

California (Ms. HARMAN) has 13 minutes remaining. The gentleman from Florida (Mr. GOSS) has 11 minutes remaining.

Ms. HARMAN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT), another committee member.

Mr. HOLT. Mr. Speaker, as many of my colleagues have already done, I would like to compliment the chairman on his commitment to bipartisanship within the committee, not only in the presentation of this bill but in so many of the committee's activities. The two sides may not see eye to eye on every issue, but the two sides do share a commitment to national security.

I especially want to thank the ranking member, the gentlewoman from California (Ms. HARMAN), for her leadership and bipartisanship. She brings to her position a vigorous commitment to the Nation's intelligence.

Mr. Speaker, I rise in support of H.R. 2417. The bill enhances our Nation's intelligence capabilities in several important ways: In all source analysis, in foreign language capabilities, in human intelligence, in counter-terrorism watchlists and in particular programs. It is a step forward in what is I think a long-term transformation of the intelligence community.

The bill is based on a good measure of oversight, but as I spoke earlier today here, it is difficult to provide the kind of full oversight of such a multifaceted and secretive undertaking, but it is essential that we do so.

Intelligence, like law enforcement and policing, is essential to an orderly society; but like policing, it has great potential for misuse, challenging personal rights and civil liberties and abroad it can harm as well as advance our interests.

It is also essential that we, as a committee, support and stand behind the dedicated people and very talented people who sacrifice so much, sometimes even their lives, to keep alive American ideals.

We know that our intelligence is not perfect. We have a particularly good example of that in the intelligence that led up to and into the war with Iraq. I hope the committee will continue to scrutinize the way in which intelligence on Iraq's threat or perceived threat to the United States may have been deficient and to draw lessons for the future. The committee's oversight of this issue will be especially important if the long-term transformation of the intelligence community is to result in better intelligence.

I hope we will continue to move toward more use of understanding of unclassifieds and open sources. There is often, in fact, more useful knowledge in open sources than from the secret sources that the intelligence community sometimes so depends on.

I am disappointed that this bill does not include my proposal to authorize \$10 million for two programs designed

to increase language proficiency in America. Inadequate language capabilities actually threaten our national security. We must invest more in the creation of a workforce possessing requisite language skills; and to do this we must build greater proficiency throughout the country. We must increase the pool. There is bipartisan agreement on that, I believe, in the committee.

I appreciate the chairman's commitment to finding a comprehensive solution to intelligence community deficiencies, indeed, national deficiencies in our language capabilities. I look forward to doing that with the chairman in the next session on, as in so many things in this committee, a bipartisan basis.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a very dedicated member of our committee who is well known for other capabilities as well.

Mr. CUNNINGHAM. Mr. Speaker, I thank the chairman and the ranking member. This is a good bill. It is a bipartisan effort. The members, the people that have been on the committee and the new members I think have done a good job, and especially the staffs. Everybody should vote for this bill. It is good however, I have some concerns that I would like to bring up, not about the bill, but about the intelligence process.

For years, our military has been drawn and cut down in half. If you look at the Air Wings, the number of services, the number of tanks, the number of ships, the number of Marine Corps, the number of Air Wings that we have, it has almost been cut in half, but yet we ask our military to do almost four times what they did during previous years.

Now, how does that effect the intelligence community? Because every time DOD is deployed, our intelligence agents have to deploy with them. We spread them thin. And there are Members in this body and the other body that continually, through their liberal views, choose to cut defense and intel to pay for social programs.

Now, those in many cases are the same Members that I have heard get up on this floor and in the other body talk about, oh, how devastating it is that we do not have enough body armor for our troops or we cannot upgrade Humvees or that George Tenet should be replaced. But in some cases, those same Members have voted to cut the funding necessary to give those individuals the tools they need to do their job, and that is wrong.

You will not see that portion in any report that we have done either in this body or the other body, because I do not think they have got the guts to put it in there. They will not point at themselves, because they won't give our kids and our intel folks the funding that they need.

We have older systems that have been drawn out. In the previous admin-

istration, we went into Haiti and Somalia. Those places are the hell holes of the Earth, and they are still there. Look at Kosovo, the number of missions. You know how many tanks we sunk in Kosovo? Five. We destroyed a country, but we had five kills and we wore out our equipment. Guess what? CIA and intel and NSA, they were all involved in that, and we spread them thin. So I would caution the Members who chastise Mr. Tenet or any of the other leadership that we put in those positions because we need to give them the tools to do their job. They are hard working, dedicated individuals, spread to thin.

The other thing that I would bring up that upsets me is that there have been some memos using this committee in the other body as a partisanship tool to take a majority and the White House. That is wrong. During a time of war, Mr. Speaker, that does disservice to this Nation, to this committee and to the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again remind Members it is not appropriate during the debate to characterize actions or inactions in the other body.

Ms. HARMAN. Mr. Speaker, I yield myself 10 seconds.

I would just point out that Members on our side strongly support the women and men in the field who work in our intelligence community. I assume the pro tempore speaker is aware of that.

We also, to my knowledge, have not produced any memos around here that could be characterized as divisive. We are all pulling in the same direction, and that is, hopefully, to enhance our national security.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS), a senior member of our committee and a senior member of the Committee on Rules.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend, the ranking member, and she is my friend, for yielding me time.

Mr. Speaker, I regret that the gentleman from California (Mr. CUNNINGHAM), our colleague on the other side who just spoke, has left the room. For I did want to remind him what the ranking member just has said and that is every member of the House Permanent Select Committee on Intelligence vigorously and actively supports the intelligence community in its entirety and fully recognizes the extraordinary and dangerous work that they do on behalf of this great Nation.

I rise in support of this measure. As ranking member of the Subcommittee on Terrorism and Homeland Security, I have had the privilege to meet many talented and dedicated intelligence professionals. I sincerely appreciate the sacrifices they have made to ensure that United States interests both in

our homeland and abroad are protected. We must make a continued investment in human resources, our greatest intelligence assets. This bill does that by increasing funds available for language proficiency maintenance and awards initiatives and providing specialized training for collectors and analysts.

I am pleased that this bill also includes a provision similar to one I offered on the House floor. It requires the intelligence community to establish a pilot project to recruit people of diverse ethnic and cultural backgrounds and those proficient in critical foreign languages. Annual statistics, and the committee's November 5 public diversity hearing demonstrate that the intelligence community continues to lag behind the Federal workforce and the private sector in the number of women and minorities in its ranks, especially in core mission areas. Clearly, more must be done to increase diversity across the intelligence community. I believe that this pilot project is another important step in this regard.

Finally, it is important to note that this bill authorizes only part of the operating funds for the intelligence community. A huge portion of intelligence funds were provided in the \$87 billion Iraqi counterterrorism supplemental and in the supplementals that proceeded it. I am extremely concerned about our government's increasing overreliance on supplemental appropriations.

Budgeting by supplementals greatly undermines the committees's ability to effectively oversee how funds appropriated by Congress are spent. I fear this trend may lead to less accountability in the budget building and accounting process, a perhaps unintended, but nonetheless unacceptable, consequence.

On balance, this bill does much to enhance our Nation's international security efforts. For this reason, I urge my colleagues to support it. I am prepared at this time to support this measure.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER), the vice chairman of the committee.

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

Mr. BEREUTER. Mr. Speaker, I thank the chairman for yielding me additional time.

I did want to mention in response to what the gentleman from New Jersey (Mr. HOLT) said about the language issue, I have been charged with the responsibility, with the help of the gentlewoman from California (Ms. ESHOO), for taking on this subject and seeking broadly the sources of information to give us the best product. My hope is that we will have a separate bill on the subject of language training and recruitment before the House some 4 to 6 months after the next session of Congress is convened.

I also wanted to speak further on the HUMIT issue. Our distinguished col-

league from Nevada (Mr. GIBBONS) has emphasized the importance of this issue very well, but I want to bring up a couple of other points.

I mentioned, of course, that we are focussed heavily on the terrorist conflicts that create so many problems for us in places like Afghanistan and Iraq. However, we do have global responsibilities. So the intelligence community needs to continue to provide timely, actionable intelligence on a host of potential threats from nuclear proliferation threats on the Korean peninsula, from narcotraffickers in the jungles of Colombia, from collapsing regimes in West Africa.

Mr. Speaker, I would emphasize for our colleagues, and all Americans, that we live in a new world and face new and more terrible threats. In many ways, information gathering was easier when the threat was the Soviet Union. Frankly, the intelligence community has been slow in adapting to this new environment.

In the judgment of this Member, our intelligence service did not reach out aggressively to recruit the human intelligence sources that would have provided us with valuable information.

In our previous authorization bill, we corrected one of the reasons for that failure in asset recruitment. Also, because of budgetary restraints, the intelligence community in the mid-1990s lost far too many of its skilled analysts whose job was to provide early warning. This legislation provides much-needed funding to further rebuild a dynamic, wide-ranging global analytical capability. But we should be under no illusion. It takes years to develop skilled analysts who are able to connect the dots and provide our policy makers with timely information.

□ 1245

Mr. Speaker, we have made a start here. This is good legislation. I urge its support and I thank the chairman for yielding me this time.

Ms. HARMAN. Mr. Speaker, my understanding is there is an additional speaker on the other side, and then the gentleman from Florida (Chairman GOSS) obviously has the right to close. I would reserve our time until all speakers but the chairman have spoken.

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Idaho (Mr. OTTER).

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

Mr. OTTER. Mr. Speaker, I thank the chairman for this time that he has offered me today.

I rise in deep concern over a provision in this legislation. Like most of my colleagues, I supported H.R. 2417 when it came before the House in June; but after tertiary review, I find that there is a provision in the bill that potentially has long-reaching effects on civil liberties. H.R. 2417 includes a provision that would expand the FBI's

power to demand financial records, without a judge's approval, to a large range of businesses, vastly wider than their current authority.

Right now the FBI has the authority to serve subpoenas to traditional financial institutions when investigating terrorism and counterintelligence without having to seek a judge's approval. The law understands the phrase "financial institutions" as we do: banks, loan companies, savings associations and credit unions. Currently, these are the types of institutions subject to administrative subpoenas.

The provision in this bill, however, uses a definition of financial institutions to decide what organizations are subject to administrative subpoenas. Under this bill, not only are the traditional financial institutions like banks and credit unions affected but so are pawnbrokers, casinos, vehicle salesmen, real estate agents, telegraph companies, travel agencies, the U.S. Postal Service, just to name but a few.

Winning the war against terrorism is indeed vital, Mr. Speaker, and we must make sure that our law enforcement officials have the tools necessary to engage this war and win these battles. The FBI's need for authority to subpoena these groups in order to track and find and shut down terrorist operations is not in question, and I do not question that. However, under these provisions, the FBI no longer needs a court order to serve such a subpoena on a new and lengthy laundry list of financial institutions. With this legislation, we eliminate the judicial oversight that was built into our system for a reason, to make sure that our precious liberties are protected.

In our fight for our Nation to make the world a safe place, we must not turn our backs on our own freedoms. Expanding the use of administrative subpoenas and threatening our system of checks and balance is a step in the wrong direction.

Ms. HARMAN. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlewoman from California (Ms. HARMAN) has 7 minutes remaining, and the gentleman from Florida (Mr. GOSS) has 4 minutes remaining.

Ms. HARMAN. Mr. Speaker, I am the concluding speaker on our side, and I yield myself such time as I may consume.

Let me say first that the views of the prior speaker are views I share. I am sad to hear that he will oppose the bill, but I certainly agree that we need to be sure we are narrowing the reach of these national security letters and limiting them only to financial transactions. It is important that we find terrorists.

It is important that we track terrorist financing; but it is, by my lights, risky to fail to include additional language in the bill or the report that would make clear what our intent is. I hope this new authority will not be

abused. I will certainly be watching it carefully, and I do appreciate the fact that the prior speaker expanded on what abuses could potentially occur.

