

work with me on these telecommunications issues?

Finally, there is the issue of cyber security. For example, several Federal agencies have ongoing efforts to improve cyber security. Similarly, the expert on cyber-security within the Department of Homeland Security is the Assistant Secretary for Cyber Security and Telecommunications, as set out in section 242 of the Department of Homeland Security Appropriations Act for Fiscal Year 2007. Do you agree that this bill does not attempt in any way to diminish or dilute any authority or resources of the Assistant Secretary for Cyber Security or of other Federal agencies engaged in efforts to secure cyber space?

I appreciate your cooperation. In closing, I note that additional issues may be identified that would benefit from our cooperative efforts. Thank you in advance for considering my concerns and providing the necessary clarification on these matters.

Sincerely,

JOHN D. DINGELL,
Chairman,
Committee on Energy and Commerce.

Mr. THOMPSON of Mississippi. I yield 1 minute to the gentleman from Michigan (Mr. STUPAK) for his statement.

Mr. STUPAK. I thank the gentleman for yielding to me as I rise in support of the H.R. 1 legislation to implement the 9/11 Commission recommendations.

For far too long, police officers have not been able to communicate directly with firefighters, EMT, and other emergency personnel. This is called interoperability. This lack of the ability to communicate with each other resulted in the deaths of 121 firefighters on September 11 because no one could tell these firefighters to get out of the building before the World Trade Center fell upon them.

The 9/11 Commission concluded that the inability to communicate was a critical element in the World Trade Center, Pentagon, and Somerset County, Pennsylvania, crash sites. Federal funding of such interagency communication units should be given a high priority, so said the 9/11 Commission.

I have been down to this floor repeatedly since then trying to increase money for interoperability so we could communicate with each other. Last year, I actually introduced an amendment which asked for \$5.8 billion of the \$18 billion estimated for this interoperability program, and, unfortunately, my Republican colleagues defeated the amendment on a tie vote.

Mr. Speaker, at a minimum, we owe our first responders the tools they need to do the jobs they need to do so that they may protect the American people.

Mr. Speaker, I rise in support of H.R. 1, legislation to implement the 9-11 Commission's recommendation.

For far too long, police officers have not been able to communicate directly with firefighters or EMT in their own city or just across jurisdictional lines. This lack of the ability to communicate is called interoperability. The lack of interoperability resulted in the deaths of 121 firefighters on September 11th because no one could tell these firefighters that the World Trade Center was about to cave in on them.

The 9-11 Commissioners concluded:

The inability to communicate was a critical element of the World Trade Center, Pentagon, and Somerset County, Pennsylvania, crash sites . . . Federal funding of such (interagency communication) units should be given high priority—9-11 COMMISSION REPORT

In 2005, the 9-11 Commission gave Congress and the Administration an "F" for failing to address our nation's interoperability problem.

H.R. 1 would establish a grant program within the Department of Homeland Security dedicated to interoperable communications and require greater accountability at DHS.

In the past, I have offered an amendment to apply \$5.8 billion dollars to the new grant program, but my Republican colleagues defeated my amendment on a tie vote.

Republicans defeated similar Democratic efforts in the Homeland Security Committee. Time and time again, the Republican-led House blocked more funding for interoperable communications.

Mr. Speaker, at minimum, we owe our first responders the tools they need to do their jobs to make America safe—our first responders must be able to communicate. Today, Congress is taking steps to provide those tools and ensure we never repeat the mistakes of 9-11.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, it has been almost 3 years since the train bombing in Madrid, almost 2 years since the transit bombing in London, and nearly a year since the commuter rail bombings in Bombay, India; yet the Bush administration has done nothing to protect the Nation's freight and transit rail systems and its millions of passengers.

We cannot keep treating our rail infrastructure as second-class citizens. We have dedicated billions of dollars to repair the rail system in Iraq but have done little to invest in the security upgrades needed right here in America.

Another perfect example of falling down on the job is the administration repeatedly zeroing out the Port Security Grant program, which is one of the few sources for a port to improve anti-terrorist measures in their facilities.

Passing this bill will be the first step in a long road to protecting the people of this Nation and making sure our communities, our first responders, and our transportation workers are safe.

In December 2005, the 9/11 Commission gave the administration and Congress five Fs and 12 Ds. An example of one of these F grades is in providing a risk-based allocation of homeland security.

I encourage all the Members to vote for this bill.

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

The SPEAKER pro tempore. Pursuant to section 507 of House Resolution 6, further proceedings on the bill will be postponed.

SELECT INTELLIGENCE OVERSIGHT PANEL

Mr. HASTINGS of Florida. Madam Speaker, pursuant to section 506 of House Resolution 6, I call up the resolution (H. Res. 35) to enhance intelligence oversight authority, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 35

Resolved, That in clause 4(a) of rule X of the Rules of the House of Representatives, add the following new paragraph at the end:

"(5)(A) There is established a Select Intelligence Oversight Panel of the Committee on Appropriations (hereinafter in this paragraph referred to as the 'select panel'). The select panel shall be composed of not more than 13 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom not more than eight may be from the same political party. The select panel shall include the chairman and ranking minority member of the Committee on Appropriations, the chairman and ranking minority member of its Subcommittee on Defense, six additional members of the Committee on Appropriations, and three members of the Permanent Select Committee on Intelligence.

"(B) The Speaker shall designate one member of the select panel as its chairman and one member as its ranking minority member.

"(C) Each member on the select panel shall be treated as though a member of the Committee on Appropriations for purposes of the select panel.

"(D) The select panel shall review and study on a continuing basis budget requests for and execution of intelligence activities; make recommendations to relevant subcommittees of the Committee on Appropriations; and, on an annual basis, prepare a report to the Defense Subcommittee of the Committee on Appropriations containing budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for the Department of Defense.

"(E) Rule XI shall apply to the select panel in the same manner as a subcommittee (except for clause 2(m)(1)(B) of that rule).

"(F) A subpoena of the Committee on Appropriations or its Subcommittee on Defense may specify terms of return to the select panel."

PARLIAMENTARY INQUIRY

Mr. DREIER. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore (Ms. ZOE LOFGREN of California). State your inquiry.

Mr. DREIER. Under what authority are we considering this resolution, Madam Speaker?

The SPEAKER pro tempore. House Resolution 6 provides for its consideration.

Mr. DREIER. Further parliamentary inquiry, Madam Speaker. Did the order of the House which is allowing for consideration of this resolution specify a specific resolution by number in that order?

The SPEAKER pro tempore. It described the resolution by title.

Mr. DREIER. Further parliamentary inquiry. Are there other resolutions

that have been introduced with the title “To enhance intelligence oversight authority”?

The SPEAKER pro tempore. The Chair does not have cognizance of that.

Mr. DREIER. I am sorry?

The SPEAKER pro tempore. The Chair is not aware of that.

Mr. DREIER. Well, further parliamentary inquiry, Madam Speaker, I, with authority, can say that there in fact is a resolution that has been introduced, House Resolution 38, that has the exact same title, which is, “to enhance intelligence oversight authority.”

And my question that I would propound to the Chair is whether or not the Chair would have been able to recognize me if I had, in fact, based on the structure of this order of the House, H. Res. 6, I had called up House Resolution 38.

The SPEAKER pro tempore. The gentleman’s question is hypothetical, as the gentleman from Florida has already called up the resolution, so the Chair will not speculate whether anybody else could have been recognized.

Mr. DREIER. Thank you very much, Madam Speaker. The only thing that I would say, if I could just engage in a further parliamentary inquiry, is would there in fact have been an opportunity for those of us in the minority had we been recognized by the Chair to call up the resolution other than the one that is called up.

And I know we are going through a transition period, and I want to do everything I possibly can to help the majority to pursue their goals here and try to move this legislation.

The SPEAKER pro tempore. Does the gentleman have a parliamentary inquiry?

Mr. DREIER. I would just like to let those members of the majority know that.

The SPEAKER pro tempore. Pursuant to section 506 of House Resolution 6, the gentleman from Florida (Mr. HASTINGS) and the gentleman from California (Mr. DREIER) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

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

Madam Speaker, the final report of the National Commission on Terrorist Attacks upon the United States, better known as the 9/11 Commission, made several recommendations on steps that the government could take in order to prevent and prepare for future terrorist attacks.

