SECTION 1. REVOCATION OF CHARTER OF INCORPORATION OF THE PRAIRIE ISLAND INDIAN COMMUNITY UNDER THE INDIAN REORGANIZATION ACT.

The request of the Prairie Island Indian Community to surrender the charter of incorporation issued to that Community on July 23, 1937, pursuant to section 17 of the Act of June 18, 1934, commonly known as the ''Indian Reorganization Act'' (25 U.S.C. 477) is hereby accepted and that charter of incorporation is hereby revoked.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The SPEAKER pro tempore. Pursuant to House Resolution 437 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3259.

□ 1045

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. DICKEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas [Mr. COMBEST] and the gentleman from Washington [Mr. DICKS] will each control 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring H.R. 3259, the Intelligence Authorization Act for fiscal year 1997, before my colleagues for consideration and, I trust, approval.

Before I turn to the contents of the bill, I would like to thank the staff of the committee for their hard work. We marked up two bills in 1 week and brought this bill to the floor in half the time that we have taken in the past. None of this would be possible without our staff's diligence and very long hours.

Five short months ago, I spoke on the floor about the conference report for the fiscal year 1996 authorization. I noted at that time that we had been disappointed in the President's budget submission on intelligence for fiscal year 1996 because it did not show the forward thinking and vision I think our intelligence policy needs. Instead of a blueprint, we got a snapshot of 1 year's needs. I also noted that another such submission would not be acceptable. I had been assured by both the Vice President and the Director of Central Intelligence that the fiscal year 1997 intelligence budget would show vision and foresight.

Unfortunately, this has not been the case. The budget we received was more of the same, another status quo budget. To say that we have been disappointed would be an understatement. That is why the committee has made more substantial changes in the intelligence budget than last year. The details of those changes are in the classified annex, which I hope Members have taken the time to read.

Our changes were made only after the most careful consideration. We held 6 full committee hearings, 15 member briefings, and more than 100 staff briefings. I might add that we expect to have further briefings between now and conference on issues that are still undergoing changes.

Overall, this bill increases the amount requested by the President by an additional 3.9 percent. It is money well spent. As always, our ability to talk in detail on this subject is limited, but as many of my colleagues know, U.S. intelligence continues to provide crucial support for sensitive negotiations and for U.S. forces deployed overseas, and in combating terrorism, narcotics, and proliferation.

I would like to spend a few moments highlighting some of the major aspects of this bill.

Our most important intelligence asset is the people who are the intelligence community. Downsizing, more drastic than we had first assumed, has taken its toll and yet we are still faced with the problem of the proper skills mix in each NFIP agency. There are also a number of quality of life issues that are of fundamental importance. I give DCI Deutch full credit for making personnel reform his highest priority issue. Unfortunately, he did not provide the committee with the kinds of detail we require in order for us to commit the sums of money he needs. Section 403 of our bill denies authorization for the expenditure of funds for personnel reforms until the committee is briefed. Some may argue that we are taking the DCI to task with this provision. We are not. Our colleagues in the other body have no provisions at all in their bill that deal with personnel reform. Section 403 is a good-faith pledge on the part of our committee that we will address this important issue when we have a detailed proposal.

Some of our most important changes to the President's budget are in the National Reconnaissance Program. Last year we began to force the NRO to give more thought to alternative means of intelligence collection, with satellites that are smaller and cheaper, yet no less capable. Many attacked this vision. I am happy to report that it has been confirmed by experts and that we will continue to push the NRO along these lines. We are coming up to a crucial moment of generational change in our satellite systems. Unless we begin planning for that now, we will face a future when we will pay more to know less in a more complex world.

As we did last year, we are limiting the amount of money that can be spent on declassification under President Clinton's Executive Order 12958. We favor more open government. Some of the recent declassifications of such programs as CORONA and VENONA underscore the achievements and importance of intelligence. But we do take exception to having annual expenditures mandated by an Executive order for a program that has yet to prove it can declassify without revealing secrets.

H.R. 3237 helps put us on the path toward the intelligence community we will need in the 21st century. I despair that this President will ever give us the kind of intelligence budget that will move us in the right direction by bold and large steps, rather than hesitant ones. I look forward to the next President doing so, soon. Until then, I know that my colleagues will support this bill so that we can move the intelligence community in a positive direction.

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

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the legislation now before the House.

I want to begin by commending Chairman COMBEST for the manner in which he has presided over the committee's activities this year. He has been solicitous of the views of the Democratic members and has sought to address our concerns when he felt it possible to do so. We do not agree on every issue, although we do agree on many, but I have always felt that he was willing to give us the opportunity to make our case, particularly on matters concerning the intelligence budget.

We are, of course, waiting to have a couple of additional hearings, Mr. Chairman, on some of the issues that we discussed in our markup.

At a time when most programs are feeling the effects of a constrained budget environment, H.R. 3259 provides a significant increase—nearly 5 percent over the amount authorized for the current fiscal year and about 6.5 percent over the amount appropriated for fiscal year 1996. While some of this increase is the result of the substantially higher defense budget approved by the House, a major portion reflects decisions by the committee that a number

of intelligence systems need to be modernized to respond to future requirements. These improvements to highly complex systems are expensive, but they are necessary if the United States is to retain the world's preeminent intelligence capability—a capability that will be of increasing importance as a source of early warning to policymakers and military commanders in the years ahead. I urge the House not to adopt amendments which would make across-the-board reductions in the authorization level in this bill. While I understand the sincerity of the views which motivate those amendments, I believe they would substantially impair the ability of the intelligence community to make investments in several systems that will be of great value in the future.

In spite of the positive aspects of this bill, committee Democrats have, as we did last year, several fundamental disagreements with the majority over programs administered by the National Reconnaissance Office [NRO]. The bill would terminate or delay a number of programs designed either to address intelligence shortcomings noted in the Persian Gulf war or in other ways to improve the provision of timely support to intelligence customers, particularly the battlefield commander. Military operations, and the sophisticated weapons systems which are used in them, place an increasingly high premium on accurate intelligence.

On March 6 of this year, former Secretary of Defense Harold Brown and former Senator Warren Rudman appeared before the committee in open session to report on the work of a commission they led, and on which I served, to examine the roles and capabilities of U.S. intelligence. At the March 6 hearing, Secretary Brown noted that ''if it were not for the existence of the Department of Defense, the intelligence budget would, in my judgment, be maybe 10 percent of what it is.'' I agree with Secretary Brown about the priority of military requirements within those assigned to the intelligence community. I further believe that we should proceed very carefully when we decide to alter a satellite architecture which Defense Department officials, both civilian and uniformed, have indicated is essential to ensuring that future military operations can be conducted successfully without unnecessarily endangering American personnel.

Regrettably, the committee has embarked on a course, with respect to NRO programs, which will leave important military intelligence requirements unmet. That is not a good result in a bill which establishes authorization levels that in the aggregate can only be justified on national security grounds. Before we finally endorse decisions which may place at risk the ability of the Department of Defense to fulfill its mission, we need to clearly understand what capabilities we are being asked to forgo and the consequences of those actions. To his credit, Chairman COMBEST has promised that, before we get to conference on this legislation, hearings will be held on these matters. I hope those sessions will provide a firmer basis than we now have for making judgments in these critical areas.

Mr. Chairman, despite the reservations just expressed, I believe the bill before us is, in balance, a sound one and should be approved. I look forward to working with Mr. COMBEST to improve it in conference, but I urge its adoption today.

Mr. Chairman, I yield 6 minutes to the gentleman from New Mexico [Mr. RICHARDSON], a distinguished member of our committee.

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

Mr. RICHARDSON. Mr. Chairman, I thank the ranking member for yielding time to me.

Mr. Chairman, let me first express my most heartfelt appreciation to Chairman COMBEST for his support in allowing me to undertake several initiatives in the intelligence and foreign policy arena. Mr. COMBEST has been very accommodating since assuming the chairmanship of the Intelligence Committee and I want to commend him for his stewardship.

Second, I would like to congratulate the chairman for crafting a bill in a nonpartisan fashion that catapults our intelligence community into the future armed with the necessary tools to perform an ever changing and diverse mission. In past years, the focus of our intelligence operations and efforts were rightfully targeted predominately at the former Soviet Union. With the demise of the cold war and the splintering into several independent states of the Soviet Union, new and different requirements have been leveled on the intelligence community. No longer can we concentrate solely on issues concerning Soviet force strength and military concept of operations. Today's policy makers need accurate intelligence information on global issues such as proliferation of weapons of mass destruction, narcotics, terrorism and world economies. I am confident that the bill crafted by the chairman and ranking democratic member NORM DICKS, prepares the community to meet the challenges posed by their new missions and requirements.

When Director Deutch testified at his confirmation hearing before the Senate Intelligence Committee he stated that his No. 1 priority was to replace an arcane and ancient personnel system with a system that responded to the dynamics of todays working men and women. I am concerned with the committees action in not fully supporting the Director in his personnel initiative and fear the action that the committee has taken is simply not in the best interests of the dedicated men and women of the Central Intelligence Agency. These individuals perform very difficult tasks and it is in large part because of the tireless work they do that Americans across our great Nation are able to sleep peacefully at night without fear of a foreign threat. In the coming weeks I hope that the committee will not lose sight that people are the CIA's most valuable asset and that the necessary funds should be authorized if we are to maintain an intelligence agency second to none in the world. The DCI has put a tremendous amount of thought and work into this effort and we should support the employees of CIA by throwing the weight of this committee and the Congress behind the personnel proposal.

Mr. Chairman, when I was first appointed to serve on this important committee I was struck by the dearth of minorities employed in the intelligence community. The percentages of minorities represented in the various intelligence agencies lagged so far behind the civilian labor force that it was quite frankly embarrassing. Since that time, significant progress has been achieved and I congratulate the directors of intelligence community agencies for their attention to this very important issue. Women and minorities have always been and shall continue to be significant contributors to our society. Their talent, commitment, and patriotism is as evident as anybody's and they should have the same opportunities as any American. I encourage the leaders of the intelligence community to continue to tap into the vast resources of our minority and female population. Additionally, I want to praise Chairman COMBEST for his commitment in continuing this committee's resolve to discharge our oversight responsibility in this critical area.

Mr. Chairman, throughout my tenure on the Permanent Select Committee on Intelligence I have been a constant proponent of covert action. When used properly in support of foreign policy, covert action is an effective weapon in a diplomats arsenal. To ensure our capability to conduct successful covert action activities, an infrastructure must be maintained that will permit the CIA to undertake covert action activities on short notice yet with the necessary support base required for successful operations. I believe that the bill before us today satisfies my concern that such a capability be sustained at an appropriate level. While the need for engaging in covert activities may be minimal today, nobody can predict the future. Therefor, maintaining a prudent infrastructure acts as an insurance policy for our Nation and I am pleased to recognize that our bill provides our citizens with the necessary coverage.

In closing Mr. Chairman, I would like to express one final concern. While I support this bill I am somewhat troubled by the funding level. The measure before us today is 3.9 percent above the administration's request and 4.9 percent over last year's authorized level. In a period of Government downsizing

every effort should be made to ensure that no agency is getting more money than it needs. In fact, we in Congress should do everything in our power to ensure that the Federal Government operates on an astute budget. I am fully aware of the importance intelligence plays in our Nation's security and of the argument that as our defense establishment downsizes the role of the intelligence community increases if for no other reason than for indications and warning purposes. However, we must not exempt intelligence agencies from sharing their fair burden in downsizing the Federal Government. That being said, let me point out that I have full and complete confidence in the chairman and ranking Democratic members ability to formulate an intelligence budget that accurately reflects the needs of our country. I just wanted to raise this issue as a concern of mine because I don't want to send a signal that there is a bottomless reservoir of funds available for intelligence purposes. My concerns about funding levels and commitment to maintaining a lean yet sufficient intelligence budget is in no way reflective of the high regard in which I hold intelligence community personnel. I appreciate the fine work intelligence employees do, the Nation appreciates the duties they perform.

□ 1100

Mr. Chairman, at a later time in this amendment process I will be offering an amendment that I believe makes sense, that is supported by the Nation's journalists and media, that basically states, which is already a policy of the agency, that no intelligence assets will be used with journalists. I will be offering this amendment later. I urge support for this provision.

Again, my thanks to Chairman COMBEST for his support of my activities and for crafting a good bill, not a perfect bill, but still a bill that deserves our support.

Mr. COMBEST. Mr. Chairman, I yield myself 2 minutes to say I appreciate the kind remarks of both the ranking member, Mr. DICKS, and the gentleman from New Mexico, Mr. RICHARDSON. It is a pleasure working with all members of this committee. While we may have some philosophical differences, we, I think as well as any committee, have always tried to make certain that every member was heard.

Let me just make two quick comments, one on the issue of the comments by the gentleman from New Mexico on the overall amount of the budget. I would remind Members that in real numbers this budget is 14 percent below fiscal year 1990 in terms of expenditures.

The issue of personnel, I would just want to state for the record that this committee has always had, No. 1, a keen respect and admiration for the individuals who put their lives on the line and for the intelligence community. We initiated on this committee in the past major personnel reforms. I might add last year we did that, as well, and found both the administration and other committees of the Congress in objection to those, and subsequently those were removed from the bill.

As explained to the Members in the personnel hearing, we will be moving forward on the DCI's recommendations for personnel reform, only wanting to look at those in a much more detailed fashion than we have been able to do up to this point. I would be remiss if I did not indicate we do have great admiration for those people who are involved in the community.

In the area of overall funding, without getting into those areas that make it difficult to discuss, I am sure the gentleman from New Mexico is aware, following a discussion of the National Reconnaissance Organization's carryforward account last year, which was discussed quite publicly, and even more so recently, there were substantial reductions taken in last year's level. When we compare our this year's bill to the last year's level, we are accommodating a request of the administration to replace some of those funds that were taken out last year, to the tune of several hundreds of millions of dollars and, consequently, that is reflected in the overall.

Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], a very valued member who is in his second term or sentence on the Permanent Select Committee on Intelligence, however one might put that, and at one time served as ranking member, who I had the fortune of sitting next to.

Mr. SHUSTER. Mr. Chairman, I thank Chairman COMBEST for yielding me the time. I certainly rise in strong support of this legislation. This act funds a wide range of extremely important intelligence activities which are vital to our national security.

One of the areas in which I paid particular attention when I did serve as the ranking member of the committee, and have continued to focus on, is the area of illegal drugs coming into this country. Indeed, in 1989 I was very supportive, along with others, in creating the counternarcotics center at the CIA.

Since the creation of that center and in large measure because of the creation of that center, extraordinary successes have been realized in bringing down key elements of the Colombian drug cartel. While the specific examples remain classified, one can say quite positively, forcefully, and enthusiastically that our country and our intelligence community has made very substantial contributions and great successes in weakening the Colombian drug cartel.

Sadly, however, in the last 3 years we have not seen the same robust effort with this administration that we witnessed during President Bush's tenure, when he really revitalized our counternarcotics intelligence programs and announced for the first time a national drug control strategy in August 1989.

Many people do not realize that in America, from 1980 to 1992, our country witnessed a steady decline in drug use. Let me emphasize that. From the beginning of the Reagan administration through the Bush administration, our Nation witnessed a steady decline in drug use. This was in large measure because both President Reagan and President Bush and their administrations were very serious about targeting the drug flow into the United States.

Sadly, since 1993 drugs have once again been on the upsurge. According to Donna Shalala, the Secretary of Health and Human Services, marijuana use in our most vulnerable youth, ages 12 through 17, doubled between 1992 and 1994, and virtually every hard-core user once started as a casual user. It usually starts with marijuana, amphetamines, or other so-called soft drugs that are attractive to our youth.

We indeed need to revitalize at the very top levels of this administration our counterdrug programs, and the dramatic rise in marijuana use is a wake-up call to all of us.

Now, as Chairman COMBEST and the committee considered what can be done about this problem this year, an important opportunity presented itself, which was the transfer of the National Drug Intelligence Center to the National Foreign Intelligence Program. This drug intelligence center, which was first chartered in 1991, provides strategic intelligence for all sources, including the national foreign intelligence community, collates it and provides information to law enforcement entities to assist their activities in the United States.

They are able to provide critical intelligence to chosen links to foreign narcotics organizations and indeed their arms in the United States. This enables law enforcement here, both DIA, FBI and others, to reach out and strike against narcotics traffickers in the United States as well as those abroad. The Drug Intelligence Center can draw on a pool of highly talented and motivated professionals.

Congressman JACK MURTHA deserves tremendous credit for really being the father of this program, and I am very pleased to continue the support of that effort. Moreover, I pledge as a member of the Permanent Select Committee on Intelligence to ensure that the national foreign intelligence community provides all the support it can to the Drug Intelligence Center consistent with existing law.

For all those reasons, Mr. Chairman, I strongly urge the passage of this legislation.

Mr. DICKS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS], a very valued member of our committee.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, first of all, I also want to thank our chairman, who has been very responsive and accommodating, as well as our ranking member, the gentleman from Washington, and the terrific staff that this select committee is privileged to rely on.

I want to support this bill because I believe on balance it does meet vital national security needs. However, I do have some serious concerns about it.

It is obviously essential to support the activities of the intelligence community as we seek to understand and confront a whole range of post-cold-war challenges, whether terrorism or weapons of mass destruction, environmental degradation, many other things. This bill provides budget authority for these important responsibilities. And we should also be under no illusion that, just because the cold war is over, that this country faces no traditional threats to our national security, at which intelligence capabilities need to be directed.

I do have concern about the overall authorization level, as has already been pointed out. It exceeds substantially the amount requested by the President, the amount authorized and the amount appropriated for this fiscal year. In a time of tight budgets, when we are cutting environmental enforcement, education or any number of things, I would have preferred an authorization closer to the President's request. But authorizing more doesn't automatically translate into appropriations.

Mr. Chairman, I have a couple of serious concerns that I would like to address, involving continued support for the declassification of documents, and funding for what is known as the Environmental Intelligence and Applications Program.

The first of these relates to the President's Executive order establishing a uniform system for declassification, safeguarding and handling national security information and the implementation of that order. There are some statements in the committee's report on this bill that criticize the approach being taken under that order and the way reviewing agencies are handling document declassification.

The statements suggest that the majority may be proposing the adoption of an extremely restrictive and, I fear, an extremely slow and expensive, risk elimination approach, rather than a risk management approach, to the handling of declassification. It remains a fact that there are documents that should be declassified, documents that remain classified for no other reason than inertia. Declassifying them should proceed, and I am convinced that this task can be managed at acceptable cost and without compromising sensitive information.

The current risk management approach does not lead to any abdication of agency responsibility to protect sources and methods; it simply is a sensible acknowledgement that resources should be focused in areas of greatest risk. If Congress mandates a system of reviewing documents that is so cumbersome that there is virtually no chance of anything getting declassified, we will be right back where we started before this reform effort got underway.

Mr. Chairman, the second area I would like to speak to has to do with the Environmental Intelligence Applications Program. The bill before the House right now would authorize only $6 million here, significantly below the President's request. I think this is a shortsighted cut and one that I hope can be addressed, either through Mr. WELDON's proposed amendment today or later in conference. Six million dollars is simply not sufficient to carry out the goals of the program.

It would limit the use of intelligence products for environmental research and could jeopardize very important environmental information exchanges with Russia. This program is clearly responsive to the needs of national policymakers. It brings unique information to our understanding of global environmental challenges, and it has provided striking benefits to the intelligence community in improved technical capabilities of their collections systems. It is a low-cost, high-yield effort which is well supported among intelligence consumers, both in and out of intelligence agencies, and it should not be singled out for reduction from among all the analytic efforts of the intelligence community.

I think Congress should continue to support the President's bold initiative to implement a safe and cost-effective means of declassifying documents, and I am also hopeful that we will be able to work in conference, or through the adoption of Mr. WELDON's amendment, to authorize adequate funding for the Environmental Intelligence and Applications Program.

With those points in mind, Mr. Chairman, I urge the passage of the bill.

Mr. Chairman, I support this intelligence authorization bill because I believe that on balance it meets vital national security needs. However, I do have several serious concerns.

It is essential to support the activities of the intelligence community as we seek to understand and confront such post-cold-war challenges as ethnic conflict, terrorism, the proliferation of weapons of mass destruction, and global environmental degradation. This bill provides authority for these important functions. We should also be under no illusion that we face no traditional threats to our national security, at which intelligence capabilities need to be directed.

I do have a concern about the overall authorization level. This bill authorizes an intelligence funding 3.9 percent above the amounts requested by the President, 4.9 percent above the amounts authorized last year, and 6.9 percent above the amounts appropriated last year. In a time of tight budgets, when funding for education and the environment is being slashed, I would have preferred an authorization level closer to the President's request. But authorizing more does not automatically mean we will appropriate all that's authorized.

I also have serious concerns about two specific matters: continued support for declassification of documents; and funding for the Environmental Intelligence and Applications Program [EIAP].

My first of these relates to implementation of President Clinton's Executive order that establishes a uniform system to classify, safeguard, and declassify national security information. There are some statements in the committee report on this bill that criticize the risk management approach that Government agencies have adopted in reviewing documents to be declassified under that Executive order. These statements suggest that the majority may be proposing the adoption of an extremely restrictive, and extremely slow and expensive, risk-elimination approach to handle the review of classified documents.

It remains a fact that there are documents that should be declassified, documents that have remained classified for no reason other than inertia. Declassifying them should proceed, and I'm convinced that this task can be managed, at acceptable costs and without compromising sensitive information.

The current risk management philosophy does not lead to an abdication of the agencies' responsibility to protect sources and methods; it is simply a sensible acknowledgement that resources should be focused on areas of greatest risk. If Congress mandates a system of reviewing documents that is so cumbersome that there is virtually no chance of anything getting declassified, we will be right back where we started before efforts began to rationalize the system.

In a democratic and free society, the people are entitled to be informed about the activities of their government. State secrets are a necessary exception to that general principle, but an exception that should be limited.

When I joined the Intelligence Committee in 1993, I was astonished to learn that agency heads couldn't say even roughly how much of their budget was spent on document classification and security. Millions of documents that posed no real threat to national security were nonetheless being held under lock and key at tremendous cost to U.S. taxpayers. Some of the most astonishing examples included documents about U.S. troop movements in Europe during the First World War, and documents concerning POW/MIA's in the Korean war. Despite sweeping changes in the international arena, the classification bureaucracy was still stuck on autopilot, stamping ''secret'' on nearly 7 million new documents each year and marking 95 percent of these papers for indefinite restrictions.

I decided to do something about this. The result was the first ever accounting of the costs and number of personnel involved in classifying and maintaining Government secrets. These reports revealed that keeping millions and millions of accumulated documents secret was keeping 32,400 workers employed and consuming $2.28 billion worth of agency budgets.

The next year, I took the reform effort one step further, by requiring agencies to come up with suggestions about how to cut spending on classification and secrecy. This initiative led to a government-wide program of cost accounting and expenditure reduction efforts involving all the agencies that make up the intelligence community.

The President consolidated the reform effort with the issuance of Executive Order 12958 on April 17, 1995. Section 3.4 of the order requires that, unless grounds for an exemption exist, classified information contained in records over 25 years old and of permanent historical value, shall automatically be declassified within 5 years. Information is exempt from declassification if, among other reasons, its release likely would: reveal the identity of human sources; impair U.S. cryptological systems or activities; undermine ongoing diplomatic activities; or, assist in the development of weapons of mass destruction.

Congress should work with the administration so that the agencies can continue to implement classification reform in a cost-effective manner. Let's not cripple agency efforts to reform just as we're beginning to turn the tide on the costly sea of secret paper.

My second specific area of concern is the reduction contained in this bill for the Environmental Intelligence and Applications Program [EIAP].

The bill would authorize only $6 million for the program, significantly below the President's request. I think this is a shortsighted cut, and one that I hope can be addressed either through Mr. WELDON's proposed amendment today or later in conference. Six million dollars is not sufficient to carry out the goals of the program in fiscal year 1997. It would limit the use of intelligence products for environmental research and could jeopardize environmental information exchanges with Russia.

The EIAP is clearly responsive to the needs of national policymakers. It brings unique information to our understanding of global environmental challenges. And it has provided striking benefits to the intelligence community in improved technical capabilities of collection systems. This is a low-cost, high-yield effort which is well supported among intelligence consumers, both in and out of intelligence agencies. It should not be singled out for reduction from among all the analytical efforts of the intelligence community.

One of the main purposes of the EIAP is to ensure that a select group of the Nation's leading scientists in hydrology, geology, oceanography, and other earth sciences, are fully briefed on the capabilities and information resources of the U.S. intelligence agencies. These scientists, through what is known as the MEDEA Program, in turn bring their insights and expertise to bear on environmental questions—both in the civil and national security arenas.

For example, the MEDEA scientists found that imagery from the Corona, Argon, and Lanyard systems would have particular value to the environmental sciences, and this contributed to the President's decision to declassify these images.

The scientists also have worked on experiments to understand how our intelligence systems can be useful in addressing environmental questions. With the many billions that have been invested in these systems, it makes good common sense to use them for additional purposes that won't detract from their intelligence missions.

