

each and every one of them before the year's out. But that's unrealistic. Let's understand.

So, why we're bringing this to the floor with only a single-year provision is beyond me. If we take seriously our obligation to provide for the common defense, in this environment of a non-conventional war, asymmetric, as they like to say, undefined, compared to previous conflicts, where the enemy does not seek territorial advancement, but seeks the destruction of who we are and what we are, our institutions, and how we, in fact, act.

This is a different world. I've said on this floor before and I'll say it again, al Qaeda doesn't hate us and attack us because of Guantanamo. Al Qaeda hates us and attacks us because of the Statue of Liberty and everything it represents.

□ 1200

And so I would hope that at some point in time we would come to this floor and have a serious, full-throated debate on these three provisions of the PATRIOT Act as to whether they ought to be extended as a matter of permanent law or at least as a reasonable period of time—5 years, 10 years, not single year—and not treated as an accident of legislative action.

So I rise in support of the bill and the rule that allows the bill but in great disappointment that we are not doing all we could do to advance the cause of freedom and protection of the American people. This is better than nothing, but it's not good enough.

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

Mr. Speaker, we're talking about something that is real important today. We've been talking about something that is real important, and I think the point that's made today is that the Republican Party supports the extension of the PATRIOT Act that we're doing here today. These three provisions are very important.

We're questioning why we have to move these on a piecemeal basis. We should move them. They should become permanent law. We believe that the enemy that is at our doorstep, that is all around this world, that is attacking our allies, our friends, people who love freedom, that that is not going to go away. We need to give our intelligence officials the ability to know that they are going to hard-code this in their books and their training and what they do instead of exceptions to, well, we might not want to do this in the future. Mr. Speaker, we need to give our team that's protecting us all of the tools that are available.

We're going to vote for this today because we think it's the right thing, but we think it ought to be made permanent. We think it ought to be a provision that all of our law enforcement, all of our intelligence officials understand why we're doing this, and we want to send them a strong signal: Protecting this country is not something

that should be taken lightly from a perspective of what might expire. We want to give them all of the tools that are necessary. We want to make it permanent. Let's put it in their permanent training manual, not in an exception rule that they have to follow up and retrain people about what the law is.

Protecting this country should not be something that is related to whether we have an expiring provision or not. Let's make it permanent. Let's get that done. It would be my hope that the Intelligence Committee of this House would move to get that done as soon as we've passed this today.

I yield back the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I thank my friends from Texas and California for their comments, and their comments indicate that they support this rule.

This rule allows for the passage, ultimately, of an extension of time on three important surveillance tools that we now have within our arsenal. There is no disagreement between the sides at all as to the need for the passage of this rule and the need to move forward. So, I would urge a "yes" vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1239

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland) at 12 o'clock and 39 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2701, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1105, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 237, nays 176, not voting 19, as follows:

[Roll No. 66]

YEAS—237

Abercrombie	Green, Gene	Oberstar
Ackerman	Grijalva	Obey
Adler (NJ)	Gutierrez	Oliver
Altmire	Hall (NY)	Ortiz
Andrews	Hare	Owens
Arcuri	Harman	Pallone
Baca	Hastings (FL)	Pascarell
Baird	Heinrich	Pastor (AZ)
Baldwin	Herseht Sandlin	Payne
Barrow	Higgins	Perlmutter
Bean	Himes	Perriello
Becerra	Hinchev	Peters
Berkley	Hinojosa	Peterson
Berman	Hirono	Pingree (ME)
Berry	Hodes	Polis (CO)
Bishop (GA)	Holden	Pomeroy
Blumenauer	Holt	Price (NC)
Boccheri	Honda	Quigley
Boren	Hoyer	Rahall
Boswell	Inslee	Rangel
Boyd	Israel	Reyes
Brady (PA)	Jackson (IL)	Richardson
Braley (IA)	Jackson Lee	Rodriguez
Brown, Corrine	(TX)	Ross
Butterfield	Johnson (GA)	Rothman (NJ)
Capps	Kagen	Roybal-Allard
Capuano	Kanjorski	Ruppersberger
Carnahan	Kaptur	Rush
Carney	Kildee	Ryan (OH)
Carson (IN)	Kilpatrick (MI)	Salazar
Castor (FL)	Kilroy	Sánchez, Linda
Chandler	Kind	T.
Childers	Kirkpatrick (AZ)	Sanchez, Loretta
Chu	Kissell	Sarbanes
Clarke	Klein (FL)	Schakowsky
Clay	Kosmas	Schauer
Cleaver	Langevin	Schiff
Clyburn	Larsen (WA)	Schrader
Cohen	Larson (CT)	Schwartz
Connolly (VA)	Lee (CA)	Scott (GA)
Conyers	Levin	Scott (VA)
Cooper	Lewis (GA)	Serrano
Costa	Lipinski	Sestak
Costello	Loebach	Shea-Porter
Courtney	Lofgren, Zoe	Sherman
Crowley	Lowe	Sires
Cuellar	Luján	Skelton
Cummings	Lynch	Slaughter
Dahlkemper	Maffei	Smith (WA)
Davis (AL)	Maloney	Snyder
Davis (CA)	Markey (CO)	Space
Davis (IL)	Markey (MA)	Speier
Davis (TN)	Marshall	Spratt
DeFazio	Massa	Stupak
DeGette	Matheson	Sutton
Delahunt	Matsui	Tanner
DeLauro	McCarthy (NY)	Taylor
Dicks	McCollum	Teague
Dingell	McDermott	Thompson (CA)
Doggett	McGovern	Thompson (MS)
Doyle	McIntyre	Tierney
Driehaus	McMahon	Titus
Edwards (MD)	McNerney	Tonko
Edwards (TX)	Meek (FL)	Tsongas
Ellison	Meeks (NY)	Van Hollen
Engel	Melancon	Velázquez
Eshoo	Michaud	Visclosky
Etheridge	Miller (NC)	Walz
Farr	Miller, George	Wasserman
Fattah	Mollohan	Schultz
Filner	Moore (KS)	Waters
Foster	Moore (WI)	Watson
Frank (MA)	Moran (VA)	Watt
Fudge	Murphy (CT)	Waxman
Garamendi	Murphy (NY)	Weiner
Giffords	Murphy, Patrick	Welch
Gonzalez	Nadler (NY)	Wilson (OH)
Gordon (TN)	Napolitano	Woolsey
Grayson	Neal (MA)	Wu
Green, Al	Nye	Yarmuth

NAYS—176

Aderholt	Bilirakis	Bright
Akin	Bishop (UT)	Brown (GA)
Alexander	Blackburn	Brown (SC)
Austria	Blunt	Brown-Waite,
Bachmann	Boehner	Ginny
Bachus	Bonner	Buchanan
Bartlett	Bono Mack	Burgess
Barton (TX)	Boozman	Burton (IN)
Biggart	Boustany	Buyer
Bilbray	Brady (TX)	Calvert

Camp	Hoekstra	Neugebauer
Campbell	Hunter	Nunes
Cantor	Inglis	Olson
Cao	Issa	Paul
Capito	Jenkins	Paulsen
Carter	Johnson (IL)	Petri
Cassidy	Johnson, Sam	Platts
Castle	Jones	Poe (TX)
Chaffetz	Jordan (OH)	Posey
Coble	King (IA)	Putnam
Coffman (CO)	King (NY)	Rehberg
Cole	Kingston	Roe (TN)
Conaway	Kirk	Rogers (AL)
Crenshaw	Kline (MN)	Rogers (KY)
Culberson	Kratovil	Rogers (MI)
Davis (KY)	Kucinich	Rohrabacher
Deal (GA)	Lamborn	Rooney
Dent	Lance	Roskam
Diaz-Balart, L.	Latham	Royce
Diaz-Balart, M.	LaTourette	Ryan (WI)
Donnelly (IN)	Latta	Scalise
Dreier	Lee (NY)	Schmidt
Duncan	Lewis (CA)	Schock
Ehlers	Linder	Sensenbrenner
Ellsworth	LoBiondo	Sessions
Emerson	Lucas	Shadegg
Fallin	Luetkemeyer	Shuler
Flake	Lummis	Shuster
Fleming	Lungren, Daniel	Simpson
Forbes	E.	Smith (NE)
Fortenberry	Mack	Smith (NJ)
Fox	Manzullo	Smith (TX)
Franks (AZ)	Marchant	Souder
Frelinghuysen	McCarthy (CA)	Stearns
Galeggly	McCaul	Sullivan
Garrett (NJ)	McClintock	Terry
Gerlach	McCotter	Thompson (PA)
Gohmert	McHenry	Thornberry
Goodlatte	McKeon	Tiahrt
Granger	McMorris	Tiberi
Graves	Rodgers	Turner
Griffith	Mica	Upton
Guthrie	Miller (FL)	Walden
Halvorson	Miller (MI)	Wamp
Harper	Miller, Gary	Whitfield
Hastings (WA)	Minnick	Wittman
Heller	Mitchell	Wolf
Hensarling	Moran (KS)	Young (AK)
Herger	Murphy, Tim	Young (FL)
Hill	Myrick	

NOT VOTING—19

Barrett (SC)	Kennedy	Shimkus
Bishop (NY)	Pence	Stark
Boucher	Pitts	Towns
Cardoza	Price (GA)	Westmoreland
Gingrey (GA)	Radanovich	Wilson (SC)
Hall (TX)	Reichert	
Johnson, E. B.	Ros-Lehtinen	

□ 1317

Messrs. COFFMAN of Colorado and BILIRAKIS changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PENCE. Mr. Speaker, on rollcall No. 66, I was unavoidably detained. Had I been present, I would have voted "nay."

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. 2701.

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

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1105 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. 2701.

□ 1321

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. 2701) to authorize appropriations for fiscal year 2010 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 Ms. EDWARDS of Maryland in the chair.

The Clerk read the title of the bill.

The CHAIR. 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.

Mr. REYES. Thank you, Madam Chair. I yield myself such time as I may consume.

Madam Chair, I am proud to rise today in support of H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010. This is an unusual time of the year for us to be considering this legislation. However, it is and remains a very important bill which addresses critical national security issues, and one that we ultimately need to see enacted.

As chairman of the Permanent Select Committee on Intelligence, my most important job is to guide the committee in providing appropriate tools, resources, and authorities to aid the dedicated men and women of the intelligence community in keeping our Nation safe. I believe that H.R. 2701 does just that.

First and foremost, this bill authorizes the activities and the funds for the 16 agencies of the intelligence community. It is difficult to talk about their roles and their missions in the open, but in some ways it is probably one of the most important things that we do on the Intelligence Committee. In addition to providing authorization for intelligence activities, this bill takes the initial important steps to improve congressional oversight of that intelligence community.

I want to highlight two legislative provisions from this year's bill that I believe will significantly improve oversight.

When this bill was marked up in committee, we made significant changes to the so-called "Gang of Eight" procedures. As Members know, the President has had the statutory authority to limit briefings to the Gang of Eight when they involve sensitive covert actions. It was the sense of the committee that the Gang of Eight statutory authority had been overused, and

that, on matters of critical importance, the committee as a whole should have been informed. For that reason, that earlier version of the bill removed the statutory authority for limiting briefings to the Gang of Eight.

Last July, the administration issued a statement of policy on H.R. 2701 that included a veto threat with respect to the provisions that would modify the Gang of Eight notification procedures. I believe that some level of concern at that point was justified, and I have been working with the administration over the past several months to resolve those differences. Since July, there have already been noticeable improvements in the way the administration and the intelligence community are communicating and briefing Congress.

Accordingly, the manager's amendment I will offer includes a revised provision on Gang of Eight reform. I know that many Members have strong feelings about this issue on both sides of the aisle. The provision that is in the manager's amendment is intended to be a strong and significant step towards better oversight which still respects the constitutional authorities of the President. It recognizes that both elected branches have a role in national security.

I fully expect that once we pass this bill we will then revisit this issue during conference between the House and the Senate. And I am happy to work with Members to seek improvements at that time. Through this process, we will be able to find a workable solution to a problem that has persisted over the past several years, if not longer.

Another provision that I think is absolutely critical establishes a statutory Inspector General for the intelligence community. This provision will eliminate waste, fraud, and abuse, and it will also help keep a close eye on the protection of the rights of Americans.

This year's bill is truly a product of many hands. The Inspector General provision, which I just spoke about, in large part is due to the efforts of Ms. ESHOO, the chair of the Intelligence Community Management Subcommittee. The vice chairman of the full committee, Mr. HASTINGS, has offered an amendment to include critical provisions on our shared interest in promoting diversity as a mission imperative. He has been working at this long and hard for many, many years. Our newest majority member, Mr. BOREN, has worked hard to develop a pilot program to improve language capability in African languages.

The chairman of the Technical and Tactical Subcommittee, Mr. RUPPERSBERGER, has worked hard on the classified annex to make sure our approach to acquisitions and our most technical programs make good sense. He has been a pivotal part to the committee's oversight process in these very important areas.

The bill includes several provisions offered by Ms. SCHAKOWSKY, the chairwoman of the Oversight and Investigations Subcommittee, which relate to