Mr. Speaker, first I would like to thank the women and men who work in our intelligence community around the world. I have been to austere places all over the world, and I have met women and men who work in the most dangerous conditions who put our security first, ahead of theirs, and who leave their families at home and take enormous risks for our country. I salute them. I know how dangerous their jobs are. I appreciate what they do every single day.

And particularly, let me say today to our intelligence community in Iraq and in Turkey and places that are under siege, I really appreciate what they are doing. I thank them very much.

I also want to say thank you to the members of this committee. All of them work hard. There is bipartisanship in this committee, and I thank the gentleman from Florida (Mr. GOSS) for the partnership we have had over some years now.

Let me thank the hardworking staff on a bipartisan basis. Every one of them works enormously hard, and I would just like to recognize the eight minority staffers, most of whom are sitting around me right now: Suzanne Spaulding, the minority chief of staff; Bob Emmett; John Keefe; Beth Larson; Marcel Lettre; Kirk McConnell; Wyndee Parker; and Ilene Romack. Thank you every day for what you do.

Let me just make three concluding points. First, facing tough issues. It is absolutely critical at a time when security risks are expanding around the world that we face tough issues; that Congress face tough issues and ask tough questions; and that the intelligence community, which tries hard but has not always delivered perfect products, face tough issues, go through this lessons learned exercise and learn from wrong judgments that were made or inadequate collection that occurred so that the next products that are prepared by good people can be the best possible products. Please let us face tough issues.

Second of all, I want to make the point that our oversight in this committee on a bipartisan basis requires constructive criticism of the intelligence community. We have done this over the years. Last year, we issued a tough report. The Subcommittee on Terrorism and Homeland Security, of which I was ranking member and Mr. CHAMBLISS, who is now in the other body, was chairman, issued a tough report on some of the problems in intelligence leading up to 9/11. That report was constructive criticism. Some of the recommendations we made have been heeded; some have not. Constructive criticism, asking tough questions are things we properly should do.

Finally, let me suggest again to the intelligence community that it is important to engage in dialogue with this

committee. Shrill press releases are not dialogue. Quiet conversations, talking about how we see things, what we think can be improved, why it needs to be improved, will get the job done.

This bill provides many new resources, many, many new resources, and is carefully crafted to suggest best directions for the intelligence community. We have confidence in the people who work there. We are proud of them. We thank them. We are trying to help them do better.

I urge support of this authorization conference report.

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

Mr. GOSS. Mr. Speaker, I yield myself the remaining time.

I just want to take a few minutes to congratulate my ranking member for the superb job that she has done on her side of the aisle in this conference report and throughout the year. To say she is hardworking and dedicated does not quite get it. I have words here that say her determination is fierce and she is definitely a force to be reckoned with. That does not quite say it either. She is a very valuable asset, and we are very grateful for her energies and suggestions and leadership and the way she goes about her business.

This is her very first conference report as ranking member I think, if I have got my history right; and she obviously was of significant importance in bringing the report through for the authorization bill that the House did, but she was also significantly helpful in the negotiations with the other body which I am not allowed to mention.

I would also like to thank each and every member of HPSCI for their undying dedication to the security of our Nation and the protection of the people of the United States. That is what we do. Each member works very hard learning the business of intelligence, and it is not an easy subject. What they come to understand in that process is that this Nation is far better off with our intelligence professionals than we would be without them. I know sometimes the debate rages about whether intelligence is an appropriate thing for gentlemen to be discussing in a civilized society. Well, I can tell my colleagues we could not exist without it.

The rank-and-file employees of the intelligence community every day, as the gentlewoman has said, protect the very liberties we cherish. They do it day in and day out; and as they go about gathering the secrets and information necessary for our policy-makers to make the very tough decisions they have to make, they incur a lot of risk. The members of the HPSCI understand this pretty clearly. That is because we have been out and about and talking to them. We do travel a lot. We go to the places that not everybody wants to go to. We get into the issues not everybody wants to fool around with. Frankly, that is why it is easy to leave partisanship outside the door of the committee chamber.