In addition, this program has been of particular benefit to the Navy. The MEDEA group has worked with the Navy's operational and research oceanographers to address problems in Naval oceanography.

The program also was the catalyst for a cooperative arrangement with a similar group of scientists from the civil and military sector established in Russia. The Gore-Chernomyrdin Commission Environmental Working Group led to the Navy's reaching an agreement with its Russian counterpart to conduct a survey in the Sea of Okhotsk, an area closer to continental Russia than has ever before been surveyed by the Navy. It will lead to the collection of twice the data that could have been collected unilaterally.

We cannot develop national policies to deal with national and international environmental threats like decertification, the destruction of rain forests, global climate degradation, and unsafe dumping of environmental and nuclear waste, unless our policymakers and scientists have access to data that identifies where threats are coming from. The best technology for obtaining this data is already available. We just need to put it to use.

I think Congress should continue to support the President's bold initiative to implement a safe and cost effective means of declassifying documents. And I'm hopeful that we will be able to work in conference to authorize adequate funding for the Environmental Intelligence and Applications Program.

I urge passage of the bill.

Mr. COMBEST. Mr. Chairman, I would inquire of the Chair of the time remaining in general debate.

The CHAIRMAN. The gentleman from Texas [Mr. COMBEST] has 18½ minutes remaining, and the gentleman from Washington [Mr. DICKS] has 16 minutes remaining.

Mr. COMBEST. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank my distinguished chairman and friend for yielding me the time, and I want to commend both the gentleman from Texas [Mr. COMBEST] and the gentleman from Washington [Mr. DICKS] for their outstanding leadership on intelligence matters.

Mr. Chairman, I rise as the chairman of the Committee on National Security's Subcommittee on Military Research and Development. My subcommittee has joint jurisdiction over at least $9 billion of funding in this intelligence effort, and so I have a real and genuine interest in the fine work that is being carried forth by this committee. I applaud both Members for their bipartisan efforts to support and enhance the intelligence operations that are so vital to decisions that we make in the defense community, especially as they relate to missile to missile technology and those new R&D initiatives that are so important to allow America to maintain its leadership role.

Mr. Chairman, I will be, however, offering an amendment under title I today dealing with a shortfall in terms of the funding amount in the bill for the Environmental Intelligence and Applications Program, formerly known as the Environmental Task Force.

□ 1115

This funding has been cut to about one-third to only $6 million. Several of our colleagues have spoken to the issue. I had been intimately involved in a firsthand way with this program and think it would be an absolute travesty if we were to allow this program to be cut to this level.

In December of last year, Mr. Chairman, my subcommittee held a hearing, where I had as one of my witnesses Alexei Yablakov. Mr. Yablakov is a member of the Yeltsin National Security Council for Environmental Issues. He is a recognized world expert on the 30-year historical track record of the Soviet Union illegally dumping its nuclear waste in the Bering Sea, the Sea of Japan, and the Arctic Ocean. Only because of Yablakov's openness and his advocacy have we in the West been able to deal with this environmental tragedy.

When Mr. Yablakov came before my subcommittee last December, he in great detail outlined the specifics of what occurred. Much of the efforts of Mr. Yablakov and numerous other scientists of the same caliber is directly attributable to this program, established under the guise of the Environmental Task Force.

This program has been supported by the administration, specifically by Vice President AL GORE, who sees it as a top priority, and a cut of this magnitude in this bill would be devastating.

This program also allows us to pursue an initiative known as MEDEA, the Measurement of Earth Data for Environmental Assessment, an extremely important program. In fact, Mr. Chairman, I would like to enter into the RECORD pages 41 and 42 of the document dealing with the scientific utility of naval environmental data, which goes into great detail with the kinds of initiatives and projects currently funded through the MEDEA Program. It has the highest support of Navy and in fact helped lay the foundation for a major new initiative we were able to place in this year's Defense Authorization Act which passed last week, a $30 million initiative calling for new partnerships and oceanographic efforts with the Navy in the lead role. This partnership effort will also allow us to share technology where available with other nations, and in particular Russia.

Mr. Chairman, this an important amendment. I would hope that our colleagues would in fact support the amendment to restore the funding.

Mr. Chairman, one important point of this amendment is that it pays for itself. In fact, we cut another account, and that is the $25 million for declassifying documents, we cut that by 50 percent. I know there will be some objections to that cut, Mr. Chairman, but I stand before this body offering to pay for the increase that in fact I think is so important and the administration thinks is so important.

I also in the end will have to oppose an effort to not have the decrease in the declassification program, because if we do not have a bill payer, that

means another $12.5 million will have to come someplace out of my overall R&D budget, which passed on the House floor last week. I have no idea where that money would come from. I have not been given any indications as to where those who oppose the decrease in the declassification accounts would take that money. Therefore, I have to oppose that as the chairman of the R&D subcommittee.

Even though that is not my main fight, it is critically important that we not establish this increase which has bipartisan support for the environmental initiative that is so vitally important, at the same time decreasing or not having a bill payer, a way to pay for that. My amendment will have a bill payer, it will have a method for paying for this initiative, and I would hope that our colleagues will in fact support the amendment and also would support the bill paying mechanism that I have identified with the committee staff as an appropriate way to pay for this initiative.

Mr. Chairman, I thank both my distinguished chairman and ranking member, and include for the RECORD the data referred to earlier.

TABLE 8. FIRST TIER OF SCIENTIFIC SIGNIFICANCE

Data	Description	Scientific utility
Marine gravity	Relational database of point observations with latitude, longitude, observation time, free air anomaly, and gravity values, supported with survey, data processing, and statistical information. Includes Lacoste and Romberg Air-Sea Gravity Meter measurements from 1966 to 1983. Bell Aerospace BGM–3 and BGM–5 gravimeters were introduced in 1969.	Classified marine gravity data provide a view into the underlying geological structure at very short spatial wavelengths currently inaccessible to public data. Classified gravity data could be used to address three problem areas: (1) spatial variations in gravity at mid-ocean ridges, (2) mapping of crustal thickness, and (3) the structure of fracture zones. Classified gravity data would provide the information needed for the Northern Hemisphere to facilitate research into the genesis of Earth's surface.
Current accessibility: Entirely classified; no public access.		
Geomagnetics	Consists of both aircraft (Project Magnet) and satellite vector data. Ship collected data; consists of scalar point data by latitude and longitude.	Magnetic surveys could be used to constrain the age of the age of the seafloor accurately, to calculate more accurate plate reconstruction rotation parameters, to analyze the Jurassic and Cretaceous Quiet Zones, and to determine the origin of intermediate wavelength crustal anomalies.
Current accessibility: Ship data are classified; no public access; aircraft data are unclassified. Classified largely because of association with specific ship tracks and ship track densities.		
Ice keel depth acoustic data.	Measures ice roughness, ridge frequency, and ice depth (ice draft) below the sea surface. Data are collected using upward-looking sonar starting with the Arctic journey of SNN Nautilus in 1957. Approximately 50 data sets exist.	Data are significant in their own right, and as calibration for satellite-borne instruments. Knowledge of the mechanical redistribution of ice thickness categories would improve our ability to forecast ice conditions for navigation. Submarine sonar profiles might settle the question of whether or not ice thickness has undergone a secular trend.

TABLE 8. FIRST TIER OF SCIENTIFIC SIGNIFICANCE—Continued

Data	Description	Scientific utility
Current accessibility: Classified; no public access. Classified primarily because of the association with specific submarine tracks and dates.		
Marine bathymetry.	A large collection of ocean undersea topography databases. Gridded digital databases resulting from survey measurements, many using multibeam profilometers. Data as fine as 0.1 arc minute are available for some areas.	The accuracy of current representations of the seafloor is not sufficient for many studies. The scientific uses of more accurate data include evaluating the square root relationship between age and depth of the seafloor. Availability of these finely sampled data would allow for a detailed study of the spatial variations in this important evolutionary process.
Current accessibility: Most data having a resolution as high as 1 arc minute are unclassified. Data at 0.5 arc minute resolution may be declassified as part of the classification review of bathymetric data. That data chosen for release would then be made part of DBDB–V.		
Geosat altimetry.	Geosat altimetry measures sea height with world coverage of ± 72 degrees latitude and 3.4 km spacing (1.7 km footprint). 3 km track spacing at the equator. 3.5 cm sea height precision	Provides important reconnaissance information over vast, largely uncharted areas such as the Southern Ocean and Antarctic margins. If declassified it could be used with the ERS–1 data to improve the resolving power beyond the capabilities of either data set alone. Large bathymetric features can be inferred from altimetry sea height data.
Current accessibility: Classified north of 30° S; no public access.		

TABLE 9. SECOND TIER OF SCIENTIFIC SIGNIFICANCE

Data	Description	Scientific utility
Ice morphology	Describes sea ice conditions and extent over the Arctic Outer Continental Shelf. Contains information describing ice drift and movement and includes ice edge boundary data in hand-drawn charts.	Data would be of considerable use to climatologists; to scientists studying the near-shore transfer of pollutants; and to individuals studying near-coastal sea ice dynamics. Data set would also be of particular use to a variety of U.S. companies who are currently faced with difficult offshore design problems for sites in the marine Arctic region.
Current accessibility: Classified; no public access. Includes a synthesis of classified and unclassified data.		
Seafloor sediment properties.	Consists of a collection of ocean basin wide sediment thickness and sediment type. Is the first (only) global seafloor sediment thickness database for geological studies.	Having these data available digitally is a starting point for additional studies. Availability of an existing global estimate of sediment thickness and approximate sediment types would provide a background against which the quality of future data could be assessed and upgraded.
Current accessibility: Many of these data are unclassified. Sediment type and sediment thickness is largely unavailable. Some sediments data are restricted because of bilateral international agreements.		
Realtime salinity and temperature fields (GOODS).	GOODS contains a wide variety of ocean measurements collected from drifting buoys, moorings, ships, and aircraft. These data are assimilated into a near realtime view of the oceans. GOODS contains approximately four months of global temperature and salinity fields.	Ship observations could be adapted based on the state of the ocean, greatly increasing the efficiency of costly civilian sampling resources. Would allow testing of satellite algorithms for either sensor calibration or validation. As in weather forecasting, ocean models could incorporate GOODS data into the nowcast system. Techniques could migrate into civil systems to support commercial and regulatory needs.

TABLE 9. SECOND TIER OF SCIENTIFIC SIGNIFICANCE—Continued

Data	Description	Scientific utility
Current accessibility: Most data incorporated into GOODS are unclassified. A small fraction are classified data because of locations of platforms providing the data, rendering the entire database inaccessible.		
Archival temperature and salinity fields (MOODS).	Contains a variety of ocean measurements from drifting buoys, moorings, ships, and aircraft. Data include salinity and temperature profiles. MOODS is the Navy archive location for GOODS.	Public domain transfer capability already in place (NAVOCEANO to NODC). Can ensure timely progression of data. Availability to ocean science community would increase ocean data explorations.
Current accessibility: Majority of MOODS data are unclassified and eventually enter NODC. The classified fraction, primarily in the Arctic region, classified because of platform locations.		
Ocean optics and bioluminescence.	Contains ocean clarity in specific measurement locations. Bioluminescence data more prevalent at selected measurement sites. Observations include both underway and on-station measurements.	Next-generation satellite ocean color sensors will provide much better measurements in complex coastal waters. Access to both civilian and operational databases of in situ observations would significantly improve the quality of these satellite retrievals. Could enhance the usage of less capable sensors (less expensive) in greater densities or in areas where loss of sensors is likely.
Current accessibility: Many of these date are classified.		

Mr. COMBEST. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DORNAN], a member of the committee.

Mr. DORNAN. Mr. Chairman, much of what I intended to say in my remarks has already been stated. Some of it might be well restated.

First of all, I want to pass out some compliments that I did not tell anybody I was going to do. But the prior speaker, the gentleman from Pennsylvania [Mr. WELDON] has developed into a national treasure. I am talking about you, Mr. WELDON, a national treasure on the way he tracks the Soviet Union. He is the only Member I know that has been over there more than the 10 or 11 trips I have made. He leaves me in the dust. When he speaks on the House floor on problems with all the nations that were prior Soviet Union nations, Americans had better listen.

I also wanted to thank my chairman, the gentleman from Texas [Mr. COMBEST]. I just do not know a chairman that has taken the helm of a full committee and has steered it on such a straight and critically important course as my colleague from the great State of Texas.

I do not have time to mention all the staff, but our senior chief of staff of the professional staff, Mark Lowenthal, is also a national treasure when it comes to intelligence.

I watched the ''60 Minutes'' show Sunday night. In the open world of intelligence, the story on Russia was absolutely stunning. It just took your breath away. We claim to have won the cold war, but that country is melting down from 2 or 3 abortions to every live birth, to pollution that waters your eyes from afar; it puts our pollution problems into a totally different universe.

The country is just coming apart at the seams, but that does not mean we should not have a strong intelligence budget, because China, as I have said many times on this House floor, is still a Communist dictatorship. It is five times larger than the United States in population, it is a 6,000-year-old culture, captured by the raw evil of communism, and they have a mercantile heritage that makes anything the Soviet Union did look like child's play. They are going to own the next century, for good or for evil, and our intelligence budget should be larger than it is.

What the gentleman from Texas [Mr. COMBEST] has done is amazing. This year's request was in fact only slightly higher than last year's request. I think it should have been a lot higher. Some people have spoken on the floor on the other side of the aisle that they thought we added too much.

Actually, the request in tactical intelligence-related activities, joint military intelligence programs, my area as a subcommittee chairman, there is still too much of a decline in that area. The request had a large decline, we plussed it up about 10 percent, and all of these intelligence support activities around the world that support our men and women, it should be a much larger increase. We did the best we could to keep the bill bipartisan.

Just one other thing I would like to mention in my prepared remarks, I wanted to talk about the Bosnian crisis, where I went over with Mike Meermans last August, evaluated secret programs. On manned systems, we have added one more J–STARS aircraft, EP–3 Aries 2, and U–2, keeping that great legendary program alive, RC–135 rivet joint, where Mr. Meermans has actually active duty experience in the Air Force, all the less glamorous things. We worked hard on this bill.

Mr. Chairman, I submit 3 pages of proper pride in this excellent bill. I hope we get a unanimous vote out of this.

Mr. Chairman, in preparation for this bill: we held six full committee hearings, I chaired a Technical and Tactical Subcommittee hearing specifically on airborne reconnaissance issues; we received 15 member briefings and our staff received over 200 staff briefings.

This is a bipartisan bill that provides critical intelligence collection, analysis and reporting support to national and military decision makers. I would like to point out that this bill provides specific emphasis in support to military operations: by increasing funding for airborne reconnaissance development and operations; by increasing funding for unmanned aerial vehicles to augment current and future operations; and providing unique, not duplicative, information.

Trend had been a 2–3 percent yearly reduction in intelligence spending over the 4 years prior to the 1996 authorization. The House bill reversed that downward trend by increasing the funding over the President's request by a mere 1.3 percent.

This year's request was, in fact, only slightly higher than last year's request.

However this request had a large decline, over 5 percent in the intelligence support activities that directly support our men and women serving around the world in the U.S. Armed Forces—the intelligence support provided by the tactical intelligence and related activities and joint military intelligence programs.

This bill adds funding for many underfunded tactical intelligence programs critical to keeping our Armed Forces—young men and women—supplied with the best information this country can supply. In this intelligence bill, and in concert with the House National Security Committee's bill which this body approved last week, we have added over $800M for these purposes.

Bill re-looks the Nations' intelligence needs in the post cold war era. It has a long term vision to take us well into the 21st century: Focuses on ''right sizing,'' not ''down sizing,'' the intelligence collection and analysis capabilities; realizes that the world is not necessarily a safe place. U.S. interests around the world are changing, but not decreasing; and the world-wide threat environment is changing. As is evidenced by our troops being deployed in many areas around the world: Intelligence operations in continuous use around the globe. For example: Bosnian crisis; Iraq aggression; and Korean Peninsula.

Focuses on the elimination of expensive one of a kind systems for more cost effective commercial off-the-shelf systems where possible, and provides significant funding for improving our manned airborne reconnaissance platforms, some of which have not realized technical upgrades in this fast-paced highly technical world since 1992.

On manned systems: RC–135 Rivet Joint, U–2, EP–3 Aries 2; and J–STARS one extra.

Provides a emphasis on unmanned platforms to decrease the necessity to put U.S. forces into harms way.

Provides additional funding for the less glamorous and often overlooked intelligence support systems critical to supporting soldiers at the individual platoon or squad level: balances collection, processing operations; emphasizes dissemination of critical information at the right time, to the right place, in the right quantity, and in the right form for decision makers.

For basic themes to the bill:

First, evaluate each budgetary line item in the President's request solely on the program's merits, not a given funding level;

Second, the committee did not work to a specific budget number. That is, the committee did not specifically fund some programs and then make offsetting cuts in other programs in order to meet an arbitrary total dollar figure.

The committee believes the Congress will accept an intelligence authorization consisting of properly funded programs—even if that amount is an increase to the intelligence budget.

Third, focused on the production, exploitation and dissemination functions of intelligence stated above.

Fourth, avoided short-term thinking about intelligence priorities, needs and capabilities and to look longer range at these issues into the 21st century.

The numbers in this bill are right sized. This bill provides the Nation a strong, but not bloated, intelligence community. It makes some fundamental decisions necessary to take us into the next century. I urge my colleagues to pass this bill.

Mr. DICKS. Mr. Chairman, I yield back the balance of my time.

Mr. COMBEST. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered under the 5-minute rule by titles, and the first section and each title shall be considered read.

No amendment to the committee amendment in the nature of a substitute is in order except those printed in the designated place in the CONGRESSIONAL RECORD.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of question shall not be less than 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 1997''.

Mr. COMBEST. Mr. Chairman, Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1997 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The Drug Enforcement Administration.
(11) The National Reconnaissance Office.
(12) The Central Imagery Office.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1997, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the Classified Schedule of Authorizations prepared to accompany the bill H.R. 3259 of the 104th Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1997 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of Central Intelligence for fiscal year 1997 the sum of $93,616,000. Within such amounts authorized, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 1998.

(b) AUTHORIZED PERSONNEL LEVELS.—The Community Management Staff of the Director of Central Intelligence is authorized 273 full-time personnel as of September 30, 1997. Such personnel of the Community Management Staff may be permanent employees of the Community Management Staff or personnel detailed from other elements of the United States Government.

(c) REIMBURSEMENT.—During fiscal year 1997, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Community Management Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(d) DECLASSIFICATION.—In addition to amounts otherwise authorized to be appropriated by this Act, there is authorized to be appropriated $25,000,000 for the National Foreign Intelligence Program for the purposes of carrying out the provisions of section 3.4 of Executive Order 12958, dated April 17, 1995.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—In addition to amounts otherwise authorized to be appropriated by this Act, there is authorized to be appropriated $32,076,000 for the National Drug Intelligence Center located in Johnstown, Pennsylvania. Amounts appropriated for such center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403–3(d)(1)). The National Drug Intelligence Center is authorized 35 full-time personnel as of September 30, 1997.

(f) ENVIRONMENTAL PROGRAMS.—In addition to amounts otherwise authorized to be appropriated by this Act, there is authorized to be appropriated $6,000,000 for the Environmental Intelligence and Applications Program, formerly known as the Environmental Task Force, to remain available until September 30, 1998.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1997 the sum of $194,400,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. LIMITATION ON AVAILABILITY OF FUNDS FOR AUTOMATIC DECLASSIFICATION OF RECORDS OVER 25 YEARS OLD.

Section 307 of the Intelligence Authorization Act for Fiscal Year 1996 (109 Stat. 966) is amended by striking out ''fiscal year 1996 by this Act'' in subsection (a) and inserting in lieu thereof ''any of the fiscal years 1996 through 2000''.

SEC. 304. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

(a) EXTENSION.—Section 905 of the National Security Act of 1947 (50 U.S.C. 441d) is amended by striking out ''on the date which is one year after the date of the enactment of this title'' and inserting in lieu thereof ''on January 6, 1998''.

(b) FORMAT AMENDMENTS.—Section 904 of such Act (50 U.S.C. 441c) is amended by striking out ''required to be imposed by'' and all that follows and inserting in lieu thereof ''required to be imposed by any of the following provisions of law:

''(1) The Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (title III of Public Law 102–182).

''(2) The Nuclear Proliferation Prevention Act of 1994 (title VIII of Public Law 103–236).

''(3) Section 11B of the Export Administration Act of 1979 (50 U.S.C. App. 2410b).

''(4) Chapter 7 of the Arms Export Control Act (22 U.S.C. 2797 et seq.).

''(5) The Iran-Iraq Arms Non-Proliferation Act of 1992 (title XVI of Public Law 102–484).

''(6) The following provisions of annual appropriations Acts:

''(A) Section 573 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103–87; 107 Stat. 972).

''(B) Section 563 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (Public Law 103–306; 108 Stat. 1649).

''(C) Section 552 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107; 110 Stat. 741).

''(7) Comparable provisions.''.

SEC. 305. EXPEDITED NATURALIZATION.

(a) IN GENERAL.—With the approval of the Director of Central Intelligence, the Attorney General, and the Commissioner of Immigration and Naturalization, an applicant described in subsection (b) and otherwise eligible for naturalization may be naturalized without regard to the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act, or to the prohibitions of section 313 of such Act, and no residence within a particular State or district of the Immigration and Naturalization Service in the United States shall be required: Provided, That the applicant has resided continuously, after being lawfully admitted for permanent residence, within the United States for at least one year prior to naturalization: Provided further, That the provisions of this section shall not apply to any alien described in subparagraphs (A) through (D) of section 243(h)(2) of such Act.

(b) ELIGIBLE APPLICANT.—An applicant eligible for naturalization under this section is the spouse or child of a deceased alien whose death resulted from the intentional and unauthorized disclosure of classified information regarding the alien's participation in the conduct of United States intelligence activities.

(c) ADMINISTRATION OF OATH.—An applicant for naturalization under this section may be administered the oath of allegiance under section 337(a) of the Immigration and Nationality Act by the Attorney General or any district court of the United States, without regard to the residence of the applicant. Proceedings under this subsection shall be conducted in a manner consistent with the protection of intelligence sources, methods, and activities.

(d) DEFINITIONS.—For purposes of this section—

(1) the term ''child'' means a child as defined in subparagraphs (A) through (E) of section 101(b)(1) of the Immigration and Nationality Act, without regard to age or marital status; and

(2) the term ''spouse'' means the wife or husband of a deceased alien referred to in subsection (b) who was married to such alien during the time the alien participated in the conduct of United States intelligence activities.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MULTIYEAR LEASING AUTHORITY.

Section 5(e) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(e)) is amended to read as follows:

''(e) Make alterations, improvements, and repairs on premises rented by the Agency and, for the purpose of furthering the cost-efficient acquisition of Agency facilities, enter into multiyear leases for up to 15 years that are not otherwise authorized pursuant to section 8 of this Act; and''.

SEC. 402. REPEAL OF ADDITIONAL SURCHARGE RELATING TO EMPLOYEES WHO RETIRE OR RESIGN IN FISCAL YEARS 1998 OR 1999 AND WHO RECEIVE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4 note) is amended by striking out subsection (i).

SEC. 403. IMPLEMENTATION OF INTELLIGENCE COMMUNITY PERSONNEL REFORMS.

None of the amounts authorized to be appropriated by this Act may be used to implement

any Intelligence Community personnel reform until the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate are fully briefed on such personnel reform.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. STANDARDIZATION FOR CERTAIN DEPARTMENT OF DEFENSE INTELLIGENCE AGENCIES OF EXEMPTIONS FROM DISCLOSURE OF ORGANIZATIONAL AND PERSONNEL INFORMATION.

(a) CONSOLIDATION AND STANDARDIZATION.—Chapter 21 of title 10, United States Code, is amended by striking out sections 424 and 425 and inserting in lieu thereof the following:

"§ 424. Disclosure of organizational and personnel information: exemption for the Defense Intelligence Agency and National Reconnaissance Office

''(a) EXEMPTION FROM DISCLOSURE.—Except as required by the President or as provided in subsection (b), no provision of law shall be construed to require the disclosure of—

''(1) the organization or any function of the Defense Intelligence Agency or the National Reconnaissance Office; or

''(2) the number of persons employed by or assigned or detailed to that Agency or Office or the name, official title, occupational series, grade, or salary of any such person.

''(b) PROVISION OF INFORMATION TO CONGRESS.—Subsection (a) does not apply with respect to the provision of information to Congress.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by striking out the items relating to sections 424 and 425 and inserting in lieu thereof the following:

''424. Disclosure of organizational and personnel information: exemption for the Defense Intelligence Agency and National Reconnaissance Office.''.

AMENDMENT NO. 16 OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment No. 16 offered by Mr. MCCOLLUM:

At the end of title III, insert the following new section:

SEC. 306. SEEKING ENFORCEMENT OF THE REQUIREMENT TO PROTECT THE IDENTITIES OF UNDERCOVER INTELLIGENCE OFFICERS, AGENTS, INFORMANTS, AND SOURCES.

