

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. KILDEE. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2660, the fiscal year 2004 Labor, Health and Human Services, Education and Related Agencies Appropriations Act.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2660, be instructed to insist on no less than \$14,247,432,000 for student financial assistance and the highest funding level possible for subpart 1 of part A of title IV of the Higher Education Act of 1965 (the Pell Grant Program).

APPOINTMENT OF CONFEREES ON H.R. 2417, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2417) to authorize appropriations for fiscal year 2004 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 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 Florida?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. HARMAN

Ms. HARMAN. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. HARMAN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2417 be instructed to insist upon section 344 of the House passed bill (relating to the report on lessons learned from military operations in Iraq) and to include in the conference report a requirement that the report be submitted as soon as possible within the scope of conference.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. HARMAN) and the gentleman from Florida (Mr. GOSS) each will control 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. HARMAN).

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

Mr. Speaker, I offer a motion to instruct this bill's conferees to insist upon section 344 of the House-passed bill requesting an intelligence "lessons

learned" report and to include a requirement that this report be submitted as soon as possible.

Section 344 of the House bill requests within 1 year of enactment a report from the Director of Central Intelligence on intelligence lessons learned as a result of military operations in Iraq. But as we know all too well, the lives of American soldiers, sailors, airmen and -women, Marines and civilians are on the line in Iraq and Afghanistan today. There is an urgent need to identify what policymakers, military forces, and the intelligence community can be doing better today rather than months or years from now.

As we all know, Mr. Speaker, the war in Iraq is not over, and daily reports from Baghdad continue to be grave and disheartening. In the last several weeks, we have seen suicide bombings of the International Red Cross headquarters and several Baghdad police stations, a rocket attack on the al-Rashid Hotel where Deputy Secretary of Defense Wolfowitz was staying at the time, mortar attacks inside the U.S.-controlled Green Zone in central Baghdad, the downing of five U.S. Army helicopters, a suicide bombing of Italian military police in An Nasiriyah, and a steady stream of improvised road-side explosive devices directed against U.S. and coalition soldiers.

Coalition forces are being attacked up to 35 times a day. As of today, Mr. Speaker, 181 U.S. soldiers have been killed in Iraq by hostile fire since the President announced the end of major combat operations on May 1. Clearly, our intelligence efforts on the ground are not where they should be. We are only now setting up information sharing fusion centers. We have just recently begun to increase the number of analysts and intelligence experts. The bottom line is that we still know very little about the nature of the insurgency.

Accurate and actionable intelligence is vital if we are to prevail in this continuing conflict, and I and other members of the Committee intend to do everything possible to provide our forces with the very best intelligence. Lessons learned with respect to both prewar intelligence and intelligence support to the war fighters during combat operations are a key ingredient in that effort. The intelligence community must understand what worked well and what did not work so well so that improvements in intelligence support to U.S. and coalition forces in Iraq today can be made as quickly as possible. Lessons learned are also important if future intelligence assessments of Iran, North Korea, and the war on terrorism in general are to be credible.

The gentleman from Florida (Chairman GOSS) has said, and I agree, that intelligence community reform, or transformation, must be on the Permanent Select Committee on Intelligence's agenda next year. That effort should be informed by an under-

standing of where U.S. intelligence in Iraq needs to be better.

□ 1715

In the course of a 5-month investigation, the House Permanent Select Committee on Intelligence on a bipartisan basis has identified serious shortcomings in the prewar intelligence on Iraq's weapons of mass destruction and ties to terrorism. We found that sketchy and often circumstantial evidence produced estimates that likely were substantially wrong. At a minimum, the intelligence community overstated the strength of the underlying data supporting its conclusions.

Our Senate counterparts are engaged in a similar effort to identify intelligence shortcomings and recommend changes. The Joint Chiefs of Staff have prepared their own assessment of strategic lessons learned from the Iraq war, and I strongly supported the Defense Authorization bill's requirement of a "lessons learned" report from the Department of Defense by March of next year.

Unfortunately, the intelligence community has yet to acknowledge any flaws in prewar intelligence. With American lives on the line, the problems with prewar intelligence must be addressed and analyzed now. An intelligence "lessons learned" study cannot await the conclusion of David Kay's ongoing WMD search in 9 months or a year from now. Regardless of what he finds, we already know there were problems with collection, analysis, and the way policymakers used the information.

Mr. Speaker, I offer this motion to instruct because the best intelligence is key to stopping the insurgency in Iraq and Afghanistan, which will then permit reconstruction and implementation of true self-government.

I am hopeful that the gentleman from Florida (Chairman GOSS) will accept my motion and that we will continue to work on a bipartisan basis to expedite the report and to implement its findings.

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

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

I appreciate the gentlewoman's comments and, of course, all the extraordinary hard work that she has put in on her side with her staff and her members. It clearly has been a good exercise in bipartisanship which I think distinguishes this House very well on an extremely important subject.

The subject that the gentlewoman has brought up is one of great concern to us. A report on lessons learned from the military operations in Iraq has a place in the bill, much deserved because it is important, and the language that is in there that her proposed instruction goes to in terms of the scope of the conference, for Members' benefit, says a report not later than 1 year after the date of the enactment of this act shall be made on lessons learned,

and we put that kind of a time requirement in, I think, because this is an issue we wanted to keep the pressure up on.

