

The SPEAKER pro tempore. Recognition is within the discretion of the Chair, and the gentleman clearly did not understand.

#### PARLIAMENTARY INQUIRY

Mr. MCHUGH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MCHUGH. I thank the gentleman. I have deep respect for the Speaker. He is a great American, in spite of the fact he is a fan of the Boston Red Sox. But I would ask, is it appropriate under the House rules for the Speaker, as a member of the committee, to be ruling on points of order against the bill of which he is a member?

The SPEAKER pro tempore. The gentleman has a point of order. The Chair of course was about to turn the gavel over to another Member and did not anticipate this point of order.

Mr. MCHUGH. Mr. Speaker, if the gentleman will step down, I have another point of order.

The SPEAKER pro tempore. Is the gentleman's point of order with respect to the bill that is before the House?

Mr. MCHUGH. It is to this bill. I think the point of order speaks for itself.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MCHUGH. Mr. Speaker, is it not against the rules of the House for a member of a committee of a bill before the House to be ruling on that bill and those questions?

The SPEAKER pro tempore. No, it is not.

#### GENERAL LEAVE

Mr. REYES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill, H.R. 2082.

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

There was no objection.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. Pursuant to House Resolution 388 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2082.

□ 2156

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for intelligence and intelligence-

related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mrs. TAUSCHER in the chair.

Mr. MCHENRY. Madam Chair, I raise a question of consideration against the legislation before us.

The CHAIRMAN. The question of consideration is not available in the Committee of the Whole.

Mr. MCHENRY. I thank the Chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. REYES) and the gentleman from Michigan (Mr. HOEKSTRA) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

□ 2200

Mr. REYES. Madam Chairwoman, I yield myself such time as I may consume.

Intelligence is our Nation's first line of defense. In a world of asymmetrical threats, it is critical that we detect and disrupt the plans and intentions of those who would do us harm. And it is critical that we conduct intelligence operations in a way that conforms to our laws and to our values as a Nation.

This bill was the product of bipartisan work, and I am pleased that the ranking member, Mr. HOEKSTRA, worked with me over the past several weeks and months to draft this bill. We do not agree on every provision in this bill, but we agree on the larger points, and we agree that intelligence officers in the field deserve our support.

Let me address up front one area where I think there has been some confusion, and that is section 407 of the bill, which asks for a national intelligence estimate on the national security impact of climate change.

We heeded the advice of 11 former 3- and 4-star admirals and generals who have studied this issue and specifically recommended an NIE. They believe that significant changes in global climate may act as a "threat multiplier for instability in some of the most volatile regions of our world."

The ranking member has argued that this work should not divert resources from higher priority items. Our committee staff has spoken with senior Intelligence Community leaders in the administration, and we have been assured that this will not, I repeat, will not divert resources.

The data needed is already available. The administration is already drafting a community assessment on this very issue. And I want to assure the ranking member that we will work with the administration to ensure that nothing will divert resources away from higher priority efforts.

But I also want to be clear; targeted discussion on this topic is a distraction from the key points of this bill. This

bill provides funding for the men and women in the field. Opposition to this bill sends the wrong signal to them.

We are at war, and we face many threats over the horizon. This bill contains robust funding for critical intelligence programs to penetrate the hard targets, such as terrorist networks and countries developing WMD capabilities.

We add funds to both CIA and military elements for human intelligence training. We invest in language training for collectors and analysts and in language translation capabilities. We add funding for sending additional analysts overseas, and we strengthen counterintelligence field operations.

We have added funds to broaden our view so that we are spending, not just on Iraq, but on some of the other global challenges that we face, such as Iran, Russia, East Africa, Latin America and countries in Asia.

We have several provisions that enhance critical oversight. We require quarterly intelligence reports to Congress on the nuclear weapons programs of Iran and North Korea.

We also require that the CIA Inspector General conduct an audit of covert activities no less than once every 3 years. And we require the administration to provide the Intelligence Committees with a full list of all special access programs.

We also require detailed reports to Congress on the use of contractors in the Intelligence Community because their use has grown without adequate oversight, both by Congress and even by the executive branch.

We also require a strategy for implementing a multi-level security clearance system. This will allow patriotic Americans with much needed foreign language skills to serve as translators or linguists in the Intelligence Community.

And we also promote diversity in the Intelligence Community by requiring a strategic plan for implementing the recommendations of a highly regarded diversity panel.

I am of the strong view that diversity is a major strategic asset of the United States, and we have to leverage that asset to our full advantage.

In sum, Madam Chairman, this bill strengthens U.S. intelligence capabilities. This bill, if passed and signed into law, will help the courageous women and men of our Intelligence Community accomplish their mission. They are counting on our support, and tonight I hope we respond.

I urge all my colleagues to support this critical legislation.

With that, Madam Chairwoman, I reserve the balance of my time.

Mr. HOEKSTRA. Madam Chairwoman, I would like to yield myself 4 minutes.

I would like to begin by thanking my colleague, Chairman REYES, for the cooperative working relationship that we have had as we have gone through this process and as we have developed and built this bill. There are a number of

things in this piece of legislation that I do support, so I appreciate the cooperative working relationship we have had. I appreciate the hard work by the committee on both staffs.

You know, it is absolutely important that we provide the Intelligence Community with the information or with the resources, the commitment and the framework with which they can be the tip of the spear to keep us free. We all owe the men and women of the community a deep sense of gratitude for the work that they do each and every day, as they risk their lives to keep us safe.

As they well know, let me quote, "we are in a state of war. And if we have not yet realized that we are in a state of war, when will we realize that?"

Some folks may say, well, PETE, what's new? You have been saying that for a long period of time.

Actually, I don't believe that, and I don't like to use the term "war." We shouldn't elevate the people that pose this threat to the United States as being soldiers or representing a nation-state. They are thugs. They are murderers, and they are terrorists.

These are the words of Ayman al-Zawahiri from an interview that he just gave last week, a video. Those are the words that he says. He says that they are at war. We need to recognize that that is how they view the U.S. and how they view the West.

We have continued a number of initiatives that were begun in the last Congress. I feel good about that. Building global collection capabilities, rebuilding HUMINT capabilities, working on the overhaul of the Intelligence Community.

But I think we do need to affect and address the weaknesses in this bill. This bill significantly cuts from the President's budget request in a very important area, human intelligence at the Central Intelligence Agency, and cuts that directly affect our efforts in Iraq.

I agree with the chairman. Passing the wrong bill sends exactly the wrong message to our troops. Just like saying we are going to pull out of Iraq on a definite date sends the wrong message, sending a bill that cuts the funding for our Intelligence Community in Iraq sends exactly the wrong message.

And telling the community that we want to move their priorities from radical Islam, North Korea, Syria, Iran, restructuring the community, rebuilding HUMINT to focusing on a national intelligence estimate on climate change sends exactly the wrong message. As a matter of fact, what the community will tell you is this hearkens back to the exact things that they experienced in the 1990s, a very depressing decade for the Intelligence Community, a dark decade, a decade where budgets were cut, where human intelligence was cut, where we changed rules for human intelligence and said, we are only going to have good-guy spies. It was known as the "Deutsch doctrine." It said, if we have people on

the payroll or we are working with people who have human rights records, criminal violations, we are not going to work with them anymore.

And the other thing that we did is we did the politically correct thing, is we moved resources to spy on the environment. George Tenet mentions it in his book. He refers to it as those were the days that the community said we were focused on bugs and bunnies. And we are going right back to that. We are doing the politically correct priorities. We are cutting HUMINT, and we are cutting the resources that are directly supporting our efforts in Iraq against a very deadly and a very dangerous enemy. That is the message that we are sending to the agency that says, we are going back to the 1990s.

The community doesn't want to go back to the 1990s. They recognize what had happened at that time.

Madam Chairman, I reserve the balance of my time.

Mr. REYES. Madam Chairman, it is my privilege to yield to the chairman of the Armed Services Committee, the gentleman from Missouri (Mr. SKELTON), 3 minutes.

Mr. SKELTON. Madam Chairman, this evening I rise in strong support of H.R. 2082, the Intelligence Authorization Act For Fiscal Year 2008. Let me take this opportunity to thank and congratulate the chairman, the gentleman from Texas, SILVER REYES, on the work that he does.

It is especially important, Madam Chairman, that he is a member of the Armed Services Committee, and he is the chairman of the Intelligence Committee, and it is one of those rare moments where the two very important committees are glued together, and he does that. And from our perspective, it is a good, good piece of evidence that he is the chairman and is doing such an excellent job in both respects.

Every day American men and women are deployed into harm's way and depend on the military intelligence capabilities authorized by this bill. It is important for them to achieve their missions. And this legislation assures continued delivery of our intelligence to our warfighters. It will lead to important improvements in the future.

I am also pleased to report that this bill reflects a new more cooperative relationship, as I mentioned, between the Intelligence Committee and the Armed Services Committee in guiding and overseeing the Nation's military intelligence program.

Chairman REYES and I have been working together to craft common approaches on key issues by our shared jurisdiction. For example, both this bill and the National Defense Authorization bill that we marked up late last night in committee contain provisions requiring reports on the national security implications of global warming. And that is no small thing.

And the committees, we are working together on significant changes in key space programs to ensure that both the

intelligence analysts and the warfighter receive critical information in a timely manner, and that is so important.

Again, let me take this opportunity to congratulate Chairman REYES for bringing this to the floor. Intelligence is the key to so many areas, in particular the military and security forums of our country. So I congratulate the gentleman from Texas.

Mr. HOEKSTRA. Madam Chairman, at this time I would like to yield 3 minutes to a senior member of the committee, Mr. EVERETT.

Mr. EVERETT. Madam Chairman, I thank my ranking member, and I thank the chairman for the work they have done on this bill. And for many years, the chairman of the committee and I have worked closely together.

But, regrettably, I rise today in opposition to the Intelligence Authorization bill for Fiscal Year 2008, H.R. 2082. Actions taken in the bill regarding human operations, the irresponsible use of our intelligence professionals and the short-sighted steps to critical space systems justify a "no" vote on this legislation.

□ 2215

The bill slashes funding to HUMINT, or Human Operations, one of our most important intelligence collection functions in the global war on terrorism. Regardless of your position on the war, we cannot cut a primary intelligence function that is critical to protecting our troops in combat.

Like many, I have visited the front line, and we owe our brave American military the support they need to be successful in Iraq and Afghanistan. I also note that the Under Secretary of Defense for Intelligence has stated that HUMINT is his number one priority.

Remarkably, rather than focus on national security, this bill places an emphasis on global warming. In the middle of a war which has our intelligence community overloaded with real-world intelligence missions, this intelligence authorization bill carves out scarce intelligence resources for an environmental matter that should be the purview of another committee.

Madam Chairman, we have already had 13 Federal agencies looking at the effects of climate change. The administration has requested nearly \$7.4 billion this year for climate change-related activities. Since 2001 the Federal Government has devoted \$37 billion for climate change-related activities. We are in the middle of a war against radical jihadists, and the terrorist plot of the radical Islamists at Fort Dix earlier this week should be a sobering reminder for all of us. It is wrong and misguided for Congress to overburden our highly skilled intelligence professionals by shouldering them with this unnecessary science project.

Lastly, this measure gives our strategic threat little attention. While engaging in the global war on terror, the strategic threat has grown. Having the

ability to peer into areas that would cause us harm is vital to advanced warning, known as "Persistent Stare." We need to pay more attention to the architecture of "stare" and "persistence"; yet this bill provides inadequate resources.

For example, substantial funds have been added to a space-based infrared program, SBIRS, that cannot be wisely used. In fact, if these additional funds were obligated, the program would be sent into procurement before it is ready, likely to cause schedule delays and cost overruns. This funding add was poorly conceived and would cause the Defense Department to literally bite off more than it can chew.

I urge a "no" vote on the bill.

Mr. REYES. Madam Chair, it is now my pleasure to yield 3 minutes to the gentleman from Alabama (Mr. CRAMER), one of our subcommittee Chairs.

Mr. CRAMER. Madam Chair, I rise today in strong support of H.R. 2082, and I want to compliment the chairman of the Intelligence Committee, the ranking member of the Intelligence Committee, and my colleagues on both sides of the aisle that I have worked with for a number of years to make sure that we give the intelligence agencies the resources and the balance that they need to do the job that we want them to do.

I am sorry that my colleagues from across the aisle can't support this bill.

I am proud to represent an area of the country that has given much to the defense of this country including to the intelligence agencies. My district is the home of the Missile and Space Intelligence Center, known as MSIC, and MSIC is a key DIA facility that helps our country understand and prepare against the threat from missiles from foreign nations.

Now, this bill today, H.R. 2082, is a well-crafted bill. It strengthens our national security by authorizing the largest amount of funding ever for the intelligence community. Let me say that again. This bill authorizes the largest amount ever for the intelligence community.

But it is not just the amount that is important. We have got to make sure that we perform oversight of the agencies that we give these resources to, make sure that the distribution is balanced between the needs to be addressed today and the needs that will be faced in the future.

Specifically, this bill provides our intelligence professionals with the resources to deal with the immediate threats that we face in Iraq and Afghanistan, as well as the emerging challenges from dangerous regimes around the world, particularly in Iran and North Korea.

I also support this bill because it recognizes that simply giving the intelligence community considerable resources and hoping for the best is not enough. Congress must conduct effective oversight, and this bill accomplishes that.

Now, Chairman REYES, as you know, we have worked hard to make sure that we continue the bipartisan approach that this committee has a history of being the best at, and I think this bill is a product of a bipartisan effort to fund our intelligence priorities and strengthen our oversight.

To the ranking member, in the last Congress, we established, I believe, set up, the Oversight Subcommittee that Mr. THORNBERRY chaired and I was the ranking member of. I think that subcommittee did an excellent job, drafting reports, holding informal hearings, making visits out in the field both in this country and out of this country, to make sure that together we got off to a better start of performing oversight. And I think this bill today continues with that effort.

We drafted a report on the standup of the DNI in the last Congress. We made sure that we let them know that we were there to give them the resources that they needed but to hold them accountable for what they did as well, and I think this bill strikes that appropriate balance between strengthening national security and performing effective oversight.

I urge support of the bill.

Mr. HOEKSTRA. Madam Chairman, at this time I would like to yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Madam Chair, I would agree with my colleague Mr. CRAMER that much of this bill was developed in a bipartisan way. And one of the reasons that I like the Intelligence Committee is we don't have the C-SPAN effect. The cameras are off, and we get down to doing some very serious and important business on behalf of the country.

While we fixed a lot of things in the initial draft of the bill in committee, particularly with respect to technical intelligence and overhead systems, there are two very serious concerns that I still have that cause me to stand here today and oppose the bill.

The first is that there is a significant reduction in human intelligence in some very important special accounts, and they are reductions that are marked and serious and will impact our ability to conduct human intelligence in an area of the world where it is absolutely critical, not only for current operations but for our long-term security in the region.

We can't cut human intelligence. That was one of the number one recommendations of the 9/11 Commission. We have to strengthen human intelligence after a decade of neglect.

The second problem is that this bill fails to address in any way one of the most important problems that we face in the intelligence community, and that is the Foreign Intelligence Surveillance Act. The Director of National Intelligence came to the committee with written recommendations on how we need to update and modernize the Foreign Intelligence Surveillance Act,

and this bill does nothing. He said to us we are actually missing a significant portion of what we should be getting. Because of the way the Foreign Intelligence Surveillance Act is written, we are not collecting critical intelligence important to this country.

We should have addressed that in this bill. The DNI asked us to address that in this bill because we were operating with one hand tied behind our back. That is dangerous for this country and causes me to oppose this bill.

Mr. REYES. Madam Chairman, I would remind the gentlewoman that we will be having hearings and addressing the issue of FISA in regular order, which is the proper way to handle very serious issues that the American people want us to handle.

Madam Chairman, I now yield 3 minutes to the gentlewoman from California, Ms. ANNA ESHOO, who chairs our Subcommittee on Intelligence Community Management.

Ms. ESHOO. Madam Chairman, I thank the distinguished chairman of the House Intelligence Committee for yielding.

I rise in support of H.R. 2082.

First, I want to make a comment about a requirement that is in the bill that has been made fun of, made fun of by our friends on the other side of the aisle, and that is that the bill requires a National Intelligence Estimate on the national security implications of global climate change. I take issue with their diminishment of this issue.

The American people are ahead of us on this and so are people in the intelligence community, including three and four star admirals and generals who recently issued a report on the national security impacts of global climate change. I will submit their names for the RECORD.

\* General Gordon R. Sullivan, USA (Ret.)

\* Admiral Frank "Skip" Bowman, USN (Ret.)

\* Lieutenant General Lawrence P. Farrell Jr., USAF (Ret.)

\* Vice Admiral Paul G. Gaffney II, USN (Ret.)

\* General Paul J. Kern, USA (Ret.)

\* Admiral T. Joseph Lopez, USN (Ret.)

\* Admiral Donald L. "Don" Pilling, USN (Ret.)

\* Admiral Joseph W. Prueher, USN (Ret.)

\* Vice Admiral Richard H. Truly, USN (Ret.)

\* General Charles F. "Chuck" Wald, USAF (Ret.)

\* General Anthony C. "Tony" Zinni, USMC (Ret.)

As they noted, the geopolitical effects of global warming are likely to intensify instability in some of the most volatile regions of the world as people fight over access to water and food, creating humanitarian disasters and failed states that facilitate the establishment of terrorist safe havens.

The intelligence community agrees, and they are already preparing an assessment on how our enemies could use global climate change to degrade our security interests. This NIE will not divert collection assets from other priorities. That's hogwash.

I would also like to note that we have a growing crisis in our overhead architecture. Over the past several years, the intelligence community has chosen to take more risk in its management structures that have failed. The consequences of these failures are extremely serious, threatening our overhead capability and wreaking havoc on the industrial base. Some of these risky decisions were made without the appropriate congressional notification, and now we have to clean up the mess.

Finally, last September the President acknowledged that the intelligence community had kept prisoners in undisclosed detention sites and reserved the right to do so in the future. I, as one Member of Congress, strongly object to any policy which does so. Generations of people, Americans, have come to this Nation to escape regimes that make people disappear. We have commitments under the Geneva Conventions, international laws and treaties. If we don't live up to these standards, we weaken protections for U.S. citizens abroad. I think our Nation stands for a higher standard of treatment, and I don't think we should ever engage in such practices.

I am proud to support this bill, Madam Chairman. This is the largest single intelligence authorization in the history of our country. And for anyone to say that we are shortchanging the people that are working so hard to protect our national security is simply and plainly wrong.

Mr. HOEKSTRA. Madam Chairman, at this time I would like to yield 3 minutes to a gentleman on the committee, Mr. THORNBERRY from Texas.

Mr. THORNBERRY. Madam Chairman, I thank the ranking member for yielding.

Madam Chairman, there are many good provisions of this bill, and I appreciate the hard work of the staff and the sincerity of the Members in attempting to tackle complex, vital issues before this committee. And yet I also have concerns with this bill.

Last July the Oversight Subcommittee of the Intelligence Committee issued a unanimous report about the progress of implementing the Intelligence Reform Act so far. And what we found was that there was some good, there were some disappointments, but yet there was overall a lack of a sense of appropriate urgency in doing the things that needed to be done to reform intelligence and to make this country safer.

And that is kind of the sense I get from this bill. There is a lot of good in it. There are some significant disappointments. But I worry about a lack of urgency in a sense because as 9/11 drifts further in the past, we have to face up to these very serious threats that are before us. And yet in this bill certain efforts and resources are diverted from higher priorities to lower priorities.

And I might point out in the case of one particular lower priority that the

gentlewoman from California (Ms. ESHOO) mentioned, there has never been a hearing or, as I understand it, even a question at a hearing about intelligence implications of global climate change. And yet it is so important, it is a mandatory item in this bill for the intelligence community.

This bill takes significant efforts that the intelligence community is making and cuts back or places restriction on them, and yet it delays making reforms in essential areas as Mrs. WILSON was talking about. So I worry that we are on a path where we will return to mistakes of the past and do so at a time when we face a ruthless, determined, adaptable adversary.

□ 2230

I would like to make one other point. In many respects, I think it is a test for Congress as an institution whether we can pass an intelligence authorization bill.

The Intelligence Committees of both Houses were set up in the 1970s as the oversight entities for the broad Intelligence Community. The fact is, if we don't do it in these two committees in the House and the Senate, it will not get done. No one else has insight into the programs. No other committees have the time and resources and expertise to delve down into the many, many activities that the Intelligence Community performs that are essential to our country's security.

And yet, if we use these intelligence authorization bills to promote a political agenda, I think it makes the effectiveness of that oversight less so, and particularly if it results in their failure to be a bill. I think we can do better, and I hope we do.

Mr. REYES. Madam Chairman, I now yield 3 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER), who serves as our chairman on the Subcommittee on Technical and Tactical Intelligence.

Mr. RUPPERSBERGER. Madam Chairwoman, I want to first say that I rise in support of H.R. 2082, the Intelligence Authorization Act.

Our Nation is at war. We are fighting in Iraq, Afghanistan, and we are battling terrorists worldwide. We are also witnessing the rise of nuclear powers in Iran and North Korea. We are facing major challenges from China and Russia, who want to gain a technological edge on the United States.

America has to stay on the offensive, and the way to do that is with stronger technology. This bill will strengthen our intelligence capabilities and invest much needed resources in new research and development.

I am the chairman of the Technical and Tactical Subcommittee, which is responsible for overseeing technical intelligence assets, including the National Security Agency. The subcommittee has been working hard to ensure that this bill provides the necessary resources so that the Intelligence Community has the latest cut-

ting-edge research and technology. This is the foundation for good intelligence.

Other countries are gaining the ability to take out intelligence assets, such as orbiting satellites. Al Qaeda is finding innovative ways to communicate over the internet to plan attacks.

We need to develop smarter tools to collect this information about threats to the U.S. and our allies. This bill refocuses the Intelligence Community on these new and emerging threats. The number one priority is preserving our technical workforce. This bill invests in our scientists and engineers.

This bill also addresses the future of research and development across the Intelligence Community. Let me emphasize; we must invest more heavily in research and development. The committee is looking to the Director of National Intelligence to establish an aggressive R&D investment strategy that promotes cooperation among various agencies while allowing each agency to conduct research that fulfills its specific needs. During this time of growth, we need to maintain the good working relationships the Intelligence Community has with our Nation's research centers.

In closing, we need to maintain our technology. We should vote for this bill.

I have been on the Intelligence Committee for 4 years. I feel very strongly that this committee should be USA first. What we have to deal with is very important. I am very distressed and concerned that the minority at this point, who I have worked with and are excellent friends and I respect, the first bill that we have coming out of as a majority are voting "no."

We need to bring consensus together. We need to work as a team. There are some things that we have and some that we don't, but I hope that we will be able to work together in the future and go beyond this tonight.

Mr. HOEKSTRA. At this time, I would like to yield 3 minutes to another member of the committee, Mr. MCHUGH of New York.

Mr. MCHUGH. I thank the distinguished ranking member for yielding to me.

Madam Chair, I would say that I want to begin by expressing my deep appreciation and great respect to the bipartisan leadership of the committee. To the distinguished ranking member who has provided such a steady hand and, certainly during his time as chair, for great guidance and leadership. And a particular tip of the hat, Madam Chair, to the current chairman. Chairman REYES I consider to be a personal friend, and he is a man of a good heart and great leadership. I would suggest respectfully through that good heart and great leadership, this bill certainly has some positive aspects. It increases needed counterintelligence assets to protect our Nation's military secrets. As well, it initiates the movement of

supplemental funding to the base budget for the better use and planning of those funds. And it establishes the requirement to develop an integrated space-based collection architect.

In addition, it places limitation on the termination of the U-2 program. It also gives added emphasis on language training and additional accountability on intelligence contracting. As I said, Madam Chair, these are all very positive steps in improving our intelligence capabilities, and I commend the chairman and Members on both sides of the aisle for working together to make that happen.

I have to say, regrettably, however, there is much that distresses me in this bill. Let me just cite a few examples.

I am very, very concerned that the legislation before us begins to retrace the failed policies of the 1990s that were based on underfunding and overtasking of our limited intelligence resources. It inadvertently, or not, establishes politically correct restrictions on intelligence operations.

Additionally, at least in my judgment, the bill does not adequately support key Intelligence Community activities that directly protect our national security. It calls for cuts to human intelligence programs which is counter to the recommendations of the 9/11 Commission. It fails to support the Intelligence Community and our national defense by rejecting an amendment that our side offered to include important legislation to modernize the Foreign Intelligence Surveillance Act, even though this identical language, Madam Chair, was passed unanimously by a bipartisan vote previously last year in the House.

There is no question that our Nation is locked in a struggle with radical jihadists and facing continued uncertainty and threats around the globe. As well, there is no question that before us lie critical questions. And we know what is needed right now is a well-trained, well-equipped and capable Intelligence Community. Instead, this bill unnecessarily, again in my judgment, diverts the resources of the Intelligence Community, as we have heard, to produce unnecessary legislation and initiatives.

I would hope we could go back, reject this bill and begin anew to work together on a bipartisan basis to produce a better product.

Mr. REYES. Could I inquire of the Chair how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Texas has 13 minutes; the gentleman from Michigan has 15 minutes.

Mr. REYES. Madam Chairman, it is my pleasure now to yield 3 minutes to the gentleman from California (Mr. THOMPSON), who is the chairman of our Subcommittee on Terrorism, Human Intelligence Analysis and Counterintelligence.

Mr. THOMPSON of California. I thank the chairman for yielding.

Madam Chairman, I am pleased to stand in strong support of this authorization bill tonight. I believe that this bill strengthens our capabilities to recognize and counter threats to the United States, both terrorist threats from groups like al Qaeda and the strategic challenges present in regions all over the world, including the Middle East, Asia and Latin America. This bill ensures that U.S. troops in Iraq and Afghanistan will continue to receive the intelligence support they need to conduct their missions.

The bill authorizes the largest intelligence budget ever. It also provides full funding for the intelligence programs related to Afghanistan and for U.S. efforts to counter terrorist threats.

Madam Chairman, terrorism and the war in Iraq are critical issues, and they have required intelligence agencies to divert resources away from other strategic challenges. This bill funds initiatives to collect better intelligence on those that pose threats to our country. It also adds funds to enhance coverage of other challenges, such as emerging threats in Africa and Latin America, and to ensure that America is not caught by surprise in the future.

The bill makes significant investments to improve the quality of intelligence analysts. It provides resources to send more analysts overseas so they can gain the real world experiences in the countries that they study. It provides funds for expanded foreign language training that we all agree is needed, and the development of advanced technical tools so both analysts and collectors can better do their jobs.

The bill makes us safer by adding resources for counterintelligence investigations, and these provisions will help mitigate efforts by our adversaries to steal classified information and advanced technologies, keeping the U.S. policy options open and preserving our military edge.

Despite these additions, the bill promotes efficiency and accountability by cutting programs that lack clear objectives and measurable results. It also requires the CIA Inspector General to audit covert action programs, ensuring regular oversight.

Madam Chair, this legislation helps us fight terrorists; it supports our troops; and it enhances U.S. intelligence capabilities throughout the world.

I support this bill, and I strongly recommend that our colleagues do as well.

Mr. HOEKSTRA. Madam Chair, at this time I would like to yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the committee.

Mr. TIAHRT. I thank the gentleman from Michigan.

Madam Chairman, this bill reduces our human intelligence capabilities. Human intelligence is one of the primary tools used to keep us informed about the plans and intentions of our adversaries. Human intelligence keeps

our families and our military personnel safe.

Today, we are faced by many threats around the world, from radical jihadists to the emerging threat from rogue nations. One of our primary ways to combat these threats is with human intelligence, but this bill distracts us from that. And we have been in this predicament before. It is entirely probable that the downsizing of our Intelligence Community, and specifically the Central Intelligence Agency, during the decade of the 1990s contributed to the intelligence breakdown often associated with 9/11. We should have learned that lesson, but instead of putting more resources into human intelligence, this bill redirects resources to a new top priority.

The bill requires that the Intelligence Community determine the impacts of global warming. How could we have overlooked this? I thought the enemy was al Qaeda, who claimed responsibility for September 11, 2001. I thought it was Iran, who calls us "the Great Satan" and is actively pursuing nuclear weapons. I thought it was the Islamic terrorists that are attacking our young men and women every day. Now we find out it is global warming.

Now, I know that the world is warming. Kansas used to be covered by a sheet of ice 14,000 years ago; now it's not. But for the record, I would like to point out that the United States has 13 Federal agencies currently studying the effects of climate change. In fact, the President's 2008 budget request has nearly \$7.4 billion associated with studying climate change. And according to the Congressional Research Service, since 2001, the Federal Government has devoted \$37 billion to study climate change activities.

Why is this an intelligence priority? Is it really responsible to shift our resources, currently focused on North Korea and Iran and other threats, to the impacts of global warming?

Madam Chairman, this bill is not the right approach, and it does not provide the tools to protect our Nation's security. Intelligence is the first line of defense. Now is not the time to let down our guard.

I urge my colleagues to vote against H.R. 2082.

Mr. REYES. Madam Chair, it is now my pleasure to yield 2 minutes to a gentleman from Iowa, an American hero, fellow Vietnam veteran (Mr. BOSWELL), a member of the committee.

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

Mr. BOSWELL. Madam Chairman, I rise in support of this bill. I feel it is a step in the right direction. I have to take note that there is almost a self-righteousness of those that have been in charge for all these years and want to criticize, you have only had the driving of this ship for 4 months. You're doing a good job. Keep your head up and keep going forward and the country will be safer.

This bill does a number of things. One thing for sure that we recognize, all of us that have served in this capacity, that the people that go out there and gather intelligence, they put it on the line. The things they do, if the Nation understood the risks they take, the things they will do to try to make us safe, they would be very appreciative.

□ 2245

This bill also recognizes something that we have been overlooking now for several years, that there is a need to increase the gathering of information or opportunities for people to learn languages. Around the world, this world we live in, there is much need to have innovative ways to explore new language opportunities. The need is there. This bill will require that, and that is a good step forward at least.

It also recognizes the need to take an aggressive approach to the gaps in our knowledge about Korea and Iran and around the world. We know there is a threat there and we are going to have to do more about it. We have tried before; we are trying again. This bill will do it and require the DNI to report back to us on a quarterly basis so we can assess and give oversight and do a better job of recognizing this need.

So, Mr. Chairman, I appreciate your hard work. Keep it up. Support the bill.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to my colleague from the great State of Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Madam Chairman, I want to congratulate the chairman on mostly good work. And a big budget doesn't necessarily mean a good budget. We have had some great discussions. There are some really good things in this bill. But there are some serious departures on the direction in which we take intelligence that I think are so important that we need to stand up and oppose this bill.

This bill jeopardizes our ability to listen to terrorists. It puts it at risk. This bill cuts very specific human intelligence programs. They will get less money this year than they got last year.

I just want to talk for a minute about global climate change. As mentioned earlier, the President's budget proposes over \$7 billion for climate change activities. This bill should be about securing America. Instead, it is being used to secure a political agenda on these items.

Climate change is an important issue, and it should be taken seriously. Thankfully it is. Fourteen Federal agencies already have active climate change programs. Let me go through them: Agriculture, Commerce, State, Health and Human Services, Interior, Transportation, EPA, NASA, NSF, Defense, Treasury, USAID, the Smithsonian, the Army, the Navy, the Air Force, DARPA and NASA all have active research, development, testing and evaluation programs. NASA's program already makes satellite images available to government researchers.

This legislation assigns intelligence agencies that have limited experience in this area the job of researching climate change. We are going to take analysts away from looking for Osama bin Laden and we are going to put them on the "March of the Penguins."

This bill requires intelligence agencies to use intelligence satellites to monitor environmental issues. Many of my colleagues have been in the field. You know that imagery is so important and so high in demand. This is the wrong direction for their mission accomplishment.

If you want to break the spirits of our intelligence agencies, if you want to destroy their morale, go ahead and give them this assignment. Tell them they should spend their day watching the grass grow, and see how it works. George Tenet referred to these kinds of assignments as "bugs and bunnies assignments."

We are making a mockery of the seriousness of climate change and a mockery of the important work our intelligence agencies do. If you liked building the rain forest in Iowa, you are going to love the Department of Environmental Espionage.

Vote against this legislation. The stakes are too high. The people in the field mean too much to us. Their mission is too crucial to have it diverted for a political agenda.

Mr. REYES. Madam Chairman, sometimes I feel like we are living in a parallel universe here, when I hear the Members of the minority quote the "slam-dunk expert."

Madam Chairman, it is my privilege to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a member of our committee who serves as the chairman of the Select Intelligence Oversight Panel.

Mr. HOLT. Madam Chairman, although the bill before us today does not produce the overhaul of intelligence I seek, it does address a number of critical deficiencies in the operation and oversight of the intelligence community, and I support this important legislation.

I commend the committee staff. They do excellent work without help from outside. And I commend the Chair, the gentleman from Texas, for his sensible, considerate approach to his work as Chair.

There are several specific provisions in this bill that I would like to highlight. For example, the bill requires the compilation of a comprehensive inventory of special access programs, as well as measures to improve the contracting accountability. These provisions will give the committee additional tools to hold the intelligence community accountable for its actions and the use or misuse of taxpayer funds.

Again this year we demand more attention to the foreign language facility of employees in the intelligence community.

Of course, we would want the intelligence community to look at inter-

national and global issues that affect our national security. And who could oppose the attention to climate change?

There are a number of areas where we have had added or reduced resources. Overall, the agencies have ample support, the largest budget ever. By the way, I would say to my colleague from Kansas, there is no reduction in human intelligence collectors. This legislation adds resources for their training, it adds analytic capability, it adds technologies to help them do their job.

Let me close by thanking the chairman again for the admirable manner that he shows in running this committee. I support this legislation, and I urge my colleagues to do so.

Mr. HOEKSTRA. Madam Chairman, I yield 3 minutes to my colleague, the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Chairman, I thank the ranking member, and I thank the chairman for what we were able to accomplish during the markup. But I come to the House floor knowing that in fact in a few short minutes, an hour or so, our Members will vote not knowing what is in this bill. Oh, they will hear us talking in unclassified terms about the fact that HUMINT, contrary to the last speaker, is being cut in absolute dollars. The eyes and ears of human beings is being cut in this bill.

Certainly, with inflation, other things are going up. But as everyone knows that has read the Iraq Study Report or the 9/11 report, it is the absence of the human resources that we have been investing in that led to our vulnerability on 9/11. And I will say that if the people on the other side of the aisle want to say we are losing this war, then they have to be willing to make a much greater commitment in the diplomatic and especially in the human resources and the above-sky resources that allow us to know what our enemy is thinking and planning before he attacks.

This bill doesn't do it. This bill does, as many of the speakers have said, deal with "bugs and bunnies." Now, I happen to be an advocate for global warming research. I happen to believe that the Earth is warming, and I happen to believe that CO<sub>2</sub> is something we have to address. I serve on a committee that has overseen it, that has looked at it, that has costed it; and I will continue to do so.

But I am beyond words, furious, that with no new funding we are diverting resources from finding out what bad people want to do to us, to a vague, beyond vague, an open-ended statement of over the next 30 years what is global warming maybe going to do.

It is a worst case, all-possible-negatives study. It will cost ten or hundreds of millions of dollars to begin with. It will cause us to divert satellites to do the research. To be honest, the CIA doesn't just throw together a report, especially when it is this vague.

We urged in committee that in fact they put reasonable amendments to

this. We asked something simple: task them with the U.N.'s finding on global warming. Any committee, any group's finding. It is an open-ended go-study report. It is going to cost a lot of money, and it is going to cost American lives.

But last but not least, there are unconscionable earmarks in this bill which I three times participated and voted for going to closed session so the Members would understand that pork and "unfounded" earmarks are in this bill; that American lives will be lost because we divert needed moneys from the human resources we need to invest in to pork projects and special interests of Members of the majority.

Mr. REYES. Madam Chairman, so we move from a parallel universe to the Twilight Zone.

Madam Chairman, I would like to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a member of our committee.

Ms. SCHAKOWSKY. Madam Chairman, I rise today to address two matters in the intelligence authorization bill.

For too long, the intelligence community has been increasing its use of contractors without internal or congressional oversight. For the first time, the Director of National Intelligence has conducted a contractor survey to begin to get a handle on the situation. A simple survey, however, is not sufficient to understand how we are using contractors and whether the use of such contractors is appropriate.

This bill takes an important step towards understanding the use of contractors. It requires the DNI Inspector General to report on intelligence contractors committing waste, fraud or abuse. It also requires a report on contractor accountability and their effect on the workforce, all positive steps toward better oversight.

But there is one issue this bill does not address that I firmly believe raises a fundamental question as to who we are as a Nation. The President has acknowledged that the intelligence community kept prisoners in undisclosed detention sites and has reserved the right to do so in the future. We should reject this policy.

In Nazi Germany, millions of people were sent to camps, never to be heard from again. During the Cold War, thousands of people disappeared into gulags. Saddam Hussein's secret prisons still strike fear into the hearts of Iraqis. Each time, our Nation stood as a beacon of human rights and strongly objected to those practices. If we endorse any policy that allows undisclosed detention, we undermine our moral authority to stand against such atrocities in the future.

The United States should be beyond reproach in its treatment of detainees. In the first Gulf War, the International Committee of the Red Cross called U.S. compliance with the Geneva Conventions the best of any nation in any conflict in the history of the convention.

If we lower that standard for how we treat prisoners, we weaken our ability to insist on the highest standards of treatment for our own military personnel and civilians abroad, thus endangering their safety and undermining our standing in the world. More importantly, we sacrifice the principles on which this country is based.

I want to thank the chairman for considering all these important matters in the intelligence bill and for his leadership on this good bill.

Mr. HOEKSTRA. Madam Chairman, I yield 1 minute to my colleague and classmate from the State of Maryland, Mr. Roscoe Bartlett.

Mr. BARTLETT of Maryland. Madam Chairman, I hold here a major study done by the Center for Naval Analysis entitled "National Security and the Threat of Climate Change." Their Military Advisory Board contains five admirals and four generals, including Sullivan, Lopez and Zinni.

In their recommendations, "Recommendation No. 1," they say the national security consequences of climate change should be fully integrated with national security and national defense strategies. Two of the specifics of this have been included in the National Defense Authorization Act, including the National Security Strategy, the National Defense Strategy and the Quadrennial Defense Review, all of which, they say, should consider climate change. A specific related to the intelligence community should incorporate climate consequences into its National Intelligence Estimate.

A letter from the chairman of this board said that "we made that call because we are concerned that climate change may affect our military."

This conservative Republican proudly joined Mr. MARKEY in requesting that this become a part of the base bill; and thank you, Mr. Chairman, for making it so.

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

Mr. HOEKSTRA. Madam Chairman, I yield 1 minute to my colleague from the State of Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Madam Chairman, I just want to quickly respond to my colleague, who I have the greatest amount of respect for. Climate change is an important issue, and I think the point we are trying to make here is that there are 14 agencies, \$7 billion already being spent on it. The time to train an analyst and a case officer to their optimum performance level is between 5 and 7 years. Five and 7 years. That is an incredible investment. And I want them looking for Osama bin Laden, for the next nuclear program that we don't know about around the world. It takes a tremendous amount of effort to get them where they need to be. This is the wrong direction for it.

We have, I am going to read them again, the Army, Navy, Air Force, DARPA, NASA, EPA, NSF, Defense, Treasury, USAID, the Smithsonian,

Transportation, Interior, HHS, State, Energy, Commerce and Agriculture all looking at climate change. Don't waste these very precious resources.

Mr. REYES. Madam Chairman, it is my pleasure to yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), a member of our committee.

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

□ 2300

Mr. LANGEVIN. I thank the gentleman for yielding.

Madam Chair, I rise in strong support of the Intelligence Authorization Act for FY 2008. I particularly want to commend Chairman REYES for his outstanding leadership, vision and work on this bill and getting us to where we are today. Equally important, I want to recognize the staff for their hard work as well.

Madam Chair, I have always believed that good intelligence is the pointy tip of the spear. This bill provides intelligence support for troops in Iraq and Afghanistan and strengthens information-sharing among Federal, State and local agencies. Most importantly, it enhances the full range of intelligence collection capabilities, tactical and strategic, near term and long term.

The United States relies heavily on satellites to gather intelligence. Our intelligence agencies, working with industry, have developed extraordinary capabilities that build upon proven technologies. And to ensure that we maintain our technological edge, this bill refocuses the Intelligence Community on evolving satellite technology while ensuring that our industrial base also remains strong.

And because nothing beats having eyes on the ground, this bill strengthens human intelligence collection capabilities by adding funds to both CIA and military collectors to receive training and operational skills in critical foreign languages while providing advanced technological tools that support intelligence collection.

This measure further strengthens intelligence analysis by investing in the people of the Intelligence Community. By establishing challenging career paths for intelligence professionals at FBI and DHS, it rewards good work and encourages America's best and brightest to serve. Many of these Americans, because of their personal backgrounds, possess a wealth of expertise on foreign cultures, societies and languages. But for the Intelligence Community to harness their potential, its staff must reflect the myriad experiences, talents and perspectives of the American people.

This bill takes important steps to enhance diversity in the Intelligence Community. For example, it requires the DNI to implement a multi-level security clearance system to ensure that Americans who are ineligible for the highest clearances because they have

relatives overseas and cannot be investigated, for instance, can still offer expertise in their roles.

It is a good bill, and I urge its passage.

Mr. REYES. Madam Chairman, I yield 1½ minutes to a former ranking member of this committee, the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Madam Chair, I thank the gentleman for yielding and commend him for his leadership as chairman of the committee.

Madam Chair, I spoke earlier during the rule about the specifics in this bill, a bill I strongly support. But as the debate closes, I thought I might offer just two thoughts from my vantage point as someone who has served on this committee for so long and who passionately cares about the issues.

The first is I believe al Qaeda is here and waiting to attack us. I believe America is in danger, and if we don't get our intelligence right both internationally and domestically, we will be attacked. We will fail to prevent or disrupt the harm that is coming our way. That is why it is so critical that we pass the best bill that we can.

My second point is that I have never seen, and I have sat through these debates for many years, the kind of partisanship we are now seeing in debate on the intelligence authorization bill. It breaks my heart.

And if there is someone out there in an austere, unaccompanied post watching C-SPAN, if C-SPAN is available, and looking at this debate, that person must wonder: Why can't Congress come together and protect America at a time of urgent need? And I have to say, I am wondering, too. It is very disappointing to see the partisanship. It is very disappointing to hear that members I served with are going to oppose this bill. I hope they will reconsider. It is very important to reach consensus and pass the strongest bill possible.

Mr. HOEKSTRA. Madam Chair, I yield myself the balance of my time.

Madam Chair, I have a great deal of respect for my colleague, but I believe last year, and she can correct me if I'm wrong, but I believe she voted against the bill on the floor. And to characterize our disagreement with this bill as partisan, and to, I assume perhaps in another way, characterize her vote against our base bill last year as something else, her vote as something else, is disappointing.

We had a good partnership when I was chairman and you were ranking member. I am disappointed by that. I believe this is a well-founded difference of opinion on the content of this bill. There are clear differences in priorities. As the gentlelady said and others have said, we are a Nation that faces a great threat.

We saw earlier this week that threat may have evolved and found its way once again to our shores, in New Jersey. We believe we need to strengthen HUMINT and face the threats that are out there. We believe that we can't be

working in the politically correct environment.

The message that people are looking for in the field is, what direction is this new majority going to take our Intelligence Community? They are seeing cuts in key activities that support the war, the effort against the threat that we face from radical jihadists, and not applying the resources that we need against targets that we don't know enough about.

I think we would all agree on a bipartisan basis, we don't know enough about al Qaeda and how it works and where it is and what its resources are and what its plans and intentions are. We don't know enough about Iran, Syria, North Korea and the people that are proliferating and making this world a much more dangerous place.

We will see amendments later on from both sides of the aisle that acknowledge that we are not where we want to be with the reorganization of the Intelligence Community. We have lots of questions about where the DNI, the office of the DNI is headed and whether this structure is going to work the way that some of us worked in a very bipartisan way to reform it with a certain expectation and hope, and what we would get as a result of that: An enhanced Intelligence Community that would be quicker, more nimble and more effective than the threats that we face today. And we need to rebuild HUMINT.

And at the same time, we see in this bill a commitment that says we are going to task the Intelligence Community, and the question that has not been answered is what specific skills does the Intelligence Community add to the study of climate change when we are already spending \$7 billion projected for the next fiscal year on climate change? What secrets are we going to steal? What are we going to task our HUMINT folks for? What are we going to task our limited resources with spy satellites to do? To assess the political, social, agricultural and economic risk during the 30-year period beginning on date of enactment? And don't say it is not going to take resources. This is a massive undertaking.

It is not a throw-away. This is Congress coming and saying the most important national intelligence assessment that the community can complete next year, and you need to do it in 180 days; 180 days with no input from the community on whether they have the resources, the capabilities to carry out this task. We are saying that it needs to be done in 180 days. You need to do it on a global basis, and you need to do it over 30 years, and you need to cover all of these different areas. And by the way, we are not going to give you a benchmark from where to start.

Are you going to take the U.N.'s assessment of what may be happening with climate change? Are you going to take a university's assessment on climate change? Where do you start?

This is a massive undertaking. It will shift resources because when you tell

the Director of National Intelligence Congress wants this done, and Congress we know has been dissatisfied with the national intelligence estimates that we have been given on Iraq and Iran and on a number of other issues, they know they need to get this one right or it better be a very, very good piece of work. They will take this very, very seriously. They will divert resources to get this done, and they will divert resources from the things that we need them to be doing.

This bill sends the wrong message to our men and women in the field. I ask my colleagues to vote "no."

Mr. REYES. Madam Chairman, I yield myself the balance of my time.

Madam Chair, I am very proud of this bill, and I am proud of the work we all put into it. I realize there are some political differences. You have heard the minority go from characterizing bugs and bunnies. Well, I think bogeyman politics doesn't work with the American people. It doesn't work with the challenge that we are facing in Iraq, and it is not going to fly with what we are doing with this intelligence bill.

This bill does not make cuts. It adds funds to both CIA and military elements for human intelligence training. It adds funding for sending additional analysts overseas.

Yes, I agree with the former ranking member, we should be concerned about al Qaeda. The ranking member mentioned the potential attacks against Fort Dix last week. So this is serious business. We know it is.

This is an important piece of legislation that I hope everyone knows it is imperative that they support. The men and women of the Intelligence Community don't care about mischaracterizations. They don't care about talking about slam dunking and bugs and bunnies and all of these other rhetorical phrases that the minority likes to engage in. They care about support from Congress.

This bill gives the Intelligence Community the support that they need. All you have to do is travel around the world and listen to them. I am proud of this legislation.

By strengthening our Nation's Intelligence Community, we will be able to detect and disrupt the plans of those that are threatening our national security. I urge my colleagues to support this critical piece of legislation.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise in strong support of H.R. 2082, the Intelligence Authorization Act of 2007. H.R. 2082 authorizes the largest amount for intelligence ever considered in a single bill, which just goes to show you how important intelligence has become to our national security and how serious the new Democratic majority is about protecting the homeland and defending the nation.

H.R. 2082 promotes responsible budgeting and oversight by shifting resources from the supplemental to the base budget—allowing officers in the field to plan their operations properly, particularly in the counterterrorism arena, and allowing Congress to review funding requests.

The bill makes key investments to strengthen intelligence by adding funds to both CIA and military elements for Human Intelligence (HUMINT) training. We increase our investments in language training for collectors and analysts and in language translation capabilities. We also add funding for sending additional analysts overseas. The bill also strengthens counterintelligence field operations.

Madam Chairman, H.R. 2082 promotes efficiency and effectiveness of intelligence programs by streamlining acquisition, trimming the fat from ineffective programs, eliminating redundant activities, requiring greater strategic focus in some key areas.

Madam Chairman, this bill does not, as some claim, make deep cuts in any intelligence programs. In one area, related to supplemental funding for Iraq, the bill reflects bipartisan concerns about excessive spending on programs that lack a strategy or metrics for evaluating its effectiveness. These funds are shifted to enhance coverage of other global challenges, such as Iran, Russia, East Africa, and Asia.

The bill promotes accountability by requiring quarterly intelligence updates to Congress on nuclear programs of Iran and North Korea. And it requires the CIA Inspector General to conduct an audit of each covert action program not less than once every three years.

Finally, Madam Chairman, H.R. 2082 requires reports to Congress on the use of contractors in the Intelligence Community. It requires a strategy for implementing a multi-level security clearance system—to allow patriotic Americans to serve as translators or linguists in the intelligence community. I think it important also that H.R. 2082 promotes diversity in the intelligence community by requiring a strategic plan for implementing the recommendations of a key diversity panel.

Last, the H.R. 2082 follows the recommendations of several former military commanders in requesting that the National Intelligence Council produce a National Intelligence Estimate on national security impact of global climate change.

Madam Chairman, I strongly support H.R. 2082 and the rule.

Mr. LARSON of Connecticut. Madam Chairman, I rise in strong opposition to the amendment offered by Mr. HOEKSTRA that would strike language requesting an assessment of the national security challenges posed by global warming. As a member of the House Select Committee on Energy Independence and Global Warming and an original cosponsor to H.R. 1961, the Global Climate Change Security Oversight Act, I support the inclusion of this language in the Intelligence Authorization bill.

There are serious political, social, economic and national security risks associated with climate change. It is only appropriate that our nation have a National Intelligence Estimate assessing its global warming threat. The National Intelligence Council is already a producing a community assessment on this issue, this provision would simply require that assessment be elevated to a formal National Intelligence Estimate.

This type of review is supported by a group of 11 retired three-star and four-star generals and admirals, who on April 16, 2007, issued a report entitled, "National Security and the Threat of Climate Change." This report con-

cludes that global warming presents significant national security challenges the United States. The effects of climate change are projected to have grave consequences for some of the poorest areas of the world—already volatile areas, the instability of these regions would be multiplied. Projected climate change will seriously exacerbate already marginal living standards in many Asian, African, and Middle Eastern nations, causing widespread political instability and the likelihood of failed states. As retired U.S. General Gordon R. Sullivan described before the Select Global Warming Committee, the potential national security threat of global warming in certain regions of the world could potentially be a Petri dish for terrorist.

Climate change is yet another front in the war on terror and now is the time for the United States to fully understand the implications it has on our national security. I urge my colleagues to join me in opposing this amendment.

The CHAIRMAN. All time for general debate has expired.

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

The text of the amendment in the nature of a substitute is as follows:

H.R. 2082

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2008".

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—INTELLIGENCE ACTIVITIES**

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

Sec. 105. Incorporation of reporting requirements.

**TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM**

Sec. 201. Authorization of appropriations.

Sec. 202. Technical amendment to mandatory retirement provision.

**TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY PROVISIONS**

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

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Clarification of definition of intelligence community under the National Security Act of 1947.

Sec. 304. Extension to the intelligence community of authority to delete information about receipt and disposition of foreign gifts.

Sec. 305. Modification of requirements for reprogramming of funds for intelligence activities.

Sec. 306. Delegation of authority for travel on common carriers for intelligence collection personnel.

Sec. 307. Report on proposed pay for performance intelligence community personnel management system.

Sec. 308. Plan to increase diversity in the intelligence community.

**TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY**

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Clarification of limitation on co-location of the Office of the Director of National Intelligence.

Sec. 402. Membership of the Director of National Intelligence on the Transportation Security Oversight Board.

Sec. 403. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence.

Sec. 404. Leadership and location of certain offices and officials.

Sec. 405. Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.

Sec. 406. Multi-level security clearances.

Sec. 407. National intelligence estimate on global climate change.

Sec. 408. Plan to implement recommendations of the data center efficiency reports.

Sec. 409. Comprehensive inventory of special access programs.

Sec. 410. Quarterly intelligence reports to Congress on Iran and North Korea.

Sec. 411. Accountability in intelligence contracting.

Sec. 412. Annual report on foreign language proficiency in the intelligence community.

Sec. 413. Intelligence community reports on foreign language proficiency.

Subtitle B—Central Intelligence Agency

Sec. 421. Deputy Director of the Central Intelligence Agency.

Sec. 422. General authorities of the Central Intelligence Agency.

Sec. 423. Review of covert action programs by Inspector General of the Central Intelligence Agency.

Sec. 424. Report on audited financial statements progress.

Subtitle C—Other Elements

Sec. 431. Clarifying amendments relating to Section 105 of the Intelligence Authorization Act for Fiscal Year 2004.

Sec. 432. Repeal of certain authorities relating to the Office of the National Counterintelligence Executive.

Sec. 433. Clarification of inclusion of Coast Guard and Drug Enforcement Administration elements in the intelligence community.

**TITLE V—OTHER MATTERS**

Subtitle A—General Intelligence Matters

Sec. 501. Aerial reconnaissance platforms.

Sec. 502. Extension of National Commission for Review of Research and Development Programs of the United States Intelligence Community.

Subtitle B—Technical Amendments

Sec. 511. Technical amendments relating to the multiyear National Intelligence Program.

Sec. 512. Technical clarification of certain references to Joint Military Intelligence Program and Tactical Intelligence and Related Activities.

Sec. 513. Technical amendments to the National Security Act of 1947.

Sec. 514. Technical amendments to the Intelligence Reform and Terrorism Prevention Act of 2004.

Sec. 515. Technical amendments to the Executive Schedule.

Sec. 516. Technical amendments relating to titles of Central Intelligence Agency positions.

Sec. 517. Technical amendments relating to redesignation of the National Imagery and Mapping Agency as the National Geospatial-Intelligence Agency.

## SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” means—

(A) the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Select Committee on Intelligence of the Senate.

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

## TITLE I—INTELLIGENCE ACTIVITIES

### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2008 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Office of the Director of National Intelligence.
- (2) The Central Intelligence Agency.
- (3) The Department of Defense.
- (4) The Defense Intelligence Agency.
- (5) The National Security Agency.
- (6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (7) The Coast Guard.
- (8) The Department of State.
- (9) The Department of the Treasury.
- (10) The Department of Energy.
- (11) The Department of Justice.
- (12) The Federal Bureau of Investigation.
- (13) The Drug Enforcement Administration.
- (14) The National Reconnaissance Office.
- (15) The National Geospatial-Intelligence Agency.
- (16) The Department of Homeland Security.

### SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2008, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 2082 of the One Hundred Tenth Congress.

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

### SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2008 under section 102 when the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall

promptly notify the congressional intelligence committees whenever the Director exercises the authority granted by this section.

### SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2008 the sum of \$737,876,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2009.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 1035 full-time personnel as of September 30, 2008. Personnel serving in such elements may be permanent employees of the Intelligence Community Management Account or personnel detailed from other elements of the United States Government.

#### (c) CLASSIFIED AUTHORIZATIONS.

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are also authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2008 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2009.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2008, there are also authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2008 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Intelligence Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a non-reimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of National Intelligence.

#### (e) NATIONAL DRUG INTELLIGENCE CENTER.

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), \$39,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, testing, and evaluation purposes shall remain available until September 30, 2009, and funds provided for procurement purposes shall remain available until September 30, 2010.

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

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used for purposes of exercising police, subpoena, or law enforcement powers or internal security functions.

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

### SEC. 105. INCORPORATION OF REPORTING REQUIREMENTS.

Each requirement to submit a report to the congressional intelligence committees that is in-

cluded in the joint explanatory statement to accompany the conference report on the bill H.R. 2082 of the One Hundred Tenth Congress, or in the classified annex to this Act, is hereby incorporated into this Act, and is hereby made a requirement in law.

## TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

### SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2008 the sum of \$262,500,000.

### SEC. 202. TECHNICAL AMENDMENT TO MANDATORY RETIREMENT PROVISION.

Section 235(b)(1)(A) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2055(b)(1)(A)) is amended to read as follows:

“(A) upon reaching age 65, in the case of a participant in the system serving in a position with a Senior Intelligence Service rank of level 4 or above;”.

## TITLE III—INTELLIGENCE AND GENERAL INTELLIGENCE COMMUNITY PROVISIONS

### SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

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

### SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

### SEC. 303. CLARIFICATION OF DEFINITION OF INTELLIGENCE COMMUNITY UNDER THE NATIONAL SECURITY ACT OF 1947.

Subparagraph (L) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) is amended by striking “other” the second place it appears.

### SEC. 304. EXTENSION TO THE INTELLIGENCE COMMUNITY OF AUTHORITY TO DELETE INFORMATION ABOUT RECEIPT AND DISPOSITION OF FOREIGN GIFTS.

Section 7342(f)(4) of title 5, United States Code, is amended to read as follows:

“(4) In transmitting such listings for an element of the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))), the head of such element of the intelligence community may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the head of such element of the intelligence community certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.”.

### SEC. 305. MODIFICATION OF REQUIREMENTS FOR REPROGRAMMING OF FUNDS FOR INTELLIGENCE ACTIVITIES.

Section 504(a)(3)(B) of the National Security Act of 1947 (50 U.S.C. 414(a)(3)(B)) is amended to read as follows:

“(B) the activity to be funded supports an emergent need, improves program effectiveness, or increases efficiency; and”.

### SEC. 306. DELEGATION OF AUTHORITY FOR TRAVEL ON COMMON CARRIERS FOR INTELLIGENCE COLLECTION PERSONNEL.

(a) DELEGATION OF AUTHORITY.—Section 116(b) of the National Security Act of 1947 (50 U.S.C. 404k(b)) is amended—

(1) by inserting “(1)” before “The Director”; and

(2) in paragraph (1), by striking “may only delegate” and all that follows and inserting

“may delegate the authority in subsection (a) to the head of any other element of the intelligence community.”; and

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

“(2) The head of an element of the intelligence community to whom the authority in subsection (a) is delegated pursuant to paragraph (1) may further delegate such authority to such senior officials of such element as are specified in guidelines prescribed by the Director of National Intelligence for purposes of this paragraph.”.

(b) SUBMISSION OF GUIDELINES TO CONGRESS.—Not later than six months after the date of the enactment of this Act, the Director of National Intelligence shall prescribe and submit to the congressional intelligence committees the guidelines referred to in paragraph (2) of section 116(b) of the National Security Act of 1947, as added by subsection (a).

**SEC. 307. REPORT ON PROPOSED PAY FOR PERFORMANCE INTELLIGENCE COMMUNITY PERSONNEL MANAGEMENT SYSTEM.**

(a) PROHIBITION ON PAY FOR PERFORMANCE UNTIL REPORT.—The Director of National Intelligence and the head of each element of the intelligence community may not implement a plan that provides compensation to personnel of an element of the intelligence community based on performance until the date that is 45 days after the date on which the Director of National Intelligence submits a report under subsection (b).

(b) REPORT.—The Director of National Intelligence shall submit to the congressional intelligence committees a report on performance-based compensation for the intelligence community, including—

(1) an implementation time line, by phase and by element of the intelligence community, which includes target dates for completion of—

(A) the development of performance appraisal plans;

(B) establishment of oversight and appeal mechanisms;

(C) deployment of information technology systems;

(D) management training;

(E) employee training;

(F) compensation transition; and

(G) full operational capacity;

(2) an estimated budget, by phase of implementation and element of the intelligence community, for the implementation of the performance-based compensation system;

(3) an evaluation plan to monitor the implementation of the performance-based compensation system and to improve and modify such system;

(4) written standards for measuring the performance of employees;

(5) a description of the performance-based compensation system, including budget oversight mechanisms to ensure sufficient funds to pay employees for bonuses;

(6) a description of internal and external accountability mechanisms to ensure the fair treatment of employees;

(7) a plan for initial and ongoing training for senior executives, managers, and employees;

(8) a description of the role of any advisory committee or other mechanism designed to gather the input of employees relating to the creation and implementation of the system; and

(9) an assessment of the impact of the performance-based compensation system on women, minorities, persons with disabilities, and veterans.

**SEC. 308. PLAN TO INCREASE DIVERSITY IN THE INTELLIGENCE COMMUNITY.**

(a) STRATEGIC PLAN REQUIRED.—The Director of National Intelligence shall submit to the congressional intelligence committees a plan to increase diversity across the intelligence community. Such plan shall include—

(1) a description of the long term and short term goals for the intelligence community;

(2) a description of how the plan will be implemented by each element of the intelligence com-

munity, taking into account the unique nature of individual elements of the intelligence community;

(3) training and education programs for senior officials and managers; and

(4) performance metrics.

(b) RESTRICTION ON COMMUNITY MANAGEMENT FUNDS UNTIL SUBMISSION OF PLAN.—The Director of National Intelligence may only obligate or expend 80 percent of the funds appropriated to the Intelligence Community Management Account pursuant to section 104(a) until the date on which the report required under subsection (a) is submitted.

**TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY**

**Subtitle A—Office of the Director of National Intelligence**

**SEC. 401. CLARIFICATION OF LIMITATION ON CO-LOCATION OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**

Section 103(e) of the National Security Act of 1947 (50 U.S.C. 403-3(e)) is amended—

(1) in the heading, by striking “WITH” and inserting “OF HEADQUARTERS WITH HEADQUARTERS OF”;

(2) by inserting “the headquarters of” before “the Office”; and

(3) by inserting “the headquarters of” before “any other element”.

**SEC. 402. MEMBERSHIP OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.**

Subparagraph (F) of section 115(b)(1) of title 49, United States Code, is amended to read as follows:

“(F) The Director of National Intelligence, or the Director’s designee.”.

**SEC. 403. ADDITIONAL DUTIES OF THE DIRECTOR OF SCIENCE AND TECHNOLOGY OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**

(a) COORDINATION AND PRIORITIZATION OF RESEARCH CONDUCTED BY ELEMENTS OF INTELLIGENCE COMMUNITY.—Subsection (d) of section 103E of the National Security Act of 1947 (50 U.S.C. 403-3e) is amended—

(1) in paragraph (3)(A), by inserting “and prioritize” after “coordinate”; and

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

“(4) In carrying out paragraph (3)(A), the Committee shall identify basic, advanced, and applied research programs to be executed by elements of the intelligence community.”.

(b) DEVELOPMENT OF TECHNOLOGY GOALS.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking “and” at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

“(5) assist the Director in establishing goals for the elements of the intelligence community to meet the technology needs of the intelligence community; and”; and

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

“(e) GOALS FOR TECHNOLOGY NEEDS OF INTELLIGENCE COMMUNITY.—In carrying out subsection (c)(5), the Director of Science and Technology shall—

(1) systematically identify and assess the most significant intelligence challenges that require technical solutions;

(2) examine options to enhance the responsiveness of research programs; and

(3) ensure that programs are designed to meet the technical requirements of the intelligence community.”.

(c) REPORT.—(1) Not later than June 30, 2008, the Director of National Intelligence shall sub-

mit to Congress a report containing a strategy for the development and use of technology in the intelligence community through 2018.

(2) The report shall include—

(A) an assessment of the highest priority intelligence gaps across the intelligence community that may be resolved by the use of technology;

(B) goals for basic, advanced, and applied research and development and a strategy to achieve such goals;

(C) an explanation of how each advanced research and development project funded under the National Intelligence Program addresses an identified intelligence gap;

(D) a list of all current and projected research and development projects by research type (basic, advanced, or applied) with estimated funding levels, estimated initiation dates, and estimated completion dates; and

(E) a plan to transition technology from research and development projects into National Intelligence Program acquisition programs.

(3) The report may be submitted in classified form.

**SEC. 404. LEADERSHIP AND LOCATION OF CERTAIN OFFICES AND OFFICIALS.**

(a) NATIONAL COUNTER PROLIFERATION CENTER.—Section 119A(a) of the National Security Act of 1947 (50 U.S.C. 4040-1(a)) is amended—

(1) by striking “ESTABLISHMENT.—Not later than 18 months after the date of the enactment of the National Security Intelligence Reform Act of 2004, the” and inserting “(1) ESTABLISHMENT.—The”; and

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

“(2) DIRECTOR.—The head of the National Counter Proliferation Center shall be the Director of the National Counter Proliferation Center, who shall be appointed by the Director of National Intelligence.

“(3) LOCATION.—The National Counter Proliferation Center shall be located within the Office of the Director of National Intelligence.”.

(b) OFFICERS.—Section 103(c) of that Act (50 U.S.C. 403-3(c)) is amended—

(1) by redesignating paragraph (9) as paragraph (13); and

(2) by inserting after paragraph (8) the following new paragraphs:

“(9) The Chief Information Officer of the intelligence community.

“(10) The Inspector General of the intelligence community.

“(11) The Director of the National Counterterrorism Center.

“(12) The Director of the National Counter Proliferation Center.”.

**SEC. 405. ELIGIBILITY FOR INCENTIVE AWARDS OF PERSONNEL ASSIGNED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**

(a) IN GENERAL.—Subsection (a) of section 402 of the Intelligence Authorization Act for Fiscal Year 1984 (50 U.S.C. 403e-1) is amended to read as follows:

“(a) AUTHORITY FOR PAYMENT OF AWARDS.—

(1) The Director of National Intelligence may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Office of the Director of National Intelligence in the same manner as such authority may be exercised with respect to personnel of the Office.

(2) The Director of the Central Intelligence Agency may exercise the authority granted in section 4503 of title 5, United States Code, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency in the same manner as such authority may be exercised with respect to personnel of the Agency.”.

(b) REPEAL OF OBSOLETE AUTHORITY.—Such section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b), by striking “to the Central Intelligence Agency or to the Intelligence Community Staff” and inserting “to the Office of the Director of National Intelligence or to the Central Intelligence Agency”; and

(2) in subsection (c), as redesignated by subsection (b)(2) of this section, by striking “Director of Central Intelligence” and inserting “Director of National Intelligence or Director of the Central Intelligence Agency”.

(d) TECHNICAL AND STYLISTIC AMENDMENTS.—That section is further amended—

(1) in subsection (b)—

(A) by inserting “PERSONNEL ELIGIBLE FOR AWARDS.” after “(b)”; and

(B) by striking “subsection (a) of this section” and inserting “subsection (a)”; and

(C) by striking “a date five years before the date of enactment of this section” and inserting “December 9, 1978”; and

(2) in subsection (c), as so redesignated, by inserting “PAYMENT AND ACCEPTANCE OF AWARDS.” after “(c)”.

#### SEC. 406. MULTI-LEVEL SECURITY CLEARANCES.

(a) IN GENERAL.—Section 102A of the National Security Act of 1947 (50 U.S.C. 403-1) is amended by adding at the end the following new subsection:

“(s) MULTI-LEVEL SECURITY CLEARANCES.—The Director of National Intelligence shall establish a multi-level security clearance system for the intelligence community to more efficiently make use of persons proficient in foreign languages or with cultural, linguistic, or other subject matter expertise that is critical to national security.”.

(b) ESTABLISHMENT DATE.—The Director of National Intelligence shall establish a multi-level security clearance system under section 102A(s) of the National Security Act of 1947, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

#### SEC. 407. NATIONAL INTELLIGENCE ESTIMATE ON GLOBAL CLIMATE CHANGE.

(a) NATIONAL INTELLIGENCE ESTIMATE.—Not later than 270 days after the date of enactment of this Act, the Director of National Intelligence shall submit to Congress a national intelligence estimate on the anticipated geopolitical effects of global climate change and the implications of such effects on the national security of the United States.

(b) CONTENT.—In preparing the national intelligence estimate required by this section, the Director of National Intelligence shall—

(1) assess the political, social, agricultural, and economic risks during the 30-year period beginning on the date of enactment of this Act posed by global climate change for countries or regions that are—

(A) of strategic national security importance to the United States and at risk of significant impact due to global climate change; or

(B) at significant risk of large-scale humanitarian suffering with cross-border implications as predicted on the basis of the assessments;

(2) assess the capabilities of the countries or regions described in subparagraph (A) or (B) of paragraph (1) to respond to adverse national security impacts caused by global climate change;

(3) assess the strategic challenges and opportunities posed to the United States by the risks described in paragraph (1); and

(4) assess the impact of global climate change on the activities of the United States intelligence community throughout the world.

(c) COORDINATION.—In preparing the national intelligence estimate under this section, the Director of National Intelligence shall consult with representatives of the scientific community, and, as appropriate, multilateral institutions and allies of the United States that have conducted significant research on global climate change.

(d) FORM.—The national intelligence estimate required by this section (including key judg-

ments) shall be submitted in unclassified form, but may include a classified annex.

#### SEC. 408. PLAN TO IMPLEMENT RECOMMENDATIONS OF THE DATA CENTER EFFICIENCY REPORTS.

(a) PLAN.—The Director of National Intelligence shall develop a plan to implement the recommendations of the report submitted to Congress under section 1 of the Act entitled “An Act to study and promote the use of energy efficient computer servers in the United States” (Public Law 109-431; 120 Stat. 2920) across the intelligence community.

(b) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2008, the Director of National Intelligence shall submit to Congress a report containing the plan developed under subsection (a).

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

#### SEC. 409. COMPREHENSIVE INVENTORY OF SPECIAL ACCESS PROGRAMS.

Not later than January 15, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report providing a comprehensive inventory of all special access programs under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 401a(6))).

#### SEC. 410. QUARTERLY INTELLIGENCE REPORTS TO CONGRESS ON IRAN AND NORTH KOREA.

(a) IN GENERAL.—

(1) REPORT.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by adding at the end the following new section:

##### “QUARTERLY INTELLIGENCE REPORTS TO CONGRESS ON IRAN AND NORTH KOREA

“SEC. 508. (a) REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the current intentions and capabilities of the Islamic Republic of Iran and Democratic People’s Republic of Korea (North Korea) with regard to the nuclear programs of Iran and North Korea, respectively, including—

“(A) an assessment of nuclear weapons programs;

“(B) an evaluation, consistent with existing reporting standards and practices, of the sources upon which the intelligence is based, including the number of sources and the reliability of each source;

“(C) a summary of any new intelligence gathered or developed since the previous report, including intelligence collected from both open and clandestine sources; and

“(D) a discussion of any dissents, caveats, gaps in knowledge, or other information that would reduce confidence in the overall assessment.

(2) FORM.—Each report submitted under paragraph (1) may be submitted in classified form.

(b) ACCESS TO REPORT.—Each report submitted under subsection (a)(1) shall be made available to all members of the congressional intelligence committees and to all staff of the congressional intelligence committees with appropriate security clearance. Other members of the Senate or the House of Representatives may review the reports in accordance with security procedures established by each of the congressional intelligence committees.”.

(2) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is amended by inserting after the item relating to section 507 the following new item:

“Sec. 508. Quarterly intelligence reports to Congress on Iran and North Korea.”.

(b) EFFECTIVE DATE.—The first report required to be submitted under section 508(a)(1) of the National Security Act of 1947, as added by subsection (a)(1), shall be submitted not later

than 30 days after the date of the enactment of this Act.

#### SEC. 411. ACCOUNTABILITY IN INTELLIGENCE CONTRACTING.

(a) OVERSIGHT REPORT ON IC CONTRACTORS.—

(1) REPORT.—

(A) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is further amended by adding at the end the following new section:

##### “REPORT ON INTELLIGENCE COMMUNITY CONTRACTORS

“SEC. 509. Not later each year than the date provided in section 507, the Director of National Intelligence shall submit to the congressional intelligence committees a report on contractors funded under the National Intelligence Program. Such report shall include—

“(1) a list of all contractors that—

“(A) have been the subject of an investigation completed by the Inspector General of any element of the intelligence community during the preceding fiscal year,

“(B) are the subject of an investigation by such an Inspector General during the current fiscal year, or

“(C) will be the subject of an investigation that may affect the ability of the contractor to deliver contracted services to the intelligence community by such an Inspector General during the current fiscal year,

either as a corporate entity or an individual employee, for financial waste, fraud, abuse of government resources, failure to perform a contract, or criminal violations; and

“(2) the number of contractors performing services for each element of the intelligence community.”.

(B) REPORT DATE.—Section 507(a)(1) of such Act (50 U.S.C. 415b(a)(1)) is amended by—

(i) redesignating subparagraph (N) as subparagraph (J);

(ii) adding at the end the following new subparagraph:

“(K) The annual report on intelligence community contractors required by section 509.”.

(2) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is further amended by inserting after the item relating to section 508, as added by section 410, the following new item:

“Sec. 509. Report on intelligence community contractors.”.

#### (b) REPORT ON REGULATIONS AND ACCOUNTABILITY MECHANISMS GOVERNING INTELLIGENCE COMMUNITY CONTRACTORS.

(1) REPORT REQUIREMENT.—Not later than February 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a report on accountability mechanisms that govern the ongoing performance of contractors for personal services contracts under the National Intelligence Program.

(2) MATTERS COVERED.—The report submitted under paragraph (1) shall include—

(A) a list of statutes and regulations that govern the ongoing performance of contractors for services contracts entered into by each element of the intelligence community;

(B) an analysis of accountability mechanisms within services contracts awarded for intelligence activities by each element of the intelligence community during fiscal years 2006 and 2007;

(C) an analysis of procedures in use in the intelligence community for conducting oversight of contractors to ensure identification and prosecution of criminal violations, financial waste, fraud, or other abuses committed by contractors or contract personnel; and

(D) an identification of best practices of accountability mechanisms within services contracts.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(c) IMPACT OF CONTRACTORS ON THE INTELLIGENCE COMMUNITY WORKFORCE.—

(1) REPORT REQUIREMENT.—Not later than March 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the impact of contractors on the intelligence community workforce under the National Intelligence Program.

(2) MATTERS COVERED.—The report submitted under paragraph (1) shall include—

(A) an identification of contracts where the contractor is providing a substantially similar functions to a government employee;

(B) a comparison of the compensation of contract employees and government employees performing substantially similar functions;

(C) an analysis of the attrition of government personnel for contractor positions that provide substantially similar functions; and

(D) an estimate of the value of the infrastructure provided to contract employees for government furnished equipment, facilities, or other support, by agency and expenditure center.

**SEC. 412. ANNUAL REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE INTELLIGENCE COMMUNITY.**

(a) REPORT.—

(1) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is further amended by adding at the end the following new section:

“REPORT ON FOREIGN LANGUAGE PROFICIENCY IN THE INTELLIGENCE COMMUNITY

“SEC. 510. Not later each year than the date provided in section 507, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the foreign language proficiency of each element of the intelligence community, including—

“(1) the number of positions authorized for such element that require foreign language proficiency and the level of proficiency required;

“(2) the number of positions authorized for such element that require foreign language proficiency that are filled by—

“(A) military personnel; and

“(B) civilian personnel;

“(3) the number of applicants for positions in such element in the previous fiscal year that indicated foreign language proficiency, including the foreign language indicated and the proficiency level;

“(4) the number of persons hired by such element with foreign language proficiency, including the foreign language and proficiency level;

“(5) the number of personnel of such element currently attending foreign language training, including the provider of such training;

“(6) a description of such element’s efforts to recruit, hire, train, and retain personnel that are proficient in a foreign language; and

“(7) an assessment of methods and models for basic, advanced, and intensive foreign language training.”.

(2) REPORT DATE.—Section 507(a)(1) of such Act (50 U.S.C. 415b(a)(1)) is further amended by adding at the end the following new subparagraph:

“(L) The annual report on foreign language proficiency in the intelligence community required by section 510.”.

(b) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is further amended by inserting after the item relating to section 509, as added by section 411, the following new item:

“Sec. 510. Report on foreign language proficiency in the intelligence community.”.

**SEC. 413. INTELLIGENCE COMMUNITY REPORTS ON FOREIGN LANGUAGE PROFICIENCY.**

(a) ANNUAL REPORTS.—

(1) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following new section:

“ANNUAL REPORTS ON FOREIGN LANGUAGE PROFICIENCY

“SEC. 120. (a) IN GENERAL.—The head of each element of the intelligence community shall an-

nually submit to the Director of National Intelligence a report on the foreign language proficiency of the personnel of such element.

“(b) CONTENTS.—

(1) IN GENERAL.—Each report submitted under subsection (a) shall include, for each foreign language and, where appropriate, dialect of a foreign language—

(A) the number of positions of such element that require proficiency in the foreign language or dialect;

(B) the number of personnel of such element that are serving in a position that—

(i) requires proficiency in the foreign language or dialect to perform the primary duty of the position; and

(ii) does not require proficiency in the foreign language or dialect to perform the primary duty of the position;

(C) the number of personnel that are proficient in the foreign language or dialect that—

(i) are authorized for the element of the intelligence community for which the report is submitted; and

(ii) the head of such element considers necessary for such element for each of the five years following the date of the submission of the report;

(D) the number of personnel of such element rated at each level of proficiency of the Interagency Language Roundtable;

(E) whether the number of personnel at each level of proficiency of the Interagency Language Roundtable meets the requirements of such element;

(F) the number of personnel serving or hired to serve as linguists for such element that are not qualified as linguists under the standards of the Interagency Language Roundtable;

(G) the number of personnel hired to serve as linguists for such element during the preceding calendar year;

(H) the number of personnel serving as linguists that discontinued serving such element during the preceding calendar year;

(I) the percentage of work requiring linguistic skills that is fulfilled by an ally of the United States;

(J) the percentage of work requiring linguistic skills that is fulfilled by contractors; and

(K) the percentage of work requiring linguistic skills that is fulfilled by members of the Armed Forces.

(2) MILITARY PERSONNEL.—Except as provided in paragraph (1)(K), a report submitted under subsection (a) shall not include personnel that are members of the Armed Forces on active duty assigned to the element for which the report is submitted.

(c) DNI REPORT TO CONGRESS.—The Director of National Intelligence shall annually submit to the Permanent Select Committee on Intelligence and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Subcommittee on Defense of the Committee on Appropriations of the Senate a report containing—

(1) each report submitted to the Director of National Intelligence for a year under subsection (a);

(2) an assessment of the foreign language capacity and capabilities of the intelligence community as a whole; and

(3) recommendations for eliminating required reports relating to foreign-language proficiency that the Director of National Intelligence considers outdated or no longer relevant.”.

(2) TABLE OF CONTENTS.—Such Act is further amended in the table of contents in the first section by inserting after the item relating to section 119B the following new item:

“Sec. 120. Annual reports on foreign language proficiency.”.

(b) EFFECTIVE DATE.—

(1) REPORT BY HEADS OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The first report re-

quired to be submitted by the head of each element of the intelligence community under section 120(a) of the National Security Act of 1947, as added by subsection (a)(1), shall be submitted not later than 180 days after the date of the enactment of this Act.

(2) REPORT BY DNI.—The first report required to be submitted by the Director of National Intelligence under section 120(c) of the National Security Act of 1947, as added by subsection (a)(1), shall be submitted not later than 240 days after the date of the enactment of this Act.

**Subtitle B—Central Intelligence Agency**

**SEC. 421. DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.**

(a) ESTABLISHMENT AND DUTIES OF THE POSITION OF DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE AGENCY.—(1) Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by inserting after section 104A the following new section:

“DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

“SEC. 104B. (a) DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—There is a Deputy Director of the Central Intelligence Agency who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) DUTIES.—The Deputy Director of the Central Intelligence Agency shall—

“(I) assist the Director of the Central Intelligence Agency in carrying out the duties and responsibilities of the Director; and

“(2) act for, and exercise the powers of, the Director of the Central Intelligence Agency during the absence or disability of the Director of the Central Intelligence Agency, or during a vacancy in the position of Director of the Central Intelligence Agency.”.

(2) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is amended by inserting after the item relating to section 104A the following new item:

“Sec. 104B. Deputy Director of the Central Intelligence Agency.”.

(b) EXECUTIVE SCHEDULE LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Directors of Central Intelligence and inserting the following new item:

“Deputy Director of the Central Intelligence Agency.”.

**SEC. 422. GENERAL AUTHORITIES OF THE CENTRAL INTELLIGENCE AGENCY.**

Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking “any of the functions or activities authorized under paragraphs (2) and (3) of section 102(a), subsections (c)(7) and (d) of section 103, subsections (a) and (g) of section 104, and section 303 of the National Security Act of 1947 (50 U.S.C. 403(a)(2), (3), 403-3(c)(7), (d), 403-4(a), (g), and 405,” and inserting “any functions or activities authorized by law to be conducted by the Central Intelligence Agency”.

**SEC. 423. REVIEW OF COVERT ACTION PROGRAMS BY INSPECTOR GENERAL OF THE CIA.**

(a) IN GENERAL.—Section 503 of the National Security Act of 1947 (50 U.S.C. 413b) is amended by—

(1) redesignating subsection (e) as subsection (g) and transferring such subsection to the end; and

(2) inserting after subsection (d) the following new subsection:

“(e) INSPECTOR GENERAL AUDITS OF COVERT ACTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Central Intelligence Agency shall conduct an audit of each covert action at least every three years.

(2) TERMINATED, SUSPENDED PROGRAMS.—The Inspector General of the Central Intelligence Agency is not required to conduct an audit under paragraph (1) of a covert action

that has been terminated or suspended if such covert action was terminated or suspend prior to the last audit of such covert action conducted by the Inspector General and has not been re-started after the date on which such audit was completed.

(3) REPORT.—Not later than 60 days after the completion of an audit conducted pursuant to paragraph (1), the Inspector General of the Central Intelligence Agency shall submit to the congressional intelligence committees a report containing the results of such audit.”.

(b) CONFORMING AMENDMENTS.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended—

(1) in section 501(f) (50 U.S.C. 413(f)), by striking “503(e)” and inserting “503(g)”; and

(2) in section 502(a)(1) (50 U.S.C. 413b(a)(1)), by striking “503(e)” and inserting “503(g)”; and

(3) in section 504(c) (50 U.S.C. 414(c)), by striking “503(e)” and inserting “503(g)”.  
SEC. 424. REPORT ON AUDITED FINANCIAL STATEMENTS PROGRESS.

Section 114A of the National Security Act of 1947 (50 U.S.C. 404i-1) is amended by striking “the Director of the Central Intelligence Agency.”.

### Subtitle C—Other Elements

#### SEC. 431. CLARIFYING AMENDMENTS RELATING TO SECTION 105 OF THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Section 105(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108-177; 117 Stat. 2603; 31 U.S.C. 311 note) is amended—

(1) by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

(2) by inserting “or in section 313 of such title,” after “subsection (a)”,.

#### SEC. 432. REPEAL OF CERTAIN AUTHORITIES RELATING TO THE OFFICE OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) REPEAL OF CERTAIN AUTHORITIES.—Section 904 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107-306; 50 U.S.C. 402c) is amended—

(1) by striking subsections (d), (h), (i), and (j); (2) in subsection (g), by striking paragraphs (3) and (4); and

(3) by redesignating subsections (e), (f), (g), (k), (l), and (m) as subsections (d), (e), (f), (g), (h), and (i), respectively.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking “subsection (f)” each place it appears in paragraphs (1) and (2) and inserting “subsection (e)”; and

(2) in subsection (e)(2), as so redesignated, by striking “subsection (e)(2)” and inserting “subsection (d)(2)”.  
SEC. 433. CLARIFICATION OF INCLUSION OF COAST GUARD AND DRUG ENFORCEMENT ADMINISTRATION ELEMENTS IN THE INTELLIGENCE COMMUNITY.

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

(1) in subparagraph (H)—

(A) by inserting “the Coast Guard,” after “the Marine Corps,”; and

(B) by inserting “the Drug Enforcement Administration,” after “the Federal Bureau of Investigation,”; and

(2) in subparagraph (K), by striking “, including the Office of Intelligence of the Coast Guard”.

### TITLE V—OTHER MATTERS

#### Subtitle A—General Intelligence Matters

##### SEC. 501. AERIAL RECONNAISSANCE PLATFORMS.

(a) LIMITATION ON TERMINATION OF U-2 AIRCRAFT PROGRAM.—The Secretary of Defense may not begin the process to terminate the U-2 aircraft program until the Secretary certifies in accordance with subsection (b) that there would

be no loss of national or Department of Defense intelligence, surveillance, and reconnaissance (ISR) capabilities in transitioning from the U-2 aircraft program to the Global Hawk RQ-4 unmanned aerial vehicle platform.

##### (b) REPORT AND CERTIFICATION.—

(1) STUDY.—The Secretary of Defense shall conduct a study of aerial reconnaissance platforms to determine whether the Global Hawk RQ-4 unmanned aerial vehicle has reached mission capability and has attained collection capabilities on a par with the collection capabilities of the U-2 Block 20 aircraft program as of April 1, 2006.

(2) REPORT.—The Secretary shall submit to the congressional committees specified in subsection (c) a report containing the results of the study. The Secretary shall include in the report the Secretary’s determination as to whether the Global Hawk RQ-4 unmanned aerial vehicle—

(A) has reached mission capability; and

(B) has attained collection capabilities on a par with the collection capabilities of the U-2 Block 20 aircraft program as of April 1, 2006.

(3) CERTIFICATION.—The Secretary shall include with the report the Secretary’s certification, based on the results of the study, as to whether or not there would be a loss of national or Department of Defense intelligence, surveillance, and reconnaissance capabilities with a transition from the U-2 aircraft program to the Global Hawk RQ-4 unmanned aerial vehicle platform.

(c) SPECIFIED COMMITTEES.—The congressional committees specified in this subsection are the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

##### SEC. 502. EXTENSION OF NATIONAL COMMISSION FOR REVIEW OF RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY.

###### (a) EXTENSION.—

(1) IN GENERAL.—Section 1007(a) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 50 U.S.C. 401 note) is amended by striking “September 1, 2004” and inserting “September 1, 2008”.

(2) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall take effect as if included in the enactment of section 1007 of the Intelligence Authorization Act for Fiscal Year 2003.

###### (b) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by this Act for the Intelligence Community Management Account, the Director of National Intelligence shall make \$2,000,000 available to the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community (in this subsection referred to as the “Commission”) established under section 1002(a) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 116 Stat. 2438; 50 U.S.C. 401 note) to carry out title X of such Act.

(2) AVAILABILITY.—Amounts made available to the Commission under paragraph (1) shall remain available until expended.

#### Subtitle B—Technical Amendments

##### SEC. 511. TECHNICAL AMENDMENTS RELATING TO THE MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 404b) is amended—

(1) in the subsection heading, by striking “FOREIGN”; and

(2) by striking “foreign” each place it appears.

(b) RESPONSIBILITY OF DNI.—That section is further amended—

(1) in subsections (a) and (c), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

(2) in subsection (b), by inserting “of National Intelligence” after “Director”.

(c) CONFORMING AMENDMENT.—The heading of that section is amended to read as follows:

##### “SEC. 1403. MULTIYEAR NATIONAL INTELLIGENCE PROGRAM.”

##### SEC. 512. TECHNICAL CLARIFICATION OF CERTAIN REFERENCES TO JOINT MILITARY INTELLIGENCE PROGRAM AND TACTICAL INTELLIGENCE AND RELATED ACTIVITIES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403-1) is amended—

(1) in subsection (c)(3)(A), by striking “annual budgets for the Joint Military Intelligence Program and for Tactical Intelligence and Related Activities” and inserting “annual budget for the Military Intelligence Program or any successor program or programs”; and

(2) in subsection (d)(1)(B), by striking “Joint Military Intelligence Program” and inserting “Military Intelligence Program or any successor program or programs”.

##### SEC. 513. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended—

(1) in section 102A (50 U.S.C. 403-1)—

(A) in subsection (c)(7)(A), by striking “section” and inserting “subsection”;

(B) in subsection (d)—

(i) in paragraph (3), by striking “subparagraph (A)” in the matter preceding subparagraph (A) and inserting “paragraph (1)(A)”; and

(ii) in paragraph (5)(A), by striking “or personnel” in the matter preceding clause (i);

(C) in subsection (l)(2)(B), by striking “section” and inserting “paragraph”; and

(D) in the heading of subsection (n), by striking “ACQUISITION AUTHORITIES” and inserting “ACQUISITION AND OTHER AUTHORITIES”; and

(2) in section 119(c)(2)(B) (50 U.S.C. 4040(c)(2)(B)), by striking “subsection (h)” and inserting “subsection (i)”.

##### SEC. 514. TECHNICAL AMENDMENTS TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) AMENDMENTS TO NATIONAL SECURITY INTELLIGENCE REFORM ACT OF 2004.—The National Security Intelligence Reform Act of 2004 (title I of Public Law 108-458) is amended as follows:

(1) In section 1016(e)(10)(B) (6 U.S.C. 485(e)(10)(B)), by striking “Attorney General” the second place it appears and inserting “Department of Justice”.

(2) In section 1061 (5 U.S.C. 601 note)—

(A) in subsection (d)(4)(A), by striking “National Intelligence Director” and inserting “Director of National Intelligence”; and

(B) in subsection (h), by striking “National Intelligence Director” and inserting “Director of National Intelligence”.

(3) In section 1071(e), by striking “(1)”.

(4) In section 1072(b), by inserting “AGENCY” after “INTELLIGENCE”.

(b) OTHER AMENDMENTS TO INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) is amended as follows:

(1) In section 2001 (28 U.S.C. 532 note)—

(A) in subsection (c)(1), by inserting “of” before “an institutional culture”;

(B) in subsection (e)(2), by striking “the National Intelligence Director in a manner consistent with section 112(e)” and inserting “the Director of National Intelligence in a manner consistent with applicable law”; and

(C) in subsection (f), by striking “shall,” in the matter preceding paragraph (1) and inserting “shall”.

(2) In section 2006 (28 U.S.C. 509 note)—

(A) in paragraph (2), by striking “the Federal” and inserting “Federal”; and

(B) in paragraph (3), by striking “the specific” and inserting “specific”.

**SEC. 515. TECHNICAL AMENDMENTS TO THE EXECUTIVE SCHEDULE.**

(a) **EXECUTIVE SCHEDULE LEVEL II.**—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Director of Central Intelligence and inserting the following new item:

“Director of the Central Intelligence Agency.”.

(b) **EXECUTIVE SCHEDULE LEVEL IV.**—Section 5315 of title 5, United States Code, is amended by striking the item relating to the General Counsel of the Office of the National Intelligence Director and inserting the following new item:

“General Counsel of the Office of the Director of National Intelligence.”.

**SEC. 516. TECHNICAL AMENDMENTS RELATING TO TITLES OF CENTRAL INTELLIGENCE AGENCY POSITIONS.**

Section 17(d)(3)(B)(ii) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g(d)(3)(B)(ii)) is amended—

(1) in subclause (I), by striking “Executive Director” and inserting “Associate Deputy Director”;

(2) in subclause (II), by striking “Deputy Director for Operations” and inserting “Director of the National Clandestine Service”; and

(3) in subclause (IV), by striking “Deputy Director for Administration” and inserting “Director for Support”.

**SEC. 517. TECHNICAL AMENDMENTS RELATING TO REDESIGNATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY AS THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.**

(a) **TITLE 5, UNITED STATES CODE.**—(1) Title 5, United States Code, is amended by striking “National Imagery and Mapping Agency” each place it appears in a provision as follows and inserting “National Geospatial-Intelligence Agency”:

- (A) Section 2302(a)(2)(C)(ii).
- (B) Section 3132(a)(1)(B).
- (C) Section 4301(I) (in clause (ii)).
- (D) Section 4701(a)(1)(B).
- (E) Section 5102(a)(1) (in clause (x)).
- (F) Section 5342(a)(1)(K).
- (G) Section 6339(a)(1)(E).
- (H) Section 7323(b)(2)(B)(i)(XIII).

(2) Section 6339(a)(2)(E) of such title is amended by striking “National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency, the Director of the National Geospatial-Intelligence Agency”.

(b) **TITLE 44, UNITED STATES CODE.**—(1)(A) Section 1336 of title 44, United States Code, is amended by striking “National Imagery and Mapping Agency” both places it appears and inserting “National Geospatial-Intelligence Agency”.

(B) The heading of such section is amended to read as follows:

**“§1336. National Geospatial-Intelligence Agency: special publications”.**

(2) The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 1336 and inserting the following new item:

“1336. National Geospatial-Intelligence Agency: special publications.”.

(c) **HOMELAND SECURITY ACT OF 2002.**—Section 201(f)(2)(E) of the Homeland Security Act of 2002 (6 U.S.C. 121(f)(2)(E)) is amended by striking “National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency”.

(d) **INSPECTOR GENERAL ACT OF 1978.**—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “National Imagery and Mapping Agency” each place it appears and inserting “National Geospatial-Intelligence Agency”.

(e) **ETHICS IN GOVERNMENT ACT OF 1978.**—Section 105(a)(1) of the Ethics in Government Act of

1978 (5 U.S.C. App.) is amended by striking “National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency”.

(f) **OTHER ACTS.**—(1) Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2006(b)(2)(A)(i)) is amended by striking “National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency”.

(2) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) is amended by striking “National Imagery and Mapping Agency” and inserting “National Geospatial-Intelligence Agency”.

The CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110-144. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 110-144.

**AMENDMENT NO. 2 OFFERED BY MR. HOEKSTRA**

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-144.

Mr. HOEKSTRA. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HOEKSTRA:

Strike section 407 (page 24, line 17 through page 26, line 8).

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HOEKSTRA. Madam Chair, I yield myself 2 minutes.

As we have already talked about a number of times in general debate, the base bill includes a provision that directs the Director of National Intelligence to complete a national intelligence estimate on climate change where they shall assess the political, social, agricultural and economic risk during the 30-year period beginning at the date of enactment of this act posed by global climate change.

This is a global study, 30 years, and it is very clear what we want to do with this amendment. We want to make sure that the Intelligence Community stays focused on its priorities which is the threat from radical jihadists, the proliferation and the threats posed by Iran, Syria, North Korea and other countries that over this 30-year period may participate in proliferation, the restructuring of the Intelligence Community, and the rebuilding of HUMINT.

These are the key priorities that the Intelligence Community and the Intelligence Committees have been focused on over the last number of years. We need to continue that focus rebuilding this community, rebuilding the resources and the capabilities while, as it was discussed, the information that is going to be used is public information. The direction in the bill says it will be a public report, so the real question comes: What specific value does the Intelligence Community add to this process that makes it so important that we will divert resources from other key priorities to climate change?

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Why can't this be done in other areas of the government where it is already being done, areas that have already been allocated and been spending dollars in these areas over a number of years in what is projected to be over \$7 billion of expenditure in these areas in 2008?

Madam Chairman, I reserve the balance of my time.

Ms. ESHOO. I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. Madam Chairman, as I said when I was speaking a little bit ago, and I am going to make some comments about this amendment, I want to set something else down which I think is really important, and that is, that it's not debatable that this is the largest single intelligence authorization in the history of our country.

Now, we are hearing a lot from the other side, hearing a lot from the other side, not enough money, not enough money, not enough money. When did you make any amendments to increase anything in this authorization, with the exception of an earmark with three States specified? That's what you offered, and that's the only thing that you offered.

So I think it's important for the people of our country to know what's going on.

Now, on this amendment that Mr. HOEKSTRA offers, this is not a study of climate change. This is a directive to the intelligence community to assess the impacts of climate change; and most frankly, I would go with the former Army chief of staff, Retired General Gordon Sullivan, who said the national security consequences of global climate change should be fully integrated into the national security and national defense strategies, including a National Intelligence Estimate. Climate change is a national security issue.

Madam Chairman, I yield the balance of my time to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Madam Chairman, I thank the gentlelady for her leadership on this issue.

As the Chairman of the Select Committee on Global Warming, I conducted

a hearing 3 weeks ago in which Retired General Gordon Sullivan, speaking for eleven senior retired three- and four-star admirals and generals, released and testified on a report entitled “National Security and the Threat of Climate Change,” which called for global warming to be fully integrated into the military and defense planning.

Here’s what General Sullivan testified to. He said that he was the Army chief of staff when we lost 19 men in Mogadishu. He testified before the Select Committee on Global Warming that with more drought we will see more disasters such as Black Hawk Down. Drought caused famine, famine caused food relief, food relief caused warlords to fight over it, the warlords fighting caused the U.S. to intervene, and 19 U.S. fighting men were killed. He added, and I quote, that the same thing is what is driving Darfur and there has to be some recognition that these issues are at the heart environmentally related.

These are men who have dedicated their lives to protecting our country. They are asking us to do a National Intelligence Estimate about what the impact is of climate leading to drought, leading to famine, leading to conflicts, leading to the American military or other of our allies having been dedicated to preserving the peace. That is no small request from 11 retired three-star generals and admirals.

Ms. ESHOO. Madam Chairman, I believe our time has expired?

The CHAIRMAN. The gentlewoman has 1½ minutes remaining.

Ms. ESHOO. Madam Chairwoman, let me just close out this very important debate, and it is important to have a debate. It’s very important to have a debate.

In listening to it, I see two things: one, a rearview mirror, looking to the past, people that are sincere, but nonetheless I think are sticking their heads in the sand. When we see whole populations, massive movement of populations, moving across borders because of drought, moving across borders because of disruption, they cause national security issues. We know that.

This debate is about the future, and I understand why some have trouble seeing the future and even embracing it, much less harnessing it.

Mr. MARKEY. Madam Chairman, will the gentlewoman yield?

Ms. ESHOO. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Madam Chairman, I thank the gentlelady for yielding.

It is not inappropriate for the CIA to tell us how the increasing scarcity of water could exacerbate the very failed state conditions which breed terrorism. It is not politically correct to want the military services to know how polar ice melt could alter the patrols of our submarines or how rising sea levels could threaten not only our naval facilities but also our crucial shipbuilding infrastructure.

It is not pre-9/11 mindset that wants to study how our ability to project

power from the Pacific would be damaged if our crucial air base at Diego Garcia, average elevation 4 feet above sea level, changes from a land-based stationary aircraft carrier to a sub-sea ruin.

That is in the interest of the national security of our country.

Mr. HOEKSTRA. Madam Chairman, I yield myself the balance of my time.

I think as you listen to the discussion, the question almost answers itself because the primary question hasn’t been answered: Exactly what are we going to task our spy satellites to do? Exactly what are we going to task our human collectors to do?

The statistics are very, very obvious in terms of climate change, and there’s lots of different, competing ones. Exactly what secrets, with limited resources, are we going to task the intelligence community to go out and collect? And precious analysts that are taking a look at northern Africa and trying to determine exactly what the footprint is of al Qaeda in Algeria and Morocco, other parts of Africa, are we going to ask the CIA stations in those areas to take their time and dedicate it to studying climate change for the next 6 months? It’s a totally new task.

We have a community that at this point is not even a global community. So we are going to dedicate precious resources instead of expanding the reach of our intelligence community into places where we are not at today, the bigger emphasis is going to be giving them a totally new and different assignment?

Instead of tasking our satellites to take a look at exactly what the proliferation capabilities are in China or North Korea, we are going to task them to look somewhere else even though that same kind of capabilities may be available from commercial imagery? Exactly what information does the intelligence community, I mean, it’s our business to steal secrets, to find out what the plans and intentions are of those who want to attack the United States. This is information.

There are hundreds and probably thousands of people that are very skilled at investigating climate change, predicting what may happen in certain regions of the country and certain regions of the planet, and they are not in the intelligence community. These people have their plate full. The threats are real. We should not diminish the threats. The information is in the public. These are two missions that do not come together.

Studying climate change can be done by other government agencies. Stealing the secrets of al Qaeda and North Korea, Iran, other parts of the world, that is the job of the intelligence community. Let them focus on the job that we need them to do. Support this amendment and strike this National Intelligence Estimate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HOEKSTRA. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-144.

Mr. HOLT. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HOLT:

At the end of title III (page 16, after line 25), add the following new section:

**SEC. 309. MODIFICATIONS TO ANNUAL REPORT ON PROTECTION OF INTELLIGENCE IDENTITIES.**

The first sentence of section 603(a) of the National Security Act of 1947 (50 U.S.C. 423(a)) is amended by inserting “, including an assessment of the need for any modification of this title for the purpose of improving legal protections for covert agents” after “measures to protect the identities of covert agents”.

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

The amendment I am offering would require the President, through the Director of National Intelligence, to report annually to Congress on the need for any modification to the Intelligence Identity Protection Act to improve legal protection for covert agents. This report, along with other oversight work the committee will undertake, will help us establish what measures need to be taken to minimize the chances in the future of compromising the identities of covert operatives.

These men and women take enormous risks on our behalf. Their covers are their only protection when they are working overseas. We owe them everything we can do to ensure that their identities are protected from exposure both from hostile intelligence services or even from exposure within our own government by those who would seek to retaliate against them for speaking truth to power.

This grew out of my consideration, trying to draw lessons from what has become a well-publicized example of the outing of a former CIA officer. In previous Congresses, on eight separate occasions in committees and on this floor, the then-majority voted down every effort to obtain information on this matter; and as I repeatedly noted at those times, Mr. Fitzgerald’s criminal inquiry could never address some of the key questions that we sought answers to: How and why did Ms. Valerie

Plame's cover status come to be known to those with no legitimate need to know? How much damage was done to our intelligence collection efforts as a result of the outing of Ms. Plame? What measures has the Central Intelligence Agency and now the Director of National Intelligence taken to prevent similar compromises in the future?

It appears that nothing has changed. So this sort of thing could happen again. It's important that we take steps to protect, as I say, the only protection that these covert agents have if they are in dangerous positions overseas.

So that is the point of this amendment, and I seek the approval of the House.

Madam Chairman, I reserve the balance of my time.

Mr. HOEKSTRA. Madam Chairman, I would ask unanimous consent to claim the 5 minutes in opposition to this amendment, although I will not oppose the amendment.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Madam Chairman, as I indicated, I agree with the gentleman's amendment, and I will vote for his amendment. However, I wish that as we were talking about leaks that we were discussing this in a much broader context.

The issue of leaks has been something that has been plaguing the community for an extended period of time, so we were not just talking about the leaks of personal identities. We would be talking about the leaks of programs and tactics and strategies that were being used by the intelligence community and used effectively to keep America safe.

We have had far too many leaks of highly classified information, and some of us would believe that as you take a look at some of these leaks, some would say that they perhaps have been made for political purposes.

The gentleman's focus on the identities of covert CIA officers is commendable, but should include the loss of capabilities because of other leaks as well.

□ 2330

Madam Chairman, I reserve the balance of my time.

Mr. HOLT. Madam Chairman, I yield back the balance of my time.

Mr. HOEKSTRA. Madam Chairman, I yield myself the balance of my time.

I support the gentleman's amendment. I am glad that we are able to work through this one. I am hoping that, as we move forward into the rest of this year, we will be able to develop a process that will enable us to more effectively go after all of the different kinds of leaks that the community and the country have suffered from over the last number of years.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. THOMPSON OF CALIFORNIA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-144.

Mr. THOMPSON of California. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. THOMPSON of California:

At the end of subtitle A of title IV (page 39, after line 16), add the following new section:

**SEC. 414. REPORT ON PERSONNEL OF THE INTELLIGENCE COMMUNITY.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing—

(1) the number of intelligence collectors and analysts employed or contracted by each element of the intelligence community; and

(2) a plan to maximize the number of intelligence collectors employed or contracted by the intelligence community.

(b) LIMITATION ON PERSONNEL.—

(1) LIMITATION.—Subject to paragraph (2), but notwithstanding any other provision of this Act (including the classified Schedule of Authorizations referred to in section 102(a)), the Office of the Director of National Intelligence is authorized not more than—

(A) the number of personnel employed or contracted by such Office as of May 9, 2007; and

(B) an additional 15 percent of such number of personnel employed or contracted by such Office as of May 9, 2007.

(2) TERMINATION OF LIMITATION.—The limitation on the number of personnel authorized for the Office of the Director of National Intelligence under paragraph (1) shall no longer apply on or after the date on which the report required under subsection (a) is submitted.

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from California (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMPSON of California. Madam Chairman, I yield myself as much time as I may consume.

This Congress created the Director of National Intelligence so he and a core staff could manage the activities of the different intelligence agencies. Congress did not intend to create a new bureaucracy.

Nevertheless, the office has expanded in size. Many members of the Intelligence Committee, myself included, as well as other colleagues in the House, are concerned that this growth will complicate, rather than streamline, the activities of the intelligence communities. Some Members have proposed limiting the number of people who can work for the DNI in order to stem this growth.

But I believe that such a measure, while satisfying on the surface, would

have harmful consequences. It would eliminate a large number of analysts and planners, the experts who actually perform the core intelligence functions, not middle managers and bureaucrats.

The harshest impact would fall on DNI elements like the National Counterterrorism Center, which analyzes terrorism information and plans counterterrorism operations. This would happen because there are plans in play to shift personnel to this specific task. If this other amendment were to pass, it would truncate these very important efforts. These are the people who play critical roles in our efforts to combat terrorism, and our operators around the world cannot do their jobs without this critical backstopping. Preventing the DNI from adding staff to these missions would gut key counterterrorism capabilities.

The real issue, though, is not simply the number of people who appear on the DNI's balance sheet, the challenge is to have fewer people sitting behind desks in Washington and to place more intelligence officers in the field. This is a goal that I think we all share, even those with a competing amendment. They need to be in the field where they can collect needed intelligence and where they can catch terrorists.

The Intelligence Authorization Act will fund increases in the number of intelligence collectors at many agencies, but there is still not enough. To push the Intelligence Committee to get its staff out of the office and into the field, the amendment that I am offering would freeze the number of people working for the DNI at the level specified in the fiscal year 2007 Intelligence Authorization Act that was passed by this House.

The freeze wouldn't be lifted until the Director of National Intelligence provides the committee, the Intelligence Committees, one, a report on the number of analysts and collectors in each element of the Intelligence Community, and two, a plan to maximize the number of collectors across the community. This plan must be provided within 120 days of enactment.

With this information, the Intelligence Committee will be able to work with the DNI to ensure that he has the right mix of collectors, analysts, technical experts and other staff, and we will be able to press the DNI and the individual intelligence agencies to accelerate the recruitment, the training and the deployment of core collectors.

This amendment will enhance congressional oversight of intelligence activities and result in improvements to the Intelligence Community's ability to collect critical intelligence.

I am willing to work with, and we have worked with my colleague and friend from the committee on this issue. I believe that this amendment is the one that will allow us to best collect the information so we can, in fact, put together the best policy for America.

Madam Chairman, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. ROGERS of Michigan. Madam Chairman, I yield myself such time as I may consume.

I have the utmost respect for the gentleman. We have had long conversations or at least short interrupted conversations over the past several days and in committee. I thought we had a fairly spirited debate in the Intelligence Committee about this very issue.

The good thing is we agree this thing has exponentially grown, not the direction Congress intended. It was supposed to be a small, efficient organization that was coordinating and not inhibiting agencies from doing their work.

I reluctantly, as we talked earlier, oppose this amendment, because really all it does is say give me another report, and you can grow as much as you want in 2008. This is what the staggering number is here. The number itself is classified, but it is over 37 percent growth from where they are right now to 2008, in headquarters.

Now, they are not catching one spy. They are not recruiting one asset. They are not out analyzing any particular image from the sky. They are getting more in boxes. They are getting more in computers. They are getting more bureaucracies and personnel staff and all of the other things that go along with growing your headquarters. That is all happening.

When you travel around the world, the folks who are out there at the front end of this store, the analysts and the case officers, will tell you, please, enough already, because they took all of those analysts out of that community.

Remember, it takes 5 to 7 years to get somebody to where they are really effective in this community. It's very difficult work.

Mr. HASTINGS of Florida. Would my colleague yield?

Mr. ROGERS of Michigan. I would gladly yield.

Mr. HASTINGS of Florida. I thank you, and I have enormous respect for a colleague who has offered an amendment where it appears we are competing.

But I agree our amendment, after his, does, I believe, what is necessary, and that is to answer the question that a lot of us have with reference to the efficiency and effectiveness of the National Director of Intelligence.

If I could just share one brief anecdote. When the war on poverty began in the area that I live in, I was the attorney and original scrivener of the development of the program. When that program came into existence, within a year they had seven employees. They were extremely effective.

They grew in 6 years to 1,500 employees, and they became much less effective, totally disrespected and in disarray. I am fearful that the same thing will happen here.

I thank my colleague for yielding.

Mr. ROGERS of Michigan. Reclaiming my time. I don't know if I can say it any better. I hope to work with the gentleman in committee. I wish you would consider this.

One point I think it is very important to make, this does not cut one analyst. They didn't even make all the hires they requested in 2007. Then they came back and asked for a significant increase in 2008, didn't even hire all the people from 2007. So the notion that they put forward that this somehow cuts the analyst doing counterterrorism work is wrong.

It scares me more that this bureaucracy is so hell bent on protecting itself that it would make that claim. That's why I think we need to send this message, work with them to make this right sized, so we provide value added to the people risking their lives around the world.

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

Mr. THOMPSON of California. Madam Chairman, again, I just want to reiterate the fact that we all share the same goal, and that's to get these folks out from behind the desk and into the field. I have tremendous respect for my colleague and friend, Mr. ROGERS. He actually has real time in the field doing this work. He knows how important that is to have folks out in the field.

As he and my other good friend and colleague, Mr. HASTINGS, has said, we all have the same goal, it's just, how do we get there?

We believe that by putting this freeze in place, requiring this information be provided to the committee, will allow us to best analyze this, know where these folks are and force the DNI to put them in the right spots.

The only other thing I would like to add is that it's important to note that the majority of this growth consists of transferring personnel who already work or should work for the DNI on to their books for better management and oversight.

I ask for your support of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. THOMPSON).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-144.

Mr. ROGERS of Michigan. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ROGERS of Michigan:

Page 5, line 19, strike "The amounts" and insert "Subject to section 106, the amounts".

Page 6, line 9, strike "With the approval" and insert "Subject to section 106, with the approval".

Page 7, line 11, strike "The elements" and insert "Subject to section 106, the elements".

Page 8, line 5, strike "In addition" and insert "Subject to section 106, in addition".

At the end of title I (page 10, after line 2), add the following new section:

**SEC. 106. LIMITATION ON NUMBER OF PERSONNEL OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**

Notwithstanding any other provision of this Act, the Office of the Director of National Intelligence is authorized only the number of personnel as were serving in such Office on May 1, 2007.

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chairman, I yield myself such time I may consume.

I want to thank Mr. HASTINGS for working with me on this amendment. We have watched this thing for 3 years, and we have watched it pretty closely. We all want it to succeed. There are some really dedicated and committed people really trying to make this thing work.

But one thing I have learned here in watching it in Washington, D.C., and going out to the field, where these case officers, the young ones, the middle-ranged ones and the older ones in the field, you can get a lot of insight about what happens between the difference of between there and back here.

We have seen, I thought, a very poor performance. I have had this conversation with many of my colleagues here about their briefings, about this increase, and what they really performed, and what their mission set was. There are some things that they do and do well and are value-added.

But this exponential growth, at the expense of analysts and officers in the field, I think is the wrong direction. I think it's so important that we make this statement to them that enough is enough.

They brought in, remember, everyone of those analysts came from an agency that's doing targeted work, the counterterrorism center at the CIA. They were doing real work, targeting bad guys, identifying, putting them on lists, trying to get our guys to bring them to justice.

What happened then is they disrupted some of those operations, brought those people in, and started tasking back to the people in the field. That's not value-added; it's just not.

We can live with this if we can work out the kinks. As a matter of fact, Senator McCONNELL said, he thought the thing was getting a little bit too big. He didn't really influence this budget, 37 percent increase. We must do better

by the people in the field, 5 to 7 years to train a case analyst and an officer.

Madam Chairman, I yield to my good friend from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my friend from Michigan and am pleased to sponsor this amendment with him.

Madam Chairman, when Congress established the National Director of Intelligence, it fulfilled one of the 9/11 Commission recommendations to centralize and concentrate the filtering of intelligence. Since its inception, however, the Office of the Director never realized its potential, growing in size with indication of limited long-term planning. As a result, many of us who are familiar with the office question its efficiency and effectiveness.

Capping the size of the ONDI is a responsible manner by which Congress can and should go about holding the administration accountable for its decisions and actions. This is not, as some might suggest, an anti-DNI amendment.

On the contrary, my friend, Mr. ROGERS, and my amendment, is the much-needed solution for Congress to reassert its oversight authority over the Office of the Director of National Intelligence. For too long, Congress has abdicated its oversight authority and responsibility when it comes to American intelligence.

This amendment says to the administration that, while we support your efforts, we will not give you a blank check with which you could continue to grow a new bureaucracy before we know what you are doing with what you already have. A bigger bureaucracy does not make better intelligence.

I ask my colleagues for their support of the Rogers-Hastings amendment and ask them to join us in holding America's Intelligence Community accountable for its work.

Mr. ROGERS of Michigan. Reclaiming my time, I just thank the gentleman for his work and effort on this, and kind of us coming together on this conclusion over the past 3 years watching this process. Again, this is not anti-DNI. We think it serves a valuable purpose, but it is getting too big too fast.

Again, this does not cut one analyst from doing work in this country, not one. They couldn't even fill the slots we have for 2007 before they came back and said we have to get even bigger next year.

I reserve the balance of my time.

□ 2345

Mr. REYES. Madam Chair, I claim the time in opposition to this amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. REYES. Madam Chair, I have tremendous respect for both of my colleagues, and they know that they have my commitment that we will continue to do aggressive oversight, because I do understand the concerns that they

have about Office of the DNI and the way that it has grown and become too large. And while I support the goal of the amendment, I don't necessarily think this is the best way to proceed.

The amendment, I believe, will have unintended consequences. For example, though the intent of this amendment is to limit the layers of unnecessary bureaucracy, this cap would actually eliminate large numbers of analysts and planners, with the harshest impact falling on the National Counterterrorism Center, which analyzes terrorism information and plans counterterrorism operations. It would also have the unintended consequence that it would eliminate personnel from the National Counterproliferation Center and the Office of Privacy and Civil Liberties.

In addition, this amendment would force the DNI to fire anyone hired between May 1 and the date of the enactment of this bill, preventing the DNI from increasing capacity in priority areas.

It is important, I believe, to note that this amendment would not cap the number of billets; it would cap the total number of people. Any currently unfilled billets would have to remain unfilled. This could negatively impact the DNI's ability to perform vital functions.

Finally, I would ask my colleagues to consider that we do have, as Mr. ROGERS said, a new DNI, and he deserves an opportunity to do the kinds of things that he has articulated to our committee. He is reorganizing his office, and I believe that we need to give him the flexibility needed to make those changes, while at the same time aggressively pursuing the oversight that is the responsibility of our committee.

So, for those reasons, I reluctantly would oppose this amendment.

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

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

Mr. HASTINGS of Florida. I know the chairman knows of my immense respect for his perspective, and I appreciate very much what you have said with regard to how you would carry forth the intent of mine and Mr. ROGERS' amendment, as well as Mr. THOMPSON's, in capping this.

What I say to you, Mr. Chairman, is I don't know in all of my experience of any bureaucrat, I respect the new DNI director, but I don't know of any bureaucrat that has ever said, I don't need no more people. And I also know for a fact that, in this particular case, in the standing up of this particular directorate what has happened is it has impacted already the infrastructure by virtue of the persons that have already moved to that agency. The now-CIA Director came from NSA to that deputy position. And I could go on and on and on without giving forth that. And that is what we are trying to stop.

What you do when you want to cut bureaucracy is you say to them, stop right where you are. Now, they will be

back, and we will then do the oversight necessary in order to give them an opportunity to grow the way that they should rather than the way that they have been exponentially.

Mr. REYES. I thank my good friend and colleague. And reclaiming my time, again, we want to accomplish the same goal. We just have a difference of opinion on how we are going to do it. But it will get done, and it will get done by this committee this year. So, again, I have deep respect and admiration for both my colleagues.

Mr. ROGERS of Michigan. Madam Chair, I just want to clarify again, there is no one to be cut, with all due respect to my chairman. What they are talking about is what they have future planned, which would be pulled from the community as it stands now. It would actually allow the DNI to reprioritize the folks that he has in that shop. And many of my colleagues will remember that the number that the DNI gave was lower than the number that is even in Mr. HASTINGS' and my amendment. He thinks it is too big.

So there won't be any cuts, there won't be any jeopardizing of security, there won't be any analysts that get home once they are employed and fully engaged. They may go back to doing counterterrorism work, but they will not be sent home.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ROGERS of Michigan. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

#### AMENDMENT NO. 6 OFFERED BY MR. FOSSELLA

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-144.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. FOSSELLA:  
At the end of the bill, add the following new title:

#### TITLE VI—COMMUNICATION OF INFORMATION CONCERNING TERRORIST THREATS

##### SEC. 601. IDENTIFICATION OF BEST PRACTICES.

(a) STUDY.—The Secretary of Homeland Security and the Director of National Intelligence shall conduct jointly, or contract with an entity to conduct, a study of the operations of Federal, State, and local government entities to identify best practices for the communication of information concerning a terrorist threat.

##### (b) CONTENTS.—

(1) IDENTIFICATION OF BEST PRACTICES.—The study conducted under this section shall be focused on an analysis and identification of the best practices of the information sharing processes of the following government entities:

(A) Joint Terrorism Task Forces, which are operated by the Federal Bureau of Investigations with the participation of local law enforcement agencies.

(B) State Homeland Security Fusion Centers, which are established by a State and share information with Federal departments.

(C) The Homeland Security Operations Center, which is operated by the Department of Homeland Security for the purposes of co-ordinating information.

(D) State and local law enforcement agencies that collect, utilize, and disseminate information on potential terrorist attacks.

(E) The appropriate elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) involved in the sharing of counter-terrorism information.

(F) The Interagency Threat Assessment Coordination Group at the National Counterterrorism Center.

(2) COORDINATION OF GOVERNMENT ENTITIES.—The study conducted under this section shall include an examination of methods for coordinating the activities of Federal, State, and local entities in responding to a terrorist threat, and specifically the communication to the general public of information concerning the threat. The study shall not include an examination of the sources and methods used in the collection of the information.

(c) OBTAINING OFFICIAL DATA.—In conducting the study, the Secretary, in conjunction with the Director, with due regard for the protection of classified information, may secure directly from any department or agency of the United States information necessary to enable the Secretary to carry out this section. Classified information shall be handled through established methods for controlling such information.

(d) TEMPORARY DUTY OF FEDERAL PERSONNEL.—The Secretary, in conjunction with the Director, may request the head of any department or agency of the United States to detail to temporary duty personnel within the administrative jurisdiction of the head of the department or agency that the Secretary may need to carry out this section, each detail to be without loss of seniority, pay, or other employee status.

(e) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary, in conjunction with the Director, shall submit to Congress a report that contains—

(A) a detailed statement of the findings and conclusions of the study, including identification of the best practices for the processing, analysis, and dissemination of information between the government entities referred to in subsection (b)(1); and

(B) recommendations for a formalized process of consultation, communication, and confidentiality between Federal, State, and local governments, incorporating the best practices of the various entities studied, to facilitate communication and help prevent the unauthorized dissemination of information and criticism of decisions concerning terrorist threats.

(2) CLASSIFIED INFORMATION.—To the extent determined appropriate by the Secretary, in conjunction with the Director, the Secretary may submit a portion of the report in classified form.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 2008.

**SEC. 602. CENTERS OF BEST PRACTICES.**

(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Director of National Intelligence, shall make

grants for the establishment and operation of 3 centers to implement the best practices, identified by the study conducted under section 601, for the processing, analysis, and dissemination of information concerning a terrorist threat (in this section, each referred to as a “Center”).

(b) LOCATION OF CENTERS.—In carrying out subsection (a), the Secretary, in consultation with the Director, shall make grants to—

(1) the State of New York for the establishment of a Center to be located in New York City;

(2) the State of Michigan for the establishment of a Center to be located in Detroit; and

(3) the State of California for the establishment of a Center to be located in Los Angeles.

(c) PURPOSE OF CENTERS.—Each Center shall—

(1) implement the best practices, identified by the study conducted under section 601, for information sharing concerning a terrorist threat;

(2) coordinate the communication of these best practices with other metropolitan areas;

(3) coordinate with the Secretary and the Director to develop a training curriculum to implement these best practices;

(4) provide funding and technical assistance to other metropolitan areas to assist the metropolitan areas in the implementation of the curriculum developed under paragraph (3); and

(5) coordinate with the Secretary and the Director to establish a method to advertise and disseminate these best practices.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under this section—

(1) \$10,000,000 for fiscal year 2008 for the establishment of the Centers; and

(2) \$3,000,000 for each of fiscal years 2009 through 2013 for the operation of the Centers.

(e) REPORT TO CONGRESS.—Not later than March 31, 2010, the Secretary, in consultation with the Director, shall submit to Congress a report evaluating the operations of the Centers and making recommendations for future funding.

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from New York (Mr. FOSSELLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. FOSSELLA. Madam Chair, I yield myself such time as I may consume.

On October 6, 2005, New York City was once again the site of a potential terrorist attack, an apparent plot to hide bombs in baby strollers, briefcases, and packages and set them off in the city's subways. Unfortunately, New Yorkers who tuned in to the news that day for information received conflicting messages.

On one hand, local officials announced that a credible threat was aimed at the city's subway system; on the other hand, Federal officials downplayed the severity of the threat, even describing it as “specific yet non-credible.”

The incident in New York was not isolated. Just weeks later, Federal officials responded to a bomb threat in the I-95 tunnel in the Baltimore Harbor, a threat that local officials learned about from the news media. The infor-

mation was either credible or not credible, but it certainly wasn't both.

I strongly support efforts by antiterrorism forces at the Federal, State, and local levels; but it disturbed me, and I am sure others, to watch the confusion that unfolded in these situations.

Where improvement is needed is how different levels of government interact with each other when terrorist threats are elevated. Everyone needs to be on the same page and, when credible threats occur, the public needs to be informed in a coordinated manner. In short, what is needed is a 911 call center for first responders.

To achieve that, my amendment works as follows: authorizing a study to be conducted by the Secretary of Homeland Security and the Director of National Intelligence to identify the problems and the successes of terrorist threat information sharing among the different levels of government;

Recommends a formalized process for that sharing;

And authorizes centers of best practices spread throughout the country, and would allow local governments, State and others, to interact and to share that information.

Because not every city, as we know, can dedicate resources to developing advanced techniques to fight terrorism, the Centers for Best Practices would be on the front lines providing advice to every city and State in our Nation on the most effective strategies to protect their citizens from new attacks.

This amendment would ensure an enhanced level of coordination on communicating terrorist threats to the public. But while it comes to matters of national security, our government must speak with one voice, a knowledgeable voice that can provide accurate information to the American people. Government cannot send conflicting messages at such critical times.

Last year during debate of this bill, the House approved this amendment by voice vote; and I notice the gentlelady from California who is here, Ms. HARMAN, said it probably best. She said at the time, We not only need to share information better horizontally, a point we have been making in this committee and one of the reasons we set up the Director of National Intelligence, but we need to share it better vertically. Some of the best ideas are in our hometowns and some of the best people to try to keep us safe are in our hometowns.

I support the Fossella amendment. It will help us through the establishment of Centers of Excellence to develop best practices to share information horizontally and vertically, and give best information to those in our hometowns trying to protect us.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

## AMENDMENT NO. 7 OFFERED BY MS. LEE

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-144.

Ms. LEE. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. LEE:

At the end of subtitle A of title V (page 48, after line 5), add the following new section:

**SEC. 503. REPORT ON AUTHORIZATION TO OVER-THROW DEMOCRATICALLY ELECTED GOVERNMENTS.**

Not later than 120 days after the date of the enactment of this Act, the President shall submit to the congressional intelligence committees a report describing any authorization granted during the 10-year period ending on the date of the enactment of this Act to engage in intelligence activities related to the overthrow of a democratically elected government.

The CHAIRMAN. Pursuant to House Resolution 388, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Madam Chair, first let me thank the Chair of the Intelligence Committee and my friend from my hometown of El Paso, Texas (Mr. REYES) for his support of this amendment and also for his tremendous leadership as Chair of this committee. And I know the hour is late, so I will keep this short.

Madam Chair, this amendment is simple and noncontroversial. It merely requires the President to submit a report to the House and Senate Intelligence Committees describing any authorization granted over the last 10 years to engage in intelligence activities related to the overthrow of democratically elected governments.

We all recognize that democracy promotion is at the top of this administration's agenda; and I believe that there is no question that supporting democracy is and should be a nonpartisan issue that we all can agree on. It is, quite simply, fundamental to who we are as a people and what we stand for as a Nation.

But we must be vigilant and safeguard against any actions that would undermine or threaten our abilities to really practice what we preach, and it is clear that actions that undermine democracies also undermine our credibility in the world. Furthermore, it affects our ability to be viewed as a serious and legitimate agent of democracy.

So if the support of people seeking democratic governance and democracy is to really remain a critical pillar of our foreign policy, we must ensure that we do not interfere with democratically elected governments. Who will believe us if our actions are inconsistent with our words? And how successful will we be as a Nation in achieving our goals?

So tonight I offer this amendment to support and protect our efforts in up-

holding democracy and to help ensure that our actions are really consistent with our values.

Madam Chair, I want to conclude by thanking you again for your support, and I want to strongly urge all of my colleagues here today to continue to stand up for democracy and for transparency by supporting this amendment.

Madam Chair, I reserve the balance of my time.

Mr. HOEKSTRA. Madam Chair, while I will not oppose the amendment, I ask unanimous consent to control the 5 minutes in opposition to the amendment.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Madam Chair, I yield myself such time as I may consume.

I would like to thank my colleague Ms. LEE for working over the last couple of years to get to the point where we have got an amendment that I still have a little bit of unease with, but I will not oppose the amendment, and look forward to continuing to work with her and my colleagues on the other side of the aisle as we do the oversight necessary of what goes on in the intelligence community.

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

Ms. LEE. Madam Chair, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Chair, I just want to thank the gentlelady for offering this amendment and offer my support. I think it is an important amendment.

Ms. LEE. Madam Chair, if there are no additional speakers, I close by once again thanking all of our leadership on both sides of the aisle. And I want to especially thank Congresswoman HARMAN for her past leadership and support of these efforts to make sure that we were able to get to this point today.

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

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

The amendment was agreed to.

**AMENDMENT NO. 8 OFFERED BY MR. PRICE OF NORTH CAROLINA**

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110-144.

Mr. PRICE of North Carolina. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PRICE of North Carolina:

Page 33, after line 13 insert the following new subsections:

**(d) USE OF CONTRACTORS FOR INTELLIGENCE ACTIVITIES.—**

(1) REPORT.—Not later than April 1, 2008, the Director of National Intelligence shall submit to the congressional intelligence committees a report on personal services ac-

tivities performed by contractors under the National Intelligence Program and, at the discretion of the Director of National Intelligence, the Military Intelligence Program. Such report shall include—

(A) an inventory of the types of functions and activities performed by contractors in fulfillment of contracts for each element of the intelligence community;

(B) a description of any relevant regulations or guidance issued by the Director of National Intelligence or the head of an element of the intelligence community relating to minimum standards required regarding the hiring, training, security clearance, and assignment of contract personnel;

(C) an assessment of costs incurred or savings achieved by awarding contracts for the performance of such functions referred to in subparagraph (A) instead of using full-time employees of the elements of the intelligence community to perform such functions;

(D) a description of the types of functions or activities that the Director of National Intelligence considers appropriate to be carried out by contractors;

(E) a description of the types of functions or activities that the Director of National Intelligence considers inappropriate to be carried out by contractors;

(F) an assessment of the appropriateness of using contractors to perform the activities described in paragraph (2); and

(G) an estimate of the number of contracts, and the number of personnel working under such contracts, related to the performance of activities described in paragraph (2).

(2) ACTIVITIES.—Activities described in this paragraph are the following:

(A) Intelligence collection.

(B) Intelligence analysis.

(C) Covert actions.

(D) Interrogation of a person detained, imprisoned, or otherwise held in the custody or under the control of the United States Government.

(E) Support for the detention, imprisonment, or holding of a person under the custody or control of the United States Government, including activities relating to the detention, transfer, or transportation of such person across international borders.

(F) Conduct of electronic or physical surveillance or monitoring of United States citizens in the United States.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from North Carolina (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I rise to offer an amendment on behalf of Ms. SCHAKOWSKY and myself that would complement the provisions already in this bill related to the use of private contractors by intelligence agencies.

I applaud Chairman REYES for his leadership in addressing many key questions associated with the use of contractors. Last year, I stood at this podium and proposed an amendment that would have required an extensive look at these questions: How extensively are contractors being used? What types of activities are appropriate for contractors? How are they held accountable? Are they achieving savings for the American people? And

what are the impacts of contracting on the intelligence workforce?

My amendment passed the House, but the other body did not act on the bill. This year, Chairman REYES has included language in his bill that addresses many of these questions, and I am grateful for his leadership.

I also want to acknowledge the efforts of the new Director of National Intelligence, Michael McConnell, who has begun an examination of the questions raised by my amendments last year. He and his staff have just completed a community-wide survey of contracting and are reportedly working on a strategic workforce plan. These efforts are important first steps.

Our amendment today focuses on additional aspects of this situation that have not yet been addressed, aspects that are absolutely critical.

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There's a legitimate debate in the Intelligence Community about how contractors should be used. Our amendment simply asks the Intelligence Community to respond to three basic questions underlying this debate.

First, what functions may contractors appropriately perform for the intelligence communities, and what tasks should be viewed as inherently governmental? For example, should they be involved in intelligence collection? Should they be involved in analysis? What about interrogation? What about covert operations? Are there some activities that are so sensitive that they should only be performed by highly trained Intelligence Community professionals?

Secondly, how should contractors be vetted and trained?

And thirdly, how can we ensure that contractors are as accountable for their actions as Federal intelligence professionals are?

Madam Chairman, service contracts, in some instances, represent an acceptable and efficient use of taxpayer dollars. But a decision to use contractors should be made deliberately based on a careful analysis of the issues raised by this amendment. This is true for any use of private contractors. But it is particularly necessary in the context of sensitive Intelligence Community activities.

I urge my colleagues to support our amendment.

Madam Chairman, I yield 2 minutes to my colleague from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding to me, and I thank him for his leadership on this important amendment.

After the Cold War, the use of contractors began to grow, and their use exploded after September 11, 2001. Contractors now do more than just build military equipment and satellites. They also provide security, collect and analyze intelligence, provide technical support, and even perform planning and management tasks.

Mr. PRICE's amendment requires a review of what contractors are doing and, importantly, whether contractors are performing inherently governmental functions. There are some activities so sensitive that, if and when they are done, we must determine whether or not it is appropriate to contract these activities out.

In some cases, U.S. contractors' actions have caused great controversy. The Lincoln Group's contract to plant positive news stories in Iraq raised questions about manipulation of the Iraqi media. Dave Passaro, a CIA contractor was convicted of four counts of assaulting an Afghan detainee who later died. Contractors were implicated in the detainee abuse cases at Abu Ghraib.

These activities are controversial enough on their own, and if the U.S. engages in them, we should do so while accepting full responsibility and not hide behind contractors.

The Price-Schakowsky amendment would ask the DNI to review whether it is appropriate for contractors to engage in intelligence collection, analysis, covert actions, interrogations, detentions, rendition or electronic surveillance.

This is an important amendment, and I urge its adoption.

Mr. PRICE of North Carolina. Madam Chairman, I thank my colleague for her leadership on this amendment and on this issue. For a long time now she has helped this House focus on the use of private contractors.

Madam Chairman, I reserve the balance of our time.

Mr. HOEKSTRA. Madam Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOEKSTRA. I reluctantly rise in opposition to the amendment, recognizing that it's very similar to an amendment that we actually accepted last year. And the reason we reluctantly accepted it last year, we had a high degree of confidence that if we got into a conference, we would be able to work with the author of the amendment to take a look at it and to make sure that what was finally in a conference report in a bill that we were looking forward to sending to the President would make sure that we took care of some the redundancies and some of the burdensome elements of the amendment. And without necessarily having that same assurance this year, I reluctantly oppose the amendment.

I think that it is absolutely critical that we do measure the accountability and the performance of our contractors, but much like last year, we are concerned about the redundancy, the bureaucracy that may result if this amendment becomes law in its present form. It could add significant cost to the contractors as they serve and provide services to the Intelligence Community.

So I hope as we go through this process that we will be able to make sure that we work on a bipartisan basis, that we work with the community, that we work with the ODNI to structure this in such a way that both of the requirements are met, that we see and get the performance and, at the same time, that we don't burden contractors or the ODNI with additional bureaucracy.

With that, I'll yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, as a matter of fact, this amendment is drafted very carefully to avoid redundancy. It's crafted to deal with a separate area, a different area from those areas covered in the bill itself. And it mandates a reporting requirement, not to add work to the Executive Branch; to ensure that we get the information we need to do our job. Surely, no one would argue that Congress shouldn't be able to assess whether our approach to intelligence is effective or to conduct oversight on the way billions of dollars in taxpayer funds are expended each year. We're not establishing new regulations. We are simply requiring contractors to report on their activity.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. BERKLEY

The CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 110-144.

Ms. BERKLEY. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. BERKLEY: At the end of subtitle A of title IV (page 39, after line 16), add the following new section:

**SEC. 414. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such citizens before 1977 as employees of Air America or an associated company while such company was owned or controlled by the United States Government and operated or managed by the Central Intelligence Agency.

(b) REPORT ELEMENTS.—

(1) IN GENERAL.—The report required by subsection (a) shall include the following:

(A) The history of Air America and associated companies before 1977, including a description of—

(i) the relationship between such companies and the Central Intelligence Agency and other elements of the United States Government;

(ii) the workforce of such companies;

(iii) the missions performed by such companies and their employees for the United States; and

(iv) the casualties suffered by employees of such companies in the course of their employment with such companies.

(B) A description of the retirement benefits contracted for or promised to the employees of such companies before 1977, the contributions made by such employees for such benefits, the retirement benefits actually paid such employees, the entitlement of such employees to the payment of future retirement benefits, and the likelihood that former employees of such companies will receive any future retirement benefits.

(C) An assessment of the difference between—

(i) the retirement benefits that former employees of such companies have received or will receive by virtue of their employment with such companies; and

(ii) the retirement benefits that such employees would have received and in the future receive if such employees had been, or would now be, treated as employees of the United States whose services while in the employ of such companies had been or would now be credited as Federal service for the purpose of Federal retirement benefits.

(D) The recommendations of the Director regarding the advisability of legislative action to treat employment at such companies as Federal service for the purpose of Federal retirement benefits in light of the relationship between such companies and the United States Government and the services and sacrifices of such employees to and for the United States, and if legislative action is considered advisable, a proposal for such action and an assessment of its costs.

(2) VIEWS OF DCIA.—The Director of National Intelligence shall include in the report any views of the Director of the Central Intelligence Agency on the matters covered by the report that the Director of the Central Intelligence Agency considers appropriate.

(c) ASSISTANCE OF COMPTROLLER GENERAL.—The Comptroller General shall, upon the request of the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by subsection (a).

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) AIR AMERICA.—The term “Air America” means Air America, Incorporated.

(2) ASSOCIATED COMPANY.—The term “associated company” means any company associated with or subsidiary to Air America, including Air Asia Company Limited and the Pacific Division of Southern Air Transport, Incorporated.

The CHAIRMAN. Pursuant to House Resolution 388, the gentlewoman from Nevada (Ms. BERKLEY) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. BERKLEY. Good morning, Madam Chairman.

I rise today in support of an amendment that would require the CIA to issue a report on providing retirement benefits to former employees of Air America.

From 1950 to 1976, employees of Air America faithfully served their country doing their part to help win the Cold War. Air America was a government corporation covertly owned and operated by the Central Intelligence Agency. Under the guise of a civilian airline, these pilots conducted flight operations in various countries, including China, Laos, Korea and Vietnam on

behalf of the Department of Defense and the CIA.

Unfortunately, since it was a closely held secret that Air America was a government-owned corporation, these men and women have never been credited for their government service. That means they can not receive government benefits, retirement benefits for their efforts.

The amendment I am offering today would require the Director of National Intelligence to submit a report to Congress on advisability of providing Federal retirement benefits to U.S. citizens employed by Air America while it was covertly owned and operated by the CIA. These brave men and women should receive the long denied benefits they earned for their service to their country.

I urge you to support this amendment that will bring attention to the overlooked dilemma of Air America employees.

Thank you, Madam Chairman, and I thank the chairman of the Intelligence Committee, Mr. REYES.

I reserve the balance of my time.

Mr. HOEKSTRA. Madam Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I will not oppose the amendment.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. HOEKSTRA. Madam Chairman, I will yield myself as much time as I shall consume.

There's no doubt that the Air America's personnel deserve the recognition for the service that they provided during these critical times in our country in Southeast Asia during the Vietnam war.

But it's very interesting to me that, at this time, as we're considering other amendments, and much of the debate that I hear about contractors and our use of contractors today, contractors are getting hammered each and every day. And then we step back and say, well, you know, we ought to take a look at the contractors of 50 years ago, and we maybe now ought to provide them with government benefits.

And I just wonder whether, in 50 years, we'll look back at the service that is being provided by contractors today that in many different areas is not being very well received, and whether we will then recognize the service that they're providing. I hope that we do.

But, under this, under the terms of Air America, legally these individuals did not qualify for government benefits. We need to make sure that we deal in a way that is fair, especially to the people that are serving as contractors today. And we need to make sure that we have a consistent pattern of how we deal with contractors in this way, recognizing that their pay comes from a private sector entity, and be very careful about when and where we are going

to involve the Federal Government in picking up responsibilities of private corporations.

Madam Chairman, I will reserve the balance of my time.

Ms. BERKLEY. Madam Chairman, I yield 1½ minutes to the gentlelady from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the sponsor of this legislation.

Human resources and human intelligence are a key element to the security of this Nation. Air America employees represent the human resources aspect.

This is a thoughtful amendment that suggests that we should study the question of whether or not these individuals in the service of their country should be given these kinds of benefits.

From the perspective of the Department of Homeland Security and Homeland Security Committee, human intelligence is important. And I want to thank the Chairperson of the full committee for this very important bill that focuses on funding intelligence and also funding human intelligence.

Might I also say in closing, as I support the gentlelady's amendment, I think it would also be important that we look closely at professionals as they leave the CIA, and question whether or not tell-all books are in the best interest of this Nation, whether language such as “slam dunk” should be investigated. And I hope, as we pursue the idea of oversight, that we'll look into the utilization of such information in tell-all books that provide such prosperity for people who've been in the service of this country. I hope we will investigate that. But when we have good employees like those of Air America, we should support them.

Ms. BERKLEY. In closing, I'd like to once again urge adoption of this amendment, and I yield back the balance of my time.

Mr. HOEKSTRA. Madam Chairman, just in response to my colleague, if we investigate “slam dunk,” I hope we investigate the term “bugs and bunnies” as well.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. SCHIFF

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 110-144.

Mr. SCHIFF. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SCHIFF:

At the end of subtitle A of title V (page 48, after line 5), add the following new section:

**SEC. 503. REITERATION OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 AS THE EXCLUSIVE MEANS BY WHICH ELECTRONIC SURVEILLANCE MAY BE CONDUCTED FOR GATHERING FOREIGN INTELLIGENCE INFORMATION.**

(a) EXCLUSIVE MEANS.—Notwithstanding any other provision of law, the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance may be conducted for the purpose of gathering foreign intelligence information.

(b) SPECIFIC AUTHORIZATION REQUIRED FOR EXCEPTION.—Subsection (a) shall apply until specific statutory authorization for electronic surveillance, other than as an amendment to the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), is enacted. Such specific statutory authorization shall be the only exception to subsection (a).

(c) DEFINITIONS.—In this section:

(1) ELECTRONIC SURVEILLANCE.—The term “electronic surveillance” has the meaning given the term in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)).

(2) FOREIGN INTELLIGENCE INFORMATION.—The term “foreign intelligence information” has the meaning given the term in section 101(e) of such Act (50 U.S.C. 1801(e)).

The CHAIRMAN. Pursuant to House Resolution 388, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Madam Chair, I yield myself 3 minutes.

Madam Chair, today I offer an amendment with my Republican colleague JEFF FLAKE from Arizona that would respond to the President’s unilateral assertion of power with regard to the electronic surveillance of Americans on U.S. soil and reassert that our existing statutes govern the operation of such surveillance.

Madam Chair, the Federal Government has a duty to pursue al Qaeda and other enemies of the United States with all available tools, including the use of electronic surveillance, to thwart future attacks on the United States and to destroy the enemy.

While the President possesses the inherent authority to engage in electronic surveillance of the enemy outside the country, Congress possesses the authority to regulate such surveillance within the United States.

When Congress passed the Foreign Intelligence Surveillance Act, it intended for this statute to provide the sole authority for surveillance of Americans on American soil for the purpose of gathering foreign intelligence information. Our amendment reiterates this important principle.

The President has argued that the authorization for the use of military force provided him with the authority to engage in warrantless electronic surveillance of Americans.

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It is hard to believe that any of us contemplated, when we voted to authorize the use of force to root out the terrorists who attacked us on September 11, that we were also voting to

nullify FISA. Our amendment makes clear that in the absence of explicit statutory authority, FISA is the exclusive authority for the conduct of domestic electronic surveillance of Americans. While the administration appears to have finally agreed that electronic surveillance occurring as part of the Terrorist Surveillance Program, or TSP, should cease to operate without the approval of the FISA court, the administration has not conceded that it cannot conduct such electronic surveillance of Americans unilaterally outside of FISA with no judicial oversight either now or in the future.

While we have been told that surveillance in this program was limited to phone calls where one of the parties is outside of the United States, there appears to be no limiting principle to the Executive’s claim of authority provided by the military force resolution. In fact, when we questioned the Attorney General on this point in the last session, he would not rule out the proposition that the Executive has the authority to wiretap purely domestic calls between two Americans without seeking a warrant.

No one in Congress would deny the need to tap certain calls under court order, but if the government can tap purely domestic phone calls between Americans without court approval, there is no limit to executive power. Congress cannot be silent in the face of this assertion of authority.

In working to meet the real national security needs of the country, we must also ensure that Congress does not abdicate its responsibility to ensure that fundamental liberties are not compromised. Absent congressional action, law-abiding U.S. citizens may continue to have reasonable fear of being the subject of extra-judicial surveillance.

Madam Chairman, I reserve the balance of my time.

Mrs. WILSON of New Mexico. Madam Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. WILSON of New Mexico. Madam Chairman, I yield myself such time as I may consume.

When the President acknowledged the existence of the Terrorist Surveillance Program, he claimed the inherent authority, under article II of the Constitution, as the Commander in Chief to be able to conduct that surveillance. Now, whether you agree or don’t agree with his interpretation of the Constitution, this amendment, and a bill with this amendment in it, does not change the Constitution.

I will admit to the gentleman from California I personally believe that the legal arguments that were presented in favor of the Terrorist Surveillance Program were not strong. They weren’t strong at all. And that is why I demanded more rigorous oversight to the program and proposed legislation to change the Foreign Intelligence Surveillance Act so that we can listen to

our enemies and protect the civil liberties of Americans.

The sad thing is that the bipartisan leadership of this body, Democrat and Republican, knew for 5 years this program was going on and did nothing to update the laws or even propose that perhaps this was wrong to do this this way. They remained silent. The failure is in the Congress.

We now know that the Foreign Intelligence Surveillance Act, as it is currently written, is not getting us critical information about our enemies and also, frankly, not protecting the civil liberties of Americans. It is broken and not working.

The Director of National Intelligence testified last week in the Senate Select Committee on Intelligence, saying that we are missing important information because this law is trapped in 1970s technology.

In January of this year, the Attorney General wrote to the Congress and said that we now have innovative orders from the Foreign Intelligence Surveillance Court. By “innovative” what he really meant is that we are on very fragile legal ground. I describe it as putting a twin-size sheet on a king-size bed, and everybody on the Intelligence Committee knows exactly what I mean. We have one judge, in a non-adversarial proceeding, in secret session, who has approved some innovative orders. He is way out on a legal limb. So what will the next judge do? And after this amendment passes saying, by golly, we are determined to stay in the 1970s, the Congress is happy with a 1970s law governing 1970s technology, what is the next judge going to do? And how does that compromise our national security? We have a problem.

In 1978 almost all local communications went over a wire and almost all long-haul communications went over the air. The statute sets up different regimes for what to do for over-the-wire communications that you need a warrant for to collect foreign intelligence information. Over the air the sky is the limit. We now, in the 21st century, have things completely reversed. Now almost all local calls are over the air. 230 million Americans have cell phones, and yet almost all long-distance calls are over wires. The information that we critically need is on the wires.

This law is outdated, and we are stuck with our heads in the sand in 1970s law. And your amendment insists that we stay there.

I will oppose this amendment and urge my colleagues to do the same.

Madam Chairman, I reserve the balance of my time.

Mr. SCHIFF. Madam Chairman, as my colleague from California (Ms. HARMAN) points out, FISA has been amended 12 times, and, moreover, we have proposed to amend FISA to modernize it at present, and Mr. FLAKE and I propose to amend it as well.

The argument of my colleague seems to be that FISA needs to be amended,

it hasn't been amended yet; so we should allow the President to simply ignore it. That, I submit, is not constitutional and not desirable.

Madam Chairman, I yield 1½ minutes to my colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Chairman, I thank Mr. SCHIFF for yielding, and I appreciate working with him on this important amendment and on this issue for a long time.

Madam Chairman, this amendment would reiterate that FISA is the exclusive means by which domestic electronic surveillance can be conducted for the purpose of gathering foreign intelligence information.

As has been stated before, we have, on the Judiciary Committee, for years been asking the administration what can we not do within FISA, do we need to change FISA in order to be able to conduct surveillance we need within FISA. We have never been given compelling information or evidence why we can't do what we need to do within FISA. As Mr. SCHIFF mentioned, if we do need to change FISA to update it again, as it has been changed and updated multiple times, then we should do it. However, we simply can't say FISA is insufficient; so go around it, and we don't want to know what goes on outside of it. Go ahead with the Terrorist Surveillance Program. We will have no congressional oversight. That is simply unacceptable. If we do need to change FISA, if we do need to modernize it, let's modernize it again, again, and again. But let's make sure that Congress maintains its prerogative to regulate the surveillance that goes on to make sure that it is done with civil liberties in mind. That is what this amendment seeks to do, and I am pleased to work with Mr. SCHIFF on it.

The CHAIRMAN. The gentleman from California's time has expired.

Mrs. WILSON of New Mexico. Madam Chairman, I yield myself the balance of my time.

The Foreign Intelligence Surveillance Act has been amended since 1978 several times. But what has not changed is the basic structure of the law, that it treats wire communications differently than it treats over-the-air communications.

You do not need a warrant to gather foreign intelligence information that is flowing through the air by radio waves or cell tower or microwave or anything else. We do it. You do need it over a wire. The law needs to be technology neutral and it is not. What you are doing by your amendment is reaffirming that this House tonight is determined to stay with the 1970s law and 1970s technology. And this House also rejected an amendment that would have updated these statutes.

My colleague from Arizona says do we need to change FISA? We really don't know.

We have a written submission from the Director of National Intelligence

telling us the changes that need to be made.

I urge my colleagues to look to the 21st-century technology to protect this country and reject the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mrs. WILSON of New Mexico. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. HOEKSTRA of Michigan.

Amendment No. 5 by Mr. ROGERS of Michigan.

Amendment No. 10 by Mr. SCHIFF of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. HOEKSTRA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 230, not voting 22, as follows:

[Roll No. 337]

AYES—185

Aderholt	Burton (IN)	Fallin	Hoekstra	McKeon	Ryan (WI)
Akin	Buyer	Feehey	Hulshof	Melancon	Sali
Alexander	Calvert	Flake	Hunter	Mica	Schmidt
Bachmann	Camp (MI)	Forbes	Inglis (SC)	Miller (FL)	Sensenbrenner
Bachus	Campbell (CA)	Fortenberry	Issa	Miller (MI)	Sessions
Baker	Cannon	Fossella	Jindal	Miller, Gary	Shadegg
Barrett (SC)	Cantor	Foxx	Johnson, Sam	Moran (KS)	Shimkus
Barton (TX)	Capito	Franks (AZ)	Jones (NC)	Murphy, Tim	Shuster
Bean	Carter	Frelinghuysen	Jordan	Musgrave	Simpson
Biggert	Chabot	Gallegly	Keller	Myrick	Smith (NE)
Bilbray	Coble	Garrett (NJ)	King (IA)	Neugebauer	Smith (TX)
Bilirakis	Cole (OK)	Gerlach	King (NY)	Nunes	Stearns
Bishop (UT)	Conaway	Gillmor	Kingston	Paul	Sullivan
Blackburn	Crenshaw	Gingrey	Kirk	Pearce	Tancredo
Blunt	Cubin	Gohmert	Kline (MN)	Pence	Terry
Boehner	Culberson	Goode	Knollenberg	Petri	Thornberry
Bonner	Davis (KY)	Goodlatte	Kuhl (NY)	Pickering	Tiaht
Bono	Davis, David	Granger	LaHood	Pitts	Tiberi
Boozman	Deal (GA)	Graves	Lamborn	Platts	Turner
Boren	Dent	Hall (TX)	Latham	Poe	Upton
Boustany	Diaz-Balart, L.	Hastert	LaTourette	Porter	Walberg
Brady (TX)	Diaz-Balart, M.	Hastings (WA)	Lewis (CA)	Price (GA)	Walden (OR)
Brown (SC)	Drake	Hayes	Lewis (KY)	Pryce (OH)	Walsh (NY)
Brown-Waite,	Duncan	Heller	Linder	Putnam	Wamp
Ginny	Emerson	Hensarling	Lucas	Regula	Weldon (FL)
Buchanan	English (PA)	Herger	Lungren, Daniel	Rehberg	Weller
Burgess	Everett	Hobson	E. E.	Reichert	Westmoreland
			Mack	Renzi	Whitfield
			Manzullo	Reynolds	Wicker
			Marchant	Rogers (AL)	Wilson (NM)
			McCarthy (CA)	Rogers (KY)	Wilson (SC)
			McCaul (TX)	Rogers (MI)	Wolf
			McCotter	Rohrabacher	Young (AK)
			McCrery	Ros-Lehtinen	Young (FL)
			McHenry	Roskam	
			McHugh	Royce	

NOES—230

Abercrombie	Ellsworth	Lofgren, Zoe
Ackerman	Emanuel	Lowey
Allen	Eshoo	Maloney (NY)
Altmire	Etheridge	Markey
Andrews	Faleomavaega	Marshall
Arcuri	Farr	Matheson
Baca	Ferguson	McCarthy (NY)
Baird	Filner	McCormick (MN)
Baldwin	Frank (MA)	McDermott
Barrow	Giffords	McGovern
Bartlett (MD)	Gilchrest	McIntyre
Becerra	Gillibrand	McNerney
Berkley	Gonzalez	Meek (FL)
Berman	Gordon	Meekly
Berry	Green, Al	Meeks (NY)
Bishop (GA)	Green, Gene	Michaud
Bishop (NY)	Gutierrez	Miller (NC)
Blumenauer	Hall (NY)	Miller, George
Boswell	Hare	Mitchell
Boucher	Harman	Mollohan
Boyd (FL)	Hastings (FL)	Moore (KS)
Boysa (KS)	Herseth Sandlin	Moore (WI)
Braley (IA)	Higgins	Moran (VA)
Brown, Corrine	Hill	Murphy (CT)
Butterfield	Hinchey	Murphy, Patrick
Capps	Hirono	Neal (MA)
Capuano	Hodes	Oberstar
Cardoza	Holden	Obey
Carnahan	Holt	Pelosi
Carney	Honda	Pallone
Castle	Hooley	Pascarella
Castor	Hoyer	Pawlenty
Chandler	Insllee	Perlmutter
Clarke	Israel	Petersen (MN)
Clay	Jackson (IL)	Pomeroj
Clyburn	Jackson-Lee	Price (NC)
Cohen	(TX)	Rahall
Cooper	Johnson (GA)	Ramstad
Costa	Johnson (IL)	Rangel
Costello	Johnson, E. B.	Rothman
Courtney	Jones (OH)	Rush
Franks (AZ)	Kagen	Ryan (OH)
Cramer	Kanjorski	Salazar
Crowley	Kaptur	Sánchez, Linda T.
Gallagly	Cummings	Sánchez, Loretta
Garnett (NJ)	Davis (AL)	Sarbanes
Garrett (NJ)	Davis (CA)	Saxton
Gerlach	Davis (IL)	
Gillmor	Davis (IL)	
Gingrey	Davis, Lincoln	
Gohmert	Davis, Tom	
Goode	DeFazio	
Goodlatte	DeGette	
Granger	Delahunt	
Graves	DeLauro	
Hall (TX)	Dicks	
Hastert	Dingell	
Hastings (WA)	Doggett	
Hayes	Doyle	
Heller	Donnelly	
Hensarling	Edwards	
Herger	Ehlers	
Hobson	Ellison	



DeFazio	Kirk	Rodriguez	Kline (MN)	Myrick	Sensenbrenner
DeGette	Klein (FL)	Ross	Knollenberg	Neugebauer	Sessions
Delahunt	Kucinich	Rothman	Kuhl (NY)	Nunes	Shadegg
DeLauro	Lampson	Royal-Allard	LaHood	Pearce	Shays
Dicks	Langevin	Ruppersberger	Lamborn	Pence	Shimkus
Dingell	Lantos	Rush	Latham	Pickering	Shuster
Doggett	Larsen (WA)	Ryan (OH)	LaTourette	Pitts	Simpson
Donnelly	Larson (CT)	Salazar	Lewis (CA)	Platts	Smith (NE)
Doyle	Lee	Sali	Lewis (KY)	Poe	Smith (NJ)
Duncan	Levin	Sánchez, Linda T.	Linder	Porter	Smith (TX)
Ehlers	Lewis (GA)	Sanchez, Loretta	LoBiondo	Price (GA)	Sullivan
Ellison	Lipinski	Sánchez, Loretta	Lucas	Pryce (OH)	Tancredo
Ellsworth	Loebssack	Sarbanes	Lungren, Daniel E.	Putnam	Terry
Emanuel	Lofgren, Zoe	Schakowsky	Marshall	Ramstad	Thornberry
Eshoo	Lowey	Schiff	McCarthy (CA)	Regula	Tiahrt
Etheridge	Lynch	Schwartz	McCaul (TX)	Rehberg	Tiberi
Faleomavaaga	Mack	Scott (GA)	McCotter	Reichert	Turner
Farr	Mahoney (FL)	Scott (VA)	McCrery	Renzl	Walden (OR)
Filner	Maloney (NY)	Serrano	McHenry	Rogers (AL)	Walsh (NY)
Flake	Manzullo	Sestak	McHugh	Rogers (KY)	Weldon (FL)
Frank (MA)	Marchant	Shea-Porter	McKeon	Rogers (MI)	Westmoreland
Giffords	Markey	Sherman	Melancon	Rohrabacher	Whitfield
Gilchrest	Matheson	Shuler	Mica	Ros-Lehtinen	Wicker
Gillibrand	Matsui	Sires	Miller (FL)	Roskam	Wilson (NM)
Gilmor	McCarthy (NY)	Slleton	Miller (MI)	Royce	Wilson (SC)
Gonzalez	McCollum (MN)	Slaughter	Miller, Gary	Ryan (WI)	Wolf
Gordon	McDermott	Smith (WA)	Snyder	Murphy, Tim	Young (AK)
Green, Al	McGovern	Solis	Solis	Saxton	Young (FL)
Green, Gene	McIntyre	Space	Space	Musgrave	Schmidt
Grijalva	McNerney	Spratt	Bordallo	Fattah	Peterson (PA)
Gutierrez	McNulty	Stark	Brady (PA)	Fortuño	Radanovich
Hall (NY)	Meehan	Stearns	Christensen	Hinojosa	Souder
Hare	Meek (FL)	Stupak	Cleaver	McMorris	
Harman	Meeks (NY)	Sutton	Davis, Jo Ann	Rodgers	
Hastings (FL)	Michaud	Tanner	Engel	Norton	
Herseth Sandlin	Miller (NC)	Tauscher			
Higgins	Miller, George	Mitchell			
Hill	Mitchell	Mollohan			
Hinchey	Mollohan	Moore (KS)			
Hirono	Mollohan	Moore (WI)			
Hodes	Mollohan	Moran (KS)			
Holden	Mollohan	Moran (VA)			
Holt	Mollohan	Murphy (CT)			
Honda	Mollohan	Murphy, Patrick			
Hooley	Mollohan	Murphy, Patrick			
Hoyer	Murtha	Murtha			
Inglis (SC)	Nadler	Nadler			
Inslee	Napolitano	Napolitano			
Israel	Neal (MA)	Neal (MA)			
Jackson (IL)	Oberstar	Oberstar			
Jackson-Lee (TX)	Obey	Obey			
Jefferson	Ortiz	Ortiz			
Johnson (GA)	Pallone	Pallone			
Johnson (IL)	Pascrall	Pascrall			
Johnson, E. B.	Pastor	Pastor			
Jones (NC)	Paul	Paul			
Jones (OH)	Payne	Payne			
Kagen	Perlmutter	Perlmutter			
Kanjorski	Peterson (MN)	Peterson (MN)			
Kaptur	Petri	Petri			
Kennedy	Pomeroy	Pomeroy			
Kildee	Price (NC)	Price (NC)			
Kilpatrick	Rahall	Rahall			
Kind	Rangel	Rangel			
Kingston	Reyes	Reyes			

## NOES—178

Aderholt	Cannon	Fossella
Akin	Cantor	Foxx
Alexander	Capito	Franks (AZ)
Bachmann	Carter	Frelinghuysen
Bachus	Castle	Gallely
Baker	Chabot	Garrett (NJ)
Barrett (SC)	Coble	Gerlach
Barrow	Cole (OK)	Gingrey
Barton (TX)	Conaway	Gohmert
Biggert	Crenshaw	Goode
Bilbray	Cubin	Goodlatte
Bilirakis	Culberson	Granger
Bishop (UT)	Davis (KY)	Graves
Blackburn	Davis, Lincoln	Hall (TX)
Blunt	Davis, Tom	Hastert
Boehner	Deal (GA)	Hastings (WA)
Bonner	Dent	Hayes
Bono	Diaz-Balart, L.	Heller
Boozman	Diaz-Balart, M.	Hensarling
Boustany	Doolittle	Herger
Brady (TX)	Drake	Hobson
Brown (SC)	Dreier	Hoekstra
Brown-Waite, Ginny	Edwards	Hulshof
Buchanan	Emerson	Hunter
Burgess	English (PA)	Issa
Burton (IN)	Everett	Jindal
Buyer	Falbin	Johnson, Sam
Calvert	Feeney	Jordan
Camp (MI)	Ferguson	Keller
Campbell (CA)	Forbes	King (IA)
	Fortenberry	King (NY)

Kline (MN)	Myrick	Sensenbrenner
Ross	Knollenberg	Sessions
Rothman	Kuhl (NY)	Shadegg
Royal-Allard	LaHood	Shays
Ruppersberger	Lamborn	Shimkus
Rush	Latham	Pickering
Ryan (OH)	LaTourette	Shuster
Salazar	Lewis (CA)	Simpson
Sali	Lewis (KY)	Smith (NE)
Sánchez, Linda T.	Linder	Smith (NJ)
Sanchez, Loretta	LoBiondo	Smith (TX)
Sarbanes	Lucas	Sullivan
Schakowsky	Lungren, Daniel E.	Tancredo
Schiff	McHenry	Terry
Schwartz	McHugh	Thornberry
Scott (GA)	McCarthy (CA)	Tiabrt
Scott (VA)	McCaul (TX)	Tiberi
Shea-Porter	McKeon	Turner
Sherman	Melancon	Walden (OR)
Shuler	Mica	Walsh (NY)
Sires	Miller (FL)	Weldon (FL)
Slleton	Miller (MI)	Westmoreland
Slaughter	Ros-Lehtinen	Wilson (SC)
Smith (WA)	Miller (MI)	Wolf
Snyder	Ryan (WI)	Young (AK)
Solis	Murphy, Tim	Young (FL)
Space	Musgrave	Schmidt

## NOT VOTING—14

ANNOUNCEMENT BY THE CHAIRMAN  
The CHAIRMAN (during the vote). Members are advised 1 minute remains on this vote.

## □ 0055

So the amendment was agreed to. The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mrs. TAUSCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 388, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ROGERS of Michigan. In its present form, I am.

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

The Clerk read as follows:

Mr. Rogers of Michigan moves to recommit the bill, H.R. 2082, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendments:

Page 8, line 25, strike "\$39,000,000" and insert "\$16,000,000".

Page 9, after line 20 insert the following new subsection:

(f) HUMAN INTELLIGENCE ACTIVITIES OF THE CIA.—In addition to amounts authorized to be appropriated for the human intelligence activities of the Central Intelligence Agency under this Act (including those specified in the classified Schedule of Authorizations referred to in section 102(a)), there is also authorized to be appropriated for the human intelligence activities of the Central Intelligence Agency \$23,000,000.

At the end of subtitle A of title V (page 48, after line 5), add the following new section:

## SEC. 503. AUDIT OF THE NATIONAL DRUG INTELLIGENCE CENTER.

(a) AUDIT.—The Inspector General of the Department of Justice shall conduct an audit of the effectiveness and role of the National Drug Intelligence Center, including any problems with duplication of effort and lack of coordination with other intelligence providers and consumers.

(b) REQUIREMENTS.—The audit conducted under subsection (a) shall include—

(1) an examination of whether the National Drug Intelligence Center duplicates functions carried out by the Drug Enforcement Administration, the El Paso Intelligence Center, the Federal Bureau of Investigation, or other components of the Department of Justice;

(2) an examination of the overall effectiveness of the National Drug Intelligence Center;

(3) an examination of whether current activities of the National Drug Intelligence Center dealing with international drug intelligence are consistent with the provisions of the General Counterdrug Intelligence Plan designating it as the principal center for strategic domestic counterdrug intelligence; and

(4) an examination of whether the document exploitation functions of the National Drug Intelligence Center could effectively be transferred to a component of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) or the Department of Justice.

(c) SUBMISSION DATE.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary a report containing the results of the audit conducted under subsection (a).

Mr. ROGERS of Michigan (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit

be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan is recognized for 5 minutes in support of his motion to recommit.

Mr. ROGERS of Michigan. Mr. Speaker, I know the hour is late, but this is such an important issue. There are some good things in this bill, and my colleagues have rightly said this is the biggest expenditure we have ever seen in a very long time, as a matter of fact, ever, in our intelligence bill. But bigger isn't always better, because the priorities in the bill are what is important.

The folks who are on the front lines, our analysts, our case officers, our soldiers who are being protected by the feed of information that flows to them, are incredibly important. And make no doubt about it, my friends, this is a huge shift philosophically from where we have been in the past.

Nothing in here, nothing in here fixes the problem that we have today in not being able to listen to certain phone calls that might lead to an attack on the United States of America. Nothing. That lack of urgency should scare us all.

The fact that we cut human intelligence programs in this bill, they will get less money this year, some of them very sensitive, very classified, specifically cut out of this bill, jeopardizes soldiers in the field in not getting the proper assistance and information that they need.

We also take a political bent. There are also some disturbing things, things that we all sometimes don't like about the House that we serve in. Sometimes it was said because we did things that way for a long time, we should continue to do it. Those are the things that we can change tonight. Those are the things that we can at least tell the American people with this motion to recommit we believe in getting that information, we believe in human intelligence. Certainly the 9/11 Commission did. We believe in regular order and the rules, so that when earmarks go into very sensitive bills like this, and we have seen what happens when we don't follow the rules, it can cause trouble.

Think about what we are talking about. Right before Afghanistan, we dropped seven CIA officers in very remote places in a very difficult neighborhood, and on their own they committed to get around with this Northern Alliance that was together, but not really. They had tribal problems. They had cultural problems among themselves. And their duty, these seven CIA officers, was to pull things together. Human intelligence got us where we needed to be.

□ 0100

Many would say it saved thousands and thousands of lives of U.S. soldiers

because of their brave actions in the mountains of Afghanistan in very difficult territory because we had human-on-human contact that gave us the information and the operations that we needed to be successful.

And in this bill, in this bill, they take away precious resources for those kind of human collection activities. When we have soldiers in the field, that is a philosophical departure from where we have been in the past.

We can't stand for that. We can't stand for the fact that we may lose our ears on terrorist activities being planned today. And we also can't take wasteful programming in something that is this important.

You know, for a time of war, the priorities of this bill are completely misplaced in critical areas. The motion to recommit would readjust those priorities by increasing human intelligence funding for the Central Intelligence Agency by \$23 million. That money would come from an earmark funding for the National Drug Intelligence Center which a formal oversight report of the House Committee said: "An expensive and duplicative use of scarce Federal drug enforcement resources." And the U.S. News & World Report called it a "boondoggle."

The motion to recommit would also direct the Department of Justice Inspector General to conduct an audit of the National Drug Intelligence Center to determine if this center was wasteful and duplicative.

For all of the talk about reform, the majority has blocked an audit by a party-line vote in committee with no substantive explanation. My amendment requiring the audit also was blocked by the Rules Committee. It shouldn't be controversial that these funds could be put to far better use in human intelligence. In numerous important respects, this bill fails to provide adequate support to the Intelligence Community's activities on the forefront of its ability to protect our national security.

In a classified annex, the majority cuts human intelligence programs, counter to the recommendations of the 9/11 Commission; and significantly cuts certain specific initiatives related to American efforts to counter radical jihadists and to support our Nation's objectives in Iraq.

A review of just this center, and why this \$23 million is so important, it is going to human collection. A review of the NDIC, U.S. News & World Report in 2005 concluded: "It is a boondoggle," and "rocked by scandal and subject to persistent criticism that it should never have been created at all."

You know, sometimes, and God love us all, we get pretty myopic on our districts. This is the time that we need to look outward to the rest of the country. We are United States Members of Congress. What is good for our backyard may not be good for the rest of the country.

There is a Marine right now that is counting on human intelligence to tell

us if there is an IED on the road, if al Qaeda is around the corner. If we don't want to stand up for this motion to recommit, we will endorse the boondoggles of the past at the expense of our soldiers in the field. I would urge support of the motion to recommit.

Mr. REYES. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. REYES. Mr. Speaker, I oppose this motion to recommit because it would cut a program that makes valuable contributions to the war on drugs and to homeland security, first and foremost.

This motion is also misleading because the underlying bill provides our intelligence officers everything they need. It adds funds to the CIA and Defense Department for human intelligence training so that our operators can be more effective. It invests in language training for case officers so they can operate effectively overseas.

My colleague talks about following the rules. One of the premier rules that we have is we never mention a number in classified programs; \$23 million telegraphs our enemies what we are doing.

The motion to recommit asks for a study. This program has been studied before. I just want to quote the White House drug czar. When the White House drug czar toured the NDIC in 2003, he said: "The National Drug Intelligence Center provides us with vital information we need to disrupt the market for illegal drugs in America."

Also, a White House press release asserted that the drug czar's office uses NDIC-produced intelligence to help guide its ongoing counterdrug policy agenda as outlined in the President's national drug control strategy. NDIC information bulletins every day warn law enforcement officers around our country and intelligence agencies around the world of emerging threats in drug trafficking and trends in use.

But the motion to recommit would silence this added and vital voice, a voice that the minority was more than happy to fund when they were in charge of this body. The Republican-led Congress appropriated more than \$160 million for NDIC over the past 4 years. It funded the National Drug Intelligence Center with \$39 million in fiscal years 2005, 2006 and 2007, and more than \$44 million in 2004.

If it was such a good idea then, if it was such a good idea back when you were in charge, why in the heck is it such a bad idea now when we see the trends we are seeing around the country?

Mr. Speaker, I urge all of my colleagues to defeat this motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.



Cannon	Hunter	Price (GA)
Cantor	Inglis (SC)	Pryce (OH)
Capito	Issa	Putnam
Carter	Jindal	Ramstad
Castle	Johnson, Sam	Regula
Chabot	Jordan	Rehberg
Coble	Keller	Reichert
Cole (OK)	King (IA)	Renzi
Conaway	King (NY)	Reynolds
Crenshaw	Kingston	Rogers (AL)
Cubin	Kirk	Rogers (KY)
Culberson	Kline (MN)	Rogers (MI)
Davis (KY)	Knollenberg	Rohrabacher
Davis, David	Kucinich	Ros-Lehtinen
Davis, Tom	Kuhl (NY)	Roskam
Deal (GA)	LaHood	Royce
Dent	Lamborn	Ryan (WI)
Diaz-Balart, L.	Latham	Sali
Diaz-Balart, M.	LaTourette	Saxton
Doolittle	Lee	Schmidt
Drake	Lewis (CA)	Sensenbrenner
Dreier	Lewis (KY)	Sessions
Duncan	Linder	Shadegg
Ehlers	LoBiondo	Shays
Emerson	Lucas	Shimkus
English (PA)	Lungren, Daniel	Shuster
Everett	E.	Simpson
Fallin	Mack	Smith (NE)
Feeley	Manzullo	Smith (NJ)
Ferguson	Marchant	Smith (TX)
Flake	McCarthy (CA)	Stark
Forbes	McCaull (TX)	Stearns
Fortenberry	McCotter	Sullivan
Fossella	McCrery	Tancredo
Foxx	McDermott	Terry
Franks (AZ)	McHenry	Thornberry
Frelinghuysen	McHugh	Tiabert
Gallegly	McKeon	Tiberi
Garrett (NJ)	Mica	Turner
Gerlach	Miller (FL)	Upton
Gillmor	Miller (MI)	Walberg
Gingrey	Miller, Gary	Walden (OR)
Gohmert	Moran (KS)	Walsh (NY)
Goode	Murphy, Tim	Wamp
Goodlatte	Musgrave	Weldon (FL)
Granger	Myrick	Weller
Graves	Neugebauer	Westmoreland
Hall (TX)	Nunes	Whitfield
Hastert	Paul	Wicker
Hastings (WA)	Payne	Wilson (NM)
Hayes	Pearce	Wilson (SC)
Heller	Pence	Petri
Hensarling	Pickering	Pitts
Herger	Platts	Platts
Hobson	Poe	Young (AK)
Hoekstra		Young (FL)
Hulshof		

## NOT VOTING—10

Brady (PA)	Fattah	Peterson (PA)
Cleaver	Hinojosa	Radanovich
Davis, Jo Ann	McMorris	Souder
Engel	Rodgers	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 0130

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY,  
MAY 14, 2007

Mr. ELLISON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning-hour debate.

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

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ELLISON. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

## PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Chairman, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Would this be considered the dead of night?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Mr. PRICE of Georgia. I thank the Speaker.

## PERMISSION TO TAKE SPECIAL ORDER

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent to take a 1-hour special order tonight for the Republicans.

The SPEAKER pro tempore. The Chair cannot entertain that request.

## CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, MAY 9, 2007 AT PAGE H 4734

## CONTINUATION OF THE NATIONAL EMERGENCY BLOCKING PROPERTY OF CERTAIN PERSONS AND PROHIBITING THE EXPORT OF CERTAIN GOODS TO SYRIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-33)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice, stating that the national emergency declared in Executive Order 13338 of May 11, 2004, and expand in scope in Executive Order 13399 of April 25, 2006, authorizing the blocking of property of certain persons and prohibiting the ex-

portation and reexportation of certain goods to Syria, is to continue in effect beyond May 11, 2007.

The actions of the Government of Syria in supporting terrorism, interfering in Lebanon, pursuing weapons of mass destruction and missile programs, and undermining United States and international efforts with respect to the stabilization and reconstruction of Iraq pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions I have ordered to address this national emergency.

GEORGE W. BUSH.  
THE WHITE HOUSE, May 8, 2007.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PETERSON of Pennsylvania (at the request of Mr. BOEHNER) for today after 8:00 p.m. on account of a family medical situation.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ELLISON) to revise and extend their remarks and include extraneous material:)

Mr. McDERMOTT, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. KAGEN, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. McCARTHY of New York, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. ZOE LOFGREN of California, for 5 minutes, today.

Ms. MCCOLLUM of Minnesota, for 5 minutes, today.

## ADJOURNMENT

Mr. SCOTT of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes a.m.), under its previous order, the House adjourned until Monday, May 14, 2007, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1637. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a Report