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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

Washington, DC, October 5, 2001.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, our mighty fortress in the past, our hope for years to come, be with us now as a House truly representative of the people of this great Nation.

As we approach this holiday weekend and rejoice in the risky adventure, as well as the discoveries of Columbus, shield us from fear and guide our destiny to stabilize the future.

May our national undertakings of this new millenium, as dangerous as they may be, lead us to new understandings of a globalized world and our place within it. Let the fragile ships of freedom and justice and the strong winds of patience and resolve take us to hidden shores of peace.

Grant again safe travel for Your people. Protect our families here and our military forces abroad. Lord, on this Columbus Day, help us discover new depths to America's spirit, both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. LAHOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. LAHOOD led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills and a joint resolution of the following titles in which the concurrence of the House is requested:

S. 1417. An act to authorize appropriations for fiscal year 2002 for defense activities of the Department of Energy, and for other purposes.

S. 1418. An act to authorize appropriations for fiscal year 2002 for military construction, and for other purposes.

S. 1419. An act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1465. An act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

S.J. Res. 18. Joint resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

APPOINTMENT OF CONFEREES ON H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent to take from the

Speaker's table the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none and, without objection, appoints the following conferees: Mr. ISTOOK, Mr. WOLF, Mrs. NORTHUP, and Messrs. SUNUNU, PETERSON of Pennsylvania, TIAHRT, SWEENEY, SHERWOOD, YOUNG of Florida, and HOYER, Mrs. MEEK of Florida, and Messrs. PRICE of North Carolina, ROTHMAN, VISCLOSKEY, and OBEY.

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 252 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 252

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3(c) of rule XIII are waived. General debate shall be confined to the bill and shall

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 or rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Florida (Mr. HASTINGS), my friend and colleague on Committee on Rules, pending which I yield myself such time as I may consume. During the consideration of this resolution, all time is yielded for purposes of debate only on this matter, as is customary.

Mr. Speaker, this is a fairly traditional rule for this type of legislation. As far as I know, it is not controversial in any way. Given the September 11 terrorist attacks, some may have wondered why we might not have responded with a closed rule on intelligence on a hurry-up basis, which would have precluded the opportunity for a lot of extensive deliberation under the extraordinary circumstances of the moment, as we all recall them, tragically.

But on the contrary, we felt that in these tumultuous times, we thought it best to allow Members the opportunity to fully review the bill and debate the issues that they feel are important to our Nation's security. Each of us, I know, feels that responsibility very strongly.

Therefore, as in past years, the rule is a modified open rule providing for 1 hour of general debate, equally divided between the chairman and ranking member of the Permanent Select Committee on Intelligence. The rule makes in order as an original bill for the purpose of amendment the committee amendment in the nature of a substitute now printed in the bill, which shall be considered by title as read.

In addition, based on consultation with the Parliamentarian, the rule waives points of order against the committee amendment for failure to comply with clause 7 of rule XVI, the germaneness rule. It also waives points of order against consideration of the bill for failure to comply with clause 3(C) of rule XIII (requiring the inclusion of a statement of general performance goals and objectives.)

The rule further provides for the consideration of only pro forma amendments for the purpose of debate and those amendments printed in the CONGRESSIONAL RECORD prior to their consideration, which may be offered only by the Member who caused it to be printed or his designee, and shall be considered as read.

This has allowed for vetting of amendments regarding classified matters in years past, and proved to be a good practice, actually. Finally, this rule provides for one motion to recommend, with or without instructions.

Mr. Speaker, I rise in strong support of this fair rule and the underlying legislation, as well. This is late in the year to bring this bill to the House floor, but obviously the timing has been dictated by forces well beyond the control of the Permanent Select Committee on Intelligence: We have a new administration, a comprehensive defense and intelligence review ongoing, the delayed arrival of the budget request, and of course, the tragic consequences of September 11, to name just a few.

If there is a silver lining here, it is that in marking up this bill, the Permanent Select Committee on Intelligence has addressed many of the immediate and critical intelligence needs in the wake of the September 11 attacks on the United States.

In the upcoming general debate, no doubt we will discuss many of the specific provisions in H.R. 2883 in some detail. That is the intelligence authorization bill. But I would like to highlight a few of the ways that this legislation seeks to tackle both critical counterterrorism challenges, as well as long-term problems facing the intelligence community in the United States in the 21st century.

To combat terrorism, the intelligence authorization increases investments for the FBI's counterterrorism efforts, increases funding for language training, promotes a more focused analytical effort against the terrorist target, and it calls for a more aggressive approach to learning the plans and intentions of terrorists through human intelligence.

The war on terrorism will be won through the acquisition of specific, accurate, and timely intelligence. The Permanent Select Committee on Intelligence has stepped up to provide the President, the State Department, the Department of Defense, and President Bush's national security team with the intelligence tools they will need to win this war. That is one of the strong reasons I urge support for this legislation.

However, we have also addressed the long-term needs of the intelligence community, making specific changes today to avoid serious problems in the years to come. H.R. 2883 provides the resources to continue rebuilding our human intelligence capabilities; promotes investment in new technologies for intelligence collection, processing, and analysis; and it provides the committee's view on where future bold changes need to be made in the basic structure of the U.S. intelligence establishment.

I believe it is a very good bill. I think it is a fine rule. I encourage support for both the bill and the rule.

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

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

Mr. Speaker, it is a distinct pleasure and honor to serve with the gentleman from Florida (Chairman Goss) on both the Committee on Rules and the Permanent Select Committee on Intelligence.

Mr. Speaker, I rise in support of this rule providing for the consideration of H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002, House Resolution 252. This is a modified open rule requiring that amendments be preprinted in the CONGRESSIONAL RECORD. However, Mr. Speaker, the preprinting requirement has been the accepted practice for a number of years because of the sensitive nature of much of the bill and the need to protect its classified documents.

The bill is not controversial and was reported from the Permanent Select Committee on Intelligence by a unanimous vote. I underscore that in these times, since the events of September 11. The Permanent Select Committee on Intelligence is fully mindful of the extraordinary pain suffered by the victims and all of us in America as it pertains to those events. Thus, this year, this bill becomes as important as at any time in America's history.

Members who wish to do so can go to the Permanent Select Committee on Intelligence offices to examine the classified schedule of authorizations for the programs and activities of the intelligence and intelligence-related activities of the national intelligence program, which includes the CIA as well as the foreign intelligence and counterintelligence programs within, among others, the Department of Defense; the National Security Agency; the Departments of State, Treasury, and Energy; and the FBI.

Also included in the classified documents are the authorizations for the Tactical Intelligence and Related Activities and Joint Military Intelligence Program of the Department of Defense.

Mr. Speaker, last week the House considered and passed the authorization for the Department of Defense for fiscal year 2002. The intelligence bill we consider today is another critical component in our national defense.

Today, as I indicated earlier, more than ever we need to be vigilant about the myriad threats to our national security.

Mr. Speaker, while there may be debate on a few worthy amendments, this is a noncontroversial bill providing authorizations for important national security programs. I urge my colleagues to support this rule and to support the underlying bill.

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

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

Mr. Speaker, it is a bit of serendipity that the gentleman from Florida (Mr. HASTINGS) and I both do serve on the Committee on Rules and the Permanent Select Committee on Intelligence. And that is not by design, but it is a great pleasure to work with my colleague.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. LAHOOD), a distinguished member of the Permanent Select Committee on Intelligence.

Mr. LAHOOD. Mr. Speaker, I thank the gentleman for yielding time to me.

First of all, I want to rise in support of the rule. I agree with the two previous speakers, that this is a good rule and generally a very good bill. I want to compliment, in particular, the chairman of the Permanent Select Committee on Intelligence, the gentleman from Florida (Mr. GOSS), for the hard work that he has been doing to really improve the intelligence-gathering capability of our country.

The bill that we are going to consider today is a bill that has been fashioned by his hand and after long hours of work. I think it is an extraordinary bill that really reflects meeting the needs of the intelligence community for America.

One other purpose for rising, not only to support the rule, is to alert the House to my intention to offer an amendment to strike a section of the bill, section 306, a provision that creates a "Commission on Preparedness and Performance of the Federal Government for the September 11 Acts of Terrorism."

America has responded to terrorism attacks of September 11 with determination, compassion, and a resounding unity of purpose: the defeat of international terrorism. To achieve this goal, Congress and the administration are working to strengthen our defense intelligence capability.

Our diplomats are building an international coalition to fight al Qaeda and other terrorist organizations; and we are seeking ways to bolster first responders, such as our dedicated police officers, fire officials, firefighters, and paramedics, who will have to deal with the aftermath of any future attacks. These are all positive, necessary, and forward-looking actions.

It is my fear, though, that investing time and effort and money on a commission designed to assign blame will be a giant step backwards. There have

been at least three high-profile commissions as recently as a year ago on terrorism and homeland defense.

The problems that existed prior to September 11 have been well documented, and the solutions outlined in great detail. I do not believe that any other high-profile commission would add anything new to our understanding of the problems or the solutions. We know what the problems are, and we also know the solutions.

To compound the problem, the commission structure is flawed. It has an agenda based on calling high profile people from the intelligence community with great understanding before a group of people who have little understanding of the intelligence community. I believe this sets up potential conflicts that could do further damage to our ability to gather intelligence about terrorists and disrupt their activities.

This is a bad idea. It is a bad idea because we have a lot of information and we do not need a new commission. I hope that the Members of the House, after they hear the debate on my amendment, will support it and strike this provision.

We already possess the expertise and the authority to look at the lessons learned from September 11. The gentleman from Illinois (Speaker HASTERT) and the Democratic leader, the gentleman from Missouri (Mr. GEPHARDT), have taken the right action when they designated the Subcommittee on Terrorism and Homeland Security of the Permanent Select Committee on Intelligence, chaired by the gentleman from Georgia (Mr. CHAMBLISS) and the gentlewoman from California (Ms. HARMAN), to coordinate congressional review of terrorist threats.

The subcommittee has the expertise, the staff, and the ability to review both classified and unclassified material, and the authority through Congress to do the job. If we want to look back, if we want to really analyze and examine, that is the subcommittee, that is the jurisdiction that has the responsibility for doing this, not some kind of an ad hoc commission with little or no expertise.

So I urge my colleagues to support the amendment that I will offer. This is a good rule. I support the rule. This is a good bill. It is a bill that, again, has been fashioned by one of the most distinguished Members of the House, the chairman of our Permanent Select Committee on Intelligence; and I applaud him for that. I hope consideration will be given to my amendment. I thank the chairman for his consideration of my remarks.

Mr. HASTINGS of Florida. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from California (Ms. PELOSI), the ranking member of the Permanent Select Committee on Intelligence.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding time to me.

Just very briefly, Mr. Speaker, I want to rise in support of the rule. We have worked together to put together a bill which had consensus under the leadership of our chairman, our distinguished chairman, the gentleman from Florida (Mr. GOSS).

I think we should just move on to that debate about the bill and about the commission and other considerations; but the rule is a rule that is appropriate for this intelligence bill. It is in keeping with past rules on the intelligence bills which were designed to protect classified information, but to give every Member an opportunity to see the classified part of the bill, although that is not part of the rule, but to have their amendments printed in the RECORD in advance to protect classified information.

I do not want to take any more time. It is Friday. We want to move on to a full discussion of the bill and to general debate. I urge our colleagues to support the rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. TRAFICANT. Mr. Speaker, America's soft underbelly was shown on September 11. Now is the time to get down to business. I believe the CIA and the FBI have been not only negligent; but, by God, I do not think we have much of an intelligence program.

That is no slight or offense to the gentleman from Florida (Mr. GOSS), the gentlewoman from California (Ms. PELOSI), or our intelligence apparatus here in the House. I believe the editorial that says that Mr. Tenet should step down is absolutely correct.

My amendment today deals with an issue that has been controversial, to say the least. Mr. Speaker, we have one border patrol agent for every two miles of border, and that does not include the Canadian border. My God, a guerrilla force could cross our border with a nuclear device and kill millions of Americans; and we have taken it lightly.

I think Congress had better take a close look at the national security checkpoint of the United States, which is our border, and take a look. A lot of people, I believe, are on the payroll who are not doing their jobs.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 252 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2883.

□ 0928

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. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. GOSS) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, let me thank the members of the Permanent Select Committee on Intelligence, each and every one of them, both sides of the aisle, for their very hard work, especially over the past 3 weeks, which have been extremely trying for all of us and certainly for our committee. The hard work in the last 3 weeks have allowed us to get to this point where we have, I think, an excellent piece of authorization legislation to bring to the House.

Mr. Chairman, we will hear from many of our Members over the next hour. I would especially like to thank our ranking member, the gentlewoman from California (Ms. PELOSI) for extraordinary efforts in ensuring that our thorough review of the President's budget put the good of the Nation first in a manner that has been truly bipartisan and, perhaps more appropriately, we should say nonbipartisan.

There are many other people to thank, of course, including our amazing staff, and we will get to that by and by.

□ 0930

Mr. Chairman, the bill before us is part of our normal annual authorization by which by law must be passed in order for the intelligence community to spend appropriated dollars. But the setting in which we find ourselves today as we debate the bill is hardly normal.

Over the debate, we surely will hear several references to the infamous events of September 11 and the efforts to handle these and other types of threats to Americans at home and abroad. There is no way to overemphasize the importance of the demoniacal acts we witnessed. They do bear tragic witness to how the world has changed and how critical it is to have knowledge about our surroundings, about those who have made it their life's quest to destroy American freedoms, rights and values. That knowledge

comes from intelligence, pure and simple and we have to have it.

No one can seriously doubt that we need the best possible intelligence to prosper and be safe at home and abroad in today's world. There are some who believe that the September 11 terrorist acts were successful because of, quote, "intelligence failures." I will certainly agree there are intelligence community shortcomings, that must be reviewed and fixed. That is what we do.

What went wrong relative to September 11 goes well beyond the intelligence community however. Moreover, those who have complaints often do not understand what threats we actually face today, what capabilities we really do have and do not have, and, more importantly, what vital distinctions exist between intelligence and law enforcement and how we cope with those distinctions.

The intelligence community operates overseas and cannot arrest anyone. Law enforcement is domestic and does not do spying; and somehow we have to have a good marriage of the two. If we look back over the past 6 years worth of our authorizations, we will see that the Permanent Select Committee on Intelligence have consistently highlighted shortfalls and concerns calling on the administration to take action so that risks to our security could be reduced, not removed but reduced.

Certainly our committee was stunned and deeply saddened by the events of September 11 as we all were. We were aware homeland America was vulnerable to terrorist attack of some type from some quarter, and we were and are aware of limitations of our intelligence system to provide specifics or better early warning or 100 percent guarantees.

This bill again addresses ways to overcome some of those limitations. The solutions that get us the intelligence community that we need to protect our future must be new and it must be innovative. This bill starts us on that course while sending I think a good message to the administration about how to do it. We are working closely with the administration to translate these ideas into real capabilities which will protect Americans.

Mr. Chairman, I reserve the balance of my time.

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume and rise in support of H.R. 2883.

At the outset I want to commend our chairman, the gentleman from Florida (Mr. GOSS), our distinguished chairman, for the manner in which he conducted the committee's business. His willingness to be sensitive to the views of committee Democrats and to ensure they are reflected in the work of the committee is much appreciated. I thank the gentleman.

Mr. Chairman, the bill was prepared in the aftermath of the horrific events of September 11, but it is not a comprehensive response to them. Some additional resources in areas where these

events demonstrated an obvious need are provided, but it will take more time and more facts before we can, or should, go further. At this point one thing is clear. We did not know about the plans of the terrorists who attacked our country with sufficient specificity to prevent those attacks. What is not clear is why.

In the weeks ahead much time will be devoted in the intelligence community and elsewhere in trying to determine why we did not know, but, more especially, to prevent anything like this from happening again.

Mr. Chairman, I have tremendous respect for the men and women who serve in our national security agencies, whether they be diplomats, military personnel, intelligence officers, law enforcement officials or those who protect our borders and our skies. They perform with great courage and dedication under conditions which are routinely challenging and frequently dangerous, and they have had much successes combatting terrorism. They just cannot talk about their successes.

As the events of September 11 demonstrate, however, more needs to be done. Determining the best steps to take to lessen the chances that last month's events could be repeated will require critical and innovative thinking. I am hopeful that the independent commission established by Section 306 of the bill will play a constructive role in that regard.

For intelligence needs generally the bill provides several billion dollars more than appropriated last year and several hundred million dollars more than requested by the President for fiscal year 2002. It continues several initiatives begun earlier, among them an effort to ensure that the technologically complex and expensive information collection systems that have been developed are paired with effective systems to process, exploit and disseminate intelligence to those who need it to make decisions or to take actions.

There is currently an imbalance between collection and processing, exploitation and dissemination that, if not addressed, will greatly lessen the value of some extremely capable collection systems.

