(2) EXCEPTION.—Paragraph (1) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by section 201.

(b) REPORT.—

(1) STUDY.—Not later than one year after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a detailed, comprehensive report in unclassified form on the matter described in paragraph (2).

(2) MATTERS STUDIED.—(A) The bombing in March 1991 by the Armed Forces of the United States during the Persian Gulf War of a weapons and nerve gas storage bunker in

Khamisiyah, Iraq, and errors committed by the agency with respect to the location and contents of such bunker and the failure to disclose the proper location and contents to the Secretary of Defense.

(B) Errors with respect to maps of the Aviano, Italy, area prepared by the Central Intelligence Agency and used by aviators in the Armed Forces of the United States which may have resulted on February 3, 1998, in the accidental severing of a cable car device by a United States military aircraft on a training mission, which resulted in the deaths of twenty civilians.

(C) Errors with respect to maps of the Belgrade, Yugoslavia, area which resulted on May 7, 1999, in the accidental bombing of the Embassy of the People's Republic of China by forces under the command of North Atlantic Treaty Organization and the deaths of three civilians.

H.R. 1555

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: At the bill, add the following new title:

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) **LIMITATION.**—Except as provided in subsection (b), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 2000 to carry out this Act not more than the total amount authorized to be appropriated by the Intelligence Authorization Act for Fiscal Year 1999.

(b) **EXCEPTION.**—Subsection (a) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by Section 201.

SEC. 602. REPORT ON EFFICACY OF THE CENTRAL INTELLIGENCE AGENCY.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a detailed, comprehensive report in unclassified form on the matters described in subsection (b).

(b) **MATTERS STUDIED.**—Matters studies for the report under subsection (a) shall include the following:

(1) The bombing in March 1991 by the Armed Forces of the United States during the Persian Gulf War of a weapons and nerve gas storage bunker in Khamisiyah, Iraq, and errors committed by the Central Intelligence Agency with respect to the location and contents of such bunker and the failure to disclose the proper location and contents to the Secretary of Defense.

(2) Errors with respect to maps of the Aviano, Italy, area prepared by the Central Intelligence Agency and used by aviators in the Armed Forces of the United States which may have resulted on February 3, 1998, in the accidental severing of a cable car device by a United States military aircraft on a training mission, which resulted in the deaths of twenty civilians.

(3) Errors with respect to maps prepared by the Central Intelligence Agency of the Belgrade, Yugoslavia, area which resulted on May 7, 1999, in the accidental bombing of the Embassy of the People's Republic of China by forces under the command of North Atlantic Treaty Organization and the deaths of three civilians.

(c) **RECOMMENDATIONS.**—The report under subsection (a) shall contain recommendations for such legislation and administrative actions as the Director determines appropriate to avoid similar errors by the Central Intelligence Agency.

H.R. 1555

OFFERED BY: MR. SWEENEY

AMENDMENT NO. 9: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. PROTECTION OF IDENTITY OF RETIRED COVERT AGENTS.

Section 606(4)(A) of the National Security Act of 1947 (50 U.S.C. 426(4)(A)) is amended—

(1) by striking “an officer or employee” and inserting “a present or retired officer or employee”; and

(2) by striking “a member” and inserting “a present or retired member”.

H.R. 1555

OFFERED BY: MR. SWEENEY

AMENDMENT NO. 10: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. PROTECTION OF IDENTITY OF RETIRED COVERT AGENTS.

(a) **IN GENERAL.**—Section 606(4)(A) of the National Security Act of 1947 (50 U.S.C. 426(4)(A)) is amended—

(1) by striking “an officer or employee” and inserting “a present or retired officer or employee”; and

(2) by striking “a member” and inserting “a present or retired member”.

(b) **IMPOSITION OF MINIMUM PRISON SENTENCES FOR VIOLATIONS.**—Section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended—

(1) in subsection (a), by inserting “not less than five and” after “or imprisoned”; and

(2) in subsection (b), by inserting “not less than 30 months and” after “or imprisoned”; and

(3) in subsection (c), by inserting “not less than 18 months and” after “or imprisoned”.

H.R. 1555

OFFERED BY: MR. SWEENEY

AMENDMENT NO. 11: At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. PROTECTION OF IDENTITY OF COVERT AGENTS THROUGH IMPOSITION MINIMUM PRISON SENTENCES FOR UNAUTHORIZED DISCLOSURE OF THAT IDENTITY.

Section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended—

(1) in subsection (a), by inserting “not less than five and” after “or imprisoned”; and

(2) in subsection (b), by inserting “not less than 30 months and” after “or imprisoned”; and

(3) in subsection (c), by inserting “not less than 18 months and” after “or imprisoned”.

H.R. 1555

OFFERED BY: MR. THORNBERRY

AMENDMENT NO. 12: At the end of the matter proposed to be added by the amendment, add the following new section:

SEC. 602. REPORTS TO CONGRESS ON FOREIGN VISITORS TO NATIONAL LABORATORIES.

(a) **Background Checks on All Foreign Visitors.**—(1) Notwithstanding any other provision of this Act relating to counterintelligence programs for a national laboratory, before any individual who is a citizen of a foreign nation may enter a national laboratory, the Director of the Office of Counterintelligence of the Department of Energy shall determine whether a security clearance investigation (known as “background check”) is required to be carried out on that individual.

(2) The Director shall have sufficient opportunity to review all such individuals and sufficient time to conduct background checks and other investigative checks as appropriate before entry to a national laboratory may take place.

(3) The Director shall submit to the chairmen and ranking members of the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate by the 15th of each month a report on the foreign visitors program that includes the following information:

(A) The identity of each such individual allowed to enter a national laboratory during the previous month.

(B) The nature and duration of the visit to the laboratory.

(C) Whether a background check was performed on that individual.

(b) **ADDITIONAL PROVISIONS REGARDING FOREIGN VISITORS.**—Notwithstanding any other provision of this Act relating to counterintelligence programs for a national laboratory, the following provisions apply:

(1) **MORATORIUM.**—Subject to paragraphs (2) and (3), the Secretary of Energy may not allow the admittance to any facility of a national laboratory of any individual who is a citizen of a nation that is named on the current Department of Energy sensitive countries list.

(2) **WAIVER AUTHORITY.**—The Secretary may waive the prohibition in paragraph (1) on a case-by-case basis with respect to specific individuals whose admission to a national laboratory is determined by the Secretary to be necessary for the national security of the United States. In the case of a waiver granted by the Secretary under this paragraph, by not later than five days after granting the waiver, the Secretary shall submit to the appropriate committees a report describing the waiver and including such information as the Secretary determines appropriate.

(3) **TERMINATION OF MORATORIUM.**—(A) The moratorium under paragraph (1) shall cease to be in effect when the Secretary of Energy, after consultation with the Director of the Federal Bureau of Investigation, submits to the chairmen and ranking members of the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a certification in writing of the following:

(i) That a fully functioning counterintelligence program is implemented and operating at each national laboratory as required in this section, and that each such counterintelligence program complies with the requirements of Presidential Decision Directive number 61.

(ii) That all personnel of the Department of Energy with access to classified information have been trained in appropriate security measures, including, secure computer operations.

(iii) That a system has been established by which the Secretary will act promptly to address any suspected compromise of classified information.

(B) If, at any time after the enactment of this Act, the Secretary determines that proper counterintelligence safeguards are not in place at the national laboratories, or if the Secretary determines that foreign visitors detract in any way from a completely functional counterintelligence program at the national laboratories, the Secretary shall suspend all foreign visits to the national laboratories in accordance with the paragraph (1). In the case of any suspension under this paragraph, the Secretary shall submit notice to the chairmen and ranking members of the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate.

H.R. 1555

OFFERED BY: MS. WATERS

AMENDMENT NO. 13: At the end, add the following new title:

TITLE VI—PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY**SEC. 601. PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY.**

(a) PURPOSES.—It is the purpose of this section—

(1) to prohibit the Central Intelligence Agency and other intelligence agencies and their employees and agents from participating in drug trafficking activities, including the manufacture, purchase, sale, transport, or distribution of illegal drugs; conspiracy to traffic in illegal drugs; and arrangements to transport illegal drugs; and

(2) to require the employees and agents of the Central Intelligence Agency and other intelligence agencies to report known or suspected drug trafficking activities to the appropriate authorities.

(b) PROHIBITION ON DRUG TRAFFICKING.—No element of the intelligence community, or any employee of such an element, may knowingly encourage or participate in drug trafficking activities.

(c) MANDATE TO REPORT.—Any employee of an element of the intelligence community having knowledge of facts or circumstances that reasonably indicate that any employee of such an element is involved with any drug trafficking activities, or other violations of United States drug laws, shall report such knowledge or facts to the appropriate official.

(d) DEFINITIONS.—As used in this section:

(1) DRUG TRAFFICKING ACTIVITIES.—

(A) IN GENERAL.—The term “drug trafficking activities” means the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell or transfer illegal drugs (as those terms are applied under section 404(c) of the Controlled Substances Act (21 U.S.C. 844(c)).

(B) INCLUSIONS.—Such term includes arrangements to allow the use of federally owned or leased vehicles, or other means of transportation, for the transport of illegal drugs.

(2) ILLEGAL DRUGS.—The term “illegal drugs” means controlled substances (as that

term is defined section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)) included in schedule I or II under part B of title II of such Act.

(3) EMPLOYEE.—The term “employee” means an individual employed by an element of the intelligence community, and includes the following individuals:

(A) Employees under a contract with such an element.

(B) Covert agents, as that term is defined in paragraph (4) of section 606 of the National Security Act of 1947 (50 U.S.C. 426).

(C) An individual acting on behalf, or with the approval, of an element of the intelligence community.

(4) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term under paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

(5) APPROPRIATE OFFICIAL.—The term “appropriate official” means the Attorney General, the Inspector General of the element of the intelligence community (if any), or the head of such element.