□ 1630

In particular, the Commission said, and I quote, “Congressional oversight for intelligence and counter terrorism is dysfunctional. Congress should address this problem. We have considered various alternatives: A joint committee on the old model of the Joint Committee on Atomic Energy is one. A

single committee, in each House of Congress, combining authorizing and appropriating authorities is another.” End of quote.

Subsequent to the report, commissioners also suggested creating a new appropriations subcommittee dealing only with intelligence matters. It is my pleasure today to see the House implement this recommendation from the 9/11 Commission.

This House rules change, by creating a Select Intelligence Oversight Panel within the House Appropriations Committee, responds to the commission’s recommendation by creating a new panel that is made up of members of both the Appropriations Committee and the Intelligence Committee.

The Select Intelligence Oversight Panel will strengthen the oversight process by providing a mechanism for considering intelligence funding and the way appropriated funds are spent on intelligence activities from the combined perspectives of the Appropriations and Intelligence committees. The Select Intelligence Oversight Panel will be primarily responsible for reviewing and studying, including through the hearings process, the President’s budget submission for intelligence and the execution of intelligence activities.

The committee will also be tasked with making recommendations to the Defense Appropriations Subcommittee and to other Appropriations subcommittees on intelligence programs, projects, and activities. Moreover, this new panel will, on an annual basis, prepare a report to the Defense Appropriations Subcommittee containing budgetary and oversight observations and recommendations for use by the subcommittee in preparation of the classified annex to the Defense Appropriations Bill.

I see that the Republican members of the Rules Committee, in a letter to the chair lady of that committee, are complaining that we are not allowing the committee process to work its will, and that it is unfair to the Republican side. I would say, to paraphrase Shakespeare, “They do protest too much, methinks.”

The 9/11 Commission report was published more than 2½ years ago. Aside from sitting on their collective thumbs, what did the Republicans do on this specific recommendation? Nothing, much like what they did on the rest of the 9/11 report.

Okay. Fine. The President now claims the right to open every citizen’s mail without judicial approval. The President says he can listen to every citizen’s phone calls without judicial approval. Oh, and read everyone’s e-mails too, without judicial approval. But I don’t remember those being recommendations of the 9/11 Commission.

Madam Speaker, we are doing this for the security of our Nation and our people. As I said at the outset, this was in large part a recommendation of the 9/11 Commission.

Now, I see my friend from California, and he is my friend, about ready to speak. And I would simply say to the ranking member, maybe you should ask the families of the 9/11 victims if they think Congress should spend another 2 years debating action and then taking none, or whether we should take action and move forward on behalf of the families affected by those terrorist attacks of 9/11 and the rest of the country that is looking for results, not rancor.

No more rancor, Madam Speaker. No rhetoric, Madam Speaker. Results. That is what the American people have asked for, and that is what we will deliver.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I might consume.

Let me begin by saying that I really am somewhat surprised at the remarks of my very good friend. First of all, if you look at the fact that we focused very enthusiastically on the recommendations of the 9/11 Commission and implemented 39 of the 41, we had a challenge in dealing with the issue of jurisdiction. And I have got to say, Madam Speaker, that if you look at the question of jurisdiction and making very important changes in jurisdiction, it is one of the single most difficult things that is to be done.

And I will tell you, I see my friend from Wisconsin (Mr. OBEY) here, the distinguished chairman of the Committee on Appropriations; 13 years ago, he and I had the opportunity to serve on what was known as the Joint Committee on the Organization of Congress. And we had a tough time looking at the issue of jurisdiction.

And you know what, Madam Speaker? After the work of that commission, and unfortunately, when the new majority was in power back then, none of the recommendations of that commission were put into place. None of the brilliant ideas that Mr. OBEY prodded were put into place at that time.

But when we came to majority in 1994, Madam Speaker, I still have scars on my back to show how difficult it was to bring about major jurisdictional reform. And I have to say that it is a very, very difficult thing to do, but essential. At that time, we consolidated, basically eliminated three standing committees. I had Members on both sides of the aisle at that time come to me and say that the future of the Republic was jeopardized if we did not keep the Post Office and Civil Service Committee, the District of Columbia Committee, and the Merchant Marine and Fisheries committee. My God, if we didn’t keep that in the place, we as a Nation were going right down the tubes.

But guess what? We eliminated those committee. We reduced by 20 percent the number of subcommittees, and it was very tough. We were going through a transition, as we had Members who

were looking forward to taking on the gavels.

And then something that was equally difficult was dealing with the post-9/11 situation, the Department of Homeland Security. We had to put into place a committee structure here that allowed us to establish this committee on Homeland Security that we have today, taking jurisdiction from other committees.

Similarly, we had a very tough time when it came to the Energy and Commerce Committee and what was then called the Banking Committee, trying to bring that together. It is very tough work. And it saddens me that this great opportunity that is here, like the one we faced in 1994, is slipping away with the measure that we are considering right here.

For that reason, Madam Speaker, I rise in strong opposition to H. Res. 35, this resolution that provides for simply a new oversight committee for national intelligence.

Madam Speaker, as we all know, the five most important words in the middle of the preamble of U.S. Constitution are “provide for the common defense.” Part and parcel of that responsibility is effective oversight of the Intelligence community, both to ensure its success and to protect our liberties.

Now, the 9/11 Commission correctly identified significant deficiencies in our national intelligence apparatus and, yes, our oversight of those agencies. The 9/11 Commission, as I said, made 41 separate recommendations. Through enactment of the USA PATRIOT Act, the Homeland Security Act, the 9/11 Recommendation Implementation Act, and I was proud to serve as a conferee in that effort, our majority took affirmative steps to implement nearly all of the 9/11 Commission recommendations.

Is there more that remains to be done? Of course there is. We all acknowledge that. As long as America has enemies, Madam Speaker, we will need to re-evaluate and improve our Nation’s defenses.

Does the resolution before us do that? Absolutely not. Unfortunately, it doesn’t.

The 9/11 Commission recommended two options for intelligence oversight. First, a joint committee based on the model of the old Joint Committee on Atomic Energy, and second, a single committee in each House of Congress combining authorizing and appropriating authorities. The proposal in front of us today does neither of those things that were recommended by the 9/11 Commission. In fact, it goes in completely the opposite direction, Madam Speaker. Rather than consolidating oversight authority into a single committee that has both authorizing and appropriating authority, it just creates a new committee that has neither, doesn’t have either of those powers. So while the 9/11 Commission recommended one committee, we will have three committees dealing with this very important issue.

Further, I am unsure as to what authority this committee actually will have. Having been in the midst of jurisdictional struggles, as I said, for the last decade and a half, I know what it means. As far as I can tell the only authority that this committee has is to write a report to the same people who serve on the committee. They could write a report and give it to themselves.

And the 9/11 Commission was very specific about who should serve on the committee. And I quote from the 9/11 Commission report, Madam Speaker, they said, “Four of the Members appointed to this committee or committees should be a Member who also serves on each of the following additional committees, the Armed Services Committee, the Judiciary Committee, the Foreign Affairs Committee and the Defense Appropriations Subcommittee.”

Now, Madam Speaker, where are the members of the Armed Services Committee, Judiciary Committee or the Foreign Affairs Committee?

Apparently, those aspects of our intelligence activities weren’t important enough for the promised improved oversight.

Now, did the Republicans enact, as I said, every 9/11 Commission recommendation exactly as they wrote it? No, we didn’t. But, we didn’t promise to, and I quote from Speaker PELOSI, “to make our Nation safer by implementing all of the recommendations of the independent bipartisan 9/11 Commission.”

Now, Madam Speaker, Republicans made sure that there was good communication between the administration, our authorizing committees and Appropriations Committee on intelligence matters. That has made a difference over the last few years. We all know that very, very well. The fact that we haven’t had an attack on our soil is, to me, evidence of the success of this administration and the role that this Congress played.

I don’t believe that creating committees with both authorizing and appropriating authority, and we have the distinguished former chairman, my always chairman of the Appropriations Committee, my good friend from California (Mr. LEWIS), here, and I know he would share my concern about this merger. But it is something that is worth considering.

Frankly, that notion concentrates a lot of power and erodes some of the very important checks and balances that exist in the committee system. But, frankly, it is very important to note that this resolution does away with even the pretense of bipartisanship.

I applauded enthusiastically when Speaker PELOSI talked about her quest for civility and bipartisanship. And it has been said time and time again, unlike our resolution in the 109th Congress establishing the bipartisan Katrina panel, I remember very well

when we put that together, established it, and it did great work. Unfortunately, this resolution, the resolution on Katrina gave the minority the right to appoint its members. This resolution authorizes the Speaker, the Democratic Speaker, to appoint the Republican members of the committee, without any consultation with the Republicans at all.

The tradition in this House is that each party caucus is responsible for its own appointments. And this resolution, for the first time ever, does away with that precedent.

Now, Madam Speaker, unfortunately, I never got a chance to make those arguments where I should have made those arguments, with my very good friend from Fort Lauderdale (Mr. HASTINGS) where? Right upstairs in the Rules Committee.

As I argued here at the end of last week when we had this measure before us, we had, for the first time in the history of this institution, the first time ever, five closed rules brought up in the opening day rules package of the House. Unfortunately, the Rules Committee has been thrown completely out the window when it comes to this.

And last week, when we debated this, we had a total of 5 minutes to debate the opening day rules package and five closed rules, without bills being introduced, without committee hearings, without the process whatsoever and without even giving us, the struggling minority, upstairs in the Rules Committee the opportunity to have our amendments denied. We didn’t even have the chance to have our amendments denied upstairs in the Rules Committee.

All I am saying, listen, I am loving my role here in the minority, Madam Speaker. It is really a great opportunity to be able to represent the people of California here. But I will tell you, Democrats and Republicans alike all across this country have been treated very poorly in an unprecedented way.

Now, I believe that many of the Commission’s recommendations were right. That is why we implemented so many of them. But this resolution that we have before us is wrong when it comes to this opportunity that we unfortunately are allowing to slip through our fingers. We are not being given the chance to put into place the very, very important jurisdictional reforms that are needed to deal with this issue.

Madam Speaker, I reserve the balance of my time.

□ 1645

Mr. HASTINGS of Florida. Madam Speaker, I would remind my good friend from San Dimas that you had 2½ years to introduce these measures, and you did nothing.

The Members of the 9/11 Commission support this change. I saw one of them this morning, Lee Hamilton; and all of them are on board with the change that they recommended.

But perhaps since we have had so much rhetoric, and we need some guidance for results, we can ask the author of the legislation if he would give us information on this measure.

Madam Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished chairman of the Appropriations Committee.

Mr. OBEY. I very much thank the gentleman for the time.

Madam Speaker, I observed that the minority is complaining about the fact that this approach has not been sufficiently bipartisan. As I recall, during the 10 years that the Democrats were in the minority, or more, I asked the Rules Committee almost 100 times to make specific proposals in order. The last time I checked, the record demonstrated that they had made them in order exactly two times.

Mr. DREIER. Would the gentleman yield on that point? At least it was not when I was upstairs in the Rules Committee.

Mr. OBEY. I didn't hear what you said, but I don't have the time to yield anyway. I am sorry.

The fact is that the 9/11 Commission recognized two problems that in their words rendered congressional oversight of intelligence "dysfunctional". The first was that the intelligence authorizing committee was routinely ignored by the administration and the intelligence community because they didn't provide the money. In this town, people follow the money.

Secondly, the Appropriations Committee, frankly, was negligent in its responsibilities for oversight. Example: When Secretary of Defense Rumsfeld established an independent intelligence operation outside of the purview of his own agency's intelligence shop, I tried to find out what was going on. I requested that the Appropriations Committee do a thorough Surveys And Investigations study of what was going on. My efforts were blocked by that same committee.

The third problem we faced is that there was grossly insufficient staff on the part of the Appropriations Committee to have decent congressional oversight. Example: The Democratic minority had exactly one staffer to deal not only with all intelligence issues but also with the entire defense budget. How much do you think you can get done with one person?

The other problem was that there was not sufficient emphasis on intelligence matters by the Defense Appropriations Subcommittee because they had a lot of other things to do dealing with "little" problems like the Army, the Navy, and the Air Force.

So the 9/11 Commission suggested one way to correct that problem. They suggested that we merge the authorizers with the appropriators, and that the authorizing committee, in fact, do the appropriating.

We concluded that there was a better way to accomplish the same goal. We felt that the problem with the initial

recommendation was that it doesn't make much sense to consider intelligence funding requests standing alone, because in the real world those requests have to compete with other national security imperatives, again, funding the Army, the Air Force, and the other agencies.

Instead, we chose to follow a different model, that of the Joint Committee on Taxation. That committee conducts an annual review of the strategic plans and the budget of the IRS.

This bill follows, with some variation, that pattern. It creates a hybrid committee composed of members from the Intelligence Committee and the Appropriations Committee. They are all appointed by the Speaker because, in technical terms, whenever task forces are created around here, it is the Speaker who does the appointing. Speaker PELOSI has already made crystal clear that she intends to appoint whatever Republicans are suggested by the minority leader.

But there was another reason that the Speaker is listed as appointing all of these people, because we want to make clear to the intelligence community that if they try to ignore what this task force is trying to do, that they are not just messing around with individual Members of Congress; they are messing around with the leader of an independent branch of government who has the authority to inflict consequences if they don't provide information the Congress is entitled to have.

This task force will be given the obligation to prepare an annual assessment of all intelligence activities and to make budget recommendations, which will serve as the basis for the preparation of the intelligence budget, the classified annex to the defense appropriation bill.

The reason the subcommittee needs to have at least the ability in theory to change some of those recommendations is because it has a job which that panel doesn't have. It has the job of measuring the needs of intelligence against other national security needs, and it needs to have that flexibility.

But this bill would also lead to a beefed-up staff for this task force, and that task force will be buttressed by the subpoena power of the Appropriations Committee.

That means that at long last we will have at least one panel which the intelligence community cannot ignore. We will have one panel which even the Republican members of the commission, like John Lehman, have indicated is a great step forward. I would just suggest that if the gentleman had preferred a different approach, it would have been nice if he had produced one in the 2½ years he had the chance.

I urge support for this proposal.

Mr. DREIER. Madam Speaker, at this time I yield 3 minutes to the distinguished ranking member, our former chairman and future chairman of the Committee on Appropriations,

my friend from Highland, California (Mr. LEWIS).

Mr. LEWIS of California. Madam Speaker, it is a pleasure to be with you. On this occasion, we are addressing one more time a recommendation of the 9/11 Commission. I must say that while it is very important that we get the House to seriously review those matters and see what next steps we should be taking, I feel pretty strongly that it is important that the two sides of the aisle work very closely together regarding this. This resolution would create a new panel of the Appropriations Committee that would, in part, duplicate work already performed by the Intelligence Committee.

Unfortunately, this substantive change in committee jurisdiction is being proposed without benefit of the kind of bipartisan input that I personally appreciate and think causes the place to work an awful lot better. The present structure in intelligence oversight was developed following the recommendations of the Pike and Church committees in the 1970s. It took years to develop and execute a quality congressional restructure for intelligence oversight.

Something of this importance and sensitivity requires more than just an hour's consideration on the floor. It deserves a thorough review by the committees of the House and all of us who are concerned, from various jurisdictions, about these matters.

I recognize that this is an oversight bill; and with tongue in cheek, I congratulate the new majority for that kind of oversight, drafting legislation without any input from the Republicans of the House.

While I am grateful to Mr. OBEY for his efforts to reach out to me personally, I am deeply concerned that no substantive consultation occurred between the majority and the minority, particularly at a leadership level.

Further, I am very concerned that we not jettison the oversight regime that is in place without knowing for certain that we are going to replace it with something that goes beyond just simply getting in the way of the oversight process. I am afraid that what we are doing here is talking about oversight. Instead, on the other hand, we are defusing effective oversight.