To be effective, our human intelligence officers need to have a better grounding in the languages and cultures of the regions where difficult targets, like terrorists, are most comfortable. A much greater emphasis needs to be placed on recruiting and maintaining a workforce with diverse skills, backgrounds and ethnicity. This is an area in which the intelligence community as not been as aggressive as I would like. I hope for measurable improvement in the future with the encouragement and resources provided by the bill.

There have been suggestions in recent years that an insufficient emphasis has been placed on human intelligence. That has certainly not been

true with respect to the work of this committee. Funds have been consistently provided above those requested for this intelligence discipline, and the committee has sought to ensure that the added funds were used exclusively to enhance the performance of clandestine collectors in the field.

Human intelligence was once again the focus of our work this year, and that would have been true even if the events of September 11 had not occurred.

There have been concerns that case officers have been discouraged from taking the risks necessary to recruit assets with access to important information, particularly in areas like narcotics trafficking, weapons proliferation and terrorism.

Attention has centered on guidelines promulgated in the CIA in 1995 which require headquarters-level approval before an individual with a record of human rights abuses or violations of U.S. criminal law may be recruited. These guidelines were intended to protect officers in the field from charges that they had committed the United States to a relationship with unsavory individuals without adequate consideration. Despite repeated assurances from senior CIA officials that these guidelines had not had a negative impact on the quality or quantity of assets, it has become clear that the perception that the opposite was true has taken root.

Section 403 of the bill deals with that perception by directing the guidelines be rescinded. It is very important, however, that there be some rules in this area, not because anyone is so naive as to believe that we can get more information about the plans of drug traffickers or terrorists without associating with individuals involved in those activities, but because decisions about committing the United States to those kinds of associations are too important to be made exclusively by relatively junior officers in the field.

They should be made, instead, by senior managers better able by virtue of their experience and their access to reporting from a wide variety of sources, to weigh the potential value of the information to be provided by a possible recruit against the potential harm to the United States should the fact of our association with that person become known.

That kind of risk versus gain analysis is essential if human intelligence activities are to be seen as consistent, rather than at odds with, U.S. policy and values.

Section 402, besides rescinding the current guidelines, directs that new guidelines be established. It is my expectation these new guidelines will streamline the approval process without weakening the protections that process is meant to provide. I especially want to commend our colleague, the gentleman from Nebraska (Mr. BEREUTER) for his leadership in this area and his willingness to reach consensus

with us on it. I think the language of this bill is an improvement on the past and I thank him for his leadership and his cooperation.

Mr. Chairman, intelligence is a risky, dangerous and expensive undertaking. It is also crucial to our security as a Nation. I urge the adoption of the bill.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I yield as much time as he may consume to the distinguished gentleman from Nebraska (Mr. BEREUTER), the chairman of one of our subcommittees of the Permanent Select Committee on Intelligence.

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

Mr. BEREUTER. Mr. Chairman, as vice-chairman of the Permanent Select Committee on Intelligence and the chair of the Subcommittee on Intelligence Policy and National Security, this Member rises in the strongest possible support for H.R. 2883.

This Member congratulates and commends the chairman of the committee, the distinguished gentleman from Florida (Mr. GOSS) for his extraordinary leadership in preparing a bipartisan bill that was approved unanimously by the committee. Under his guidance, this body is preparing to move rapidly to address a number of long-standing deficiencies in our intelligence collection and analysis.

The Permanent Select Committee on Intelligence has not suddenly awakened to the very real inadequacies of the intelligence agencies and programs of our government and the financial resources and legislative tools they need. As Chairman Goss has said on numerous occasions: "The message is not new; the audience is new."

The American people understand now, through tragedy, that our intelligence and counterterrorism programs are extremely important. With that in mind, this Member congratulates the chairman and my colleagues on the committee for the clear and decisive message sent by this legislation. I also congratulate the ranking member of the committee, the distinguished gentlewoman from California (Ms. PELOSI), for her assistance in crafting this bipartisan legislative product.

The committee comes before this body today in an amazing degree of unanimity regarding our concept of the terrorist threat, among other threats to our national security, and for the necessary intelligence community response. This level of bipartisanship is a tribute to the gentleman from Florida (Mr. GOSS) and the gentlewoman from California (Ms. PELOSI).

Mr. Chairman, the cowardly and horrific terrorist attack of September 11 highlighted for our citizens and the world the fact that we live in a new world, a world where many of our commonly held assumptions about security and safety are being re-examined. Even before the attacks on the Pentagon and

the World Trade Center, the Bush administration had embarked upon a comprehensive review of U.S. intelligence policy, led by the retired Lieutenant General Brent Scowcroft and the deputy director of Central Intelligence for Community Management, Joan Dempsey.

Obviously, this intelligence review has assumed an even greater importance and urgency, for ultimately the outcome in this war in which we find ourselves will be determined by the quality of our intelligence. The review is not yet complete, and the executive branch has not firmly established the criteria and emphases that will guide us in the 21st century. However, this bill provides much of the important guidance to ensure that its policies can quickly be implemented.

This committee's task has been made particularly difficult because in the aftermath of the September 11 terrorist attacks, there naturally is, in some quarters, a desire to find a simple solution, a quick fix. Certainly the legislation before this body today provides much needed additional funds to improve our intelligence capabilities and to wage the war against terrorism.

At a more fundamental level, H.R. 2883 seeks to respond to serious policy and structural problems. In some cases, these are problems that have been years in the making and will take a long time to turn around. For example, there is, within the intelligence community, a critical shortage of language specialists that are particularly relevant in a war against terrorism. The legislation before this body today seeks to further address the language shortage and to facilitate the recruitment of native speakers drawn from the various relevant ethnic American communities.

Similarly, this bill continues the committee's longstanding and urgent needs for increased support for human intelligence collection. Human intelligence, or HUMINT, is the placement of highly trained, language capable officers into positions where they can acquire information vital to our national interest. Our HUMINT capability was decimated by former Director Stansfield Turner, and in the years following the end of the Cold War.

Also, our human intelligence collection effort was understandably directed during the Cold War period at collection on the Soviet Union and its client states, not on Africa, Latin America, the Middle East, South Asia, and especially not on the problems of terrorism and narcotics trafficking. This is a resource problem, while long emphasized by the Permanent Select Committee on Intelligence, it is a problem now all too apparent. This legislation continues the committee's effort to address this deficiency but with more emphasis.

Mr. Chairman, H.R. 2883 also reverses the 1995 limitations on asset recruitment. These restrictions, called "the Deutsch guidelines," were promulgated

as a means to limit our association with unsavory characters with human rights or other criminal problems. While the concern underlying these guidelines was certainly understandable, the reality is that the Deutsch guidelines have had a chilling effect on the recruitment of people who can actually and effectively penetrate the inner circle of the terrorist cells and networks and the narcotics rings.

The recruitment of assets with unique knowledge or access to these terrorists and drug cartels is the key to successful HUMINT in this area. The regrettable real world reality is that, certainly in the crucial battle against terrorism and drug rings, we must allow our foreign officers to recruit assets that are some rather unsavory characters. To break the back of the al Qaeda terrorist network, we will, in all likelihood, have to recruit individuals who are already influential members of al Qaeda, who themselves have committed acts of terror.

To win the war on terrorism we have to end the cycle of risk aversion. Recruiting the equivalent of A-1 grade boy scouts or straight arrows will not give us the penetration and the intelligence we need.

In many cases, there will be difficult decisions to make, but the United States has professionals and intelligence and law enforcement fields who can and must make those decisions. This legislation makes it clear that the foreign intelligence personnel can recruit those individuals who possess the information the United States needs to defend its people and its interests. There will be checks and balances put in place, but even though some of these assets will go bad, we need to be careful about our criticism. If the risks are realistically weighed against the chances of operational success, this body must not rashly second-guess those decisions.

Mr. Chairman, I urge my colleagues to support this legislation, and again, I commend the Chairman, the gentleman from Florida (Mr. GOSS), and the ranking member, the gentlewoman from California (Ms. PELOSI), for their leadership and all of my colleagues who have contributed so much to this legislation.

Our staff, of course, is outstanding. Certainly it continues to be among the very best in the Congress, and we owe a great deal of our success in bringing this legislation to our staff. They are crucial. They are competent. My colleagues should have every confidence in them as we do.

□ 0945

Ms. PELOSI. Mr. Chairman, I am pleased to yield 3½ minutes to the gentleman from Georgia (Mr. BISHOP), a distinguished member of our committee and a ranking member on the Subcommittee on Technical and Tactical Intelligence.

Mr. BISHOP. Mr. Chairman, I thank the gentlewoman for yielding me this time.

No one yet knows why we did not receive warning of this tragedy, and indeed whether such warning could have been acquired in this instance short of some stroke of luck. We must answer those questions in order to do better. But that will take time of course.

I commend the chairman and the gentlewoman from California (Ms. PELOSI), our ranking member, as well as all my colleagues on the committee for thinking hard about what steps should appropriately be taken in this bill in the short time available between September 11 and today, and as the executive branch prepares for its upcoming global campaign. I believe the committee took sensible steps to mandate changes where needs and solutions seemed clear, and to inform the executive branch of issues and problems that as of now we think must be addressed in the coming months and years.

Intelligence is clearly important to every step in the counterterrorism campaign: trying to detect plans and preparations, attempting to interdict the terrorists and their equipment and funds, helping the recovery from an attack, tracking down the perpetrators and striking back at them. I serve as the ranking member of the subcommittee overseeing the intelligence community's technical collection systems, such as satellites and aircraft and other means to take pictures and listen to communications. These systems contribute to all phases of counterterrorism.

Besides human intelligence, signals intelligence offers the greatest potential to discern the plans and intentions of terrorists. It is well known that NSA, the largest and most important element of our SIGINT system, is handicapped by technical and management problems. The committee, for several years, has been trying to work with the executive branch to overcome these problems. It remains to be seen whether NSA's present difficulties played any role in our ability to get wind of this attack. The bill before the House sustains our emphasis on instilling rigor in NSA's program management processes and improves significant increases in resources.

Imagery can provide good information on terrorists' infrastructure and training activities, but not on plans. Imagery also provides critical support to operations against terrorists because it can help to track them, to target them, to assess the effects of military strikes. The National Imagery and Mapping Agency, like NSA, has for years suffered from lack of expertise and program planning and management, and inadequate support from the DCI and Secretary of Defense. In particular, NIMA clearly has insufficient funds to meet even the minimum performance goals set for it by the intelligence community and the Defense Department. The committee, once again, is recommending steps to help remedy these changes.

I point out also that NIMA and its predecessors have always helped in re-

covery from disasters, whether natural or man-made. The relationships with FEMA and the State and local governments are strong and efficient. Contributions to homeland security in the future will be very substantial, in partnership with the Geological Survey.

Before September 11, the administration was exploring new approaches to satellite intelligence collections. The committee agrees that these ideas need to be looked at carefully, especially in light of new changes.

Mr. Chairman, in the interest of time, I will confine the balance of my remarks to border security.

As I think all of us understand by now, there is virtually no inspection of cargo entering the country by ship, rail, and truck. It is in practice very difficult to expand inspections substantially using current methods. We must instead use new information technologies and sensing technologies and forge new ways of inspecting and securing cargoes in cooperation with industry and trading partners.

The bill begins to address this issue. It adds money to begin acquiring a capability to identify and track merchant ships. It also provides funds and direction to various executive branch agencies and Departments, including the Department of State, to expand cargo tracking capabilities. Finally, the bill would authorize funds to test new technology to detect dangerous and illegal material and any kind of container rapidly and automatically.

The bill does not provide explanations or a cure for the crisis we are in, but it does provide the basis for conducting the coming campaign, sustaining our position with respect to all our other intelligence requirements, and preparing for future improvements. I urge its adoption.

Mr. GOSS. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. CHAMBLISS), who is the chairman of our Working Group on Terrorism and Homeland Security.

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

Mr. CHAMBLISS. Mr. Chairman, I thank the chairman for his work that he has done on this bill, and to our ranking member, the gentlewoman from California (Ms. PELOSI). It has been a great bipartisan effort. I rise in support of H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

As chairman of the committee's new Working Group on Terrorism and Homeland Security, and as a former firefighter, I have had a particular interest in ensuring the swift passage of this critically important bill before us today. There is much in this bill that enhances our Nation's counterterrorism capabilities, and I will address some of these provisions in just a moment.

In the aftermath of the tragic terrorist attacks on September 11, 2001, the President came here and told us that America is at war. He mentioned

the new battlefield we have now to navigate as a Nation. It is a battlefield that is not clearly defined and that will often be devoid of clear targets. It is a battlefield that stretches across the globe and involves a complex support network, false documents, illicit financial transactions, and fanatical individuals who are willing to commit suicide to further their twisted causes, whatever they may be.

On this new battlefield, conventional weapons and conventional thinking will not be sufficient, nor will a fortress mentality ensure adequate protection for our citizens both here and abroad. We can better secure our embassies and our military bases, and we have been and should continue to do this. But as we saw on September 11, the terrorists will always search for and find that weak spot, that chink in our armor that makes us vulnerable; and in a free society, there will necessarily be weak spots. Therefore, we need to recognize what the Permanent Select Committee on Intelligence has recognized for some time, and that is that intelligence rules this battlefield like never before.

Intelligence is the only way in which we will get at this problem. It is the only way in which we can discover the plans and intentions of the enemy, thwart his efforts to attack us, and locate him so that we can punish him swiftly and decisively when he manages to get through our defenses.

H.R. 2883 addresses a number of key shortfalls in the capability of our intelligence and law enforcement communities to combat terrorism. The bill substantially increases investments for FBI counterterrorism capabilities. It increases funding for language training across the intelligence community. A lack of linguists with fluency in languages spoken by most terrorists has plagued the intelligence and law enforcement communities and must be addressed more decisively than ever before.

H.R. 2883 also promotes a more focused analytical effort against the terrorist target. More and better threat analysis needs to be applied to all forms of threat reporting to give us the maximum chance for piecing together the puzzle that might help us to avert attacks such as occurred on September 11. This bill makes analysis a top priority.

The capabilities of CIA's counterterrorism center, our first line of defense overseas, also have been significantly augmented by provisions contained in this bill. Our subcommittee, headed by myself and my colleague, the gentlewoman from California (Ms. HARMAN), has been working very hard, very diligently, not only on the September 11 incident but on other issues involving international terrorism and homeland security, and this bill gives us more flexibility. I urge support for 2883.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 3 minutes to the very

distinguished gentlewoman from California (Ms. HARMAN), just praised by her colleague, the gentleman from Georgia (Mr. CHAMBLISS). She is the ranking member, as was mentioned, on the Working Group on Terrorism and Homeland Security of the Permanent Select Committee on Intelligence.

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I thank the ranking member for yielding me this time and for her graciousness, and also thank the chairman of the full committee and the chairman of the Working Group on Terrorism and Homeland Security for their bipartisanship and professionalism at all times on this committee.

Mr. Chairman, intelligence is a field in which I have worked for many years and in several different capacities. I was privileged to serve on this committee during my prior tenure in Congress and welcomed my reappointment. I represent a district where the Nation's sophisticated intelligence satellites are built, and served on the congressionally mandated National Commission on Terrorism, which made important recommendations in June of last year.

I have long been critical of the ad hoc ways in which our intelligence community has operated; how a community built with Cold War priorities was ill prepared to meet the challenges of the 21st century. On September 11, everything and everyone changed. But let me be clear: the men and women in our intelligence agencies are as devastated as the rest of America by the horrific attacks against our homeland. These are good and talented people who work in an organizational structure and under a Cold War-era culture that needs to change. Today, we take the fundamental steps necessary to change both the structure and the culture.

As my committee colleagues have said, the bill directly addresses shortfalls in the intelligence community's counterterrorism efforts, intelligence collection and analysis, and threat reporting. It revamps and reinvigorates our intelligence agencies. The bill provides new tools and resources for preventing terrorism and supporting our Armed Forces in future conflicts. This bill authorizes aggressive recruitment of human assets, makes significant investments in foreign language capabilities, and unravels the knots that have impeded the sharing and integration of intelligence information and analysis across all levels of government.

We have removed many of the stovepipes that have characterized the organizational structures of our intelligence community and worked to substitute a more seamless integration of responsibilities and missions.

Mr. Chairman, once this bill passes, we still have more to do. The Working Group on Terrorism and Homeland Security, of which, as you heard, I am ranking member, has an aggressive

agenda of public hearings, classified briefings/hearings, visits, and possibly legislative action. I believe we must pass the legislation that six committee Members introduced yesterday to give Cabinet-level status and budgetary authority to Pennsylvania Governor Ridge, who assumes his new job as Director of the Office of Homeland Security on Monday.

Mr. Chairman, the events of September 11 will be an ever-present reminder of the threats we now face. Reform starts today. I urge support of this legislation.

Mr. GOSS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Delaware (Mr. CASTLE), who is chairman of our Subcommittee on Technical and Tactical Intelligence.

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me this time, and I also rise in strong support of the intelligence authorization bill.

As chairman of the Subcommittee on Technical and Tactical Intelligence, I have had the opportunity to closely review the President's intelligence budget request and participate in the creation of this bill. I should note that our review occurred both before and after the attacks on the World Trade Center and the Pentagon.

There is no question that in the wake of these heinous attacks on America and the world there were some significant changes made to this legislation and some additional funds that are recommended. However, I would offer that, on the whole, this bill changed very little from the direction it was headed prior to September 11. Even before the attacks, the committee had taken some very tough positions with respect to the form and function of the United States intelligence community. Indeed, the committee has, over the past 6 years, tried to persuade the administration to more properly fund the Nation's first line of defense, that is, its intelligence community.

However, the fact is since the fall of the Berlin Wall and the Soviet Union, too little funding priority has been given to our national intelligence functions. Many intelligence needs have been left wanting for lack of funding, and the Congress has been forced to intercede in an effort to begin to rebuild our human and technical intelligence collection and analysis capabilities.

□ 1000

Our focus was on changing the Cold War footing to one that is more flexible and adaptable to the new world order threats.

Prior to the attacks, our funding efforts were limited to working "at the edges" of many the problems, because we had to live within a set of artificial constraints. After the attacks, however, the gentleman from Florida (Chairman Goss) and the gentlewoman from California (Ms. PELOSI), had to "take off the gloves."

With their superb leadership, we crafted a bill which took on tough and

seemingly intractable problems with additional funding authorizations necessary to begin to make a real difference.

Mr. Chairman, the post September 11 bill before us makes a real difference. It recommends significant funding to gain, train, and maintain a quality workforce. There is increased funding for language instruction and follow-on maintenance training. It recommends: Additional funding for counterterrorism analysis and focused regional studies; significant additions for processing, exploiting, and disseminating the vast amount of data that we collect around the world; investments in a more dynamic and flexible technical collection architecture for the future; and a down payment on replacing one of our most critical, but aging, ballistic missile intelligence collection systems.

Mr. Chairman, this is a good bill; and I recommend support of it by everybody in this Chamber.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CONDIT) who is the ranking member on the Subcommittee on Policy and National Security, a new subcommittee of our committee.

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

Mr. CONDIT. Mr. Chairman, I rise in strong support of this bipartisan authorization act. In the wake of the tragic attacks on the World Trade Center and the Pentagon, nothing is more timely than addressing the needs of the intelligence community.

Nothing is clearer to me than the need to increase our resources in the area of human intelligence and highly skilled analysts and people with specialties in foreign languages. The bill encourages the Permanent Select Committee on Intelligence to invest in the intelligence capital by pushing recruitment efforts and funding advanced training programs. It will help increase our ranks of human intelligence collectors, the critical key in gaining precise information on terrorist organizations. It is critical that we not only increase the number of intelligence gathering analysts, but we must also provide them with the tools to do the job.

This bipartisan bill will provide our intelligence community with the assets that they need to wage an aggressive campaign against terrorism. I commend the chairman and the ranking member for their leadership in this area. I would like to thank the chairman for his openness to take suggestions from our side of the aisle and to make this a strong bipartisan effort. I would commend both of them for their efforts.

I rise in strong support of this bipartisan authorization act. In the wake of the tragic attacks on the World Trade Center and the Pentagon, nothing is more timely than addressing the significant issues facing the intelligence community. We must provide direction, resources and guidelines to carry out the crucial

mission of providing intelligence to policy makers and our armed forces.

As the ranking member of the Intelligence Policy and National Security Subcommittee nothing is clearer to me than the need to increase our resources in the area of human intelligence and highly skilled analysts. We are experiencing an information revolution. Events transpire today on a global scale faster than we ever imagined making our need to collect, interpret and exploit gathered intelligence paramount.

This bill encourages the intelligence community to invest in intellectual capital by pushing recruitment efforts and funding advanced training programs. It will help increase our ranks of human intelligence collectors—the critical keys to gaining precise information on terrorist organizations. Alarming as it may seem, we currently are in a situation where there is more information available than our analysts can review. Given the most recent attacks on the United States, that is an unconscionable position to find ourselves in. It is critical that we not only increase the number of intelligence gatherers and analysts but we must also provide them the tools to do their job.

In May, the subcommittee reviewed intelligence sharing with our NATO allies. I would add this review was very useful after Operation Allied Force—the 1999 Kosovo air campaign. During that campaign, the intelligence community shared critical information such as bomb damage assessment and force protection intelligence with our NATO allies. We investigated the sharing process and procedures to ensure both the protection of classified material and a timely, seamless sharing of intelligence with our allies. In the current campaign against global terrorism, these procedures will continue to be vital to NATO military operations and our own national security.

In June, in conjunction with the Subcommittee on Terrorism and Homeland Security, we heard testimony on terrorism. As a member of the Terrorism and Homeland Security subcommittee, we are currently holding a series of open meetings on this important topic.

Make no mistake, though we have been aggressively pursuing the terrorist threat—and in fact, our intelligence community has disrupted many planned acts of terrorism—it is clear the threat is growing at an alarming rate in terms of its infrastructure and in its sophistication. This bill supports key efforts by our national security agencies to counter these realities.

I commend Chairman GOSS and Ranking Member PELOSI for their leadership and for producing a bipartisan bill that will strengthen our national security. I urge my colleagues to support this bill.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a valued member of our committee.

Mr. CUNNINGHAM. Mr. Chairman, I came on this committee thinking I was going to show them something. They have taught me. It is a bipartisan committee. It works very, very well; and I would like to thank the gentleman from Florida (Chairman GOSS) and the gentlewoman from California (Ms. PELOSI). I should have known better, one can always learn something from a good woman.

On this particular committee, there is so much information out there that

a Member can always learn a lot. I also want to thank the staff. Many of the staff were former members from our intelligence community. Twenty-four hours a day they will sit and brief Members on any area in the classified area, and I recommend that Members do that more.

I would also like to talk about the defense budget. It is about \$200 billion in the deficit primarily because of the 124 deployments that our services were asked to go on during the last administration. If one transposes that over to the Permanent Select Committee on Intelligence, they had to deploy 124 times along with the military. That funding deficit caused them the inability to modernize the systems and equipment that all of us say that they need to do their job.

When I hear some Members, especially from the other body, criticize our intelligence agencies, remember that they did not have the assets. They were denied modernization. Personally, I think they are doing a good job.

I would like to speak to the chairman of the committee. I understand that block 5, long-lead funding for Global Hawk, was eliminated in this, but the chairman has full commitment to support the Global Hawk and Predator programs. Is that correct?

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, that is correct.

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman from Florida.

Those assets, to know where the enemy is, is very, very important. In January 1972, we were told that there were no SAM sites over the hourglass just south of Hanoi. We did not have the reconnaissance assets that we needed. We went in to strike that target by the hourglass. We lost six airplanes because we did not have that knowledge. The Predator and Global Hawk gives us that knowledge.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER), a valued member of our committee.

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

Mr. ROEMER. Mr. Chairman, first of all, before even September 11, I want to applaud the gentleman from Florida (Chairman GOSS) and the ranking member, the gentlewoman from California (Ms. PELOSI), for working in a bipartisan way even before that tragic event. I also thank the very talented staff that we have in this committee for working in a bipartisan manner as well.

Francis Bacon once said, "He who will not apply new remedies, must expect new evils." I have encouraged, as this committee has encouraged, new ways to reorganize and restructure our culture and our targeting in the intelligence community. In the culture, we

need to push reforms and new ideas even more, to move from a culture that targets sometimes too often nation states, militaries, to a culture that will promote targeting sinister and seamless cell groups of terrorists. We need to move a culture from guards and guns and gates to a culture of targeting tents and terrorism and technology. That is the kind of reform that we need in this bill.

We are moving in that direction. We have an independent commission in this bill. We have emphasis on foreign language skills. We have more emphasis on HUMINT, human spies telling us where people's motivations and targets are; and we have more money for counterterrorism.

I have worked hard on the foreign language skill area, and on page 19 of the report we state, "Written materials can sit for months, and sometimes years, before a linguist with proper security clearances and skills can begin a translation."

We are providing aggressive recruiting for new employees, particularly those with ethnic and language backgrounds needed by the intelligence community. We are providing additional language incentives, especially in the toughest, most critical languages. We are providing increases in funding in counterterrorism for the FBI counterterrorism program, the DCI's counterterrorism program, and HUMINT collection.

Mr. Chairman, we need to do more. While I applaud the bipartisan nature of this committee, while I warmly applaud some of the reforms in this bill, I will be reserved as I watch the process go through the conference later with the Senate to encourage, to push reform, not to lay blame, not to blame individuals where we have so many brilliant and talented people in the CIA and other communities, but to push the reforms needed to change the culture, the target, and the organization that is so critical for us to defend our homeland.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, first I would like to offer my strong support for the fiscal year 2002 intelligence authorization bill. I believe it is a good, bipartisan product that addresses both the urgent short-term needs, as well as the long-term rebuilding requirements in human and signals intelligence.

As a relatively new member of the Permanent Select Committee on Intelligence, I would like to address just a portion of the bill which I think is very, very critical. It comes out of the tragic incident of April 20, 2001 when the Peruvian military, relying on information provided by the U.S. Government, mistakenly shot down a civilian airplane as part of a drug interdiction operation. Two innocent Americans, constituents of mine, lost their lives due to this error.

In an effort to ensure that this type of incident does not occur again, I have

worked closely with the gentleman from Florida (Chairman GOSS) and the committee to secure greater accountability from the executive branch with respect to the oversight of these counternarcotics activities. Section 504 amends current law relating to the immunity of employees and agents of the United States and foreign countries engaged in the interdiction of drug trafficking aircraft. Under this section, the President will annually certify to Congress both the existence of a drug threat in the country at issue and the existence in that country of the appropriate procedures to protect against innocent loss of life.

If our drug interdiction efforts in Latin America are intended to protect the American people from the threat of narcotics, we need to be sure that the methods we use do not create more innocent victims like the Bowers family.

Mr. Chairman, I congratulate the gentleman from Florida (Chairman GOSS) and the gentlewoman from California (Ms. PELOSI) on an excellent bipartisan bill.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. REYES), another valued member of our committee.

Mr. REYES. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, I thank the gentleman from Florida (Chairman GOSS) and the gentlewoman from California (Ms. PELOSI) for developing a bill that is designed to meet the intelligence challenges that our Nation is facing at a critical point in our history. Their leadership on critical intelligence issues has been extremely important to all of us on the committee, in particular to those of us that are on the committee for the first time.

The gentleman from Florida (Chairman GOSS) and the gentlewoman from California (Ms. PELOSI) have recently been the focus of the press. However, it is important to note, Mr. Chairman, that everyone here knows that both the gentlewoman from California (Ms. PELOSI) and the gentleman from Florida (Chairman GOSS) have been working behind the scenes for years on critical intelligence issues. I thank them for their continued commitment to our Nation and the intelligence system that we rely on so heavily.

In a number of hearings that we have had in the committee, I expressed two very important observations. First, the intelligence community needs to pay attention to the diversity that is so critical and representative of our Nation. Both the chairman and the ranking member have been very supportive on that issue.

Secondly, as some of the other Members have mentioned, the emphasis on language diversification is vitally important as we face the challenges in today's intelligence gathering and analysis world.

We need analysts and case officers with language skills and expertise in

many foreign areas. At the NSA and the CIA, thousands of pieces of data are never analyzed or analyzed after the fact because there are too few analysts and even fewer with the necessary language skills. This is a deficiency that must be corrected immediately.

Our bill provides bonuses to intelligence employees of the CIA and the Pentagon who are fluent in languages of the toughest and most important targets that we face as a Nation. It is clear that we must do more, and this bill takes the necessary steps to provide the tools necessary for the intelligence community. I urge all Members to support a strong bipartisan bill.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, I am constrained, and understandably so, in dealing with the specifics of this bill in terms of dollars and numbers. I would urge all of my colleagues to follow the suggestion of the chairman and the ranking member to visit the Permanent Select Committee on Intelligence to get the classified briefing and to examine the figures for themselves.

Mr. Chairman, let me stress this to my colleagues. This is a very good bill because it provides more resources for people, for our human intelligence, for our eyes and ears around the world. More resources to add to their numbers and their training, with particular emphasis in language capabilities.

Our dedicated and well-trained linguists who are case officers and covert operatives and intelligence operatives are critically important to operations. They are the essential people part of the equation.

□ 1015

They are the essential people part of the equation. All the sophisticated technical means in the world, the satellites in the heavens and the specialty electronic devices all over every place are important, but there is no substitute for people. And, quite frankly, with linguistic skills, there simply are not enough of them. This bill recognizes that and supports additional funding directed to the Defense Language Institute. This funding is targeted for linguistic training, not just for the training, but also for the recruitment and retention of proficient instructors. It promotes computer-based training to keep those skills honed, and aims at keeping those classes fully populated with the best and the brightest.

Let me stress, there is no substitute for the people part of this equation. The dedicated men and women in the intelligence community who are serving this Nation at distant points in the globe are to be applauded and supported and we do just that.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2½ minutes to the distinguished gentleman from Iowa (Mr.

BOSWELL) who serves as the ranking member of the Subcommittee on Human Intelligence, Analysis and Counterintelligence of the Permanent Select Committee on Intelligence.

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

Mr. BOSWELL. Mr. Chairman, I would like to say to whoever is listening that it is my observation in my few months on this committee that we have outstanding leadership with our chairman and ranking member, and I really appreciate it, and I hope all America does. In my former life as a teacher at the command general staff college at the Department of Tactics, I want to assure you that I am aware and I want you to be aware that intelligence is something you have to have. You have to have reliable information before you act.

And I want to tell you this, that I have made also the observation that we have dedicated and professional men and women who work in this community. Nevertheless, the horrendous attacks acts of September 11 require us to think hard about how U.S. intelligence is gathered, analyzed and disseminated so that we are sure intelligence is providing the very best first line of defense for our country.

As the ranking member of the Subcommittee on Human Intelligence, Analysis and Counterintelligence, I believe we need better global coverage, allowing us to collect more human intelligence in more places worldwide. As we all are now too well aware, we face terrorist networks with global reach. We are forced into a serious situation regarding our security. We must ourselves place overt and covert collectors in every corner of the world to fight back and utilize well the assistance of our international allies. In addition, for our HUMINT collectors to be effective, their language skills and foreign area expertise overall must be improved and maintained. Career paths for specialists must be fostered. This bill provides the resources and encourages the efforts in the intelligence community to increase the number of front-line field officers and improve their skills.

Furthermore, we have to get smarter at using effectively, across the agencies of the Federal Government, all available information that bears on terrorism. Different agencies of the government have different roles to play, and no one agency can do the job alone. Currently, our capacity to collect information outstrips our ability to exploit what we have. Furthermore, we have not always given proper weight to the most predictive sources of information. The analytic effort in the fight against terrorism must be an all-inclusive effort, with sufficient numbers of analysts deployed where they are needed to make a difference. The Congress may soon vote to authorize new methods and procedures for sharing information. This is all well

and good, but the agencies now expected to share information must have state-of-the-art information technology tools and the personnel they need to process, analyze and disseminate critical intelligence to make new authorizations effective.

I urge your support of this bill.

Mr. GOSS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from New Mexico (Mrs. WILSON), a former member of our committee.

Mrs. WILSON. Mr. Chairman, in the front of this report, the unclassified version which is really worth reading for my colleagues, it says that intelligence is our first line of defense, but too often it is an afterthought. This document and this bill explains why we must have a renewed focus on intelligence. I commend the chairman and the ranking member and the committee for their excellent work on this bill in providing some direction for the future.

The one thing I do want to highlight, and we have discussed this among ourselves, is the need to move forward with the problem of homeland intelligence. It is the most obvious, gaping hole in our protection against terrorism, the ability to prioritize, direct, collect, analyze and inform about activities within the United States and to share information among agencies, much of it completely unclassified, in order to make sure we can defend the homeland of the United States.

I look forward to working with the chairman and my other colleagues in the House to make sure that the intelligence capability of the United States remains strong.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me say to the gentleman from Florida (Mr. GOSS) whom I see a lot in the Committee on Rules and to the ranking member, the gentlewoman from California (Ms. PELOSI), thank them for a very excellent legislative initiative. The American people understand the word intelligence, and I think as we have reflected on the enormous tragedy of September 11, they will be more informed about the importance of our intelligence community.

This legislation advocates the enhancement of the intelligence community. Let me thank both the gentleman from Florida (Mr. GOSS) and the gentlewoman from California (Ms. PELOSI) for the new commission to find out the facts of the September 11, tragedy. Many might say that we give out too much information, but I believe this commission will help us understand better the necessity for enhanced funding, resources, technology for our intelligence community.

I had thought of offering an amendment as the ranking member on the Immigration Subcommittee to deal with seeking to promote collaborative

efforts between the INS and the intelligence community. Two days ago, we in the Committee on the Judiciary passed an antiterrorism bill unanimously with a balance between the rule of law and tools for law enforcement. I believe it is important that we realize that though immigration does not equate to terrorism, it is important the INS be able to be advised on intelligence that would help them further thwart those trying to enter the country with the purpose of terrorist activities.

I hope we will have a chance to discuss that issue so that we can work together for homeland security, we can balance our committee's work and provide the necessary collaboration to secure our Nation.

I ask my colleagues to support this important legislation.

Mr. GOSS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Connecticut (Mr. SIMMONS), a man who has had great experience in the intelligence business.

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

Mr. SIMMONS. Mr. Chairman, I commend the chair and the ranking member and the members of the Permanent Select Committee on Intelligence for their bipartisan work on this legislation.

Specifically, I want to state my strong support for provisions in section 105 that codifies the U.S. Coast Guard as a National Foreign Intelligence Program agency under the National Security Act.

Fifteen years ago, the Coast Guard was primarily a consumer of intelligence. Now and into the future, it can be a collector, a processor and a producer as well as a consumer of intelligence. The Coast Guard is involved in counternarcotics, counterterrorism, illegal alien smuggling, maritime drug interdiction, sea enforcement of immigration laws, port security and waterways security.

The integration of the Coast Guard into the intelligence community makes them more responsive to the threats we face, and in particular, to the threats of terrorism. It also enhances the training and activities of the Coast Guard intelligence program and professionalizes their activities.

On this basis, I am very pleased to see that this bill codifies the Coast Guard as an element of the intelligence community.

Mr. Chairman, I rise today in support of the Intelligence Authorization Act of FY 2002. I commend the chairman, ranking member and members of the House Intelligence Committee for their bipartisan work on this important piece of legislation.

Specifically, I would like to state my strong support for the provisions in section 105 of this bill that codifies the U.S. Coast Guard as a National Foreign Intelligence Program (NFIP) Agency under the National Security Act.

Mr. Chairman, I have the privilege of representing New London, CT, which is the home of the U.S. Coast Guard Academy. I also serve as vice chairman of the Coast Guard Subcommittee of the Transportation Committee. These associations have introduced me to some of the unique activities of the Coast Guard.

Fifteen years ago the Coast Guard was an intelligence consumer. When I offered a course on the Intelligence Community at the Academy, I was told that it was not necessary. These circumstances are no longer the case today.

Now and into the future, the Coast Guard can be a collector, a processor, and a producer as well as a consumer of intelligence. On this basis, including the Coast Guard Intelligence Program (CGIP) into the NFIP is an important and timely initiative.

To a certain degree, the integration of elements of the Coast Guard into the Intelligence Community is a formality. The men and women of the Coast Guard have been taking part in homeland protection through the multitude of tasks; tasks that it performs better than any other agency of our Government.

The Coast Guard is involved in counter-narcotics, counterterrorism, illegal alien smuggling, maritime drug interdiction, and sea-enforcement of immigration laws, port security and waterways security to name a few.

Threats to our country are met and thwarted along and off our shores every day through the diligence and professionalism of the Coast Guard. The routine activities of the Coast Guard also place it in a position to collect information, disseminate information and participate in the production of intelligence. This can be a valuable contribution to the Intelligence Community.

The integration of the Coast Guard into the Intelligence Community makes them more responsive to some of the threats we face—particularly the threat of terrorist attacks. It also enhances the training and activities of the Coast Guard Intelligence Program, and professionalizes their activities.

On this basis I am glad to see that section 105 of this bill codifies the Coast Guard as an element of the Intelligence Community.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, it is not popular to say, but I believe America's intelligence network is very poor. Americans are now being killed by the thousands, and money alone is not going to solve it.

I think Congress must address our Mideast policy. I think we can and should support Israel, but we must be more objective in dealing with Arab nations. I believe the Palestinian issue must be resolved and the Palestinian people deserve a homeland, and that is not popular to say.

But, ladies and gentlemen, Americans are now being killed by the thousands, and we have exported through our policies the terrorism in the Mideast to the United States of America. I think it is time to tell it like it is, stop addressing the symptoms and look at the root causations. We can maintain our friendships and strong alliance with Israel, but by God we have to

show objectivity in the Mideast or there will be more bin Ladens and more terrorist attacks on the United States of America.

Finally, our borders are wide open. Congress better look at that issue, because we have exposed a very vulnerable, soft underbelly.

Mr. GOSS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK), also knowledgeable on matters of national security.

Mr. KIRK. Mr. Chairman, I want to speak as a Naval Reserve intelligence officer who knows the value of linguistic abilities in intelligence. The United States Government has two large institutions dedicated to international languages used by many countries, the Foreign Service Institute and the Defense Language Institute. But the real reserve of linguistic abilities among tribal and less-used languages across countries is the Peace Corps.

I think the United States needs to develop in the national security community an ability to speak these other languages, especially obviously in Central Asia and countries where terrorist threats might emerge. This is going to require a huge effort, focusing on some of the abilities and the institutional knowledge in the Army's foreign area officer expertise. I think it is necessary for the Navy and Air Force and intelligence agencies to develop this FAO capability in other services, especially so that there is a full career path for such officers and that the United States looks to the long term.

I also want to commend the committee on the recruitment guidelines and hope that when we look to the Director of Central Intelligence, that he reports back on those guidelines early and gives the Chief of Station the ability to set the guidelines in unique circumstances.

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding me this time.

Mr. Chairman, I rise to engage Chairman Goss in a brief colloquy on the matter of border security. The State Department has the legal responsibility to issue visas at our U.S. embassies and consulates. Over the years, we have vastly improved the process by which visas are issued. Name check systems are now computerized, allowing the consular officer at a post to have a reliable method of vetting a person's entry into the United States.

This system of name checking is only as good, however, as the information that is entered into the system. I would like to ask the chairman that in the course of the intelligence bill conference, that he work to ensure that the best cooperation is received from relevant agencies to be sure that current information is provided on a timely basis to the State Department for

purposes of securing a better name check system. I would note that all 18 of the suicide hijackers were granted visas. Something is wrong and we need to fix it.

Mr. GOSS. Mr. Chairman, if the gentleman will yield, I would certainly agree that the gentleman raises an excellent point with regard to the full need for cooperation among agencies for purposes of strengthening our border security programs. I will work in conference to come up with appropriate language to direct that such information sharing occurs among the intelligence agencies and the State Department so that we have the best and most secure visa issuing system possible. I will further pledge that we will try and improve the handoff between the other law enforcement agencies that are involved as well.

Mr. SMITH of New Jersey. I thank the distinguished chairman.

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume.

I just want to address another point in the bill that the gentleman from Michigan (Mr. HOEKSTRA) referenced, and, that is section 504, relating to official immunity for employees and agents of the United States and foreign countries engaged in the interdiction of aircraft used in illicit drug trafficking. This springs from the unfortunate, and that is a very mild word to use, shooting down of the aircraft in Peru. Under this section, the President must make an annual certification to Congress concerning both the existence of a drug threat in the country at issue and the existence in that country of appropriate procedures to protect against innocent loss of life. An annual report to Congress by the President concerning United States government assistance to such interdiction programs is also required by this section.

I call that to the attention of our colleagues, because many Members had concerns about that incident. And doing so gives another reason to acknowledge the cooperation of our chairman, the gentleman from Florida, for including this language. I recognize the gentleman from Michigan's leadership in this because his constituent was directly affected by it. I thank him for his leadership.

□ 1030

Mr. Chairman, I did want to make a couple of remarks in closing here. This bill contains an independent review of the events leading up to September 11. I believe that as we proceed to talk about anything regarding September 11, we are walking on sacred ground. We have to proceed with great dignity to honor, and out of respect for, the losses suffered by so many.

Our entire country wants us to do everything possible to stop terrorism in our country, terrorism against our interests worldwide, and, indeed, terrorism against any target, and to stamp out terrorism wherever it exists.

I do believe that it is important in light of the horrific acts of September

11 that there be an independent assessment of the performance of the agencies and departments of the federal government responsible for dealing with terrorism. That assessment must be broad in scope and conducted by individuals as free as possible of the interests of the organizations they will review.

Section 306 as approved by the committee would produce those results. I will offer an amendment to address some of the concerns expressed by some of our colleagues about the breadth of jurisdiction of the commission under the amendment time. But I think it is a mistake to just proceed without an independent review of the events that happened. For that reason I thank the chairman for his support in making the commission a part of the bill, and I appreciate the Republican majority support on that.

Sensitive to the concerns raised by some on both sides of the aisle about the scope of that commission I intend to offer an amendment as a compromise.

I wanted to acknowledge and join my distinguished chairman in acknowledging the great work of the staff on both sides of the aisle, headed up by Tim Sample as the majority chief of staff and Mike Sheehy, our staff chief on the Democratic side. We are all very well served by all the staff on both sides of the aisle. We do not think of it in a partisan way.

I also want to again thank our distinguished chairman for the manner in which he conducted the markup, indeed, the business of our committee, and for his receptivity to the concerns presented by the minority side. I want to particularly commend my minority members for the valuable contributions they have made to the debate and, again, of course, the work of every member of the committee.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have heard over the course of the last hour or so many Members talk about our intelligence needs, and especially the need to address the shortfalls related to counterterrorism. We have also heard about the need to invest in the broader areas of intelligence. It is this investment in time, thought, funding, and actually action that I would like to address as we close on our side of the general debate.

The President, his Cabinet and Members of this body have rightly told the American people that the war on terrorism is going to be a long-term effort, and that even if we were to get Mr. bin Laden tomorrow that would not put an end to terrorist activities, sadly.

Likewise, Mr. Chairman, if we only make fixes to the intelligence community to address counterterrorism capabilities, we will not fully protect our national security and other quarters

from the multitude of others threats that could befall us.

In a recent classified publication called the Quadrennial Intelligence Community Review, there are some specific unclassified trends that speak to the challenges of our future. Briefly, adversaries increasingly will target the U.S. homeland; military threats will be quantitatively and qualitatively different, involving very short-notice contingencies and a very high premium on flexibility response; warning of global crisis will be more difficult by 2015 because of the scope and complexity of requirements and the speed of events; revolutionary information technology capabilities will be available to friend and to foe; and adversaries will use new, highly-effective means to select and neutralize sensitive clandestine operations or technically sophisticated collection devices. These are just a few of the kinds of challenges out there.

Mr. Chairman, all of these points go to the fact that this country will need a vibrant, flexible, and strong intelligence community.

More importantly, however, is that these points, in my view, challenge the wherewithal of our current national security structure. Therefore, in this bill we send a message to the administration that now is not the time to circle the wagons and attempt to address the issues with a status quo approach. We must take a look at whether the structure of the intelligence community can meet the challenges that we know are out there; and I believe the answer is that it cannot in its present form, and whether our overall national security apparatus needs to be updated and revised, and I believe it should, and I do not think anybody disagrees with that.

The reason that this is so important at this time is thrown into stark relief obviously by the horrible tragic events of September 11, which I agree with my ranking member, is sacred soil. The same attacks demonstrate that the issue of the safety and security of the rights and freedoms of the civilized world as a whole are at stake.

If you do not believe me, I would like you to take a moment just to take a look at this map, which shows in the red countries, those are the countries that suffered loss during the September 11 attacks. There is a lot of red on that map around the globe; and that is what I suggest, that national security is a global issue and we indeed are looked at as the leaders.

In closing, let me again thank all the members of the committee, and I mean each and every one, especially our subcommittee chairmen and the ranking members. I know it has been a lot of hard work, and we have reorganized HPSCI this year to take on the extra load.

I thank the gentlewoman from California (Ms. PELOSI) particularly for her cooperation and very sincere consideration of the provisions of this bill. The management of her side of these matters has been extraordinary.

I also want to pay special attention to our committee staff, Mr. Chairman. The Permanent Select Committee on Intelligence staff is a group of very professional, very experienced, dedicated people who have gone through a great deal since September 11. They have worked literally tirelessly through weekends, nights to respond to several additional tasks that the Speaker and, of course, circumstances have placed on the committee, as well as to prepare this bill for Members' consideration, and other bills that are coming shortly on the subject of intelligence, as we all know.

This was always a bipartisan effort, and I am thankful we have such an extraordinary professional staff. I would name each and every one of them for citation for their extraordinary work, and I will put their names in the RECORD. I am most grateful that they work so well together and so professionally.

I also need to point out the Speaker of the House and the minority leader, the gentleman from Missouri (Mr. GEPHARDT), have done an amazing job of staying tuned to what our extraordinary circumstances and being there for the Permanent Select Committee on Intelligence and intelligence matters when we needed them; and I must also include the appropriators, the gentleman from Florida (Mr. YOUNG), of course, a former member of the committee; the gentleman from California (Mr. LEWIS), of course, a former member of the committee; the gentleman from Pennsylvania (Mr. MURTHA), for the work they have done to understand our problems.

Finally, I want to pause for a moment to recognize those from the intelligence communities who lost their lives on September 11 in the service of the Nation at the Pentagon. Mr. Chairman, 15 people from the community lost their lives, seven from the Defense Intelligence Agency, seven from the Office of Naval Intelligence. They will be sorely missed by the community, and, of course, extremely missed by their families and loved ones.

It is in their honor we will push to ensure that the proper investments and changes are made to ensure that their comrades and Americans around the world can enjoy the rights, the freedoms, the securities at home and abroad. These are the symbols of the American culture, these are what we stand for, this is what we seek to protect and provide for.

The CHAIRMAN. The time of the gentleman from Florida (Mr. Goss) has expired.

Ms. PELOSI. Mr. Chairman, we have been joined by two distinguished Members who were in markup.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, let me thank the gentlewoman for yielding me time, and just concur in the comments that the gentleman from Florida (Mr. GOSS) has just made.

These are difficult times for our entire Nation and for the people who work in our intelligence agencies. They are at a disadvantage. When they have a victory, when they are able to stop terrorist activities here or abroad, they cannot issue a press release when they do their work successfully.

Obviously, we need to do a better job on the intelligence front for our Nation, and the legislation before us moves us in that direction and I strongly support it. We all need to do a better job, including what we do here on the Hill in providing the resources to our intelligence community.

Mr. Chairman, I just really wanted to rise to thank the men and women who give public service to this country in the intelligence field. They do public service for this Nation, they do it in a very fine way, and they need additional support. We all need to come together so that we can make this Nation a stronger Nation.

I want to thank the chairman and ranking member for the legislation they have brought forward.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from California (Mr. FARR), a member of the Committee on Appropriations.

Mr. FARR of California. Mr. Chairman, I thank the gentlewoman for yielding me this valuable time.

Mr. Chairman, I rise commending the committee in their realization that you cannot have better intelligence unless we have better linguistic training. I happen to represent what we call the language capital of the world, Monterey, California, which is the home for the Defense Language Institute, the largest language school in the world. Four thousand young men and women of every ethnic background are studying in Monterey to become linguists for our military and Federal Government.

We also have the AT&T Language Line; and many of you, if you do have any language problems, can dial up and get immediate translation on that line. We have the Monterey Institute of International Studies, which is the home for the Nonproliferation Center, which we understand is where all the dangerous material in the world is located.

This emphasis on languages is the only way we are going to better understand the world we live in and better understand the communications that go on in the world. Thank you for putting it in the report.

Ms. PELOSI. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has 1½ minutes remaining, and the gentleman from Florida (Mr. Goss) has no time remaining.

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in the minute and a half I have remaining, I want to join our distinguished chairman in remembering those people in the defense in-

telligence community who lost their lives at the Pentagon, indeed all of the people who lost their lives at the Pentagon. Those of us who have had the opportunity to spend any time over there to extend the condolences of this entire Congress and of our own constituents know that the sorrow that we all experienced has moved to resolve.

I also wanted to mention John O'Neill, a former FBI special agent in charge of the National Security Division, who lost his life in the World Trade Center attack. His service is well known to many of us in the intelligence community; and we extend condolences to his family, and, indeed, to the families of all who lost their lives, whether it is in planes or in the buildings that were attacked.

There have been unimaginable acts of terrorism designed to instill fear in the American people, but the terrorists will not succeed in that. Their behavior is outside the circle of civilized human behavior, and I agree with President Bush that we will bring them to justice or bring justice to them; but justice must be done.

Mr. Chairman, I would like to have the remainder of my time be a moment of silence in honor of those that lost their lives.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule by title, and each title shall be considered read.

No amendment to that amendment shall be in order except those printed in the portion of the CONGRESSIONAL RECORD designated for that purpose and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

The Clerk will designate section 1. The text of section 1 is as follows:

H.R. 2883

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2002".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence community management account.

Sec. 105. Codification of the Coast Guard as an element of the intelligence community.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

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

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Sense of the Congress on intelligence community contracting.

Sec. 304. Requirements for lodging allowances in intelligence community assignment program benefits.

Sec. 305. Technical amendment.

Sec. 306. Commission on September 11 government preparedness and performance.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Modifications to Central Intelligence Agency's central services program.

Sec. 402. Extension of CIA Voluntary Separation Pay Act.

Sec. 403. Guidelines for recruitment of certain foreign assets.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Authority to purchase items of nominal value for recruitment purposes.

Sec. 502. Funding for infrastructure and quality-of-life improvements at Menwith Hill and Bad Aibling stations.

Sec. 503. Continuation of Joint Interagency Task Force at current locations in Florida and California.

Sec. 504. Modification of authorities relating to interdiction of aircraft engaged in illicit drug trafficking.

Sec. 505. Undergraduate training program for employees of the National Imagery and Mapping Agency.

Sec. 506. Technical amendments.

The CHAIRMAN. Are there amendments to section 1?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

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

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) **SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.**—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2002, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 2883 of the One Hundred Seventh Congress.

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

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) **AUTHORITY FOR ADJUSTMENTS.**—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2002 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) **NOTICE TO INTELLIGENCE COMMITTEES.**—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of Central Intelligence for fiscal year 2002 the sum of \$152,776,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2003.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Intelligence Community Management Account of the Director of Central Intelligence are authorized 313 full-time personnel as of September 30, 2002. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

(c) **CLASSIFIED AUTHORIZATIONS.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2002 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2003.

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2002, there are hereby authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) **REIMBURSEMENT.**—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2002, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a non-reimbursable basis for a period not to exceed one year for the performance of temporary functions as required by the Director of Central Intelligence.

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

(1) **IN GENERAL.**—Of the amount authorized to be appropriated in subsection (a), \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2003, and funds provided for procurement purposes shall remain available until September 30, 2004.

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

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

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

SEC. 105. CODIFICATION OF THE COAST GUARD AS AN ELEMENT OF THE INTELLIGENCE COMMUNITY.

Section 3(4)(H) of the National Security Act of 1947 (50 U.S.C. 401a(4)(H)) is amended—

(1) by striking “and” before “the Department of Energy”; and

(2) by inserting “, and the Coast Guard” before the semicolon.

The CHAIRMAN. Are there amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2002 the sum of \$212,000,000.

The CHAIRMAN. Are there amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—GENERAL PROVISIONS**SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.**

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

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

SEC. 303. SENSE OF THE CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

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

SEC. 304. REQUIREMENTS FOR LODGING ALLOWANCES IN INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM BENEFITS.

Section 113(b) of the National Security Act of 1947 (50 U.S.C. 404(h)) is amended—

(1) by inserting “(1)” before “An employee”; and

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

“(2) The head of an agency of an employee detailed under subsection (a) may pay a lodging

allowance for the employee subject to the following conditions:

“(A) The allowance shall be the lesser of the cost of the lodging or a maximum amount payable for the lodging as established jointly by the Director of Central Intelligence and—

“(i) with respect to detailed employees of the Department of Defense, the Secretary of Defense; and

“(ii) with respect to detailed employees of other agencies and departments, the head of such agency or department.

“(B) The detailed employee maintains a primary residence for the employee's immediate family in the local commuting area of the parent agency duty station from which the employee regularly commuted to such duty station before the detail.

“(C) The lodging is within a reasonable proximity of the host agency duty station.

“(D) The distance between the detailed employee's parent agency duty station and the host agency duty station is greater than 20 miles.

“(E) The distance between the detailed employee's primary residence and the host agency duty station is 10 miles greater than the distance between such primary residence and the employee's parent duty station.

“(F) The rate of pay applicable to the detailed employee does not exceed the rate of basic pay for grade GS-15 of the General Schedule.”.

SEC. 305. TECHNICAL AMENDMENT.

Section 106(b)(2)(C) of the National Security Act of 1947 (50 U.S.C. 403-6(b)(2)(C)) is amended by striking “Nonproliferation and National Security” and inserting “Intelligence and the Director of the Office of Counterintelligence”.

SEC. 306. COMMISSION ON SEPTEMBER 11 GOVERNMENT PREPAREDNESS AND PERFORMANCE.

(a) **ESTABLISHMENT.**—There is established a commission to be known as the “Commission on Preparedness and Performance of the Federal Government for the September 11 Acts of Terrorism” (in this section referred to as the “Commission”).

(b) **DUTY.**—

(1) **ASSESSMENT OF AGENCY PERFORMANCE.**—The Commission shall, with respect to the acts of terrorism committed against the United States on September 11, 2001, assess the performance of those agencies and departments of the United States charged with the responsibility to prevent, prepare for, or respond to acts of terrorism up to and including that date. For purposes of the preceding sentence, those agencies and departments include—

(A) the Department of Defense (including the intelligence elements of the Department),

(B) the Department of Justice (including the intelligence elements of the Department),

(C) the Department of State (including the intelligence elements of the Department),

(D) the Department of the Transportation (including the intelligence elements of the Department),

(E) the Department of the Treasury (including the intelligence elements of the Department),

(F) the Central Intelligence Agency, and

(G) the Federal Emergency Management Agency.

(2) **REPORT.**—The Commission shall submit the report described in subsection (g).

(c) **MEMBERSHIP.**—

(1) **NUMBER AND APPOINTMENT.**—The Commission shall be composed of 10 members appointed as follows:

(A) The President shall appoint 4 members.

(B) The Speaker of the House of Representatives shall appoint 2 members.

(C) The majority leader of the Senate shall appoint 2 members.

(D) The minority leader of the House of Representatives shall appoint 1 member.

(E) The minority leader of the Senate shall appoint 1 member.

(2) TERMS.—

(A) *IN GENERAL.*—Each member shall be appointed for the life of the Commission.

(B) *VACANCIES.*—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(3) BASIC PAY.—

(A) *RATES OF PAY.*—Members shall serve without pay.

(B) *TRAVEL EXPENSES.*—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(4) *QUORUM.*—6 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(5) *CHAIRPERSON.*—The Chairperson of the Commission shall be elected by the members.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) *DIRECTOR.*—The Commission shall have a Director who shall be appointed by the Chairperson.

(2) *STAFF.*—The Chairperson may appoint and fix the pay of additional personnel as the Director considers appropriate.

(3) *APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.*—The Director and staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay for GS-15 of the General Schedule.

(4) *EXPERTS AND CONSULTANTS.*—With the approval of the Chairperson, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS-15 of the General Schedule.

(5) *STAFF OF FEDERAL AGENCIES.*—Upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

(e) POWERS OF COMMISSION.—

(1) *HEARINGS AND SESSIONS.*—The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(2) *POWERS OF MEMBERS AND AGENTS.*—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(3) *OBTAINING OFFICIAL DATA.*—The Commission may secure directly from any department or agency of the United States information, including classified information, necessary to enable it to carry out this Act. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(4) *MAILS.*—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(5) *ADMINISTRATIVE SUPPORT SERVICES.*—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Com-

mission to carry out its responsibilities under this section.

(6) SUBPOENA POWER.—

(A) *IN GENERAL.*—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any matter under investigation by the Commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(B) *FAILURE TO OBEY A SUBPOENA.*—If a person refuses to obey a subpoena issued under subparagraph (A), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(C) *SERVICE OF SUBPOENAS.*—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(D) *SERVICE OF PROCESS.*—All process of any court to which application is made under subparagraph (B) may be served in the judicial district in which the person required to be served resides or may be found.

(E) *IMMUNITY.*—Except as provided in this paragraph, a person may not be excused from testifying or from producing evidence pursuant to a subpoena on the ground that the testimony or evidence required by the subpoena may tend to incriminate or subject that person to criminal prosecution. A person, after having claimed the privilege against self-incrimination, may not be criminally prosecuted by reason of any transaction, matter, or thing which that person is compelled to testify about or produce evidence relating to, except that the person may be prosecuted for perjury committed during the testimony or made in the evidence.

(7) *CONTRACT AUTHORITY.*—The Commission may contract with and compensate government and private agencies or persons for supplies and services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(f) *REPORT.*—The Commission shall transmit a report to the President and the Congress not later than 6 months after the date by which the Director has been appointed by the Chairperson. The report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for legislative and administrative actions the Commission considers appropriate.

(g) *TERMINATION.*—The Commission shall terminate on 30 days after submitting the report required under subsection (g).

The CHAIRMAN. Are there amendments to title III?

AMENDMENT NO. 1 OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. Goss:

Strike the heading of section 306 (page 12, lines 1 and 2) and insert the following:

SEC. 306. COMMISSION ON NATIONAL SECURITY READINESS.

Page 12, beginning on line 4, strike "Commission on Preparedness and Performance of the Federal Government for the September 11 Acts of Terrorism" and insert "Commission on National Security Readiness".

Page 12, strike lines 9 through 17 and insert the following:

(1) *REVIEW.*—With respect to the acts of terrorism committed against the United States on September 11, 2001, the Commission shall review the national security readiness of the United States to identify structural impediments to the effective collection, analysis, and sharing of information on national security threats, particularly terrorism. For purposes of the preceding sentence, the scope of the review shall include—

Page 13, line 8, strike "subsection (g)" and insert "subsection (f)".

Page 13, line 11, strike "10" and insert "8".

Page 13, line 13, strike "4" and insert "2".

Page 13, after line 21, insert the following

new paragraph and redesignate the succeeding paragraphs accordingly:

(2) *QUALIFICATIONS.*—(A) A member of the Commission shall have substantial Federal law enforcement, intelligence, or military experience with appropriate security clearance.

(B) A member of the Commission may not be a full-time officer or employee of the United States.

Page 16, beginning on line 5, strike "hold hearings".

Page 16, beginning on line 8, strike "The Commission" and all that follows through the end of line 9.

Strike paragraph (6) of section 306(e) (page 17, beginning on line 7 through page 19, line 3) and redesignate the succeeding paragraph accordingly.

Page 19, line 10, strike "6 months" and insert "one year".

Page 19, beginning on line 17, by striking "subsection (g)" and insert "subsection (f)".

Mr. GOSS. Mr. Chairman, I rise to offer an amendment to section 306 regarding the establishment of an independent commission to review the national security readiness of the United States, to identify structural impediments to the effective collection analysis and sharing of information on national security threats, particularly terrorism.

□ 1045

By way of explanation, in its markup, the committee debated the purposes, mandate, and composition of this national commission that we talked about that would review our Nation's readiness to address the national security threat posed by terrorism in the wake of events that we all witnessed on September 11 in New York and Pennsylvania and the Pentagon. There was some disagreement among members as to whether there was an immediate need for such a commission and how broad its scope should actually be. Some members argued that there should be no commission at all as it might fall into the trap of focusing only on who was to blame for events of September 11, which is hardly the time to do that. Other members were concerned about the independence of commission members. Some of our members felt that the role of such a commission overlapped substantially with the responsibilities of our own Subcommittee on Terrorism and Homeland Security, and there were other thoughts as well.

I know that we all recognize that it is important to understand what happened on September 11 and how our government can defend our Nation better in the future. That is a given. At

the same time, it was my hope to find some common ground between the varying views who are opposed to the establishment of a commission, assessing the performance of U.S. Government agencies responsible for safeguarding our country, and those who are seeking immediate answers as to what we can do to strengthen our defenses against terrorism. I was looking for that common ground.

So we have come up with this amendment. Incidentally, this amendment also has some minor fixes for some of the inadvertent problems we found down in the Justice Department in the hand-off with law enforcement. The gentleman from Illinois (Mr. LAHOOD) in particular, who has already spoken on the rule in this matter, was planning to offer an amendment to strike section 306 in its entirety, which was to remove the commission out of the bill. He and several other members expressed their strongly held views on this proposal during our mark, and I want to express my appreciation for his willingness and their willingness to work with me in developing a proposal with the ranking member that will allow us to review our national security readiness with respect to terrorism with a focus on the future; in other words, avoiding the blame game and getting to the future. I am pleased to say that the gentleman from Illinois (Mr. LAHOOD) has joined as an original cosponsor of this amendment that I have, as have the gentleman from Delaware (Mr. CASTLE), the gentleman from North Carolina (Mr. BURR), and the gentleman from Georgia (Mr. CHAMBLISS), I understand, who were those originally opposed to the provision.

My amendment establishes a 1-year mandate for a joint Presidential-Congressional commission on national security readiness composed of eight independent members, two appointed by the President, two by the Speaker, two by the Senate majority leader and one by the Senate minority leader and one by the House minority leader. The commission members would be selected based on their expertise in Federal law enforcement, intelligence, and military affairs; in other words, they have to be experienced, not political appointees. I believe that the commission as now structured will not interfere with congressional committee jurisdiction, nor undermine executive branch prerogatives, and will allow us to better get to the question of what went wrong in a positive way so that we can do appropriate things to correct what went wrong.

It is my hope that this proposal will attract the support of both sides, and because this issue is too important and too urgent to be treated as a partisan matter, and we do not do that on our committee anyway, I would urge a favorable vote on it.

I would also say that we have made every effort to work together, I am very thankful for the efforts of the gen-

tlewoman from California (Ms. PELOSI). We thought we had worked out this particular amendment so it would pass muster on both sides. It did pass muster on our side; apparently, it did not pass muster all the way on her side, and she is going to offer a substitute in a moment which better reflects the thinking on her side. This is the good spirit in which we do these things in the committee. We think this is a very legitimate debate; it is one that is going to happen anyway, and we think this is an appropriate time and way to open up some of this discussion.

Having said that, I think it is clear, in looking for the right way to do the right thing here on this, and we will be very happy to entertain Members' comments, and I suspect we will have a vote on it.

AMENDMENT OFFERED BY MS. PELOSI AS A SUBSTITUTE FOR AMENDMENT NO. 1 OFFERED BY MR. GOSS

Ms. PELOSI. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment offered by Ms. PELOSI as a substitute for the amendment offered by Mr. GOSS:

Page 13, line 8, strike "subsection (g)" and insert "subsection (f)".

Page 13, line 11, strike "10" and insert "8".

Page 13, line 13, strike "4" and insert "2".

Page 16, beginning on line 5, strike "hold hearings."

Page 16, beginning on line 8, strike "The Commission" and all that follows through the end of line 9.

Strike paragraph (6) of section 306(e) (page 17, beginning on line 7 through page 19, line 3) and redesignate the succeeding paragraph accordingly.

Page 19, line 10, strike "6 months" and insert "one year".

Page 19, beginning on line 17, by striking "subsection (g)" and insert "subsection (f)".

Ms. PELOSI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. PELOSI. Mr. Chairman, in the wake, literally in the wake, of the horrific tragedies of September 11, there are many Members in the body, indeed in the country, who want an independent review of events leading up to September 11 and an evaluation of the performance of the agencies with responsibility for counterterrorism in our country. I have a substitute amendment at the desk which strikes language in the bill in response to some of the concerns raised by our Republican colleagues.

The committee position coming to the House today establishes an independent commission to review the appropriate agencies and their performance. There were concerns raised by

some on the minority side and others even on the majority, saying that the scope of the commission was too broad, its ability to subpoena, to hold hearings, to grant immunity. Concerns were even expressed by the Justice Department.

In the interest of addressing some of the concerns raised by the majority, I am presenting this amendment, which would eliminate some of those powers from the commission, and also reducing the number of people on the commission from 10 to 8, again, addressing the concerns raised. Many of those same provisions are in the Goss amendment.

My concern with the Goss amendment and why I continue to persist with mine is that his amendment changes the scope of the commission. Our commission is an assessment of the performance of Federal agencies and departments responsible for the prevention, preparation for, or responses to acts of terrorism. That is what we are proposing. The Goss amendment proposes instead a review of the structural impediments to the collection, analysis and sharing of information on terrorism. That amendment limits the scope of the commission's activities. This would be, in my judgment, unwise.

What the gentleman from Florida (Mr. GOSS) is proposing is a totally reasonable proposal, but I do not think it is a substitute for an independent review.

The Goss amendment specifies that persons appointed as members must have substantial Federal law enforcement, intelligence, or military experience, and a security clearance. One of the attributes of section 306, as approved by the committee, with bipartisan support as part of this bill, is that it stresses the desirability for the commission to have members with great independence of judgment. That is what we are offering in our proposal: great independence of judgment, thought, and experience. By requiring prior Federal experience in these areas the Goss amendment virtually guarantees that the commission appointees will be the same insiders that are usually tapped for these kinds of posts. That, to me, seems contrary to the desire for a fresh look at the performance of these departments and agencies which were evident in the committee.

So what the Members of this body have to decide is whether we want an independent review of the events preceding September 11 and the performance of the agencies. It is not about fingerpointing, it is not about assigning blame, it is just about trying to prevent such tragedies from happening in the future, and unless we know how we got to where we are now, it seems that it would be more difficult to prevent these kinds of acts of terrorism.

I have no problem with the Goss amendment for what it seeks to do.

But it is a substitute instead of an addition to what this committee, the Select Committee on Intelligence voted as part of the chairman's mark, and then it was challenged in committee, it survived that challenge, and now comes to the floor. I want to defend the committee's position, but be sensitive to the concerns raised about subpoena power, holding of hearings, and granting of immunity. The amendment strikes those from the bill.

My objection is that our approach is preferable in that it is independent and does not turn to the same people who have been involved in all of these activities, reviewing these activities again; thus, depriving them of the independence that we want them to see.

Mr. Chairman, I urge my colleagues to support an independent review, and I hope that they will support my amendment.

Mr. LAHOOD. Mr. Chairman, I move to strike the last word in support of the chairman's amendment.

Mr. Chairman, I do support the Goss amendment. I was one of those as a member of the Committee on Intelligence that spoke out very vehemently against this idea. I think it is a bad idea. But I have been around here long enough to know that under our process, no one of us gets their own way; and obviously, I am not going to get my way on this issue, and that is the reason I support the chairman's amendment. I think it is reasonable, I think it makes sense. I think the notion that we want to turn over the responsibility of the Select Committee on Intelligence to some outside group to take a look at what went wrong on September 11 is a very bad idea, but apparently, we are going to do that. I think the way to do it is through the amendment that is being offered by the chairman, which is reasonable, it is common sense.

No one in this House knows more about intelligence-gathering, no one in this House knows more about the intelligence network; no one knows more in this House than the gentleman from Florida (Mr. Goss), about the whole network that is used to gather intelligence. He is the man when it comes to intelligence. He is a former CIA agent. So my point in saying that is, we ought to adopt his amendment.

The fault that I find with the amendment offered by the gentlewoman from California (Ms. PELOSI) and I know this will irritate people on the other side, but the fault I find is that it is the blame game amendment. The Pelosi amendment wants to point a finger. The Pelosi amendment wants to lay blame with someone. The gentlewoman does not like the Goss amendment, but in reality, it is a good amendment. It appoints a commission, it gets professional people, it is going to look at what happened.

As I said during the markup of this bill, we do not need to lay blame. It is our responsibility as the committee to find out what happened. That is why

the Speaker of the House and the Democratic leader appointed a subcommittee on terrorism with the distinguished member from California and the distinguished member from Georgia chairing that, so they could look into these matters too, and some of us are members of that. That is a good subcommittee. It has standing. It is a subcommittee now of the full Select Committee on Intelligence. We are going to do good work. We have already had two public meetings. We have brought a lot of experts in.

The other point I will make is this: we have had three commissions, distinguished Americans serving on those commissions. The gentlewoman from California (Ms. HARMAN) was a member of one of those commissions. They have made a lot of recommendations. But in the end, it is up to the Committee on Intelligence, with the intelligence community, to figure out these things. I think it is a slap in the face at the intelligence community for those people who want to get their pound of flesh against whomever, the CIA director, the FBI director, people in the defense intelligence community, to drag them before the public and require them to fess up with whatever happened.

I think many of us realize that this is a good bill that we are going to pass here on the floor. It gives the kind of resources and the kind of language and ability to really help the intelligence community. Appointing a commission is not going to do that.

But I give up on the idea, I throw up the white flag and say pass the Goss amendment, defeat the Pelosi amendment; and we can move on and lay blame where we want. But this is a good bill. It will be a good bill even with the Goss amendment. I urge the House to pass it. I urge the House to defeat the Pelosi amendment.

Mr. Chairman, it is easy for politicians to lay blame. We are partly responsible. We are trying to fix that in this intelligence authorization bill that we are passing today. We do not need another commission to do it. I know it sounds like I am talking out of both sides of my mouth, but as I said, under our process, not one of us gets our own way. Support the Goss amendment. He is the man when it comes to intelligence. Nobody in this House knows more about it, and I think he has put in place the amendment to do what we need to do to assuage the concerns that people have and to give people their opportunity to get their pound of flesh. And if we have to do it, let us do it with his amendment.

□ 1100

Ms. HARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment; but I also want to express my great affection for and agreement with much of what the last speaker said. The only thing I do not agree with is his conclusion.

Let me state how I get to my conclusion. First, I had misgivings about the language in the underlying bill, and I believed that the structural piece of the commission was overbroad. That misgiving has been addressed by both the Goss amendment and the Pelosi amendment. We need to be clear, neither amendment will permit subpoena power and hearings, and some of the things that were in the underlying bill. That is gone. Whichever version of this we approve, we are not approving that, so I am very comfortable about that change.

Secondly, I would like to say that in offering her amendment, the gentlewoman from California (Ms. PELOSI), who was the author of the language in the underlying bill, went a long way to address the concerns many of us have expressed. I think we have to respect that. She has made a great accommodation to the rest of us, and that has a lot to do with my support of her amendment.

The language in the two amendments is quite close. The mandates are somewhat different, but the language is close. The difference is that, at least as many perceive it, the Pelosi version would permit a more independent look at what I believe are the structural changes we need to make in our intelligence-gathering.

I just spoke a minute ago in favor of the authorization bill and said that it is not about the people, and it is not the blame game; it is about the way we have structured our intelligence agencies. They are an ad hoc group of agencies that have grown up since World War II that now need to be reorganized and integrated. That is what we need to do. That is what our bill does.

My bottom line is, we may not need another commission. The gentleman from Illinois (Mr. LAHOOD) may be right about that. But if we are having another commission, let us be sure that it is independent and it has appropriate powers. I give the edge on that to the Pelosi amendment. I urge us to come together in the bipartisan, unified way we have on this committee always and support one concept.

Mr. DEUTSCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is my 9th or 10th year in this Congress, and this is the first time I have sat and listened to this entire debate on this authorization. Obviously, our world has changed; and each of our jobs as Members of Congress has also changed since September 11.

There is no more important bill that this Congress will adopt than this authorization today. I think that is a realization that each of the 435 Members of this body need to acknowledge; and I think at some level we have acknowledged, because I think what we all realize now is that this is, in fact, as has been said, our front line of defense as a society.

As great as the work that has been done, and we have talked about the

successes, unfortunately, at this point in the debate, in a sense we have not addressed what really is a colossal failure, to speak in any other way about September 11 is just sticking our heads in the sand, a colossal failure of unparalleled proportions.

We have talked about the difficulty of the job and the successes, but I think what we need to strive for and, in fact, achieve is literally zero tolerance for failure. No one said it will be easy, but that, in fact, is what we need. It is something that effectively the American people are demanding, but we need.

I do not know how many of my colleagues have tried to imagine what 6,000 dying means. I do not dwell on it, but I have tried to think about it. And it is beyond my ability to even imagine what 6,000 deaths in an instant means.

We do not know the financial calculations of the World Trade Center attacks, what they are at this point. We literally do not know; in the trillions, tens of trillions, hundreds of trillions of dollars; fundamental changes in our economy. We do not know yet. But what we do know is that had these terrorists had biological, chemical, or nuclear weapons and the ability to deliver them, they would have used them; and in fact, what we do not know is their ability at this point to use them.

We do know that there are states that have sponsored terrorism. We know this is a fact, and we knew that as of more than 10 years ago, that states that have sponsored terrorism have biological and chemical weapons. Unfortunately, there is no reason to believe that those states who are, in fact, state sponsors of terrorism have not provided methods of mass destruction to terrorist organizations.

In fact, the 6,000 deaths in an instant, unfortunately, we know could become 6 million deaths in an instant. As impossible as 6,000 deaths are for us to imagine, I do not think any of us could imagine 6 million.

Mr. Chairman, people have talked about the fact that it was impossible to predict the World Trade Center attacks. The intelligence community could not think outside the box, never thought about it. I am not a big fan of Tom Clancy, but maybe I should become one, because as many of us have learned since September 11, Tom Clancy predicted it. One of his novels has exactly this attack, an airplane commandeered by hijackers hitting a building.

As some of us have learned since the attack of September 11, the people involved, the students involved, the high school students involved in the Columbine massacre, spoke about this type of attack.

For no other reason than those two that I just gave as examples, we need to be thinking outside the box. To limit the ability on this type of committee to people inside the box is, unfortunately, part of the reason why we have gotten to where we have gotten.

What I have just said is outside the box, also. Everyone on the committee who has spoken today has said we need to do everything we can. No one has said zero tolerance. That is why I support the substitute. We need the substitute. We need that type of commitment in our society.

Mr. CHAMBLISS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Pelosi amendment and somewhat reluctantly in support of the chairman's amendment.

I was one of those folk within the committee and markup who voted against this provision. I did so for a couple of reasons. We get elected to Congress not just to make the easy decisions. The easy decisions anybody can make. We are elected to Congress to make the very toughest decisions that are put forth to any Americans, and this situation that we are dealing with now, the instance of September 11, is going to involve some very tough decisions being made by Members of Congress.

We do not need to shirk that responsibility. By creating a commission, I think we are shirking that responsibility and putting it on somebody else. I think that is wrong. We have had a number of commissions who have done great work on the issue of terrorism over the last 6 or 8 years.

All of those commissions have made a number of recommendations to Congress. Frankly, Congress has looked at them with a very jaundiced eye until September 11. We can create another commission if we want to. I suspect they will come forward with some recommendations, and once again, we will do what we think is right, irrespective of what that commission concludes.

Secondly and probably most importantly, the incident on September 11 was a very tragic and terrible incident, one of the worst, obviously, that we have ever seen domestically in this country. But as I read the paper this morning, and those who work within the intelligence community know, the likelihood of another attack is very great. In fact, the words this morning of somebody in a leadership position said it is probably a 100 percent possibility it will occur.

So if we are going to create a commission to study the incidents of September 11, how many more commissions are we going to create down the road to investigate subsequent incidents? I think it is wrong. I think we as Members of Congress, and particularly within the Permanent Select Committee on Intelligence, have the duty to be objective in our oversight responsibility, we have the duty to look at the deficiencies that took place in this situation that may or may not have allowed the September 11 incidents to occur, and we need to come forward and make the right, responsible decisions and not give that duty to somebody outside of this body.

Mr. Chairman, I rise in opposition to the Pelosi amendment, even though I have great respect for the gentlewoman, and reluctantly I support the chairman who is the man, in this case. I agree with my friend, the gentleman from Illinois. I ask that his amendment be supported.

Mr. CONDIT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Pelosi amendment. I am confused as to why our committee cannot continue our work and still have an independent group come in and take a look at what happened. It seems to me to be somewhat irresponsible for us not to want to have an assessment by an independent group of exactly what happened.

This is a good bill. It does a lot of good things. But if we take out this commission and the independence that it has, it is not as good a bill as it was before.

I think it is important for the American people also to know that there is an independent observation or an evaluation of what occurred. I think we really need to know exactly.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. CONDIT. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate my colleague yielding.

Mr. Chairman, I normally would not do this, but it is my understanding that the difference in the language here is really very small. Indeed, the Goss amendment would bring in an independent group. The difference is that there would be some requirement that the people on the commission have some experience. It strikes me that in this arena, it is pretty obvious that we need people with some experience.

I further would suggest to my colleague, I understand last night, like at 9:30 or 10:00 the two sides were essentially in agreement in the middle of the night. For some reason, we have to come out here optically and have a partisan vote. It should have been taken care of.

The conference is ahead of us. The gentlewoman has the responsibility to work out that kind of compromise. I do not understand why we find ourselves in this position.

Mr. CONDIT. Mr. Chairman, let me reclaim my time.

I am not aware of the events of last night. I am simply saying to the gentleman that I do not think this House ought to be frightened, fearful of an independent evaluation of what occurred.

If there was any major accident happening in any of our cities or any parts of the country, we would ask people to come in and make assessments about what happened. We would have insurance companies coming in and making assessments. We would have local law enforcement people coming in and making assessments.

We need to know what happened, and we think that independent people can give us some kind of different view. It does not mean that they do not have the knowledgeable people on the commission. As a matter of fact, I think there is room for a placement of knowledgeable people, people with a background in this area, on the commission.

I do not know what was said last night. I do not know anything about that. But I do know, we ought not to be fearful to have an independent look at this. We think it is good for the American people to have a clear understanding about what happened. We think it is good for the agencies to have a clear and different kind of look and view of what happened in this instance.

Mr. LEWIS of California. Mr. Chairman, if the gentleman would yield just a moment further, I am sorry to do this, but I think the gentleman knows that the gentleman from Pennsylvania (Mr. MURTHA) and I deal with some pretty sensitive areas in our defense responsibilities. We are able to come together and work in a nonbipartisan way without having a public display that suggests there is some partisan difference.

There is not a partisan difference here. They are both independent commissions. It just seems to me that the ranking member should have been able to work this out between now and conference without a display that suggests there is some division in the House, and there is not a division in the House.

Mr. CONDIT. I will let the ranking member speak to this when she gets up to speak about this. But I thought when this left the committee, it left it in a bipartisan way. It left with the Pelosi language in it, which was an independent commission. That is the way it left. We got to the floor today and it is different. If Members take the Pelosi language out, in my opinion, we make the bill weaker.

The bill does a lot of good things, but we as a Congress, we as a nation, the intelligence community, should not be fearful to allow someone to come in and do an assessment of exactly what occurred here. It does not mean we have to agree with it, but we ought to have an independent view of what happened here. The American people need to know that, and I think that that would add confidence to us all, to have people on the outside come in and take a look.

□ 1115

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would be happy to have an exchange with the gentlewoman. I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman from California (Mr. LEWIS).

It seems from the remarks of the gentleman there should be some clarification about how events proceeded. We had suggested on the minority side as a result of concerns expressed to us by Members of Congress that there be an independent review. We brought that to the majority side. They accepted that. It was part of the chairman's mark. There was challenge to the chairman's mark in the full committee in which our position prevailed. Again, our bill comes to the floor with an independent review in it.

Our chairman had wanted to have Congress work its will and have a debate on this. We do not see anything wrong with having a debate. I do not think there is anything unhealthy or unwholesome about that. The spirit of the debate is to make a distinction between whether we want an independent review of these events and the performance of the agencies or whether we do not? I would like to hear from the chairman on it. I appreciate the gentleman yielding, but this was the wish that the Congress do debate it and work its will and respect the results.

Mr. LEWIS of California. Reclaiming my time, and I will be willing to yield, is the gentlewoman suggesting that the language of the gentleman from Florida (Mr. GOSS) does not provide for an independent review of people with some expertise?

Ms. PELOSI. That is one of the things. There are a couple of points.

Mr. LEWIS of California. Yes or no?

Ms. PELOSI. What I am saying is the scope of the review is different. What we are talking about is an independent review by those outside the community, in some cases. The difference between our two bills is the Goss amendment does not have an independent review of the events leading up to or the performance of the agencies. What his amendment does is to say let us go forward, which is a good thing, to analyze the collection, dissemination and sharing of intelligence and that is a very important point. It is not a bad thing.

It is just that it is not an independent review. We could do both.

Mr. LEWIS of California. Reclaiming my time, it is my understanding that as late as 9:30 or 10:00 in the well of the House in a discussion, the differences here were that close because both presumed there was independence in review. One had required more expertise than the other approach apparently. But the important point I would make is that optically, the gentlewoman is presenting a picture. So there is some big difference here in terms of review.

Ms. PELOSI. There is.

Mr. LEWIS of California. The gentlewoman and I have had differences on this subject before. I no longer serve on the committee, as we all know. I do spend a lot of time there because of my work. Having said that, I remember our debates on the floor regarding whether our budget should be public or not. The gentlewoman wanted to do that.

Ms. PELOSI. That is correct.

Mr. LEWIS of California. I would submit to the gentlewoman that there probably are messengers from the Taliban who would love to see the adjustments that the committee is making at this point. I do not notice a Member on the floor in connection with that at this point in time.

I must say optically we are presenting a difference with no difference. It is a bit disconcerting to me that the leadership of the committee has not been able to handle this in a way at this very delicate time that does not provide such an appearance of difference.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I am happy to yield to the gentlewoman from California.

Ms. PELOSI. First, I want to recognize the standing of the gentleman from California (Mr. LEWIS) on these issues. He is a former member of the committee and as the chairman of the Subcommittee on Defense of the Committee on Appropriations, probably knows more, or as much as anyone else. I defer to the gentleman from Florida (Mr. GOSS) on this issue. We all respect his expertise.

The point is in response to the concerns raised by others about the scope of the commission, we made a proposal last night that said we will take out the subpoena power, we will take out the hearing process, we will take out the granting of immunity. But the independence of the commission is something we can not yield on; A, and, B, the scope; how we can collect and disseminate information better in the future is too narrow. We should do that too. But we should not ignore the opportunity to have those people who are not all, according to the Goss amendment, of the community, but rather have some independent thinking on it. So we did try to make accommodations.

Mr. LEWIS of California. Reclaiming my time, it certainly is disconcerting to this Member that it would appear as though at least somewhere down the line we would like to be able to find a mechanism, independent commission or otherwise, to point the finger at somebody and say someone else was to blame besides us. Indeed, it really is fundamental in the important work of this committee that the leadership on both sides be willing to come together and solve these kinds of problems before they provide an appearance of difference when there truly is no difference.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, I very reluctantly rise in opposition to our esteemed chairman who has provided such great leadership for our committee, and I rise in support of the gentlewoman's amendment for an independent review of the events leading up

to September 11, which provides broad scope across a host of difference agencies as to how we try to prevent the next attack. Not to lay blame, not to blame agencies, not to roll heads, but to put eight independent, thoughtful Americans together from both parties and look at better ways to prepare for and protect the homeland of the United States of America. I think we could do that.

Mr. Chairman, I rise also to discuss this on the House floor. I think the chairman said very eloquently and very wisely, this is the place to do it. This is the place to have these debates in a thoughtful and articulate and hopefully diplomatic manner.

Mr. Chairman, I rise in favor of the Pelosi amendment for two reasons that I want to reiterate: independent review, and two, the scope of what we want to accomplish. First the independence. In our committee report, which is available to the general public and is not classified, we say on page 16, and I quote, "The committee believes it critical that a comprehensive examination be conducted independently of the Federal Government."

The committee, in a bipartisan way, says on page 17, and I quote, "The Committee continues to believe that there is a need for a fundamental review of the Intelligence Community's authorities, structure, funding levels, procedures, areas of mission emphasis, security procedures, depth and breadth of analytic expertise, and interagency relationships."

On page 26, in a bipartisan way, the committee again states in our report, "Section 306 of the bill establishes an independent commission to review the performance of those Federal public safety, law enforcement and national security departments and agencies responsible for preventing and/or responding to acts of terrorism in the period prior to and including September 11, 2001."

We go on to talk about why we think it is so important for these eight members to be thoughtful, independent, wise, have good reputations for working in these areas. So we voted as a committee, in a bipartisan way, to establish this independent review. Now, it is on the floor and there is some debate as to what we should do.

Secondly, the debate now is over the scope. The gentleman from Florida's (Mr. Goss) language reads, and I will quote the following with respect to the acts of terrorism, and he goes on to say what we need to look at. "The Commission shall review the national security readiness of the United States to identify structural impediments to the effective collection, analysis, and sharing of information on national security threats, particularly terrorism."

That is well and good. Our independent review, however, says, let us look at a host of government agencies, not to lay blame, not to fire people, not to roll heads, but to look at the roll of the Customs, the INS, the border con-

trol, the CIA, the DIA, the State Department, the Department of Justice, the FBI and put eight thoughtful people, Democrats and Republicans, in a room and give us an independent analysis.

Some people have mentioned a commission or commissions that have done this, and we have a host of them. None of them have been done since September 11, when we had 6,000 people die in New York City. That was an attack not on New York, not on America, on the world, with hundreds of people from lots of countries being killed.

So let us look thoughtfully at an independent review. Let us look at a vast scope and let us not look to blame people but to protect the homeland of the United States from future attacks. I support the Pelosi language.

Mr. BISHOP. Mr. Chairman, I move to strike the requisite number of words.

I have been on this committee now for a number of years, and in my work on the committee I have gotten to know a number of people in the intelligence community, and they are very, very fine people. I have a great deal of respect for the men and women who work to provide the best real-time information for our policy-makers and war fighters.

The events of September 11, however, have caused Americans and people all over the world to ask the questions, to ask the committee members, to ask the Members of the Congress as they go back to their districts, how did this happen, how did we allow our guard to go down such that this could happen.

We do not have the answers yet, but one of the vehicles to give the American people the understanding that we are seriously looking to find the real answers is to have a commission that is independent and that can give the clear perception that we are trying to get the truth. The way to do that is not, in my opinion, to have a closed club, a closed community reviewing itself and its performance. As we would say in Georgia, not to have the fox guarding the hen house.

Instead, we need to have an open, independent group of well-thinking people who can, as Ms. PELOSI's amendment suggests, go about this work in a way that will give credibility and meaning and give reassurances to the people of our country and the world that we are sincerely going after the truth so that we can make sure that nothing like this will ever happen again.

I would urge my colleagues to please let us have an independent commission that can do the work, the scope that needs to be done so that our people will have assurances that they need.

Mr. Chairman, I yield to our ranking member, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding and wish to associate myself with the remarks of my colleagues and thank them for their support of this amendment.

I believe, Mr. Chairman, that there will be a number of inquiries into the circumstances surrounding the September 11 terrorist attacks. Committees of the Congress will rightfully conduct some of these inquiries. Elements of the executive branch will conduct others. In the judgment of a majority of the committee, and after the vote was taken, our bill was reported out unanimously, it was important to assure that at least one of these inquiries be as independent as possible of the interests of the departments and agencies whose performance is being assessed.

This is not to be an inquiry focused exclusively on the intelligence community. It is to examine across the board the performance of the national security establishment in preventing, preparing and/or responding to acts of terrorism.

There is a tremendous concern in the country, great questions about what went terribly wrong on September 11, and the nation was not as prepared as it should have been. Everybody could have been doing his or her job perfectly well, but the lack of coordination or collaboration may be the weakness that we need to find. I think we need to respond to the concerns of the American people in a responsible way, and the independent review as outlined in the bill is the appropriate response.

Who appoints this? The President and the leadership of the Senate and the House are to appoint the members of the commission. I have confidence in the President and his intention to appoint two members of the highest quality and independence of thought who will fairly but thoroughly discharge their responsibilities on this.

We must focus on the future. That is understandable, desirable, necessary, but I would submit that it is difficult to make wise decisions about future actions unless we understand what worked and what did not in the past. It seems to me that it is even more important in light of the horrific events which occurred on September 11.

□ 1130

The unimaginable has now become the predictable. We must look to ourselves to see what exposure we have, what vulnerability we have in the systems, in the agencies that deal with terrorism. I think an independent review is what will give the American people the confidence that they seek, that we are in the best possible position to prevent future attacks.

In closing, Mr. Chairman, as I say, we cooperated as fully as possible but would not give up on the issue of independence.

Mr. BOSWELL. Mr. Chairman, I move to strike the requisite number of words, and I will be very brief.

As I said earlier, I am a newcomer to the committee, but the chairman is doing a great job, and he has good help from our ranking member, and all of us.

We had this discussion not too long ago, and I understood that the chairman was supportive of this at that moment, and I think that he is. There is some difference here.

I remember one of our Members, and I do not think he would mind, I certainly respect him as a close personal friend and ally, a colleague from the chairman's side of the aisle, that said we do not need this, we can do it. And he was right. We could do it. We could, with extra pieces there. Between the chairman and the gentlewoman from California (Ms. PELOSI) there, I have no doubt we could do it. But that is not the question. Something terrible has happened in our country. This is America, and the people of the country want to know.

So I do not feel threatened that we would do this. I do not have a problem with doing it the chairman's way. I think that would be fine. And then as I listen to the discussion and debate in committee and in here today, to do the amendment of our ranking member, I am not troubled with that. I have the confidence in our country and our people, in this institution, that we can do that. America wants answers and we can do this.

This opens up an independent review appointed by the President and the leaders of these two Houses. It is not a threat. We can do it. This is the United States of America, a democracy, the leading democracy in our history. Let us do it. Let us just get it done. I support the gentlewoman from California (Ms. PELOSI).

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

My colleagues, I raced to the floor as I heard the discussion of the Pelosi amendment; and although I was not able to speak before the final vote, I just wanted to rise briefly in strong support of the Pelosi amendment.

As a New Yorker, as we go from one funeral to wakes, to vigils, to the site to see the pain, to see the suffering of the families, of the children, and as we work hard to do what we have to do to rebuild our great city, I think we would be remiss if while we are moving forward, and I have confidence that the best minds in this country are focused like a laser beam on what we have to do to move forward to ensure that this kind of horror, the incomprehensible, does not happen again. I think we would be remiss if we did not ensure that there was an independent review.

The amendment of the gentlewoman from California emphasized the independence of the review and the scope of the review. Again, my colleagues, while we are moving forward and doing what we have to do to prevent the horror of this kind of incident ever occurring again, I think it is absolutely essential that we look at what happened. We can only learn from the past. In order to move forward, we have to evaluate the past and we have to be sure that all the information is in place. If the same

people are doing the review, in my judgment we are missing the strength and the power of an independent analyst really looking at the agencies and seeing what perhaps we can do differently.

So I just wanted to make that point again. If we are going to move forward and truly understand the future, my colleagues, it seems to me we have to truly understand what happened in the past. And I just wanted to thank my colleague, the gentlewoman from California (Ms. PELOSI), for offering that amendment.

I appreciate that there was a compromise worked out between the gentleman from Florida (Mr. GOSS) and the ranking member, the gentlewoman from California (Ms. PELOSI); but I wanted to emphasize again that I strongly supported the amendment, and I thank her for bringing it to my colleagues' attention.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. PELOSI) as a substitute for the amendment offered by the gentleman from Florida (Mr. GOSS).

The amendment offered as a substitute for the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. GOSS).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer amendment No. 5, the Buy American amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. TRAFICANT:

At the end of title III (page 19, after line 18), insert the following new section:

SEC. ____ COMPLIANCE WITH BUY AMERICAN ACT AND SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT, PRODUCTS, AND SERVICES.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds authorized to be appropriated in this Act may be provided to a person or entity unless the person or entity agrees to comply with the Buy American Act (41 U.S.C. 10a–10c) in the expenditure of the funds.

(b) SENSE OF CONGRESS.—In the case of any equipment, products, or services that may be authorized to be purchased using funds authorized to be appropriated in this Act, it is the sense of Congress that recipients of such funds should, in expending the funds, purchase only American-made equipment, products, and services.

Mr. TRAFICANT. Mr. Chairman, I do plan to withdraw this amendment, and I would like to thank the chairman for a good bill. I do agree with the gentleman from Illinois (Mr. LAHOOD) that the gentleman from Florida (Mr. GOSS) is certainly our intelligence expert here.

Mr. Chairman, I will withdraw my Buy American amendment because the gentleman from Florida and the gentlewoman from California (Ms. PELOSI)

have put in stealth language, which is Trafficant procurement language in a different form. And being that it is a stealth bill, I do appreciate their including my stealth amendment into the bill.

I thank the chairman for that.

Mr. Chairman, I ask unanimous consent to withdraw the Buy American amendment pending at the desk.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

AMENDMENT NO. 4 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer amendment No. 4.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TRAFICANT:

Page 19, line 15, strike the period and insert the following: “, and shall include a comprehensive assessment of security at the borders of the United States with respect to terrorist and narcotic interdiction efforts.”.

Mr. TRAFICANT. Mr. Chairman, I wanted to say a couple of things, and I do not want to belabor the House; but I thought I would take time on my amendment.

I listened to the words of the gentleman from Illinois (Mr. LAHOOD), who is certainly one of our outstanding leaders; and he made a lot of sense. I agreed with the gentleman.

I was prepared to vote with the gentleman from Florida (Mr. GOSS), but I wanted to make a statement today. In the back of the room is the gentleman from Pennsylvania (Mr. MURTHA), and the gentleman from California (Mr. LEWIS) came to the floor and he made a point about true bipartisanship. I can remember when the gentleman from Florida (Mr. YOUNG), now the chairman of the full Committee on Appropriations, was chairman of the Subcommittee on Defense and he worked with the gentleman from Pennsylvania (Mr. MURTHA). They came to the floor and they had their problems worked out. The world was not confused with what America was going to do militarily. And we cannot be confused with what we are going to do with our intelligence program.

Let me just take one minute now and give some of my views. Pollard, Hansen, USS *Cole*, Pan Am 103, the first attack on the World Trade Center, that we were warned about. My colleagues, we had anonymous reports and warnings that Pan Am 103 would be blown up.

Now, look, it is not about laying blame. No one in this Congress, with all of our duties, has enough time to see and oversee all of these problems. That is why we have fine leaders, like the gentleman from California (Mr. LEWIS), the gentleman from Pennsylvania (Mr. MURTHA), the gentleman from Florida (Mr. GOSS), the gentlewoman from California (Ms. PELOSI), and the gentleman from Florida (Mr. YOUNG).

The commission is wise, but I will say this: we have to be better, and we have to look not only at September 11 but we must now start looking at root causations. I have offered, over a period of years, legislation on an issue dealing with our borders that politically has been shot down. It has been shot down because it has been looked at as an ethnic measure.

Mr. Chairman, I am not concerned about poor people from Mexico running across the border trying to better their lives. But, my colleagues, the soft underbelly of America is wide open. And if we do not take a look at our borders, God forbid, there will be more Americans that will die. I think the gentleman from Florida (Mr. DEUTSCH) made an excellent point. We have got to do better. We must have a zero tolerance on terrorism.

The Traficant amendment, Mr. Chairman, calls for a study on that border. Give us a complete analysis of what is happening. And if we are prepared to put the military at our airports, by God, let us protect our borders.

With that, Mr. Chairman, I ask for an affirmative vote on my amendment, which calls for a comprehensive assessment by this new commission relative to the security of our borders with respect to terrorism and narcotics. And let me say this: narcotics and narcotic traffickers are terrorists.

One other thing. We now have seen planes, we have seen ships, and, my God, there are subways and metros all over America. Literally an army of guerrillas could penetrate our shore with, in fact, a nuclear device; and as the gentleman from Florida (Mr. DEUTSCH) said, perhaps 6 million Americans could die.

Colleagues, when will we address the soft underbelly of our national security which is our border?

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to a gentleman who I have tremendous respect for, and I compliment him on his bill.

Mr. GOSS. Mr. Chairman, I thank the distinguished gentleman from Ohio for yielding.

I want to simply say that I know of the gentleman's work on behalf of the support for the men and women in our intelligence community. I think he has it exactly right on this question of the borders. The gentleman has already heard one colloquy today with our colleague, the gentleman from New Jersey (Mr. SMITH), on the subject. I certainly accept this amendment as timely and reasonable; and on behalf of the committee, I would be prepared to accept it.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

I just want to comment that the amendment focuses the attention of

the commission to be established by section 306 on U.S. border security. Although I believe that important issue would receive appropriate attention under the charge to the commission either as approved by the committee or as amended by the gentleman from Florida (Mr. GOSS), the increased emphasis provided by the Traficant language may be helpful.

We are prepared to accept the Traficant amendment, Mr. Chairman.

Mr. TRAFICANT. Reclaiming my time, Mr. Chairman, I urge an "aye" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT NO. 9 OFFERED BY MR. WOLF

Mr. WOLF. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. WOLF:

At the end of title III (page 19, after line 18) insert the following new section:

SEC. 307. IMPLEMENTATION OF RECOMMENDATIONS OF THE NATIONAL COMMISSION ON TERRORISM.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of Central Intelligence, in cooperation with the heads of the departments and agencies of the United States involved, shall implement the recommended changes to counterterrorism policy in preventing and punishing international terrorism directed toward the United States contained in the report submitted to the President and the Congress by the National Commission on Terrorism established in section 591 of Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-210).

(b) REPORT.—(1) Not later than 90 days after the date of the enactment of this Act, if the Director of Central Intelligence determines that one or more of the recommended changes referred to in subsection (a) will not be implemented, the Director shall submit to the appropriate congressional committees a report containing a detailed explanation of that determination.

(2) In this subsection, the term "appropriate congressional committees" means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

Mr. WOLF. Mr. Chairman, I want to thank the chairman, the gentleman from Florida (Mr. GOSS), for allowing and accepting this amendment.

Mr. Chairman, as sponsor of the legislation which created the National Commission on Terrorism, or what some are calling the Bremer Commission, I want to offer this amendment. In light of the tragedy of September 11, I believe it is imperative the U.S. Government be responsive and proactive in combating terrorism. As we mourn the loss of life of the terrorist attacks, 27 people from my congressional district, we must be resolved to do whatever it takes to win the war against terrorism.

The National Commission on Terrorism was established by Public Law 105-277. No Member, I believe, voted against it in 1998.

□ 1145

Congress gave the commission 6 months because they wanted this thing done quickly to review the laws, the regulations, the directives, the policies, and the practices for preventing and punishing international terrorism directed against the United States, assess their effectiveness, and recommend changes to improve U.S. counterterrorism performance.

The commission issued its recommendations in June of 2000. Given that the commission was comprised of the Nation's leading terrorism experts, including L. Paul Bremer, President Reagan's counterterrorism czar; former CIA Director, James Woolsey; and retired Army General, Wayne Downing, just appointed with a high position with this administration, one would think that their recommendations and advice would have been taken seriously by those in government.

Unfortunately, it appears that some in government either ignored or actively worked to discredit the work of the commission. A recent article in *The New Republic* alleges that some worked to discredit the findings of the commission report by spinning, by inferring that it did certain things that it did not do. This is troubling, particularly in the wake of the events of September 11, and is why I am offering the amendment today, and for those who do not serve on the committee, to have some mechanism to find out whether any of these recommendations are being followed. Because the director of the CIA is the lead government official, the director has wide-ranging responsibilities in directing the Nation's policy on combating terrorism.

The amendment says not later than 90 days after the enactment of this legislation, the director of Central Intelligence, in cooperation with the heads of the departments and agencies involved, shall implement the recommended changes to counterterrorism policies in preventing and punishing international terrorism directed towards the United States contained in the report submitted to the President and the Congress by the National Commission on Terrorism.

In addition, not later than 90 days after the date of enactment, if the director of Central Intelligence determines that one or more of the recommended changes will not be implemented, the director shall submit to the Permanent Select Committee on Intelligence a report containing a detailed explanation of that determination.

Mr. Chairman, I am not going to go through all of the recommendations; but there were a couple of recommendations, some of which are being carried out in this bill. For those who are interested, Members can view

the commission's report at www.fas.org.

Mr. Chairman, I would urge that this amendment be adopted; and I ask the gentleman, the chairman of the Permanent Select Committee on Intelligence, that we keep this in, that this not be dropped in conference. I morally would not be able to support the conference report if this language were dropped.

Having been at a town meeting last week where two families lost loved ones, knowing the work that was put into the commission, the Congress has to know what has been adopted and what has not, and there very well may be good reasons why they have not been. I am not on the Permanent Select Committee on Intelligence, and I would trust the committee to know. I ask the gentleman to keep this in so I can comfortably and morally vote for the conference report.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, of course we will do that in conference; and we will do more. We have a special subcommittee that is working on some of the matters, as is the whole committee. I thank the gentleman for his efforts to enhance our national security.

I especially appreciate the amendment that urges the full information of the counterterrorism recommendations offered recently by the Bremer Commission. The gentlewoman from California (Ms. HARMAN) was on that commission. I share the gentleman's concern that the intelligence community has failed to adopt the recommendations of the Bremer Commission. We understand that there is work to be done, and we have noted it in this bill.

As reflected in the committee's adoption of section 403 rescinding the CIA's 1995 guidelines on foreign asset recruitment, the committee as a whole has acted on the Bremer Commission's most urgent recommendation. There is full committee support on that. Given the tragic events of September 11, this amendment is timely and reasonable; and I will accept it on behalf of the committee and thank the gentleman for his innovation.

Mr. WOLF. Mr. Chairman, I thank the gentleman and I thank the staff and the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to speak on the Wolf amendment. As I understand the purpose of the amendment, it is to ensure that the DCI formally responds to the recommendations of the Bremer Commission on Terrorism by indicating which of those recommendations make sense to implement and which do not.

As such, a response would be a useful contribution to the work of our Subcommittee on Terrorism; and we are, therefore, pleased as the full com-

mittee on the minority side to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. WOLF).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MODIFICATIONS TO CENTRAL INTELLIGENCE AGENCY'S CENTRAL SERVICES PROGRAM.

Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended as follows:

(1) Subsection (g)(1) is amended—

(A) by striking "December" and inserting "January"; and

(B) by striking "conduct" and inserting "complete".

(2) Subsection (h) is amended—

(A) by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(B) in paragraph (1), as so redesignated, by striking "(3)" and inserting "(2)"; and

(C) in paragraph (2), as so redesignated, by striking "(2)" and inserting "(1)".

SEC. 402. EXTENSION OF CIA VOLUNTARY SEPARATION PAY ACT.

(a) EXTENSION OF AUTHORITY.—Section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (Public Law 103-36, 50 U.S.C. 403-4 note) is amended by striking "September 30, 2002" and inserting "September 30, 2003".

(b) REMITTANCE OF FUNDS.—Section 2(i) of that Act is amended by striking "or 2002" and inserting "2002, or 2003".

SEC. 403. GUIDELINES FOR RECRUITMENT OF CERTAIN FOREIGN ASSETS.

Recognizing dissatisfaction with the provisions of the guidelines of the Central Intelligence Agency (promulgated in 1995) for handling cases involving foreign assets or sources with human rights concerns, the Director of Central Intelligence shall—

(1) rescind the provisions of the guidelines for handling such cases; and

(2) provide for provisions for handling such cases that more appropriately weigh and incentivize risks to achieve successful operations.

The CHAIRMAN. Are there any amendments to title IV?

AMENDMENT NO. 3 OFFERED BY MR. SIMMONS

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SIMMONS:

At the end of title IV, page 21, after line 12, insert the following new section:

SEC. 404. FULL REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE OF COUNTERTERRORISM EMPLOYEES.

Section 406(a)(2) of the Intelligence Authorization Act for Fiscal Year 2001 (Public Law 106-567; 114 Stat. 2849; 5 U.S.C. prec. 5941 note) is amended by striking "one-half" and inserting "100 percent".

Mr. SIMMONS. Mr. Chairman, I have what I believe is a friendly amendment to the Intelligence Authorization Act of 2002. The purpose of the amendment is to require that the Central Intelligence Agency assume 100 percent of the cost of personal liability insurance

for certain CIA employees involved in counterterrorism activities.

For 10 years, I served with the CIA. During that period, 5 of which were spent overseas, I was engaged in intelligence collection, counterintelligence and counterespionage activities, and on occasion counterterrorism activities. The work was difficult and the work was dangerous; but at no time did I ever doubt that my government would not protect me from personal liability if I encountered a lawsuit as a consequence of my professional duties.

Today I understand that CIA officers engaged in counterterrorism activities are virtually required to buy liability insurance, but the CIA only pays 50 percent of the cost. What incentive does a CIA case officer have to do the job if he or she is subject to liability lawsuits? Why would they take any risks in their professional duties if the government was unwilling to cover the cost of their liability.

I realize I served at a different time and in different places, but I still had 100 percent of the backing of my government. And I think it is time that we extend this backing to agents today engaged in counterterrorism activities.

Mr. Chairman, it is not a new idea; and it is not an original idea. In fact, it was a recommendation of the same commission that my colleague, the gentleman from Virginia (Mr. WOLF), referred to a few minutes ago. That report said, "The risk of personal liability arising from actions taken in an official capacity discourages law enforcement and intelligence personnel from taking bold actions to combat terrorism." Discourages intelligence personnel from taking bold actions to combat terrorism.

The tragic events of September 11 have changed us all, and it is apparent from those events that we must do better in our counterterrorism activities. We must have case officers and agents who are bold in their actions to combat these activities. The least we can do is provide them with the liability coverage they need to ensure that they have the full backing of the government.

I believe my amendment provides this backing, and I urge my colleagues to support the amendment.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. SIMMONS. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, I congratulate the gentleman for his amendment and his work in the area of the intelligence community. I know that he brings a value-added contribution because of his experience, and we value that.

The provision improves on language and authority that was included in last year's intelligence act. As does the gentleman from Connecticut, I believe giving the DCI discretionary authority to provide full insurance liability protection to CIA employees is a small but important benefit that we can provide

to public servants who are putting their lives at risk for us. This amendment is timely, and I accept it on behalf of the committee and congratulate the gentleman for it.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. SIMMONS. I yield to the gentleman from California.

Ms. PELOSI. Mr. Chairman, I, too, commend the gentleman. The amendment ensures that those CIA employees for whom the Director of Central Intelligence determines that there is a need to carry professional liability insurance, the full cost of that insurance will be borne by the CIA, and as the distinguished chairman mentioned, the determination of the need is left at the discretion of the DCI. The amendment serves a very useful purpose. We accept it as well.

Mr. SIMMONS. Mr. Chairman, I thank the gentlewoman for her comments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SIMMONS).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. AUTHORITY TO PURCHASE ITEMS OF NOMINAL VALUE FOR RECRUITMENT PURPOSES.

(a) **AUTHORITY.**—Section 422 of title 10, United States Code, is amended by adding at the end the following:

“(b) **PROMOTIONAL ITEMS FOR RECRUITMENT PURPOSES.**—The Secretary of Defense may use funds available for an intelligence element of the Department of Defense to purchase promotional items of nominal value for use in the recruitment of individuals for employment by that element.”.

(b) **CLERICAL AMENDMENTS.**—(1) The heading of such section is amended to read as follows:

“§ 422. Use of funds for certain incidental purposes”.

(2) Such section is further amended by inserting at the beginning of the text of the section the following:

“(a) **COUNTERINTELLIGENCE OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.**—”.

(3) The item relating to such section in the table of sections at the beginning of subchapter I of chapter 21 of such title is amended to read as follows:

“422. Use of funds for certain incidental purposes.”.

SEC. 502. FUNDING FOR INFRASTRUCTURE AND QUALITY-OF-LIFE IMPROVEMENTS AT MENWITH HILL AND BAD AIBLING STATIONS.

Section 506(b) of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104-93; 109 Stat. 974), as amended by section 502 of the Intelligence Authorization Act for Fiscal Year 1998 (Public Law 105-107; 111 Stat. 2262) and by section 502 of the Intelligence Authorization Act for Fiscal Year 2000 (Public Law 106-120; 113 Stat. 1619), is further amended by striking “for fiscal years 2000 and 2001” and inserting “for fiscal years 2002 and 2003”.

SEC. 503. CONTINUATION OF JOINT INTER-AGENCY TASK FORCE AT CURRENT LOCATIONS IN FLORIDA AND CALIFORNIA.

(a) **MAIN LOCATION.**—The Secretary of Defense shall continue to maintain the Joint Inter-

agency Task Force at Key West, Florida, with the responsibility for coordinating drug interdiction efforts in the Western Hemisphere and with such additional responsibilities regarding worldwide intelligence for counterdrug operations as the Secretary may assign.

(b) **COMPONENT LOCATION.**—The Secretary of Defense shall convert the Joint Interagency Task Force located at Alameda, California, to be a component site of the main location specified in subsection (a).

(c) **DIRECTOR.**—The Director of the Joint Interagency Task Force shall be a flag officer of the Coast Guard.

SEC. 504. MODIFICATION OF AUTHORITIES RELATING TO INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING.

(a) **CERTIFICATION REQUIRED FOR IMMUNITY.**—Subsection (a)(2) of section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2837; 22 U.S.C. 2291-4) is amended by striking “, before the interdiction occurs, has determined” and inserting “has, during the 12-month period ending on the date of the interdiction, certified to Congress”.

(b) **ANNUAL REPORTS.**—That section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) **ANNUAL REPORTS.**—(1) Not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b) during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:

“(A) A list specifying each country for which a certification referred to in subsection (a)(2) was in effect for purposes of that subsection during any portion of such calendar year, including the nature of the illicit drug trafficking threat to each such country.

“(B) A detailed explanation of the procedures referred to in subsection (a)(2)(B) in effect for each country listed under subparagraph (A), including any training and other mechanisms in place to ensure adherence to such procedures.

“(C) A complete description of any assistance provided under subsection (b).

“(D) A summary description of the aircraft interception activity for which the United States Government provided any form of assistance under subsection (b).

“(2) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”.

SEC. 505. UNDERGRADUATE TRAINING PROGRAM FOR EMPLOYEES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) **AUTHORITY TO CARRY OUT TRAINING PROGRAM.**—Subchapter III of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 462. Financial assistance to certain employees in acquisition of critical skills

“The Secretary of Defense may establish an undergraduate training program with respect to civilian employees of the National Imagery and Mapping Agency that is similar in purpose, conditions, content, and administration to the program established by the Secretary of Defense under section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) for civilian employees of the National Security Agency.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“462. Financial assistance to certain employees in acquisition of critical skills.”.

SEC. 506. TECHNICAL AMENDMENTS.

Section 2555 of title 10, United States Code, as added by section 1203(a) of the Floyd D. Spence

National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106-398; 114 Stat. 1654, 1654A-324), is amended—

(1) in subsection (a)—

(A) by striking “CONVEY OR” in the subsection heading and inserting “TRANSFER TITLE TO OR OTHERWISE”;

(B) in paragraph (1)—

(i) by striking “convey” and inserting “transfer title”; and

(ii) by striking “and” after “equipment”;

(C) by striking the period at the end of paragraph (2) and inserting “; and”; and

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

“(3) inspect, test, maintain, repair, or replace any such equipment.”; and

(2) in subsection (b)—

(A) by striking “conveyed or otherwise provided” and inserting “provided to a foreign government”;

(B) by inserting “and” at the end of paragraph (1);

(C) by striking “; and” at the end of paragraph (2) and inserting a period; and

(D) by striking paragraph (3).

AMENDMENT NO. 7 OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. Goss:
Strike section 503 (page 23, lines 1 through 16).

Strike section 506 (page 26, line 1, through page 27, line 5).

Mr. GOSS. Mr. Chairman, my amendment strikes section 503 and 506.

By way of explanation, 506 is a technical amendment which I understand has now been incorporated within H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. With respect to section 503 on the status of intelligence fusion centers in Florida and California, I have been asked by the gentleman from Arizona (Mr. STUMP), chairman of the Committee on Armed Services, to defer further action on this provision pending consultations between our committees.

Mr. Chairman, I certainly am prepared to honor the gentleman's request and would like to do so.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from California.

Ms. PELOSI. Mr. Chairman, it is my understanding that issues raised by 503 will be addressed in the conference report. With that understanding, I am pleased to agree to the gentleman's amendment.

Mr. GOSS. Mr. Chairman, reclaiming my time, I believe that is accurate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. GOSS).

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 252, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1200

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2883, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

There was no objection.

FARM SECURITY ACT OF 2001

The SPEAKER pro tempore. Pursuant to House Resolution 248 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2646.

□ 1200

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 further consideration of the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, October 4, 2001, amendment No. 34 printed in the CONGRESSIONAL RECORD by the gentlewoman from Ohio (Ms. KAPTUR) had been withdrawn.

Pursuant to the order of the House of that day, no further amendment may be offered except one pro forma amendment each offered by the chairman or ranking minority member of the Committee on Agriculture or their designees for the purpose of debate.

There being no further amendments in order under the order of the House, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

Mr. SHAYS. Mr. Chairman, during my service in Congress, I have consistently opposed agricultural welfare programs. This Farm Bill, for the most part, represents business-as-usual for our nation's heavily-subsidized farmers. It's unfortunate to know that at a time of such advances in every other area of our lives, our agriculture sector has all the sophistication of a Soviet commune.

But there is something to smile about, because this Farm Bill contains one vital reform: the abolition of the federal peanut quota program. This program is truly a relic of the Great Depression, and today it's put on notice that its days are numbered.

The General Accounting Office has found the peanut program provides substantial benefits to a small number of producers who hold most of the quota, restricts peanut production by other farmers, and increases consumer costs by between \$300 million and \$500 million annually.

For years, I've had a hard time understanding why our government favors one group of American peanut farmers—those who own quotas—over other American farmers who don't own this privilege. This program harms so many for the benefit of such a select few.

My partner in reform, Congressman PAUL KANJORSKI, and I have always maintained that it was not our intention to pull the rug out from under our nation's peanut farmers. Rather, our goal has always been to bring peanuts in line with other commodities, and the legislation we introduced replaced quota restrictions with the same non-recourse loan system enjoyed by other commodities.

Some of my colleagues may be concerned with the Farm Bill's approach, which shifts the burden from consumers to taxpayers.

I agree this compromise isn't perfect, but it does meet two essential criteria we've set for

reform. First, and most important, it repeals the quota system. This is the key to making the peanut industry more market-oriented, providing a level playing field for farmers, and promoting international trade.

Second, as GAO confirmed in correspondence I will submit for the record, this bill "Would essentially bring the peanut program in line with other commodity programs."

Why is this important? Because taking peanuts off a separate track will ultimately make it easier to enact future reforms. It also exposes the hidden costs of the existing program by putting it "on the books."

There are still some concerns I have with what we're accomplishing today. First, this legislation compensates quota holders for the loss of their asset, which I must confess I think is fair. While those of us who want reform are willing to accept this provision, it is only under the understanding that the Chairman shares our commitment to let it expire after five years specified in this bill.

Second, at a cost of \$3.5 billion over 10 years, these reforms will come at some expense. With a rapidly shrinking budget surplus and tremendous needs in other areas, we are going to have to reexamine whether this is the best use of taxpayers' dollars.

Finally, I'm concerned about findings by the GAO that several of the new subsidies for peanuts may be identified as "trade distorting" under the 1994 Uruguay Round of trade talks. If we expect other nations to lower their trade barriers, we need to ensure we're not erecting barriers of our own.

Mr. Chairman, during the course of debate on this bill, I'm going to continue to express reservations about our overall agriculture policy. But at this moment, I want to commend the Chairman of the Agriculture Committee, Mr. COMBEST, for bringing us closer that we've ever been to ending the Byzantine system of price supports for peanuts.

I would also request unanimous consent to submit for the CONGRESSIONAL RECORD a September 26 letter from the General Accounting Office reviewing the peanut title of this Farm Bill.

UNITED STATES GENERAL ACCOUNTING
OFFICE,

Washington, DC, September 26, 2001.

Hon. CHRISTOPHER SHAYS,
House of Representatives.

Hon. PAUL E. KANJORSKI,
House of Representatives.

Subject: Peanut Program: Potential Effects of Proposed Farm Bill on Producers, Consumers, Government, and Peanut Imports and Exports.

The current federal peanut program, administered by the U.S. Department of Agriculture (USDA), is designed to support producers' incomes while ensuring an ample supply of domestically produced peanuts. To accomplish these goals, the program controls the domestic supply of peanuts and guarantees producers a minimum price for their crops. This price substantially exceeds the price of peanuts in world markets. The program uses two mechanisms to control the domestic supply of peanuts: (1) a national quota on the number of pounds that can be sold for edible consumption domestically and (2) import restrictions. While anyone can grow peanuts, only producers holding quota, either through ownership or rental of farmland, may sell their peanuts domestically, as "quota" peanuts. Generally, all other production, referred to as "additional" peanuts, must be exported or crushed for oil and meal.