

Kennedy (RI)	Millender-McDonald	Sawyer
Kildee	Miller, George	Schakowsky
Kilpatrick	Mink	Schiff
Kind (WI)	Mollohan	Scott
Klecza	Moore	Serrano
Kucinich	Moran (VA)	Sherman
Lampson	Morella	Shows
Langevin	Nadler	Skelton
Lantos	Napolitano	Smith (NJ)
Larsen (WA)	Neal	Snyder
Larson (CT)	Nethercutt	Solis
LaTourette	Oberstar	Spratt
Leach	Obey	Stark
Lee	Oliver	Stenholm
Levin	Ortiz	Strickland
Lewis (GA)	Owens	Stupak
Lipinski	Pallone	Tancredo
LoBiondo	Pascarell	Tauscher
Lofgren	Pastor	Taylor (MS)
Lowe	Payne	Thompson (CA)
Lucas (KY)	Pelosi	Thompson (MS)
Luther	Peterson (MN)	Thurman
Lynch	Phelps	Tierney
Maloney (CT)	Price (NC)	Towns
Maloney (NY)	Rahall	Udall (CO)
Markey	Rangel	Udall (NM)
Mascara	Reyes	Velazquez
Matheson	Rivers	Visclosky
Matsui	Rodriguez	Waters
McCarthy (NY)	Roemer	Watson (CA)
McCollum	Rohrabacher	Watt (NC)
McDermott	Ross	Waxman
McGovern	Rothman	Weiner
McIntyre	Roybal-Allard	Weldon (PA)
McKinney	Rush	Wexler
McNulty	Sabo	Wolf
Meehan	Sanchez	Woolsey
Meek (FL)	Sanders	Wu
Meeks (NY)	Sandlin	Wynn
Menendez		

## NOES—188

Aderholt	Goode	Norwood
Akin	Goodlatte	Nussle
Armey	Goss	Osborne
Bachus	Graham	Ose
Baker	Granger	Oxley
Ballenger	Graves	Paul
Barton	Green (WI)	Pence
Bass	Greenwood	Peterson (PA)
Bereuter	Grucci	Petri
Biggart	Hall (TX)	Pickering
Bilirakis	Hart	Pitts
Boehlert	Hastert	Platts
Bonilla	Hastings (WA)	Pombo
Bono	Hayes	Pomeroy
Boozman	Hayworth	Portman
Boyd	Hefley	Pryce (OH)
Brady (TX)	Herger	Putnam
Brown (SC)	Hobson	Quinn
Bryant	Hoekstra	Radanovich
Burr	Horn	Ramstad
Buyer	Hostettler	Regula
Calvert	Houghton	Rehberg
Camp	Hulshof	Reynolds
Cannon	Hunter	Riley
Cantor	Hyde	Rogers (KY)
Castle	Isakson	Rogers (MI)
Chabot	Istook	Ros-Lehtinen
Chambliss	Jenkins	Royce
Coble	Johnson (IL)	Ryan (WI)
Collins	Johnson, Sam	Ryun (KS)
Cooksey	Keller	Saxton
Crane	Kelly	Schaffer
Crenshaw	Kennedy (MN)	Schrock
Cubin	Kerns	Sensenbrenner
Culberson	King (NY)	Sessions
Cunningham	Kingston	Shadegg
Davis, Jo Ann	Kirk	Shaw
Deal	Kolbe	Shays
DeLay	LaHood	Sherwood
DeMint	Latham	Shimkus
Diaz-Balart	Lewis (CA)	Shuster
Doolittle	Lewis (KY)	Simmons
Dreier	Linder	Simpson
Dunn	Lucas (OK)	Skeen
Ehlers	Manzullo	Smith (MI)
Emerson	McCrery	Smith (TX)
English	McHugh	Souder
Everett	McInnis	Sullivan
Flake	McKeon	Sununu
Fletcher	Mica	Sweeney
Foley	Miller, Dan	Tanner
Forbes	Miller, Gary	Tauzin
Fossella	Miller, Jeff	Taylor (NC)
Gallely	Moran (KS)	Terry
Gekas	Myrick	Thomas
Gibbons	Ney	Thornberry
Gillmor	Northup	Thune

Tiahrt	Walsh	Whitfield
Tiberi	Wamp	Wicker
Toomey	Watkins (OK)	Wilson (NM)
Upton	Watts (OK)	Wilson (SC)
Vitter	Weldon (FL)	Young (FL)
Walden	Weller	

## NOT VOTING—27

Blunt	Davis, Tom	Murtha
Boehner	Gordon	Otter
Bonior	Gutierrez	Roukema
Boucher	Hall (OH)	Slaughter
Callahan	Hansen	Smith (WA)
Clay	Issa	Stearns
Combest	Knollenberg	Stump
Condit	LaFalce	Turner
Cox	McCarthy (MO)	Young (AK)

## □ 0158

Mr. WALSH, Mr. EHLERS and Mrs. KELLY changed their vote from "aye" to "no."

Mr. HILL changed his vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri: Mr. Speaker, during rollcall vote No. 347, I was unavoidably detained. Had I been present, I would have voted, "aye."

Mr. GOSS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. WHITFIELD, Chairman pro tempore 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. 4628) to authorize appropriations for fiscal year 2003 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, had come to no resolution thereon.

## □ 0200

# LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4628, INTELLIGENCE AUTHORIZATION ACT OF FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 4628 in the Committee of the Whole pursuant to House Resolution 497, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002, except pro forma amendments offered by the chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

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

There was no objection.

MAKING IN ORDER AT ANY TIME ON THURSDAY, JULY 25, 2002, CONSIDERATION OF CONFERENCE REPORT ON H.R. 3763, SARBANES-OXLEY ACT OF 2002

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that it be in order at any time on Thursday, July 25, 2002, to consider a conference report to accompany H.R. 3763; that the conference report be considered as read; and that all points of order against the conference report and against its consideration be waived.

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

There was no objection.

## PERSONAL EXPLANATION

Mr. PHELPS. Mr. Speaker, I regret that I was inadvertently detained and missed rollcall vote 343 on H.R. 4965, the Partial-Birth Abortion Ban Act of 2002. I have very strong convictions against very partial-birth abortions.

Please let the record show I would have voted yes on rollcall 343.

## INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

The SPEAKER pro tempore. Pursuant to House Resolution 497 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. 4628.

## □ 0201

### 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. 4628) to authorize appropriations for fiscal year 2003 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. WHITFIELD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, Amendment No. 9 printed in the CONGRESSIONAL RECORD offered by the gentleman from Indiana (Mr. ROEMER) had been disposed of.

Pursuant to the order of the House of today, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002, except pro forma amendments offered by the chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

AMENDMENT NO. 3 OFFERED BY MR. CHAMBLISS

Mr. CHAMBLISS. 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. CHAMBLISS:

At the end (page 30, after line 7), add the following new title:

# **TITLE VI—INFORMATION SHARING**

## **SEC. 601. SHORT TITLE.**

This title may be cited as the “Homeland Security Information Sharing Act”.

## **SEC. 602. FINDINGS AND SENSE OF CONGRESS.**

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

(1) The Federal Government is required by the Constitution to provide for the common defense, which includes terrorist attack.

(2) The Federal Government relies on State and local personnel to protect against terrorist attack.

(3) The Federal Government collects, creates, manages, and protects classified and sensitive but unclassified information to enhance homeland

(4) Some homeland security information is needed by the State and local personnel to prevent and prepare for terrorist attack.

(5) The needs of State and local personnel to have access to relevant homeland security information to combat terrorism must be reconciled with the need to preserve the protected status of such information and to protect the sources and methods used to acquire such information.

(6) Granting security clearances to certain State and local personnel is one way to facilitate the sharing of information regarding specific terrorist threats among Federal, State, and local levels of government.

(7) Methods exist to declassify, redact, or otherwise adapt classified information so it may be shared with State and local personnel without the need for granting additional security clearances.

(8) State and local personnel have capabilities and opportunities to gather information on suspicious activities and terrorist threats not possessed by Federal agencies.

(9) The Federal Government and State and local governments and agencies in other jurisdictions may benefit from such information.

(10) Federal, State, and local governments and intelligence, law enforcement, and other emergency preparation and response agencies must act in partnership to maximize the benefits of information gathering and analysis to prevent and respond to terrorist attacks.

(11) Information systems, including the National Law Enforcement Telecommunications System and the Terrorist Threat Warning System, have been established for rapid sharing of classified and sensitive but unclassified information among Federal, State, and local entities.

(12) Increased efforts to share homeland security information should avoid duplicating existing information systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal, State, and local entities should share homeland security information to the maximum extent practicable, with special emphasis on hard-to-reach urban and rural communities.

## **SEC. 603. FACILITATING HOMELAND SECURITY INFORMATION SHARING PROCEDURES.**

(a) PROCEDURES FOR DETERMINING EXTENT OF SHARING OF HOMELAND SECURITY INFORMATION.—

(1) The President shall prescribe and implement procedures under which relevant Federal agencies determine—

(A) whether, how, and to what extent homeland security information may be shared with appropriate State and local per-

sonnel, and with which such personnel it may be shared;

(B) how to identify and safeguard homeland security information that is sensitive but unclassified; and

(C) to the extent such information is in classified form, whether, how, and to what extent to remove classified information, as appropriate, and with which such personnel it may be shared after such information is removed.

(2) The President shall ensure that such procedures apply to all agencies of the Federal Government.

(3) Such procedures shall not change the substantive requirements for the classification and safeguarding of classified information.

(4) Such procedures shall not change the requirements and authorities to protect sources and methods.

## **(b) PROCEDURES FOR SHARING OF HOMELAND SECURITY INFORMATION.—**

(1) Under procedures prescribed by the President, all appropriate agencies, including the intelligence community, shall, through information sharing systems, share homeland security information with appropriate State and local personnel to the extent such information may be shared, as determined in accordance with subsection (a), together with assessments of the credibility of such information.

(2) Each information sharing system through which information is shared under paragraph (1) shall—

(A) have the capability to transmit unclassified or classified information, though the procedures and recipients for each capability may differ;

(B) have the capability to restrict delivery of information to specified subgroups by geographic location, type of organization, position of a recipient within an organization, or a recipient's need to know such information;

(C) be configured to allow the efficient and effective sharing of information; and

(D) be accessible to appropriate State and local personnel.

(3) The procedures prescribed under paragraph (1) shall establish conditions on the use of information shared under paragraph (1)—

(A) to limit the redissemination of such information to ensure that such information is not used for an unauthorized purpose;

(B) to ensure the security and confidentiality of such information;

(C) to protect the constitutional and statutory rights of any individuals who are subjects of such information; and

(D) to provide data integrity through the timely removal and destruction of obsolete or erroneous names and information.

(4) The procedures prescribed under paragraph (1) shall ensure, to the greatest extent practicable, that the information sharing system through which information is shared under such paragraph include existing information sharing systems, including, but not limited to, the National Law Enforcement Telecommunications System, the Regional Information Sharing System, and the Terrorist Threat Warning System of the Federal Bureau of Investigation.

(5) Each appropriate Federal agency, as determined by the President, shall have access to each information sharing system through which information is shared under paragraph (1), and shall therefore have access to all information, as appropriate, shared under such paragraph.

(6) The procedures prescribed under paragraph (1) shall ensure that appropriate State and local personnel are authorized to use such information sharing systems—

(A) to access information shared with such personnel; and

(B) to share, with others who have access to such information sharing systems, the homeland security information of their own jurisdictions, which shall be marked appropriately as pertaining to potential terrorist activity.

(7) Under procedures prescribed jointly by the Director of Central Intelligence and the Attorney General, each appropriate Federal agency, as determined by the President, shall review and assess the information shared under paragraph (6) and integrate such information with existing intelligence.

## **(c) SHARING OF CLASSIFIED INFORMATION AND SENSITIVE BUT UNCLASSIFIED INFORMATION WITH STATE AND LOCAL PERSONNEL.—**

(1) The President shall prescribe procedures under which Federal agencies may, to the extent the President considers necessary, share with appropriate State and local personnel homeland security information that remains classified or otherwise protected after the determinations prescribed under the procedures set forth in subsection (a).

(2) It is the sense of Congress that such procedures may include one or more of the following means:

(A) Carrying out security clearance investigations with respect to appropriate State and local personnel.

(B) With respect to information that is sensitive but unclassified, entering into non-disclosure agreements with appropriate State and local personnel.

(C) Increased use of information-sharing partnerships that include appropriate State and local personnel, such as the Joint Terrorism Task Forces of the Federal Bureau of Investigation, the Anti-Terrorism Task Forces of the Department of Justice, and regional Terrorism Early Warning Groups.

(d) RESPONSIBLE OFFICIALS.—For each affected Federal agency, the head of such agency shall designate an official to administer this Act with respect to such agency.

(e) FEDERAL CONTROL OF INFORMATION.—Under procedures prescribed under this section, information obtained by a State or local government from a Federal agency under this section shall remain under the control of the Federal agency, and a State or local law authorizing or requiring such a government to disclose information shall not apply to such information.

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

(1) The term “homeland security information” means any information (other than information that includes individually identifiable information collected solely for statistical purposes) possessed by a Federal, State, or local agency that—

(A) relates to the threat of terrorist activity;

(B) relates to the ability to prevent, interdict, or disrupt terrorist activity;

(C) would improve the identification or investigation of a suspected terrorist or terrorist organization; or

(D) would improve the response to a terrorist act.

(2) The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(3) The term “State and local personnel” means any of the following persons involved in prevention, preparation, or response for terrorist attack:

(A) State Governors, mayors, and other locally elected officials.

(B) State and local law enforcement personnel and firefighters.

(C) Public health and medical professionals.

(D) Regional, State, and local emergency management agency personnel, including State adjutant generals.

(E) Other appropriate emergency response agency personnel.

(F) Employees of private-sector entities that affect critical infrastructure, cyber, economic, or public health security, as designated by the Federal government in procedures developed pursuant to this section.

(4) The term "State" includes the District of Columbia and any commonwealth, territory, or possession of the United States.

#### SEC. 604. REPORT.

(a) **REPORT REQUIRED.**—Not later than 12 months after the date of the enactment of this Act, the President shall submit to the congressional committees specified in subsection (b) a report on the implementation of section 603. The report shall include any recommendations for additional measures or appropriation requests, beyond the requirements of section 603, to increase the effectiveness of sharing of information between and among Federal, State, and local entities.