I think that it is pretty obvious that the type of combat that we have in Iraq is not what one would call conventional warfare. I do not know whether the words low-intensity conflict, low-intensity lethal conflict, what the right designation of words are, but it is something different, and there is no question that we are making adjustments as we go along not only with our military, but in our intelligence. Adjustments have, in fact, been made because of lessons learned, some of which have been very painful, some of which have not been so painful. Adjustments are going to continue to be made, and I know that our people are going to do that there because they are very interested in making sure that we minimize our casualties, that we enhance our advantages in every way possible in this lower-intensity type of conflict we are dealing with on a global basis with terrorism, not only in Iraq but elsewhere as well.

I think that it is, as I have said, an important part of the bill to learn and adjust and respond under lessons learned or whatever designation we wish to make. The gentlewoman has suggested that Defense people are talking about March of next year. I am a little wary of assigning any arbitrary dates. I do not think that serves us well because I have a very strong conviction that lessons learned are not going to end on an arbitrary date. I think that they are things that we are going to have to deal with as long as we are in Iraq, and I am not even so sure that we have it right in our report that 1 year from now, we are still not going to be in a position to having lessons learned and made adjustments accordingly.

So I find myself in a position of very much supporting the gentlewoman's idea of making sure that we keep the pressure on, and within the scope of the conference, I think that saying that within this year, hopefully as soon as possible, is a good idea. But I do not wish to suggest in any way, shape, or form by that formulation I have made that this is a one-time deal. I believe that we will be doing lessons learned forever.

I note that we are about to have an anniversary of a great tragic event in our country which was the assassination of President John F. Kennedy. I also note that there is new evidence coming out that says perhaps we have not learned all we should have learned from that tragic event even 40 years later. So in the spirit of the authorization bill, which is for a year, and for the spirit of keeping the pressure on lessons learned and doing the right thing, I am prepared to accept the gentlewoman's amendment in the context of the comments I have made.

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

Ms. HARMAN. Mr. Speaker, I thank the gentleman for those remarks and agree that this is not a one-time deal.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL), ranking member of the Human Intelligence, Analysis and Counterintelligence Subcommittee.

Mr. BOSWELL. Mr. Speaker, I appreciate the ranking member for her hard work and for her leadership on our committee and our chairman in their working together. I appreciate those remarks, and we might call it the interim report, but it will be continuing.

Mr. Speaker, I rise in support of the motion to instruct conferees to insist upon section 344 of the House-passed bill requesting an intelligence "lessons learned" report on Iraq and strongly support asking for this report to be submitted to Congress as soon as possible.

Congress does its best work when it asks tough questions. The Permanent Select Committee on Intelligence has asked a lot of tough questions over the past 7 months about our intelligence on Iraq. In our hearings and our briefings, committee members' oversight trips to Baghdad, a lot of talk with dozens of the intelligence officers who fought the war and continue to fight has taken place. I admire their bravery, their patriotism, and their selfless dedication to duty as they prepared this country for what was to take place.

Even as I applaud their efforts, I feel it is my own duty to ask them tough questions, questions like, "What did you do well?" Questions like, "What did you get wrong? What can be done better in the future?"

It is important to ask these questions because the answers are important. The answers are important because we thought we would be tripping over chemical and biological weapons all over Iraq, and so far we have not found any stockpiles of weapons. We need to know why.

These answers are also important for the future credibility of the U.S. foreign policy on Iran, North Korea, and other challenges around the world. And the answers are important for improving intelligence now, today, in Iraq, where our fine men and women face a dangerous insurgency.

For these reasons I believe time is of the essence. The time to ask and to answer these tough questions must begin now. I believe that instructing the conferees to insist on a timely "lessons learned" study is the right step forward to answering those tough questions and to making our country and our troops more secure and to be prepared and willing to do better as we go forward from this time on.

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

Ms. HARMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES), an excellent committee member.

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

Mr. Speaker, I rise in strong support of the motion to instruct offered by the gentlewoman from California (Ms. HARMAN).

I traveled in Iraq in May of this year to observe the situation firsthand and to see how our soldiers were fairing in the aftermath of major combat operations. The situation was still tense back then, and today I think it is even worse.

I served in Vietnam, as the Members know, and it is an eerie feeling to see how similar the situation in Iraq today is to the situation back then in Vietnam, insurgents who blend into the local population, the constant danger our soldiers face every day, and the steady stream of American casualties. The Secretary of Defense has said that Iraq will be a "long, hard slog." Our soldiers deserve much better than that. We cannot let Iraq become another Vietnam.

To me that means that we must all be learning lessons as we go along, the military, the intelligence community, policymakers, and Congress. The Defense Authorization bill asks for a "lessons learned" report from the Department of Defense by March 31 of next year on military operations in Iraq. However, the intelligence community should be preparing, I think, its own report, not a year from now, but as soon as possible.

In that vein, let me also reiterate a point that was made by our ranking member. The Permanent Select Committee on Intelligence, on a bipartisan basis, already knows that there were serious deficiencies in prewar intelligence on Iraq. In fact, I had such concerns about prewar intelligence even before we went to war with Iraq, which prompted me to write a letter to the gentleman from Florida (Chairman GOSS) and our ranking member (Ms. HARMAN) prior to the initiation of that war. Specifically, my concern was about the connections between Iraq and al Qaeda the intelligence community wrote about just as the administration was trying to build its case for war in the fall of 2002. The intelligence community had not yet previously brought these connections to the committee's attention, even though I had been asking questions along these lines for some time. The intelligence community must review the analysis that it produced in this regard and determine whether there are lessons that need to be learned. Our soldiers deserve nothing less. Our country deserves nothing less.

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

Ms. HARMAN. Mr. Speaker, I yield 2 minutes and 10 seconds to the gentlewoman from California (Ms. ESHOO), another committee member, the ranking member on the Intelligence Policy and National Security Subcommittee.

Ms. ESHOO. Mr. Speaker, I thank the gentlewoman from California (Ms. HARMAN), our very distinguished ranking member, for yielding me this time.

The House Permanent Select Committee on Intelligence, under the leadership of the gentleman from Florida (Chairman GOSS) and the gentlewoman from California (Ms. HARMAN), our distinguished ranking member, has been carefully evaluating the prewar intelligence assessments of Iraq's weapons of mass destruction and Iraq's purported ties to al Qaeda. This bipartisan investigation has already established that the intelligence community significantly overstated the strength of its evidence that Iraq possessed weapons of mass destruction, failed to convey where hard intelligence left off and assumptions began, and dropped caveats from crucial judgments.

In my view, it is also clear that policymakers went even further beyond the intelligence assessments in categorically stating that Iraq possessed chemical weapons and had restarted a nuclear program.

Regarding ties between Iraq and al Qaeda, the intelligence community, in my judgment, curiously made the opposite error. Instead of coming to an overall conclusion, as it did in the case of Iraq's WMD programs, the community simply arrayed everything it had and let policymakers come to their own conclusions, which they were only too happy to do. No one should expect perfection when trying to unearth secrets from a ruthless dictatorship, although a strategy of preempting WMD threats appears to impose that very standard. But we must be honest and forthcoming about the limits of our knowledge and of our ability to penetrate tough targets.

If Iraq had been littered with WMD as predicted, the substantive and methodological shortcomings of our intelligence on Iraq might not have even been noticed. But the attention of the world is instead riveted on the gulf between our estimates and reality. The credibility of our foreign policy requires an explanation. If the world does not witness an appraisal and corrective actions, who will have faith in our future declarations?

It is therefore doubly galling and deeply troubling that the intelligence community leadership rejects the very notion that its estimates were flawed. In this time of peril, it would be dangerously irresponsible to indulge this stubbornness and delay the time of reckoning.

□ 1730

Our security requires action now. That is why I support this motion to instruct.

I appreciate what the ranking member has brought forward. It is thoughtful, it is responsible, and I thank the chairman for supporting the language as well.

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

Ms. HARMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), another member of our committee.

Mr. HOLT. Mr. Speaker, I thank the ranking member, the gentlewoman from California, for yielding me this time; and I rise in support of the motion to instruct conferees to insist on section 344 of the House-passed bill requesting an intelligence lessons learned report.

The data we have received so far, and that is thousands of pages of raw reports, finished intelligence products, statements by administration officials, hearings with key officials, trips by staff and members to Iraq, leads me to judge that there have been serious deficiencies in collection, in analysis, in reporting, and in use of intelligence.

The chairman mentioned that we are always learning lessons, but the case of Iraq presents a particularly good case study that tells us and will tell us how our intelligence operation is functioning. I am struck so far that the leadership of the intelligence community and senior administration officials have seemed unwilling to learn these lessons. They have refused to acknowledge any deficiencies in pre-war intelligence, and I fear that this stubbornness in spite of the facts is harming our intelligence efforts, even today, as our troops fight an insurgency in Iraq.

So in the face of this denial by the administration, I feel that Congress must insist in law on a thorough and substantive lessons learned report.

But that is not the end of it. We have a responsibility in our committee as well to exert oversight, and I hope we will do that. As the committee goes to conference, I also hope that we can make certain that we have foreign language programs that will increase the pool of linguists in critical languages. Our search for the still-missing Osama bin Laden is hampered by language deficiencies of those looking. Dr. Kay's search for weapons of mass destruction in Iraq is hampered by our shortage of people who understand the technical terms of chemical, nuclear, and biological weapons and a flexibility in local language. So there are a number of things that we should be doing in conference, but certainly one of them is insisting on a lessons learned record.

Ms. HARMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER), our rookie member of the committee.

Mr. RUPPERSBERGER. A rookie with a bad wing, Mr. Speaker. First, I thank the chairman for accepting this report, and I thank the ranking member also for yielding me this time.

I rise in support of the motion to instruct conferees to insist upon section 344 of the House-passed bill requesting an intelligence lessons learned report on Iraq and strongly support asking for this report to be submitted to Congress as soon as possible.

I was a former Baltimore County executive of one of the larger counties in the country, and I know well the challenges, the exhilarations, and the pains of leading large organizations. Usually, one does not have time to get beyond

the crisis that is filling one's inbox. But every so often, especially after a major milestone, a critical part of leadership of an organization is making sure you are asking your people to look back at their failures and successes with the benefit of hindsight to see what has worked well and what can be done better. It is all part of this experience of improving what you do for the next time around so that you are doing the best you possibly can for your constituents and taxpayers. It is even more important to do so when the lessons you learn about the past can directly help your work today.

This is absolutely the case in our work to win the peace in Iraq. I know that our intelligence community had some great successes in Operation Iraqi Freedom. I have no doubt that there were some serious problems. Leadership is about taking on the responsibility to examine what has worked well and what can be done better and making sure those lessons are learned and implemented.

The message here is a bipartisan one, and it is a simple one. Let us not waste any more time. Let us turn talk into action. Let us turn yesterday's problems into tomorrow's solutions. The purpose of this motion is to put behind us debates about who is right and who is wrong and move on to the next step of fixing problems. It is too important for the national security of this country and for our troops protecting this Nation in Iraq and around the world.

Ms. HARMAN. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from California (Ms. HARMAN) has 14¾ minutes remaining.

Ms. HARMAN. May I inquire whether the chairman is going to have speakers? I am curious how we are going to proceed here.

Mr. GOSS. Mr. Speaker, I am very happy to respond to the gentlewoman. The number of requests I have had has been very minimal at this point. I do not know whether that will continue or not.

Ms. HARMAN. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, more Americans have died in Iraq in the last 8 months than died during the first 3 years of Vietnam. There are three Members of Congress who have not put themselves in the secrecy bag in this place, so I represent the 280-some million people in this country who do not know what is going on in the secret world. But it is very obvious from reading the newspapers, whether one reads the American newspapers or the European newspapers, there is an enormous fight going on between the intelligence agencies and the White House.

The Secretary of the Army, or the Secretary of War, or whatever we want

to call Mr. Rumsfeld, saw fit to establish his own agency which gave information to the President, and the President stood in this very well and told us things which apparently he believed, but have turned out to be absolutely fallacious. Nobody, even the President, has come back and said it is not true.

Now, this report, this motion is the minimum that we can do for the American people. We want to know why those kids are dying, why the intelligence was so bad, and why the President took us over there into something that he is now saying, we are not going to cut and run, but what he is doing is calling Mr. Bremer over and saying, how can we get out of here before the election? Now, we have to hurry. We have to get out of here by next June. We were going to have a constitution, and then we were going to have an election; but never mind the Constitution. Let us have the election, and then we will sort of give it to them and run away.

Now, the kids that have died, and if you go up to Walter Reed Hospital and you meet those kids who have lost arms and legs, and you say to them, what was the point of what we were doing? If we run out of Iraq, leaving chaos behind us, we will have diminished what they did. They bravely fought for us. I spent 2 years during Vietnam taking care of kids who went through that, and we cannot put these kids through that same thing.

I urge everyone to adopt this resolution, or this motion to instruct. It is the minimum.

Ms. HARMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, what did George Tenet know? What did Colin Powell know? What did Donald Rumsfeld know? We need to know why it was that the intelligence information relating to the presence of nuclear weapons, chemical weapons, and biological weapons in Iraq was so flawed. Either our intelligence agencies did not know the truth, or they knew the truth, but deliberately exaggerated or distorted the truth to advance a decision to go to war that had already been predetermined; or the intelligence community allowed itself to be bullied or intimidated or cajoled into providing senior Bush administration officials with the answers they wanted to get so that they could begin a war. Any of these options raise very disturbing issues, but we have an obligation to get to the bottom of the situation.

Young men and women are dying in Iraq, and they were supposedly sent to Iraq to prevent Saddam from using weapons of mass destruction that we now know they did not have. We need to learn the lessons of this massive intelligence failure now so that we never have such a situation occur in the future. Our brave young men and women should never be asked to sacrifice their lives for a war whose justification was

largely based on faulty or misleading intelligence.

What did George Tenet know? What did Colin Powell know? What did Donald Rumsfeld know? The American people have a right to know.

Ms. HARMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Washington State (Mr. DICKS), the former chairman of this committee and a great expert on intelligence matters.

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

Mr. DICKS. Mr. Speaker, I want to correct the gentlewoman from California. I wanted to be chairman, but never quite made it. I was the ranking Democratic member and did serve for 8 years, and it was the gentleman from Florida (Mr. GOSS), our distinguished chairman, who I miss seeing almost every day for hours, as we did for a few years. I want to compliment him for accepting the motion and compliment the gentlewoman from California (Ms. HARMAN) for offering this instruction.

I would say, based on my experience, the sooner we get lessons learned to the Congress, the better off we are going to be in terms of getting the fixes that we need in terms of our equipment. I can remember General Schwarzkopf coming to the committee and laying out the problems we had in Desert Storm, Desert Shield, in the intelligence area. He said, I want to be able to look over that battlefield and know what the enemy is doing. That led us to push forward UAVs like Predator, like Global Hawk. We also had problems with denial and deception. This time we did so much better out in the West controlling any opportunity they had to bring up Scud missiles, et cetera, et cetera.

But those were because there was a lessons learned process where the Congress got information and we could help get the resources and the programs necessary to help improve our overall military capability. And intelligence lessons learned are also critical.

And my colleagues, many of them here have already spoken, and there is a question of the credibility of the intelligence that was presented to the American people, presented to the Congress, presented to members at the White House.

So I think the sooner we clear this up, the sooner we get this information out in the open, and the sooner we can work together on a bipartisan basis to make the fixes necessary.

There is a lot of talk about the necessity for additional human intelligence. The chairman has been a leader. I can remember the chairman's efforts to add additional HUMINT resources to our intelligence capability, to build back the HUMINT capability. We are finding out that right now we may not have as much of that capability as necessary to deal with the problem that we are facing in this country. Languages was

mentioned by the gentleman from New Jersey (Mr. HOLT). That is still a problem. We do not have enough people who speak the various languages that are necessary here.

So again, I want to compliment the chairman for accepting the instruction, and I think we will all be better off getting this information up here as soon as possible to help the Congress next year in the authorization and appropriations process, both the Committee on Armed Services, the Permanent Select Committee on Intelligence, to make some of these fixes that are necessary to improve our overall intelligence capability.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER), the distinguished vice chairman of the committee.

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

Mr. BEREUTER. Mr. Speaker, I very much appreciate the way that the chairman started the discussion about our bipartisan cooperation in the House Permanent Select Committee on Intelligence, and actually being referred to by Members on both sides of the aisle today. I think that is one of our strong points that we need to work hard at preserving. My colleague from Iowa, my neighbor, said it is important to ask the tough questions in the Permanent Select Committee on Intelligence, and I absolutely agree and I think all of us would. I do not believe we have been timid about doing that, not just recently, but throughout.

□ 1745

And I believe that the administration and the intelligence community, regardless of the administration in the office at the moment, is likely to have more confidence that they can speak candidly, forthrightly, that we do not have to pull things out of them begrudgingly if they understand that we use that work well and that we keep the matters that are classified very carefully, close to the chest, and use it well.

I would say that I think I would certainly disagree, and I have not heard it here, but I would certainly disagree with any broad-brush, sweeping indictment that there were severe problems with intelligence collection analysis or the way the policy makers used the information. We will be looking at that. We do know that there were gaps in intelligence collection, and all of us, I think, have spoken frequently about the problems we have with adequate language and cultural affinity and certainly about the lack of HUMINT.

Now, if there is one area of the world, about three or four where we had a real gap in HUMINT, it was, of course, in Iraq. And gaps equate to information that does not flow to the intelligence community which they cannot use, which they cannot respond to us on. So I would say that a collection problem

would exist if senior managers in the ISC were not taking active steps to address the known gaps in collection.

We have heard something just a few minutes ago about lessons learned. And, of course, those lessons to be learned do not suddenly appear at some point in time in the future. I believe we have been learning lessons throughout this last several weeks and months. And I believe that the intelligence authorization bill, which we are prepared to bring a conference report to this floor soon, does, in fact, reflect some of the lessons we have learned in the conflict in Afghanistan and in Iraq and the intelligence operations that preceded and continue to be conducted in those countries. So lessons learned are being acted on, and there is more that we can learn.

And I think there is no hesitation on having the kind of review that will make Members comfortable that we are taking the right steps to support the community and, in fact, to demand responses and demand actions where changes need to be made.

So with those comments, Mr. Speaker, I heard the acceptance of the gentleman from Florida (Mr. GOSS) of the language of the gentlewoman from California (Ms. HARMAN), and I think we can move forward in a bipartisan way. I hope, therefore, that our colleagues in the House will continue to have confidence in this Permanent Select Committee on Intelligence and that in this House, we are operating to the maximum extent possible with bipartisan support of the Members and the bipartisan activities involving all Members actively involved in the process.

Ms. HARMAN. Mr. Speaker, we have no additional speakers. I plan to close.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), distinguished subcommittee chairman of a critical part of the Permanent Select Committee on Intelligence which does bring out the point of question of human assets and what most people understand about intelligence, and it is a people business. He is our subcommittee chairman of the committee that is responsible for worrying about those areas of intelligence, and has obviously got a critical role to play.

In addition, the gentleman from Nevada (Mr. GIBBONS) has led the charge on some of the programs and projects that have been particularly difficult. And I am much indebted for the work he has done on this bill.

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

Mr. GIBBONS. Mr. Speaker, first of all, I would like to thank the gentleman from Florida (Mr. GOSS), the chairman of the committee, for the way he has handled this committee. I think it goes above and beyond what we would have expected. Chairman GOSS has led this committee through some rather difficult times in this war

on terrorism and, indeed, our war in Iraq.

There is no question in my mind that a lot of statements have been made this evening about the substance of the intelligence, the quality of the intelligence. Let me say that our committee has undertaken to review the intelligence. We have not made any conclusions at this point. We have not reached any determinations. I may have my own personal opinions about the quality of the intelligence, as I am sure we all do. However, the committee has not done so in a formal basis. I wanted to make sure that that was clear.

But there is sufficient intelligence out there, and I think we all have agreed over the time that I have been there and listened to the cases being made why Saddam Hussein and this war in Iraq was essential to the people, to the efforts of the people of America to go forward. But I just wanted to take the time to stand here and sort of challenge the idea that there was a flawed intelligence process.

I think intelligence is a form of art, and it is not something that is in concrete. It is an evolving process. We have not yet determined all of the facts. We will look into that. Our committee is doing so. And I certainly hope that we can continue to do this in the fair and bipartisan fashion that this committee has been known for, and especially our chairman has been known for over the past 8 years that he has been in charge, or 7 years that he has been in charge of this committee that I have served on. This is an important time for all of us.

I think we have an opportunity here to do what many of us want and that is to learn what it is that we can do to help the intelligence community around the world. And by doing our job, and our job is to ask the tough questions, we will be better prepared to do just that. And I think under the leadership and the guidance of the chairman, we will be able to bring to this House a very sound conclusion, a very reasoned approach on what it is our Permanent Select Committee on Intelligence should be doing, what it is our intelligence community should be doing, and how we can best support them.

Ms. HARMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I want to join those who have congratulated the Members of the Permanent Select Committee on Intelligence, particularly the chairman of the committee, the gentleman from Florida (Mr. GOSS), as well as the gentlewoman from California (Ms. HARMAN), our ranking member, for the job that they have done under some very difficult circumstances. This is an issue that really needs the kind of attention that it seems to be getting under their leadership.

I think that this motion to instruct is very appropriate, particularly at this

moment. There has been some recent criticism from a variety of sources with regard to the quality of intelligence that was available to the administration prior to their advocacy of war in Iraq, and prior to the resolution passing this Congress a year ago October. It is very important that we understand every aspect of that intelligence.

Now, what we have heard is that the administration has not gotten very good intelligence, that they were misled, perhaps, by poor intelligence with regard to the connection of Saddam Hussein and al Qaeda, and also on the issue of weapons of mass destruction. But there is another aspect of that that ought to be looked at very, very carefully and that is essentially this: The administration, many of the important people of the administration, Mr. Rumsfeld, Mr. CHENEY, particularly, were given intelligence, but there is a substantial amount of evidence to indicate that when they were given the intelligence that there was little or no connection between Saddam Hussein and Usama bin Laden and that there was little or no evidence of weapons of mass destruction in Iraq, their instructions back to the providers of that intelligence, to Mr. Tenet and others, was this: We do not like that intelligence, will you go back and get other information. And they got that instruction a number of times. That is an issue that needs to be looked at very, very carefully.

The quality of intelligence, yes, but what about the way in which that intelligence was received by policymakers within the administration. I believe that those policymakers corrupted that intelligence, and that is a question that needs to be examined in great detail and with complete accuracy.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. LAHOOD) who is the chairman of the Subcommittee on Terrorism and Homeland Security, which is rather relevant to this subject.

Mr. LAHOOD. Mr. Speaker, I appreciate all the words about bipartisan. I wish that the bipartisanship that has been talked about would have been manifested in the vote that we all cast around here to send our troops the money that they need to do the job that they are doing.

It is great to talk about bipartisanship, and it is great to say that we all have it, but the truth is when it came time to give the resources that are needed in Iraq, some people were not there. Some people in the Permanent Select Committee on Intelligence were not there. So I think we need to examine the idea of bipartisan and what it really means.

The other comment I want to make is this: I think the instruction is fine. We all know it is probably a little bit meaningless because most instructions are, but the kind of words that have

been used around here in a way, the way that I see it, in a way to degrade people who work in the intelligence community, I think is a little bit despicable. And I want to say a word about people who work in the intelligence community, people who work in dark places in this world, people who collect information, people who we do not know, who most of us do not know, who do the hard work, we get paid for our jobs and they get paid too, but we do not get paid to put our life on the line in the way that they do.

We have a wonderful group of people who work very, very hard and are very experienced and do a great job collecting information in dark places in the world, and they deserve a lot of credit. They do not need to have people come on the floor and tell them they are not doing their job the right way. What they need to do is have the kind of encouragement that those of us who have the oversight responsibility and work with people who have the oversight responsibility to say to them thank you for a job well done, and thank you for putting your lives on the line.

And this idea that we are not getting right information or it is not perfect or it is not what we want or it is not being used the right way, in my opinion, is nonsense. And, hopefully, that is what the report will bring out a year from now. But we ought to be paying kudos and compliments to people in the intelligence community, including, in my opinion, from the Director George Tenet all the way up and down the line, people who work in places that none of us have ever been. They deserve our compliments, our credit, our applause, and anything else we can give them. They do a great job.

Mr. GOSS. Mr. Speaker, I wanted to thank the gentlewoman from California (Ms. HARMAN) again for bringing this forward. I think we focused on an important part of what we are about and finding out what went wrong to make sure that it is fixed, helping those involved in the executive branch to do the best job they can and reduce the risk to the greatest degree possible in what is a very dangerous business. That is a worthy effort.

I want to point out I certainly agree with the motion. Obviously, I did not agree with all of the statements that were made in support of the motion. That would not be my job, or relevant, any way.

□ 1800

I think that Members have heard today that the themes of the bill that we have passed, the intelligence authorization bill that the House passed, have come out a number of times. Yes, there were gaps in the information that we were able through our intelligence community to provide with specificity to our decisionmakers.

I think that is called the fog of war. It is also called intelligence. If we knew everything, we probably would

not need to have an intelligence organization. We certainly would not need to have analysts.

The fact is we do not know everything. We try to get as much as we can. We try and analyze it as well as we can. We try to get the value added to it. As the gentleman from Illinois (Mr. LAHOOD) has so eloquently said, there are a lot of people taking a lot of risk out there in very unpleasant circumstances, as we stand here this evening, who deserve an awful lot of credit to get the best we can.

If there are gaps in it, we will try to provide more resources and a different mix of capabilities to reduce those gaps. We have had some very good commentary by the gentleman from New York (Mr. BOEHLERT) in the committee, the gentleman from New Jersey (Mr. HOLT) echoing it here today about language problems. We have had public hearings about lack of necessary capabilities, whether we call them insufficiencies, or whatever word. No question, we have got to do some different things and more of them so our decision-makers have an easier time of it and can be more convinced that what they are doing is on hard fact to the greatest degree possible.

I think that it is important that Members know that our inquiry is ongoing. We have not reached conclusions as was stated. We are in the process of reaching conclusions. Our oversight will continue, and we will be going about our business. We will get the authorization bill conference back as quickly as we can, I hope, and get that matter under way. And then we will be right back to business doing our oversight and advocacy on the Permanent Select Committee on Intelligence as we do every day, working all together.

I thank all the members of the committee and all the staff, both sides of the aisle and those in the middle as well.

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

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

Mr. Speaker, let me first thank the chairman for accepting this motion to instruct and for years of partnership on the committee trying to do the Nation's business in the right way. These are very hard issues; and they require sober thought, careful articulation and collaboration with the intelligence community. We intend to offer criticism where we can offer it constructively and to engage in an ongoing dialogue with the intelligence community.

It is an honor to serve as ranking member of this committee. I respect its traditions and all the members, and staff who work so hard. Let me say to our friend, the gentleman from Illinois (Mr. LAHOOD), that I agree with him. There are very good people in the intelligence community.

When the chairman and I recently sent some constructive criticism to the Director of Central Intelligence, our

letter started with a long paragraph about how good the people are who do our work for the intelligence community. But it is my view that these good people can do better and they can do better if we ask tough questions in a constructive fashion and if we can help them learn from things they have not done as well as they possibly could. So that is what we are talking about here.

We are talking about requesting a lessons learned report as soon as possible so that by looking backward on some things that were done not as well as possible, we can look forward where we have ongoing force protection issues in Iraq and huge intelligence challenges in Iran, North Korea and elsewhere, and do things better. Good people with better tools performing better.

In conclusion, Mr. Speaker, I think maybe we should freeze-dry this debate. It was substantive. It was serious. Like the chairman, I did not agree with every single word that was said, but I think every single word that was said was said with seriousness and with substance, and that is the kind of debate that we should have around here. And, oh, by the way, we also should have outcomes like this because the chairman has accepted this motion to instruct. I hope that should we end up voting on it, the vote will be unanimous or near-unanimous and that will, by my lights, be a very big victory for this body.

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

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. HARMAN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCDERMOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 404, nays 12, not voting 18, as follows:

[Roll No. 633]

YEAS—404

| | | |
|--------------|---------------|----------------|
| Abercrombie | Bartlett (MD) | Blunt |
| Ackerman | Bass | Boehkert |
| Aderholt | Beauprez | Boehner |
| Akin | Becerra | Bonner |
| Alexander | Bell | Bono |
| Allen | Bereuter | Boozman |
| Andrews | Berkley | Boswell |
| Baca | Berman | Boucher |
| Bachus | Berry | Bradley (NH) |
| Baird | Bilirakis | Brady (PA) |
| Baker | Bishop (GA) | Brady (TX) |
| Baldwin | Bishop (NY) | Brown (OH) |
| Ballance | Bishop (UT) | Brown (SC) |
| Ballenger | Blackburn | Brown, Corrine |
| Barrett (SC) | Blumenauer | |

Brown-Waite, Grijalva
Ginny Gutierrez
Burns Gutknecht
Burr Hall
Burton (IN) Harman
Buyer Harris
Calvert Hart
Camp Hastings (FL)
Cannon Hastings (WA)
Cantor Hayes
Capito Hayworth
Capps Hefley
Capuano Hensarling
Cardin Herger
Cardoza Hill
Carson (IN) Hinchey
Carson (OK) Hinojosa
Carter Hobson
Case Hoeffel
Castle Hoekstra
Chabot Holden
Chocola Holt
Clay Honda
Clyburn Hooley (OR)
Coble Hostettler
Cole Houghton
Collins Hoyer
Conyers Hulshof
Cooper Hunter
Costello Inslee
Cox Inslee
Cramer Israel
Crane Issa
Crenshaw Istook
Crowley Jackson (IL)
Culberson Janklow
Cummings Jefferson
Davis (AL) Jenkins
Davis (CA) John
Davis (FL) Johnson (CT)
Davis (IL) Johnson (IL)
Davis (TN) Johnson, E. B.
Davis, Jo Ann Jones (NC)
Davis, Tom Jones (OH)
Deal (GA) Kanjorski
DeFazio Kaptur
DeGette Keller
Delahunt Kelly
DeLauro Kennedy (MN)
DeLay Kennedy (RI)
Deutsch Kildee
Diaz-Balart, L. Kilpatrick
Diaz-Balart, M. Kind
Dicks King (IA)
Dingell King (NY)
Doggett Kingston
Doolittle Kirk
Doyle Kline
Dreier Knollenberg
Duncan Kolbe
Dunn Kucinich
Edwards Lampson
Ehlers Langevin
Emanuel Larsen (WA)
Emerson Larson (CT)
Engel Latham
English LaTourette
Eshoo Leach
Etheridge Lee
Evans Levin
Farr Lewis (CA)
Feeney Lewis (GA)
Ferguson Lewis (KY)
Filner Linder
Foley Lipinski
Forbes LoBiondo
Ford Lofgren
Fossella Lowey
Frank (MA) Lucas (KY)
Franks (AZ) Lucas (OK)
Frelinghuysen Lynch
Frost Majette
Gallegly Maloney
Garrett (NJ) Manzullo
Gerlach Markey
Gibbons Marshall
Gilchrest Matheson
Gillmor Matsui
Gingrey McCarthy (MO)
Gonzalez McCarthy (NY)
Goode McCollum
Goodlatte McCotter
Gordon McCrery
Goss McDermott
Granger McGovern
Graves McHugh
Green (TX) McClinnis
Green (WI) McIntyre
Greenwood McKeon

McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano

Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland

Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Toomey
Townes
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen

Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

EXPRESSING SENSE OF HOUSE THAT JOHN WOODEN SHOULD BE HONORED FOR HIS CONTRIBUTIONS TO SPORTS AND EDUCATION

Mr. MCKEON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 411) expressing the sense of the House that John Wooden should be honored for his contributions to sports and education, as amended.

The Clerk read as follows:

H. RES. 411

Whereas John Wooden has been honored with the Presidential Medal of Freedom, the Nation's highest civilian award;

Whereas John Wooden was a successful amateur basketball player who led Martinsville High School of Martinsville, Indiana, to the 1927 Indiana State Championship and led Purdue University to the 1932 NCAA Men's Basketball Championship;

Whereas John Wooden, during 40 years of coaching, compiled an 905-205 (.815) record;

Whereas John Wooden coached the UCLA Bruins to 88 consecutive victories;

Whereas John Wooden coached the UCLA Bruins to 10 NCAA Men's Basketball Championships in 12 years;

Whereas since 1976 the Wooden Award has been presented annually to the most outstanding collegiate basketball player of the year and the nine All-American team members, as well as selected most valuable high school players;

Whereas John Wooden nurtured and inspired many of the greatest basketball players of all time who would be examples of sportsmanship, courtesy, and commitment and would go on to fame in their own right;

Whereas John Wooden is one of only two men enshrined in the Basketball Hall of Fame as both a player and a coach;

Whereas on December 20, 2003, the basketball court in Pauley Pavilion at UCLA will be named "The Nell and John Wooden Court";

Whereas John Wooden is a respected author whose books on achieving success have inspired many to reach their goals and climb to the top of their professions; and

Whereas John Wooden developed the "Pyramid of Success", a graphic representation of the ideals that form the basis of Wooden's outlook on life and explain much of his success on and off the court: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates John Wooden for receiving well-deserved recognition through the Presidential Medal of Freedom, the Nation's highest civilian award, and the naming of the Pauley Pavilion basketball floor in his honor; and

(2) commends the unparalleled achievements and contributions of John Wooden in the fields of sports and education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCKEON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. MCKEON).

NAYS—12

Barton (TX)
Biggart
Bonilla
Burgess

Everett
Flake
Johnson, Sam
LaHood

Sessions
Tiahrt
Tiberi
Young (FL)

NOT VOTING—18

Boyd
Cubin
Cunningham
DeMint
Dooley (CA)
Fattah
Fletcher

Gephardt
Isakson
Jackson-Lee
(TX)
Klecza
Lantos
Murtha

Pitts
Stark
Sullivan
Weiner
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1825

Mr. SESSIONS changed his vote from "yea" to "nay."

Mrs. BLACKBURN, Mr. WELLER and Mr. TURNER of Ohio changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, BEREUTER, BOEHLERT, GIBBONS, LAHOOD, CUNNINGHAM, HOEKSTRA, BURR, EVERETT, GALLEGLY, COLLINS, Ms. HARMAN, Messrs. HASTINGS of Florida, REYES, BOSWELL, PETERSON of Minnesota, CRAMER, Ms. ESHOO, Mr. HOLT and Mr. RUPPERSBERGER.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities:

Messrs. HUNTER, WELDON of Pennsylvania and SKELTON.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas