the conference report guides the Executive Branch concerning the use of all elements of national power—including diplomacy, military action, intelligence, law enforcement, economic policy, foreign aid, public diplomacy, and homeland defense—to win the war on terrorism. The conference report adopts Senate language on U.S.-Saudi relations and efforts to combat Islamist terrorism. In addition, it includes House language on terrorist sanctuaries and U.S. assistance to Afghanistan and Pakistan.

National Preparedness. The conference report consolidates several sections on the Incident Command System and interoperable communications from the Senate bill and the House amendment. It includes a Senate provision authorizing mutual aid for first responders in the National Capital Region.

Civil liberties and privacy

The conference report creates a Privacy and Civil Liberties Oversight Board that is charged with ensuring that privacy and civil liberties concerns are appropriately considered in the implementation of laws, regulations, and policies of the government related to efforts to protect the Nation against terrorism. The conference report also expresses a sense of the Congress that a civil liberties and privacy officer should be designated for each department and agency that carries out law enforcement or anti-terrorism functions.

The task of protecting the United States against terrorism poses a daunting challenge. This conference report is a significant step in the right direction for America.

PETER HOEKSTRA,
DAVID DREIER,
HENRY HYDE,
DUNCAN HUNTER,
JANE HARMAN,
ROBERT MENENDEZ,
IKE SKELTON,
Managers on the Part of the House.

SUSAN M. COLLINS,
JOE LIEBERMAN,
TRENT LOTT,
RICHARD J. DURBIN,
MIKE DEWINE,
PAT ROBERTS,
JOHN D. ROCKEFELLER, IV,
GEORGE V. VOINOVICH,
JOHN E. SUNUNU,
BOB GRAHAM,
FRANK LAUTENBERG,
NORM COLEMAN,
Managers on the Part of the Senate.

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 868 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 868

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of December 7, 2004, providing for consideration or disposition of a conference report to accompany the bill (S. 2845) to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes.

□ 1500

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 868 is a rule that waives clause 6(a) of rule XIII with respect to the same day consideration against certain resolutions reported from the Committee on Rules. Specifically, this rule waives a requirement for a two-thirds majority vote by the House to consider a rule on the same day that it has been reported by the Committee on Rules.

This rule's waiver applies to any special rule reported on the legislative day of December 7, 2004, providing for the consideration or disposition of a conference report to accompany the bill S. 2845 to reform the intelligence community and the intelligence and intelligence-related activities of the U.S. Government and for other purposes.

I urge my colleagues in the House to join me in approving H. Res. 868. We are close to completing the 108th Congress, and the passage of this rule will help expedite the consideration of sweeping reform of our security and intelligence operations to keep America safe. Representatives from multiple committees have been working tirelessly to negotiate the best possible legislation, and they have completed their work on this legislation today. By approving this same-day rule, the House will ensure that we can move forward expeditiously in making the substantive changes that will inevitably help better protect the citizens of this country.

Mr. Speaker, this same-day waiver rule provides for prompt consideration of important legislation before the adjournment of this Congress. The Committee on Rules approved this rule late yesterday afternoon. I urge my colleagues to join me in supporting its passage.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, we are here to consider a package of reforms that, despite garnering broad bipartisan support throughout the Nation, was not cleared for the floor until today.

The House received this blueprint for making America safer in the form of the September 11 report in July, well over 5 months ago; and upon release of the report, and ever since, the commissioners have been appealing to the House to respond to its recommendations with a great sense of urgency.

To its credit, throughout the summer recess the House undertook an ambitious schedule of hearings on the 9/11 report; and as a member of the Select Committee on Homeland Security, I heard the impassioned testimony from both Governor Kean and Representative Hamilton as they presented a compelling case for why structural reforms were essential to enhancing the security of the American people from the threat of terrorism.

At the time, I believed we would get this intelligence reform package cleared by both Houses of Congress well before the third anniversary of the 9/11 attacks; but as we all know, despite broad bipartisan support in both bodies, it simply did not happen. Instead, it was left in sort of suspended animation for months while the House leadership secured support from the majority of the majority in the House.

Mr. Speaker, in my 18 years in the House of Representatives, I have never heard of such a standard. Whether it is the product of an arrogant belief that the views of the minority in the House are now somehow subordinate or it is the manifestation of leadership drunk with power, I truly do not know; but if this is any indication of how the House leadership intends to do business in the 109th Congress, be warned that the American people will not like it.

It is not just the red States that are populated with patriotic, moral Americans who serve courageously in our Armed Forces or as first responders. Patriotic, moral Americans live in blue States and every State of this Union. We are all Americans. We are all equal under the law, and we all have an important role to play in the life of this Nation.

I would also caution the majority to bear in mind the words of the 18th century philosopher Jean Jacques Rousseau who said, ''It is unnatural for a majority to rule, for a majority can seldom be organized and united for specific action, and a minority can.'' I think we saw that well-demonstrated today.

Satisfied that it has secured support from a majority of the majority, the House leadership is now rushing this bill to the floor, denying Members adequate time to review each and every critical provision.

Have we learned nothing from the debacle surrounding the omnibus spending bill? The privacy rights of millions of American taxpayers were put at risk by one small provision inserted into that 3,000-page bill. Under the regular order of the House, we should have had 3 days to review the report; but with a martial-law rule, we do not even get one.

In the 108th Congress, the Committee on Rules has reported 29 martial rules and 17 in the second session alone. At the rate we are going, the regular order of business is becoming the irregular order of business.

Mr. Speaker, the majority has delayed this bill long enough. I would have preferred this bill, so crucial to defending our country, be considered by unanimous consent; but I know there are many people who would be happy if this legislation never saw the light of day.

Before I close, I want to reiterate my support for the intelligence reform package. Despite my opposition to the way it has come to the floor, I intend fully to vote for it later.

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

Mr. LINDER. Mr. Speaker, I reserve the balance of our time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, yesterday, the House voted to repeal a controversial provision in the omnibus appropriations bill that no Member knew was in the bill when the bill was filed. Yet today, having learned little, the House will rush to vote on the intelligence bill about which Members know probably just as little, and they will do so without having the language available.

I would like to be able to vote for this bill because it will probably improve the sharing of intelligence, and there are a number of other good provisions in it. But Mr. Speaker, we need to recognize that there have been two intelligence failures in the last 5 years. First was the failure to prevent the 9/11 attack. Second was the use of faulty intelligence to suck us into a dumb war in Iraq. The new layer of bureaucracy created by this bill may or may not help us on the first front, but it is likely to make it harder to correct the second. That is why I am going to vote against the bill and against this motion to speed up its consideration.

One of the bill's most glaring shortcomings is that it does not guarantee that dissenting or alternative views will ever be clearly stated to the President. That was a major problem in the decision to go to war in Iraq. To correct that problem, Senator ROBERTS included a provision in the Senate bill establishing an office and a process to provide these alternative points of view at every stage. That provision is, sadly, hugely watered down now in this bill. The bill simply leaves it up to the National Intelligence Director to decide how different points of view are factored into decisions. That is a terribly weak substitute.

Second, in emerging domestic and foreign surveillance operations, the bill does not sufficiently protect ordinary Americans from the mistakes of Big Government. The bill does contain a Presidential board to look at government-wide privacy issues, but that will do little to protect innocent Americans or to address specific grievances that may arise. That will come back to haunt us, just as certain aspects of the PATRIOT Act have.

Finally, the bill purports to increase the number of border and Customs agents; but in fact, the bill does nothing of the kind. That language is meaningless without the dollars to back it up, and this House has rejected providing those dollars, (ill-advisedly so in my view they voted that way;) the House has rejected providing those dollars four times in the past year, and this bill does absolutely nothing to change that. On that score, this bill is simply an empty institutional press release.

When this bill is corrected on those three fronts, and on others, I will be happy to vote for it, but not until.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, 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 3 o'clock and 9 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1633

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 4 o'clock and 33 minutes p.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT TO ACCOMPANY S. 2845, INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108–797) on the resolution (H. Res. 870) waiving points of order against the conference report to accompany the bill (S. 2845) to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON S. 2845, INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 870 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 870

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 2845) to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this is a traditional rule for consideration of the conference report for the Intelligence Reform and Terrorism Prevention Act of 2004. The rule waives all points of order against the conference report. It also provides that the conference report shall be considered as read.

I urge my colleagues to join me in supporting this rule and approving the underlying conference committee report on truly historic reform legislation, S. 2845.

Mr. Speaker, final passage of this legislation today will be viewed by many as one of the most noteworthy accomplishments of the 108th Congress. Playing critical roles in getting us to this point in time have been the gentleman from Illinois (Mr. HASTERT), the gentleman from Texas (Mr. DELAY), the gentleman from Michigan (Mr. HOEKSTRA) and a host of others. The American people owe these Members an enormous debt of gratitude.

A world in which the enemy is easily identifiable has changed. We face more and more states without solid institutions, national consciousness and internal cohesion which are providing new threats such as the transfer of weapons of mass destruction and an increasing number of nonstate actors such as terrorist networks.

Terrorism has existed for hundreds of years, but the last decade has seen a rise in terrorist networks and their coordination amongst themselves. Many terrorists groups actively share hostage-taking tactics, weapons training, and planning techniques with one another. More than ever the terrorist networks are finding it easier to blend into society and are becoming harder for intelligence agencies to track. Former Director of the Central Intelligence Agency James Woolsey put it best when he said, We have slain a large dragon, the U.S.S.R., but we now live in a jungle filled with a bewildering variety of poisonous snakes. In many ways, the dragon was easier to keep track of.

The job of keeping track of these terrorist networks belongs to the U.S. Intelligence Community, and we thank the CIA and all the other members of