It is important that we recognize that one more time we are putting out press releases and producing very little in terms of substantive results.

Madam Speaker, as I said, it is a delight to be with you, and I appreciate the time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1½ minutes to the distinguished gentleman from Virginia (Mr. MORAN), a member of the Appropriations Committee.

Mr. MORAN of Virginia. I thank the gentleman from Florida.

Madam Speaker, the Select Intelligence Oversight Panel will bridge the current divide between the oversight

and the funding of our Nation's intelligence community, and it will make a significant long-term contribution to the safety of the American people.

The robust and lawful collection, analysis, and integration of intelligence on our enemy's activities is one of the most powerful tools in the battle against terrorism. But over the last several years, this Congress has been reluctant to ensure that this powerful tool is, in fact, used to its fullest capability.

It is time for Congress to fulfill its oversight responsibility by undertaking hard-nosed assessments of the intelligence community's operations. This oversight panel will be in the position to make these tough and needed assessments, and based on these conclusions, to make recommendations that will enable the intelligence community to deliver the highest level of performance. For example, our human intelligence assets must be able to infiltrate developing global terrorist networks. The exodus of long-serving professional agents from the intelligence community must be reversed, and a new generation of analysts must be recruited.

The Inspector General within the Directorate of National Intelligence must be empowered to identify waste, fraud, and abuse whenever it occurs throughout the intelligence community.

Madam Speaker, Speaker PELOSI's proposed panel will, in fact, improve the operations of the Nation's intelligence community and, in so doing, will advance the security of the American people. That is why this proposal should be passed overwhelmingly by the Congress.

Mr. DREIER. Madam Speaker, at this time I yield 2 minutes to the very distinguished and hardworking former chairman of the committee from Holland, Michigan (Mr. HOEKSTRA).

Every single argument that I heard from Mr. OBEY, Madam Speaker, was, in fact, in support of the argument from the House Select Committee on Intelligence.

Mr. HOEKSTRA. Madam Speaker, the conduct of oversight of our Nation's intelligence community is one of the most sensitive and complex duties that we have as a Congress. Our committee and other committees took a very close look at recommendations from the 9/11 Commission. We implemented many of them. Some of them we did not implement.

We recognized the need to coordinate the strategies of the authorizing committee and the Appropriations Committee. We recognized the need for additional oversight. As a matter of fact, in the last Congress we created subcommittees specifically focused on oversight and increased the number of committee staff that were dedicated to the work of oversight.

We also recognized the importance of coordinating between authorizers and appropriators. In the last Congress, the appropriations bill closely mirrored

the authorization bill that this House passed. We worked hand-in-glove because we recognized the importance of putting that together and recognized the importance of what the 9/11 Commission recommended.

This resolution today goes in exactly the wrong direction. The objective of the 9/11 Commission that was identified was to give the authorizing committee greater, if not sole, influence and control over appropriations, authorizations, and oversight.

This resolution creates an additional committee between the authorizers and the appropriators that will add confusion. One of the things that we hear so often from the homeland security folks, from the intelligence folks, is we report to all of these different committees on the Hill, and there is a lack of clarity. It is exactly what is going to happen now. We are adding more confusion to the process, rather than adding and keeping clarity in this process.

If you go back to when the committee was first established under the Church committee, there was one issue that was very important: there had to be clarity as to what committee was going to conduct oversight.

□ 1700

Mr. HASTINGS of Florida. Madam Speaker, would you be so kind as to tell each side how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 17 minutes; the gentleman from California has 16 minutes.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased at this time to yield 4 minutes to the distinguished gentleman from Texas, the chairman of the Select Committee on Intelligence, my good friend SILVESTRE REYES.

Mr. REYES. Madam Speaker, I thank the gentleman for yielding.

A few weeks ago I had a conversation with my good friend and colleague, the former chairman, who is now our ranking member. At the time, he was supportive of this panel. I recognize we all have the right to change our minds, but part of this process is starting to build a bridge that gives us an opportunity on the authorizing side to be able to do a better job for this country.

Madam Speaker, today I rise in strong support of H. Res. 35, which would implement a core recommendation of the 9/11 Commission.

Madam Speaker, 2½ years ago, the bipartisan 9/11 Commission, five Democrats and five Republicans, unanimously made 45 recommendations to prevent another attack on United States soil. Tragically, the President and previous Congress earned dismal grades for failing to enact these recommendations. One of these recommendations, indeed the one the commission called the most difficult and the most important, was to reform the way Congress oversees the intelligence activities of the United States.

Intelligence is the tip of the spear in the war against violent extremists and

in the efforts to counter weapons of mass destruction. Yet despite the importance of this mission, congressional oversight of intelligence has largely been dysfunctional.

Most significantly, the committee responsible for overseeing the intelligence community, the House Intelligence Committee, has had little role in deciding how the Nation's intelligence budget is spent. H. Res. 35 is a critical starting point for fixing our broken oversight system. Today, we are creating a special panel within the Appropriations Committee to recommend funding levels for intelligence activities. This panel will be comprised of appropriators and authorizers, both Democrats and Republicans, with its own dedicated staff to review intelligence community activities.

As the chairman of the authorizing committee, the House Intelligence Committee, I welcome this change because it gives authorizers, those of us who review the intelligence programs and set overall funding levels, a real seat at the table in deciding how the money is being spent. In the past, our committee has had no real voice in the appropriations process. Today, with the passage of H. Res. 35, those who control the policy and those who control the purse will become unified.

Oversight promotes greater accountability; and accountability results in better intelligence, greater diversity among intelligence officers to penetrate the hardest targets, more sophisticated analysts, and a deeper understanding of the longer term threats that are facing this country. One need only look at the situation in Iraq to understand the perils of faulty intelligence. The best way for Congress to ensure that those days are over is to enact a meaningful reform of the way we oversee the intelligence budget.

Madam Speaker, the threats facing our country are real. We have some of the best and brightest on the front lines, often undercover and frequently under fire, trying to gather the intelligence to keep America safe. We owe it to them and to their families to provide the strongest intelligence community that we can support and we can field. H. Res. 35 is an important start to achieving that goal, so today I proudly urge all my colleagues to support the resolution.

Mr. DREIER. Madam Speaker, I am very proud at this time to yield 3 minutes to a hardworking member of the Committee on Intelligence, the gentlewoman from Albuquerque, New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Madam Speaker, I have some sympathy with those on the Democrat side of the aisle tonight because you made a promise. You said you were going to implement the 9/11 Commission recommendations, and now you have to at least appear to make good on that promise even if it doesn't make any sense. So you have come up with a way to do so that really doesn't implement or address the real

concerns of the 9/11 Commission, but is actually going to make things a whole lot worse around here in terms of intelligence oversight.

The 9/11 Commission recommended streamlining and combining oversight functions and budgeting functions and giving a single committee the power of the purse and the power to oversee our intelligence community.

Now, the 9/11 Commission, in my view, had some good ideas and we implemented them, particularly in the Intelligence Reform and Terrorism Protection Act of 2005, which was the most comprehensive reorganization of the intelligence community since the creation of the CIA in 1948.

But they also came up with some ideas, as commissions do, that weren't such great ideas. They recommended putting the Director of National Intelligence inside the political ring of the White House. I think that is a terrible idea for independence of intelligence and keeping intelligence from being influenced by political considerations. They recommended that we reveal the size of the intelligence budget, which has always been secret. Both of those were bad ideas.

I think there is also a danger in eliminating the checks and balances that are inherent in the fact that we separate appropriations from authorizing, particularly in a realm where almost everything is done in secret. The existence of those checks and balances within this institution is actually healthy with respect to oversight of the intelligence community.

But they came up with a solution in this resolution that doesn't even do what the 9/11 Commission decided was the real problem. We have two boxes on the chart overseeing the intelligence community, so the resolution creates three. How does that streamline anything? And by adding these, when we add these boxes to the organization chart, we don't even in this resolution clarify who is responsible for what. So if you are interested in a particular program, its challenges, its prospects, its importance, who do I go to? The chairman of the intel community? The chairman of defense approps? The chairman of this new community that doesn't seem to have much authority at all?

We have now divided it and made it even more confusing and messed up than the 9/11 Commission said it was in the first place. At least my colleague from Wisconsin was honest enough to admit this isn't what the 9/11 Commission recommended. In fact, they are probably rolling their eyes as we speak.

We have tied the intelligence oversight in knots with this proposal; and I would urge my colleagues if they can't stomach rejecting it now, at least fix it later when nobody else is looking.

GENERAL LEAVE

Mr. HASTINGS of Florida. Madam Speaker, before yielding to the next speaker, I would like to ask unanimous consent that all Members be given 5

legislative days within which to revise and extend their remarks on H. Res. 35.

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

There was no objection.

Mr. HASTINGS of Florida. Madam Speaker, before yielding again, I would just remind my colleagues my good friend from New Mexico says that we shouldn't merge this committee. My good friend from San Dimas, California, says that we should merge this committee, which kind of demonstrates that the Republicans are capable of falling off the same horse from both sides, all things considered.

Mr. DREIER. I never said that.

Mr. HASTINGS of Florida. Madam Speaker, I yield 2½ minutes to the distinguished gentleman from New Jersey, a member of the Committee on Intelligence, my good friend, RUSH HOLT.

Mr. HOLT. Madam Speaker, I thank the gentleman.

I am pleased we are considering this bill today because it moves us closer to dealing with an issue identified by the 9/11 Commission as a problem. Not that we needed the commission to tell us this; we know it is a problem. I think we would all agree that congressional oversight of intelligence programs should be improved. This bill would do that by creating a standing body in which both the authorizing committee and the relevant Appropriations Committee come together to examine the requests and performance of the intelligence community's many agencies. This has never been done before, and I certainly believe it is a significant step in the right direction.

The panel is charged to look at whether the current programs that we support make sense in the world we live in today, how they perform, how they spend money, and whether they make us safer. The 9/11 Commission stated on page 420 that any congressional reform in this area should produce an entity that allows "a relatively small group of Members of Congress, given time and reason to master the subject and the agencies, to conduct oversight of the intelligence establishment and be clearly accountable for their work." This bill does that.

The gentlewoman from New Mexico said the 9/11 commissioners surely don't approve. Well, Commissioner Roemer, a former member of this body who understands how things work here, said yesterday: "They," meaning these recommendations, "do one of the most important things for congressional reform, that is, strengthen the oversight process." He goes on to say: "Empowering both committees will significantly improve our oversight." He strongly endorses this, as do the other members of the 9/11 Commission.

Money spent in inappropriate collection systems, questionable covert activities, or dubious intelligence community reorganization schemes is money wasted; and it shortchanges our ability to protect our troops and our people here at home.

Those who will serve on this panel truly will have their work cut out for them. Many intelligence programs have not received the type of scrutiny that they should have, and the success of this new panel is not guaranteed. But I can assure you, Madam Speaker and my colleagues, that we need for this committee, this panel to succeed. I applaud the leadership of the House for moving this bill, and I look forward to voting for it and urge my colleagues to do the same.

Mr. DREIER. Madam Speaker, I yield myself 10 seconds to say in response to my good friends, Mr. HASTINGS and Mr. REYES, that I never in my prepared remarks at the outset said that I was supportive of this notion of merging the authorizing and the appropriating process. I simply said that that was the recommendation of the 9/11 Commission, and I stated that I was concerned about that prospect.

Madam Speaker, I yield 3 minutes to my good friend from Savannah, Georgia, a hardworking member of the Appropriations Committee, Mr. KINGSTON.

Mr. KINGSTON. Madam Speaker, I wanted to raise one premise that no one has talked about, and that is this blind belief in everything the 9/11 committee says, and apparently individual Members as well.

The 9/11 Commission was a bipartisan group of good people, some who served in the House. They are intelligent people who have been involved in public policy, but I am not aware that they were top-notch CIA or FBI or intelligence community members. I don't know of them having risen up through the ranks of the intelligence circles or the antiterrorism circles that makes them absolutely experts on everything on what is now a 2½-year-old report.

I wanted to bring that up because I think it is important when you consider that when the 9/11 Commission came out, this Congress on a bipartisan basis implemented 39 out of the 41 recommendations. We did not implement all the recommendations, but we had hearings on them and they were bipartisan and there was a lot of discussion, unlike what we have here today. What we have here today is a recommendation, a recommendation not made by the 9/11 Commission but, from what I am hearing, one Member wandering around the Hall said, Yeah, this is a good idea. Now, that is hardly the way to make a major step in the way we approach intelligence in the House. It doesn't make sense at all.

This bill today has not had a hearing. The Rules Committee did not hear of any amendments that could or would be offered or debated. I think, frankly, the thing that is ironic, and I have got to say as I see over there many of my very good friends, many institutionalists, people who have great respect for the institution, you know that on intelligence we have generally been bipartisan here in the Capitol. Certainly there are times when intelligence like everything else devolves into partisanship, but generally speaking we have

conducted this body in the wake of 9/11 itself in a bipartisan manner, and yet today we don't have that. We do not have those amendments which people could come together on.

So I just wanted to raise that because, as I sit as an Appropriations Committee member on the Defense Subcommittee, and I sit there and I listen to so many people like Mr. OBEY, Mr. MURTHA, Mr. LEWIS, and Mr. YOUNG, the folks I would consider the sage folks in the back room who at the end of the day do the pragmatic thing and put the best interests of the Nation forward, in this particular case that has not been allowed to happen. So I find myself a little perplexed by this because it has not been thoroughly vetted, and I am going to vote "no" on it because of the process itself.

Now, there are a lot of other issues that are important, and it is important to me that the ranking member of the Appropriations Committee, the ranking member of the Armed Services Committee, the Homeland Security, of the Rules Committee, of the Intelligence Committee, and the Foreign Affairs Committee, and the Judiciary Committee are all resoundingly against this.

Madam Speaker, I have in my hand a "Dear Colleague" letter which I have read and reviewed, and I submit for inclusion into the RECORD that has been written by them, and I think the points that they have raised are very, very important.

110TH CONGRESS
OF THE UNITED STATES,
Washington, DC, January 9, 2007.

DEAR REPUBLICAN COLLEAGUE: Today the House is scheduled to consider House Resolution 35, a resolution purporting to enhance intelligence oversight authority. We are writing to you to outline our strong concerns with the current version of the resolution and to ask you to join us in opposing this resolution.

As a response to the 9/11 Commission recommendation to streamline intelligence oversight, Speaker Pelosi proposed the select panel on Intelligence oversight within the Appropriations Committee to consolidate intelligence oversight. Unfortunately, we believe this proposal is wholly inconsistent with any notion of a more streamlined and rigorous intelligence oversight process. In fact, we believe the proposal will make oversight more complex and less effective.

The 9/11 Commission recommended creating a single committee with both authorizing and appropriating authority. The House of Representatives did not agree with this recommendation, and instead worked to ensure proper oversight by creating a new oversight subcommittee within the House Permanent Select Committee on Intelligence and by improving coordination and cooperation between the authorization committees and the House Appropriation Committee. The new proposal undermines these efforts by adding a duplicative and seemingly powerless panel to the process. Instead of consolidating our oversight responsibilities, we will be diffusing them, making three entities within the House for oversight of the intelligence community instead of the current two.

It is also apparent that the oversight parameters and responsibilities are not clearly defined. If this panel is supposed to be con-

ducting oversight, it is unclear whether the panel will get into intelligence operations. We have worked hard to limit the unauthorized dissemination of highly classified and sensitive programs, and we are concerned about the practical implementation of the panel.

Finally, if the proposed oversight panel is charged with reviewing and studying the entire intelligence community, why are the Armed Services, Foreign Affairs, Homeland Security, and Judiciary Committees not represented on the panel? The 9/11 Commission specifically recommended members from the Armed Services, Foreign Affairs, and Judiciary Committees also serve on the joint authorization appropriations committee. The purpose of the recommendation is to ensure adequate input and review by the appropriate authorization committees. If the purpose of the panel is too afford more aggressive oversight, why were these equities and jurisdictions overlooked?

If this proposal had gone through the normal committee process, which House Rules Ranking Member Dreier requested, we would have had an opportunity to address these serious concerns through regular order.

Given these serious concerns, we do not agree this would be a responsible revision of the current intelligence oversight structure. We respectfully request you join us in voting "no" on H. Res. 35.

Sincerely,

Rep. Jerry Lewis, Ranking Member, Appropriations Committee; Rep. Duncan Hunter, Ranking Member, Armed Services Committee; Rep. Peter King, Ranking Member, Homeland Security Committee; Rep. David Dreier, Ranking Member, Rules Committee; Rep. Peter Hoekstra, Ranking Member, Intelligence Committee; Rep. Ileana Ros-Lehtinen, Ranking Member, Foreign Affairs Committee; Rep. Lamar Smith, Ranking Member, Judiciary Committee.

□ 1715

But I have to say, this is just not the right step in terms of addressing the national security needs of our Nation.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself 10 seconds before yielding to the distinguished gentlewoman from New York.

My colleague, the ranking member, just said he did not say he supported combining these functions, and yet here is his signature on his legislation that does just that. That is what I was talking about when I said that is disingenuous.

Madam Speaker, at this time I yield 1½ minutes to the gentlewoman from New York (Mrs. MALONEY), my friend and classmate.

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding.

The 9/11 Commission report identified the failure in the intelligence system of this country as a major cause of 9/11. They called for many reforms, some of which we have implemented. And as co-chair of the 9/11 Commission Caucus, I am extremely pleased today with the formation of this new Select Intelligence Oversight panel, which mirrors the recommendation of the 9/11 Commission. It is supported by many of the members of the 9/11 Commission. It is supported by the 9/11 families that have

tracked the provisions to make this country safer probably closer and harder than Members of this Congress, and they are in the gallery today. And this new oversight panel will strengthen the oversight process by combining the perspectives and expertise of both the Appropriations and Intelligence Committees and the insights of the authorizers likewise. And this new panel, we can be assured that these experts from both of these areas will be included in the oversight and funding decisions for our intelligence community.

I congratulate the leadership of this Congress, the new Democratic leadership, Speaker PELOSI and Chairman OBEY, for including in the first 100 hours this major reform, that they have repeatedly said in all of their hearings and they continue to speak out on it, they gave this Congress an "F" in intelligence oversight. Today we are getting an "A" by creating a committee with experts to oversee it. And with a focus on the security and the intelligence, it will make this country safer. I applaud our leadership, the new Democratic leadership.

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

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased at this time to yield 2 minutes to my classmate and very good friend, a member of the Select Committee on Intelligence that I have served with, my good friend from California (Ms. ESHOO).

Ms. ESHOO. Madam Speaker, I thank my distinguished colleague. And, Madam Speaker, it is wonderful to see you in the chair.

I rise in support of H. Res. 35. And I believe that for all of us on both sides of the aisle that this is a moment of high responsibility.

If there is anything that we became painfully aware of, it was that we did not have a seamless operation, intelligence operation, to help protect our country. So what we are debating and discussing here are not a handful of sentences. What we are doing is we are blending, for a very important reason, the power of the purse and the power of the policy. They can no longer stand as independent smokestacks, number one.

Number two, I ask all of my colleagues of the House, could the abuse and corruption that was done unto the budget survive the scrutiny of what we are proposing here, where a member of the Intelligence Committee committed those crimes?

So this is a moment of really high responsibility. I welcome ideas from both sides of the aisle. They are always important. But I think the overriding principles here are really what have been stated by so many, including the comments that I am making. As a member of the House Intelligence Committee, I welcome, I welcome more oversight. The problem with intelligence relative to the Congress is there has been undersight or no sight, and that is dangerous for our country.

So I support these reforms. I think that they are very important. It is a

moment of high responsibility for the Congress, and I salute the Speaker as well as the chairman of the committees of jurisdiction for bringing this much-needed legislation before the House, and I urge all of my colleagues to support it.

Mr. DREIER. Madam Speaker, at this time, I am happy to yield 2 minutes to our very hardworking colleague from Wilmington, Delaware (Mr. CASTLE).

Mr. CASTLE. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in opposition to H. Res. 35, a resolution to create a Select Intelligence Oversight Panel to advise the House Appropriations Committee.

As a former member of the House Select Committee on Intelligence, I strongly believe that we must enact all of the 9/11 Commission's intelligence recommendations, even those that apply to our own congressional committees.

In its final report, outlining steps Congress should take to combat the problems which plagued our Nation in the lead up to September 11, the 9/11 Commission stated that "Congress should pass a separate appropriations act for intelligence, defending the broad allocation of how these tens of billions of dollars have been assigned among the varieties of intelligence work."

In the wake of the terrorist attacks of 2001, Congress acted quickly to enact a large majority of the commission's recommendations. Today the House will likely pass some of the remaining recommendations, impacting various agencies and levels of government. However, as it turns out, it has been those recommendations that apply directly to the tangled rules of procedures here in the United States Congress, which have been left unfinished.

Specifically, I am disappointed that the resolution before us today fails to implement the 9/11 Commission's very specific recommendation that Congress enact a separate appropriations bill for our intelligence community. Currently, intelligence funding is concealed in the classified section of the Pentagon's budget and thus is subject to very little accountability. As currently drafted, I have serious concerns that the proposed Intelligence Oversight Panel will have very little control over the actual funding decisions and will only succeed in confusing the process and adding to its complex bureaucracy.

As a former member of the House Intelligence Committee, I believe strongly in the 9/11 Commission's recommendations. For that reason, I will introduce legislation immediately to create an empowered and independent intelligence appropriations subcommittee to oversee the intelligence community funding and to keep our Nation safe from those seeking to destroy our way of life.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1½

minutes to the distinguished gentleman from Maryland (Mr. RUPPERSBERGER), with whom I have served on the Select Committee on Intelligence as well.

Mr. RUPPERSBERGER. Madam Speaker, I rise in strong support of H. Res. 35.

The 9/11 Commission recommended that we change the way Congress oversees the intelligence activities. I am very familiar with those activities as a member of the Committee on Intelligence and also representing constituents who work for the National Security Agency. NSA is in my district.

At a time when we have reformed our intelligence agencies and required them to communicate and cooperate and unified their management through the new Director of National Intelligence, it is only right that we unify our oversight of the intelligence community.

H. Res. 35 does just that. It will allow us to make more informed and more effective funding decisions. It will enhance the ongoing work of the Intelligence and Appropriations Committees.

Our job on national security should be to do what is best to put the safety and the security of our Nation first, above all. We can't get bogged down with our own individual complaints about jurisdiction and power. We have to do what is best for America.

I will be proud to vote for H. Res. 35.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 2 minutes to my good friend from Peoria, Illinois (Mr. LAHOOD).

Mr. LAHOOD. Madam Speaker, I thank Mr. DREIER for yielding to me.

I find it a little puzzling that the author of this legislation has continued to refer to it during his remarks as a "task force." I see no language in the legislation that was authored by the distinguished chairman of the Appropriations Committee that calls for a task force.

I think it is also puzzling, too, that that term has been entered into the RECORD, which can be found nowhere in the legislation. I also think it is peculiar that the gentleman from Florida, who has served with me now for 8 years on the Intelligence Committee, would be willing to create more bureaucracy.

The gentleman knows full well we need no more bureaucracy to bog down the intelligence community. We have sat there time after time and listened to people from the intelligence community come to our committee. We need no more bureaucracy.

And you know as well as I do, it takes 4 to 5 years for people on the committee to understand the terms and the agencies. And now you are going to create another level that has to educate all of these people to get up to speed? Come on, Mr. HASTINGS. You know better. And to have this committee or task force, I don't know which, appointed by only the Speaker of the House is unprecedented. It

means that our leader has no say in who is appointed to this task force or committee. Unprecedented. You would never stand for that. Mr. OBEY and Mr. HASTINGS, you would be up here screaming bloody murder if we tried to pull that stunt on you.

This is not fair. It is not right. Our side should have our say. This is an insult to the gentleman sitting on that side of the Chamber, Mr. MURTHA, and the gentleman sitting on that side of the Chamber, Mr. YOUNG, who have overseen as representatives as the once chairman and now chairman of the Defense Appropriations Subcommittee. You don't have faith in them? You don't think they can look over the intelligence budget? I do not know about you, Mr. MURTHA, but I suspect you have some doubts. I know Mr. YOUNG does. This is an insult to both of you and to the Appropriations Committee and to the Defense Subcommittee. Do these gentlemen need oversight? No, they don't.

Vote against this lousy bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. ZOE LOFGREN of California). The Chair would ask Members to address their remarks to the Chair.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 2 minutes to the distinguished chairman of the Appropriations Committee.

Mr. OBEY. Madam Speaker, if the gentleman from Illinois, my good friend, wants to hyperventilate over the fact that I simply verbally referred to this as a "task force" rather than a "panel," be my guest. I guess his threshold of excitement has been considerably lowered these days.

Let me simply say, the gentleman says this is an insult to Mr. MURTHA and to Mr. YOUNG. No, it is not. He asked, does the Defense Appropriations Committee need oversight? It certainly did the last year, and let me tell you why.

When Mr. Rumsfeld set up his separate stovepiping operation for intelligence, I went to Mr. MURTHA, asked him to sign a letter instituting a surveys and investigations study because, under our rules, under our practices, we needed the support of the full chairman, the full ranking member and the subcommittee chairman and the subcommittee ranking member. I went to Mr. MURTHA. He signed on to the letter calling for the investigation. I went to Mr. YOUNG. He signed on to the letter calling for the investigation. But I was blocked by the full committee chairman.

So if you are asking me, does the Appropriations Committee, based on its record of the last 2 years, need some additional oversight on this issue? You bet it does, because as a result of that refusal to proceed, we never did learn what Rumsfeld was doing until we read it in the press. That is not the way it is supposed to work.

This is the first time that we have created any kind of a panel that will

force the Appropriations Committee and the authorizing committee to work together like adults rather than worrying about dunghill jurisdictional issues. And the security of this country is a whole lot more important than the feelings of any one committee.

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

Let me at the outset say to my good friend from Fort Lauderdale (Mr. HASTINGS), one of my staff members encouraged me to have his words taken down when he accused me just a few minutes ago of being disingenuous when it came to the introduction of House Resolution 38. That resolution, as the gentleman knows from the parliamentary inquiry that I engaged in, was designed to simply point to the flaws and the way this measure was crafted. Now, that resolution in no way called for the merging of the authorizing and the appropriating process. I simply said at that point that that was a recommendation of the 9/11 Commission.

I would be happy to yield to my friend if he can, in fact, point to me where in the resolution I introduced, House Resolution 38, it states that there should be a merging of both the authorizing and the appropriating process. And I am very happy to yield to my good friend from Fort Lauderdale.

Mr. HASTINGS of Florida. Do you support the legislation that you filed?

Mr. DREIER. I introduced the H. Resolution 38, and I support it much more so than I do the resolution that we have here. The reason being that I believe very much that there should, in fact, be consultation in a bipartisan way rather than having unilateral decisions made by the Speaker of the House over the minority in this Chamber, as Mr. LAHOOD said so well, an unprecedented action that has been taken. And my point is, there is nothing in the resolution that I introduced that does what led the gentleman to call me disingenuous. I, in the spirit of comity as set forth by Speaker PELOSI in her opening remarks, am not going to have the words of my friend taken down. I do not engage in name calling on the floor of this House, and even if people want to continue that towards me, I refuse to respond.

Madam Speaker, let me close by making a couple of remarks about what it is that is before us here. About 6 months ago in July, my very distinguished colleague, the new chairman of the Homeland Security Subcommittee of Appropriations, and he also will be serving as the chairman of the very important House Democracy Assistance Commission, and I am looking forward to serving now as the co-chairman, the ranking Republican on that committee; last July we went on our mission to help build democracies, build the parliaments in these fledgling democracies around the world. And I am very proud, Madam Speaker, that we have been able to do this in 12 coun-

tries. Last July, we were in Nairobi, Kenya, meeting with members of the parliament. When we were there, we had an opportunity to go and visit the site of one of the greatest tragedies to take place in our Nation's history, and that was before September 11, 2001. In 1998, our colleagues will recall that the embassies of both Nairobi, Kenya, and Dar es Salaam, Tanzania, were brutally attacked by al Qaeda. We all know that that happened, and we know there was a response at that time. We finally got the news last night that we have been able to see, with regional support, support of the Ethiopians, support of the Kenyans, who very courageously have stepped up to the plate; we launched an air strike in southern Somalia against al Qaeda that was successful, successful in making sure that we make another blow against those who inflicted the worst attack in modern history against the United States of America.

Madam Speaker, I argue that that kind of success was not an accident. That kind of success in launching that strike against those who attacked the United States of America, both here on our soil and on our embassies in Dar es Salaam and Nairobi, was done because of our effective leadership in the United States of America in prosecuting this Global War on Terror.

□ 1730

Now, I believe that as we look at what it is that we are doing here, it is very admirable. We know, as Mrs. WILSON said earlier, a promise was made to implement all of the recommendations of the 9/11 Commission. We are very proud of the fact that 39 of the 41 recommendations that were made by that commission have been put into place.

What we have before us is something that is very ill founded, and it is an attempt to respond to that promise.

But one of the things that I have learned, Madam Speaker, when you do something simply for the sake of doing something, it is probably the wrong thing. Madam Speaker, I do believe very fervently this is the wrong thing.

Now, I have here a copy of the rules of the House, and as I look through the structure that put into place the committee on which Mr. LAHOOD has served so proudly, the Intelligence Committee, it calls for membership from the Committee on Appropriations, the Committee on Armed Services, the Committee on International Relations, the Committee on the Judiciary, and it makes the Speaker and the minority leader ex-officio members. And it in fact does call for the Speaker to make the appointments. It traditionally is done in with consultation with Members of the minority.

Madam Speaker, it is important to note that is what the Permanent Select Committee on Intelligence is all about. We have virtually the identical structure being put into place for little more than a feel-good measure. That is really what it is. It is to be able to say, yes, we have this committee.

I am going to say, as I did when I opened this debate, Madam Speaker, Mr. OBEY and I worked on that joint committee on the organization of Congress back in 1993. We had 37 hearings, and 243 witnesses during that 2-year period came before us. Those numbers have stuck with me because that was a great opportunity I had to serve, along with our colleague, Lee Hamilton, interestingly enough, who was the co-chair of the commission on the House side, and PETE DOMENICI and David Boren, the father of our colleague, DAN BOREN, co-chaired the committee on the other side.

We looked at a wide range of changes, many of which I am proud to say we implemented. We talked about the issue of jurisdiction, but we didn't come up with firm recommendations. But when we took over, before a single Republican Member got their hands on the gavel, we saw them put into place recommendations.

Madam Speaker, I urge a "no" vote on this resolution, and I urge a vote for my motion to recommit that I will be offering forthwith.

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

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

I would first like to respond to my good friend and say to him that I am awfully glad you did not accept the recommendation of your staff member that my words be taken down with reference to the comments that you made. Let me repeat for you what I said. I said and I quote, "Mr. Dreier just said he did not say that he supported combining these functions. And yet here is his signature on his legislation that does just that."

The SPEAKER pro tempore. The gentleman from Florida has the time.

Mr. DREIER. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. Does the gentleman from Florida yield for a parliamentary inquiry?

Mr. HASTINGS of Florida. No.

The SPEAKER pro tempore. The gentleman from Florida has the time.

Mr. HASTINGS of Florida. Let me read from Mr. DREIER's House Resolution 30. You said there is established a select intelligence oversight panel of the Committee on Appropriations. The select panel shall be composed of not more than 14 Members, delegates or the resident commissioner appointed by the Speaker. The select panel shall include the chairman and ranking member of the Committee on Appropriations, the chairman and ranking member of the Committee on Defense, six additional members of the Committee on Appropriations, and four members on the Permanent Select Committee on Intelligence.

That is the exact same thing Mr. OBEY is doing with the exception of the constitution of the number on the committee.

The SPEAKER pro tempore. The gentleman from Florida has the time.

Mr. HASTINGS of Florida. I would be more than pleased to yield to my friend because I don't like the characterization that you put forward that I am being disingenuous by saying that you are disingenuous and that you were going to take my words down.

I need time to respond to Mr. LAHOOD as well. He commented on the nomenclature of the intelligence committee, and his comment was that I know better. And he knows that I know that the nomenclature is difficult because he and I were on that steep learning curve, he before me, and I had to learn as well.

But I can tell him that Mr. MURTHA and Mr. YOUNG know that nomenclature as well as you and I do, RAY, and you know that.

If I have time at the end, I will yield.

As I said before, this is a specific recommendation of the 9/11 Commission. I am proud that the House Democrats can again do more in 1 week than Republicans were able to do in the last 2½ years since the 9/11 Commission made their report. The gentleman that I have already referenced knows of what I speak.

With that, I yield to my friend.

Mr. DREIER. Madam Speaker, I appreciate my friend yielding. I will simply state once again that there is absolutely nothing in either Mr. OBEY's resolution or the resolution that I introduced that calls for the 9/11 Commission's recommendation of merging the authorization and the appropriations process. That is why it is very clear that it has not called for the merging.

Mr. HASTINGS of Florida. Madam Speaker, reclaiming my time, nobody said that, Mr. DREIER.

Mr. DREIER. If the gentleman would yield, that is what I was accused of having said. I never said anything of the kind.

Mr. HASTINGS of Florida. Reclaiming my time, as I said earlier to my friend, I enjoy our banter and I can suggest to him that being in the minority is going to be a very long 2 years for you.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H.R. 35, which establishes a Select Intelligence Oversight Panel of the Committee on Appropriations. Establishing a panel to oversee the expenditures of taxpayer monies on intelligence activities is imperative to ensure that our intelligence community functions at the highest level to keep the citizens of this country safe and secure. This is a welcome, beneficial, and long overdue reform. For far too long there has not been any means for this body to measure the effectiveness of the usage of funds appropriated to ensure that the intelligence community is equipped to detect, deter and deter the many potentially detrimental and disastrous threats to the citizens of this country.

Madam Speaker, one of the advantages of establishing a select intelligence oversight panel with the Committee on Appropriations is that it will enable the House to hold hearings and conduct oversight regarding the appropriation and expenditure of funds for intel-

ligence-related activities. The resulting openness in intelligence matters through this oversight panel enables this House to discharge its duty to the nation to ensure that our intelligence capabilities are the highest and best in the world and more than sufficient to prevent another 9/11. We cannot afford the costs of the tragic results of 9/11. In fact, the families of the victims of 9/11 as well as all of the citizens of this country still look to us for responsible action in the area of Intelligence.

The oversight panel will also serve the important role of removing barriers between the House Appropriations subcommittee that approves funds for intelligence and the intelligence committee that oversees operations. Of great importance, is the fact that the establishment of this panel will address a central commission finding that Congressional oversight of intelligence matters is dysfunctional and needs to be more centralized. This oversight panel will give Congress a much better chance to correct and avoid those major concerns which were highlighted by the 9/11 Commission. Those problems included: permeable borders; inconsistency in immigration policy; limited capacities to share intelligence information; permeable aviation security; an unprepared FAA and NORAD; ineffective communication and no clear chain of command; no unity for emergency responders; and Congress and Executive Branch that was too slow in responding to threats.

Madam Speaker, the creation of this select panel will allow the House to review intelligence spending requests, conduct hearings, make financing recommendations and assess how the money is spent. With this increased ability to monitor the budget as well as operations of the Intelligence community, we can better face and prepare for the security challenges confronting the United States and the international community as a whole.

I urge my colleagues to support this bill to establish a Select Intelligence Oversight Panel of the Committee on Appropriations.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 506 of House Resolution 6, the resolution is considered read and the previous question is ordered.

MOTION TO RECOMMIT OFFERED BY MR. DREIER

Mr. DREIER. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Dreier moves to recommit the resolution (H. Res. 35) to the Committee on Rules.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. DREIER. Madam 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adopting H. Res. 35.

The vote was taken by electronic device, and there were—yeas 195, nays 232, not voting 8, as follows:

	[Roll No. 12]	YEAS—195
Aderholt	Frelinghuysen	Nunes
Akin	Gallagly	Paul
Alexander	Garrett (NJ)	Pearce
Bachmann	Gerlach	Pence
Bachus	Gilchrest	Peterson (PA)
Baker	Gingrey	Petri
Barrett (SC)	Gohmert	Pickering
Bartlett (MD)	Goode	Pitts
Barton (TX)	Goodlatte	Platts
Biggert	Granger	Poe
Bilbray	Graves	Porter
Bilirakis	Hall (TX)	Price (GA)
Bishop (UT)	Hastert	Pryce (OH)
Blackburn	Hastings (WA)	Putnam
Blunt	Hayes	Radanovich
Boehner	Heller	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Reichert
Boustany	Hoekstra	Renzi
Brady (TX)	Hulshof	Reynolds
Brown (SC)	Hunter	Rogers (AL)
Brown-Waite, Ginny	Inglis (SC)	Rogers (KY)
Buchanan	Issa	Rogers (MI)
Burgess	Jindal	Rohrabacher
Burton (IN)	Johnson (IL)	Ros-Lehtinen
Calvert	Johnson, Sam	Roskam
Camp (MI)	Jones (NC)	Royce
Campbell (CA)	Jordan	Ryan (WI)
Cannon	Keller	Sali
Cantor	King (IA)	Schmidt
Capito	Kingston	Sensenbrenner
Carter	Kirk	Sessions
Castle	Kline (MN)	Shadegg
Chabot	Kuhl (NY)	Shays
Coble	LaHood	Shimkus
Cole (OK)	Lamborn	Shuster
Conaway	Latham	Simpson
Crenshaw	LaTourette	Smith (NE)
Cubin	Lewis (CA)	Smith (NJ)
Davis (KY)	Lewis (KY)	Smith (TX)
Davis, David	Linder	Souder
Davis, Jo Ann	LoBiondo	Stearns
Davis, Tom	Lucas	Sullivan
Deal (GA)	Lungren, Daniel	Tancredo
Dent	E.	Terry
Diaz-Balart, L.	Mack	Thornberry
Diaz-Balart, M.	Manzullo	Tiahrt
Doolittle	McCarthy (CA)	Tiberi
Drake	McCaull (TX)	Turner
Dreier	McCotter	Upton
Duncan	McCryer	Walberg
Ehlers	McHenry	Walden (OR)
Emerson	McHugh	Walsh (NY)
English (PA)	McKeon	Wamp
Everett	McMorris	Weldon (FL)
Fallin	Rodgers	Weller
Feeley	Mica	Westmoreland
Ferguson	Miller (FL)	Whitfield
Flake	Miller (MI)	Wicker
Forbes	Miller, Gary	Wilson (NM)
Fortenberry	Murphy, Tim	Wilson (SC)
Fossella	Musgrave	Wolf
Foxx	Myrick	Young (AK)
Franks (AZ)	Neugebauer	Young (FL)
	NAYS—232	
Abercrombie	Boswell	Clyburn
Ackerman	Boucher	Cohen
Allen	Boyd (FL)	Conyers
Altman	Boys (KS)	Cooper
Andrews	Brady (PA)	Costa
Arcuri	Braley (IA)	Costello
Baca	Brown, Corrine	Courtney
Baird	Butterfield	Cramer
Baldwin	Capps	Crowley
Barrow	Capuano	Cuellar
Bean	Cardoza	Cummings
Becerra	Carnahan	Davis (AL)
Berkley	Carney	Davis (CA)
Berman	Carson	Davis (IL)
Berry	Castor	Davis, Lincoln
Bishop (GA)	Chandler	DeFazio
Bishop (NY)	Clarke	DeGette
Blumenauer	Clay	Delahunt
Boren	Cleaver	DeLauro