(b) **SPECIFIED CONGRESSIONAL COMMITTEES.**—The congressional committees referred to in subsection (a) are the following committees:

(1) The Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

(2) The Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

#### SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out section 603.

#### SEC. 606. AUTHORITY TO SHARE GRAND JURY INFORMATION.

Rule 6(e) of the Federal Rules of Criminal Procedure is amended—

(1) in paragraph (2), by inserting ", or of guidelines jointly issued by the Attorney General and Director of Central Intelligence pursuant to Rule 6," after "Rule 6"; and

(2) in paragraph (3)—

(A) in subparagraph (A)(ii), by inserting "or of a foreign government" after "(including personnel of a state or subdivision of a state";

(B) in subparagraph (C)(i)—

(i) in subclause (I), by inserting before the semicolon the following: "or, upon a request by an attorney for the government, when sought by a foreign court or prosecutor for use in an official criminal investigation";

(ii) in subclause (IV)—

(i) by inserting "or foreign" after "may disclose a violation of State";

(II) by inserting "or of a foreign government" after "to an appropriate official of a State or subdivision of a State"; and

(III) by striking "or" at the end;

(iii) by striking the period at the end of subclause (V) and inserting "; or"; and

(iv) by adding at the end the following:

"(VI) when matters involve a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, to any appropriate federal, state, local, or foreign government official for the purpose of preventing or responding to such a threat."; and

(C) in subparagraph (C)(iii)—

(i) by striking "Federal";

(ii) by inserting "or clause (i)(VI)" after "clause (i)(V)"; and

(iii) by adding at the end the following: "Any state, local, or foreign official who receives information pursuant to clause (i)(VI) shall use that information only consistent with such guidelines as the Attorney General

and Director of Central Intelligence shall jointly issue.".

#### SEC. 607. AUTHORITY TO SHARE ELECTRONIC, WIRE, AND ORAL INTERCEPTION INFORMATION.

Section 2517 of title 18, United States Code, is amended by adding at the end the following:

"(7) Any investigative or law enforcement officer, or other Federal official in carrying out official duties, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents or derivative evidence to a foreign investigative or law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure, and foreign investigative or law enforcement officers may use or disclose such contents or derivative evidence to the extent such use or disclosure is appropriate to the proper performance of their official duties.

"(8) Any investigative or law enforcement officer, or other Federal official in carrying out official duties, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents or derivative evidence to any appropriate Federal, State, local, or foreign government official to the extent that such contents or derivative evidence reveals a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, for the purpose of preventing or responding to such a threat. Any official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information, and any State, local, or foreign official who receives information pursuant to this provision may use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.".

#### SEC. 608. FOREIGN INTELLIGENCE INFORMATION.

(a) **DISSEMINATION AUTHORIZED.**—Section 203(d)(1) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001 (Public Law 107-56; 50 U.S.C. 403-5d) is amended by adding at the end the following: "Consistent with the responsibility of the Director of Central Intelligence to protect intelligence sources and methods, and the responsibility of the Attorney General to protect sensitive law enforcement information, it shall be lawful for information revealing a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, obtained as part of a criminal investigation to be disclosed to any appropriate Federal, State, local, or foreign government official for the purpose of preventing or responding to such a threat. Any official who receives information pursuant to this provision may use that information only as necessary in the conduct of that per-

son's official duties subject to any limitations on the unauthorized disclosure of such information, and any State, local, or foreign official who receives information pursuant to this provision may use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.".

(b) **CONFORMING AMENDMENTS.**—Section 203(c) of that Act is amended—

Mr. CHAMBLISS. Mr. Chairman, this amendment is a very simple amendment. It is an amendment that was debated very thoroughly on the House floor some 3 weeks ago. It is an information sharing bill coauthored by the gentlewoman from California (Ms. HARMAN), myself and the gentleman from Connecticut (Mr. SHAYS), who has now joined us in offering this amendment.

Basically what this amendment does, it is in response to some information that we discovered as the Subcommittee on Terrorism and Homeland Security during our hearing process about the lack of information sharing that exists between the intelligence gatherers at the Federal level and State and local officials, who are the first responders on the site of any terrorist attack that may be perpetrated against the United States.

This bill basically requires the administration to develop an information sharing plan such that they take the individual intelligence gatherers, whether it is NSA, FBI, CIA or whoever, put it into a common funnel, and that information be redacted and declassified and disseminated out to State and local officials in real time so that those first responders on the ground can have the information necessary to be on the lookout to hopefully disrupt any terrorist activity that may be forthcoming.

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

Mr. Chairman, I am proud to be a co-author of this amendment, which passed the House by a vote of 422 to 2 several weeks ago. I believe that every member of the Permanent Select Committee on Intelligence was an original cosponsor of the amendment. It has been a pleasure to work on it with the gentleman from Georgia, the gentleman from Connecticut and many others, and to see it become such an important legislative action of this season. By attaching it to this bill, we ensure that it becomes law sooner.

We are looking at every vehicle we can find to make certain that it will pass the Senate and be agreed upon in conference, and we do know that we have support from the administration.

I would just add that at 2 o'clock in the morning, Mr. Chairman, somewhere in America there is a terrorist cell that intends to do us harm. By having this mechanism that will share information with first responders and help them know what to look for, we are protecting the citizens of that part of America who are under threat. So I am very pleased to stand here tonight in support of this amendment. I urge its adoption quickly.

Mr. SHAYS. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I am delighted to join the authors of this legislation, the gentleman from Georgia (Mr. CHAMBLISS) and the gentlewoman from California (Ms. HARMAN). I am not an author, but I am a cosponsor, because at the 30 hearings my Subcommittee on National Security has had, this issue has shown up almost at every instance.

Protecting the safety and security of the Nation against terrorist attacks requires unprecedented cooperation between Federal, State and local agencies. Timely information sharing is an absolutely indispensable element of the Nation's ability to detect and preempt, disrupt or respond to any terrorist attack.

I absolutely am amazed at how stubborn the procedural process has been, the cultural barriers that have blocked the information sharing on the local level. These individuals on the local level need to have the ability to gain security clearance. We need to encourage the Federal and State to interact better.

I just commend the gentleman from Georgia (Mr. CHAMBLISS), and I commend the chairman of the Permanent Select Committee on Intelligence and ranking member for their recognizing the need for this legislation and their past support.

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

Mr. Chairman, as has been noted, this amendment is substantially the same as the Homeland Security Information Sharing Act which was overwhelmingly passed and endorsed by the House last month. I was pleased to be a cosponsor of that bill.

I commend the gentlewoman from California (Ms. HARMAN), the gentleman from Georgia (Mr. CHAMBLISS), the gentleman from Michigan (Mr. CONYERS), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from Connecticut (Mr. SHAYS) and the gentleman from New York (Mr. WEINER) again for their hard work on it.

Timely and effective information is one of the most important tools in the fight against terrorism. Local communities need to be able to count on receiving that kind of information.

This amendment will help in that effort, and I certainly urge its adoption.

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

Mr. Chairman, I want to thank those involved in this amendment. I know that this has been a success story already on the floor, but I am pleased it is added to the bill. I think it is important as it has been explained. I congratulate the gentlewoman from California (Ms. HARMAN), the gentleman from Georgia (Mr. CHAMBLISS) and the gentleman from Connecticut (Mr.

SHAYS). The committee accepts the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS).

□ 0210

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. PELOSI:

Amend section 501 to read as follows:

**SEC. 501. USE OF FUNDS FOR COUNTER-DRUG AND COUNTERTERRORISM ACTIVITIES FOR COLOMBIA.**

(a) **AUTHORITY.**—Funds designated for intelligence or intelligence-related purposes for assistance to the Government of Colombia for counter-drug activities for fiscal years 2002 and 2003, and any unobligated funds available to any element of the intelligence community for such activities for a prior fiscal year, shall be available to support a unified campaign against narcotics trafficking and against activities by organizations designated as terrorist organizations (such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC)), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations.

(b) **REQUIREMENT FOR CERTIFICATION.**—(1) The authorities provided in subsection (a) shall not be exercised until the Secretary of Defense certifies to the Congress that the provisions of paragraph (2) have been complied with.

(2) In order to ensure effectiveness of United States support for such a unified campaign, prior to the exercise of the authority contained in subsection (a), the Secretary of State shall report to the appropriate committees of Congress that the newly elected President of Colombia has—

(A) committed, in writing, to establish comprehensive policies to combat illicit drug cultivation, manufacturing, and trafficking (particularly with respect to providing economic opportunities that offer viable alternatives to illicit crops) and to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations;

(B) committed, in writing, to implement significant budgetary and personnel reforms of the Colombian Armed Forces; and

(C) committed, in writing, to support substantial additional Colombian financial and other resources to implement such policies and reforms, particularly to meet the country's previous commitments under "Plan Colombia".

In this paragraph, the term "appropriate committees of Congress" means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

(c) **TERMINATION OF AUTHORITY.**—The authority provided in subsection (a) shall cease to be effective if the Secretary of Defense has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under

the effective control of paramilitary and guerrilla organizations.

(d) **APPLICATION OF CERTAIN PROVISIONS OF LAW.**—Sections 556, 567, and 568 of Public Law 107-115, section 8093 of the Department of Defense Appropriations Act, 2002, and the numerical limitations on the number of United States military personnel and United States individual civilian contractors in section 3204(b)(1) of Public Law 106-246 shall be applicable to funds made available pursuant to the authority contained in subsection (a).

(e) **LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.**—No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available under this section, except for the purpose of acting in self defense or rescuing any United States citizen to include United States Armed Forces personnel, United States civilian employees, and civilian contractors employed by the United States.

Ms. PELOSI. Mr. Chairman, just briefly, this amendment, which I am offering with the gentleman from Florida (Mr. GOSS), has a simple purpose: to harmonize the intelligence authorization bill and the emergency supplemental appropriations conference report passed yesterday on an issue relating to Colombia. That issue is the use to which funds designated for counterdrug activities for Colombia in fiscal year 2003 and made available but not expended in previous fiscal years can be put.

When this matter was considered by the Select Committee on Intelligence, it was clear that we intended to mirror actions taken by the Committee on Appropriations in the emergency supplemental. Section 501 of the bill, which is nearly identical to the provision in the emergency supplemental as reported by the Committee on Appropriations, reflects that intention.

In conference, the Colombia provisions in the emergency supplemental were modified. These modifications condition the use of counternarcotics money for counterterrorism purposes in Colombia on certain certifications being made by the Secretaries of State and Defense and limit participation of U.S. personnel in combat operations in Colombia to instances of self-defense or the rescue of U.S. citizens. The task which remains is to bring the intelligence bill in line with the emergency supplemental on this matter. This amendment acknowledges that purpose. I am pleased to have the chairman's support for it, and I urge its adoption by the House.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as stated in our report language, section 501 of the Intelligence Authorization Act for fiscal year 2003 regarding the use of funds for counterdrug and counterterrorism activities for Colombia is intended to be consistent with similar language included in fiscal year 2002 Defense Department appropriations bills. The gentlewoman from California has properly, rightly and helpfully offered an amendment to replace section 501 in order to conform with the language in H.R. 4775,

as voted out of conference and approved by the House on July 23, 2002. Therefore, the Committee accepts the amendment and thanks the gentlewoman for the gracious and harmonizing effort to make this all work better.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from California (Ms. PELOSI).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. GOSS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. Goss:

At the end of title I (page 9, after line 4), insert the following new section:

**SEC. 106. LIMITATION ON USE OF CERTAIN APPROPRIATIONS FOR INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.**

(a) IN GENERAL.—Subject to subsection (b), the amounts requested for the Defense Emergency Response Fund that are designated for the incremental costs of intelligence and intelligence-related activities for the war on terrorism may only be obligated or expended for the intelligence and intelligence-related activities specified in the letter dated July 19, 2002 of the Deputy Director for Central Intelligence to the Permanent Select Committee on Intelligence of the House of Representatives.

(b) LIMITATIONS.—The amounts referred to in subsection (a)—

(1) may only be obligated or expended for activities directly related to identifying, responding to, or protecting against acts or threatened acts of terrorism;

(2) may not be obligated or expended to correct programmatic or fiscal deficiencies in major acquisition programs which have not achieved initial operational capabilities within two years of the date of the enactment of this Act; and

(3) may not be obligated or expended until the end of the 10-day period that begins on the date notice is provided to the Select Committee on Intelligence and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives.

MODIFICATION TO AMENDMENT NO. 5 OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk, and that the modification be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida (Mr. Goss) to dispense with the reading?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate the modification.

The text of the modification is as follows:

Modification to amendment No. 5 offered by Mr. Goss:

The amendment is modified as follows:

Strike the heading and subsection (a) of section 106, as proposed to be added by the amendment, and insert the following:

**SEC. 106. LIMITATION ON INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.**

(a) IN GENERAL.—Subject to subsection (b), the amounts requested in the letter dated

July 03, 2002, of the President to the Speaker of the House of Representatives, related to the Defense Emergency Response Fund and that are designated for the incremental costs of intelligence and intelligence-related activities for the war on terrorism are authorized.

In subsection (b)(1) of such section, strike “may only be obligated or expended” and insert “are authorized only”.

In subsection (b)(2) of such section, strike “may not be obligated or expended” and insert “are not authorized”.

In subsection (b)(3) of such section—  
(1) strike “may not be obligated or expended” and insert “are not available”; and  
(2) insert “written” before “notice is provided”.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Florida (Mr. Goss)?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

Mr. GOSS. Mr. Chairman, I am pleased to have the ranking member as a cosponsor of the amendment as modified. This language has been coordinated with the gentleman from California (Mr. LEWIS) on the Committee on Appropriations, and I wish to express my gratitude for his support as well.

The committee is concerned about a recent budgetary trend to use supplemental funding to cover intelligence needs not met through the regular budget process. The committee believes the practice of seeking and receiving large supplemental appropriations has become part of the expected yearly process and only grown worse with a new type of “emergency fund” created in the wake of the tragedy of September 11.

By continuing to rely on supplemental appropriations year after year, the intelligence community risks fostering a budget process that is ripe for abuse and long-term funding gaps. Moreover, the creation of the Defense Emergency Response Fund, the DERF, has further complicated matters. The Defense Emergency Response Fund was originally created to pay for emergency items that arose due to the war on terrorism, but it has now turned into just another vehicle to fund items that the intelligence community did not receive funding for through the regular budget and planning process.

It is bad budget practice and bad government to do it that way. Congressional oversight is minimized, and finally, the committee believes that the supplemental gravy train will not last.

In any sustained “crisis” action, there comes a point where short-term stopgap practices must be phased out and long-term strategic plans put into place. This amendment is meant to highlight this concern to the administration.

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

Mr. Chairman, I am pleased to join Chairman Goss on this amendment. As he has explained, the amendment seeks to ensure that money authorized for in-

telligence activities in the Defense Emergency Response Fund is used for the war on terrorism. The amendment makes clear that the DERF funds are not to be used to address shortfalls in the intelligence programs not directly related to the terrorism campaign, and requires Congress to be notified before these funds are obligated or expended. I understand that the language in the amendment as modified has been worked out with the Committee on Appropriations.

Congress needs to oversee carefully the operations of the DERF. This amendment will contribute to effective oversight and I support it, and I commend the gentleman for his amendment and am pleased to join in it.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Florida (Mr. Goss).

The amendment, as modified, was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. ENGEL

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. Engel:

At the end of title III (page 21, after line 11), insert the following new section:

**SEC. 311. LIMITATIONS ON ASSISTANCE TO THE PALESTINIAN SECURITY SERVICES.**

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by adding at the end the following new section:

**“LIMITATIONS ON ASSISTANCE TO THE PALESTINIAN SECURITY SERVICES**

“SEC. 118. (a) PROHIBITION ON LETHAL ASSISTANCE.—Notwithstanding any other provision of law, no assistance in the form of lethal military equipment may be provided, either directly or indirectly, by any element of the intelligence community to the security services of the Palestinian Authority, or to any officials, employees or members thereof.

“(b) REQUIREMENTS FOR OTHER FORMS OF ASSISTANCE.—With respect to forms of assistance other than the provision of lethal military equipment, provided by any element of the intelligence community to the security services of the Palestinian Authority, or to any officials, employees or members thereof, such assistance may only be provided if the assistance is designed to—

“(1) reduce the number of security services of the Palestinian Authority to no more than two; and

“(2) reform such security services so that its officials, employees, and members—

“(A) respect the rule of law and human rights;

“(B) no longer fall under the command of, or report to, Yasir Arafat; and

“(C) are not compromised by, and will not support, terrorism.

“(c) QUARTERLY REPORTS ON ASSISTANCE PROVIDED SINCE 1993.—(1) Not later than 3 months after the date of the enactment of this section, the Director of Central Intelligence shall submit to the appropriate committees of Congress a report that describes all forms of assistance that have been provided to the security services of the Palestinian Authority since the date on which the Declaration of Principles was signed, including the dates on which such assistance was

provided and whether any member of the security services of the Palestinian Authority who received any such assistance has committed an act of terrorism.

“(2) After the submittal of the report under paragraph (1), the Director of Central Intelligence shall submit to the appropriate committees of Congress quarterly reports on the forms of assistance under paragraph (1) provided during the preceding calendar quarter and progress toward—

“(A) reducing the number of security services of the Palestinian Authority to no more than two;

“(B) ensuring that officials, employees, and members of such security services are not compromised by, and will not support, terrorism;

“(C) reforming the security services of the Palestinian Authority so that they respect the rule of law and human rights; and

“(D) ensuring that the security services of the Palestinian Authority are no longer under the control of Yasir Arafat.

“(3) Reports shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section—

“(1) the term ‘lethal military equipment’ has the meaning given the term for purposes of the Foreign Assistance Act of 1961; and

“(2) the term ‘appropriate committees of Congress’ means the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives and the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 117 the following new item:

“Sec. 118. Limitations on assistance to the security services of the Palestinian Authority.”.

Mr. ENGEL. Mr. Chairman, at the conclusion of offering this amendment, I will request to withdraw it by unanimous consent.

Mr. Chairman, 1 month ago today, President Bush, I guess 1 month ago yesterday now, President Bush made a very important speech on the Middle East. He said that the United States would support the establishment of a Palestinian state, but only if Palestinian leaders meet specific benchmarks, including reformed, noncorrupted political processes, a new leadership not compromised by terror, and a unified restructured security force.

I strongly supported the President's speech and his plan. The Palestinians need new leaders. Yasar Arafat is too compromised by terrorism, not only to fight Hamas and Islamic jihad, but to stand up to elements of the PLO itself. Under Arafat's watch, his own PLO Fatah faction, which includes the Al Aqsa Martyrs Brigade, has established a long track record of terror attacks against innocent Israeli civilians. The Palestinians deserve leaders who will stand up for their interests, not turn down peace plans like the one presented at Camp David 22 months ago.

I agree with the President that the Palestinian Authority's security apparatus must be reformed so that it can effectively fight terrorism, and I am glad that CIA Director Tenet will take personal hold of this project. The

amendment I offer, and will shortly withdraw, is in line with U.S. policy and designed to support Tenet's effort to create a functional, unified Palestinian security network by providing guidelines for his efforts.

First, the amendment would prohibit lethal assistance to the Palestinian security officials, employees or members. I have seen report after report of PA security personnel participating in or inciting acts of violence. There are some very unsavory characters throughout the Palestinian Authority, and we should not arm its security apparatus. Although I will withdraw my amendment, we must be very careful that we do not try to create a security force of people who have been behind the violence of the last 22 months or even those who have known and looked the other way.

Secondly, my amendment states that other types of U.S. assistance must be designed to promote reform in the PA security services. This is precisely what President Bush called for in his June 24 speech, and in my amendment American assistance should reduce the number of PA security services to a unified command structure and, by all means, not more than two separate units. As my colleagues are likely aware, the PA has more than 10 security services which Arafat plays off against each other for his own purposes. In fact, some have competed as to which can more effectively fight and kill innocent Israelis.

American training and other help must further be designed to reform the security service so that its members or employees respect the rule of law on human rights, are no longer commanded by Yasar Arafat, and are not compromised by terrorism. These guidelines for U.S. assistance are in line with the policy laid out by President Bush and should be the basis for CIA Director Tenet's program.

Finally, my amendment would direct the Central Intelligence Agency to report about the assistance we give the Palestinian Authority security services in the 1990s, and every 3 months thereafter, the progress we are making in reforming the Palestinian Authority security services. Even after I withdraw this amendment, consultation with Congress about our program to reform the Palestinian security services should be expanded.

Once again, I support the President's policy of reforming the Palestinian Authority and security services. The Palestinians need better leadership and a security force which will actually and faithfully strive to halt terror. While I strongly support this effort, it should not proceed without boundaries.

□ 0220

I believe that my amendment would have passed today. However, in a few days, CIA Director Tenet will send an assessment team to the region to begin analysis of what reform might require. As this process is just beginning, I have

decided that now is not the time to legislate limitations. Yet, if the process gets off track, I will be back here on the floor trying to set the program straight. In the meantime, it is my hope with this amendment, which I now ask unanimous consent to withdraw, offers a set of practical guidelines which the administration will take to heart as it works to reform the PA service.

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

Mr. ENGEL. I yield to the gentleman from New York.

Mr. GOSS. Mr. Chairman, may I congratulate the gentleman from New York for his attention to this problem and the process. A very constructive conversation I know has taken place. I have read his amendment. I understand what he is trying to accomplish, and I appreciate his understanding and his explanation tonight of the problem we have doing it that way. I sympathize very much with what the gentleman is trying to accomplish and I hope that the people who are working on this problem will be able to get the results we both desire and I appreciate his understanding.

The CHAIRMAN. The time of the gentleman from New York (Mr. ENGEL) has expired.

(By unanimous consent, Mr. ENGEL was allowed to proceed for 2 additional minutes.)

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

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

Ms. PELOSI. Mr. Chairman, I want to join the distinguished chairman in congratulating the gentleman from New York (Mr. ENGEL) for his leadership, not only tonight but on an ongoing basis on this very important issue, addressing violence in the Middle East and our desire for peace there. I appreciate the constructive nature of his amendment and the more constructive nature of his withdrawing it at this time and look forward to working with him to ensure an end to violence and promotion of peace in the Middle East.

Mr. ENGEL. Mr. Chairman, I now ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. ROEMER

Mr. ROEMER. 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. ROEMER:

At the end of title III (page 21, after line 11), insert the following new section:

**SEC. 311. REPORT ON ESTABLISHMENT OF A CIVILIAN LINGUIST RESERVE CORPS.**

(a) REPORT.—The Secretary of Defense, acting through the Director of the National Security Education Program, shall prepare a report on the feasibility of establishing a Civilian Linguist Reserve Corps comprised of



individuals with advanced levels of proficiency in foreign languages who are United States citizens who would be available upon a call of the President to perform such service or duties with respect to such foreign languages in the Federal Government as the President may specify. In preparing the report, the Secretary shall consult with such organizations having expertise in training in foreign languages as the Secretary determines appropriate.

(b) MATTERS CONSIDERED.—

(1) IN GENERAL.—In conducting the study, the Secretary shall develop a proposal for the structure and operations of the Civilian Linguist Reserve Corps. The proposal shall establish requirements for performance of duties and levels of proficiency in foreign languages of the members of the Civilian Linguist Reserve Corps, including maintenance of language skills and specific training required for performance of duties as a linguist of the Federal Government, and shall include recommendations on such other matters as the Secretary determines appropriate.

(2) CONSIDERATION OF USE OF DEFENSE LANGUAGE INSTITUTE AND LANGUAGE REGISTRIES.—In developing the proposal under paragraph (1), the Secretary shall consider the appropriateness of using—

(A) the Defense Language Institute to conduct testing for language skills proficiency and performance, and to provide language refresher courses; and

(B) foreign language skill registries of the Department of Defense or of other agencies or departments of the United States to identify individuals with sufficient proficiency in foreign languages.

(3) CONSIDERATION OF THE MODEL OF THE RESERVE COMPONENTS OF THE ARMED FORCES.—In developing the proposal under paragraph (1), the Secretary shall consider the provisions of title 10, United States Code, establishing and governing service in the Reserve Components of the Armed Forces, as a model for the Civilian Linguist Reserve Corps.

(c) COMPLETION OF REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress the report prepared under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Defense \$300,000 to carry out this section.

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

Mr. ROEMER. Mr. Chairman, this amendment I think is noncontroversial and has been worked out previously with the distinguished chairman and the ranking member who have supported this. It is to establish a civilian linguist reserve corps. First of all, I am very grateful to the co-sponsors of the amendments the gentleman from Nevada (Mr. GIBBONS) who is extremely knowledgeable on these linguist issues and who has been very helpful in crafting this amendment; the gentleman from California (Mr. FARR) who has worked very diligently on language issues and has a distinguished institute in his State; the gentleman from Texas (Mr. REYES) and a member of our committee; and also Jim Bamford, who has also come up with some ideas.

I am also very grateful to the staff on our committee. We have said how many times how professional and dedicated and talented they are, Chris Bar-

ton on the majority side and Chris Healey on our side have been very helpful to us.

This amendment requires the Secretary of Defense acting through the National Security Education Program to prepare a report on the feasibility of establishing a civilian linguist reserve corps comprised of individuals with advanced skill levels in foreign languages.

I am not going to take the time of House at this hour. I am going to enter my statement into the record.

Mr. Chairman, I hope this is accepted as it was previously worked out and thank again the committee members for their help.

This amendment requires the Secretary of Defense, acting through the National Security Education Program, to prepare a report on the feasibility of establishing a civilian linguist reserve corps comprised of individuals with advanced skill levels in foreign languages.

The idea behind the amendment is to move forward on a promising approach to this country's multi-faceted problem of finding qualified linguists to serve in the Federal Government.

Often, the Federal Government finds it suddenly needs linguists with skills in relatively obscure languages for a relatively short-term crisis, but these linguists are not to be found among regular government employees.

A reserve corps would help ensure that individuals with skills in a wide variety of languages were trained and ready when needed to come to the aid of the government.

We would like the Secretary of Defense to give us not just a report, but an action plan that comprehensively addresses all of the issues involved in establishing a civilian linguist reserve corps.

We expect the National Security Education Program to utilize organizations with expertise in language issues to conduct this study, such as the National Foreign Language Center at the University of Maryland. This Center is a leading institution on language issues and has already begun work on how a reserve corps could be made operational.

The report should also take into account the assets that already exist in the Federal Government that might facilitate the establishment of the corps, such as the capability of the Defense Language Institute to test for language proficiency and maintenance of skills. Foreign language skill registries, such as the one proposed by the gentlemen from California, Mr. FARR, could also be the basis for drawing up a reserve corps.

I am grateful to James Bamford for his work on this issue and for proposing the idea of a reserve corps. This amendment is co-sponsored by Messrs. GIBBONS, FARR and REYES.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to begin by congratulating the gentleman from Indiana (Mr. ROEMER), the gentleman from Nevada (Mr. GIBBONS), the gentleman from Texas (Mr. REYES), the gentleman from New York (Mr. BOEHLERT), and the gentleman from California (Mr. FARR) for their work on this amendment. They have been leaders on the language issue, constantly seeking creative solutions to what is a very serious problem.

Looking outside the ranks of current employees for highly skilled linguists who are willing to bring their talents to bear in an emergency situation is an idea that is well worth exploring. This amendment would permit a thorough study of the idea, which would, in turn, permit a reasoned judgment to be made on the potential.

I urge the adoption of the amendment and I congratulate those who have offered it. It is very well taken.

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

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

Mr. GIBBONS. Mr. Chairman, I also rise in strong support of this amendment. I want to congratulate my colleague and friend from Indiana (Mr. ROEMER) for his leadership on this issue, as well as my other colleagues who are in co-sponsor of this and who have worked hard to provide a rather remarkable amendment that I think is going to do great work to improve the bill and to improve our linguistic skills. I also want to thank the chairman of the committee, the gentleman from Florida (Mr. GOSS) and the ranking member, the gentlewoman from California (Ms. PELOSI) for their work and their help on getting this amendment through.

I also want to thank one of the staff members who is not here this evening who has not been mentioned, Mr. Brant Bassett, a staff director for HUMINT committee, whose work and insight into this amendment has been very helpful.

Mr. Chairman, I have served for 6 years on the Permanent Select Committee on Intelligence, and throughout that time I have heard a constant theme, that we lack linguistic skills across the board in terms of needed languages that are going to help us identify areas that we can gather intelligence from. And as a result, this amendment is going to allow us to expand our horizons with the ability to pull together a cadre of skilled people with languages skills that we need.

Terrorists today are speaking all kinds of languages, many of which we do not have adequate levels of trained individuals in. Languages like Pashtu, Urdu, Arabic. These language skills are available out there if we pull these people together and train them in a cadre of reserve organization that allow them in a time of crisis to be drawn together, to be utilized to help this Nation do better with its intelligence needs and language skills.

With that, Mr. Chairman, I would like to conclude my remarks once again by thanking the gentleman for his leadership on this issue.

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

Mr. Chairman, I hope I do not have to consume 5 minutes. I just want to thank everybody who helped co-sponsor this and the committee members

who have really focused on what I think is a very important issue. I think while we are thanking them we also have to thank the desk staff would have been here all day and they have to be back here early tomorrow morning. This has been a long day, and the old adage that the mind cannot comprehend what the seat cannot endure, I hope we can continue to finish this work.

What this amendment is all about is recognizing, America has linguists and we have language teachers and we have language institutions but we have not brought them all together so we can make them skilled linguists. And in order to do that, I come from a district where we have a really relevant assets, relevant institutions to do that, to teach the languages.

The largest foreign language school in the world is the old Army language school now called the Defense Language Institute in Monterey, California, and next to it a private non-profit called the Monterey Institute of International Studies which offers the Nation's only masters degree in translation and interpretation.

The committee has clearly identified one of the most acute problems in our intelligence collection efforts and that is how do you keep training and upgrading and learning how to train with the technology that we have skilled linguists. So I applaud my colleagues on the committee on their efforts to improve our Nation's assets by calling for the Intelligence Community Language University. There can be no doubt that the time is now to stand up this new foreign language school. It does not necessarily have to be a new place at a new university so to speak. It could be a university within a university and that is what the report will inform us.

□ 0230

The committee adopted another initiative at my suggestion to foster a cooperative relationship between the National Security Education program and the Defense Language Institute to enhance the development of national security professionals and foreign area experts with high levels of foreign language proficiency.

In the effort to help the Federal Government meet the challenge of hiring linguists more quickly, I was successful in adding report language to the DOD appropriations bill and the DOD authorization bill this year to create the National Language Skills Registry. What happens is that we train people as linguists, and as long as they are in the Federal employment, we can keep track of them; but the minute they leave the Federal employment, we have no knowledge of them.

So by creating this National Foreign Language Skills Registry, it is a voluntary program where ones with these skills could be kept in a file and an electronic file, and we would know exactly where our language assets are

around the United States rather than having, as we saw last year after 9-11, the FBI director having to go out and advertise for people, people that spoke Farsi and other languages.

The Permanent Select Committee on Intelligence report will look at the national foreign language skills registry as a starting point and consider the resources of the Defense Language Institute in making its recommendation to create a civilian linguist reserve corps.

Taken together, I think my colleagues on the House Permanent Select Committee on Intelligence are taking the first real substantial step to close the gap in language capacity among our intelligence community.

I urge the adoption of this amendment, and I really want to thank our colleagues. The hour is late. They have done a marvelous job, and I appreciate their focus on this very important issue.

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

I thank the gentleman from Indiana (Mr. ROEMER), the gentleman from Nevada (Mr. GIBBONS) and the gentleman from California (Mr. FARR) and several others I suspect have had a hand in this and they have actually made a very valuable contribution in offering this amendment to establish a civilian linguist reserve corps.

I think it is a good idea, and I think I read an article not too long ago by Jeff Porter saying that we had capabilities that were not being properly utilized in this area, and I think this is a very creative response and I am very happy to accept it.

The events of September 11, 2001, and the ongoing war against terrorism has shown us that America must have a linguistic quick response capability, and there is no reason why we cannot.

On behalf of the committee, I am very pleased to congratulate those involved in this and to accept the bipartisan amendment that we have.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The amendment was agreed to.

AMENDMENTS NO. 6 AND NO. 7 OFFERED BY MR. HASTINGS of Florida

Mr. HASTINGS of Florida. Mr. Chairman, I offer two amendments, No. 6 and No. 7, and I ask unanimous consent they be considered en bloc.

The CHAIRMAN pro tempore. The Clerk will designate the amendments.

The text of the amendments are as follows:

Amendments No. 6 and No. 7 offered by Mr. HASTINGS of Florida:

At the end of the title III (page 21, after line 11), insert the following new section:

**SEC. 311. SENSE OF CONGRESS ON DIVERSITY IN THE WORKFORCE OF INTELLIGENCE COMMUNITY AGENCIES.**

(a) FINDINGS.—Congress finds the following:

(1) The United States is engaged in a war against terrorism that requires the active participation of the intelligence community.

(2) Certain intelligence agencies, among them the Federal Bureau of Investigation

and the Central Intelligence Agency, have announced that they will be hiring several hundred new agents to help conduct the war on terrorism.

(3) Former Directors of the Federal Bureau of Investigation, the Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency have stated that a more diverse intelligence community would be better equipped to gather and analyze information on diverse communities.

(4) The Central Intelligence Agency and the National Security Agency were authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 1987.

(5) The Defense Intelligence Agency was authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 1988.

(6) The National Imagery and Mapping Agency was authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 2000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Director of the Federal Bureau of Investigation (with respect to the intelligence and intelligence-related activities of the Bureau), the Director of Central Intelligence, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency should make the creation of a more diverse workforce a priority in hiring decisions; and

(2) the Director of Central Intelligence, the Director of National Security Agency, the Director of Defense Intelligence Agency, and the Director of National Imagery and Mapping Agency should increase their minority recruitment efforts through the undergraduate training program provided for under law.

AMENDMENT NO. 7. At the end of title III (page 21, after line 11), insert the following new section:

**SEC. 311. ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES IN THE INTELLIGENCE COMMUNITY.**

Section 114 of the National Security Act of 1947 (50 U.S.C. 404i) is amended—

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

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

“(c) ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—(1) The Director of Central Intelligence shall, on an annual basis, submit to Congress a report on the employment of covered persons within each element of the intelligence community for the preceding fiscal year.

“(2) Each such report shall include disaggregated data by category of covered person from each element of the intelligence community on the following:

“(A) Of all individuals employed in the element during the fiscal year involved, the aggregate percentage of such individuals who are covered persons.

“(B) Of all individuals employed in the element during the fiscal year involved at the levels referred to in clauses (i) and (ii), the percentage of covered persons employed at such levels:

“(i) Positions at levels 1 through 15 of the General Schedule.

“(ii) Positions at levels above GS-15.

“(C) Of individuals hired by the head of the element involved during the fiscal year involved, the percentage of such individuals who are covered persons.

“(3) Each such report shall be submitted in unclassified form, but may contain a classified annex.

“(4) Nothing in this subsection shall be construed as providing for the substitution



of any similar report required under another provision of law.

“(5) In this subsection, the term ‘covered persons’ means—

“(A) racial and ethnic minorities,

“(B) women, and

“(C) individuals with disabilities.”.

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

There was no objection.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, let me join those that have thanked everyone that has been involved in developing this very fine legislative undertaking, and especially thank all of the staff that have worked with all of us in developing this. Specifically I would like to thank Wendy Parker for her efforts in working with my office, as well as other members of the staff and also to thank the court reporters and the desk staff from the Clerk's office and all of those with the Speaker's office who have stayed with us throughout the night.

With the permission of the Chair, and with the ranking member designee's permission and the Chair's permission, my understanding is that neither of the amendments that I am offering are likely to be controversial, and in the interest of time, I am placing my full statement in the RECORD, and allow me, since they know that one of these measures speaks to the subject of diversity and ethnicity and helps to strengthen our ability to achieve that, as has been stated by many in the agencies that they wish to accomplish.

The other amendment facilitates the reporting, seguing off of the one that we just finished in an effort to fill some of the community's gaps in language and analytical skills, and I am submitting the statement for the RECORD.

Mr. Chairman, I rise to introduce the second of two amendments I am offering to H.R. 4628. The first calls for increased minority recruitment by the intelligence community, in an effort to fill some of that community's gaps in language and analytical skills. The second amendment facilitates Congressional oversight of that process.

Mr. Chairman, the amendment I am offering at the current moment instructs the Director of Central Intelligence to issue an annual report to Congress on the hiring and retention of minorities by the intelligence community. Such a report will allow this body to monitor the progress of the intelligence community's efforts to recruit and retain minorities.

Like my previous amendment and the underlying bills, this amendment is non-controversial. After all, intelligence agencies have been providing reports on minority hiring and retention to the House Permanent Select Committee on Intelligence since the early 1990's. My amendment simply makes the unclassified versions of those reports available to the larger Congress.

Likewise, this amendment does not in any way jeopardize our national security by revealing the number of individuals working at our various intelligence agencies. Figures published in the report would be percentages, not

absolute numbers. This provision is in keeping with current guidelines for maintaining the integrity of classified information.

Mr. Chairman, let me reiterate, minority recruitment is critical to the maintenance of our national security. Congress has a role in the maintenance of our intelligence infrastructure. That role is to provide effective oversight. This amendment will allow myself and my colleagues in this body to do just that.

I urge my colleagues to support my amendment.

Mr. Chairman, it was just 3 years ago that the Director of Central Intelligence, George Tenet, stated, and I quote:

To combat the threats our country will be facing in the decades ahead, we will need [intelligence] collectors from diverse Ethnic backgrounds and with a wide range of expertise who can think and communicate like our targets and pierce their human and technical networks. We will also need analysts whose deep knowledge of other societies, cultures and languages can bring important perspectives to intelligence assessments.

At the time that Mr. Tenet made this statement, only 11 percent of the case officers at the CIA were racial or ethnic minorities. Tragically, that number has barely changed in the intervening years.

Realize, Mr. Chairman, this country is attempting to gather information on a world which is 50 percent non-white with an intelligence apparatus that is barely 11 percent non-white.

How can we expect to understand them if we do not talk like them? How can we expect to infiltrate them if we do not look like them?

And what has the intelligence community's failure to recruit and retain minorities brought us? Today, Mr. Speaker, there are large areas of this globe where the United States is unable to collect intelligence for want of agents who possess the requisite cultural literacy and language skills. At the FBI, CIA and NSA, untranslated tapes of wiretapped conversations pile up, awaiting analysts with the proper language skills to translate them.

Right now, as we sit here in this chamber, the intelligence operation in Guantanamo Bay is bogged down by a lack of translators. This sorry state of affairs must not be allowed to persist.

My amendment expresses the sense of Congress that the directors of the CIA, DIA, NIMA and the NSA use every means at their disposal to make minority recruitment and retention a priority in their hiring decisions. The CIA, DIA, NSA, and NIMA all have Undergraduate Training Programs; a minority scholarship program introduced by former Chairman of the House Permanent Select Committee on Intelligence, Louis Stokes, in 1987. My amendment urges the directors of these agencies to use this existing program to increase minority recruitment.

Mr. Chairman, make no mistake, minority recruitment is critical to the maintenance of our national security. The passing of this amendment will send a strong message that the House of Representatives supports the goal of increasing minority representation in the intelligence community for the purpose of strengthening our intelligence infrastructure.

I urge my colleagues to support this much needed amendment.

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

Mr. Chairman, in my view, few things could contribute more to enhancing the mission success in the intelligence community than increasing diversity in the workforce. When he was on the committee, the gentleman from Florida (Mr. HASTINGS) was a leader working with the gentleman from Texas (Mr. REYES), me, along with several others, to encourage efforts by the agencies to place a priority on hiring people with diverse ethnic, religious and cultural backgrounds.

It is a tribute to his commitment that despite his absence from the committee the gentleman from Florida (Mr. HASTINGS) continues to work hard on this important issue.

With hiring being accelerated in the intelligence agencies, now is the time to make significant progress on the diversity issues by making full use of existing recruitment programs targeted on minorities, and by developing creative new ones, I am confident that such progress can be made.

The gentleman from Florida's (Mr. HASTINGS) amendments expressing the sense of Congress on diversity and in the intelligence community and requiring an annual report on hiring and retention of minority employees will contribute to this end. I commend him for this work and I urge that the amendments be adopted.

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

It is true that my colleague from Florida has been a champion on the Permanent Select Committee on Intelligence and elsewhere on behalf of the thoughts that these two amendments contain and that is making sure that we are getting adequate reporting back from the intelligence community on their efforts on diversification and encouraging a broader and richer, I think, capability in the community by utilizing diversification, and we have had a couple of hearings that I think have been helpful.

I know that the gentlewoman from California (Ms. PELOSI) has also been a champion in this area, and I congratulate all involved and particularly the gentleman from Florida (Mr. HASTINGS) this evening.

The fact is the intelligence community does need diversity in a very bad way. This is a global world and that message needs to continue to be reinforced. So I am very happy to accept the en bloc amendment presented by the gentleman from Florida (Mr. HASTINGS).

The one caveat I would offer is a minor caution, and that is, we have some reporting now and I want to make sure we are not creating a duplication. I would rather take what we have and make sure it is what we need and what we want rather than create another requirement. So if the gentleman from Florida (Mr. HASTINGS) will help me with that, maybe we can streamline that a little bit.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. HASTINGS of Florida. Mr. Chairman, the gentleman has my assurance that I will do everything I can to strengthen it in the way he has put forward.

Mr. GOSS. The gentleman continues to make a contribution to the committee, and we hope to see him again.

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

Mr. Chairman, the hour is late and I would like to say more, but I do want to very enthusiastically commend the gentleman for this very important amendment.

On the committee we have had a tradition of chairman Louis Stokes, our former colleague, when he was the Chair of the committee, was a champion for promoting diversity in the intelligence community. That banner was later carried by our late colleague Congressman Julian Dixon as ranking member of the committee, and now the gentleman from Florida (Mr. HASTINGS) and others on the committee are advancing this.

All of us have worked very hard to impress upon the intelligence community the value of diversity to mission success. We want the very best people, and we want to draw upon the knowledge of other cultures, the language, the possibility, the opportunities, the personalities that are in our country and that understand the culture of other countries.

Part of the success of intelligence is understanding plans and intentions. It takes a great deal of access and imagination. Diversity brings both of those in a way that I think we are missing and have a deficit in our current intelligence resources.

□ 0240

We have tremendous resources, however. We are blessed with courageous and patriotic people who work every day to protect the American people. That resource can be improved and enhanced by the work that the gentleman from Florida (Mr. HASTINGS) is presenting here this evening.

We cannot say it enough. We need to expand the diversity of our workforce, and we need to expand the language capabilities to another issue that was addressed here this evening. We hope that the amendment of the gentleman from Florida will build upon the work of Mr. Stokes and our dear late colleague Mr. Dixon in a way that will be exponential in light of the new hires that will have to happen in light of September 11.

Again, I commend the gentleman and my distinguished chairman for agreeing to the amendment.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendments offered by the gentleman from Florida (Mr. HASTINGS).

The amendments were agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

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 pro tempore. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PORTMAN) having assumed the chair, Mr. WHITFIELD, Chairman pro tempore 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. 4628) to authorize appropriations for fiscal year 2003 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 497, 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 the 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.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4628, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4628, just passed, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. 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. 4628) to authorize appropriations for fiscal year 2003 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.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 9 a.m. today.

Accordingly (at 2 o'clock and 45 minutes a.m.), the House stood in recess until approximately 9 a.m.

□ 0900

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 9 a.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-611) on the resolution (H. Res. 500) providing for consideration of the bill (H.R. 4546) relating to consideration of the Senate amendment to the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-612) on the resolution (H. Res. 501) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOLLENBERG (at the request of Mr. ARMEY) for today after 2:00 p.m. and July 25 on account of a death in the family.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title,