Finally, I want to thank committee staff, all HPSCI staff, all sides, both together, including, obviously, Democratic members and Republican members and those who do not want to declare either side who we call our support staff. Without staff support, it is obviously their expertise, their dedication, our committee would not do much of anything.

They do work late hours. I know that occasionally when I work late hours I find them there. I find them occasionally when I come in early I find them there. They do wonderful things for us, and they get very little recognition. I know a lot of the work is tedious and mundane and a lot of it is exciting, and I appreciate their contributions in all of those areas.

The other thing I know for sure is the work space up there leaves a lot to be desired, and I promise we are going to work on a lavatory soon. We do feel the days have come when there is indoor plumbing, and we should acknowledge that on the Permanent Select Committee on Intelligence.

Everybody deserves congratulatory words today, and I want to thank everybody, and I mean that very sincerely.

There is one person on the committee I am going to single out today, though, who serves as the committee's budget director who is entitled, I think, for specific recognition this year. Mike Meermans has served the government for now, I am told, 30 years, in fact something in excess of that. Among other jobs in the United States he served in the United States Air Force, and he has been engaged by the government as an Arab linguist. Mike has been with HPSCI since 1995. This is his 8th year on the committee.

It has been a very trying year for Mike, whose college-age son early in the year was diagnosed with cancer. Throughout his son's course of treatment, Mike was by his side, I know, every step of the way, being a great father, and all the while managing the committee's authorization process, crunching numbers, writing the report language, negotiating with the executive branch and with the other body, and frankly, getting into mysteries in the intelligence community that I find too complex to understand. He did all of this with energy, with fortitude and aplomb. He is the manifestation of the wonderful and professional staff which HPSCI is blessed with and is well served by.

I just wanted to say to Mike that he is appreciated not just for his legislative talents but more so because he is a good guy. He is a nice guy, a great father. His only purpose in serving HPSCI is actually to make America stronger, and this year when he had family duties, he understood those as well and met them.

To his wife, Lois, and their family, especially their son Brian, I thank them for allowing him to work so hard for us, and I am sorry we had to take

him away so much of the time. We are better and the Nation is stronger because of him, and their pride in him is very well deserved. We share that pride.

Mike, for you, thank you for all your hard work in years past, this year especially. You made an extremely difficult year for you personally a successful year for the committee. You made it seem routine. We are all extremely happy to hear your son is on the mend and recently received more good news from the doctors. Our prayers for continuous good news are with you. You deserve our gratitude, and we express it here now.

I also want to say that about a year ago we were just packaging up the joint inquiry product. We had an extensive effort with our colleagues in the other body to understand 9/11, what went wrong. We came up with a good report. It was a long one. I think it steered us in some directions that corrections have already been taken. It also created a follow-on commission, the national commission, which is at work now under the leadership of Governor Kean and former member Lee Hamilton, for whom we have great admiration. I think that I should point out to the people in the United States of America that we are part of the review they are doing. We have invited them to conduct oversight of how we do oversight. So the American people can be reassured that there is oversight of the intelligence community, and some of the things we cannot talk about are indeed watched by others.

My time has come to an end. We had a good year. We look for a better year ahead dealing with capabilities to make sure our country is safer.

Mr. OXLEY. Mr. Speaker, I rise in support of the conference report for H.R. 2417, the Intelligence Authorization Act for Fiscal Year 2004, and to note the Financial Services Committee's interest in three sections of the report. All of the sections seek to improve this country's ability to fight the financing of terrorists, and I wholeheartedly support them.

Section 105 of the report establishes an Office of Intelligence and Analysis within the Department of the Treasury, headed by an Assistant Secretary appointed by the President after consultation with the Director of Central Intelligence. Formation of the office is necessary because the Treasury's Office of Foreign Assets Control and its Financial Crimes Enforcement Network are essential tools in the fight against the funding of terrorism, but today lack access to some "secure" information essential to that effort. Establishment of the office creates a secure channel for that information to flow, as necessary, to FinCEN and OFAC, and for them to send back appropriate information.

Section 374 modernizes the definition of financial institutions that may be served administrative subpoenas, as rigidly controlled by the existing Right to Financial Privacy Act. When that Act was written, banks were really the only "financial institutions" a terrorist might have used to stash or transfer money. As our efforts to stamp out terror financing have become more successful, a lot of that activity

has moved over into other, less-traditional sorts of financial-services businesses—even, for example, to dealers in precious commodities such as gold or diamonds. The USA PATRIOT Act appropriately expanded the definition of "financial institution" to include these other financial-services businesses. This section establishes parity in the definition of "financial institution" between the PATRIOT Act and the RFPA, allowing the judicious use of administrative subpoenas in terror cases to reflect this larger universe of businesses that might be exploited. Here I must note my discomfort that the conference report ignores the Financial Services Committee's request that Section 374 include the right to injunctive relief as provided for in Section 1118 of the Right to Financial Privacy Act.

Section. 376 allows for the "in camera" review of sensitive information that leads to imposition of "special measures" isolating rogue countries or banks, as defined under Sec. 311 of the PATRIOT Act. Under the previous version of Sec 311, there is no ability to protect this sensitive information should it be necessary for the imposition of the "special measures," and that omission argues against use of the powers as effectively as we would like. For example, if the Central Intelligence Agency should have information that a bank were doing business with a terrorist, it quite possibly would be counterproductive to expose the CIA's sources and methods to indict individuals or shut down the bank, but the Treasury's "special measures" under Sec. 311 could effectively isolate the bank if the sensitive information could be used "in camera." This section merely provides protection of that sensitive information that might be used to support the imposition of those measures.

Mr. Speaker, these three sections are all important tools in the fight against terrorism, and I strongly support their inclusion. I regret that Section 1118 was not reference in the report's Section 374, and the Financial Services Committee reserves the right to address that issue later. Meanwhile, I support the conference report and ask for its immediate passage.

Mr. CONYERS. Mr. Speaker, I rise to state my opposition to a provision in this conference report that intrudes on our civil liberties and will do little, if anything, to protect us from terrorism.

I think it is important that law enforcement have the powers it needs to investigate acts of money laundering that are connected to terrorism and espionage, but we must ensure those powers are reasonable and appropriately crafted. Current law already gives the FBI the ability to obtain financial records from various financial institutions, which are defined as banks, savings and loans, thrifts, and credit unions, with little or no judicial oversight. In fact, the government can delay notification to a court that it has sought such records if it merely certifies in writing that it required emergency access to the documents.

Now, the FBI is seeking investigative authorities beyond what are necessary for terrorism and intelligence investigations. Section 374 of the conference report would give the FBI even more unfettered authority by subjecting a broader group of "financial institutions" to the FBI's special investigative authorities. The FBI would be able to seek financial records not only from traditional financial institutions but also from pawnbrokers, travel agencies, car dealers, boat sellers, telegraph

companies, and persons engaged in real estate transactions, among others.

The record of the Bush administration demonstrates that this provision is a significant intrusion on our civil liberties that will not be used to protect us from terrorism. In the days after September 11, the administration demanded from Congress expanded powers to root out terrorist activity. Congress granted much of those powers in the form of the USA PATRIOT Act, but the administration has yet to justify how it has used those powers to find the planners of the 2001 attacks or to thwart other, planned attacks. Instead, the administration returns to Congress with requests for more authorities, such as this one, in a grab for power.

For these reasons, I urge my colleagues to vote "no" on this conference report.

Mr. KUCINICH. Mr. Speaker, I stand today strongly opposed to the Conference Report on H.R. 2417, the Intelligence Authorization Act for FY 2004.

Although the House of Representatives recently voted in a bi-partisan and overwhelming fashion to repeal Section 213 of the PATRIOT Act, a provision that threatens Americans' rights by allowing for "sneak and peak searches", it appears the administration is poised to move ahead with further actions that endanger civil liberties by slipping an expanded PATRIOT Act power in the Intelligence Conference Report.

The hidden measure would significantly expand the FBI's power to acquire financial records without judicial oversight from car dealers, pawnbrokers, travel agencies, and many other businesses. Traditional financial institutions like banks and credit unions are already subject to such demands, but this dramatic expansion of government authority will mean that records created by average citizens who purchase cars, plan vacations, or buy gifts will be subject to government seizure and analysis without the important requirements of probable cause or judicial review.

This provision initially appeared in a leaked draft of so-called "PATRIOT II", a proposal the American public and Members on both sides of the aisle in the House and Senate publicly rejected. It is now clear the administration's strategy is to pass PATRIOT II in separate pieces with little public debate and surreptitiously attached to other legislation. This is far from an appropriate or democratic way to handle issues that affect the fundamental liberties and freedoms of Americans.

I urge the administration and the Attorney General to openly and honestly return to Congress to discuss options that curtail, not expand, the PATRIOT Act to make it consistent with the United States Constitution. I also urge my colleagues to vote against the Intelligence Conference Report and this unnecessary and dangerous expansion of the government's assault on civil liberties.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. GOSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3182. An act to reauthorize the adoption incentive payments program under part E of title IV of the Social Security Act, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1904) "An Act to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and for other purposes," disagreed to by the House and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. COCHRAN, Mr. MCCONNELL, Mr. CRAPO, Mr. DOMENICI, Mr. HARKIN, Mr. LEAHY, and Mr. DASCHLE, to be the conferees on the part of the Senate.

□ 1330

RECESS

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 p.m.), the House stood in recess subject to the call of the Chair.

□ 1335

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 1 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

House Joint Resolution 78, by the yeas and nays;

conference report on H.R. 2417, by the yeas and nays;

motion to instruct on H.R. 1, by the yeas and nays; and motion to instruct on H.R. 2660, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the vote on the passage of the joint resolution, H.J. Res. 78, on which the yeas and nays are ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 410, nays 10, not voting 14, as follows:

[Roll No. 648] YEAS—410

- Abercrombie Chabot Gerlach
Ackerman Chocola Gibbons
Aderholt Clay Gilchrist
Akin Clyburn Gillmor
Alexander Coble Gingrey
Allen Cole Gonzalez
Andrews Collins Goode
Baca Conyers Goodlatte
Bachus Cooper Gordon
Baird Costello Goss
Baker Cox Granger
Baldwin Cramer Graves
Ballance Crane Green (TX)
Ballenger Crenshaw Green (WI)
Barrett (SC) Crowley Greenwood
Bartlett (MD) Culberson Grijalva
Barton (TX) Cummings Gutierrez
Bass Cunningham Gutknecht
Beauprez Davis (AL) Hall
Becerra Davis (CA) Harman
Bell Davis (IL) Harris
Bereuter Davis (TN) Hart
Berkley Davis, Jo Ann Hastings (FL)
Biggert Davis, Tom Hastings (WA)
Bilirakis Deal (GA) Hayes
Bishop (GA) DeGette Hayworth
Bishop (NY) Delahunt Hefley
Bishop (UT) DeLauro Hensarling
Blumenauer DeLay Henger
Blunt Deutsch Hill
Boehkert Diaz-Balart, L. Hinchey
Boehner Diaz-Balart, M. Hinojosa
Bonilla Dicks Hobson
Bonner Dingell Hoeffel
Bono Doggett Hoekstra
Boozman Dooley (CA) Holden
Boswell Doolittle Holt
Boucher Doyle Honda
Boyd Dreier Hooley (OR)
Bradley (NH) Duncan Hostettler
Brady (PA) Dunn Houghton
Brady (TX) Edwards Hoyer
Brown (OH) Ehlers Hulshof
Brown (SC) Emanuel Hunter
Brown, Corrine Emerson Hyde
Brown-Waite, Engel Inslee
Ginny English Isakson
Burgess Eshoo Israel
Burns Etheridge Issa
Burr Evans Istook
Burton (IN) Everett Jackson (IL)
Calvert Farr Janklow
Camp Fattah Jefferson
Cannon Feeney Jenkins
Cantor Fergusson John
Capito Foley Johnson (CT)
Capps Forbes Johnson (IL)
Cardin Fossella Johnson, E. B.
Cardoza Frank (MA) Johnson, Sam
Carson (IN) Franks (AZ) Jones (NC)
Carson (OK) Frelinghuysen Jones (OH)
Carter Frost Kanjorski
Case Gallegly Keller
Castle Garrett (NJ) Kelly

- Kennedy (MN) Napolitano Serrano
Kennedy (RI) Neal (MA) Sessions
Kildee Nethercutt Shadegg
Kilpatrick Neugebauer Shaw
Kind Ney Shays
King (IA) Northup Sherwood
King (NY) Norwood Shimkus
Kingston Nussle Shuster
Kirk Oberstar Simmons
Klecza Obey Simpson
Kline Olver Skelton
Knollenberg Ortiz Slaughter
Kolbe Osborne Smith (MI)
LaHood Ose Smith (NJ)
Lampson Otter Smith (TX)
Langevin Owens Smith (WA)
Lantos Oxley Snyder
Larsen (WA) Pallone Solis
Larson (CT) Pascrell Souder
Latham Pastor Spratt
LaTourette Payne Stark
Leach Pearce Stearns
Lee Pelosi Stenholm
Levin Pence Strickland
Lewis (CA) Peterson (MN) Stupak
Lewis (GA) Peterson (PA) Sweeney
Lewis (KY) Petri Tancredo
Linder Pickering Tanner
Lipinski Pitts Tauscher
LoBiondo Platts Tauzin
Lofgren Pombo Taylor (MS)
Lowey Pomeroy Taylor (NC)
Lucas (KY) Porter Terry
Lucas (OK) Portman Thomas
Lynch Price (NC) Thompson (CA)
Majette Pryce (OH) Thompson (MS)
Manzullo Putnam Thornberry
Markey Quinn Tiahrt
Marshall Radanovich Tiberi
Matheson Rahall Tierney
Matsui Ramstad Toomey
McCarthy (MO) Rangel Towns
McCarthy (NY) Regula Turner (OH)
McCollum Rehberg Turner (TX)
McCotter Renzi Udall (CO)
McCrery Reyes Udall (NM)
McDermott Reynolds Upton
McGovern Rodriguez Van Hollen
McHugh Rogers (AL) Velazquez
McInnis Rogers (KY) Vislosky
McIntyre Rogers (MI) Vitter
McKeon Rohrabacher Walden (OR)
McNulty Ros-Lehtinen Walsh
Meehan Ross Wamp
Meek (FL) Rothman Waters
Meeks (NY) Roybal-Allard Watson
Menendez Royce Watt
Mica Rush Waxman
Michaud Ryan (OH) Weiner
Millender- Ryan (WI) Weldon (FL)
McDonald Ryun (KS) Weldon (PA)
Miller (FL) Sabo Weller
Miller (MI) Sanchez, Linda Wexler
Miller (NC) T. Whitfield
Miller, Gary Sanchez, Loretta Wicker
Mollohan Sanders Wilson (NM)
Moore Sandlin Wilson (SC)
Moran (KS) Saxton Wolf
Moran (VA) Schakowsky Woolsey
Murphy Schiff Wu
Murtha Schrock Wynn
Musgrave Scott (GA) Young (AK)
Myrick Scott (VA) Young (FL)
Nadler Sensenbrenner

NAYS—10

- Berry Flake Kucinich
Capuano Ford Miller, George
DeFazio Jackson-Lee Paul
Filner (TX)

NOT VOTING—14

- Berman DeMint Nunes
Blackburn Fletcher Ruppersberger
Buyer Gephardt Sherman
Cubin Kaptur Sullivan
Davis (FL) Maloney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are advised there are 2 minutes remaining in this vote.

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

□ 1358

So the joint resolution was passed.