

Iranian regime that it will be held accountable for its threatening behavior.

The United States must also continue to push the United Nations Security Council for strong action to thwart Iran's nuclear ambitions. In the meantime, it is our job to take meaningful steps to eliminate the threats posed by Iran. And that is why I urge my colleagues to support this bill.

Miss. McMORRIS. Madam Speaker, I rise today in support of H.R. 282, the Iran Freedom Support Act. I applaud this bi-partisan effort by Congress to address the increasing threat posed to our country and world by Iran.

Many defense experts have predicted that we face no greater threat from a single country than from Iran. Iran's leaders, including Iranian President Mahmoud Ahmadinejad, have continuously called for the destruction of Israel, rejected overtures from the world community, including the United Nations, supported international terrorism, and continued to advance their nuclear program with the announcement on April 11 that Iran had successfully enriched fuel-grade uranium.

All of these actions are unacceptable. We would be remiss to ignore a country that perilously threatens our allies and the security of the world while simultaneously seeking to advance its unsupervised nuclear capabilities. We must not allow Iran to bully the world or our allies or fail to show Iran that we will take their irresponsible and careless behavior seriously.

H.R. 282 will help support democracy while taking a firm stance against the radical and reckless leaders of Iran and those that would support them. At this time, supporting democracy in Iran is an important ingredient to resolving this situation peacefully. One of my top priorities in Congress is to ensure our national security, and I support H.R. 282 as an important step in combating the rising risk of Iran.

Mr. DEFAZIO. Madam Speaker, I rise today in reluctant opposition to H.R. 282, the Iran sanction bill. If this bill was only about imposing targeted sanctions against the Iranian regime, or companies and countries who invest in Iran, I could support it. In fact, I voted in favor of the original Iran sanctions bill when it was approved in 1996, and I voted to extend the bill when it came up for renewal in 2001.

Unfortunately, the bill on the floor today does not just extend or expand sanctions against Iran and those doing business with that country; it also establishes a U.S. policy in favor of regime change in Iran. Therefore, I am extremely concerned that H.R. 282 is the first step in taking our country down the same misguided path that was taken with Iraq. The Iranian exile groups that would likely benefit from the provisions in this bill to support groups seeking regime change in Iran eerily echo Ahmad Chalabi's Iraqi National Congress. You may recall that Chalabi's INC worked with the Bush administration to mislead Congress and the American people about Iraq's supposed weapons of mass destruction in order to gain support for toppling Saddam Hussein using U.S. forces.

It is my hope that as this bill continues through the legislative process, it will be amended to focus on sanctions and diplomacy rather than U.S. sponsored regime change. I believe that sanctions should be targeted at foreign investment in Iran, which would force Iranian leaders to choose between a growing economy and their desire for nuclear weap-

ons. Sanctions could also be targeted at Iran's leaders by freezing their assets and imposing travel bans. Targeted sanctions can ratchet up the pressure on Iran's leaders without harming or alienating the Iranian people.

Mr. SHAYS. Madam Speaker, when Iran will have a nuclear weapon is not the right question. Rather, we need to focus on when Iran will have the indigenous capability to produce nuclear fissile materials. This is the point of no return and should be our benchmark regarding the urgency of addressing Iran's behavior.

It is an undisputed fact Iran is pursuing nuclear capabilities. It is a fact Iran is the world's most egregious exporter of terrorism. And we all heard for ourselves when Iran's president threatened to "wipe Israel off the map" and when Ayatollah Khamenei, just yesterday, told another one of the world's worst human rights abusers, Sudan, that Iran would gladly transfer nuclear technology. When one considers these points together, it becomes clear how important it is we act today.

Some residents of Connecticut's Fourth Congressional district have already expressed concern to me about the United States' consideration of the use of force against Iran to eliminate its nuclear weapons program and end its state support of terrorism. Such action, while not off the table, must be an absolute last resort. That is why it is so critical our government utilize the tools at our disposal including economic and diplomatic sanctions and the appropriate distribution of foreign aid as suggested in this bill, to deter the threat Iran poses to global security. It is also appropriate for us impose pressure on the other nations of the world who prop up the Iranian government and the extremists at its helm by investing heavily in that nation.

While I understand the concern the Administration has expressed that by passing this bill we are tying its hands to conduct foreign policy, I would be more sympathetic if it were doing more to enforce the laws Congress has already passed.

The International Relations Committee states in the report accompanying this legislation that, "the laws which have been enacted, as enforced, and other steps taken by current and past Administrations, have proven inadequate . . . Specifically with respect to ILSA, the Committee is deeply dismayed that the current Administration, like the prior Administration, has not acted to sanction a single enterprise for investing in Iran, but has delayed its decisions on 'alleged' investments well past the point of failing the 'laugh test.'"

Given the extreme rhetoric of Iranian President Ahmadinejad, I do not expect this legislation will bring an immediate change to Iran's aggressive and ill-advised march to acquire nuclear capabilities. It does send an important message, however, that the United States will not stand by as Iran pursues its nuclear ambitions and threatens international security.

The bottom line is, in defiance of its assurances to the contrary, Iran remains committed to a nuclear weapons program. The United States must be unequivocal in its rejection of these ambitions.

I urge support of this legislation and appreciate the leadership of Chairman HYDE and Ranking Member LANTOS to bring it to the floor today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr.

PENCE) that the House suspend the rules and pass the bill, H.R. 282, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. PENCE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. PUTNAM. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 774 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 774

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5020) to authorize appropriations for fiscal year 2007 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the

House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Madam Speaker, House Resolution 774 is a structured rule that provides for consideration of H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007. Madam Speaker, I am pleased to bring this resolution to the floor for its consideration. This is the fifth intelligence authorization bill that this House has considered since the tragic events of September 11, which changed this institution's outlook on intelligence. It has certainly changed our intelligence community's approach to collection and analysis.

H.R. 5020 is the first intelligence authorization that is based on a budget request fully determined by our new Director of National Intelligence, again reflecting the changes, reflecting the evolution, the progress of our approach to keeping America secure, protecting our citizens, protecting our forces abroad through an ever-changing architecture.

The DNI, created in H.R. 10, the Intelligence Reform and Terrorism Prevention Act of 2004, created this new Office of the Director of National Intelligence, a responsible authority that would oversee and orchestrate a coordinated effort by the entire intelligence community composed of 15 different intelligence agencies. This legislation today continues the sustained effort and long-term strategy to achieve optimum performance in human intelligence, signals intelligence, imagery intelligence, open-source intelligence, analysis, counterintelligence, counter-narcotics, and counterterrorism.

This bill authorizes appropriations for fiscal year 2007 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. In addition to funding these agency activities, the legislation contains other non-controversial intelligence community housekeeping matters that will help create a more efficient and effective intelligence community. The legislation reflects recent administrative action and formally includes the Drug En-

forcement Administration in the intelligence community and authorizes its activities conducted within the National Intelligence Program. It also requires the DNI, the Director of National Intelligence, to conduct a regular strategic review of intelligence capabilities against threats, similar to the Quadrennial Defense Review, and limits the DNI's authority to hire civilian personnel in excess of the specifically authorized numbers to no more than 2 percent of the authorized amount of employees.

To more formally increase oversight, the bill specifically provides that reporting requirements contained in the classified annex will be considered as required by the underlying law. Additionally, it requires a comprehensive inventory of special access programs conducted within the National Intelligence Program to be provided to the committee in classified format. This provision was included in the House-passed bill for fiscal year 2006 as well.

The underlying bill also contains language offered by the ranking member, Ms. HARMAN, that expresses the sense of the Congress that the DNI should promptly examine the need for establishing and overseeing the implementation of a multilevel security clearance system across the intelligence community to leverage the cultural and linguistic skills of subject matter experts and individuals proficient in foreign languages that are deemed critical to our Nation's security.

I am pleased with the efforts of the House Permanent Select Committee on Intelligence. Chairman HOEKSTRA and his ranking member, Ms. HARMAN, have done yeoman's work, with the assistance of their committee, on a bipartisan basis to produce this bill. It is a perfect example of how Congress can achieve a bipartisan product that meets the needs of our Nation. I commend them for their hard work.

I urge the Members to support the rule and the underlying bill.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself 7 minutes.

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

Mr. MCGOVERN. Madam Speaker, H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007, deals with one of the most important aspects of our national security: our ability to gather and analyze intelligence effectively so that our policies are based on fact, not fantasy or obsessive desire, so that our Federal law enforcement agencies can defend us from the threat of attack, and so that our allies can rely on our resources for timely, coordinated operations in defense of freedom abroad.

I want to commend Chairman HOEKSTRA and Ranking Member HARMAN

and members of the Intelligence Committee for authorizing 100 percent of the funding required for our counterterrorism operations. Regrettably, President Bush only included 78 percent of this funding in his budget request; so I thank the committee for correcting this dangerous shortfall.

The Intelligence Authorization Act traditionally receives strong bipartisan support and will likely receive that same support this year. But despite its many attributes, this bill could have and should have been better. This bill could have and should have required a dedicated funding line for the Privacy and Civil Liberties Oversight Board. When Congress passed the Intelligence Reform and Terrorism Prevention Act in December 2004 in response to the findings and recommendations of the 9/11 Commission report, it created this board to serve as a civil liberties watchdog on the potential erosion of the basic constitutional rights of the American people in a post-9/11 world.

Now, 15 months later, we find our concerns about basic civil rights to have been well founded, but the oversight board is barely up and running. The President did not nominate the members of the board for 9 months. The Senate took 5 months to confirm the chair and vice chair. And, once again, the President's budget failed to include a single penny for the board's operation in fiscal year 2007.

This could have and should have been fixed in committee. Congressmen HASTINGS, REYES, and HOLT offered an amendment to provide \$3 million in dedicated funding for the oversight board, an amendment that should have had bipartisan support. But the majority chose to reject this funding and abandon their promise to the American people to safeguard their most basic freedoms and rights. And last night in the Rules Committee, the Republican leadership compounded this mistake by denying Congressman REYES the right to offer this same amendment for debate on the House floor.

And then we have the issue of the National Security Agency's spying on U.S. citizens. In committee, Representative ESHOO offered a carefully crafted amendment to withhold 20 percent of the NSA's budget until the executive branch provided the Intelligence Committee with the total cost of its surveillance program. That is all: just inform the committee of this one number. The Eshoo amendment was not looking for more operational details. It was not passing judgment on whether the NSA's domestic spying program is legal or not, even though that is a controversial matter in this House. All it was looking for is how many of our tax dollars are being spent on this surveillance program.

This is a question that should concern every single Member of this body on both sides of the aisle. But with just one exception, the Republican majority found it too much to ask and rejected the Eshoo amendment.

Yesterday in the Rules Committee, the Republican leadership went even further. The Republican Rules Committee denied Representatives SCHIFF, FLAKE, HARMAN, and INGLIS the right to offer their bipartisan amendment for debate. This amendment would have required a classified disclosure to the Intelligence and Judiciary Committees, the two committees with jurisdiction and oversight responsibilities over the NSA and the FISA process, on which U.S. citizens have been the subject of NSA electronic surveillance, and what criteria was used to target them. Such a classified report would allow Congress to understand the program and whether any current laws need to be amended to grant the President the authority he needs to carry out this program more effectively or make any changes to safeguard against abuse. In short, these two committees need this information in order to do their jobs, in order to carry out their oversight responsibilities.

This bipartisan amendment should have received bipartisan support from the Rules Committee, but it did not; not from the Republican majority on this Rules Committee and certainly not from the Republican leadership of this House.

It is outrageous, Madam Speaker. Many of us believe that when the President authorized the NSA surveillance of Americans, he broke the law, plain and simple. And when the Attorney General says that Congress somehow granted the authority for this program after September 11, he is just wrong.

We are talking about the most basic fundamental civil liberties that protect the American people, and the Republican leadership will not even let us debate it. What are they afraid of?

I would ask my Republican friends to re-read their Constitution. Congress was not designed to be a rubber stamp for the President. Congress was not designed to protect Members from difficult votes on controversial issues. Congress was not designed to protect the President's political rear end. But under this leadership that is exactly what Congress has become.

If my friends on the other side of the aisle believe that this President should have the ability to spy on Americans without a warrant and without going to the FISA court, then they should write that bill and bring it to the floor. They should at least show that level of respect for this House and for this Constitution.

I am willing to bet that the majority of my colleagues on both sides of the aisle believe that what the President is doing is wrong. But either way, the very least we could do is have a debate and a vote.

Madam Speaker, 25 amendments were brought to the Rules Committee last night. They dealt with issues ranging from how the NSA carries out surveillance of American citizens to how the Intelligence Committee and other rel-

evant committees are briefed about weapons of mass destruction or the situations in Iran, North Korea, Iraq, and other hot spots. They dealt with how information is classified or reclassified, how national security whistle-blowers are protected or punished, and whether and how the amount of funds requested and appropriated for various intelligence-related activities are reported to Congress.

□ 1300

These are not trivial matters, Madam Speaker. Yet only five amendments, five amendments, Madam Speaker, plus the manager's amendment, were made in order under this highly restrictive rule.

Why is the Republican leadership so afraid to debate these issues? Why is it so afraid to debate, period? After nearly 4 months of a lackluster Congress, are we suddenly on some tight time clock so there is no time to debate matters affecting national security? Do we need to get out of town by Thursday afternoon? I am happy to stay in town on Friday if it means we can get a full debate on the Intelligence Authorization Act.

I am tired of restrictive rules. I am tired of stifling debate. I am tired of ignoring or running away from the big issues. I urge my colleagues to vote "no" on this restrictive rule and to support an open debate on important issues facing our national security and intelligence agencies.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am glad that the gentleman acknowledged in the beginning of his remarks that this is a bipartisan bill that enjoyed unanimous support coming out of committee. As we move forward on the other issues of contention, we certainly look forward to that debate.

Madam Speaker, I am pleased to yield 5 minutes to one of this institution's experts on national security, a member of the Intelligence Committee, the distinguished gentlewoman from New Mexico (Mrs. WILSON), a graduate of one of America's fine service academies.

Mrs. WILSON of New Mexico. Madam Speaker, I thank the gentleman for the time.

Madam Speaker, we have had the good fortune in this country for the last 4½ years to have not had another terrorist attack on our soil, and it is not because they haven't tried. The reason for that success boils down to two things: the courage of our soldiers and the quality of our intelligence. Exceptional intelligence is the first line of defense for America in the long war on terrorism.

I intend to support this rule today, and I intend to support this bill. I think it is a good bill. It is one that moves us forward to restore our Na-

tion's intelligence capabilities across the board, HUMINT intelligence, technical and tactical intelligence, and strengthens our global understanding and awareness and analysis of what is going on in the world. I intend to support it. I also think this rule is a pretty good rule, and I have to disagree on a couple of points with my colleague from Massachusetts.

My colleague from Massachusetts has said we should debate here an amendment that was debated in our committee offered by Ms. ESHOO, one that I was a Republican Member who supported. It asked for the cost of the program that the President has acknowledged exists, the terrorist surveillance program.

I believe that whenever a member of an oversight committee asks for the cost of a program, we should get that answer. That answer has now been provided to the committee in a classified letter that is available in the Intelligence Committee spaces.

The reason that we didn't need to debate Ms. ESHOO's amendment on the floor today is because we have already gotten the answer to her question, and it doesn't make sense to me to continue to have that debate here on the floor, even though I supported that amendment in committee. So I think we have gone beyond that, and I don't think we have to have that debate and discussion here today on the floor.

The second thing that he talks about is having a debate here on the floor on the Flake proposal with some of his colleagues from the Democratic side of the aisle on the Foreign Intelligence Surveillance Act. The question here for this body is how do we move forward with effective oversight of the National Security Agency program that the President has acknowledged exists.

Now, I believe that the President and the Congress share the same goal: we want to keep America safe and free. We have different responsibilities under our Constitution. The President has the responsibility for conducting our foreign affairs. He is the Commander in Chief. He makes sure that agencies follow the law and execute the programs which we have authorized.

The Congress appropriates funds. We establish agencies. We authorize programs, and we oversee implementation of those programs. We spy on our enemies. But we also oversee these programs to ensure that those very powerful tools are used within the constraints of our Constitution and the Bill of Rights. That is why I stood up and demanded that this Congress and our committees on intelligence conduct oversight of this program. That oversight is now under way.

I think as a responsible body we have to start out by getting the facts. That means hard work that is done largely in secret in the House Permanent Select Committee on Intelligence. That oversight is under way, and, for the most part, the National Security Agency has been very forthcoming.

We have to understand this program in its details before we make recommendations to this body about any changes in statute or continuing mechanisms for oversight. It would be premature to legislate today on changing the Foreign Intelligence Surveillance Act.

The reality is that technology is changing. The Foreign Intelligence Surveillance Act was put in place in 1978, the same year that I graduated from high school. I was one of the last classes at the Air Force Academy to get issued a slide rule. In 1978, the words "cell phone" and "Internet" were not even in the dictionary.

We may need to make some changes to the laws to continue to keep this country both safe and free, but we are not ready today to make those changes effectively. That debate on the floor today would be uninformed and premature.

I would ask this House to support this rule today and to also support the work, the continuing work, of the Permanent Select Committee on Intelligence as we do our duty under the Constitution to oversee these vital programs.

Mr. MCGOVERN. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, I want to respond to the gentlewoman from New Mexico, whom I have a lot of respect for.

First of all, the cost of the program that we were debating was only given to members of the committee that the President chose, not all members of the committee.

Secondly, I find it scandalous, quite frankly, that this Congress is abdicating its responsibility to put in place checks and balances on the President's domestic spying program. When you talk about enforcing and abiding by the Constitution of the United States, that is one of our responsibilities. I think what the President is doing is illegal. We should have a debate on this. The White House should be more forthcoming. Quite frankly, it is an outrage.

Madam Speaker, I yield 4 minutes to the ranking Democrat on the House Intelligence Committee, the gentlewoman from California (Ms. HARMAN).

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

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, Americans awoke today to deadly terrorist bombings in Egypt and a threatening new tape from al-Zarqawi, and today is our chance to debate a bill that authorizes funds and sets new directions in the fight to protect America. But this rule stifles debate about critical issues and I strongly oppose it.

Members of our committee offered responsible amendments to strengthen this bill, and we were shut out by the Rules Committee. As a result, Madam Speaker, there will be no amendments today about the unlawful eavesdropping on American citizens, the

overhyping of Iran intelligence without adequate basis, and the double standard this administration applies to leaks.

Two amendments were filed that dealt with the President's NSA program. Congresswoman ESHOO's amendment, which is different from her request in committee that the budget for the program be disclosed to our committee, would have expressed the sense of Congress that all electronic surveillance, all eavesdropping of U.S. persons inside the U.S., must comply with the Foreign Intelligence Surveillance Act and the fourth amendment.

A bipartisan amendment offered by Representatives FLAKE, SCHIFF, ENGLISH and me states that FISA is the exclusive way to conduct surveillance of Americans on U.S. soil. FISA has been our policy since 1978, until this NSA program was implemented by the White House.

The American people want our government to track the communications of al Qaeda. Surely I do. But they also want our President to follow the law and the Constitution.

I have been briefed on the President's NSA program several times, and no one has convinced me why FISA cannot cover the entire program. The two amendments, the Eshoo amendment and the Flake-Schiff amendment, should have been made in order.

I am particularly outraged that Congressman BOSWELL's amendment to require quarterly classified assessments of Iran's nuclear program was rejected. What do we want to do in Iran? Do we want to repeat the mistakes of Iraq? Do we want to have intelligence that is totally wrong and base our national policy on totally wrong intelligence? I don't think so.

Chairman HOEKSTRA, chairman of our committee, said just this weekend, "As decisions are being made on Iran, we don't have all the information that we would like to have." So why is it a bad idea to require our Intelligence community to update Congress every three months with accurate information so that at least Congress has information on which to base responsible decisions? The Rules Committee apparently thinks that is not a good idea.

Congressman REYES submitted an amendment to provide dedicated fund for the Privacy and Civil Liberties Board, which we will all recall was a key part of the intelligence reform bill that we passed almost two years ago.

Sure we want enhanced security, but we also want respect for American values and our Constitution. The whole idea was we would have this Board helping craft careful policy that enhanced security and also protected civil liberties. Well, that Board now has two confirmed members and no money, and in this bill we unfortunately do nothing about providing any money.

Finally, Congressman HOLT submitted an amendment to ensure that we don't have a double standard on

leaks. None of us condones leaks of classified information. That is wrong. But why is it that people are prosecuted for leaks, unless you work in the White House, in which case the President or the Vice President can authorize you to leak classified information to favored reporters in order to discredit political enemies? A double standard is wrong.

This rule is inadequate. Sadly, this bill is inadequate. I ask for a no vote on the rule.

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

Madam Speaker, I would like to address three of the points that the distinguished ranking member made, and I would point out that we appreciate her bipartisan efforts in crafting this bill, the underlying bill that the rule addresses, that came out of the committee on a voice vote.

First, the program that she categorized, that has been categorized, I apologize, Madam Speaker, the program that has been categorized as an "illegal eavesdropping program" had in a previous press release been characterized in this way: "As the ranking member on the House Intelligence Committee, I have been briefed since 2003 on a highly classified NSA foreign collection program that targeted al Qaeda. I believe the program is essential to U.S. national security and that its disclosure has damaged critical intelligence capabilities."

That was the statement of the ranking member of the House Intelligence Committee as it relates to what has now been characterized by saying it is illegal eavesdropping.

Secondly, this question of Iran reports, the Iran crisis scares the dickens out of me. It is a very serious issue for this entire Chamber, for this entire Nation. It is a country that is not only engaged in what could be a speculative threat against its neighbors and the United States and the world as a whole, but are bringing in cameras to show that they are breaking IAEA seals, along with their red-hot rhetoric coming out of their President calling for the destruction of our ally, bragging about the uranium enrichment capabilities, talking about the difference between P-1 and P-2 centrifuges.

It is a very serious issue, one that all Members of Congress should make themselves aware of. As chairman of the policy committee, I was joined by my Energy Subcommittee in going to New York on Monday to receive such a briefing, the kind of briefing that every Member of Congress is entitled to. As members of the House Intelligence Committee, they are entitled to even higher-level briefings on the Iranian situation at their request.

So, the requirement, the responsibility, for us to engage the administration, to engage the Intelligence Community, to engage the appropriate persons who are tracking this crisis is on us. And it is not a mere every-90-day

exercise. It should be an ongoing exercise as developments come in through the media and through other open sources that call on us to further update our awareness of what is a very dangerous situation.

Thirdly, this idea of zero funding for the Civil Liberties Protection Board, that is an issue within the White House budget. It is not germane to the intelligence authorization bill, it is not an issue that we can fund, and it was ruled out of order for that reason. It is a matter for the appropriators who are dealing with the White House budget line, not for the Intelligence Community's overall budget.

□ 1315

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL) who is a member of the committee.

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

Mr. BOSWELL. Madam Speaker, today we will authorize the largest intelligence budget in our history. I am pleased to be part of this authorization, because I believe we have no higher purpose than to support the brave soldiers, sailors, airmen, marines, and the civilian intelligence officers of the front lines of our national security.

However, I am sad to say this. There is a lingering threat, spoken to by Ms. HARMAN, that we have not addressed, which we should have. Last night the Rules Committee dealt a blow to our ability to gather intelligence on Iran's nuclear and missile capability by denying an amendment that I had offered.

Now, if somebody else would like to offer that amendment, it is okay with me. We have got to do what is right. I would ask you, Mr. Chairman, if you are listening, that you might even think about doing that. But it would require the Director of National Intelligence to provide us quarterly written reports.

You know, people do best what we check. And if we were checking this, and they were coming to us in our committee, and it is a classified environment, it is safe, they could come there and we would have a chance to see if they are actually doing the job. We should have done that.

So it appears to me, and I am very disappointed to say this, that it appears to me that it was pure politics that my amendment was denied. And I am disappointed. When I joined this committee 5 years ago, I was under the impression that politics would not interfere with our intelligence work. But, apparently, not so.

If I might quote from the President's bipartisan, if you will, WMC Commission, cochaired by Judge Lawrence Silberman and former Senator Charles Robb: "Across the board, the Intelligence Community knows disturbingly little about the nuclear programs of

many of the world's most dangerous actors. In some cases it knows less now than 5 or 10 years ago."

I just came across this thing from the Washington Times that our chairman was quoted as: We really do not know. We really do not know the status of Iran's nukes. We are getting lots of different messages from their leadership.

Well, maybe I should just rest my case there, but we may have lost the chance to offer this amendment. But I cannot overstate the seriousness of this threat to global security, which could come from a nuclear armed Iran. I wish we would have been able to address this issue in the bill, and I hope my colleagues will support my efforts to do so in the future.

Maybe somebody over there would like to offer the amendment. I do not care. It needs to be done. It should. We in Congress must be a better consumer of intelligence. It is a lesson we learned the hard way with regard to Iraq. It is a sham that this amendment was denied. It is a good bill, but it could have been better.

Madam Speaker, I urge my colleagues to vote "no" on the previous question.

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

Madam Speaker, I appreciate the gentleman's comments on the concern about Iran. As I said earlier, it is a huge issue and a major international crisis for all of us to be tracking on a very routine basis, especially those members of the Intelligence Committee who have access to a higher level of information than the rest of us.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Speaker, I want to thank all of those who served in gathering intelligence to protect the American people. It is regrettable that intelligence is often reshaped to fit doctrine instead of doctrine being reshaped in the face of the facts of intelligence.

This rule blocks several important amendments that the House should have had the opportunity to debate. I sponsored one of those amendments that would have resolved the concerns of media leaks by intelligence community agents.

Several high-profile classified leaks to the media have emerged in the last few years. These leaks have led to considerable release of information about secret programs related to our intelligence agencies. From these media leaks, we became aware of the efforts to manipulate intelligence, to falsify a cause for war against Iraq.

We became aware of the illegal NSA domestic wiretapping program without a court order. We became aware of the rumored CIA detention centers in Eastern Europe, and the CIA's extraor-

dinary rendition program, used to transport suspects to other nations with less restrictive torture policies.

The House Intelligence Committee report for this bill states that leaks to the media damage our national security. In response, the CIA fired an agent who had unapproved contacts with reporters last week. I understand the concerns raised when intelligence leaks are reported in the media.

However, if this House had conducted effective oversight, we would not have been there in the first place. Our democracy was bolstered by these leaks, and the world is a safer place as a result. Absent these leaks, the current administration would see no limit to its dangerous policies and continue to inflict its failed war on terrorism without limitation.

To resolve this conflict I proposed an amendment that would remove barriers to intelligence agency employees communicating with certain committees of Congress. The purpose was to provide intelligence employees a more appropriate outlet than the media and give Congress better oversight capability.

This amendment provided an obstacle-free path for intelligence employees to report to key Members of Congress their concerns. By providing this outlet, the employees would not feel any need to leak information to the media. So we need to do everything we can to protect these who serve in intelligence who want to get information out to the American people.

They should do it through the Congress, but there is no provision for that in this bill. We need to protect this Nation, but we need to protect it with the truth, not with manipulated intelligence.

Mr. PUTNAM. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I want to address this issue of leaks briefly. Before presenting this rule to the House, I took it upon myself to read the bill. And because of the nature of the bill, it is only available in Intelligence Committee space. And all Members have the opportunity to review the material that we are going to be voting on later today.

In the context of this discussion about leaks, I was reminded that at the beginning of every Congress, upon our election, we, all Members of this House, have to sign something saying that we recognize that House rules prevent us from disclosing classified information.

In addition, when you go to read the bill that we are here today to consider, you sign another form reaffirming that you have taken this oath, this obligation to not disclose classified information. That is what Members of Congress have to do.

When you join the CIA, you sign a standard secrecy agreement that says that you are going to keep the things that you are working on secret to protect the interests of our Nation. You

are not going to go writing books about it, you are not going to make a movie about it, you are not going to cash in on this Nation's security.

When you have access to sensitive compartmented information, you sign yet another nondisclosure agreement, again to drive home the point to the employees who are guarding the very secrets that keep us safe and free that you cannot capitalize on America's secrets.

This was very clear to the leaker. This was made very clear to Members of Congress. There is no double standard. What the individual did was against the law, was a complete breach of the secrecy agreement that that individual signed upon becoming an employee and then having progressively higher levels of access to more and more sensitive information. It is abundantly clear that what she did was wrong.

Mr. KUCINICH. Madam Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Speaker, I would ask my good friend from Florida a simple question, that is, what happens when Congress is given false information in these briefings, having signed something that then they cannot disclose what they are told?

See, this is the problem here. I just wanted to respectfully share that with you. Thank you.

Mr. PUTNAM. Madam Speaker, reclaiming my time, I respect the gentleman's perspective.

That is why this bill is so important, number one; and number two, it is why it is so vitally important that our representatives on that committee, that our House Members on both sides of the aisle on the House Permanent Select Subcommittee on Intelligence, ask the correct questions, are given the proper orientation, dig into these issues, make this committee a priority, because they are the rest of this House's eyes and ears on those very sensitive issues.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, that last discussion actually interested me. The question would be, what penalty would a Member of Congress face if, having left a classified briefing, that Member disclosed information that turned out to be false?

You know, in libel, truth is a defense. Perhaps when it comes to disclosing classified information that comes from this administration, falsity would be a defense on the grounds that if it was not true, who is going to be hurt?

The gentleman from Florida talked about oaths. I want to talk about one that I took, to uphold the Constitution of the United States, because the Rules Committee is interfering with my abil-

ity to do that. We have one of the most serious constitutional issues facing this country now that we have faced in a very long time: the assertion by the President of the United States that because of terrorism, he basically is freed from restraints.

He has announced by the way, remember, it is not directly relevant to this bill, but he has announced that as President he may order the imprisonment for an indefinite period of time of an American citizen, and that citizen has no recourse to any tribunal to disprove any charges against him, and there may not be any charges lodged.

That is one of the things he said. In that same breathtaking assertion of untrammelled power, he says he can order the wiretapping of any American citizen; and it has gone beyond, as was brought out in the questions by the Judiciary Committee of the Attorney General, even within America. I think that is a dangerous abuse of power.

I believe we are able to protect ourselves against terrorists, and we should protect ourselves against these murderous fanatics, but I believe we are able to do that while still observing the Constitution. And I want to be very clear. I want to give law enforcement power. I believe law enforcement, they are the good guys, but they are not the perfect guys.

You give the good guys power, but you give it to them in a series of balances and restraints. You do not give them untrammelled power. The President has announced that he has carried out a program of wiretapping invasion of the most private moments of any American, with nobody else given any involvement, no warrants.

Now the gentleman from California (Mr. SCHIFF) presented to the Rules Committee a very thoughtful amendment that would reaffirm that we want to go by the law of 1978, that would repudiate one of the most outrageous and, I am going to use the technical term here, "cockamamie" arguments I have ever heard; namely, that when all of us voted to justify, to authorize the force against the Taliban in Afghanistan, we were somehow authorizing warrantless wiretapping.

You know, I want to say to the people who say that, follow one of my rules. In a political debate, no matter how convenient it seems to you, please do not say anything that no one believes. It will not be helpful. No one believes that. But we now this have situation where the bill that includes some of the money that carries out the warrantless wiretapping is before us.

People may think warrantless wiretapping is fine. I think it is a violation of the Constitution. But they should not be controversial. Should not this House of Representative be able to vote on that subject?

The gentleman from California presented a bipartisan amendment dealing with wireless wiretapping, reaffirming what some of us think; that there should be restraint, repudiating the

outrageous argument that the Afghan resolution okayed it. And you have, Madam Speaker, and your party, refused to allow the House to vote on it. That is the disgrace. That is the abuse of the Constitution.

We are not even going to be allowed to vote on an amendment that would deal with this central constitutional question. And I would just say in closing, we are now in the process of instructing the people of Iraq about how to ruin parliamentary democracy.

As they see you deny us the right to vote on this central constitutional question, I say again what I have said before: if anybody from the Iraqi Parliament is watching our procedures, please do not try this at home.

Mr. PUTNAM. Madam Speaker, the cultural differences in this House are intriguing. Hailing from the South, we would label "cockamamie" a theory where the President would conspire to break the law and invite Members of the other party in on the deal. We would call that a pretty cockamamie theory.

And so when the President, in an effort to keep America safe and to monitor members of al Qaeda who are communicating with people inside our borders, probably not checking the weather, probably not seeing how the Yankees or the Mets are doing, but plotting very dangerous, tragic, consequential events to destroy our way of life, to cause mayhem, to cause loss of life, we want to know what they are up to.

And the President, under this cockamamie theory, conspired to protect us, in the gentleman's words illegally protect us; but he did so in a way that brought in a team of lawyers, reviewed the program every 45 days, and invited members of leadership from both parties, from both Houses of the legislative branch, to be in on that discussion.

□ 1330

That is a cockamamie theory that he was conspiring to break the law in that regard. He was fulfilling his oath to protect this Nation.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First, I guess I didn't know we would get in great detail about what was cockamamier than what; but when I used that phrase, I was referring specifically only to one argument: the argument that the Afghanistan force resolution authorizes. That is all I said.

I repeat, anybody who makes that argument is, let's use a Southern expression, had too much moonshine. Beyond that, I understand the gentleman thinks it is okay for warrantless wiretapping. The question is not wiretapping, but warrantless.

But my question is this: Why can't the House of Representatives vote on it? By what right does the Rules Committee arrogate to itself the right to

extinguish debate? I expect that there will be differences.

Mr. PUTNAM. Reclaiming my time, I recognize that the gentleman's use of "cockamamie" was directed at another aspect of this debate. But I stand by my comment that the President of the United States did not conspire to engage in any illegal, inappropriate activity by, first, calling a team of lawyers and, second, calling the leadership of the opposite party.

Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. THORNBERRY), another member of the House Intelligence Committee, another leader on national security issues for us.

Mr. THORNBERRY. Mr. Speaker, I appreciate the gentleman from Florida for yielding his time and his handling of this rule.

Actually, there were a number of statements made by my colleague from Massachusetts with which I fully agree. As a matter of fact, one of the challenges, I think, of bringing this bill to the floor is that we are all, in an age of terrorism, attempting to find the right place where we are effective against the terrorists who are trying to kill as many of us as possible, but also not lose sight of our Constitution and our freedoms and the fundamental nature of this society.

One of the key elements in trying to get that right is a whole area of government activity which we cannot talk about, and which the Intelligence Committee is charged with overseeing and helping shape. And so every year, our challenge is to bring a bill that oversees and helps shape those activities to this floor in a very public forum.

A number of the issues that we talk about have been reported extensively in various newspaper articles. And we know that some of it is right and some of it is wrong, and yet you can't come here and correct the factual misstatements and the improper impressions which people have.

I think it is important to affirm two things. Number one is that there is much in this bill which is largely agreed upon. Now, the nature of coming to the floor with this kind of bill is that we are going to spend most of our time talking about differences, or at least making up differences to talk about, when they didn't exist maybe a week or two ago. But the central direction, and most of the provisions of this bill, for the people who have taken the time to go read it, are largely agreed upon by both sides of the aisle.

The second thing that I think it is important to emphasize is that the members of the Intelligence Committee take their responsibilities very seriously. If you have any doubt about that, just listen again to the comments, for example, of the gentlewoman from New Mexico who was, one, standing up to insist upon a much greater role by this Congress in oversight of the terrorist surveillance program.

That oversight is under way. As she said, it is very important for us to understand the details and the procedures and the process and the specifics of this program before we come to the floor and decide about how various laws ought to be changed in different ways. But that is just one example.

There are many, many issues before the Intelligence Committee on which we attempt to exercise our oversight in a very serious and responsible way. We may not agree on all the details or where things ought to go, but this committee is not a rubber stamp for any administration, or any President, and at the same time we take very seriously the recommendations which were in the Commission on Weapons of Mass Destruction that our oversight needs to be strategic; not just following the headlines of the day hither and yon as reporters may write stories, but to follow strategic oversight in a way that makes this country safer. That is always going to be our goal.

Of course, any rule which brings an intelligence authorization bill to the floor has got to be somewhat restrictive, because there is so much that we simply cannot talk about on the floor without damaging the country's security.

I think this is a good rule. It frames debate on key issues. I think it should be supported as well as the bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT) who was also shut out of being able to offer an amendment in the Rules Committee last night.

Mr. HOLT. Mr. Speaker, I thank the gentleman. I rise in opposition to this rule. A number of amendments were denied to some very responsible Members of this body. One amendment would have required the President or the Vice President, if they intend to declassify intelligence documents, to inform the congressional Intelligence Committees and the originating agencies ahead of time.

As we have learned in the last month through court filings, the President, without informing, much less consulting our committee, elected to secretly and selectively declassify portions of the 2002 national intelligence assessment about Iraq's weapons of mass destruction. Now, by sworn statement, we know that this was done to rebut critics of the administration who questioned the rationale for the war.

The American people deserve to have the full facts. This amendment that I offered but we were denied the opportunity to debate on the floor would have ensured that any future classification efforts would have been disclosed. It would have exposed what the ranking member of our committee called the double standard of leaks.

Another amendment that I would have offered would have required any inquiries about intelligence employees or contractors made by nonintelligence community government officials, such

as the President, the Vice President, the White House staff, would be reported to the congressional Intelligence Committees together, so that the propriety of such an inquiry could be considered. Had my amendment passed, it would have given Congress the opportunity to say clearly whether outing a career intelligence officer for gratuitous reasons would be tolerated.

Now, the gentleman from Florida said with regard to this bill before us, all Members will have the opportunity to review the material before us. No, not so. Even the cost of the unwarranted surveillance program will be provided only to a few Members.

The gentlewoman from New Mexico said that she has been informed, but I can tell you 425 other Members of this body have not been informed even about the cost of this program. And they cannot and they will not be informed, yet they are asked to vote on what is one of the most significant changes in intelligence collection in American history.

The checks and balances spelled out in this document, which I refer to my friend from Florida, known as the Constitution of these United States, this hallowed document, those checks and balances, are eroded. The debate here, allowed by the Rules Committee, or the lack of it, makes a mockery of this hallowed document.

Amendments by Representatives BOSWELL, REYES, ESHOO, HARMAN, FLAKE, FRANK, KUCINICH, MALONEY, SCHIFF, SHAYS and others have been denied. We have been denied the opportunity to debate significant issues on the floor.

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

The gentleman from New Jersey is a very capable member of the Intelligence Committee, and surely he is not suggesting that covert actions of the United States Government should be made available to every single Member of Congress. Surely the gentleman is not suggesting that every classified program that this United States is engaged in should be available to every single Member.

I would invite the gentleman to respond. Would the Manhattan Project have been available to every single Member who asked about its cost, the number of employees, where the activity was going on, how many people were involved? Would the gentleman have suggested that every Member of Congress would have been clued in on that, even when the Vice President wasn't?

Mr. HOLT. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from New Jersey.

Mr. HOLT. Mr. Speaker, I think it certainly would not be asking too much that every member of the Intelligence Committee had access to this and far from it, if I may complete the answer, just as the President has decided he can pick and choose which laws apply to him.

These are significant issues that need to be debated here on the floor.

Mr. PUTNAM. Reclaiming my time, I think the gentleman, by his answer, has answered the question that clearly we have an Intelligence Committee specifically for the purpose of being our eyes and ears, because we do not empower every single Senator and every single House Member with every single detail of every activity going on in the intelligence community, and there are very strong reasons for that. So, clearly, that would not be the proper course of action.

Under longstanding committee tradition, the chair and the ranking member of both Houses were brought into a different level of awareness on certain activities that were going on. Under Democratic and Republican control, that was the case.

As a result of the terrorist surveillance program, the Senate created an entire new subcommittee to deal with the issue, and the House expanded access to that information to 11 Members, an unprecedented number of Members going beyond the historical, under the Democratic model, four Members who had been given access to those types of programs and activities.

Mr. HOLT. Mr. Speaker, if the gentleman will further yield, the gentleman says unprecedented number. Yes, an unprecedentedly small number.

We on the Intelligence Committee have a responsibility to review these issues on behalf of all 435 Members of the House of Representatives. I am not for a moment suggesting that all things need to be discussed here on the floor or in open. Of course, it is necessary so that we preserve national secrets.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, the gentleman had suggested that the other 420 Members of the House had not had access to the information, and that is precisely how it is set up, that they would not have access to that information. That is why we have talented Members like yourself on the committee, and that is why we have expanded access to information about that program to more members of the committee than ever before.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY), who also was shut off being able to offer an amendment.

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his leadership on the Rules Committee.

As we can tell by the debate, there were a number of critical issues, the warrantless wiretaps and many others, that were denied by this restrictive rule.

It has become clear to me that the Republican leadership of this House simply does not care about protecting the civil liberties of the American people.

Last night, in a bipartisan effort, Congressman SHAYS and I went before the Rules Committee for the fifth time, seeking the opportunity to debate an amendment that would create the Privacy and Civil Liberties Board as envisioned by the 9/11 Commission. This morning, we learned for the fifth time in a row that the Rules Committee has denied this House even the opportunity to debate this important amendment that is supported unanimously by the 9/11 Commission and by the 9/11 families.

This is just the latest in a series of actions by the Republican House leadership to deny us the opportunity to have a full debate on the protection of our civil liberties, and I want to make sure that people listening know the track record of this House.

When we were considering the intelligence reform bill that enacted many of the 9/11 Commission's recommendations, it was this House that refused to include a committee-approved, bipartisan amendment to create this board in any legislation passed by the House of Representatives. It was this House that stripped the Privacy and Civil Liberties Oversight Board's subpoena power, bipartisan makeup, and qualifications requirements during conference negotiations. All of these provisions had passed the Senate, a vote of 96-2, but the House of Representatives struck it out.

□ 1345

It is this House that has refused amendments by members of the Intelligence Committee to require a budget line for this board and the authorization we are voting on today backing up the President's action to defund the board in his budget. And it is this House that denies our repeated attempt to even debate an amendment that would give the board the power and authority that it needs to do the job. I hope the American people are watching, because this House refuses to do anything to protect the civil liberties of the American people.

And I would like to quote from the 9/11 Commission report where they said, "If our liberties are curtailed, we lose the values that we are struggling so hard to defend."

Again, they have spoken out many times in support of this Civil Liberties and Privacy Board that would provide balance and restraint to the National Intelligence Reform Act, and I urge my colleagues to have a strong "no" vote on this restrictive rule.

Mr. PUTNAM. Mr. Speaker, setting aside the fact that the amendment the gentlewoman refers to is not germane to this bill, I point out to the gentlewoman that the amendment that she refers to creates a commission that, A, already exists; and, B, the chair and vice chair have already been confirmed by the Senate, and the members have been appointed.

Mr. Speaker, I am pleased to yield 2½ minutes to another member of the House Intelligence Committee, the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. I thank the gentleman.

I want to help clear up a couple of confusing issues here. First of all, when we talk about the resolution of force that was passed by the House of Representatives, both Republicans and Democrats, we were talking about our response to the attacks on this country after 9/11. We were talking about morphing the force; being able to have liquidity and being able to take the capability of this country and go after terrorists, who don't confine themselves to the border of one country.

You talk about the resolution of force, and you mention the country of Afghanistan as if it was only limited to the boundaries of Afghanistan. It is a falsehood to say so to the American people. It is not right. It is wrong. We took the resolution of force and said, you, the President, you have got to manage the intelligence, you have got to manage the Armed Forces, you have got to go after terrorists all around the world like a cancer that metastasizes itself. You have to go where they are. You have to be able to listen to them calling into the United States. You have to break up their terrorist cells. The American people expect you to do so.

There has been a lot of talk and a lot of rhetoric of people on this committee about a point that we debated ad nauseam in committee, which is that the President somehow didn't inform the committee. That is a falsehood. The President fully informed the committee to the letter of the law. The 1947 Intelligence Act established that the President shall inform the committee, but the establishment language of the act says that the President and the Congress shall establish the procedures.

So what were the procedures established under Truman? That it was okay for the President to inform the Gang of Eight, the House and the Senate, and limit it to four on each side. It is okay to do that. And Truman did it, and Carter did it, and Reagan, and Clinton, and this President did it, and he abided by the law. And to say so otherwise is to ill inform the American people. It is misguided, and it is false.

Mr. MCGOVERN. Mr. Speaker, let me, before I introduce our next speaker, let me just respond by saying what has the American people concerned is that we have a set of procedures in place, the so-called FISA procedures, which allow the President to put anybody under surveillance here in the United States providing that he gets a warrant. And he can even get a warrant after he puts somebody under surveillance. The question is why can't he follow the procedures in place? In my opinion, he is breaking the law.

And I would also say that the other question is, why in the world, given the controversy on this issue, can't this Congress have an up-or-down vote on this issue? If the majority thinks that the President should be able to put anybody under surveillance he wants

without a warrant, fine. Then write the bill and bring it to the floor, let us debate it and pass it up or down.

I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank my friend on the Rules Committee, ranking member, for allowing me to interject in this discussion at this point, because I am stunned to hear now that there are people still defending the President's right to have illegal spying on Americans when actually we didn't know about it until the leaks occurred. He wasn't telling everybody regularly about it. What we are dealing with now is some spurious claims. And I am interested that the authorization for the use of military force was supposed to allow domestic wiretapping on Americans.

Ladies and gentlemen, we already have a couple of systems dealing with terrorism surveillance. One is called the Foreign Intelligence Surveillance Act. There is plenty of room here for us to survey spying. If we want to take care of spying, let us do that, but we are talking about spying on Americans where there is no connection with foreign intelligence. No question about it at all.

And so Sandra Day O'Connor declared to that kind of an argument that in the case of combatants captured in the battlefield, it is clear that a state of war is not a blank check for the President when it comes to the rights of the Nation's citizens. So what we debate on the rule here today is whether or not there should have been an allowance for the Schiff amendment, and all we are saying is that there should have been.

Mr. PUTNAM. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore (Mr. REHBERG). Both sides have 2½ minutes.

Mr. PUTNAM. I have no further speakers, Mr. Speaker, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I will be asking Members to vote "no" on the previous question. If the previous question is defeated, I will amend the rule to allow the House to consider the Boswell amendment on Iran nuclear programs. This amendment was offered in the Rules Committee last night, but was defeated on a straight party-line vote. It is yet another example of what I believe is the abuse of power by the Republican-dominated Rules Committee.

Mr. Speaker, this amendment requires the Director of National Intelligence to submit reports to Congress on Iran's weapons of mass destruction every 90 days. It requires these reports to include an assessment of Iran's nuclear programs, an evaluation of intelligence sources, a summary of new intelligence for any information that would increase confidence in overall assessment.

Mr. Speaker, we are deeply concerned over the ominous situation in Iran with regard to the potential for nuclear weapons in that country, and I think

most Members of this body would agree that it is absolutely critical that we continue to monitor the situation very closely and receive frequent updates on Iran. We need to have constant and accurate updates on this very serious situation. There is too much at stake here for us to do less.

Have we learned nothing from what we experienced with regard to the misleading intelligence and the false intelligence on Iraq? Have we learned nothing from the fact that this Congress did not do its job; did not take its oversight responsibility seriously; did not ask the questions; did not hold the administration accountable?

Mr. Speaker, this should not be a controversial issue. Chairman HOEKSTRA and Ranking Member HARMAN have worked in a bipartisan way. This should have been worked out in a bipartisan way. I cannot imagine why anybody would be opposed to this amendment.

Members should be aware that a "no" vote will not prevent consideration of the intelligence bill and will not affect any of the amendments that are in order under this rule, but a "no" vote will allow us to add this important amendment that seeks to fully understand the depth of the nuclear situation in Iran.

I would again urge my colleagues on both sides of the aisle to vote for this. This should be a bipartisan vote. There is no reason, there is no reason to vote this down unless somehow you do not want to hear the information; unless somehow you do not want to demand this administration be accountable and inform the Members of this Congress.

On the issue of nuclear weapons in Iran, it should be every Member of this Congress, quite frankly, who should have access to relevant material. We need to learn our lesson. We are in a mess right now in Iraq. We are involved in a quagmire that has cost over 2,500 lives, hundreds of billions of dollars, and we know the intelligence was wrong. Let us do it right this time. Let us not rush into a war unnecessarily. Let us demand from this administration some accountability and some truth.

Vote "no" on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. PUTNAM. Mr. Speaker, my friend from Massachusetts had me with Iran and lost me with Iraq. Everything that he said regarding the seriousness of the threat from Iran, a nuclear-capable Iran, is unacceptable to our interests. Everything he said is absolutely correct.

And I can save him the vote on the previous question by asking him to turn to page 22 of the public version of

the intelligence authorization bill, where it says, under the subheading Reporting Regarding Iran and North Korea, "The committee has conducted regular and ongoing oversight of these efforts and expects the DNI to ensure that the Intelligence Community continues to provide timely, detailed, and frequent reporting on the current intentions and capabilities on Iran and North Korea's nuclear, chemical, biological, radiological, and missile programs, as well as the Intelligence Community's capabilities to understand and evaluate these programs. In particular, the committee is interested in receiving, on an ongoing basis current assessments of Iran and North Korea's nuclear, chemical, biological weapons, and missile programs; information on new intelligence developed, including intelligence collected from both open and clandestine sources; and full discussion of any gaps in knowledge, disses, caveats, and other information that would tend to reduce confidence in the overall assessment. The committee believes these reports will provide timely information to help better inform Congress as it is asked to make decisions regarding U.S. policy towards Iran and North Korea."

The reporting requirement is in the bill. Mr. Speaker, this is a very important issue. I urge the gentleman, I urge the Congress to support the rule, support the underlying bill, and support the hardworking men and women.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 774—RULE ON H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution the amendment specified in section 3 shall be in order as though printed after the amendment numbered 6 in the report of the Committee on Rules if offered by Representative Boswell of Iowa or a designee. That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 5020, AS REPORTED

OFFERED BY MR. BOSWELL OF IOWA

At the end of title III (page 16, after line 10), insert the following new section:

SEC. 308. IRAN INTELLIGENCE OVERSIGHT.

(a) SHORT TITLE.—This section may be cited as the "Iran Intelligence Oversight Act".

(b) FINDINGS.—Congress finds the following:

(1) The development of nuclear weapons and the long-range missiles capable of delivering them by the Islamic Republic of Iran threatens the national security of the United States and its allies.

(2) Denying these capabilities to Iran is among the most important national security interests of the United States.

(3) Iran's avowed hostility towards the United States and Israel, Iran's stated commitment to develop all elements of the nuclear fuel cycle, Iran's continued defiance of international efforts to account for its nuclear program, Iran's development of long-range ballistic missile technology, and Iran's

three decades of support for international terrorist organizations raise grave suspicions about the purpose of its nuclear and missile programs.

(4) The United States Government's current intelligence on Iran may not be sufficient to assess the capabilities and intentions of Iran with a high degree of certainty.

(5) The bipartisan Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, co-chaired by Judge Lawrence Silberman and former Senator Charles S. Robb, reported in 2005 that "across the board, the Intelligence Community knows disturbingly little about the nuclear programs of many of the world's most dangerous actors. In some cases, it knows less now than it did five or ten years ago". This statement aptly describes the challenge faced by policy-makers in the United States with regard to Iran's weapons ambitions.

(6) If the President and Congress are to develop an effective policy to counter the weapons programs of Iran, such a policy must be based on accurate and timely intelligence to the extent that it is possible to collect such intelligence.

(7) Under section 502(a)(2) of the National Security Act of 1947 (50 U.S.C. 413a(a)(2)), the intelligence community must "furnish the congressional intelligence committees any information or material concerning intelligence activities . . . which is within their custody or control".

(8) Regular reports to Congress on the intentions and capabilities of Iran with regard to Iran's nuclear program, in addition to the continuing requirement to ensure that the congressional intelligence committees are kept fully and currently informed of all intelligence activities, will assist Congress in the development of effective policy to counter the weapons programs of Iran.

(C) QUARTERLY INTELLIGENCE BRIEFINGS TO CONGRESS ON IRAN.—

(1) REPORT.—Not later than 30 days after the date of the enactment of this Act, and at least every 90 days thereafter, the Director of National Intelligence shall submit to the relevant committees a report, in classified form, on the current intentions and capabilities of the Islamic Republic of Iran with regard to the nuclear program of Iran, 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) ACCESS TO REPORT.—Each report submitted under paragraph (1) shall be made available to all members of the relevant committees and to all staff of the relevant committees with appropriate security clearance. Other members of the Senate or the House of Representatives may review the reports by following security procedures established by each of the relevant committees.

(3) RELEVANT COMMITTEES.—In this section, the term "relevant committees" means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

PARLIAMENTARY INQUIRY

Mr. MCGOVERN. Mr. Speaker, parliamentary inquiry.

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

Mr. MCGOVERN. My parliamentary inquiry, Mr. Speaker, is: Isn't it accurate that the language that the gentleman just referred to in the bill is discretionary, whereas what we are talking about is statutory language that would require reporting every 90 days so that we don't make the same mistake we did in Iraq?

The SPEAKER pro tempore. The Chair cannot respond to that inquiry. It is not the province of the Chair to interpret the substance of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 774 will be followed by 5-minute votes on adopting House Resolution 774, if ordered; suspending the rules and adopting House Concurrent Resolution 365; and suspending the rules and passing H.R. 282.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 10, as follows:

[Roll No. 102]

YEAS—228

Aderholt	Crenshaw	Green (WI)
Akin	Cubin	Gutknecht
Alexander	Culberson	Hall
Bachus	Davis (KY)	Harris
Baker	Davis, Jo Ann	Hart
Barrett (SC)	Davis, Tom	Hastings (WA)
Bartlett (MD)	Deal (GA)	Hayes
Barton (TX)	DeLay	Hayworth
Bass	Dent	Hefley
Beauprez	Diaz-Balart, L.	Hensarling
Biggart	Diaz-Balart, M.	Herger
Bilirakis	Doolittle	Hobson
Bishop (UT)	Drake	Hoekstra
Blackburn	Dreier	Hostettler
Blunt	Duncan	Hulshof
Boehlert	Ehlers	Hunter
Boehner	Emerson	Hyde
Bonilla	English (PA)	Inglis (SC)
Bonner	Eshoo	Issa
Bono	Everett	Istook
Boozman	Feeney	Jenkins
Boustany	Ferguson	Jindal
Bradley (NH)	Fitzpatrick (PA)	Johnson (CT)
Brady (TX)	Flake	Johnson (IL)
Brown (SC)	Foley	Johnson, Sam
Brown-Waite,	Forbes	Jones (NC)
Ginny	Fortenberry	Keller
Burgess	Fossella	Kelly
Burton (IN)	Fox	Kennedy (MN)
Buyer	Franks (AZ)	King (IA)
Calvert	Frelinghuysen	King (NY)
Camp (MI)	Gallagher	Kingston
Campbell (CA)	Garrett (NJ)	Kirk
Cannon	Gerlach	Kline
Cantor	Gibbons	Knollenberg
Capito	Gilchrest	Kolbe
Carter	Gillmor	Kuhl (NY)
Castle	Gingrey	LaHood
Chabot	Gohmert	Latham
Chocola	Goode	LaTourette
Coble	Goodlatte	Leach
Cole (OK)	Granger	Lewis (CA)
Conaway	Graves	Lewis (KY)

Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

□ 1419

Stated against:

The veas and nays were ordered.

[Ro] No. 103]

ZEAS—227

Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKee
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo

NAYS—198

Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseeth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Insee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)

Oberstar
 Obey
 Oliver
 Ortiz
 Owens
 Pallone
 Pascrell
 Pastor
 Payne
 Pelosi
 Peterson (MN)
 Pomeroy
 Price (NC)
 Rahall
 Rangel
 Reyes
 Ross
 Rothman
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sabo
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Lorena
 Sanders
 Schakowsky
 Schiff
 Schwartz (PA)
 Scott (GA)
 Scott (VA)
 Serrano
 Sherman
 Skelton
 Slaughter
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Strickland
 Stupak
 Tanner
 Tauscher
 Taylor (MS)
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Vislosky
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Wexler
 Woolsey
 Wu
 Wynn

NOT VOTING—7

□ 1432

Ms. WATERS changed her vote from "yea" to "nay."

NAYS—194

Abercrombie	Gonzalez
Ackerman	Gordon
Allen	Green, Al
Andrews	Green, Gene
Baird	Grijalva
Baldwin	Gutierrez
Barrow	Harman
Bean	Herseth
Becerra	Higgins
Berkley	Hinchey
Berman	Hinojosa
Berry	Holden
Bishop (GA)	Holt
Bishop (NY)	Honda
Blumenauer	Hooey
Boren	Hoyer
Boswell	Inlee
Boucher	Israel
Boyd	Jackson (IL)
Brady (PA)	Jackson-Lee
Brown (OH)	(TX)
Brown, Corrine	Jefferson
Butterfield	Johnson, E. B.
Capps	Jones (OH)
Capuano	Kanjorski
Cardin	Kaptur
Cardoza	Kennedy (RI)
Carnahan	Kildee
Carson	Kilpatrick (MI)
Case	Kind
Chandler	Kucinich
Clay	Langevin
Cleaver	Lantos
Clyburn	Larsen (WA)
Conyers	Larson (CT)
Cooper	Lee
Costa	Levin
Costello	Lewis (GA)
Cramer	Lipinski
Crowley	Lofgren, Zoe
Cuellar	Lowe
Cummings	Lynch
Davis (AL)	Maloney
Davis (CA)	Markey
Davis (FL)	Marshall
Davis (IL)	Matheson
Davis (TN)	Matsui
DeFazio	McCarthy
DeGette	McCollum (MN)
Delahunt	McDermott
DeLauro	McGovern
Dicks	McIntyre
Dingell	McKinney
Doggett	McNulty
Doyle	Meehan
Edwards	Meek (FL)
Emanuel	Meeks (NY)
Engel	Melancon
Etheridge	Michaud
Farr	Miller (NC)
Filner	Miller, George
Ford	Moore
Frank (MA)	Moore (KS)

Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Tyler (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Vislosky
Wasserman
Schultz
Waters

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.

URGING THE GOVERNMENT OF CHINA TO REINSTATE ALL LICENSES OF GAO ZHISHENG AND HIS LAW FIRM AND REVISE LAW AND PRACTICE IN CHINA SO IT CONFORMS TO INTERNATIONAL STANDARDS

The SPEAKER pro tempore (Mr. REHBERG). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 365.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 365, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, answered “present” 1, not voting 10, as follows:

[Roll No. 104]

YEAS—421

Abercrombie	Buyer	Dicks
Ackerman	Calvert	Dingell
Aderholt	Camp (MI)	Doggett
Akin	Campbell (CA)	Doolittle
Alexander	Cannon	Doyle
Allen	Cantor	Drake
Andrews	Capito	Dreier
Baca	Capps	Duncan
Bachus	Capuano	Edwards
Baird	Cardin	Ehlers
Baker	Cardoza	Emanuel
Baldwin	Carnahan	Emerson
Barrett (SC)	Carson	Engel
Barrow	Carter	English (PA)
Bartlett (MD)	Case	Eshoo
Barton (TX)	Castle	Etheridge
Bass	Chabot	Everett
Bean	Chandler	Farr
Beauprez	Chocola	Fattah
Becerra	Clay	Feeney
Berkley	Cleaver	Ferguson
Berman	Clyburn	Finler
Berry	Coble	Fitzpatrick (PA)
Biggert	Cole (OK)	Flake
Bilirakis	Conaway	Foley
Bishop (GA)	Conyers	Forbes
Bishop (NY)	Cooper	Fortenberry
Bishop (UT)	Costa	Fossella
Blackburn	Costello	Fox
Blumenauer	Cramer	Frank (MA)
Blunt	Crenshaw	Franks (AZ)
Boehlert	Crowley	Frelinghuysen
Boehner	Cubin	Garrett (NJ)
Bonilla	Cuellar	Gerlach
Bonner	Culberson	Gibbons
Bono	Cummings	Gilchrest
Boozman	Davis (AL)	Higgins
Boren	Davis (CA)	Gillmor
Boswell	Davis (FL)	Gingrey
Boucher	Davis (IL)	Gohmert
Boustany	Davis (KY)	Gonzalez
Boyd	Davis (TN)	Goode
Bradley (NH)	Davis, Jo Ann	Goodlatte
Brady (PA)	Davis, Tom	Gordon
Brady (TX)	Deal (GA)	Granger
Brown (OH)	DeFazio	Graves
Brown (SC)	DeGette	Green (WI)
Brown, Corrine	Delahunt	Green, Al
Brown-Waite,	DeLauro	Green, Gene
Ginny	DeLay	Grijalva
Burgess	Dent	Gutierrez
Burton (IN)	Diaz-Balart, L.	Gutknecht
Butterfield	Diaz-Balart, M.	Harman

Harris	McCollum (MN)	Ryan (WI)
Hastings (WA)	McCotter	Ryun (KS)
Hayes	McCrery	Sabo
Hayworth	McDermott	Salazar
Hefley	McGovern	Sanchez, Linda
Hensarling	McHenry	T.
Herger	McHugh	Sanchez, Loretta
Herse	McIntyre	Sanders
Higgins	McKeon	Saxton
Hinche	McKinney	Schakowsky
Hinojosa	McMorris	Schiff
Hobson	McNulty	Schmidt
Hoekstra	Meehan	Schwartz (PA)
Holden	Meek (FL)	Schwarz (MI)
Holt	Meeks (NY)	Scott (GA)
Honda	Melancon	Scott (VA)
Hooley	Mica	Sensenbrenner
Hostettler	Michaud	Serrano
Hoyer	Miller (FL)	Sessions
Hulshof	Miller (MI)	Shadegg
Hunter	Miller (NC)	Shaw
Hyde	Miller, Gary	Shays
Inglis (SC)	Miller, George	Sherman
Inslee	Mollohan	Sherwood
Israel	Moore (KS)	Shimkus
Issa	Moran (KS)	Shuster
Istook	Moran (VA)	Simmons
Jackson (IL)	Murphy	Simpson
Jackson-Lee	Murtha	Skelton
(TX)	Musgrave	Slaughter
Jefferson	Myrick	Smith (NJ)
Jenkins	Nadler	Smith (TX)
Jindal	Napolitano	Smith (WA)
Johnson (CT)	Neal (MA)	Snyder
Johnson (IL)	Neugebauer	Sodrel
Johnson, E. B.	Ney	Solis
Johnson, Sam	Northup	Souder
Jones (NC)	Norwood	Spratt
Jones (OH)	Nunes	Stark
Kanjorski	Nussle	Stearns
Kaptur	Oberstar	Strickland
Keller	Obey	Stupak
Kelly	Olver	Sweeney
Kennedy (MN)	Ortiz	Tancred
Kennedy (RI)	Otter	Tanner
Kildee	Owens	Tauscher
Kilpatrick (MI)	Oxley	Taylor (MS)
Kind	Pallone	Taylor (NC)
King (IA)	Pascarell	Terry
King (NY)	Pastor	Thomas
Kingston	Payne	Thompson (CA)
Kirk	Pearce	Thompson (MS)
Kline	Pelosi	Thornberry
Knollenberg	Pence	Tiahrt
Kolbe	Peterson (MN)	Tiberi
Kucinich	Peterson (PA)	Tierney
Kuhl (NY)	Petri	Towns
LaHood	Pickering	Turner
Langevin	Pitts	Udall (CO)
Lantos	Platts	Udall (NM)
Larsen (WA)	Poe	Upton
Larson (CT)	Pombo	Van Hollen
Latham	Pomeroy	Velázquez
LaTourette	Porter	Visclosky
Leach	Price (GA)	Walden (OR)
Lee	Price (NC)	Walsh
Levin	Pryce (OH)	Wamp
Lewis (CA)	Putnam	Wasserman
Lewis (GA)	Radanovich	Schultz
Lewis (KY)	Rahall	Waters
Linder	Ramstad	Watson
Lipinski	Rangel	Watt
LoBiondo	Regula	Waxman
Lofgren, Zoe	Rehberg	Weiner
Lowe	Reichert	Weldon (FL)
Lucas	Renzi	Weldon (PA)
Lungren, Daniel	Reyes	Weller
E.	Reynolds	Westmoreland
Lynch	Rogers (AL)	Wexler
Mack	Rogers (KY)	Whitfield
Maloney	Rogers (MI)	Wicker
Manzullo	Rohrabacher	Wilson (NM)
Marchant	Ross	Wilson (SC)
Markey	Rothman	Wolf
Marshall	Roybal-Allard	Woolsey
Matheson	Royce	Wu
Matsui	Ruppersberger	Wynn
McCarthy	Rush	Young (AK)
McCaul (TX)	Ryan (OH)	Young (FL)

ANSWERED “PRESENT”—1

Paul

NOT VOTING—10

Evans	Hastings (FL)	Osborne
Gallegly	Millender-	Ros-Lehtinen
Hall	McDonald	Sullivan
Hart	Moore (WI)	

□ 1440

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IRAN FREEDOM SUPPORT ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 282, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 282, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 21, not voting 14, as follows:

[Roll No. 105]

YEAS—397

Abercrombie	Carson	Ferguson
Ackerman	Carter	Finler
Aderholt	Case	Fitzpatrick (PA)
Akin	Castle	Foley
Alexander	Chabot	Forbes
Allen	Chandler	Ford
Andrews	Chocola	Fortenberry
Baca	Clay	Fossella
Bachus	Cleaver	Fox
Baird	Clyburn	Frank (MA)
Baker	Coble	Franks (AZ)
Barrett (SC)	Cole (OK)	Frelinghuysen
Barrow	Conaway	Gallegly
Bartlett (MD)	Conyers	Garrett (NJ)
Barton (TX)	Cooper	Gerlach
Bass	Costa	Gibbons
Bean	Costello	Gilchrest
Becerra	Cramer	Gingrey
Berkley	Crenshaw	Gohmert
Berman	Crowley	Gonzalez
Berry	Cubin	Goode
Biggert	Cuellar	Goodlatte
Bilirakis	Culberson	Gordon
Bishop (GA)	Cummings	Granger
Bishop (NY)	Davis (AL)	Graves
Bishop (UT)	Davis (CA)	Green (WI)
Blackburn	Davis (FL)	Green, Al
Blunt	Davis (IL)	Green, Gene
Boehlert	Davis (KY)	Grijalva
Bonilla	Davis (TN)	Gutierrez
Bonner	Davis, Jo Ann	Gutknecht
Bono	Davis, Tom	Hall
Boozman	Deal (GA)	Harman
Boren	DeGette	Harris
Boswell	Delahunt	Hart
Boucher	DeLauro	Hastings (WA)
Boustany	DeLay	Hayes
Bradley (NH)	Dent	Hayworth
Brady (PA)	Diaz-Balart, L.	Hefley
Brady (TX)	Diaz-Balart, M.	Hensarling
Brown (OH)	Dicks	Herger
Brown (SC)	Dingell	Herse
Brown, Corrine	Doggett	Higgins
Brown-Waite,	Doolittle	Hinche
Ginny	Doyle	Hinojosa
Burgess	Drake	Hobson
Burton (IN)	Dreier	Hoekstra
Butterfield	Edwards	Holden
Calvert	Ehlers	Holt
Camp (MI)	Emanuel	Honda
Campbell (CA)	Emerson	Hooley
Cannon	Engel	Hoyer
Cantor	English (PA)	Hulshof
Capito	Eshoo	Hunter
Capps	Etheridge	Hyde
Capuano	Everett	Inglis (SC)
Cardin	Farr	Inslee
Cardoza	Fattah	Israel
Carnahan	Feeney	Issa