

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.

Many Members are disturbed by what has transpired as a result of this deal. It degrades our national defense industry. It diminishes economic development opportunities and jobs here at home. When will we insist on putting America's interests first? This Congress should act swiftly and responsibly to review and to stop this questionable contract award.

JUDGES' HALL OF SHAME— MARILYN MACKEL

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, judges should keep politics out of their judicial decisions, but not so with California Judge Marilyn Mackel. She is a loud opponent of U.S. liberation of Iraq. So when Shawn Sage, a foster child of 17, appeared before her to obtain permission to early enlist in the United States Marine Corps, she summarily denounced his request and told him she was opposed to the war in Iraq.

Shawn appeared in court with his supporting foster parents just to be insulted by a judge who makes decisions based on politics. Judge Mackel is a repeat offender, however. Judge "Gone Wild" Mackel has shown prejudice against the military before when she prevented a foster child from joining the United States Navy, all because of a political bias.

As a former judge, it appears to me the abuse of power by this anti-American military, peacenik judge is the perfect example of her having a terminal case of black robe disease, a disease some judges get when their personal politics cloud their judgment. Keep politics and wacky judges out of the courthouse. Judge Mackel is the newest member of the Judges' Hall of Shame.

And that's just the way it is.

ECONOMIC STIMULUS

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

Mr. DAVIS of Illinois. Madam Speaker, I voted for the President's economic stimulus package, and I think it is going to actually help some people, but not nearly enough. In my city and in other major cities throughout the country, unemployment among young people is at an all-time high.

For example, in Chicago, more than 50 percent of the young African American males between the ages of 16 and 22 do not go to school and do not work. We want to stimulate the economy. Let us put young people to work, and I guarantee that will help.

FISA

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, for over 20 days, the majority leadership in this House has refused to bring a permanent fix to the Foreign Intelligence Surveillance Act to the floor. Everyone knows that the bill which passed the Senate would pass the House with bipartisan support. Yet, we have seen no action on the part of the majority. We need to send a clear message to our law enforcement, to our military, and to our intelligence community that they will have every lawful resource necessary to do their jobs and to protect American families. We need to send a clear message to our friends and to our enemies that America will do everything possible to stop those who have declared war on all Americans anywhere, anytime. It is misguided to obstruct our ability to track our enemies out of an unfounded fear that our intelligence community has the intent and the time to go spying on everyday Americans. The original FISA law addresses those concerns. This fix to FISA is about tracking potential terrorists overseas and not punishing individuals and businesses that would cooperate with our government.

In conclusion, God bless our troops, and we will never forget September the 11th.

THE EXPIRATION OF THE PROTECT AMERICA ACT

(Ms. FALLIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FALLIN. Madam Speaker, it has been well over 20 days since the Protect America Act expired. For 3 weeks and counting, this Congress has allowed the quality of our surveillance programs to erode. As a result, our intelligence agencies have lost critical tools in the war on terror and are left potentially blind to lethal terrorist plots. In light of these dangers, Democrat leaders are facing a chorus of Members demanding action on the bipartisan Senate-passed surveillance bill.

Madam Speaker, it is time that we bring this bill to the floor. The Democrat chairman of the Senate Intelligence Committee has said that passing this legislation is the right way to go in terms of the security of our Nation. In the House, over 20 Democrats have publicly urged Speaker PELOSI to bring the bill up for a vote. In fact, it seems that the Democrat leadership will not bring this bill up precisely because they know it will pass.

Madam Speaker, enough is enough. We have floated temporary patches and Band-Aids for months. It is time to get serious about our national security. It is time to bring a permanent fix to FISA and to a vote on this floor.

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 2008.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, The Capitol, 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, the Clerk received the following message from the Secretary of the Senate on March 7, 2008, at 3:20 p.m.:

That the Senate passed S. 2733.

Appointments:

Public Interest Declassification Board.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE HONORABLE SILVESTRE REYES, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SILVESTRE REYES, Member of Congress:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, March 6, 2008.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for documents issued by the U.S. District Court for the Central District of California.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

SILVESTRE REYES,
Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

NATIONAL 9-1-1 EDUCATION MONTH

Mr. DAVIS of Illinois. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 537) expressing support for the designation and goals of "National 9-1-1 Education Month", and for other purposes, as amended.

The Clerk read the title of the resolution.