It is the sense of the Congress that title VI of the National Security Act of 1947 (50 U.S.C. 421 et seq.) (relating to protection of the identities of undercover intelligence officers, agents, informants, and sources) should be enforced by the appropriate law enforcement agencies.

Mr. MCCOLLUM. Mr. Chairman, it is my understanding that the gentleman from New Mexico [Mr. RICHARDSON] plans shortly to offer an amendment that would apparently expand the rights of journalists and protect some of their interests under this act. I am at the same time of the belief, which is why I am offering this amendment, that we should have a reminder in this bill that with constitutional rights also comes some serious responsibilities, not only for journalists but for all public officials.

Mr. Chairman, simply stated, my amendment seeks to remind Members of this body as well as senior law enforcement officials in the executive branch that the Intelligence Identities Protection Act, which has been in effect for nearly 14 years, demands more aggressive enforcement measures.

In the 1970's, former CIA officer Philip Agee and others opposed to U.S. intelligence activities embarked on a campaign to expose the identities of CIA officers. In publications such as ''Counterspy'' and ''Covert Action Information Bulletin'' they revealed not only the methodologies employed by the CIA to establish cover but also identities of scores of officers serving overseas.

The Congressional response to this problem was the enactment in 1982 of the Intelligence Identities Protection Act, 50 U.S.C. 421 et seq. sections 421(a) and 421(b) of the act make it an offense for persons who have had authorized access to classified information that either identifies a covert officer or through which such activities can be learned to disclose identifying information to an individual not authorized to receive classified information. The Government must prove that the disclosure was made with the knowledge that the information identifies the covert officer and that the United States is taking affirmative measures to conceal the covert officer's intelligence relationship.

Section 421(c) does not require that the offender had authorized access to classified information. It is aimed at the Agee-style exposure of covert identities and proves as follows:

Whoever in the course of a pattern of activities intended to identify and expose covert agents and with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States discloses any information that identifies an individual as a covert agent to any individual not authorized to receive classified information knowing that the information disclosed so identifies such individual and that the United States is taking affirmative measures to conceal such individual's classified intelligence relationship to the United States shall be fined not more than $150,000 or imprisoned not more than three years or both * * *

Section 421(c) places particular emphasis on a discloser's ''pattern of activities'' which could include seeking unauthorized access to classified information counterintelligence activities such as physical or electronic surveillance or the systematic collection of information ''for the purpose of identifying the names of agents.'' Section 421(c) also requires that the government prove that the discloser had reason to believe that the activities in which he was engaged would impair U.S. foreign intelligence activities.

Having summarized the relevant provisions of the act, I wanted to take this opportunity to express my concern about the apparent unwillingness of the Justice Department to enforce this particular law in several recent cases involving public officials and journalists. Because of the obvious sensitivity involved in naming names of intelligence officers, I will refrain from providing details on the security investigations and potential cases that have been set aside for a variety of reasons by the Justice Department. Nevertheless, I am most concerned that a significant number of unauthorized disclosures of U.S. intelligence agents and assets in the U.S. media during the past year or so have resulted in significant and measurable damage to our intelligence capabilities in Latin America and Europe. A more aggressive enforcement posture by the Department of Justice would do much to reassure our allies and restore the confidence of our public servants who are serving as intelligence officers in often hazardous assignments.

Mr. Chairman, I strongly urge a ''yes'' vote in favor of this amendment as a signal from the House that enforcement of this act will be a national security priority, and that we intend to oversee in that the Justice Department vigorously enforce this act. It must be enforced, and I urge a yes vote on the sense of the Congress resolution that is encompassed in this amendment.

Mr. COMBEST. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I just wanted to rise and say the gentleman from Florida [Mr. MCCOLLUM] is a very valuable member of the Permanent Select Committee on Intelligence as well as the Committee on the Judiciary. I wholeheartedly endorse this effort in a consent of Congress, and would certainly be willing to accept the amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. COMBEST. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I wanted to compliment the chairman and the gentleman from Florida [Mr. MCCOLLUM]. I believe that all of our laws should be properly enforced, and in that spirit we will accept the amendment.

☐ 1130

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MCCOLLUM].

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment No. 7 offered by Mr. DICKS:

At the end of title V, add the following:

SEC. 502. TIER III MINUS UNMANNED AERIAL VEHICLE.

In addition to the amounts authorized to be appropriated by title I, there is authorized to be appropriated an additional $22,000,000 for the tier III minus unmanned aerial vehicle.

Mr. DICKS. Mr. Chairman, the gentleman from Texas [Mr. COMBEST] has a perfecting amendment to my amendment.

My amendment would authorize an additional $22 million for the endurance unmanned aerial vehicle known as Darkstar. This funding is needed to recover from the loss of the first vehicle during flight testing, which took place

just before we marked up this bill in committee. At that time, we did not have good information from the Department of Defense on the impact of the crash, so the report accompanying the bill includes language which reserved the committee's right to revisit this issue as better information became available. While the accident investigation is still not quite completed, DOD has been able to provide a good estimate of what the cost impact is likely to be. DOD has determined that there will be a delay in getting the second aircraft ready for flight, and in carrying out the necessary set of flight tests once testing is resumed. During this period, a substantial engineering team must be sustained and the amendment will provide the funds necessary to do that. I urge the adoption of this amendment.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. COMBEST TO THE AMENDMENT OFFERED BY MR. DICKS

Mr. COMBEST. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST to the amendment offered by Mr. DICKS: In proposed section 502, add at the end the following: ''The Secretary of Defense may not obligate or expend any of these funds until after the Secretary submits to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a detailed cost analysis and report on specifically how these funds will be used.''

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, the perfecting amendment to the Dicks amendment would simply indicate that the Secretary of Defense may not obligate or spend any of the funds until the Secretary has submitted to the Permanent Select Committee on Intelligence of the House and Select Committee on Intelligence of the Senate a detailed cost analysis and report on specifically how the funding would be used.

Mr. DICKS. Mr. Chairman, I move to strike the last work.

Mr. Chairman, I want to tell the gentleman I will be glad to accept his amendment. I want to say I have no problem at all with the additional language proposed by the gentleman from Texas [Mr. COMBEST]. In fact, I hope DOD would respond even before the conference on this bill.

I want to stress that nothing in this amendment inhibits DOD in any way from recommending again that a replacement air vehicle be made a high priority in the coming fiscal year. Report language already accompanying the bill, as I noted previously, serves notice the committee will continue to examine this program's need carefully prior to conference.

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I want to say to the gentleman that, as amended, I would be very willing to accept the amendment of the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I am willing to accept my amendment, as amended by the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST] to the amendment offered by the gentleman from Washington [Mr. DICKS].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. DICKS], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Pennsylvania: In section 104—

(1) in subsection (d), strike ''$25,000,000'' and insert in lieu thereof ''$12,500,000''; and

(2) in subsection (f), strike ''$6,000,000'' and insert in lieu thereof ''$18,500,000''.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the distinguished chairman of the committee and the subcommittee, the ranking member, for agreeing to work with me on this amendment, which is an extremely important amendment that has been discussed by Members of both sides of the aisle.

The amendment would restore significant cuts that were made in the bill to the Environmental Intelligence Applications Program, formerly known as the Environmental Task Force. The funding level in the bill has been cut to about one-third of the request, or only $6 million, and, to me, that is really totally unacceptable for a program that is providing not only information for the public good but having tremendous benefits for our national security as well.

I mentioned during earlier discussion, Mr. Chairman, that last year I had a leading scientist from Boris Yeltsin's National Security Council come to America to testify on the problem of the Russian nuclear waste disposal. I have worked with Mr. Yablakov over the past 2 years, and he is one of the outstanding scientists who has been very candid in helping us assess the environmental problems and security implications of those problems and how we can address them.

In fact, because of the revelations of Mr. Yablakov and the Yablakov report that was produced for Mr. Yeltsin 3 years ago, we were able to put money into DOD's bill to actually work with the Russians up in the North Sea and the Bering Sea to help them find ways to deal with their nuclear waste storage and disposal problem.

So this program is of vital interest for our security as well as our relationship with Russia. It has tremendous environmental implications.

This program, which is operated by the intelligence community, has also been the leading driving force behind the MEDEA Program, which is a program that has paid tremendous dividends to our defense establishment in understanding data relative to the oceans of the world, but also allowing us to take information that up until now has been classified and use that for environmental purposes.

In fact, we have a group of some 60 leading scientists who have been working both with the Russian side and with our side on some of the environmental problems relative to the oceans; and we have also, through the MEDEA Program, we have allowed American scientists access to high level information which not only protects our national security but has paid tremendous dividends in helping us more fully understand the environmental implications of those decisions that we make. These programs are vital.

Mr. Chairman, I will submit for the RECORD the President's message on this bill, the paragraph that refers specifically to the administration's concern with the reduction in this program.

I appreciate the support of my friend and colleague, the gentleman from Washington [Mr. DICKS] and the comments of the gentleman from Colorado [Mr. SKAGGS]. I understand there is some concern about the bill paying portion of this. My understanding is that the two leaders of this committee have agreed to work this out. I have no problem with that.

As chairman of the Military Research and Development Subcommittee, I am concerned about an action that we take that would have a negative impact on the R&D overall budget, but I am certainly willing to let these gentlemen work that issue out and have confidence that the gentleman from Texas [Mr. COMBEST] and the gentleman from Washington [Mr. DICKS] can work the funding issue out in a way that would not disrupt our R&D portion of the defense bill that we passed last week.

So, Mr. Chairman, I would encourage our colleagues to support this amendment. It is vital. And I want to thank the chairman of the committee and the ranking member, as well as the gentleman from Colorado [Mr. SKAGGS] and everyone else for their support of this important environmental initiative. I think it is vital not just for our national security but it is also vital for a better understanding of environmental implications relative to classified data.

Mr. DICKS. Mr. Chairman, I move to strike the last word, and I want to commend the gentleman for his amendment.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I echo the comments of the gentleman from Washington. I appreciate the gentleman from Pennsylvania's very helpful efforts to plus up the Environmental Intelligence Applications Program account. In discussions that we have just had on the floor, I think there is an understanding that there may be some unintended consequences in the offset that the gentleman proposes, an understanding that we can, I think, reach satisfactory resolution to this problem between now and conference, or in conference.

One ironic consequence, I think, flows from the fact that these two programs are positively linked, not negatively linked. That is, if we cut the declassification efforts, it could get in the way of declassifying some of the Corona product that, under the MEDEA Program, we want to make available.

So I appreciate the efforts on the part of all concerned to both deal with the gentleman's very commendable efforts to augment the environmental effort and not have it negatively affect the declassification efforts.

Mr. DICKS. Mr. Chairman, I want to say to my colleague from Pennsylvania that the one thing I worry about with regard to declassifying, and why it is such an important issue, if we do not do the job of looking through all these documents, we might inadvertently declassify some information that could be harmful to the country. That is why having this process is important.

I do not want to cloud the issue here today. We are prepared to accept the gentleman's amendment. We compliment him on it. This is a very important program to the director and to the vice president, and I want to commend the gentleman for his amendment.

Mr. COMBEST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to say we will be very happy to work in getting this amendment cleared up. I do rise in strong support of the amendment of the gentleman from Pennsylvania and recognize the significance and importance of both the declass and the environmental funding to certain members of our committee and will try to make certain that that concern is accommodated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WELDON].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. RICHARDSON

Mr. RICHARDSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICHARDSON: At the end of title III, insert the following new section:

SEC. 306. PROHIBITION ON USING JOURNALISTS AS AGENTS OR ASSETS.

An element of the Intelligence Community may not use as an agent or asset for the purposes of collecting intelligence any individual who—

(1) is authorized by contract or by the issuance of press credentials to represent himself or herself, either in the United States or abroad, as a correspondent of a United States news media organization; or

(2) is officially recognized by a foreign government as a representative of a United States media organization.

Mr. RICHARDSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RICHARDSON. Mr. Chairman, on April 28 of this year the Tampa, FL, Tribune published an editorial entitled ''Don't Recruit Journalists As Spies.'' The editorial argued forcefully that only a blanket prohibition against their use as intelligence agents or assets was likely to minimize the risk to American journalists or representatives of American media organizations who are suspected of being spies by governments or individuals with whom they must deal in dangerous parts of the world. Describing the circumstances in which foreign correspondents must work the Tribune said, ''They die in combat. They are killed by governments intent on silencing them. And they are imprisoned and sometimes killed when they are suspected of being spies. That is what happened to our colleague, Tampa Tribune reporter Todd Smith, who was kidnapped and murdered in 1989 while on a working vacation in Peru. Shining Path guerrillas killed him because they didn't believe he was a journalist and thought he was a spy.''

No amendment can guarantee the safety of Americans traveling or working abroad, especially when their work puts them in contact with terrorist groups or representatives of despotic regimes. The amendment I am offering, however, can enhance the safety of American journalists by removing the suspicion that rather than being reporters gathering information for their newspapers, they are operatives of American intelligence.

Under current CIA regulations, journalists are not to be used as intelligence agents or assets. The regulations do, however, permit the prohibition to be waived when the Director of Central Intelligence determines that national security interests compel that result. My amendment would codify the prohibition without providing the waiver authority. Adoption of the amendment will ensure that neither the independence guaranteed to the press by the Constitution nor the lives of journalists are endangered by blurring the distinction between reporters as commentators on government and reporters as instruments of government. As the New York Times editorialized on March 18, ''If the United States Government does not honor that distinction, who anywhere will believe that it really exists?''

Mr. Chairman, current CIA regulations prohibit the use of active Peace Corps volunteers and members of the clergy as intelligence agents. The prohibitions are absolute. They cannot be waived. The prohibitions recognize the risk to the lives of Peace Corps volunteers in some countries if they were believed to be working for the CIA and the constitutional separation of church and state in our country which would be endangered if members of the clergy were seen as Government agents.

Current CIA regulations prohibit the use of journalists as intelligence agents but that prohibition is waivable.

☐ 1145

Reporters working overseas are in every bit as much danger, perhaps even more, as Peace Corps volunteers, if they are suspected of being spies.

Mr. Chairman, every journalist, every journalist entity, and editorial board supports this amendment. It is my judgment that the DCI and the intelligence community can use it usefully. I am a strong supporter of the DCI and the CIA. But I think that when it comes to this issue, it is important that we have some clear distinctions.

Why then is there a distinction in CIA regulations between journalists on the one hand and Peace Corps volunteers and members of the clergy on the other? Intelligence officials claim that, while they do not want to use journalists as agents, they need to retain the option for situations so extraordinary that they cannot be described.

A better way to promote the safety of American journalists and preserve their independence is to prohibit their being employed as intelligence agents. Mr. Chairman, at some point I will be prepared to entertain an amendment that I believe achieves our mutual objectives and would enable this provision to be accepted.

Mr. Chairman, this is a good amendment. It is supported by every journalist, every newspaper, every reporter. It is within our constitutional prerogatives. It makes sense. I do not think it would hamper our intelligence objectives overseas.

[From the Tampa Tribune, Apr. 28, 1996]

DON'T RECRUIT JOURNALISTS AS SPIES

CIA Director John Deutch has done it again. In February he was questioned by the Senate Intelligence Committee about whether he would recruit journalists as spies, and he refused to say flatly that his agency would not.

He has repeated that position again in a letter to news executives in response to widespread complaints by the press and electronic media, who fear that his stance puts their foreign correspondents in danger. Deutch wrote that he had no intention of using journalists or news credentials as a cover, but then qualified his position by saying he reserved the right to do so and would consider it under ''genuinely extraordinary'' circumstances.

Unfortunately, nothing short of a blanket prohibition is likely to work in the dangerous circumstances encountered by reporters traveling and working abroad. The CIA has an unshakable prohibition against using the Peace Corps as a cloak for its undercover missions. That is done for the obvious reason that Peace Corps volunteers would be in grave danger if their host nations or partisans in some foreign conflict suspected them of being spies. According to Quill magazine, a presidential order issued in 1977 prohibited the use of journalists and members of the clergy as spies, but apparently there are loopholes in that restriction.

The news media should be put in that same restricted category as the Peace Corps. Under the best of circumstances, international reporting is a dangerous endeavor. At least 50 journalists died in 1995 while covering conflicts in such places as Algeria and Chechnya; the year before, the number killed was 103.

They die in combat. They are killed by governments intent on silencing them. And they are imprisoned and sometimes killed when they are suspected of being spies.

That is what happened to our colleague, Tampa Tribune reporter Todd Smith, who was kidnapped and murdered in 1989 while on a working vacation in Peru. Shinning Path guerrillas killed him because they didn't believe he was a journalist and thought he was a spy.

On the surface, the desire for a blanket statement from Deutch ruling out the use of journalists and news organizations may strike some as unpatriotic. After all, why shouldn't reporters help their country gather intelligence about a potential foe?

It is not that reporters, editors, publishers and broadcasters are any less patriotic than other Americans. It is a question of national priorities.

The information provided by journalists is vitally important to the health of the nation. U.S. citizens depend upon a steady, reliable supply of news about foreign affairs. That continued relationship far outweighs the significance of whatever intelligence might be uncovered by a reporter working as a spy or a spy pretending to be a journalist.

The government has numerous alternative means of gathering information. But journalists need only slip up once and it will ruin their reputation for independence. After that, they will never be trusted and will be in grave danger in many nations.

American citizens need to know the truth about what is taking place around the world. Often their tax dollars are involved, their international export markets affected, and sometimes their lives and those of their children are on the line. People cannot make sound judgments without solid information from independent news media.

[From the Indianapolis News, Apr. 23, 1996]

SPIES (WHO ACT) LIKE US

The U.S. Central Intelligence Agency continues to cling to a policy that both contradicts its own regulations and clearly puts the lives of American journalists in danger.

Last week, reports from the Associated Press revealed that CIA Director John Deutch made the agency's intentions clear in a letter to Louis D. Boccardi, president and chief executive officer of The Associated Press, and W. Thomas Johnson, president of Cable News Network.

Deutch wrote. ''We do not use American journalists as agents or American news organizations for cover, nor do I have any intention of doing so.

''As you know, past DCI's (directors of central intelligence) have reserved the right to make exceptions to this policy. The circumstances under which I—or, I believe, any DCI—would make an exception to this policy would have to be genuinely extraordinary.''

In other words, if the CIA wants to use the media as cover for its secret agents or recruit journalists to be spies, it will.

Such a policy and the suspicion it breeds not only endangers the lives of journalists but greatly hinders them from doing their jobs of news gathering, particularly in foreign lands.

The CIA's justification for keeping its ''extraordinary'' exception contradicts its mission of protecting American's security and American lives.

In February, when Deutch appeared before the Senate Intelligence Committee, he sympathized with the journalistic community. But he maintained that ''directors of central intelligence have to also concern themselves with perhaps very unique and special threats to national security where American lives are at risk.''

If Deutch and other top CIA officials cannot bring themselves to retract these statements and make a clear, firm commitment to the contrary, then President Bill Clinton should step in and do so himself.

Already journalists, and particularly journalists working in foreign countries, face enough threats. They don't need the CIA to continue to saddle them with unnecessary risk.

Many journalists taken hostage have suffered unjustly because their captors thought they might be part of the CIA.

Last November, for instance, when Bosnian Serb rebels held Christian Science Monitor reporter David Rohde hostage for almost two weeks, they continually asked him if he was a CIA agent.

And don't forget Terry Anderson, an Associated Press correspondent held in Lebanon for seven years. He said his captors asked him who his CIA contact was within the AP.

The CIA must reverse itself on the issue of using journalists as cover or as agents. And if it won't, the president should intervene.

[From the St. Petersburg Times, Mar. 25, 1996]

DANGEROUS DECEPTIONS

Terry Anderson, the Associated Press correspondent who was held hostage in Lebanon for almost seven years, says his captors never believed that he was simply a journalist. Anderson says the Muslim terrorists who imprisoned him ''believe all Americans are spies, particularly those who go around asking questions.''

That common belief in much of the rest of the world creates obvious dangers for journalists and other Americans traveling abroad. It certainly made life even more unpleasant for Anderson during his harsh confinement. Unfortunately, the CIA's own rules unnecessarily feed such suspicions about the integrity and credibility of American journalists working in foreign countries.

CIA Director John Deutch continues to defend rules that give him and his deputy the discretion to employ American journalists as spies, or to allow CIA agents to pose as journalists. Deutch and his predecessors have said they would use such tactics only in cases involving extraordinary threats to national security. However, the CIA's insistence on those exceptions creates unacceptable risk for innocent American citizens and does violence to one of our most revered constitutional principles.

The American press' clear independence from government is fundamental to a truly free society, but the CIA's rules blur those lines. Journalists can't do their jobs properly if sources have reason to believe that they might really be speaking to a government agent.

This is not an issue that concerns only journalists. Every American who travels abroad is endangered by the CIA policy. Business executives, Peace Corps workers and ordinary tourists come under suspicion from governments and groups who fear the influence of American intelligence. Most such fears are unfounded, but the CIA policy feeds paranoia in other countries.

The policy is a vestige of the Cold War, when government routinely recruited journalists and other citizens for intelligence work. Many former journalists bear responsibility for willingly participating in such schemes. However, representatives of national press organizations are now unanimous in their opposition to the CIA's policy.

The CIA should not be allowed to recruit journalists for spying activity, nor should it permit agents to pose as journalists. Period. Otherwise, the safety of American citizens abroad and the integrity of the Constitution at home are left to the whim of the CIA director and his deputy.

[From the New York Times, Mar. 21, 1996]

JOURNALISTS AREN'T THE ONLY RISKY C.I.A. COVER

WASHINGTON, *March 19, 1996.*

Re ''No Press Card for Spies'' (editorial, March 18).

TO THE EDITOR: Do you think it wrong if journalists are used as cover by the Central Intelligence Agency, but all right for others to have integrity and lives put in question?

Members of the clergy and Peace Corps volunteers were also singled out by the Council on Foreign Relations' Intelligence Task Force project director as potential candidates for C.I.A. cover, but you say nothing in their defense.

They and others—for example, human rights monitors and relief workers—work abroad in dangerous areas.

The mere suspicion of association with the C.I.A. will make them as vulnerable as journalists to arrest and questioning and, much worse, will call into question the integrity of the institutions they represent.

Not a few members of the Council on Foreign Relations, myself included, were deeply disturbed by the task force's proposal. Our concern was not just for its impact on journalists.

ROBERTA COHEN.

[From the New York Times, Mar. 18, 1996]

NO PRESS CARDS FOR SPIES

An old debate has been needlessly revived in a report on intelligence sponsored by the Council on Foreign Relations. The report, prepared under the guidance of the project's director, Richard Haass, a former Government official, calls for reviewing ''a number of legal and policy constraints'' on clandestine operations dating to the 1970's. Those constraints chiefly concern the use of spies posing as reporters and the employment of bona fide reporters for intelligence missions. Both practices were all but banned then, and should be prohibited now.

During the cold war, a pattern of informal collaboration developed between some journalists and the Central Intelligence Agency. Foreign correspondents and C.I.A. station chiefs sometimes swapped information In 1976, a Senate committee headed by Frank Church learned that this practice had gotten out of hand. Fifty journalists at various times had been paid by the C.I.A., and many more were used as ''unwitting sources.''

There is no record of New York Times correspondents having financial relationships with the C.I.A., and the newspaper, along with other news organizations, has taken steps to eliminate the kind of informal information-sharing that went on early in the cold war.

The Church committee disclosure caused a justifiable uproar, resulting in a statement by George Bush, then Director of Central Intelligence, that the agency would not enter into any paid relationship with any full- or part-time correspondent accredited to a United States news organization. In November 1977, his successor, Adm. Stansfield Turner, put this prohibition in writing. The Turner regulation provided that the C.I.A. would not employ journalists for intelligence work but unwisely said exceptions could be made with the specific approval of the C.I.A. director.

Admiral Turner says that during the 1980 Iranian crisis, the agency considered making such an exception but that it did not prove necessary. No waivers have been approved by the current Director, according to the C.I.A. There is no information on waivers during the intervening years.

The prohibition on paying accredited journalists for intelligence work should be absolute. The same applies to issuing bogus press credentials to a covert agent. Such a firewall is essential, first of all, to protect foreign correspondents, whose job of questioning and probing makes them especially vulnerable to arrest by hostile regimes.

But more broadly, using reporters as agents offends and confounds the principles of American democracy. Under constitutional protections, the press is the chronicler of and check on government, not its instrument. If the United States Government does not honor that distinction, who anywhere will believe that it really exists?

[From the Chicago Tribune, Mar. 11, 1996]

JOURNALISTS CANNOT BE USED AS SPIES

It long has been debated whether the second-oldest profession is journalism or espionage, and the two do have many purposes in common: to gather great heaps of information, often in hostile environments or from antagonistic sources; to synthesize the key elements of the data; to present the information to an audience that relies on it in making critical decisions.

But there the similarities end. Journalists file their reports for anybody in the world willing to part with the price of their product, while spies practice their art solely in service of their presidents and potentates.

Journalists are held to high standards of professional conduct; only in the movies can a reporter build a reputation on stealing documents from the mayor's desk, seducing a secretary for the inside corporate dope or pouring whiskey down a nosy building superintendent who keeps his eye to the keyhole. Contrast that to the world of espionage, with its vast array of space-age eavesdropping equipment and its slush funds for passing around bribes, buying information outright and setting up honey traps.

Great nations have legitimate national interests that warrant the use of secret services. And the citizens of great nations like the United States have the constitutional right to a free press that serves the national interest by contributing to a well-informed electorate.

That's why recent comments by John Deutch, the director of central intelligence, are so worrisome. In testimony before Congress, Deutch disclosed that the CIA retains the right to solicit U.S. journalists as spies and to give his own operatives forged press passes to pose as working journalists to conduct surreptitious investigations and undertake covert activities.

Although the use of journalists, clergy and Peace Corps workers as spies is banned by federal law, Deutch said ''unique and special threats to national security'' might make it necessary to ''consider the use of a journalist in an intelligence operation.''

Deutch is wrong and should immediately announce a blanket ban on using journalists as spies. American journalists can and should serve but one master: the American public. Any blurring of that line by intelligence services jeopardizes the lives of real journalists and their ability to inform their readers and viewers.

Every reporter stopped by armed thugs at a military checkpoint knows the inherent personal danger posed by Deutch's announcement; citing Deutch's own statements, mad militiamen will feel freer to interrogate, incarcerate—and even execute—bona fide reporters with the verve and nerve to cover combat.

Likewise, inquisitive reporters who are ''invited in for a chat'' after filing accurate reports on a dictatorial regime know the first question asked by the despot's henchmen is: ''Who is your CIA master?''

Journalists can and do swap rumors, fact and analysis with intelligence officers, whether dining in a Paris bistro, walking in Gorky Park or chatting on the line to Langley. These relationships are built upon trust and a shared desire to get the best information.

That is a far cry from enlisting journalists to carry out CIA jobs or by passing off agency operatives as working backs. Journalists cannot be used as spies.

[From the Sacramento Bee, Mar. 8, 1996]

SPY VS. SPY, WITH JOURNALISTS IN THE MIDDLE

(Anna Husarska)

My nonassociation with the CIA started 12 years ago. It was in the war-emptied ghost town of Tenancingo, El Salvador, that I was accused of being a CIA spy by local guerrillas who I visited as administrator of a French humanitarian mission.

My first journalistic nonassociation with the CIA dates from Christmas week of 1991, which I spent in detention in Cuba, mostly in a squalid interrogation room where I was repeatedly asked by a major from the interior ministry why I wouldn't simply confess to spying for the CIA. I told him that he must be crazy, that the agency's own regulations had forbidden employing or posing as journalists since 1977, following a scandal involving CIA use of reporters.

I repeated the same arguments in 1993, after I was stopped at gunpoint with several other hacks in Pale, the so-called Bosnian Serb capital. We were all accused of being on a spy mission. Earlier that year, the Haitian supporters of then-exiled President Jean-Bertrand Aristide accused me of being on the CIA payroll; I told them that the opinion article that so infuriated them was my own idea.

In 1994, I was accused of being a CIA spy because, with two other journalists, both Russian, I crossed the Abkhazia/Georgia border when there was some fighting going on. What would I be doing there if not spying for the CIA? My two fellow travelers had a bottle of vodka and—there is no limit to Russian resourcefulness—an open can of sardines in tomato sauce for an appetizer. In pouring rain, we carried these goodies into the checkpoint and suspicion disappeared with the sardines.

Then, in October 1995, while I was taking photographs of paramilitary formations in Serbia at the invitation of the Serb commanders, the press secretary of a local warlord accused me of gathering material for the CIA.

Every time, I countered in good faith that the CIA did not employ journalists, nor did it have spies pretending to be journalists. So two weeks ago when I heard CIA Director John M. Deutch defend a long-standing policy allowing clandstine officers, under ''extraordinary circumstances,'' to waive regulations and pose as reporters or to use reporters as informers. I felt kind of outspooked.

Henceforth, I will not be able to laugh off thugs, warlords and police officers in totalitarian states when they accuse me of being a CIA spy. Nor can I be confident in pointing out my two non-U.S. passports and protesting that I have no loyalty links to the United States and even less with the CIA. The Washington Post reported that whatever prohibitions existed against recruiting journalists ''have never applied to foreign journalists, whom the CIA still looks to recruit, according to sources familiar with the matter.''

If the stain of suspicion is on all journalists, then those foreign sources (official or not) who want to deny access to media will have an excuse to do so. And the truth is, policy-makers can ill afford to lose any reporting from the honest news media. God forbid they should have to depend only on what the spies know.

After many interviews with Western military and civilian intelligence personnel in Haiti and then in Bosnia, I realized that they often pooh-pooh journalism as unclassified information not worthy of their attention. In Haiti, for instance, the press reported consistently that the paramilitary organiaztion called FRAPH were murderous thugs, a direct heir to the feared Tontons Macoutes. The CIA maintained that they were just another political party, and told that to the U.S. forces arriving there as peacekeepers in 1994. As a result, the Americans saw no need to neutralize FRAPH, tainting their democratic image with the locals.

I was not too surprised either when a U.S. Marine intelligence captain and a civilian intelligence expert from the Defense Department with whom I flew from Tuzla to Sarajevo in February assured me that the shuttle that they were taking from the airport would be stopping ''right in front of the Hotel Serbia'' in central Sarajevo. Now, to have a Hotel Serbia in the center of Sarajevo these days is about as likely as a Hotel Hanoi in Saigon in 1972. Stupidity is the most charitable interpretation on these large and small idiocies.

One can only hope that the intelligence community will make an intelligent decision and start using journalists' work, not their identities.

[From the Baltimore Sun, Mar. 5, 1996]

ONE BOUNDARY TOO DANGEROUS FOR THE PRESS TO CROSS

(By Clarence Page)

Washington—I was appalled to discover the Central Intelligence Agency can secretly recruit journalists and clergy as spies. People all over the planet already have enough reasons to hate us journalists. Why add another one?

Too many people have too hard of a time telling the difference between journalists and spies as it is: our jobs are so similar.

Both are assigned to get information the government or the organization that is being reported on or spied on doesn't want them to know.

Of course, there are significant differences. The sort of information that can get you a Pulitzer Prize in this country can get you shot in someone else's. That is why, if we are to spread the blessings of liberty with any success, we must be scrupulous in the way we distinguish independent journalists from government employers.

That's not an easy distinction for much of the world to grasp. Freedom of the press, like brokered political conventions or the designated hitter, is a concept that is not

easily understood by those who did not grow up with it.

Consider the difficulty I had trying to explain my role to some university intellectuals in Tanzania while I was traveling around Africa as a reporter for the Chicago Tribune in the mid-1970s.

''Is your newspaper a government newspaper or a party newspaper?'' one professor asked. He appeared to be genuinely curious.

Neither, I said. It is a big independent newspaper.

''Big?'' said the other. ''It is a government newspaper?''

No, I said. It is a big private newspaper.

''But what party publishes it?''

Parties don't publish major newspapers in America. In America, I explained, quoting A.J. Liebling, the press is free to whoever owns one.

''But what party do the owners of your newspaper belong to,'' one said.

That's not supposed to matter, I said. The only bias that is supposed to matter is the bias in favor of a good story.

They looked at me incredulously. I have grown accustomed to that look from Americans. How, I wondered, could I ever persuade Tanzanians that America's press was not beholden to some higher political power when I could not always persuade my fellow Americans?

After all, I already had become accustomed to assuming that any ''journalist'' was a spy (and, at the same time, an unofficial government spokesperson) if he or she carried credentials from the Soviet Union, mainland China or any similar totalitarian regime.

Rare exceptions.

Regulations passed in 1977 in the wake of Watergate prohibit the practice of using journalists as spies for the United States. But current CIA Director John M. Deutch revealed a loophole during recent Senate hearings. That loophole allows the CIA to secretly waive the regulations in ''extraordinarily rate'' circumstances and use journalistic or media cover for intelligence activities.

It's a terrible idea. Even with Senate oversight, the practice of recruiting journalists or clergy casts a dangerous shadow of suspicion over all American journalists who operate overseas.

Yet, Mr. Deutch defended the practice. Since 1977, he said, according to the Associated Press, the agency has been operating under rules that ''will not use journalists except under—American journalists—except under very, very rare circumstances.''

How, asked Sen. Arlen Specter, R–Pa., chairman of the Senate Intelligence Committee, would he define those ''rare circumstances?''

Mr. Deutch offered two hypothetical examples: ''One would be where you had a journalist involved in a situation where terrorists were holding U.S. hostages . . . journalists might have tremendously unique access in such a situation . . . or where there was a particular access to a nation or a group who had an ability to use weapons of mass destruction against the U.S.''

Well, you have to wonder how much access journalists will have, once outlaw governments or terrorist groups get the idea that the journalist may very well be an informant for an agency that has undermined governments throughout the world.

Arnett's example

Let us not forget CNN's Peter Arnett, who reported live daily from Baghdad during the Persian Gulf war. Despite the worry warts back home who criticized Mr. Arnett every time he reported the Baghdad's government point of view, Pentagon officials said afterward that Mr. Arnett's live pictures actually helped Defense Department assess the effectiveness of their bombing.

That's how it is supposed to work.

In the course of doing their job, journalists can help the efforts of their host government, but that is not their primary purpose.

Some people have trouble telling the difference between spies and reporters. But there is a difference. Let's not fuzz it up.

AMENDMENT OFFERED BY MR. MURTHA TO THE AMENDMENT OFFERED BY MR. RICHARDSON

Mr. MURTHA. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MURTHA to the amendment offered by Mr. RICHARDSON:

In the matter proposed to be added by the amendment—

(1) strike ''An element of'' and insert ''(a) POLICY.—It is the policy of the United States that an element of''; and

(2) add at the end the following:

(b) WAIVER.—The President may waive subsection (a) in the case of an individual if the President certifies in writing that the waiver is necessary to address the overriding national security interest of the United States. The certification shall be made to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(c) VOLUNTARY COOPERATION.—Subsection (a) shall not be construed to prohibit the voluntary cooperation of any person who is aware that the cooperation is being provided to an element of the United States Intelligence Community.

Mr. MURTHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURTHA. Mr. Chairman, what I am doing here is trying to make sure that in extreme, rare circumstances the President could waive the rules or waive the law so that a journalist in acts of terrorism or something like that would be able to allow a journalist to be used in the best interests of the country. It is a remote possibility. The DCI does not want to completely foreclose the option, if the national security interest cannot be furthered in any other way.

I just think this is what we need in order to be able to pursue this amendment. There is widespread support for the amendment, but I think we need a clause which would allow the President of the United States to decide that something like this can be used in the best interest of the country.

Mr. RICHARDSON. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Chairman, I would be prepared to accept this amendment. I think this is important. It is the President that we are giving this waiver to, not the DCI. The President would have to notify the committees of the Congress of such an action. It is under the most extreme of all circumstances. I suspect that we want to preserve that ultimate option. I think it is important that, in accepting this amendment, we approve my amendment, which basically states the policy of the intelligence community not to recruit journalists as spies.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to say I strongly support the Murtha amendment to the Richardson amendment. I think it was carefully crafted. It makes clear that a voluntary effort could be undertaken. In addition, a journalist could be used only if the President certifies to Congress as to why it is necessary to do so. I think it gives us a very good safeguard. I think it is a good compromise, and I applaud the gentleman from New Mexico for accepting the Murtha amendment.

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I appreciate the gentleman yielding to me. I rise in strong support of the gentleman from Pennsylvania's amendment. I completely understand the concerns of the gentleman from New Mexico in offering the amendment. I would like to insert in the RECORD a letter addressed to me as chairman of the committee from the Director of Central Intelligence outlining his concerns but indicating the fact that he would have no intention of using anyone within the media but wanting to protect the right and in dire circumstances or extreme circumstances, particularly as the case may affect the ability to save lives, that they would like the option. The amendment of the gentleman from Pennsylvania does preserve that right. I do rise in strong support of it.

I include for the RECORD the letter to which I referred:

CENTRAL INTELLIGENCE AGENCY,
Washington, DC 21 May 1996.

Hon. LARRY COMBEST,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to express opposition to an amendment to be offered by Mr. Richardson of New Mexico to H.R. 3259, the Intelligence Authorization act for Fiscal Year 1997. Mr. Richardson's amendment seeks to prohibit any use of a U.S. journalist or U.S. journalistic organization for intelligence collection.

I empathize with the sentiment behind the amendment. My personal view as well as the official policy of the Central Intelligence Agency is that we should not use American journalists as agents or American news organizations for cover. As Director of Central Intelligence, I have no intention of doing either.

As Director of Central Intelligence, however, I am also wary of categorically ruling out means to collect intelligence that might, under extraordinary circumstances, make the difference in saving American lives. That is why CIA policy for the past twenty years has reserved the right to make rare exceptions to that policy. I have not encountered any set of circumstances that would lead me to consider that possibility during my service, but I do not believe that we should forever foreclose my or my successor's future consideration of such a course.

I join all Americans in my respect for the independence and credibility of our press. When I recently reviewed CIA's policy on intelligence use of American journalists at the direction of Congress, I put into place very stringent guidelines that prohibit any intelligence use of American journalists except under the most extraordinary circumstances. I found that I was unable to assure the President or the Congress that it would never be essential to ask the assistance of a journalist to discover secret information of supreme importance to the security of this country or its citizens. Unfortunately, I can envision circumstances where such cooperation might mean the difference between life and death, possibly in a terrorist situation involving a threat to many Americans. That is why I am compelled to oppose the Richardson amendment as an unnecessary and overly restrictive limitation on intelligence activity.

I urge the Committee to provide me an opportunity to explain in closed session the new guidelines I have adopted and I urge the House to reject the Richardson amendment.

An original of this letter is also being sent to Ranking Minority member Dicks.

Sincerely,

JOHN DEUTCH,
Director of Central Intelligence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA] to the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON] as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. RICHARDSON. Mr. Chairman, I demand a recorded vote, and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON], as amended, will be postponed.

The point of no quorum is considered withdrawn.

PARLIAMENTARY INQUIRY

Mr. DICKS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DICKS. Does the gentleman have to restate his request for a recorded vote at a later time, or is it going to be an automatic recorded vote?

The CHAIRMAN. The request for a recorded vote will be pending at that time. The vote is not automatically ordered.

Mr. DICKS. I thank the Chair.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS: At the end of title I, add the following new section:

SEC. 105. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 1997 to carry out this Act not more than 90 percent of the total amount authorized to be appropriated by the Intelligence Authorization Act for Fiscal Year 1996.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by section 201.

Mr. SANDERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SANDERS. Mr. Chairman, this amendment is simple. It is straightforward and, in fact, it should be supported by every Member of this House, especially those who are concerned about our national debt and the deficit situation.

This amendment is about honesty. It is about consistency, and it is about national priorities. It is about whether the Members of this body, many of whom have voted to cut programs which will be very negative, which will have a lot of pain, cause a lot of pain for some of the weakest and most vulnerable people in this country, programs for our kids, programs for our senior citizens, programs for our young people, whether the Members who have voted to cut those programs now have the courage to take on the very powerful intelligence community and to say that with a $5 trillion national debt, we should not be increasing funding for intelligence when we cut back on so many programs that tens of millions of Americans depend upon.

Mr. Chairman, this amendment cuts the intelligence budget by 10 percent from the level authorized for fiscal year 1996, and that is approximately a $3 billion cut.

Mr. Chairman, there are three basic reasons why this amendment should be supported.

First, major sections of the intelligence community are fiscally irresponsible and need to be held accountable for their hugely inaccurate reports to Congress and for their wasteful habits.

Second, like every other agency of Government, the intelligence community must bear its burden in balancing the budget. We cannot say to pregnant women, we do not have the funds to provide health insurance for you, we cannot say to senior citizens, we do not have the money to make sure you get your prescription drugs, we cannot say to young working-class families, we do not have the money to make sure that your kids can go to college, we do not have the money to adequately fund Medicaid or Medicare, but, yes, we have more than enough money to put into the intelligence agencies despite the fact that the cold war has ended.

Mr. Chairman, let me read for my colleagues an article that appeared in the May 16 New York Times. I am going to read this slowly, because I want the Members to appreciate what we are talking about today and why it is totally irresponsible for any Member to be talking about a 4.9 increase in funding.

Let me quote for the article: ''In a complete collapse of accountability, the government agency that builds spy satellites accumulated about $4 billion in uncounted secret money, nearly twice the amount previously reported to Congress, intelligence officials acknowledge today.''

Mr. Chairman, let us repeat what was in the New York Times so that every Member understands what this debate is about. I quote from the New York Times; ''In a complete collapse of accountability, the government agency that builds spy satellites accumulated about $4 billion in uncounted secret money, nearly twice the amount previously reported to Congress.''

Let me continue from the New York Times: ''The agency, the highly secretive national reconnaissance office, said last year that the surplus money totaled no more than about $1 billion. Congressional intelligence overseers in December said the amount was about $2 billion. They were misinformed. The secret agency was unaware until very recently exactly how much money it had accumulated in its classified compartments.''

Listen to this, to put the $4 billion in perspective, still quoting New York Times, ''what the national reconnaissance office did was to lose track of a sum roughly equal to the annual budgets for the Federal Bureau of Investigation and the State Department combined.''

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, I support the gentleman, but I begin to get second thoughts because maybe we have found a way to really cut the deficit. This hidden money that we lost track of started out at a billion. Then within a couple of months it was $2 billion. Now it is $4 billion. There is not revenue source in the Federal Government growing at so rapid a rate. Maybe we ought to leave these people alone, because at the rate these people salt away money and have it increase, pretty soon we will get rid of the deficit.

Mr. CHAIRMAN. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 2 additional minutes.)

Mr. SANDERS. Mr. Chairman, let me continue reading from the New York Times:

John Nelson, appointed last year as the reconnaissance office top financial manager

and given the task of cleaning up the problem, said in an interview published today in a special edition of Defense Week that the secret agency had undergone, quoting from Mr. Nelson, fundamental financial meltdown.

The article continues:

The financial incompetence of the reconnaissance office meant that one of the Nation's biggest intelligence agencies misinformed Congress, the director of the Central Intelligence Agency and the Secretary of Defense about how much money it had.

Continuing the New York Times:

The agency's secrecy made congressional oversight next to impossible, intelligence officials said. Thus the congressional intelligence committees kept appropriating money for the secret agency unaware that it was building up a surplus of billions of dollars.

End of quote from the New York Times.

Mr. Chairman, how are we going to have credibility with the American people when we say to hungry kids, we have got to cut back on nutrition programs, when we say to homeless people, there is not enough money available for affordable housing, when we say to elderly people, the Congress cannot help you pay for the prescription drugs you desperately need, when we say there is not enough money for education and have got to cut back and then, after this horrendous financial irresponsibility on the part of an intelligence community, we say, hey, no problem, you need more money, we are there to help you out.

This is wrong. This is not what deficit reduction is about. This is a horrendous sense of national priorities.

For all of those Members who have been cutting, cutting, cutting, who have been coming up here every day talking about the national debt, I ask you to support my amendment, a 10-percent cut in the intelligence budget.

Mr. COMBEST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, While I disagree strongly with the amendment of the gentleman from Vermont, I do respect his interest and his position and his tenacity in his annual concern about the spending of intelligence. Unfortunately, it is difficult to discuss all of the aspects of the bill. Let me just make some general comments.

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The gentleman mentioned that there are tens of millions of people, Americans, dependent upon other programs which are not sufficiently funded. I would agree with that. I would contend that every American depends upon and receives equally the positive results of a strong national defense, which a vital part of that is intelligence and the ability to determine intentions of other countries, particularly as we enter into wartime situations. The reduction of our capabilities abroad in the areas of defense, I think, heighten the magnification of the need for strong intelligence to make for certain we do not send Americans into harm's way. That is on the international front.

On the domestic front, concerns of terrorism, concerns of narcotics, concerns of crime are also very important to the American people, and the abilities of intelligence organizations to counter and to be aware of intentions many times go unnoticed, unheralded and, most of the time, unspoken because we simply cannot discuss them.

I share the gentleman's concern on the primary subject that he mentioned, and that was the carry-forward account in the NRO, and he is correct in the $4 billion figure that was recently announced by the newly appointed financial manager of the NRO who was brought in after the carry-forward account was discovered. Some have accused the majority in this year's authorization bill of micromanaging the NRO, and the NRP, National Reconnaissance Program.

I made a commitment to the members of this committee that the committee that was brought under task in the New York Times editorial of last year when the NRO account, carried-forward account, was first mentioned, and the committees of Congress with oversight were chastised for inadequate oversight that, as long as I had the luxury and the ability to serve as chairman of this committee, I would make every effort that I would not subject the committee to that type of criticism in the future, and it is with great interest and looking at all of the programs of the NRO that the mark that we have brought to the committee in our authorization bill this year is being questioned by so many people.

We want to be able to assure, those of us who have been given the ability to serve on this committee and basically have to ask Members of the Congress to trust us, that we are scrutinizing the expenditures of those funds, and while I do not agree that the accounting was done well at all, and in fact I think it was shoddy at best, that those moneys were appropriated and expended for, authorized and appropriated for, programs over the years of which the expenditure did not need to take place because the programs that they were to replace in our architecture had worked so well.

There was not a loss of the funds, there was not a squandering of the funds. We are continuing to demand an actual and exact accounting of those funds and the purposes for which they were initially authorized and appropriated, not money which was wasted. It is not money which was wasted, it is money which I will be the first to admit was done very shoddily in reporting to Congress, even to the director of Central Intelligence, that those funds existed.

We do not intend to allow that to happen again and are very concerned about that.

The CHAIRMAN. The time of the gentleman from Texas [Mr. COMBEST] has expired.

(By unanimous consent, Mr. COMBEST was allowed to proceed for 2 additional minutes.)

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman from Texas for yielding, I thank him for his graciousness with which he is managing this debate, but I do have concern about the $4 billion. My question is:

When we discovered that there was $4 billion that was unspent because, as he said, it turned out that they did not need to spend it, did we recapture that for the U.S. Treasury and use it to reduce the deficit?

My problem is that my information is, no, the people who in fact were responsible for the overspending and no accounting essentially were allowed to spend it for other purposes or give it to the Defense Department, which means they have been given them zero incentive not to do this again. And if, in fact, it was unneeded spending, why did we not recapture it and apply it to reducing the deficit?

Mr. COMBEST. The gentleman does make a point, and he is correct in the fact that it was not taken and it was not used toward the deficit.

Let me mention to the gentleman from Massachusetts the $4 billion only is recently. We are still looking to find the fact amount.

Mr. FRANK of Massachusetts. Is there more? Maybe can we hope?

Mr. COMBEST. Well, hopefully not, but it did begin at 1, and, as we know, went to 2. The committee has been kept informed of this, of the additional amounts that continue to be uncovered, but of the amount last year, over $2 billion has been taken. Some of that was taken by other committees. Some of it was taken by the Director of Central Intelligence and expended for——

Mr. FRANK of Massachusetts. If the gentleman will yield. How much? Of the $2 billion that he saved and did not spend, or his predecessor, how much of a reward did he get of that to spend on other things?

Mr. COMBEST. I guess the reward was the fact that there was no punitive action taken. But we have taken $400 million out of the account, more than we had in our authorized bill. We are below some $400 million below the authorization from, $800 million below the authorization for 1996.

I do not want to make light of, and I do not make light of, the concerns that are raised. I will assure the gentleman that the committee shares those concerns.

The CHAIRMAN. The time of the gentleman from Texas [Mr. COMBEST] has again expired.

(By unanimous consent, Mr. COMBEST was allowed to proceed for 2 additional minutes.)

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. COMBEST. Let me just finish this, and I will be happy to yield.

Mr. Chairman, the committee is extremely concerned about the accountability because of all those good things that are there that do happen. It is this type of problem that arises that obviously makes, stretches the credibility of many of these agencies of Government.

I would only want to try to assure the gentleman that we are looking at this very carefully, very closely, and we intend for there to be complete and thorough accountability.

Mr. Chairman, I yield to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I appreciate the difficulty of the gentleman's job as chairman of the committee, but let me ask the gentleman this:

To put $4 billion into perspective that the National Reconnaissance Office, quote unquote, lost track of, I would mention to my friend I know he is from Texas and it is a little bit bigger State than Vermont; our entire annual budget for the State of Vermont for 1 year is $1.5 billion. In other words, they lost track of an amount of money equivalent to 3 years of the budget of the State of Vermont.

Last year, I was on the floor of the House, the gentleman from Massachusetts [Mr. FRANK] was on the floor of the House, other Members, and we opposed an increase in the intelligence budget. We were concerned about exactly what we are talking about today, and we were told, ''No problem. They need every dime.''

Somehow or other they lost $4 billion, and I would suggest that the problem that I have with my friend's argument is that I fear next year we are going to be in the same position again.

When some agency is so irresponsible, I think we have got to say enough is enough.

Mr. COMBEST. Mr. Chairman, I understand the gentleman's concern. Let me say first of all it was not lost. The money is there and accounted for. These were programs that were authorized and appropriated and programs for which commitments have been made, and I would just simply say to the gentleman, in comparing with the State of Vermont's budget, fortunately the State of Vermont does not have to fund national defense for all Americans.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to try to see if I can provide some clarification.

On most of the major weapons systems that we fund in the Defense Department, like an aircraft carrier or the F–22, which is still an R&D program, we authorize all of the budget authority at one time. Therefore we have each year tremendous amounts of unobligated funds for those programs. If we looked at the Department of Defense, we would see there are a lot of unobligated funds.

In this area there was adopted a procedure when George McMahon was chairman of the Committee on Appropriations. There was a concern that at the end of the fiscal year if Congress did not pass the budget, that some of these programs would be adversely affected.

These are the crown jewels of our national technical means. We have a series of satellite programs that are funded on an incremental basis. One of the things we do not want to do is have them do what some agencies do, and that is rush at the end of the fiscal year to spend all the money. We have somewhere between 7 and 12 programs that have had various levels of unspent funds which added up to this total.

We have no evidence whatsoever that any of this money was wrongly spent. The money would have ultimately been spent for each of these programs. The mistake of the NRO was not keeping Congress properly informed about the total of those carryforward funds. That is what we objected to, and we were very upset about it. The Director of Central Intelligence, Mr. Deutsch, was very upset about it. He has taken steps to appoint a chief financial officer to get these accounts in order.

The money is no longer there, I want to point out to my colleagues. Some of it was used in Bosnia, some of it was used for other defense purposes, the administration took part of it in terms of their budget request. So that balance has been reduced to a much smaller level, and again there is some management reason to have modest reserves in each of these line items.

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I would like to just also mention that in the authorization of last year our committee, and I am sorry in the conference report, which finally became the law, this committee and the Senate Intelligence Committee put a limit of 1-month carryforward money so that those could be substantial so that we can make for certain that it does not grow into the amounts. But it is written into law that there is a 1-month carryforward, no more than an 1-month carryover.

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

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

Mr. FRANK of Massachusetts. I must tell my friend from Texas I am less reassured by that than I might have been, given the fact that after we passed that conference report and it was signed into law, the unobligated, unaccounted for secret surplus went from $2 billion to $4 billion. So this restriction on them did not appear to lay a glove on them because they passed this tough restriction, and then we find out months after they pass the restriction that it was $4 billion instead of $2 billion. Maybe our colleagues should stop trying to restrict them, because they are not doing too well.

Mr. DICKS. Mr. Chairman, if the gentleman from Massachusetts will let me have my time back, I would appreciate that. I want to point out to the gentleman that when we named the chief financial officer, he had to go back in and go through all these accounts. I admit and agree with the gentleman that the amount here was totally out of proportion to what is needed to properly take care of these contingency purposes. What I am trying to point out is that the money has not been squandered, has not been used for unauthorized purposes; there is no waste, fraud, or abuse. What we had is lousy bookkeeping on the part of the NRO.

Let me just say one thing further. The NRO has been one of the premier organizations in this Government. They are great engineers. They build incredible satellites. They may be lousy accountants, and in this case they certainly were. We should always remember what they have done. They have created the best capabilities that anybody has in the world and we should remember that this agency has been very effective for the American people.

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

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

Mr. FRANK of Massachusetts. My point was, and I must say I am again unreassured that these crack intelligence people who are so terrific cannot keep track of the money.

I will say, in fairness to them, I do not think this was lousy accounting, I think this was cleverness on their part, knowing that they can build this up and those guys are going to spend it.

But the point I want to make is this: The chairman said, ''You came up with a way to prevent this from happening last year, and what happened? It got worse after you presented it.'' So I am saying it is——

Mr. DICKS. That is for this year's budget.

Mr. FRANK of Massachusetts. Oh, I see. So what is the excuse going to be next year?

Mr. DICKS. Well, we hope there will not be one, I would say to my colleague.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, my friend from Washington will recall that last year, same time, same place, we had the same debate. The gentleman from Massachusetts [Mr. FRANK] and myself and others said we think we are spending too much on the intelligence, and we had leaders from both political parties coming forward saying they

need every single nickel. And what we are hearing today is, in fact, that there was an unaccounted-for slush fund of $4 billion that, in fact, was not needed.

We were right on the debate last time, and in due respect to my friend from Washington, his position was wrong.

So the question now comes before us this year. I am not here to pass blame on any Member of the Congress.

Mr. DICKS. Mr. Chairman, I take back my time, and I say to my friend, first of all, I would not characterize this as a slush fund. I would characterize it as a management reserve for each of these important programs, and the money that Congress appropriated and authorized is needed at some point for these programs.

We have taken the money away. That means at some point in the future we have to restore it.

I would also say to the gentleman that we are going through a period where we are reducing the number of programs that we have, we are trying to change the architecture, we are trying to, in essence, invest in more capable systems for the future so that we will be able to save some money.

□ 1215

I would argue that all of the money would have been legally spent on the programs as required, eventually, and there is no indication of waste, fraud, or abuse.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have never had a clearer demonstration of the importance of an amendment. We are constrained by one of the dumber laws in the United States from telling the American people what the overall intelligence budget is. If we cannot tell people what the overall intelligence budget is, we cannot tell them the percentage, because even the accountants at the National Reconnaissance Office could figure out what that meant the total was.

But I can say this, Mr. Chairman. The $4 billion that has hidden away and spent for purposes other than was legally authorized, and let us be very clear, there is no doubt about that; what the gentleman from Texas said was it turned out they did not need to spend that.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman, I know, is not intending to say that. There was no evidence whatsoever that funds were spent for anything that was unauthorized.

Mr. FRANK of Massachusetts. That is not my point. I did not say it was unauthorized, I said they spent clearly more——

Mr. DICKS. Mr. Chairman, if the gentleman wants to read the RECORD back, that is exactly what he said.

Mr. FRANK of Massachusetts. Yes, and I will explain what I said to the gentleman. I am sorry the gentleman and his colleagues have done, frankly, such a lousy job in letting these people put $4 billion away, and it was $1 billion and then $2 billion, and now it is $4 billion. Every time, they come up with more money. You explained to us how you had it under control.

What happened, Mr. Chairman, was this: They were allowed to spend almost all of that on other purposes, not things that were not authorized, but they were allowed to spend more, because the accounts were added to. They were given that $4 billion, they were given a limit: You can spend so much on this and so much on that and so much there. And because they underspent here, they were allowed to reuse that.

You have provided them with every incentive to keep fooling you, and fooling you they have been doing. You have not penalized them at all. If any other agency of the Federal Government got caught with a surplus of this percentage, there would be calls for resignations and impeachments and denunciations.

Mr. Chairman, the $4 billion that was found, that was spent in addition to what was authorized in these purposes, that $4 billion is more than the amendment of the gentleman from Vermont would cut. You lost track of more money than we want to cut, so that is how, I think, unfounded it is for you to claim that this in any way jeopardizes it.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, the gentleman from Massachusetts is on the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Services with me. He will remember a few weeks ago, there was a photograph and great discussions about mismanagement of public housing. Does the gentleman recall that?

Mr. FRANK of Massachusetts. Yes, I do.

Mr. SANDERS. How terrible it was; how could we continue to have covered, how would we continue to fund the HUD agencies when they are going mismanagement like that? Does the gentleman not a see a little bit of a discrepancy in judgment, in opinion, in terms of the gross mismanagement of billions of dollars through the National Reconnaissance Office and what we heard about HUD and the running of public housing?

Mr. FRANK of Massachusetts. Mr. Chairman, I would make this distinction, and in the case of HUD, I am more critical, because we had for 8 years a Secretary of HUD, appointed by Ronald Reagan, who was dishonest and incompetent, in combination. I do not think that is the case here. I do not think people had the kind of abuses and criminality here. I know they did not. But what we had was they gamed the system very effectively. They were able to not have to spend it.

Mr. Chairman, the gentleman from Texas said it turned out they did not need to spend it. They were able to save $4 billion. And they got the ability, after authorizations, to reprogram that and reuse it so they were able to spend more in other areas, since they did not have to spend as much in the first area.

Given the commitment we hear about deficit reduction, it is striking that almost none of that undiscovered, unspent money went for deficit reduction.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I think the gentleman was a little more accurate in his latter phrases. I want to make sure that what we did, what the Defense Department did, was take some of the excess money and use it for Bosnia. Then they did not have to come to Congress, and we approved that.

Mr. FRANK of Massachusetts. How much for Bosnia, I would ask the gentleman?

Mr. DICKS. The sum of $200 million was used.

Mr. FRANK of Massachusetts. That is $200 million out of $4 billion.

Mr. Chairman, let me take back my time to say, here is the point: Yes, $200 million, maybe a couple hundred more, was used for Bosnia. Billions of dollars were unspent. I am making two points. First of all, I am wholly skeptical of the toughness of your oversight, since no one was penalized at all. As a matter of fact, they are rewarded by this. They are rewarded when they overspend, by being allowed then to spend more than was authorized.

My point is this: If you authorize correctly in the first place, then you must admit you overspent, because if in fact they were able to make savings to the tune of $4 billion in one set of programs, then we should have been able to get at least some of the benefit of that $4 billion, instead of your rewarding them by putting it elsewhere.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

(On request of Mr. DICKS and by unanimous consent, Mr. FRANK of Massachusetts was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would say to my friend, the gentleman from Massachusetts, first of all, this was not without penalty. The Director and the Deputy Director of the NRO were replaced by the administration and a new head was brought in.

Mr. FRANK of Massachusetts. When?

Mr. DICKS. Several months ago, in February or March of this year, so there was direct action taken. I take some umbrage at this, because it was the staff on our committee, and the minority staff in particular, that were at the forefront of discovering this problem and bringing it to the administration's attention.

Mr. FRANK of Massachusetts. Mr. Chairman, I would ask the gentleman, where did it get to $4 billion.

Mr. DICKS. Last year.

Mr. FRANK of Massachusetts. You were telling us $2 billion.

Mr. DICKS. At the time they discovered it.

Mr. FRANK of Massachusetts. They hid $2 billion from you.

Mr. DICKS. They did not know what the total was.

Mr. FRANK of Massachusetts. Who did not know?

Mr. DICKS. The NRO did not.

Mr. FRANK of Massachusetts. They just lost $2 billion? With their satellites they could not find $2 billion?

Mr. DICKS. Mr. Chairman, I just would say we tried our very best to ensure that. We supported Mr. DEUTSCH's steps to reform the NRO such as appointing a chief financial officer. We found the money in the first instance, and we now have a more accurate figure.

Mr. FRANK of Massachusetts. I will take back my time to say this, Mr. Chairman; the record is clear. As the gentleman from Vermont said, you always have an explanation of how everything is fine. I understand this is difficult. They are very sophisticated things they are doing. I do not believe it was an honest error. I believe they figured out a game.

The central point I want to make is this, and I am not for hanging anyone, but the fact that an agency was able to accumulate a surplus greater than 10 percent of the total authorization here is an indication that you are giving them more money than they need for the purposes you say you are giving it to them for.

In fact, what you were doing, that $4 billion, that is the entire Community Development Block Grant Program for the United States. It was twice the Low-Income Home Energy Assistance Program for the United States. You are talking about the deficit, and people should understand, because we are going to get to a zero deficit.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has again expired.

(By unanimous consent, Mr. FRANK of Massachusetts was allowed to proceed for 30 additional seconds.)

Mr. FRANK of Massachusetts. Mr. Chairman, I say to the gentleman, continue this trend of ever-increasing appropriations and authorizations for this agency, even when they have shown it is excessive by building up these surpluses, and you mandate deeper cuts in the environment and law enforcement and college education and public safety and everything else, because we are in a zero-sum situation. The $4 billion they accumulated without the knowledge of this committee is taken out of other important programs. We would be gravely mistaken if we did not try to recapture that for other purposes.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a stealth cut. Technically, the American people do not know what the budget is in the first place. I think it is very important today that we pass the Conyers amendment and once and for all bring some fiscal responsibility to the Central Intelligence Agency.

I have voted for cuts in this bill nearly every year I have been in Congress. It is amazing for me to announce here now that I am not going to vote to cut this budget by 10 percent. I am not going to do that because I believe that John Deutch, his word is good. He is doing a good job. We have an opportunity here to put this department, the Central Intelligence Agency, and other intelligence units in order.

But we wonder why the American people are so upset with our Government. I would like to make this statement, because I do trust the chairman and the ranking member, two of our finer members, but I think it is very unusual when the American people learn about an invasion of Kuwait on CNN news. There must be an aggressive congressional oversight to ensure that these intelligence agencies are not just operating in a stealth vacuum, doing absolutely nothing. This will be the one chance this Member will give.

Mr. Chairman, I would like to say one other thing. Unless we pass the Conyers amendment, we would not know what the Sanders amendment would cut if we were not a Member of the Congress of the United States. I think the American people are paying for the freight coming down the track and should know what our intelligence community is doing.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, first of all, I want the gentleman to know that I have supported Chairman GLICKMAN, I am supporting and cosponsoring the amendment of the gentleman from Michigan, Mr. CONYERS, and the President supports, as does the Aspin-Brown Commission, making the aggregate dollar number known to the American public.

I would only say one thing to the gentleman about his statement about Kuwait. George Bush, as President, the first thing he stated after the invasion was that it was not an intelligence failure. We knew several days ahead of time, but again, it is always hard for the American Government, the national command authority, when it is getting differing opinions from government heads in the area that, well, Saddham will not do this, to take action. It was not a failure of intelligence. We did have 2 or 3 days of warning. It is acting on that warning that is always difficult under our form of government.

So I do not want to disparage the intelligence agencies here. They gave them the information. The leadership could not make a decision that quickly.

Mr. TRAFICANT. Reclaiming my time, Mr. Chairman, I will not support this cutting amendment. I will give John Deutch a hand. But I will say this next year, if we continue to find ourselves in this big sinkhole without passing a Conyers amendment, I would recommend we hire Ted Turner and Rush Limbaugh and let the CIA stay home, and other defense intelligence agencies, because they are not getting too much done, folks.

Mr. Chairman, I rise in opposition to this amendment, but I want to commend the gentleman from Vermont, Mr. SANDERS. I think he may help pass the Conyers amendment, and that may be the best thing we do here in this Congress today.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the Select Committee on Intelligence who has served on the committee now for a couple of years, I cannot help but rise at this point to first express my deep appreciation for the work of both the chairman, the gentleman from Texas, LARRY COMBEST, and my colleague, the gentleman from Washington, Mr. DICKS, for the very, very fine job they are doing on an extremely difficult subject area, developing and bringing the intelligence budget to this House floor.

Mr. Chairman, it is a very, very popular thing to rise and oppose the intelligence community and presume that lightly we can, using essentially a machete approach, cut 10 percent across the board in this program. Since the end of the cold war, we have progressively been reducing a very significant portion of our budget; that is, the defense budget. Defense has come down by approximately $100 billion. It is the presumption of many that since the cold war is over and since we are reducing our defense budget, that lightly we can just wipe out our intelligence needs. To suggest that that is the case would suggest to me that not very much light has been applied to the intelligence that is involved here.

The reality is that we are living in a very, very complex and very dangerous world. At the very time that we have been reducing defense spending, it is the very moment that the President and the appropriate committees need more and better intelligence around here.

The heart of the discussion relative to this proposed 10-percent cut has been that of the expenditures of the

NRO. The NRO is that agency which develops and deploys our satellite systems, a source of information, intelligence information, that is most critical and one of the more important sources.

□ 1230

To suggest that we can blithely reduce the entire intelligence budget because of problems that have developed in the NRO is to not understand the need for intelligence at all. I would suggest, Mr. Chairman, that the very people who are making this proposal are the same people who for all of their careers here have opposed our national defense, have not supported expanding the national defense when we truly needed to expand those budgets. To not understand the significance of these information flows to the President at this critical time is to ignore the reality of this changing world.

This budget is within 3.9 percent of the President's request. It is not an excessive budget. Indeed, there is a need for oversight and review. I suggest to my colleagues that absolutely we support not just the chairman and the ranking member in this budget, but support the President as well.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in response to the last gentleman, they are within 3.9 percent of the President's budget, but of course it erred on the side of increasing the rather generous allotment that the President has already made for these agencies, as though a fiscal crisis did not exist here in Washington.

This is an extraordinary debate, and I think the burden goes to those who are defending against a 10-percent cut in a secret number that we cannot know. Now, a case can of course be made that it is a dangerous world and we need these various organizations, and they need and can spend productively every penny which has been allocated, even a 4-percent increase over and above the generous allotment requested by the President.

But the burden does rest with the members of the Permanent Select Committee on Intelligence because they are overseers, they are the monitors, they are the protectors of the Constitution that says only Congress should appropriate funds and that it should know how much it is appropriating.

I do not know. I have not gone to look at the secret number, because if I go and look at the secret number, then I cannot tell people what the secret number is, which I can read in the New York Times. But this is somehow protecting us against the threats of our enemies. What it is protecting us against is fiscal responsibility at these agencies.

Now, wait a minute, the National Reconnaissance Agency, well, they did have a little problem. They built a building for some $300 or $400 million out at a shopping center, and Congress did not know about it. Perhaps the agency itself did not know about it or most parts of the agency did not know about it, because it keeps secrets from itself.

This is the agency that monitors everything that goes on on Earth at all times. At this moment they are recording my conversation, if not by supersecret satellite, from CNN, where they get a good deal of their information.

Now they are saying that they have found an extra $4 billion in their budget. Not to worry, $4 billion. We kill on the floor of the House of Congress, for a couple hundred thousand crummy dollars over here, and talk about welfare cheats and food stamp fraud and all that, and amounts of 10 or 20 or 30 thousands of dollars.

But here is an agency that had $4 billion, more than the total appropriation of the FBI and the State Department for their general operations, and they just did not know it, and that does not need that. Never too much money. No; an extra $4 billion. I mean given the magnitude of their annual budget, secret number, we cannot know how much that is, they needed this $4 billion. They just did not know they had it and they did not know how to spend it.

Now, there is something very, very wrong with this picture. They know everything that is going on. They are monitoring my speech on the floor, but they do not know how much money they have because they are so awash in funds, they cannot even be bothered to go out and buy a $39 software program to keep track of it.

Now, that is absurd, absolutely absured, and to say that that agency cannot withstand a cut of 10 percent is indefensible. The burden lies on those who would defend it. They get $4 billion they have not been able to spend, they did not know they had, and now they cannot withstand a 10-percent cut of their annual budget, secret number, no one can know it.

The Soviet Union might learn something from knowing how much we are spending on that agency. They will learn that we are spending more on these agencies than they are spending on their entire military budget, is what they will find. They will shake their head and wonder.

Of course the Soviet Union does not exist anymore, and that has almost percolated down to some of these agencies. They have found that fact out and we will be getting a report on that soon.

So I would rise in support of this amendment and say that the burden lies with those who would say an agency, just one of many, we do not know how much the others have lost or have an account that they have not spent. That is secret, too.

But just one of our supersecret agencies had $4 billion it did not know it had, that it has not spent, and we are being told now it was a management reserve. If that was a management reserve there, how much is reserved at the other agencies? Do they really need this year's budget? Because maybe they should spend down the reserve a little bit, because they might be at an imprudent level.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. The CIA is out of control. It is not just the $4 billion that they had lying around that they did not know that they had. There are many other ways that the CIA is out of control, and the CIA would greatly benefit from some downsizing and some streamlining. The CIA would greatly benefit from a cut in the funds that they have while they reorganize and regroup.

This is the CIA that did not predict the collapse of the Soviet Union. This is the CIA that could not predict the most momentous event of our century. This is the CIA that could not see a dinosaur event, like the collapse of the Soviet Union. There is something radically wrong with the CIA. It has been wrong for a long time.

It is amazing that people would come to this floor and defend an agency which has lost track of $4 billion, lost track of $4 billion, and to talk about them as if they are heroes now because they are going to let some of that $4 billion be spent taking care of the war in Bosnia, somewhere else. They are not heroes. And do not talk about the fact that this is just mismanagement. It is more than mismanagement. We do not know.

Anybody here who has ever been the head of any kind of organization, if they have ever been an administrator of a public agency or they are the owner, the administrator of a private sector business, they know that when money cannot be accounted for, if it is lying loosely around and the head of the department did not know it, the head of the CIA did not know it, the President did not know it, somebody did steal money. We can assume there is a lot of stealing going on, because if we do not have any accountability, human beings always will steal.

This is the CIA that for a number of reasons should be downsizing, reorganizing, and streamlining. Nobody has mentioned Aldrich Ames here. We have discussed the $4 billion, although the $4 billion is something that the administration has admitted. They fired two people. It was on the front page of the New York Times. Some people did not know it. They fired two people, so mismanagement was occurring.

For the first time they fired the people, openly stated their names, so we know it took place, and it upset the administration a great deal because, they publicly fired the people. That is a well-documented example of great waste, monumental waste and probably corruption also.

But what we do not know, what is not talked about more is Aldrich Ames,

the implication of the fact that Aldrich Ames was the head of intelligence for the Soviet Union and Eastern Europe, and he was the biggest spy of the century for the Soviet Union and Eastern Europe. Aldrich Ames was there for numerous years, and they never detected him and finally announced it was the FBI which really trapped Aldrich Ames.

Out of control, something is radically wrong there. It is a welfare agency, in that they have a lot of incompetent people there who are not doing their job, or not doing a job which is going to benefit the welfare and protect the security of the United States. Something is radically wrong. Incompetence must be monumental in that agency.

This is the agency that paid the salary of Emanuel Comstonce, who was the man who led the demonstration on the docks in Haiti when we were sending ships down there. We sent ships down there with a peacekeeping mission which had police, engineers, et cetera. They led a demonstration where they were shooting guns, intimidating the Charge d'Affaires of the U.S. Embassy. It was led by a man named Emanuel Comstonce, who was on the payroll of the CIA.

Emanuel Comstonce is right now in prison here in this country. They want to keep him here. They want to keep him isolated and quiet because he has confessed and he is telling: ''I was on the payroll of the CIA.''

This is an agency that is obviously out of control. It needs to be reexamined, downsized, streamlined. In modern society, any institution that operates in secrecy is in danger. Our complex society is such that any complex institutions needs to be open, so that other folks from outside the decision-making circles can be able to look at what is going on and offer some objective criticisms.

The Soviet Union collapsed because its whole society was a closed circle of decisionmaking, and they made monumental errors which we are still discovering and still suffering from. Chernobyl, they did not have a nuclear commission that was open and people could talk to. They did not have a environmental movement. They would suppress anybody who tried to have a movement critical of anything, so they ruined their environment.

The CIA is a closed circle of decision-making. The secrecy in the CIA guarantees that is always going to be a big problem. We need to open up as much as possible, not tell everything, but we can have a discussion of the budget. We should know the full amount of the budget. The New York Times estimates it is between $28 and $30 billion. We are talking about a 10-percent cut on $28 to $30 billion. We are talking about a 10-percent cut which will at the most amount to $3 billion.

The CHAIRMAN. The time of the gentleman from New York [Mr. OWENS] has expired.

(By unanimous consent, Mr. OWENS was allowed to proceed for 1 additional minute.)

Mr. OWENS. Mr. Chairman, it has already been pointed out a 10-percent cut, which would amount to $3 billion, is less than the amount of money they lost track of. They lost track of $4 billion. They put a spin on it, they said it was $1 billion, then it became $2 billion. Now they are admitting $4 billion, and we do not know how honest they are because it keeps mounting. If they have lost track of that kind of money, they certainly can afford a 10-percent cut.

We have been offering this amendment now for the last 4 years. If they accepted it in the first place, we might be much further along the way in terms of streamlining the CIA.

I think we need the CIA. We certainly do not need the monster, the dinosaur that we have had so many years, that could not detect the changes of the Soviet Union, that gave us Aldrich Ames, that gave us Emanuel Comstonce, and then had $4 billion lying around while we are cutting the budget of Head Start, and cutting the budget of the school lunch program, and we are cutting the budget of title I, and we are cutting the budget of public housing.

We are cutting all these budgets while they have $4 billion lying around unused. We need to get control of the CIA, Mr. Chairman. We need to get control of the CIA.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote, and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of title III, add the following:

SEC. 306. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 307. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of the appropriate element of the Intelligence Community shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 308. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, we have the stealth budget. This could be a stealth Buy American type of program.

Mr. Chairman, before I yield to the distinguished ranking member, I would just like to say this. I think it is important today that the Conyers amendment be passed. I think it is absolutely necessary, as indicated by previous debate.

I am here pledging to work with the chairman and the ranking member in supporting this budget and to give John Deutsch a real chance. John Deutsch's word has always been good. I have dealt with many bureaucrats down here. I think he is top flight. He deserves a chance to bring this in order.

My amendment, I think everybody understands it. I want to make sure that if we are going to be making these stealth purchases, that these stealth purchases take place in the United States of America.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, I want to say to my friend from Ohio, he has offered a similar amendment in years past, with the goal of ensuring that the intelligence community maximizes its purchase of American-made products. As the gentleman knows, we are the leader in stealth technology. This is a goal I support.

We have worked with the gentleman from Ohio on other occasions to preserve the spirit of his amendment in conference, even though the committee is aware that the record of the intelligence community on the procurement

of U.S. products is exemplary. We will do so again this year, and we are pleased, at least I am pleased for the minority, to accept the amendment. I yield to the chairman.

□ 1345

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, as we traditionally have been on this bill, we are very happy to accept the gentleman's amendment, and appreciate his continued work on this for all of these 12 years.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, the only thing I can say is if the Conyers amendment passes, we will know the aggregate amount, we will not know the line items, the public will not, but I am going to go up and check to see if these intelligence agency sleuths are buying American.

Mr. Chairman, with that, I urge an ''aye'' vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. BROWNBACK

Mr. BROWNBACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWNBACK: At the end of title III insert the following new section:

SEC. 306. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end of title I the following new section:

''RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS

''SEC. 110. (a) PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any official or employee thereof, unless the President certifies to the Committee on Foreign Relations and the Committee on Intelligence of the Senate and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives that the Director of Central Intelligence (in this section referred to as the 'DCT'), in consultation with the Secretary of State and the Secretary of Defense, has required, and such organization has established and implemented, procedures for protecting intelligence sources and methods (including protection from release to nations and foreign nationals that are otherwise not eligible to receive such information) no less stringent than procedures maintained by nations with which the United States regularly shares similar types of intelligence information. Such certification shall include a description of the procedures in effect at such organization.

''(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any official or employee thereof, is in the national security interest of the United States and that all possible measures protecting such information has been taken, except that such waiver must be made for each instance such information is provided, or for each such document provided.

''(b) PERIODIC AND SPECIAL REPORTS.—(1) The President shall periodically report but not less frequently than quarterly, to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. Such periodic reports shall be submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives with an annex containing a counterintelligence and security assessment of all risks, including an evaluation of any potential adverse impact on national collection systems, of providing intelligence to the United Nations, together with the information on how such risks have been addressed.

''(2) The President shall submit a special report to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House or Representatives within 15 days after the United States Government becomes aware of any unauthorized disclosure of intelligence provided to the United Nations by the United States.

''(c) LIMITATION.—The restrictions of subsection (a) and the requirement for periodic reports under paragraph (1) of subsection (a) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

''(d) DELEGATION OF DUTIES.—The President may not delegate or assign the duties of the President under subsection (a).

''(e) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

''(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(5)); or

''(2) supersede or otherwise affect the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).''.

(b) CLINICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 109 the following:

''Sec. 110. Restrictions on intelligence sharing with the United Nations.''.

Mr. BROWNBACK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BROWNBACK. Mr. Chairman, I rise today in an attempt to restore sanity to our policy of sharing intelligence information with the United Nations.

My amendment would amend the 1974 National Security Act to prohibit the sharing of U.S. intelligence information with the United Nations or any of its affiliated organizations unless the President certifies to Congress that the organization has implemented CIA, Defense, and State Department procedures to protect U.S. intelligence sources and methods.

This provision is not intended to end U.S. intelligence sharing with the United Nations, nor does it mean to set unreasonable or impossible standards for the protection of critical U.S. sources and methods of intelligence gathering.

The only purpose of this provision is to restore basic rationality to the administration's imprudent sharing of sensitive intelligence information with the United Nations.

My provision establishes logical and reasonable standards for sharing intelligence information with the United Nations. All it says is that the United States should require the same level of protection of U.S. intelligence information from the United Nations that we require in our intelligence sharing arrangements with other states.

If for some reason the United Nations is unwilling or incapable of providing that level of protections, my provision will still permit the sharing of U.S. intelligence with the United Nations on a case-by-case basis. In each of these cases, all that is required is a certification that the information shared advances U.S. national security interests.

Protecting our sources and methods of intelligence gathering is not an academic subject. It is a matter of national security. It is a matter of protecting lives. It is a matter of protecting billions of dollars of investments that the American people have made in our country's vital national security interests.

Mr. Chairman, the United Nations has acted like a sieve when it comes to safeguarding intelligence information to the same degree as the United States.

Senator OLYMPIA SNOWE of Maine has identified four instances in which the United Nations has breached the security of classified documents provided by the United States. The most egregious violation occurred in Somalia where sensitive data was almost compromised due to the United Nation's carelessness.

In addition, Senator SNOWE has discovered that no agreement has been in place that requires the United Nations to provide for the protection of intelligence supplied by the United States.

As a result of her findings, Senator SNOWE drafted a provision included in the conference report of the State Department Authorization Act that mirrors the amendment I am offering today. The House has passed this provision twice. I simply ask now that my colleagues now act on it again.

Mr. Chairman, the administration has failed to implement the safeguards needed to protect U.S. intelligence information from unauthorized disclosure.

In fact, rather than further safeguarding our intelligence information, CIA Director Deutch has tried to institutionalize the widespread sharing of sensitive U.S. intelligence material by making it easier for foreign consumers to register complaints about the use of security markings, which protect the national security of the United States.

Mr. Chairman, if my colleagues have any misgivings about this amendment, I simply want to point out to them that U.N. General Secretary Boutros-Ghali has appointed an Iraqi national, Ismat Kittani, to be the head of the United Nations' Department of Peacekeeping Operations. It is truly disturbing that a national from a country with which the United States has no diplomatic relations, which is on the U.S. State Department list of terrorist states, and with which the United States recently went to war could be appointed to such a sensitive position in the United Nations.

This is wrong, and this is indicative of the recklessness with which the United Nations treats sensitive matters and sensitive information. The United States should not share our intelligence information with the United Nations unless it adopts the standards to which we hold our own agencies accountable.

Mr. DICKS. Mr. Chairman, I rise I opposition to the amendment.

Mr. Chairman, the Brownback amendment places new, unworkable restrictions on the United States sharing information with the United Nations—even when it is in the national interest to do so. It would make it extremely difficult to provide intelligence support to those U.N. activities which are supportive of U.S. foreign policy goals.

The administration is opposed to the Brownback amendment. This amendment is identical to language contained in the conference report on H.R. 1561, the Overseas Interests Act, which was vetoed by the President. As the President noted in his veto message, this amendment would unconstitutionally infringe on the President's power to conduct diplomatic relations and limit Presidential control over the use of state secrets.

The DCI has already established guidelines to protect intelligence sources and methods, when it is determined to be in the interest of the United States to provide information derived from U.S. intelligence to the United Nations. Furthermore, the United Nations is working with a senior delegation of State, Defense, and CIA officials to implement a number of improvements to its internal security procedures.

The DCI's guidelines ensure that information is carefully reviewed and sanitized so that the least sensitive intelligence that satisfies a U.N. requirement is provided. Even if information that is provided to the United Nations fell into the wrong hands, it will have been sanitized so that it will not compromise U.S. intelligence sources and methods.

The Brownback amendment would impede the ability of the United States to maintain a flexible and efficient information sharing arrangement with the United Nations, and may adversely impact the ability of the United States to achieve foreign policy successes.

The waiver provided in the amendment is too burdensome to be effective. It requires the President to issue a waiver for each instance that information derived from intelligence is provided to the United Nations, or for each document that is provided. Furthermore, the President may not delegate this authority.

The amendment also requires the President to personally report, at least quarterly, to Congress on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided, and report to Congress within 15 days of any unauthorized disclosure. The President ought to be able to delegate this authority to the DCI.

The Permanent Select Committee on Intelligence, the committee of this Chamber with the greatest concern over the protection of sources and methods, considered legislation similar to the Brownback amendment at the beginning of the 104th Congress and rejected it on a bipartisan basis.

The committee found several instances where the current intelligence sharing arrangement with the United Nations has yielded specific foreign policy successes. Information was shared with Security Council members on Iraqi troop build-ups, in support of a multilateral effort to prevent a repeat of Iraq's 1991 invasion of Kuwait. Intelligence has also assisted United Nations Special Commission in Iraq [UNSCOM] inspectors in their attempts to enforce U.N. sanctions calling for the dismantling of Iraq's weapons of mass destruction programs. U.S. imagery has helped U.N. relief agencies determine the magnitude and direction or refugee flows within and from Rwanda. Timely intelligence sharing has also helped save the lives of the United States Protection Force [UNPROFOR] peacekeeping troops in Bosnia.

While I do not believe it is necessary to legislate in this area to restrict the President's ability to share intelligence information to promote U.S. foreign policy, a compromise amendment worked out by the Senate Intelligence and Foreign Relations Committees adopted by the Senate last year would be clearly preferable.

I urge a no vote on the Brownback amendment.

Mr. COMBEST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to say initially that I am in total agreement with the gentleman's intent, that I share his concerns and voted for provisions in H.R. 7 of last year that would have substantially improved the process by which intelligence could be shared with the United Nations.

Unfortunately, those restrictions did not become law, and I still support the idea of requiring that to the appropriate committees of Congress, that any information which is shared with the United Nations commanders must be provided to the Congress for oversight.

I am concerned, and our committee spent a good deal of time over the last year following some recognition of some problems in pursuing those to make certain that there was no loss of sources or methods in some of them mishandling of classified information, and we have a very strong concern.

Let me mention two areas of concern that I have in regards to the gentleman's amendment that I certainly do not presume in any shape, form or fashion would be intentional. But let me mention two areas of real concern that I have, in which I am concerned that the amendment as offered by the gentleman from Kansas [Mr. BROWNBACK] in its current form would have.

One is in the area of providing and sharing intelligence in which U.S. troops are involved. That would be that we would be prohibited in certain instances by a basic prenotification, that we could not share intelligence with NATO forces in any area in which U.S. troops were involved, and consequently could potentially put them into greater harm. In addition to that, in certain instances that would require prenotification that might not be possible in a timely fashion.

I will give you an example in which Captain O'Grady was shot down. That information through the processes of determining the fact that there were surface to air missiles that were in a location that had not previously been determined, literally came down to a matter of minutes, in which we may have been able to be aware of that, but not been able to share that with U.N. forces in the area that they would have been able to get that information to Captain O'Grady.

Those concerns in a real timely fashion I believe were legitimate, and I have an amendment to the Brownback amendment that I would submit, Mr. Chairman, that would in fact allow a broader authority for sharing of intelligence when it goes to support U.N. forces in which the United States is a participant, and, secondly, to allow a waiver for emergency situations involving imminent risk to U.S. lives, in which case the President would have to report to Congress as to the specific details of that waiver.

AMENDMENT OFFERED BY MR. COMBEST AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. BROWNBACK

Mr. COMBEST. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST as a substitute for the amendment offered by Mr. BROWNBACK: At the end of title III, the following new section:

SEC. 306. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end of title I, the following new section:

''RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS

''SEC. 110. (a) Provision of Intelligence Information to the United Nations.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence, in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

''(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

''(b) PERIODIC AND SPECIAL REPORTS.—(1) The President shall report semiannually to the appropriate committees of Congress on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the appropriate committees of Congress within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

''(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

''(c) DELEGATION OF DUTIES.—The President may not delegate or assign the duties of the President under this section.

''(d) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

''(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5); or

''(2) supersede or otherwise affect the provisions of title V.

''(e) DEFINITION.—As used in this section, the term 'appropriate committees of Congress' means the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Relations and the Permanent Select Committee on Foreign Relations and the Permanent Select Committee on Intelligence of the House of Representatives.''

''(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 109 the following:

''Sec. 110. Restrictions on intelligence sharing with the United Nations.''.

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, I will only reiterate the substitute that I will be offering to the Brownback amendment would provide those two caveats, one for the allowance of intelligence sharing, broader authority for allowance of intelligence sharing when it goes to supporting U.N. forces in which the United States is a participant, and the second to allow a waiver for emergency situations that involve imminent risk to U.S. lives, in which case the President would have to report to Congress the details of that waiver.

Mr. DICKS. Mr. Chairman, I rise in very strong support of the Combest substitute and urge its adoption.

□ 1300

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is not specifically addressed to the amendment that is being offered by the gentleman from Texas [Mr. COMBEST]. I want to speak in favor of the legislation because I am very concerned about how the United Nations has mismanaged not only classified information but other financial matters that they have gotten, and I am speaking specifically to Cambodia, where they lost some $20 million plus worth of equipment that has just disappeared.

We are not just talking about hardware here, we are talking about classified information and the inability of the United Nations to handle that information in a prudent fashion.

Before I came to the Congress, I worked for the Boeing company, and I worked in classified areas where top-secret documents were stored and handled and even developed. We were under very strict guidelines. And if I look at what has happened in Somalia, as pointed out by Senator SNOWE, if similar occurrences had occurred in the work environment that I was working under, it would have resulted in a certain loss of job and a potential prosecution under U.S. law.

Because we are giving classified information to the United Nations, they do not fall under the same guidelines, the same legal restrictions that we have here in the United States. This information can be passed on or lost or stolen and can fall into the wrong hands.

I share the concerns of the gentleman from Texas [Mr. COMBEST] for situations where we have U.S. troops in critical situations and that there may be a sudden need to share locations of anti-aircraft missile sites, but when we look at the general trend that goes on in the United Nations when they handle information of this classified nature, they do not have the proper guidelines. They do not follow the common sense criteria that we have laid out in the United States.

Mr. Chairman, I have risen in strong support of the amendment of the gentleman from Kansas, Representative BROWNBACK, because I believe there needs to be some confidence on the part of the United States that when it does share information that was gained at a very high cost in terms of expensive satellite systems or in developmental hardware or in a high cost to taxpayers, that it not fall into the hands of people who could use it against the very people that paid for the information; that it could go against the best interests of this country, whether it is military purposes or social purposes or political purposes or whatever.

I think it is important that this type of information be guarded; that there be a high degree of responsibility in making sure that it is only narrow in its scope; that it is directed specifically for an instance, and that broad-based intelligence, classified intelligence information is not shared for unnecessary purposes.

Mr. Chairman, I do not see those guidelines around. So I think the Brownback amendment is certainly a step in the right direction and I would stand in support of the Brownback amendment.

Mr. CHABOT. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. CHABOT. Mr. Chairman, I rise in strong support of the amendment offered by my good friend, fellow freshmen, and thoughtful colleague on the International Relations Committee the gentleman from Kansas [Mr. BROWNBACK].

This amendment would prohibit the sharing of U.S. intelligence information with the United Nations or any of its affiliates unless the President certifies to Congress that the U.N. organization has implemented the proper CIA, Defense Department, and State Department procedures to ensure that U.S. intelligence sources and methods are protected.

It is a good amendment. It was passed by both Houses earlier this year as part of the Foreign Relations Authorization Act—a bill that was unfortunately, and I believe wisely, vetoed by President Clinton. We can rectify some of the damage done by that veto if we adopt the Brownback amendment today.

Mr. Chairman, I can see no logical reason why anyone would want to oppose this amendment. The United Nations is not known for its sympathy to American interests. And when sharing our intelligence data, we must be extremely careful. The Brownback amendment protects that data, protects our intelligence sources, and protects our intelligence methods. I urge my colleagues to support it.

Mr. BROWNBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to engage, if I could, in a bit of a dialog with the

chairman of the Permanent Select Committee on Intelligence, the gentleman from Texas [Mr. COMBEST], on his amendment to my amendment.

As I understand from his discussion of this amendment, he would maintain the majority of the bill that we have put forward, as far as the concerns that we have of the loose treatment of intelligence information by the United Nations of U.S. intelligence information.

That is maintained; is that correct?

Mr. COMBEST. Mr. Chairman, will the gentleman yield?

Mr. BROWNBACK. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, the gentleman is correct.

Mr. BROWNBACK. Mr. Chairman, reclaiming my time, the gentleman is attempting here to get at particularly the issue of when we are engaged in a particular theater that that information can be shared on that theater of operations, not just on a specific instance by instance?

Mr. COMBEST. My concern would be, for example, we can take the UNPROFOR forces, where the United States is a part of that operation; requiring a prior approval on each case-by-case basis might not be able to be done in a timely fashion.

If it is required that there be a waiver or that that be reported to Congress as a theater, the American forces involved with UNPROFOR in Bosnia, that would certainly be something I would support.

It is the individual case, in which in a timely manner prior approval could not be given, just simply because there was not enough time that existed prior to the need to share that information for protection of American lives, either be it a single situation, such as Captain O'Grady, or U.S. forces that might be involved in a situation where we became aware of something that was fixing to happen or was going to happen in a very short order but there was not time for the President to actually get engaged and to grant the waiver prior to the time that action had to be taken.

Those are the concerns I have. And in those instances, I would try to protect in my substitute that the appropriate committees of Congress would have to be notified that, in fact, that waiver was granted and could then make their own determination about whether or not it, in fact, qualified.

Mr. BROWNBACK. Mr. Chairman, our amendment had put forward particular safeguarding procedures to try to encourage there to be an agreement between the United States and the United Nations on any sort of sharing of information and that we tighten up that procedure.

Those are maintained, as I understand it, in the amendment that the gentleman has put forward.

Mr. COMBEST. Mr. Chairman, I support the idea of requiring an agreement to be made. That may not be true of every member of the committee, but I certainly do support that.

Mr. BROWNBACK. Mr. Chairman, with that, I have no objections to the amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words. We accept the amendment. I commend the gentleman. I think he has made the right decision here. He is moving the ball forward, and we are just as concerned as he is about making sure that U.S. intelligence is secured properly. I think by accepting the Combest amendment we can make progress because of his initiative. I urge support for the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST] as a substitute for the amendment offered by the gentleman from Kansas [Mr. BROWNBACK].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. BROWNBACK], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS:

SEC. 306. ANNUAL STATEMENT OF THE TOTAL AMOUNT OF INTELLIGENCE EXPENDITURES FOR THE CURRENT AND SUCCEEDING FISCAL YEARS.

At the time of submission of the budget of the United States Government submitted for fiscal year 1998 under section 1105(a) of title 31, United States Code, and for each fiscal year thereafter, the President shall submit to Congress a separate, unclassified statement of the appropriations and proposed appropriations for the current fiscal year, and the amount of appropriations requested for the fiscal year for which the budget is submitted, for national and tactical intelligence activities, including activities carried out under the budget of the Department Of Defense to collect, analyze, produce, disseminate, or support the collection of intelligence.

Mr. CONYERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

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

Mr. CONYERS. Mr. Chairman, I offer today a modest proposal that would do no more than provide the American people and the Congress with information they are entitled to. The amendment would essentially declassify the aggregate figure of the intelligence budget. It would make public the requested amount in the current fiscal year's appropriated amount beginning October 1996. It would not disclose any specific operation or department budgets, only the bottomline budget number.

The amendment would conform to the recommendations of the Commission on Role and Capabilities of the Intelligence Community, chaired by the former Secretary of Defense, Harold Brown. This bipartisan commission proposed that the President or his designee disclose the total amount of money appropriated for intelligence activities during the current fiscal year and the total amount being requested for the next fiscal year.

Similarly, the prestigious Council on Foreign Relations report on intelligence reform likewise urged the opening of the intelligence budget.

This amendment would also mirror the provisions contained in the intelligence authorization bill produced by the other body, which has passed in the Senate Intelligence Committee.

Now, why? The reason is, first of all, constitutional, which in our Constitution, it is clearly stated that a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

It is simple, straightforward, and clear. The Framers of the Constitution, themselves fresh from secret military operations against the British, were no strangers to the need for secrecy. Yet, they decided they needed to be accountable to the taxpayers. As early as 1790 and 1793, when the Congress created a secret fund for persons to serve the United States in foreign parts, the law provided for public disclosure of the aggregate amount. I think if Americans could have openness after the Revolutionary War, then we can certainly have the same openness after the cold war.

Now, in my earlier service on the Government Operations Committee of this body, I had a number of decades of experience dealing with classified information and the procedures for handling that information. When the Government unnecessarily withholds information from the public, believe me, it undermines the legitimate secrecy of information that really should be protected. When we have an open secret, as we do presently, and let us make it public, like the intelligence budget, it creates a government by leaks, where information is controlled more by access than by policy.

Withholding this kind of information from the public, in addition, undermines confidence in government. I think Americans support an intelligence system that provides accurate, timely information to our policymakers. When the Director of the Central Intelligence Agency was asked in April what was the purpose of disclosure of the budget, he said that ''the importance here is to gain public support for intelligence.''

I do not think it is asking too much for Congress to tell our citizens and constituents, in general terms, how many resources we are allocating for intelligence purposes.

Mr. Chairman, I conclude by observing that it is time to stop withholding

this information. My amendment to make public the bottomline amount of the intelligence budget is a sensible step toward fiscal responsibility.

I have a great deal of support both in and out of the Congress for this amendment and I urge that it be speedily approved.

□ 1315

Mr. COMBEST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the 5 minutes. I would just like to mention a few points that I have mentioned before and my objections to the concept of the gentleman's amendment. The ranking member of the committee is in support. In fact, I think a cosponsor, chairman of the committee in the previous Congress, our friend the Secretary of Agriculture, Mr. Glickman, supported the idea.

I believe this is starting down a slippery slope. I think this is an inside-the-Beltway issue. I do not believe the American people are clamoring to know the intelligence budget. I believe that they understand the need for there to be national secrets. I believe that, and in fact the staff have begun to put extreme pressure on knowing the individual amounts of various programs, various agencies within the intelligence community. That information, I think, provides information to folks that we would rather not know what our plans and programs are; that, in fact, is harmful.

Finally, I would just simply say that in the administration's support of this, of declassification of the topline figure, the President has the authority today, if he wished, to call a news conference and disclose the amount, he could do so. He does not need congressional approval.

I think he is looking for congressional cover. I would suggest that, if the administration wishes to take this action, that they would move forward under the authority which they currently have. The President may so desire to do that. That is his decision. I simply do not feel comfortable with it. I have always opposed it, continue to oppose it and would not in fact be supportive, could not lend my support to a provision which in fact would cause him to, given that he has the authority now.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words and speak in favor of the amendment.

Mr. Chairman, I want to rise in support of the Conyers amendment as a cosponsor of it. The amendment will require the disclosure of the aggregate budget figure only, not the budgets of any intelligence agency, nor the budget for any program or activity. There is no threat to national security from the disclosure of only the aggregate figure. No potential adversary of the United States has the ability to thwart any intelligence collection activity as a result of knowing just the aggregate budget figure.

The executive order on classification permits information to be classified only if its disclosure would be expected to cause damage to the national security. Classification of the aggregate intelligence budget figure does not meet that test.

The Constitution requires a public statement and account of the expenditure of public funds. Disclosure of the aggregate budget figure is more consistent with that constitutional requirement than the current practice.

I might just add I had the pleasure of serving on the Aspin-Brown Commission. The Commission endorsed disclosing the aggregate number. The current Director of the Central Intelligence Agency, Mr. John Deutch, has also come out in favor of it, as has the President. I think it would be totally appropriate for the Congress to take this step. That is why I was delighted to join with my colleague, the gentleman from Michigan [Mr. CONYERS], in presenting this amendment today.

I urge my colleagues to vote for it.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Conyers amendment. This debate here is about national security. National security is about confidence, confidence in Government, trust in the Congress of the United States. How can we expect the public to trust the House of Representatives when we continue to keep budget information secret?

Think about it. We are in the month of May. Every city council, every school board, every county government, every State government has to have their budgets adopted by the fiscal year July 1. That means right now throughout the United States these hearings on local budgets are going on. All publicized, the public knows every cent that comes in and every penny that is spent, except here in the House of Representatives, where we keep and have traditionally kept secret a portion of the national security budget. I think that is wrong. I think we need to have confidence in what we do here. We can only have that confidence if indeed we tell everybody where their money is going.

Mr. Chairman, in light of the debate here today, it is interesting that the President says we should make this public. The Senate Intelligence Committee voted to make it public. The former and current CIA Directors agree that it ought to be public. The only way we can ensure that it will be made public is to vote for the Conyers amendment, help restore confidence in Congress. Support this amendment.

Mr. COMBEST. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, I do not believe we have any further speakers on this side. I just wanted to make a point that emphasizes something I had said earlier. The White House press statement relative to the intelligence community budget of 1996 said, reflecting the President's determination to promote openness in the intelligence community, he has authorized Congress to make it public.

Mr. Chairman, the President can make it public. I would state that the report of the Aspin-Brown commission says that the commission recommends that the President or his designee disclose the total amount of money appropriated for intelligence activities during the current fiscal year and the total amount being requested for the next fiscal year. That is my suggestion. In compliance with the Aspin-Brown commission, if the President wishes the budget to be disclosed, he or his designee should do it.

Mr. STARK. Mr. Chairman, I rise today in support of the Conyers amendment to H.R. 3259, the fiscal year 1997 intelligence authorization bill. The Conyers amendment would require the release of a separate, unclassified statement of budget outlays for intelligence activities.

It is high time that this come under the same scrutiny as other Government spending. For many years during the cold war, the budget figures for intelligence were kept secret so that our enemies would not know our aggregate spending levels. Although I might question that justification, the point is now moot. The cold war is over, and any attempt to use it to justify the continuing secrecy of a large, expensive set of programs seems to be a cynical attempt to evade oversight and proper accounting.

The need for public scrutiny is clear: from the press reports of the last few weeks, I learned that the National Reconnaissance Office, the agency that manages spy satellites, has accumulated a financial surplus of $3.8 billion. Let's assume that any other agency—one less popular with the majority party, perhaps—had stockpiled billions of dollars.

Do you think, with a public viewing of their finances, that such an agency would have been allowed to continue stockpiling money? How do I explain to mother that the Federal Government has no money for well baby care but has billions for spies slush funds?

As if the human costs of continued Government secrecy weren't bad enough, there is a clear constitutional mandate for public disclosure of intelligence spending. The Constitution states that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time." Whey then do we continue to shroud intelligence spending, and keep our taxpayers in the dark?

When the public receives the amount of money spent on intelligence by accident—the 1994 Defense Appropriations Subcommittee hearings disclosed an aggregate of $28 billion dollars—or by press leaks, it merely contributes to the dangerous perception of Government as "Big Brother". We can help stop that perception today by adopting the Conyers amendment and proving that no arm of Government is immune to public scrutiny.

It's time to bring the intelligence community in line with the rest of Government. No agency should be free from a public examination of its finances. It's common sense, it's constitutional, and it's responsible. I urge a ''yes'' vote on the Conyers amendment.

Mr. FAZIO of California. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. CONYERS]. His amendment to the fiscal year 1997 intelligence authorization bill would declassify the aggregate figure of the intelligence budget.

I believe, as do many of my colleagues, that a classified intelligence budget is inconsistent with the accountability requirements of the Constitution, and that it inhibits the openness that must prevail in order to facilitate informed participation in our democracy.

Moreover, as many fiscal watchdog organizations have pointed out, American taxpayers deserve fiscal accountability when it comes to the intelligence budget. If we continue to ask the taxpayers of this country to contribute billions of dollars to the intelligence budget, they deserve to know how much is being spent on their behalf. We need only look at the example of the National Reconnaissance Office to see what happens when intelligence budgets are kept hidden.

I understand the critically important national security questions which are at stake in this debate. But as a former member of the Armed Services Committee, I do not believe that public disclosure of the total amount of money appropriated to the intelligence budget would compromise our Nation's security

The President supports disclosure of the intelligence budget, as does the Senate Intelligence Committee. I urge my colleagues to support disclosure of this budget as well. Vote ''yes'' on the Conyers amendment.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CONYERS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. COMBEST. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

Mr. CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Michigan [Mr. CONYERS] will be postponed

The point of no quorum is considered withdrawn.

Mr. CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST: In the matter proposed to be inserted by section 401, strike ''Make'' and insert in lieu thereof the following: ''Subject to such amounts as may be provided in advance in appropriations Acts, make''.

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, this amendment simply provides the opportunity for the Central Intelligence Agency to execute multiyear leasing authority. The CIA has routinely signed multiyear leases since 1949, relying on section 8 authority to expend appropriated funds of the CIA Act. The CIA inspector general now has concerns about the propriety of using that authority for overt leases.

CIA needs are such that it often requires space on a very short notice. If it can do so only for short-term leases, 1 year, landlords demand higher rental payments. GSA has difficulty meeting CIA's very specific needs: readily available space, special security and communications needs resulting in added cost for CIA and thus for the Government as a whole.

The CBO raises concerns about the availability of appropriations for multiyear leases. My amendment would require that multiyear leases be subject to the availability of funds. CBO is also concerned that this provision could cost several million dollars per year. We have to remember that without this authority, the CIA will continue to use 1-year leases that will inevitably cost more money. Our best estimate is that this provision will save more than a million dollars per year.

Mr. Chairman, it is technical. It is my understanding that my colleague, the gentleman from Washington [Mr. DICKS], has no objection to this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The amendment would amend section 403 of the bill, giving CIA the authority to enter into multiyear leases to require that the CIA have an appropriation for the total amount of the lease in advance.

I understand the concern of the Congressional Budget Office and the Budget Committee that section 401 as it appears in the bill would allow CIA to enter into long-term leases without being subject to appropriations action. This was not the intent of the committee.

However, I do have some concerns about the language of the amendment. Since these leases could easily run into many millions of dollars, it is not clear to me that there would ever be an authorization or appropriation for these leases in advance.

It is also not clear how funds could be made available for the entire term of a 15- or 20-year lease. Nevertheless, because I believe it should be possible to find mutually acceptable language in conference, I am prepared to accept this amendment for our side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST: Amend section 402 to read as follows:

SEC. 402. ELIMINATION OF DOUBLE SURCHARGE ON THE CENTRAL INTELLIGENCE AGENCY RELATING TO EMPLOYEES WHO RETIRE OR RESIGN IN FISCAL YEARS 1998 OR 1999 AND WHO RECEIVE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

Section 2(i) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4 note) is amended by adding at the end the following new sentence: ''The remittance required by this subsection shall be in lieu of any remittance required by section 4(a) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 8331 note).''.

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, this section corrects existing law which currently requires the CIA to make two payments, one of 9 percent, one of 15 percent, for employees who take incentivized retirement from the CIA during fiscal years 1998, 1999. The CIA is required to make the Government retirement trust fund whole for those individuals who take these incentivized retirements. In order to do so, it must reimburse the Federal Government 15 percent of the final base pay of each individual who retires. Requiring the CIA to make an additional 9 percent payment becomes a penalty.

Section 403 eliminates the double surcharge. This amendment is identical to one offered by the gentleman from Florida [Mr. MICA], chairman of the Subcommittee on Civil Service. It is my understanding that Mr. DICKS has no objections.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment makes clear that what we were trying to do in the bill was ensure CIA makes only one payment and not two, to the civil service retirement and disability fund for those agency employees who take an early retirement or resign and receive separation incentives in fiscal year 1998 and 1999.

The CIA was required to make these payments under both amendments to the CIA Voluntary Separation Pay Act enacted last year and the Federal Workforce Restructuring Act of 1994. It was never intended that the CIA would have to pay 24 percent for employees leaving the agency under its separation incentive program.

The amendment clarifies that the required 15-percent payment to the fund under the CIA Voluntary Separation Pay Act is in lieu of the 9-percent payment required under the Federal

Workforce Restructuring Act. Thus we would be happy to accept it on our side and urge the committee to pass it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST: In section 303—

(1) Insert ''(a) AUTHORIZATION OF APPROPRIATIONS.—'' before ''Section 307''; and

(2) add at the end thereof the following:

(b) TRANSFERS.—The second sentence of section 307(a) of the Intelligence Authorization Act for Fiscal Year 1996 is amended to read as follows: ''Within the amount authorized to be used by this section, the Director, consistent with his duty to protect intelligence sources and methods, may transfer such amounts to the agencies within the National Foreign Intelligence Program for the purpose of automatic declassification of records over 25 years old.

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, again this is basically a technical amendment. The section provides the Director of Central Intelligence the authority to transfer funds authorized for automatic declassification within the national foreign intelligence community to execute section 3.4 of Executive Order 12958. This provision would allow that money which is basically in one pool to be dispensed within the NFIP agencies, depending upon the need of that agency to comply with the declassification order of Executive Order 12958. It is my understanding that there are no objections to this amendment.

□ 1330

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment of the gentleman from Texas clarifies that the DCI may transfer the funds authorized by section 303 of the bill to the agencies within the National Foreign Intelligence Program for the automatic declassification of records over 25 years old.

The community management staff has pointed out that this transfer authority is necessary to move the money the bill provides in the community management account back to the various agency programs. I have no problem with this technical correction.

The gentleman's amendment also states that the DCI is to make these transfers consistent with his duty to protect sources and methods. This particular language is superfluous because the DCI is already required by current law to protect sources and methods in everything he does.

Because I am certain the gentleman does not mean to imply by the inclusion of this redundant language that the DCI has any intention of violating the requirements of current law in transferring money we authorize in this area, I am prepared to accept the amendment for this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COMBEST

Mr. COMBEST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBEST: At the end of the bill, add the following new title:

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. AUTHORIZATION OF FUNDING PROVIDED BY 1996 SUPPLEMENTAL APPROPRIATIONS ACT.

Amounts obligated or expended for intelligence or intelligence-related activities based on and otherwise in accordance with the appropriations provided by the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), including any such obligations or expenditures occurring before the enactment of this Act, shall be deemed to have been specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) and are hereby ratified and confirmed.

Mr. COMBEST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COMBEST. Mr. Chairman, this is also a technical amendment that would correct an oversight in the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The law requires specific authorization for expenditure of funds for intelligence. The act in question obligated funds for intelligence, but contains no provisions for authorization. This amendment would correct that oversight.

It is my understanding that the amendment is acceptable to the Committee on Appropriations, and I would yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, section 504 of the National Security Act requires that funds may be obligated or expended for an intelligence or intelligence-related activity only if those funds were specifically authorized by the Congress for use for such activities.

The Combest amendment will provide the necessary authorization for funds appropriated earlier this year in the Bosnia supplemental. I support the amendment and we are prepared to accept it on our side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBEST].

The amendment was agreed to.

Mr. SKAGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, debate concluded a few minutes ago on the amendment offered by the gentleman from Michigan [Mr. CONYERS] about the question of declassification of the aggregate amount of intelligence expenditures. I wanted nonetheless to address that question briefly at this time.

The debate on this, I think, is easily misconstrued and, therefore, misunderstood. It seems to me always appropriate to start with first principles, which, in a democracy, ought to be that the maximum amount of information about the activities of our Government be made available to our citizens.

Now, there are necessarily exceptions to that principle for national security information, for State secrets, but the general principle again ought to be to make as much information about the operations of a democratically elected, representative government as possible available, so that citizens may make informed judgments in the process of self-government.

It has been alleged that somehow vital national security interests are going to be compromised if this aggregate intelligence expenditure is declassified. I think that is a proposition that is virtually impossible to support rationally. It is a figure that is often nearly accurately reported in the open press. It is a number that ought to be accurately and openly reported in the press so that our fellow citizens have at least an overall sense of how much of their hard-earned tax dollars is being devoted to this important national purpose.

The slippery slope argument is often offered up as a reason not to take this step, because this step, it is asserted, will inevitably lead to the disclosure of constituent amounts within the intelligence budget, I think that argument simply is unable to be sustained. We are able to keep ourselves from sliding down lots of slopes around this place, and I think we can draw a firm line after this particular disclosure, and it does not need to lead to others.

It has also been suggested that this should just be done as a matter of executive decision by the President. I think it is an important policy judgment that ought to be validated and ratified by a vote of the Congress, not just done by act of the executive branch alone.

Perhaps most helpful is to realize that an extensive review of this issue of the disclose of the aggregate intelligence expenditures was undertaken by the Aspin-Brown Commission. It has been scrubbed and vetted and examined, and it was the judgment of that distinguished group of American patriots and experts in defense and intelligence and national security matters, that keeping this total budget figure secret any longer just simply does not serve any legitimate national security or national defense purpose. And it certainly fails to serve the legitimate interests of the public in being able to have access to as much information about their Government as possible.

So I hope, when we reach the point in the proceedings where we have a vote

on the amendment offered by the gentleman from Michigan [Mr. CONYERS], that my colleagues will support his proposal. I think it is an appropriate step forward. It will ultimately enhance public understanding and, therefore, I would hope public support, for this important function of our national Government.

Ms. PELOSI. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I rise in support of the Conyers amendment to make public the cumulative number of the intelligence budget.

This is not a new issue to the Congress, Mr. Chairman. Over the past several Congresses we have had this debate on the floor about whether this number should be released and whether its release would jeopardize our national security. I believe the answer is yes, that it should be released, and, no, it does not jeopardize our national security.

When the issue first arose we had the debate, and it was said that we needed more information. So our chairman at the time, Mr. Glickman, Chairman Glickman, held hearings, very extensive hearings, where experts in the field of intelligence confirmed that our national security would not be jeopardized and indeed it would be healthy to release the number.

As early as some of the statements as early as 1991 on the subject have said, former DCI Robert Gates said, ''I don't have any problem with releasing the top-line number of the intelligence community budget.''

That same year former Director of NSA, Bobby Inman, said, ''I am certainly prepared to make unclassified the total amount and defend it to the public, why 10 percent of our total defense efforts spent both for national and tactical intelligence is not a bad goal at all.''

And of course this year the White House statement on this subject said, reflecting the President's determination to promote openness in the intelligence community, he has authorized Congress to make public the total appropriation.

Going way back 20 years, the select committee that studied governmental operations with respect to intelligence activities stated intelligence oversight committee should authorize on an annual basis a national intelligence budget, the total amount of which should be made public.

So over the years and as recently as the statements of this year, most currently that of DCI John Deutch, the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not in itself harm intelligence activities.

I think that there is a good cross-section of studies and DCI's from both, appointed by Presidents of both parties, who have supported making this number public, and I think it is a healthy thing to do.

The defense, the intelligence, community should have to defend the amount of money that is spent on intelligence in relationship to the rest of the budget. It is especially important this year so that we can restore some of the confidence to this process that has been undermined by the recent NRO revelations, and on that point, Mr. Chairman, I would like to say that when people accept the public trust, they and we all have a special responsibility. We must be responsible fiscally for the funds that are in our trust, we must understand the stiff competition for the funds and, therefore, have to be able to justify how they are expended.

We need to maintain the public confidence in what we are doing, and so what happened at NRO is most unfortunate because it did undermine all of these, the public confidence and the trust that we all should have in husbanding the public dollars.

And most of all, the actions of any one of these agencies should not undermine the strength, the perceived strength, of our country. We have to look like we know what we are doing and can account for the responsibilities of both fiscal and otherwise in our charge, and so I would say that with all of the testimony that we have had over the years, with the cooperation now of the executive branch, with the definite need that has been demonstrated for in one instance by the NRO situation, it behooves this Congress to move to support the Conyers amendment to make this number public, to open the intelligence process to the extent of saying this is a number that can, that should have to, be defended within the total budget process and that it should be done in a manner that is not harmful to our intelligence activities nor jeopardize the national security of our country.

I am satisfied by the statements of such a wide-ranging, as I said, bipartisan group of people who have testified in hearings of the House of Representatives and on the Senate side over a long period of time, that there is no doubt that we should make this number public. I urge my colleagues to support the Conyers amendment.

Mrs. SCHROEDER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will be offering some amendments later on, but I wanted to rise in favor of the Conyers amendment also.

I have always believed that government is not a fungus, that it can thrive in sunshine, and I understand that during the whole period of the Cold War we wanted to keep this number secret. But I think now we ought to be able to get this number out, and I salute the President of the United States for saying we ought to put the number out, and I hope that this body finally does that.

Coming here to debate this issue, I always feel very silly because we cannot talk about the numbers, we cannot talk about the issues, we cannot talk about anything. So what can we talk about? It all sounds like a bag of smoke at some point. But I think one of the things that the average person wonders is why are we not much more rigorous in our oversight? And I must say the only reason I think we do not reveal the number is we do not want to admit how poorly we have done some of the oversight.

Now, this is not a great secret. I brought it from the newspapers so nobody wants to turn me in to jail. But if my colleagues remember, the Washington Post and many other articles were pointing out how the NRO had purchased 14 more acres than they needed for their $304 million complex, and of course most people remember the big brouhaha about the $304 million complex. Here it was being built in suburban Washington on the Virginia side, and no one knew. Viola.

□ 1345

Mr. Chairman, in the district I come from, Denver, CO, they have had to shut down Head Start already this year. They ran out of money. We have all these people desperately looking for just pennies to keep something running, and yet they can, first of all, do a headquarters that no one knew about, there it is, and then we find out they had all these extra acreages, and nothing ever happens. Then we also find out, as we found out this year, that they admitted they had a $3.8 billion slush fund.

I understand we are supposed to call it the surplus unspent funds, but I think if any other agency in Government had that kind of slush fund or surplus unspent funds, whatever you want to call them, people would be down here, the deficit hawks would be down here screaming and yelling and hollering, and rightly so.

I guess the problem I see, Mr. Chairman, is that on one side of the budget we are very critical, and I think that is fine, but when it comes to defense and intelligence, it does not make any difference. We have the report of the slush fund, and yet nobody really wants to talk about cutting. Yet, you cannot talk about what percentage of the budget that slush fund is because we cannot tell what the budget number is. But that is a lot of money.

If we look again in the generic press, and I am staying right in the generic press, my goodness, we would not want to reveal any of these secrets because they probably would have to shoot me and whoever else I would reveal them to, and I would not want that on my conscience.

So if we go and look at those numbers, let us look at these numbers and look at them seriously, they are saying in the generic press that these surplus unspent funds, they are adding about $1 billion to it every year. That seems to say to me maybe we are putting too much money in it. Are we awake? Are we doing any oversight, or are we just

saying that this is so important that we will just give them any amount of money, whether they can spend it or not?

I am also sad that we cannot get into more details. I was very troubled by the late article in the Atlantic Monthly about some of the training that had gone on in the Middle East, so that they think we may be responsible for training some of the terrorists, that it was done with good will, but it kind of got out of control.

So if we add all of those things together, we scratch our heads and say surely we can at least do what the gentleman from Michigan [Mr. CONYERS] and the President of the United States have said we could do, which is at least put the overall number out of here. Even though I will not be here next year, then maybe whoever is here next year can have a little bit better debate and put this in a little bit better context because we can talk about what percentages these are. I hope that the Conyers amendment is passed, Mr. Chairman.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to engage the chairman of the committee in a colloquy concerning section 304 of the bill. I would say to the gentleman from Texas, the chairman of the committee, as he knows, this provision extends the laws allowing the President to delay the imposition of a sanction upon a determination that to proceed with the sanction would risk a compromise of an ongoing criminal investigation or an intelligence source or method.

My question, Mr. Chairman, is whether the legislative history developed during the debate on this provision last year would still be applicable to the extension of the authority for 1 year? My further question is that can we expect that this provision will be narrowly construed, and only used in the most serious of circumstances, not to protect routine intelligence activities?

Mr. COMBEST. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I would certainly concur and say yes, we would intend for this to still be in effect. As the gentlewoman so adequately pointed out, and has been very effective, I think, in leading on this issue, we would certainly expect that this provision would be narrowly construed and only used in the most serious of circumstances. That is certainly the intent of the committee to carry forward in this year's authorization.

Ms. PELOSI. Mr. Chairman, I thank the chairman for engaging in the colloquy, and for his confirmation of the understanding that we had of the legislative background on this last year. As Members may recall, I worked closely with the gentleman from California [Mr. BERMAN] who is an expert in this field, and has an interest in the waiver of sanctions and the particular limitations that the chairman of the committee has confirmed. I thank the chairman of the committee once again for that confirmation.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to reiterate a couple of concerns I have about this bill. As I have stated, I am going to support it, but we need to remember that the money we are spending for intelligence today, in my mind, is a tremendous force multiplier for our military.

When we consider the fact that we can now literally fuse into the cockpits of our aircraft intelligence gathered in space to give the locations of enemy weapons systems in almost real time, so they can be properly targeted, I think all of a sudden we recognize the revolutionary improvements that are being made in our overall military capability.

To my friends on the Democratic side, I believe strongly that such capabilities will allow us in the future to deter military conflicts. I would urge my colleagues, to support the Conyers amendment, of which I am a sponsor.

I think we can disclose the aggregate number, but I want everyone to remember that this is still a part of the Defense Department. It is a portion of the defense budget that is used not only to gather intelligence for our national leadership, but also to be used effectively to protect the people that we are sending in harm's way every single day all around the world and to convince our adversaries that picking a fight with the United States just simply does not make sense.

I had a chance just a few weeks ago to go to our combined air operation in Vincenza and to see a real fusion center where intelligence from all of our collection platforms is gathered. This intelligence is used by our military to find problems in Bosnia that are then communicated to the military commanders, and thus they are able to avoid possible conflicts that could occur; because of the ability to find enemy radars and things of that nature.

This is truly a revolutionary change in intelligence capabilities, so as we sometimes get harsh with the NRO, I would say that John Deutch took effective steps. He named a new chief financial officer. He named a new head of the NRO, a very fine public servant. The two people that were removed are people who have given distinguished service to our country. Unfortunately, the financial people at the NRO did not do their job properly, and Congress was not properly informed about the size of these carryforward funds.

Mr. Chairman, I want to reiterate, there is no evidence that any of that money was spent on items not authorized by Congress. One of my colleagues talked today about the very famous NRO building. Our committee, a bipartisan basis, put out a report that said that we knew about this building. In fact, we had good oversight over the building. We pointed out that in the other body there were amendments offered by members of the Intelligence Committee to accelerate and possibly to expand the size of the NRO building.

So when they then turned around at a later date and said they knew nothing about it, many of us in this body had serious reservations about how they in fact could say that. Sometimes in a rush we do not keep the facts in sight, and we sometimes do not know the history.

The point I am trying to make, Mr. Chairman, is that the NRO has been one of the stellar institutions in our Government. One of the reasons we won the cold war was because we had the finest intelligence. We have the finest intelligence community of any nation on earth. Those intelligence community assets are used to enhance our military capability in order to protect American lives and to deter future wars. That is why I have always strongly supported our intelligence community.

Can we reduce the money? Yes. Have we reduced the money? Yes. We have reduced it significantly.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 3 additional minutes.)

Mr. DICKS. Mr. Chairman, have we reduced the money for defense? Yes. We have cut the Defense budget by about $100 billion a year between 1985 and 1995. We have also cut back on the amount of money for the intelligence agencies. We have cut back on the number of personnel. I am talking about across the board cuts in the Defense Department, the CIA, and all of these agencies, we have reduced the size. Yet, today, America is in more countries around the world with military forces that require accurate intelligence for their security and support.

Mr. Chairman, I just urge my colleagues to remember that fact. Yes, we can always beat up on an agency, but I am always reminded of the fact that this agency is composed of American citizens who serve our Government faithfully, who have done an extraordinary job. I just urge us to put this into some perspective. If they had failed in building these national technical means, then we would be here criticizing them. They certainly failed to keep Congress appropriately informed of the size of the carryover funds. There is no evidence whatsoever that any of that money was improperly spent.

So let us try to keep this in perspective. Sometimes, with all the criticism, the harsh rhetoric, we forget that these are men and women who have done a fantastic job for this Nation, and who really do deserve our support.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentlewoman from Colorado, an outstanding member of the Committee on Armed Services.

Mrs. SCHROEDER. The gentleman is a good friend and I respect him very much, Mr. Chairman.

My question, Mr. Chairman, is not to be confrontational, but the gentleman is not questioning the fact that almost $1 billion a year had gone into this $3.8 billion surplus fund, is that correct?

Mr. DICKS. Mr. Chairman, the gentlewoman was not on the floor, I think, when we talked about this a little earlier. As she knows, when we buy a weapons system at the Pentagon, sometimes there are billions of dollars of unobligated funds that are spend over a period of time. In the intelligence area, we incrementally fund. It was the opinion of George Mahon and some of the senior members of the Committee on Appropriations many years ago that we could not risk a situation where Congress has not passed its budget by the start of the fiscal year. They believed it was necessary to have a certain amount of flexibility in carryforward funds to keep these programs going, if the Congress did not get the Defense budget passed. There was a kind of agreement among the players to do this.

What I object to, and I know the gentlewoman from Colorado objects to, is that this account, and each one of these were for different national technical means, different satellite programs, is that these accounts grew too large in the aggregate. None of the money was misspent. I think the fault was that Congress was not kept appropriately advised about the magnitude.

I can tell the Members, I am very pleased that it was the staff of the Permanent Select Committee on Intelligence, and particularly the minority staff, that went to the NRO, found this out, made it known to the other key committees in the Congress, and last year we dramatically reduced the amount of money in those accounts. We used it for Bosnia, we use it for other defense priorities, so that the money was not wasted. The American people did not get ripped off.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent and on request of Mrs. SCHROEDER, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, the issue is that the money was not spent, and then it forced us to spend a tremendous amount of money just on interest on that additional debt we incurred by spending more than we really needed to spend at that time, when we build up an account of that much over that period of time. And the gentleman knows and I know that the fastest growing part of the Federal budget has been interest on the debt. We would not allow any other agency to do that.

Mr. DICKS. Mr. Chairman, of course, as the gentlewoman certainly knows and appreciates, this is budget authority. You do not really spend money until you spend it. That is an outlay. So they had the budget authority, but they never spent the money. So that would not incur any obligation by the Federal Treasury.

In a sense, they had the ability to draw on the Treasury up to $4 billion, but they did not do it. What we did with that BA is move it to other higher priority items like Bosnia, so we did not have to appropriate additional money, and again that was agreed to.

□ 1400

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I think the gentleman knows that everybody in the world would love to have that kind of budget authority in the bank that they could move around for things, and we lose the oversight capacity.

Mr. DICKS. Mr. Chairman, reclaiming my time, the chairman and myself have limited the amount of the carryforward. The director of the CIA, one of the most competent individuals I know, has made changes in the NRO, has named a new chief financial officer. So in a sense, I think we ought to give Mr. Deutch and the administration some support for the steps that they have taken to ensure that this does not happen again in the future.

Yes, the NRO made a mistake. Yes, they were wrong. But I want us to place in perspective that these same people who did a bad job in their accounting also have done some tremendously positive things for the country in terms of the satellites that have been built over the years that helped us avoid a confrontation with the Soviet Union.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, I am glad to hear the gentleman say we should give support to the administration. We can do that in part by abiding by their budget request and not spending well over $1 billion in this budget than the administration requested. We will deal with that in some later amendments.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the rule, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: the amendment, as amended, offered by the gentleman from New Mexico [Mr. RICHARDSON]; the amendment offered by the gentleman from Vermont [Mr. SANDERS]; and the amendment offered by the gentleman from Michigan [Mr. CONYERS].

The Chair will reduce to 5 minutes the time for any electronic vote after the second vote in this series.

AMENDMENT OFFERED BY MR. RICHARDSON, AS AMENDED

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment, as amended, offered by the gentleman from New Mexico [Mr. RICHARDSON] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as amended.

The Clerk designated the amendment, as amended.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 417, noes 6, not voting 10, as follows:

[Roll No 184]

AYES—417

Abercrombie	Chambliss	Ensign
Ackerman	Chapman	Eshoo
Allard	Christensen	Evans
Andrews	Chrysler	Everett
Archer	Clay	Ewing
Armey	Clayton	Farr
Bachus	Clement	Fattah
Baesler	Clinger	Fawell
Baker (CA)	Clyburn	Fazio
Baker (LA)	Coble	Fields (LA)
Baldacci	Coleman	Fields (TX)
Ballenger	Collins (GA)	Filner
Barcia	Collins (IL)	Flanagan
Barr	Collins (MI)	Foglietta
Barrett (NE)	Combest	Foley
Barrett (WI)	Condit	Forbes
Bartlett	Conyers	Ford
Bass	Cooley	Fowler
Bateman	Cox	Fox
Becerra	Coyne	Frank (MA)
Beilenson	Cramer	Franks (CT)
Bentsen	Crane	Franks (NJ)
Bereuter	Crapo	Frelinghuysen
Berman	Cremeans	Frisa
Bevill	Cubin	Frost
Bilbray	Cummings	Furse
Bilirakis	Cunningham	Gallegly
Bishop	Danner	Ganske
Blute	Davis	Gejdenson
Boehlert	de la Garza	Gekas
Boehner	Deal	Gephardt
Bonilla	DeFazio	Geren
Bonior	DeLauro	Gibbons
Bono	DeLay	Gilchrest
Borski	Dellums	Gillmor
Boucher	Deutsch	Gilman
Brewster	Diaz-Balart	Gonzalez
Browder	Dickey	Goodlatte
Brown (CA)	Dicks	Goodling
Brown (FL)	Dingell	Gordon
Brown (OH)	Dixon	Goss
Brownback	Doggett	Graham
Bryant (TN)	Dooley	Green (TX)
Bryant (TX)	Doolittle	Greene (UT)
Bunn	Dornan	Greenwood
Bunning	Doyle	Gunderson
Burr	Dreier	Gutierrez
Burton	Duncan	Gutknecht
Buyer	Dunn	Hall (OH)
Callahan	Durbin	Hall (TX)
Calvert	Edwards	Hamilton
Camp	Ehlers	Hancock
Canady	Ehrlich	Hansen
Cardin	Emerson	Harman
Castle	Engel	Hastert
Chabot	English	Hastings (FL)

Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—6

Campbell
Coburn
Istook
Sanford
Shadegg
Souder

NOT VOTING—10

Barton
Bliley
Chenoweth
Costello
Flake
Funderburk
Hefley
Moakley
Molinari
Scarborough

□ 1421

Messrs. PETERSON of Minnesota, ZELIFF, EVERETT, WILSON, and STOCKMAN changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed, and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 115, noes 311, not voting 7, as follows:

[Roll No. 185]

AYES—115

Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Campbell
Clay
Clayton
Coble
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Danner
DeFazio
DeLauro
Dellums
Duncan
Durbin
Ehlers
Ensign
Evans
Farr
Fattah
Filner
Foglietta
Foley
Fox
Frank (MA)
Furse
Gordon
Green (TX)
Gutierrez
Hilliard
Hinchey
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kennedy (MA)
Kleczka
Klug
LaHood
Lewis (GA)
Lincoln
Lofgren
Luther
Maloney
Manzullo
Markey
McCarthy
McDermott
McKinney
Meehan
Meek
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Morella
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Peterson (MN)
Petri
Pickett
Poshard
Ramstad
Rangel
Reed
Roemer
Rohrabacher
Rose
Roth
Roybal-Allard
Royce
Rush
Sanders
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Slaughter
Stark
Studds
Stupak
Torricelli
Towns
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Williams
Woolsey
Yates

NOES—311

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Coburn
Coleman
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cummings
Cunningham
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Flanagan
Forbes
Ford
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaFalce
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Manton
Martinez
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Menendez
Meyers
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Ros-Lehtinen
Roukema
Sabo
Salmon
Sanford
Sawyer
Saxton
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Bliley
Costello
Flake
Funderburk
Moakley
Molinari
Scarborough

□ 1439

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Scarborough against.

Mrs. CUBIN changed her vote from ''aye'' to ''no.''

Mr. FOX of Pennsylvania and Mr. JOHNSON of South Dakota changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CONYERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan [Mr. CONYERS] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 248, not voting 9, as follows:

[Roll No. 186]

AYES—176

Abercrombie
Ackerman
Andrews
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bunn
Chabot
Chapman
Clay
Clayton
Clement
Collins (IL)
Collins (MI)
Conyers
Coyne
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Dicks
Dixon
Doggett
Duncan
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Fox
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Goodlatte
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Holden
Horn
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Poshard
Rangel
Reed
Richardson
Riggs
Rivers
Roemer
Rohrabacher
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Woolsey
Wynn
Yates
Zimmer

NOES—248

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bryant (TX)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gonzalez
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jefferson
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meyers
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (FL)
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Rahall
Ramstad
Regula
Roberts
Rogers
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Visclosky
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—9

Bliley
Costello
Flake
Funderburk
Gilman
Molinari
Nethercutt
Radanovich
Scarborough

□ 1448

Mrs. ROUKEMA changed her vote from ''aye'' to ''no.''

Mr. FOX of Pennsylvania changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRANK of Massachusetts: At the end of title I, insert the following:

SEC. 105. REDUCTION IN AUTHORIZATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), the aggregate amount authorized to be appropriated by this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, is reduced by 4.9 percent.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated by section 201 for the Central Intelligence Agency Retirement and Disability Fund.

(c) TRANSFER AND REPROGRAMMING AUTHORITY.—(1) The President, in consultation with the Director of Central Intelligence and the Secretary of Defense, may apply the reduction required by subsection (a) by transferring amounts among the accounts or reprogramming amounts within an account, as specified in the classified Schedule of Authorizations referred to in section 102, so long as the aggregate reduction in the amount authorized to be appropriated by this Act, equals 4.9 percent.

(2) Before carrying out paragraph (1), the President shall submit a notification to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, which notification shall include the reasons for each proposed transfer or reprogramming.

Mr. FRANK of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, this amendment would essentially hold this year's authorization at the current spending level. It is a 4.9 percent reduction from the authorized figure, with an exception made for the retirement disability fund. That fund is held at the authorized level of the bill which is what is necessary. So it has no negative effect there.

This amendment, if adopted, would give to the executive branch officials the ability to reprogram within the totals. So they need not apply the restriction across the board.

It is a 4.9-percent cut. Because of the vote just taken, I may not say in public what it is 4.9 percent of, because then the Iranians would have valuable information and endanger our security. But I can say that it is a cut of well over a billion dollars. The key question is, will we, as we move to a zero deficit and severely reduce the amount of money available for discretionary programs, not only exempt from any reduction national security but continue to give them rates of increase well above the rate of inflation?

This is a proposal before us, an authorizing bill, that raises the money

from the current spending by nearly 5 percent. As we continue that pattern, Members must understand that inevitably means that environmental cleanup and health care of a discretionary sort and education and public safety and transportation get hurt.

We read recently of the difficulty of the Committee on Appropriations in the allocations. They wanted to give more for the veterans and more for health care and more for job training and education. They had to do that at the expense of infrastructure and environmental cleanup and energy and water. This is the reason we face such terrible choices. As you increase the national security budget, you inevitably require greater decreases everywhere else.

Members have said, well, it is still a dangerous world even after the collapse of the Soviet Union. Yes, it is. But let us reject now the argument that says it is a more dangerous place. We have heard Members say that it is a more dangerous place now that the Soviet Union has collapsed. This House floor may be the only place where we have nostalgia for the good old safe days of a heavily armed Soviet Union because apparently people felt more secure then.

Members say, well, we no longer have the Soviet Union but we have North Korea, we have Iraq, we have Cuba, those threats, and they are threats that grew only since 1990. What we had 8 and 9 years ago was all of the threats, the Soviet Union and all of those other nations. Now we have a substantially diminished Russian threat and those other nations. This amendment does not even call for a reduction, although I voted for the previous amendment that would have.

What we have here is an effort to give more and more money to national security, inevitably at the expense and intelligence of every other program. I would argue, if you look at the collapse of the Soviet Union, outside threats have diminished some. This does not even call for a reduction. It calls for level funding.

Let us again remember that this is the agency which accumulated a $4 billion surplus in funds. This is the agency that was given more money than it needed by its own admission because it took $4 billion and did not spend it. That is undeniably an acknowledgment that they got more money than they needed. How do we deal with this agency which got more money than it needed and squirreled $4 billion away? We give them one of the largest increases any Federal agency would get, a 5-percent increase in the authorization, 4 percent more than the President asked to give. This is an increase of more than a billion dollars over what the President wanted to give them.

At a time when I believe environmental threats and public safety threats and incomplete education, those are much graver problems, we have to choose. You cannot reach a zero deficit within the time frame we have chosen, increase, reward the national intelligence agencies for their $4 billion squirreling away by giving them a big increase and still have the funds to do other things. I urge adoption of this amendment.

Mr. COMBEST. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Those who follow the floor debate on intelligence from year to year are aware, in general terms, that the intelligence budget has been on a steady decline, that capabilities are being shut down, and that managing intelligence nowadays means making Russian roulette decisions on which cuts are least likely to endanger lives.

Being on the committee has allowed me to see the specifics behind these generalized facts. More importantly, it has allowed me to delve in person into the intelligence processes and products and see with my own eyes their strengths and weaknesses. Some of those weaknesses can be sifted out of the mass of largely ludicrous public attacks which intelligence is sometimes subject. The strengths, though, tend to be largely unknown in the country at large and unheralded in the press. Without being too specific, let me mention a few I have personally run across.

Example one: Cooperative clandestine activities undertaken by the CIA and other U.S. Government agencies resulted this last year in the detection and foiling of planned attacks on U.S. public and private citizens. Lives were saved.

Example two: The CIA worked with cooperative foreign governments to, effectively speaking, shut down a terrorist organization that has had a long history of successful attacks on U.S. citizens.

Example three: Young intelligence community scientists constructed state-of-the-art computer hardware and custom software capabilities that are allowing the Intelligence Community to do what outside experts—and our country's enemies—believe to be impossible. I should point out that these same scientists work in this specific intelligence agency at a salary a fourth or fifth of what they have been offered in the private sector—they refuse to leave the work they consider so personally satisfying and important to national security.

Example four: Intelligence Community scientists and clandestine operators cooperated to detect, penetrate, and neutralize the activities of a pariah regime to develop weapons of mass destruction.

Example five: The Intelligence Community, working closely with law enforcement agencies and foreign governments, provided the essential intelligence that led to the crippling of international narcotics trafficking organizations.

Mr. Chairman, I am in strong opposition to this proposed cut. The committee recognizes the fact that each year from year to year that there is a very small amount of the actual intelligence budget in its operations programs that have become familiar to Members of Congress, much less to the American people. We take this responsibility very seriously.

There are a number of areas within the intelligence budget that have been substantially reduced this year. We have tried to make priorities in some areas that we feel are extremely important to move this Nation in the future of its role for intelligence. This is not something that can be done year by year. This is something that needs to be done on a long-term basis to make for certain that the future provides the continual need for intelligence capabilities that this country has for so many years done very, very well. We are diligent in terms of our oversight. We are serious about the fact that we want to make for certain that each of these dollars is expended wisely.

These are dollars, however, that we feel that we can justify to our fellow colleagues and to the American people that are critical and crucial for the American intelligence capabilities which are at the heart of our national security and national defense.

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I think the committee has done a good job of coming up with a proposed budget in the authorization bill that we have this year. I would strongly support the committee's position on that bill, and I would again reiterate my opposition to the proposed cut amendment.

Mr. ROEMER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts [Mr. FRANK].

Mr. Chairman, in 7½ hours of going door to door on Saturday in my State of Indiana I heard over and over again from one door to another as I listened to Hoosiers tell me what they want to see done in Washington, DC, people said to me we want to see more openness and honesty out of our elected officials, and we want to see some courage, and we want to see some discipline on their part to cast the tough votes, to cut spending first in Washington, DC, not to raise our taxes, but to cut spending first in Washington, DC.

Now, if I was a challenger and I had just watched the last few minutes of debate here in this esteemed institution, both the votes that Members of this body have just cast over the last few minutes fly in the face of what the American people want. Is it so much to ask and then tell the American people the overall cumulative budget of the Central Intelligence Agency? They do some wonderful work for us as taxpayers. Should not the American people know what that overall budget number is? That does not sacrifice any security on the part of the American people to get that one figure, that little bit of knowledge.

But this body does not agree with that, so that openness and that honesty does not come forward.

Second, some discipline and some courage around here. Now, the last vote would have cut some of the CIA's budget, and in ideal times, since they do such extraordinarily important work for us, I wish we could give them more money, but we cannot. We are trying to make some tough decisions in this place to work toward balancing the budget. So instead of even cutting, which this body just rejected, this amendment, which I rise in strong support of, simply says this:

''Let's keep it at last year's level. If we can't cut into the intelligence budget, let's keep it at least last year's level, let's make sure that we sacrifice together and that we're fair in terms of our budgeting.''

So I rise in strong support of the gentleman's amendment. If my colleagues are deficit hawks and they want a balanced budget, this is a good vote. If they want fairness and they do not want to decimate Medicare for senior citizens, they do not want to slash education and Head Start for children, they want to make sure we have an adequate defense, then there have to be some votes around here at least to maintain last year's funding level, and that is what the Frank amendment does.

This is a fair and honest and disciplined approach, and I would strongly encourage the colleagues in this body to address not just the deficit of the budget, but the deficit of will and courage around here to cut some budgets other than education and Medicare. So I urge this body to support this amendment.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my colleagues, I am not a member of the committee of jurisdiction for this bill, and I do not come to the floor often to talk about matters involving international security. Most of my time is consumed with domestic issues and legal issues and banking issues because I serve on those committees. I do not come to the floor this time to talk about the technicalities of the CIA's budget. I have not been upstairs, into the secret room, to review the details of that budget.

Mr. Chairman, I come to talk about ordinary common sense, which is what budgeting is about. I come to talk about the setting of priorities, which is what budgeting is about. And I cannot believe that at a time when we are talking about cutting every single program that affects the domestic security of our Nation that, given choices that we must make, we could be talking about raising and increasing the level of funding for the CIA's budget by 5 percent.

At a time when we are talking about balancing the Federal budget and doing much of it on the backs of the American people who are most vulnerable, I cannot believe that we are talking about increasing the budget for the Central Intelligence Agency by 5 percent.

So this is about common sense and priority-setting.

There are children who are starving in this country. There are children who are under-educated in this country. There are children who do not know where their next meal is coming from and do not qualify for the school lunch program because we do not have enough funds to make that possible. There are elderly people who need health care. There are Head Start programs that need to be funded. And when we make the choice to devote more of our resources to funding the Central Intelligence Agency, we do so at the expense of every single one of those programs.

So, Mr. Chairman, I want to appeal to my colleagues in the wake of these past three votes that have gone down that deprive the American people of even basic knowledge about what we are even spending on the CIA's activities, something that I personally think is sinister and unacceptable, to at least bring a level of reasonableness to this debate and to this vote in terms of the priorities we are setting for our country.

I cannot believe that we do not have higher priorities for whatever amount of money it is we are debating here; I am told it is over a billion dollars that is at play in this amendment alone. And given a choice between spying on somebody, even if it is for worthy objectives, and I have no problem with that, or feeding our children and educating our children and providing for the health care and security of our people right here in our own country, I beg and plead with my colleagues to make the priority our children and our domestic programs.

Mrs. SCHROEDER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the gentleman from Massachusetts' amendment, and if this does not pass, then I am going to offer an amendment that says at least freeze the NRO budget at the 1996 fiscal year number.

What the gentleman from Massachusetts [Mr. FRANK] is saying is let us freeze the entire agency's budget except for retirement and personnel and those things, but let us do the spending part of that budget on projects. Let us freeze it at the fiscal year 1996 level. Wow, what a radical concept. We are still in fiscal year 1996.

Now I want to ask my colleagues, do they really think the world is so much scarier we got to add a whole lot more money for next year? Now we cannot say how much, we cannot say what the overall numbers are because the last amendment failed, and of course we are trying to keep this all secret. I find this very, very frustrating.

As all my colleagues know, every day we pick up the paper and Great Britain is dealing with mad cow disease. Here today on this floor we are dealing with sacred cow disease. Spending when we come to the Defense Department or when we come to the intelligence agency, oh my goodness, this is a total sacred cow, we are going to keep it classified, we cannot say anything, and we are going to keep increasing it; have a nice day.

This is for an agency that just 2 weeks ago admitted that what we thought was a billion-dollar slush fund was really more like a $4 billion slush fund. We have been giving them more money than they were able to spend any way. So why can we not at least freeze it at the 1996 level? I think this makes a tremendous amount of sense. Do we really think 1997 is going to be so much scarier than 1996 we got to increase the spending? I would hope not, and that is what we are talking about.

If we are ever going to be serious about deficit reduction, we have got to challenge our sacred cows as well as everything else. There cannot be anything that we hold back, and this is an area where, trust me, I have seen the numbers, we got mega bucks and giga bucks buried in this, and we are dealing with an agency that has not gotten exactly an A-plus for candor with the Congress or for disclosure or for management of the funds.

Look, I think the new Director, John Deutch, is a class A person. I think the CIA has many class A people. I think we need some intelligence, of course. I think the spy satellites in the sky are very important, yes. But I do not think things are so unstable that we need to increase this budget this year when we have got so many other demands.

Let me tell you about my city of Denver. Last week we had to shut down Head Start. We had to shut down Head Start and send every little kid home in the first week in May because they ran out of money.

Now, I think the education of 3-, 4- and 5-year-olds is every bit as important to our national security as increasing the amount of money we spend on the CIA. And I think that my colleagues will find Denver, CO, is not that different than other places. All sorts of places have had to make terrible choices because their budgets have been frozen or cut or crunched, and what they had to decide in Colorado was were they going to throw some of the little kids out that were eligible or were they just going to run the program until they let all the kids who were eligible come, and then when it was over send them home, that is it, and shut the door. That is what they decided to do.

I do not know what the good decision is. If there are a whole lot of children that are income-eligible and we have to pick and choose between them and they are all American citizens, that is a rotten choice, that is a rotten choice because those are our future and those are our children.

I think the gentleman from Massachusetts' amendment makes all the sense in the world, and anybody who does not vote for it, I do not know how

they can call themselves a deficit hawk, I do not know how we will ever get the budget in order if we allow sacred cows to keep grazing in the budget year after year, hidden behind a screen, not being able to be exposed out in front, and I really think just holding this at last year's level, this freeze level, makes all the sense in the world.

Mr. Chairman, I only wish I thought of it. So I hope all of my colleagues vote for the gentleman's amendment.

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The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. GOSS) assumed the chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The Committee resumed its sitting.

Ms. FURSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Massachusetts [Mr. FRANK]. I think that the U.S. public wants us to cut where we can and spend wisely. It is their money. It is taxpayer money, and they want us to spend it wisely.

Mr. Chairman, I would like to talk about four security budgets that are being cut at the same time we are increasing the CIA budget. These four security budgets, I would suggest, are the budgets for law enforcement, local law enforcement; budgets for protection for children; for protection of seniors; and I would like to speak a little bit about the Coast Guard, because in my district, the security threat is on our streets. It is on the sea, where our fishermen go through dangerous waters. It is for our children, who are in dangerous homes or in schools that are dangerous. Then I also think our threat is for our seniors' health care.

Mr. Chairman, our law enforcement officers in the district I represent would be ecstatic, in fact they would be unbelieving, if somebody said we are going to increase your budget by about 4 percent. Their budgets are being cut. Yet, we have a problem of security on our streets.

In the State of Oregon, we are extremely concerned, because last year 38 children died in Oregon because of neglect or abuse. One of the reasons, it is my belief, that those children died, is that there was not a place for them to go from dangerous homes. There were not enough social workers to follow their care. Why not? Because we keep cutting those kinds of budgets. We should be protecting our children. Our children are the most important thing for us to protect.

Mr. Chairman, then our seniors. I want to talk a little bit about their health care. It is vital that the health care of seniors be protected, yet we see cuts being proposed, large cuts in Medicare, because we do not have enough money.

I represent a district that has a coastal area. It has the most dangerous place where the river comes out into the ocean. That bar is perhaps the most dangerous in the world. We have a wonderful Coast Guard station. Every day the Coast Guard protects our security, the security of fishing women and men who cross that bar. They also do tremendous work in drug interdiction. But guess what? Their budget has been cut. That budget is a real security budget. It is a budget that real men and women need.

Mr. Chairman, we have heard that the CIA budget has actually decreased, but in fact if we look at the figures since 1980, true, there has been a decrease since 1989, but if we look from 1980 to 1996, we see an overall increase of 80 percent. Imagine, just imagine, an 80-percent increase in education, health care, law enforcement.

I think it is our absolute duty here to spend the public's money wisely. The most wise and commonsense way to spend it is to look at every budget and figure out, are we giving them enough? Could we cut something? But to increase this budget 3.9 percent this year does not make common sense. The American people want common sense. They want us to spend their money wisely. Let us hold it at last year's rate, and let us have a commonsense approach to security.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will just point out to my colleagues that I am as sympathetic as they are to the fact that we have reduced some of the most important domestic programs in this country. In fact, I supported both the Blue Dog budget and the Clinton budget, which I think in overall budgetary terms were more balanced than the alternative which was adopted by the House.

But I have to remind my good friends and colleagues who have suggested that we can just take this money from defense and intelligence and move it over to the domestic side; that, unfortunately, is not the way the budget works here. If we make the reductions in intelligence, the money is going to go over and be spent on defense, because it is all within the same budgetary item.

Mr. Chairman, we have heard a lot today about the NRO. This committee has dealt effectively and supported John Deutch in his efforts to get control over the NRO. We have significantly reduced the carryforward funds and used it for other crucial defense priorities.

Having said that, we are in the midst of a very important modernization of our signals and imagery collection systems. What we are trying to do is to modernize so we will have fewer but more capable systems and that they will ultimately save money, because we are able to shut down equipment and facilities that will save us money over the longer term and still give us a very capable system.

Again, I want to remind my colleagues, everybody gets up here today and talks about the CIA. The CIA is just a small fraction of the overall intelligence budget. I voted with my colleagues to make that number known, the aggregate number known. The vast preponderance of funds that we have in the intelligence budget are used to assist the men and women who are serving us today very effectively in the military all over the world. It is the ability to give them rapid intelligence so they can go in and find a relocatable Scud launcher and destroy it that will save American lives in the future.

In the gulf war we were vulnerable to that situation because we could not find those relocatable Scud launchers. Now we have improved intelligence capabilities that will allow us to do that and to target them rapidly and to protect and save American lives.

Mr. Chairman, I would urge my colleagues today to oppose the amendment offered by the gentleman from Massachusetts [Mr. FRANK].

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

Mr. DICKS. I am glad to yield to my colleague, the gentleman from Massachusetts [Mr. FRANK], for whom I have enormous respect.

Mr. FRANK of Massachusetts. Mr. Chairman, I would just point out to the gentleman, when he says if we make this cut it goes not to domestic but to defense programs, that is so because the House voted it that way. There is nothing in the law or Constitution that would require that. We would have the option.

The chairman of the Committee on Appropriations on the House side has just gone through the difficult process of doing the allocations of funds among subcommittees. If we were to reduce that by $1.5 billion plus, he could then take that out of the national security allocation and give it to others. Indeed, interestingly, $1.5 billion is a figure that, as I understand it, the chairman of the Senate Appropriations Committee has said he needs to distribute to other domestic programs to prevent real carnage, so this one amendment would ease that.

It is true if we reduce this authorization and made no other change, they would gobble it up; but we have, by the same vote that we reduce this authorization, the ability to reduce overall appropriations and allow the reallocation. It is entirely within our decision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK].