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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. HIRONO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 10, 2008.

I hereby appoint the Honorable MAZIE HIRONO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 33 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. HIRONO) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Today at the beginning of another week of time and work, we stand before You, Lord God of the universe. We also stand before the world community. There is no way of separating ourselves from this reality.

The truth of our living today and the ensuing week is dependent upon our attitude of mind toward the world we live in. This attitude is a matter of habit, dealing with others and circumstances according to past experiences and ever-present pressures. Help us, Lord, to see how our attitude guides any attempt to form relationships or pattern progress for ourselves and the Nation.

Most often, Lord, this unconscious attitude places an emphasis either upon the principle of duality or upon the principle of unity. Either we view everyone and everything as a combative conquest or a realized connection. Every moment we approach the whole universe through a cultivation of controlling power or through growth in sympathy.

Once we know there are no winners or losers, the game never ends. It is all a matter of attitude. Life is either a competitive struggle or a simple joy both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Missouri (Mr. CARNAHAN) come forward and lead the House in the Pledge of Allegiance.

Mr. CARNAHAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 8, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 8, 2008, at 11 :30 a.m. and said to contain a message from the President whereby he returns without his approval, H.R. 2082, the "Intelligence Authorization Act for Fiscal Year 2008."

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-100)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 2082, the "Intelligence Authorization Act for Fiscal Year 2008." The bill would impede the United States Government's efforts to protect the American people effectively from terrorist attacks and other threats because it imposes several unnecessary

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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and unacceptable burdens on our Intelligence Community.

Section 444 of the bill would impose additional Senate confirmation requirements on two national security positions—the Director of the National Security Agency and the Director of the National Reconnaissance Office. The National Commission on Terrorist Attacks Upon the United States (9/11 Commission) observed that the effectiveness of the Intelligence Community suffers due to delays in the confirmation process; section 444 would only aggravate those serious problems. Senior intelligence officials need to assume their duties and responsibilities as quickly as possible to address the pressing requirements of national security. Instead of addressing the 9/11 Commission's concern, the bill would subject two additional vital positions to a more protracted process of Senate confirmation. Apart from causing such potentially harmful delays, this unwarranted requirement for Senate confirmation would also risk injecting political pressure into these positions of technical expertise and public trust.

Section 413 would create a new Inspector General for the Intelligence Community. This new office is duplicative and unnecessary. Each intelligence community component already has an Inspector General, and the Inspector General of the Office of the Director of National Intelligence has been vested with all the legal powers of any inspector general to carry out investigations on matters under the jurisdiction of the Director of National Intelligence. There is no reason to commit taxpayer resources to an additional inspector general with competing jurisdiction over the same intelligence elements. Creating duplicative inspectors general, who may have inconsistent views on the handling of particular matters, has the potential to create conflicts and impede the Intelligence Community from efficiently resolving issues and carrying out its core mission. In addition, the creation of a new inspector general would add yet another position in the Intelligence Community subject to Senate confirmation, contrary to the 9/11 Commission's recommendations.

Section 327 of the bill would harm our national security by requiring any element of the Intelligence Community to use only the interrogation methods authorized in the Army Field Manual on Interrogations. It is vitally important that the Central Intelligence Agency (CIA) be allowed to maintain a separate and classified interrogation program. The Army Field Manual is directed at guiding the actions of nearly three million active duty and reserve military personnel in connection with the detention of lawful combatants during the course of traditional armed conflicts, but terrorists often are trained specifically to resist techniques prescribed in publicly available military regulations such as the Manual. The CIA's ability to conduct a sep-

arate and specialized interrogation program for terrorists who possess the most critical information in the War on Terror has helped the United States prevent a number of attacks, including plots to fly passenger airplanes into the Library Tower in Los Angeles and into Heathrow Airport or buildings in downtown London. While details of the current CIA program are classified, the Attorney General has reviewed it and determined that it is lawful under existing domestic and international law, including Common Article 3 of the Geneva Conventions. I remain committed to an intelligence-gathering program that complies with our legal obligations and our basic values as a people. The United States opposes torture, and I remain committed to following international and domestic law regarding the humane treatment of people in its custody, including the "Detainee Treatment Act of 2005."

My disagreement over section 327 is not over any particular interrogation technique; for instance, it is not over waterboarding, which is not part of the current CIA program. Rather, my concern is the need to maintain a separate CIA program that will shield from disclosure to al Qaeda and other terrorists the interrogation techniques they may face upon capture. In accordance with a clear purpose of the "Military Commissions Act of 2006," my veto is intended to allow the continuation of a separate and classified CIA interrogation program that the Department of Justice has determined is lawful and that operates according to rules distinct from the more general rules applicable to the Department of Defense. While I will continue to work with the Congress on the implementation of laws passed in this area in recent years, I cannot sign into law a bill that would prevent me, and future Presidents, from authorizing the CIA to conduct a separate, lawful intelligence program, and from taking all lawful actions necessary to protect Americans from attack.

Other provisions of the bill purport to require the executive branch to submit information to the Congress that may be constitutionally protected from disclosure, including information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 326, for example, would require that the executive branch report, on a very short deadline and in accordance with a rigid set of specific statutory requirements, the details of highly classified interrogation techniques and the confidential legal advice concerning them. The executive branch voluntarily has provided much of this information to appropriate Members of Congress, demonstrating that questions concerning access to such information are best addressed through the customary practices and arrangements between the executive and legislative branches on

such matters, rather than through the enactment of legislation.

In addition, section 406 would require a consolidated inventory of Special Access Programs (SAPs) to be submitted to the Congress. Special Access Programs concern the most sensitive information maintained by the Government, and SAP materials are maintained separately precisely to avoid the existence of one document that can serve as a roadmap to our Nation's most vital information. The executive branch must be permitted to present this information in a manner that does not jeopardize national security. The executive branch will continue to keep the Congress appropriately informed of the matters to which the provisions relate in accordance with the accommodation principles the Constitution contemplates and the executive and legislative branches have long and successfully used to address information sharing on matters of national security.

GEORGE W. BUSH.

THE WHITE HOUSE, March 8, 2008.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

Mr. LOEBSACK. Madam Speaker, I ask unanimous consent that further consideration of the veto message and the bill be postponed until Tuesday, March 11, 2008.

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

There was no objection.

□ 1415

AIRBUS WINS AIR FORCE CONTRACT OVER BOEING

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, a week ago Friday, the market dropped 400-plus points, and the Air Force announced its award of a refueling aircraft contract to foreign-based Airbus over U.S.-based Boeing. At a time when we are working on national economic stimulus plans for our sagging economy, outsourcing vital defense work and good-paying jobs raises questions that are both troubling and alarming. Their decision to reward foreign interests by spending \$40 billion abroad has been ridiculed. Many today are still shaking their heads. It reminds me of a time not long ago when we were being asked to relinquish control of our ports. This latest debacle doesn't make sense, and it is not good for our country.

Air Force officials have agreed to move up a debriefing with Boeing officials to explain why they would outsource the construction of 179 aerial tankers abroad. Adding insult to injury, many believe the Air Force decision will end up actually buying a more costly and less capable aircraft.