PRESIDENT OBAMA'S FAILED ECONOMIC POLICIES

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

Mr. BRADY of Texas. Madam Speaker, the President's jobs message was clear and powerful: Government made America great, and government can make it great again. This misguided view explains why 2 years after the recession supposedly ended, we are still left suffering with a second-rate economy that is being held up to ridicule by the world as our Nation sinks deeper into debt and 22 million Americans can't find work.

I was looking for real leadership—an admission the President's economic policies have failed and a call for a new start, a fresh new direction for this dismal economy. Other than the call for passing the free trade agreements, which the President himself continues to hold up, what America witnessed was a shopping cart of gimmicks to special interest voting blocs paid for by crushing tax increases on the very consumers and job creators we need to get out of this dismal economy.

If you liked the leadership of the last 2 years on the economy, you're going to love this President's jobs agenda.

GETTING AMERICANS BACK TO WORK

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

Mr. CICILLINE. Madam Speaker, having spent the last several weeks in Rhode Island with families, small business owners, manufacturers and builders, people in my district are hurting, facing real struggles every single day. The jobs crisis is causing real anxiety and real havoc in their daily lives.

Last night, the President laid out a serious plan to get Rhode Islanders and Americans back to work. The President put forth a jobs plan that reflects many of the priorities I have been working on and have heard during my community suppers, small business tours, and visits with manufacturers. We heard strategies to rebuild American manufacturing and to make it in America again, creating jobs by enacting small business tax cuts, supporting workers by expanding middle class tax cuts, and rebuilding our Nation's roads, bridges, and schools. And providing greater support and job opportunities for returning veterans, the long-term unemployed, and our young people.

The time for taking action to create jobs is now. Americans have endured the crushing consequences of this economic recession for far too long, and there is no time to waste.

TEXAS FIRES

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

Mr. FARENTHOLD. Mr. Speaker, since December, fires have been ravaging drought-stricken Texas, claiming 2 lives, more than 1,500 homes, and 3.5 million acres of land. My deepest prayers and sympathy go out to the victims of these wildfires. My thanks and appreciation go out to those brave firefighters battling these devastating flames.

FEMA and the White House must help Texas during this time of natural disaster and provide the tools needed to fight these devastating fires. Disasters like these fires is why FEMA was created. Just this week, fires have crept into eight more counties, forcing thousands to evacuate and wait in fear, praying their homes and life savings don't go up in smoke.

I'll do more than pray. The House of Representatives will find the necessary tools to combat this disaster, and I'll push government at all levels to provide the necessary resources for firefighters.

If you live in one of these danger zones, like folks in Bastrop and surrounding counties, please listen to Federal, State, and local officials' warnings and advice. And I will continue to pray for rain and the safety of those involved in this disaster and those in harm's way.

CONGRESS SHOULD DO WHAT'S RIGHT FOR AMERICA

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today with a simple message: Let's stay here and work for America. Last night, the President stood right there and challenged us to do what's right for America. We should do that. But you know what we're going to do? We're going to knock off early at noon today.

The President wasn't allowed to speak on Wednesday because we had important business: we had one procedural vote to allow the Capitol grounds to be used for an event. That is unacceptable. We should stay here and work and git 'er done.

Last night, I brought Lee Hiller to the speech. Lee is a heavy crane operator with the Operating Engineers. He said one thing to me: I've got guys who want to work; they're ready to work; put us to work.

Today, schoolteachers are waking up all across America, getting up early and staying late to educate our children. Nurses are going to work 12-hour shifts curing the sick, and veterans overseas will work long hours protecting this Nation. The least we can do is stay here and do our job.

Mr. Speaker, I encourage Americans all across this country, call their Member of Congress, tell them to git 'er done and work the way they're paid to do. Let's stay here and do that.

□ 0910

LET'S INVEST IN AMERICA

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, last night the President stood here to speak to us. He came to talk about his proposed American Jobs Act.

I'm sure each and every one of us heard what we wanted to, didn't hear what we wanted to, and we took away different things after that speech. But what we all should have heard is that we were hired—I think those words were great—we were hired to do a job. And we must do that job. People are not going to wait 14 months for us to get our act together, especially those who are unemployed.

We should also have heard the cry for the future of our Nation. The President said we must invest in our future. We must become the number one nation again. We cannot let China outbuild us, and neither can we have China and Europe take over manufacturing.

Those are things that we, the United States, have been known for. We must do that. We must invest in ourselves again. We must invest in becoming the number one nation in the world. And we can do that if we are all committed to ''Make It In America.''

Mr. Speaker, if we cannot put the pride of our Nation before all of us, we will never come together. Let us invest in America.

WORK TOGETHER TO PUT AMERICANS BACK TO WORK

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, 10 years ago, the horror of 9/11 struck this great Nation. But in its aftermath I have never seen this Nation or this Congress so united and so determined to make sure that we protect our citizens and that it does not happen again. We came together with such a strong purpose.

We need to come together again with a strong purpose behind the President's jobs proposal. Fourteen million Americans are out of work. He has a plan. Let's unify, let's work together, and let's put Americans back to work building our crumbling infrastructure, repairing our schools, investing in innovation, education, and working together. We did it after 9/11, that great crisis. We can do it again.

The President has a plan. Let's get behind that plan. If the Republicans have a plan, then put it forth. Let's look at it. Let's work together and put Americans back to work.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2012

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative

days in which to revise and extend their remarks and include extraneous material on H.R. 1892.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 392 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1892.

□ 0915

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. 1892) to authorize appropriations for fiscal year 2012 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 Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

Madam Chair, I first wish to announce that, subsequent to ordering the bill reported, the committee has modified the classified schedule of authorizations to the bill with respect to the level of funding of certain programs, with bipartisan agreement between myself and my ranking member, Mr. RUPPERSBERGER.

The classified annex containing the schedule of authorizations is available for review by all Members of the House, subject to the rules of the House and the Permanent Select Committee on Intelligence, under the procedures described in my announcement to the House on Wednesday. The modified schedule of authorizations is and has been available for review to Members for the period of time required by the rules of the House.

Madam Chair, I think this is an important day for the community, certainly rolling into the weekend of the 10th anniversary of that tragic event on 9/11. It is important, it is crucial, that we continue to monitor, to improve, to provide support for our intelligence services who so bravely around the world and here at home serve to protect the United States of America.

The bill before us today is a vital tool for our oversight of the intelligence community's classified activities and is critical to ensuring our intelligence agencies have the resources and authorities they need to do their important work. Passing an annual intelligence bill is vital to keeping the laws governing our intelligence operations up to date. The FY12 bill sustains today's intelligence operations and provides for future capabilities while achieving significant savings.

The U.S. intelligence community plays a critical role in the war on terrorism and securing the country from many other threats that we face. This bill funds all U.S. intelligence agencies, spanning 17 separate agencies, totaling roughly $80 billion. The bill's comprehensive classified annex provides detailed guidance on intelligence spending, including adjustments to costly programs. It provides oversight and authorization for critical intelligence activities, including but not limited to the global counterterrorism operations such as the one that took out Osama bin Laden; tactical intelligence support to combat units in Afghanistan and Iraq and other places; cyber defense by the National Security Agency; detecting and countering the proliferation of weapons of mass destruction; the R&D, research and development, of new technology to maintain our intelligence agencies' technological edge, including work on code breaking and spy satellites.

The bill also reflects our tough economic times as well, Madam Chair. After passage of the Budget Control Act, the committee revamped the bill it reported out of committee in May to double its budget savings. The bill is significantly below the President's FY12 budget request and further still below the FY11 authorized and appropriated levels. We accomplished this without impacting the mission. The savings were achieved through a whole series of joint work and effort by many to merge services and find savings that would bring efficiencies, as I said, again, Madam Chair, without impacting the mission of the intelligence services.

The bill curbs unnecessary personnel growth. The cost of additional personnel would squeeze funding for high-tech investments, which is our competitive advantage in intelligence. While the bill denies most of the administration's requested personnel increases, it adds some key positions in high priority areas such as cyber defense. The bill also promotes major operating efficiencies in a number of areas, including data processing, IT, and office leases, finding over $100 million in savings.

□ 0920

This bill also makes only ''best value'' investments and shaves $1 billion from a handful of very large-ticket hardware items and programs that the intelligence community is involved in. The bill protects investments in cutting-edge R&D and redirects $500 million of savings to invest in some game-changing technologies.

The bottom line is this bipartisan bill preserves and advances national security, and it is also fiscally responsible. Secrecy is a necessary part of our country's intelligence work, so the intelligence committees must conduct strong and effective oversight on behalf of the American people. That oversight is impossible, however, without an annual Intelligence authorization bill. Madam Chair, that's why we stand before you today with a bill that I think this body can be proud of, America can be proud of, and our intelligence community can take to the bank that we're investing in their mission success.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 2, 2011.

Hon. MIKE ROGERS,
Chairman, House Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR CHAIRMAN ROGERS: I write to confirm our mutual understanding regarding provisions in the Intelligence Authorization Act for Fiscal Year 2012 within the jurisdiction of the Foreign Affairs Committee, specifically the preparation of Nuclear Proliferation Assessment Statements and a requirement that the Department of State provide information concerning individuals detained at Naval Station, Guantanamo Bay, Cuba. We appreciate your agreeing to include the House Foreign Affairs Committee and the Senate Foreign Relations Committee in the list of committees to which this information will be submitted.

In order to expedite Floor consideration of this legislation, the Committee will not object to the inclusion of these two provisions and will not mark up the bill. The Committee takes this action with the mutual understanding that the Committee's jurisdiction over this, and similar legislation, is in no way diminished or altered.

The Committee reserves the right to seek appointment to any House-Senate conference on this legislation, and requests your support if such a request is made. I would appreciate your including this letter in the Congressional Record during consideration of the legislation on the House Floor.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, September 6, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: Thank you for your letter regarding H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012. As you noted, elements of the bill fall within the jurisdiction of the Committee on Foreign Affairs. I will continue to work with you on these sections and will support the request of the Committee on Foreign Affairs for conferees in any conference that may occur on the bill.

I appreciate your willingness to forego consideration of the bill in the interest of expediting this legislation for floor consideration. I acknowledge that by agreeing to waive consideration of the bill, the Committee on Foreign Affairs does not waive any jurisdiction it may have over provisions of the bill or any matters under your jurisdiction. I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor.

Thank you for your assistance in this matter.

Sincerely,

MIKE ROGERS,
Chairman.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I rise today in favor of the Intelligence Authorization Act for FY 2012, and I yield myself such time as I may consume.

When Chairman ROGERS and I took over leadership of the House Permanent Select Committee on Intelligence, we made a commitment to getting back into the practice of passing intelligence budgets. We made a commitment to the men and women of the intelligence community to do what is right—to give our intelligence professionals the resources, capabilities, and authorities they need to keep us safe.

We on the Intelligence Committee have a responsibility to provide effective oversight; to help build up the community, not to tear it down; to hold the community accountable for performance while upholding the Constitution and protecting civil liberties. This is even more important today as we approach the 10th anniversary of 9/11, where close to 3,000 innocent Americans lost their lives.

The bill makes smart choices by trimming where possible, eliminating duplicative efforts, and ensuring we do not affect the current critical capabilities that protect our Nation now and in the future.

The bill aligns our resources with our current threats in a fiscally responsible manner. After the debt debate this last summer, our committee trimmed our budget even further to keep its costs in check. The bill curbs personal growth when appropriate, never affecting the core mission. It invests in new positions for select high-priority needs, such as FBI surveillance officers to keep watch on terrorists, NSA cyber professionals to protect computers from malicious intrusions, and Treasury financial analysts to unravel terrorist plots.

We found major savings in operating costs, pushed down the price of programs through intense oversight, required acquisitions to come in on budget and on schedule, and invested in research and technology to keep our competitive edge. We fully funded the President's major satellite program as well as commercial imagery to ensure our intelligence professionals, the warfighters and our allies have the information they need on the front lines around the world.

Right now, this bill includes two controversial provisions relating to Guantanamo Bay detainees and another making the Director of the National Security Agency a Senate-confirmed position. These provisions garnered a veto threat from the White House. Chairman ROGERS and I worked together to come up with a solution. Today's manager's amendment withdraws the Gitmo and the NSA Director provisions. I encourage all Members to vote in favor of the manager's amendment. If these provisions can be successfully eliminated, I will support this bill and look forward to seeing it become law. This bill will make great investments in space, cyber, and the warfighter.

Republicans and Democrats have worked together with our Senate counterparts to make this a good bipartisan bill. Intelligence is clearly the best defense against terrorism. This is even more important as we approach the 10-year anniversary of the September 11 attacks.

If this bill is signed into law, it will be the third time in 3 years that the Intelligence Committee passed an Intel authorization act. For the 5 years before that, we did not have an Intelligence bill.

With this bill, we are giving the intelligence community guidance and critical direction. We are doing our job. With the passage of the manager's amendment, I believe this is a good bipartisan bill that makes important decisions to protect our families and communities. I urge my colleagues to support it.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. I yield 4 minutes to the gentleman from California (Mr. THOMPSON), the vice chair on the Democratic side of the Intelligence Committee.

Mr. THOMPSON of California. Madam Chair, I rise in support of H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012, as amended by the manager's amendment.

As the ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, I am pleased that we were able to work together to bring a bipartisan Intelligence authorization bill to the floor today.

H.R. 1892 will support critical U.S. intelligence capabilities by strengthening funding for our intelligence collection programs, enhancing counterintelligence efforts, and improving upon critical training operations vital to the future of the intelligence community.

This legislation also includes two provisions that I authored. The first provision requires the Director of National Intelligence to compile a threat assessment of foreign drug traffickers that are increasingly turning to public lands in the United States to further their operations.

Last year alone, over 3 million marijuana plants were eradicated on 62 of our national forests. The effect of these illegal drugs' growth has been profound, leading to unacceptable levels of violence and the devastation of our environment and our natural resources. Our public lands have been taken away from us. This is wrong, and it must be stopped.

This threat assessment will examine the ability of law enforcement and the intelligence community to gather, process, and share critical intelligence information regarding the presence of foreign drug traffickers on our Federal public lands. This coordination between the intelligence community and local law enforcement is extremely important.

The second provision that I authored requires the Director of the Central Intelligence Agency to provide Congress with a full report on the events surrounding the May 2011 Osama bin Laden raid. This record, once complete, will provide an official account of a critical point in our country's history.

We are all proud of the intelligence community's extraordinary effort in carrying out the bin Laden operation. I believe it is necessary that we never forget what actually happened in the raid and to be able to recognize the amazing contribution of the intelligence community and this important success.

The historical significance of this mission cannot be understated. That's why we must make a determined effort to document and preserve all that went into this operation so that in the future the history books will be accurate and complete. I would like to just take a moment to thank my friend, a former committee colleague of ours, Representative ESHOO, for her work on this important part of the bill.

Madam Chair, our intelligence community must be prepared for any and all threats. While Osama bin Laden may no longer pose a direct threat to our country's safety and security, the remaining elements of al Qaeda and other emerging terrorist organizations are more determined than ever. It is critical for Congress to pass an Intelligence authorization that furthers our national security, which I believe this bill, with a manager's amendment, will do.

This legislation is necessary, will enhance the capabilities of the intelligence community, specifically our counterterrorism efforts, and will make our Nation stronger.

I urge my colleagues to support the amended bill.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend from Maryland.

Madam Chair, I rise in strong support of the dedicated public servants of our intelligence community. Their work to ensure national security is to be commended. However, I must oppose the Intelligence Authorization Act of 2012.

Ten years after 9/11, the United States continues to use its intelligence and defense apparatus in ways that undermine the rule of law at home and abroad.

□ 0930

There are plenty of examples, in Pakistan, Afghanistan, Iraq, and

Libya. In a recent PBS Frontline feature, a top CIA official who was at the agency for over 34 years was quoted as saying, ''The Obama administration changed virtually nothing with respect to existing CIA programs and operations.''

Last month the Associated Press reported that the New York Police Department was using domestic surveillance methods, in conjunction with the Central Intelligence Agency, to spy on local communities in a way that significantly undermined civil liberties. The United States continues to use drones for targeted assassination under the color of international law.

Earlier this year we rubberstamped three provisions of the Patriot Act that allowed the government to conduct surveillance and demand records from innocent Americans with impunity, even for activities associated with First and Fourth Amendment rights.

Yesterday, it was reported in The New York Times and other publications that Russian heat-seeking missiles ''that could be used to shoot down civilian airliners have gone missing from warehouses in Libya.'' Now, think about this. Who has control over Libya right now? The CIA, everyone knows this, the CIA was involved in the overthrow of the government of Qadhafi.

Now, whether you agree with the overthrow or not is not the point here. Didn't we know about these weapons warehouses ahead of time?

There was one news report that said there might be as many as 20,000 surface-to-air missiles that could be in jeopardy of being lost, missing, gone to the black market in who knows whose hands, and it's the rebels that are running there now.

And I'm also concerned about that because of the stories about al Qaeda's connection to the rebels from the beginning of the insurrection. Despite the drones, intelligence personnel we have on the ground, and nearly a billion dollars we've already spent in the war on Libya, no one seems to know who took the missiles or who has them. How is this allowed to happen? And who needs to be held accountable?

This is a debate we should be having exactly today over this legislation. What happened to the missiles?

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

Madam Chair, I have a lot of respect for the gentleman from Ohio. I think on this, unfortunately, his facts were just not correct. It's interesting in the business of intelligence because so much of it is classified that the rhetoric is easy to throw around and the condemnation is easy to heap on the very brave men and women who are following the law that we give them overseas. And I think that's one of the reasons that this administration came to power and said, all of the kinds of things and all the rhetoric around the political campaign just wasn't true. They found that they were following the law. They were comporting with the missions and guidelines and objectives in accordance with the law of the United States. So they are, in fact following the law.

There was no, absolutely no role for the CIA to overthrow the Qadhafi regime. That is just false. So I think we need to be careful about making these assertions that are pretty damning, if you will, that are completely inaccurate. We may believe that happened. I can tell you, on the Intelligence Committee, and my friend, DUTCH RUPPERSBERGER, we watch this closely.

One of the reasons I hope he will change his mind on the bill, Madam Chair, is that we need the ability to have oversight of these 17 agencies. This bill allows us to do it. By having no bill for 6 years, no authorization bill of any meaning was passed in this House. That's when problems start.

This gets us back to regular order. It gets us back into the business of conducting proper oversight and setting the guidelines in the classified annex, which I would urge the gentleman to come down and review in the House Intelligence Committee, which every Member has the privilege and, I argue, responsibility to do that if that's what they desire to do. It lays out very clear guidelines on spending and objectives and policies.

So I would argue that the gentleman's position is misstated. I understand his frustration. But, again, this gets us back to regular order, and I praise the administration for continuing the programs that we know were put in place under the last administration that are keeping Americans safer today.

With that, Madam Chair, I reserve the balance of my time.

Mr. RUPPERSBERGER. I yield 30 seconds to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I honor the chairman's service, and I know of his dedication to our country.

What I'm pointing out is that I think it's time we have the discussion about the role that the CIA had in Libya, which was really no secret, and the fact that these missiles that really we should have known ahead of time where they were, that that should have been the first place we want to guard. All of a sudden we have surface-to-air missiles that can't be accounted for. I think the CIA has to take responsibility for that.

I want to thank the gentleman, though, for the way in which he's conducted the points that he's made.

Mr. ROGERS of Michigan. Madam Chair, I yield myself such time as I may consume.

Again, I thank the gentleman for his comments. I too have concerns about weapons systems in Libya. But one of the problems was you can't be against the intelligence services being places to collect information, and then wonder why they're not in a place to get the information that we might need. And that's part of the problem here.

There was no CIA involvement in the regime change, none. That did not happen. I don't know where that got started. That is inaccurate information, and I would be careful about throwing out that the agency was involved in some regime changes. They were not.

We have pressed the agency and the administration to be more aggressive on accounting for and rendering safe weapons systems that are scattered all around Libya. We saw this in Iraq. When the regime uses these weapons caches, not to protect the citizens of its own state but to protect its regime, it becomes much more difficult to get a handle on it. We ought to be celebrating the agency's work in trying to determine where these systems are and how we render them safe and account for them, and one way we can do that is passing this bill that gives them the resources to do exactly that.

I would hope the gentleman would have a change of heart.

Mr. RUPPERSBERGER. Will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Maryland.

Mr. RUPPERSBERGER. I just want to confirm, Mr. KUCINICH, I do respect your comments and your point of view, but our role on the Intelligence Committee is oversight. When we can pass bills, we work and oversee all these agencies. And if we find out where there are allegations of a concern, let me know, and we will try to do what we can do to get information. But I know of no situation that we have not been told in the last couple of years, when Mr. ROGERS and I have been working together.

I think it's important for the United States of America to remember this. In my opinion, the best defense against terrorism is intelligence, but it's got to be done the right way and protect civil liberties.

Mr. ROGERS of Michigan. I respect the gentleman from Ohio's position as well and hope that we can work out those differences as we move forward.

I reserve the balance of my time.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the ranking member for his leadership in so many ways before this Congress, and Chairman ROGERS for his lifetime commitment to protecting Americans even as a former FBI agent.

I want to underscore what the ranking member said. The best defense against terrorism is intelligence, and we need to support this bill in every single way. We were reminded of the need for intelligence yesterday when Mayor Bloomberg announced there was a credible threat against New York and Washington. And where did this information come from? It came from the intelligence community.

After 9/11, the 9/11 Commission report said the biggest failure in preventing 9/11 was a failure in our intelligence system. This Congress came together, and

I was proud to have worked with and helped author a bill that was the first major reorganization and the most fundamental since 1948, where it brought all 17 agencies together under Homeland Security and one director to gather information to make us safer.

This bill very critically supports the task forces, the joint terrorism task forces that are sharing information and protecting our citizens, and this bill approaches and focuses on cyber attacks, which are one of the most serious attacks that we have in our country now on the Pentagon and on financial institutions. Foreign countries are hacking into our information systems. This bill addresses that and focuses resources and oversight in that area.

I congratulate this bipartisan effort. I consider it one of the most important bills that we have an opportunity to vote on, and I support it completely.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield 3 minutes to my good friend from Rhode Island, JIM LANGEVIN.

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

Mr. LANGEVIN. Let me just say how proud I am to support the FY 2012 Intelligence Authorization Act. I appreciate the leadership of both Chairman ROGERS and Ranking Member RUPPERSBERGER in crafting this bill. This has truly been a bipartisan effort of which I have been proud to be a part.

I am pleased that this bill includes funding to accelerate implementation of an insider threat detection program, and that's both on the cyber front but also in cases like the Hasan case that was tragically in the news and that occurred not long ago and cost many lives.

This bill basically requires best practices implemented within the Army to be reviewed for inclusion across the intelligence community. That's referring to their insider threat detection program.

In addition, the bill supports critical resources needed for cybersecurity, the broader cybersecurity threat, a threat which demands the attention of our national security specialists and the entire country.

As the successful operation against Osama bin Laden showed us earlier this year, the intelligence community has made significant strides toward working together to counter the most complex threats facing our Nation. This productive cooperation and integration embodies the intent of Congressional intelligence reforms made after the tragic events of 9/11, and I'm encouraged to see this progress in the area of information-sharing.

□ 0940

Yet while the sharing of classified information is imperative to keep our country safe, unrestrained and unregulated access can put our country at great risk. As we have seen from both the damage of WikiLeaks and historical espionage cases, the threat from a malicious insider with the keys to the kingdom is very real. We are far beyond the risk of paper documents being copied and carried out. Today the question is how much information can a potential leaker or spy fit on to a USB drive or a CD.

Although technological advances have strengthened the efforts of our intelligence community, they have also increased the risk.

Now, with this serious concern in mind, I'm proud that this bill requires the DNI to review improvements made by the Army's insider threat regulations and consider implementation of these practices across the entire intelligence community.

In addition, the bill accelerates other technical initiatives within the insider threat program. I believe it's imperative that we ensure that our security officers and network administrators have the capabilities in place to protect our most sensitive information.

Now, in view of the enormous resources spent on security clearances, protecting classified information, and securing networks across the globe, it also makes fiscal sense to protect our investment by taking advantage of the auditing software already available today. The access to classified information bears with it significant responsibilities, one that I know that I and my colleagues on the committee take very seriously.

The other serious threats which this bill addresses are the risks posed to our broader cyber networks. Now, I'm proud that it strengthens resources and it furthers the administration's efforts to address the threats of our critical infrastructure. I know that that is something that is also shared by my colleague, Congressman RUPPERSBERGER.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman 1 additional minute.

Mr. LANGEVIN. While I applaud the administration's work, I think that we need to go further to raise awareness and work with both public and private sector partners to meet this threat. We cannot afford to continue operating with the massive digital vulnerabilities to not just our sensitive information but also our important intellectual property that makes up the foundation of our innovative economy. Addressing these threats must become a national priority, and we must work quickly to grow our current and future cyber workforce to fill the rising demand for cybersecurity information assurance.

This bill helps secure our sensitive information and vital networks to threats from malicious actors beyond our borders and on the inside because of these important provisions, along with the other merits cited by my colleagues today.

I thank again Chairman ROGERS and Ranking Member RUPPERSBERGER for the outstanding bipartisan cooperation we've seen in their leadership and also the other members of the committee. It's a committee that I'm proud to serve on. I thank them and the committee for their work.

I urge Members to support this bill.

Mr. ROGERS of Michigan. Madam Chair, I reserve the balance of my time to close.

Mr. RUPPERSBERGER. I yield myself the balance of my time.

It took a long time for us to get here today: days of important hearings, analyzing the intelligence community, hours of critical meetings, making important decisions of what to include and not to include in the bill and lots of time pulling it together.

Republicans and Democrats came together to make important choices to do what's right for the intelligence community and for our country. I commend everyone who participated in this effort, especially the bipartisan leadership of Chairman ROGERS and other members of the Intelligence Committee.

I would like to thank both Democrat and Republican staff for the countless hours they spent helping us make this happen. With the passage of the manager's amendment, I fully support this bill and urge my colleagues to do the same. The stakes are too high not to.

I yield back the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield myself the balance of my time.

I want to thank the gentleman from Maryland, who is not only a colleague but a friend, in working so diligently over the course of the summer and really at the beginning of this year to reestablish the Intelligence Committee as a force for oversight over the 17 agencies. It is a tremendous amount of money, and it is a tremendous amount of responsibility because most of what we do happens behind closed doors and is classified.

I think working together we have come to one of the best products certainly I have seen since on the committee of the most thorough review from line by line by line of both the National Intelligence Program spending as well as the Military Intelligence Program spending, and we've had very good cooperation because we've cooperated together from the agencies themselves.

There really was a unity of effort here that I think Americans can and should be proud of in an effort to make sure that our men and women who are risking their lives today to protect the United States of America have the resources they need and the commitment on behalf of this Congress and the American people to be successful in their particular mission.

I want to thank the staffs on both committees. For the first time we had joint briefings with both Republican and Democrat staff on the very difficult budget issues that worked sometimes through the process of the Intelligence authorization bill. They briefed

at the same table at the same time, which sounds a little—something that should happen more often but it did not and we have reestablished that. We have reestablished the quarterly reviews on all of the programs so that we have regular and consistent oversight on what happens in the intelligence community. That all wouldn't really have happened without the leadership of Mr. RUPPERSBERGER and his team and my team as well.

There are too many to name who spent countless hours on this particular bill, the leadership team here and all the folks on the Intelligence staff. Honorable mention to Brian Smith, our budget director, who gave a lot of his heart and soul to go through every line and find every penny for us. I know on Mr. RUPPERSBERGER's staff they have sat beside him the entire time to make that happen.

Without further ado, Madam Chair, we'll get to the amendments; but, again, I do think this is a product that reflects the best of what Congress can do when we work together, and the best of the most amazing people in our intelligence community and what they have to offer in the protection of the United States of America.

With that, I yield back the balance of my time.

Mr. VAN HOLLEN. Madam Chair, I rise in support of H.R. 1892, The 2012 Intelligence Authorization Act and to congratulate Chairman ROGERS and Ranking Member RUPPERSBERGER for their close collaboration on the bill and for their willingness to work together to shape a bi-partisan measure. This legislation demonstrates the Intelligence Committee's continued commitment to honoring the sacrifices and dedication of the public servants who comprise the Nation's intelligence community.

Sunday marks the 10th anniversary of the attacks of September 11th, 2001. Today this body will consider two pieces of legislation directly relevant to that event. H. Res. 391, which expresses the sense of the House regarding the anniversary of the attacks and H.R. 1892.

H.R. 1892, the FY12 Intelligence Authorization Act, authorizes about $80 billion in funding for the 17 agencies that oversee and conduct the nation's intelligence and intelligence-related activities including the Office of the Director of National Intelligence, the CIA, and the National Security Agency, as well as intelligence activities of the Defense Department, FBI, State Department, Homeland Security Department, and other agencies. The Intelligence Committee has written the bill with enhanced oversight and accountability features to better protect the American taxpayer's investment in national security and to prevent the wasting of resources. In that regard, the bill cuts one billion dollars from the intelligence budget without sacrificing the Nation's security by merging services and finding other savings. The bill is fiscally responsible and preserves national security. I support both H. Res. 391 and H.R. 1892 and encourage my colleagues to do the same.

The intelligence apparatus of the country has evolved and improved since the tragic events of September 11th and now collaborates on data collection and analysis in a way that it did not ten years ago. The culture of our intelligence community now has a more open and inclusive attitude across all platforms from the highest levels of government down to the agent in the field.

The fruits of that successful collaboration were on bold display on May 1, 2011 when a commando team of Navy Seals brought Osama bin Laden to justice during their secret raid on his compound in Abbottabad, Pakistan. Due to the concerted efforts, dedication and hard work of our Nation's clandestine services and the people who support them, the U.S. is safer now than it was in the days leading up the attacks of September 11th.

We meet today in advance of Sunday's anniversary to honor and remember the heroes and victims of 9/11. We also gather to express once again our gratitude to the focused, determined and persistent efforts of the men and women who comprise this Nation's intelligence community for all that they do.

Mr. BLUMENAUER. Madam Chair, today I voted against H.R. 1892. Despite of the progress we've made in reforming our intelligence community in size, scope and accountability, today's authorization does not go nearly far enough.

On the eve of the 10th anniversary of 9/11, there is still nothing more important than the security of our people. Unfortunate, there is a clear lack of progress in getting a handle on the sprawling intelligence bureaucracy.

There are 856,000 people with top-secret security clearances in the United States. That's nearly the population of the entire state of Delaware and more than the entire population of San Francisco. In over 10,000 locations scattered across the U.S., there are around 1,200 government organizations and 1,900 private companies that focus on intelligence gathering and on homeland security.

In the wake of 9/11, we opened the funding floodgates to our intelligence community. It has now grown so large and so secretive that we have no idea how much it costs or how many people it employs, let alone understand how much of this work is duplicative. While improvements have been made, Congress needs to not just take a closer look, but reverse this dangerous trend.

With the inability for anyone to really know exactly what's going on, the surge of information isn't always a source of protection, but a potential vulnerability. We can have too much information to use effectively. After all, parts of the bureaucracy were well aware of the threat from Osama bin Laden immediately prior to 9/11.

The problem is not intelligence gathering, which is essential to the security of America. The killing of Osama bin Laden would not have been possible without such efforts. It's simply that since 9/11, the intelligence community has grown so fast, and so secretively, that oversight hasn't kept up.

At a time when we are cutting to the bone essential government services, this is a huge area that is ripe for budget scrutiny and, very likely, budget reduction. This bill has good features, but avoids getting this vast intelligence network under control. That is why I voted against H.R. 1892.

Mr. HOLT. Madam Chair, I rise in reluctant support of this bill.

This bill is, by the conventional standards of the House, an appropriate vehicle for meeting many of the routine needs of the Intelligence Community. However, it completely fails to undertake the kind of probing, large-scale reassessment of the structure, mission, and purpose of our intelligence enterprise in a post-bin Laden era. I regret that Congress has not shown the stomach for the kind of thorough, comprehensive, and brave review of intelligence activities that was undertaken by the Church Committee in the 1970's. Given the events of the last decade, such a review is both long overdue and very badly needed. Despite my strong reservations about what this bill does not but should do, I will support this bill.

□ 0950

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee print, dated August 31, 2011. That amendment in the nature of a substitute shall be considered read.

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

H.R. 1892

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2012''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Annual report on hiring of National Security Education Program participants.
Sec. 304. Enhancement of authority for flexible personnel management among the elements of the intelligence community.
Sec. 305. Preparation of nuclear proliferation assessment statements.
Sec. 306. Cost estimates.
Sec. 307. Detainees held at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 308. Updates of intelligence relating to terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 309. Submission of information on Guantanamo Bay detainee transfers.

Sec. 310. Enhanced procurement authority to manage supply chain risk.
Sec. 311. Modification of certain reporting requirements.
TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY
Subtitle A—Office of the Director of National Intelligence
Sec. 401. Report and strategic plan on drug trafficking organizations and impact on public lands.
Sec. 402. Application of certain financial reporting requirements to the Office of the Director of National Intelligence.
Sec. 403. Public availability of information regarding the Inspector General of the Intelligence Community.
Sec. 404. Clarification of status of Chief Information Officer in the Executive Schedule.
Subtitle B—Central Intelligence Agency
Sec. 411. Burial allowance.
Sec. 412. Acceptance of gifts.
Sec. 413. Foreign language proficiency requirements for Central Intelligence Agency officers.
Sec. 414. Public availability of information regarding the Inspector General of the Central Intelligence Agency.
Sec. 415. Creating an official record of the Osama bin Laden operation.
Sec. 416. Recruitment of personnel in the Office of the Inspector General.
Subtitle C—National Security Agency
Sec. 421. Confirmation of appointment of the Director of the National Security Agency.
Sec. 422. Additional authorities for National Security Agency security personnel.
Subtitle D—Other Elements
Sec. 431. Codification of Office of Intelligence and Analysis of the Department of Homeland Security as element of the intelligence community.
Sec. 432. Federal Bureau of Investigation participation in the Department of Justice leave bank.
Sec. 433. Accounts and transfer authority for appropriations and other amounts for intelligence elements of the Department of Defense.
Sec. 434. Report on training standards of defense intelligence workforce.
TITLE V—OTHER MATTERS
Sec. 501. Report on airspace restrictions for use of unmanned aerial vehicles along the border of the United States and Mexico.
Sec. 502. Technical amendments to the National Security Act of 1947.
Sec. 503. Technical amendments to title 18, United States Code.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 104, the authorized personnel ceilings as of September 30, 2012, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 1892 of the One Hundred Twelfth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY TO COMMITTEES OF CONGRESS.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—In carrying out paragraph (2), the President may disclose only that budget-related information necessary to execute the classified Schedule of Authorizations and shall not disclose the Schedule or any portion of the Schedule publicly.

(c) USE OF FUNDS FOR CERTAIN ACTIVITIES IN THE CLASSIFIED ANNEX.—In addition to any other purpose authorized by law, the Federal Bureau of Investigation may expend funds authorized in this Act as specified in the Federal Bureau of Investigation Policy Implementation section of the classified annex accompanying this Act.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize the employment of civilian personnel in excess of the number of full-time equivalent positions for fiscal year 2012 authorized by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary for 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 3 percent of the number of civilian personnel authorized under such section for such element.

(b) AUTHORITY FOR CONVERSION OF ACTIVITIES PERFORMED BY CONTRACT PERSONNEL.—

(1) IN GENERAL.—In addition to the authority in subsection (a) and subject to paragraph (2), if the head of an element of the intelligence community makes a determination that activities currently being performed by contract personnel should be performed by employees of such element, the Director of National Intelligence, in order to reduce a comparable number of contract personnel, may authorize for that purpose employment of additional full-time equivalent personnel in such element equal to the number of full-time equivalent contract personnel performing such activities.

(2) CONCURRENCE AND APPROVAL.—The authority described in paragraph (1) may not be exercised unless the Director of National Intelligence concurs with the determination described in such paragraph.

(c) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment—

(1) in a student program, trainee program, or similar program;

(2) in a reserve corps or as a reemployed annuitant; or

(3) in details, joint duty, or long-term, full-time training.

(d) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to the initial exercise of an authority described in subsection (a) or (b).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2012 the sum of $576,393,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2013.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 777 full-time or full-time equivalent personnel as of September 30, 2012. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2012 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2013.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2012, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

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 2012 the sum of $514,000,000.

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. ANNUAL REPORT ON HIRING OF NATIONAL SECURITY EDUCATION PROGRAM PARTICIPANTS.

Not later than 90 days after the end of each of fiscal years 2012, 2013, and 2014, the head of each element of the intelligence community shall submit to the congressional intelligence committees a report, which may be in classified form, containing the number of personnel hired by such element during such fiscal year that were at any time a recipient of a grant or scholarship under the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.).

SEC. 304. ENHANCEMENT OF AUTHORITY FOR FLEXIBLE PERSONNEL MANAGEMENT AMONG THE ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1) is amended by adding at the end the following new subsection:

''(v) AUTHORITY TO ESTABLISH POSITIONS IN EXCEPTED SERVICE.—(1) The Director of National Intelligence, with the concurrence of the head of the covered department concerned and in consultation with the Director of the Office of Personnel Management, may—

''(A) convert competitive service positions, and the incumbents of such positions, within an element of the intelligence community in such department, to excepted service positions as the Director of National Intelligence determines necessary to carry out the intelligence functions of such element; and

''(B) establish new positions in the excepted service within an element of the intelligence community in such department, if the Director of National Intelligence determines such positions are necessary to carry out the intelligence functions of such element.

''(2) An incumbent occupying a position on the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 selected to be converted to the excepted service under this section shall have the right to refuse such conversion. Once such individual no longer occupies the position, the position may be converted to the excepted service.

''(3) In this subsection, the term 'covered department' means the Department of Energy, the Department of Homeland Security, the Department of State, or the Department of the Treasury.''.

SEC. 305. PREPARATION OF NUCLEAR PROLIFERATION ASSESSMENT STATEMENTS.

Section 102A of the National Seucrity Act of 1947 (50 U.S.C. 403–1), as amended by section 304 of this Act, is further amended by adding at the end the following new subsection:

''(w) NUCLEAR PROLIFERATION ASSESSMENT STATEMENTS INTELLIGENCE COMMUNITY ADDENDUM.—The Director of National Intelligence, in consultation with the heads of the appropriate elements of the intelligence community and the Secretary of State, shall provide to the President, the congressional intelligence committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an addendum to each Nuclear Proliferation Assessment Statement accompanying a civilian nuclear cooperation agreement, containing a comprehensive analysis of the country's export control system with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries.''.

SEC. 306. COST ESTIMATES.

(a) IN GENERAL.—Section 506A of the National Security Act of 1947 (50 U.S.C. 415a–1) is amended—

(1) in subsection (a)(2)—

(A) by inserting ''(A)'' after ''(2)''; and

(B) by adding at the end the following new subparagraph:

''(B) For major system acquisitions requiring a service or capability from another acquisition or program to deliver the end-to-end functionality for the intelligence community end users, independent cost estimates shall include, to the maximum extent practicable, all estimated costs across all pertinent elements of the intelligence community. For collection programs, such cost estimates shall include the cost of new analyst training, new hardware and software for data exploitation and analysis, and any unique or additional costs for data processing, storing, and power, space, and cooling across the life cycle of the program. If such costs for processing, exploitation, dissemination, and storage are scheduled to be executed in other elements of the intelligence community, the independent cost estimate shall identify and annotate such costs for such other elements accordingly.''; and

(2) in subsection (e)(2)—

(A) by inserting ''(A)'' after ''(2)'';

(B) in subparagraph (A), as so designated, by striking ''associated with the acquisition of a major system,'' and inserting ''associated with the development, acquisition, procurement, operation, and sustainment of a major system across its proposed life cycle,''; and

(C) by adding at the end the following:

''(B) In accordance with subsection (a)(2)(B), each independent cost estimate shall include all costs required across elements of the intelligence community to develop, acquire, procure, operate, and sustain the system to provide the end-to-end intelligence functionality of the system, including—

''(i) for collection programs, the cost of new analyst training, new hardware and software for data exploitation and analysis, and any unique or additional costs for data processing, storing, and power, space, and cooling across the life cycle of the program; and

''(ii) costs for processing, exploitation, dissemination, and storage costs are scheduled to be executed in other elements of the intelligence community, such element shall identify and annotate such costs accordingly.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 307. DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010.—Subsection (e) of section 552 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83; 123 Stat. 2178) is amended—

(1) in the matter preceding paragraph (1), by striking ''15 days'' and inserting ''30 days'';

(2) in paragraph (3), by striking ''such agreement.'' and inserting ''such agreement and any monitoring assurances provided by such government.''; and

(3) by adding at the end the following new paragraph:

''(4) The agency or department of the United States responsible for ensuring that the agreement described in paragraph (3) is carried out.''.

(b) DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010.—Subsection (e) of section 428 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88; 123 Stat. 2963) is amended—

(1) in the matter preceding paragraph (1), by striking ''15 days'' and inserting ''30 days'';

(2) in paragraph (3), by striking ''such agreement.'' and inserting ''such agreement and any monitoring assurances provided by such government.''; and

(3) by adding at the end the following new paragraph:

''(4) The agency or department of the United States responsible for ensuring that the agreement described in paragraph (3) is carried out.''.

(c) SAVINGS CLAUSE.—None of the amendments made by this section shall supersede or otherwise affect the implementation of the following provisions of law:

(1) Section 1033 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111—383; 124 Stat. 4351).

(2) Section 1113 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10; 125 Stat. 104).

SEC. 308. UPDATES OF INTELLIGENCE RELATING TO TERRORIST RECIDIVISM OF DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) UPDATES AND CONSOLIDATION OF LANGUAGE.—

(1) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.) is amended by inserting after section 506H the following new section:

''SUMMARY OF INTELLIGENCE RELATING TO TERRORIST RECIDIVISM OF DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

''SEC. 506I. (a) IN GENERAL.—The Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Director of the Defense Intelligence Agency, shall make publicly available an unclassified summary of—

''(1) intelligence relating to recidivism of detainees currently or formerly held at the Naval Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense; and

''(2) an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.

''(b) UPDATES.—Not less frequently than once every 6 months, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Secretary of Defense, shall update and make publicly available an unclassified summary consisting of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station.''.

(2) INITIAL UPDATE.—The initial update required by section 506I(b) of such Act, as added by paragraph (1) of this subsection, shall be made publicly available not later than 10 days after the date the first report following the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 is submitted to members and committees of Congress pursuant to section 319 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 10 U.S.C. 801 note).

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506H the following new item:

''Sec. 506I. Summary of intelligence relating to terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba.''.

SEC. 309. SUBMISSION OF INFORMATION ON GUANTANAMO BAY DETAINEE TRANSFERS.

(a) REQUIREMENT FOR SUBMISSION.—Not later than 45 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees and the Committees on Armed Services of the House of Representatives and the Senate information concerning the transfer or potential transfer of individuals who are or have been detained by the United States at Naval Station, Guantanamo Bay, Cuba.

(b) INFORMATION REQUIRED.—The information required by subsection (a) shall include the following:

(1) An assessment of the sufficiency of the monitoring undertaken by each foreign country to which an individual referred to in subsection (a) has been transferred.

(2) Any written or verbal agreement between the Secretary of State and the government of a foreign country that describes monitoring and security assurances related to such an individual.

(3) Each Department of State cable, memorandum, or report relating to or describing the threat such an individual may or may not pose.

SEC. 310. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

(a) DEFINITIONS.—In this section:

(1) COVERED AGENCY.—The term ''covered agency'' means any element of the intelligence community other than an element within the Department of Defense.

(2) COVERED ITEM OF SUPPLY.—The term ''covered item of supply'' means an item of information technology (as that term is defined in section 11101 of title 40, United States Code) that is purchased for inclusion in a covered system, and the loss of integrity of which could result in a supply chain risk for a covered system.

(3) COVERED PROCUREMENT.—The term ''covered procurement'' means—

(A) a source selection for a covered system or a covered item of supply; or

(B) any contract action involving a contract for a covered system or a covered item of supply where such contract includes a clause establishing requirements relating to supply chain risk.

(4) COVERED PROCUREMENT ACTION.—The term ''covered procurement action'' means any of the following actions, if the action takes place in the course of conducting a covered procurement:

(A) The exclusion of a source for the purpose of reducing supply chain risk in the acquisition of covered systems.

(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

(C) The decision to withhold consent for a contractor to subcontract with a particular source or to direct a contractor for a covered system to exclude a particular source from consideration for a subcontract under the contract.

(5) COVERED SYSTEM.—

(A) IN GENERAL.—The term ''covered system'' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

(i) the function, operation, or use of which—

(I) involves intelligence activities;

(II) involves cryptologic activities related to national security;

(III) involves command and control of military forces;

(IV) involves equipment that is an integral part of a weapon or weapons system; or

(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

(B) EXCEPTION OF ADMINISTRATIVE AND BUSINESS APPLICATIONS.—Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

(6) SUPPLY CHAIN RISK.—The term ''supply chain risk'' means the risk that an adversary may sabotage, maliciously introduce unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered system so as to surveil, deny, disrupt, or otherwise degrade the function, use, or operation of such system.

(b) AUTHORITY.—Subject to subsection (c), the head of a covered agency may, in conducting intelligence and intelligence-related activities—

(1) carry out a covered procurement action; and

(2) limit, notwithstanding any other provision of law, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

(c) DETERMINATION AND NOTIFICATION.—The head of a covered agency may exercise the authority provided in subsection (b) only after—

(1) any appropriate consultation with procurement or other relevant officials of the covered agency;

(2) making a determination in writing, which may be in classified form, that—

(A) use of the authority in subsection (b)(1) is necessary to protect national security by reducing supply chain risk;

(B) less intrusive measures are not reasonably available to reduce such supply chain risk; and

(C) in a case where the head of the covered agency plans to limit disclosure of information under subsection (b)(2), the risk to national security due to the disclosure of such information outweighs the risk due to not disclosing such information;

(3) notifying the Director of National Intelligence that there is a significant supply chain risk to the covered system concerned, unless the head of the covered agency making the determination is the Director of National Intelligence; and

(4) providing a notice, which may be in classified form, of the determination made under paragraph (2) to the congressional intelligence committees that includes a summary of the basis for the determination, including a discussion of less intrusive measures that were considered and why they were not reasonably available to reduce supply chain risk.

(d) SAVINGS.—The authority under this section is in addition to any other authority under any other provision of law. The authority under this section shall not be construed to alter or effect the exercise of any other provision of law.

(e) EFFECTIVE DATE.—The requirements of this section shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply to contracts that are awarded on or after such date.

(f) SUNSET.—The authority provided in this section shall expire on the date that section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2304 note) expires.

SEC. 311. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 1041(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 403–1b(b)) is amended by striking paragraphs (3) and (4).

(b) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003.—Section 904(d)(1) of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 402c(d)(1)) is amended by striking ''on an annual basis''.

(c) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1995.—Section 809 of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. App. 2170b) is amended—

(1) by striking subsection (b); and

(2) in subsection (c), by striking ''reports referred to in subsections (a) and (b)'' and inserting ''report referred to in subsection (a)''.

(d) REPORT ON TEMPORARY PERSONNEL AUTHORIZATIONS FOR CRITICAL LANGUAGE TRAINING.—Paragraph (3)(D) of section 102A(e) of the National Security Act of 1947 (50 U.S.C. 403–1(e)), as amended by section 306 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 124 Stat. 2661), is amended by striking ''The'' and inserting ''For each of the fiscal years 2010, 2011, and 2012, the''.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. REPORT AND STRATEGIC PLAN ON DRUG TRAFFICKING ORGANIZATIONS AND IMPACT ON PUBLIC LANDS.

(a) REQUIREMENT FOR REPORT.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on—

(1) the intelligence collection efforts of the United States that assess the threat from covered entities that are currently or have previously used public lands in the United States to further their operations; and

(2) efforts to protect public lands of the United States from illegal drug grows.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the intelligence collection efforts of the United States dedicated to covered entities.

(2) An assessment of any problems that may reduce the overall effectiveness of United States intelligence collection and analysis to identify and protect public lands from illegal drug grows and other activities and threats of covered entities, including—

(A) intelligence collection gaps or inefficiencies;

(B) information sharing practices in the intelligence community and other agencies, including Federal land management agencies; and

(C) cooperation among Federal departments or agencies.

(3) A strategic plan prepared by the Director of National Intelligence that describes actions the appropriate elements of the intelligence community can take to close intelligence gaps related to covered entities, and provide intelligence in support of efforts by Federal land management agencies to counter the use by covered entities of public lands for illegal purposes.

(4) A description of appropriate goals, schedules, milestones, or metrics to measure the long-term effectiveness of actions implemented to carry out the plan described in paragraph (4).

(c) IMPLEMENTATION OF STRATEGIC PLAN.—Not later than 30 days after the date on which the Director of National Intelligence submits the report required by subsection (a), the Director shall begin implementation of the strategic plan described in subsection (b)(4).

(d) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' means an international drug trafficking organization or other actor involved in drug trafficking generally.

(2) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' includes—

(A) the Forest Service of the Department of Agriculture;

(B) the Bureau of Land Management of the Department of the Interior;

(C) the National Park Service of the Department of the Interior;

(D) the Fish and Wildlife Service of the Department of the Interior; and

(E) the Bureau of Reclamation of the Department of the Interior.

(3) PUBLIC LANDS.—The term ''public lands'' has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

SEC. 402. APPLICATION OF CERTAIN FINANCIAL REPORTING REQUIREMENTS TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

For each of the fiscal years 2010, 2011, and 2012, the requirements of section 3515 of title 31,

United States Code, to submit an audited financial statement shall not apply to the Office of the Director of National Intelligence if the Director of National Intelligence determines and notifies Congress that audited financial statements for such years for such Office cannot be produced on a cost-effective basis.

SEC. 403. PUBLIC AVAILABILITY OF INFORMATION REGARDING THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 103H of the National Security Act of 1947 (50 U.S.C. 403–3h) is amended by adding at the end the following new subsection:

''(o) INFORMATION ON WEBSITE.—(1) The Director of National Intelligence shall establish and maintain on the homepage of the publicly accessible website of the Office of the Director of National Intelligence information relating to the Office of the Inspector General of the Intelligence Community including methods to contact the Inspector General.

''(2) The information referred to in paragraph (1) shall be obvious and facilitate accessibility to the information related to the Office of the Inspector General of the Intelligence Community.''.

SEC. 404. CLARIFICATION OF STATUS OF CHIEF INFORMATION OFFICER IN THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by inserting after the item relating to the Chief Information Officer, Small Business Administration the following new item:

''Chief Information Officer of the Intelligence Community.''.

Subtitle B—Central Intelligence Agency

SEC. 411. BURIAL ALLOWANCE.

(a) IN GENERAL.—Section 11 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403k) is amended—

(1) in the heading, by inserting ''AND BURIAL ALLOWANCE'' after ''GRATUITIES''; and

(2) by adding at the end the following new subsection:

''(c)(1) At the request of a representative of the estate of any officer or employee of the Agency (as determined in accordance with the laws of a State) who dies in a manner described in subsection (a)(1), the Director may pay to such estate a burial allowance.

''(2) A burial allowance paid under paragraph (1) may be used to cover burial expenses, including recovery, mortuary, funeral or memorial service, cremation, burial costs, and costs of transportation by common carrier to the place selected for final disposition of the deceased.

''(3) Each payment made under this subsection shall be—

''(A) in an amount not greater than $15,000 plus the actual costs of transportation referred to in paragraph (2); and

''(B) in addition to any other benefit that may be due under any other provision of law.

''(4) The Director may annually increase the amount in paragraph (3)(A) to reflect any increase in the Consumer Price Index occurring during the preceding year.

''(5) The Director may pay the burial benefit authorized under this subsection more than once for funeral, memorial, or burial expenses stemming from a single death of an officer or employee of the Agency if the remains of such officer or employee were not recovered, were recovered after considerable delay, or were not recovered intact.''.

(b) EFFECTIVE DATE OF AUTHORITY TO INCREASE ALLOWANCE.—Section 11(c)(4) of the Central Intelligence Agency Act of 1949, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 412. ACCEPTANCE OF GIFTS.

Section 12 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403l(a)) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by striking the second and third sentences and inserting the following:

''(2) Any gift accepted under this section (and any income produced by any such gift)—

''(A) may be used only for—''

''(i) artistic display;

''(ii) purposes relating to the general welfare, education, or recreation of employees or dependents of employees of the Agency or for similar purposes; or

''(iii) purposes relating to the welfare, education, or recreation of an individual described in paragraph (3); and

''(B) under no circumstances may such a gift (or any income produced by any such gift) be used for operational purposes.

''(3) An individual described in this paragraph is an individual who—

''(A) is an employee or a former employee of the Agency who suffered injury or illness while employed by the Agency that—

''(i) resulted from hostile or terrorist activities;

''(ii) occurred in connection with an intelligence activity having a significant element of risk; or

''(iii) occurred under other circumstances determined by the Director to be analogous to the circumstances described in clause (i) or (ii);

''(B) is a family member of such an employee or former employee; or

''(C) is a surviving family member of an employee of the Agency who died in circumstances described in clause (i), (ii), or (iii) of subparagraph (A).

''(4) The Director may not accept any gift under this section that is expressly conditioned upon any expenditure not to be met from the gift itself or from income produced by the gift unless such expenditure has been authorized by law.

''(5) The Director may, in the Director's discretion, determine that an individual described in subparagraph (A) or (B) of paragraph (3) may accept a gift for the purposes described in paragraph (2)(A)(iii).''; and

(2) by adding at the end the following new subsection:

''(f) The Director, in consultation with the Director of the Office of Government Ethics, shall issue regulations to carry out the authority provided in this section. Such regulations shall ensure that such authority is exercised consistent with all relevant ethical constraints and principles, including—

''(1) the avoidance of any prohibited conflict of interest or appearance of impropriety; and

''(2) a prohibition against the acceptance of a gift from a foreign government or an agent of a foreign government.''.

SEC. 413. FOREIGN LANGUAGE PROFICIENCY REQUIREMENTS FOR CENTRAL INTELLIGENCE AGENCY OFFICERS.

(a) IN GENERAL.—Section 104A(g) of the National Security Act of 1947 (50 U.S.C. 403–4a(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ''in the Directorate of Intelligence career service or the National Clandestine Service career service'' after ''an individual'';

(ii) by inserting ''or promoted'' after ''appointed''; and

(iii) by striking ''individual—'' and inserting ''individual has been certified as having a professional speaking and reading proficiency in a foreign language, such proficiency being at least level 3 on the Interagency Language Roundtable Language Skills Level or commensurate proficiency level using such other indicator of proficiency as the Director of the Central Intelligence Agency considers appropriate.'';

(B) by striking subparagraphs (A) and (B); and

(2) in paragraph (2), by striking ''position or category of positions'' both places that term appears and inserting ''position, category of positions, or occupation''.

(b) EFFECTIVE DATE.—Section 611(b) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 50 U.S.C. 403–4a note) is amended—

(1) by inserting ''or promotions'' after ''appointments''; and

(2) by striking ''that is one year after the date''.

(c) REPORT ON WAIVERS.—Section 611(c) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3955) is amended—

(1) in the first sentence—

(A) by striking ''positions'' and inserting ''individual waivers''; and

(B) by striking ''Directorate of Operations'' and inserting ''National Clandestine Service''; and

(2) in the second sentence, by striking ''position or category of positions'' and inserting ''position, category of positions, or occupation''.

(d) REPORT ON TRANSFERS.—Not later than 45 days after the date of the enactment of this Act, and on an annual basis for each of the following 3 years, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the number of Senior Intelligence Service employees of the Agency who—

(1) were transferred during the reporting period to a Senior Intelligence Service position in the Directorate of Intelligence career service or the National Clandestine Service career service; and

(2) did not meet the foreign language requirements specified in section 104A(g)(1) of the National Security Act of 1947 (50 U.S.C. 403–4a(g)(1)) at the time of such transfer.

SEC. 414. PUBLIC AVAILABILITY OF INFORMATION REGARDING THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q) is amended by adding at the end the following new subsection:

''(h) INFORMATION ON WEBSITE.—(1) The Director of the Central Intelligence Agency shall establish and maintain on the homepage of the Agency's publicly accessible website information relating to the Office of the Inspector General including methods to contact the Inspector General.

''(2) The information referred to in paragraph (1) shall be obvious and facilitate accessibility to the information related to the Office of the Inspector General.''.

SEC. 415. CREATING AN OFFICIAL RECORD OF THE OSAMA BIN LADEN OPERATION.

(a) FINDINGS.—The Congress finds the following:

(1) On May 1, 2011, United States personnel killed terrorist leader Osama bin Laden during the course of a targeted strike against his secret compound in Abbottabad, Pakistan.

(2) Osama bin Laden was the leader of the al Qaeda terrorist organization, the most significant terrorism threat to the United States and the international community.

(3) Osama bin Laden was the architect of terrorist attacks which killed nearly 3,000 civilians on September 11, 2001, the most deadly terrorist attack against our Nation, in which al Qaeda terrorists hijacked four airplanes and crashed them into the World Trade Center in New York City, the Pentagon in Washington, D.C., and, due to heroic efforts by civilian passengers to disrupt the terrorists, near Shanksville, Pennsylvania.

(4) Osama bin Laden planned or supported numerous other deadly terrorist attacks against the United States and its allies, including the 1998 bombings of United States embassies in Kenya and Tanzania and the 2000 attack on the U.S.S. Cole in Yemen, and against innocent civilians in countries around the world, including the 2004 attack on commuter trains in Madrid, Spain and the 2005 bombings of the mass transit system in London, England.

(5) Following the September 11, 2001, terrorist attacks, the United States, under President George W. Bush, led an international coalition into Afghanistan to dismantle al Qaeda, deny them a safe haven in Afghanistan and ungoverned areas along the Pakistani border, and bring Osama bin Laden to justice.

(6) President Barack Obama in 2009 committed additional forces and resources to efforts in Afghanistan and Pakistan as ''the central front in our enduring struggle against terrorism and extremism''.

(7) The valiant members of the United States Armed Forces have courageously and vigorously pursued al Qaeda and its affiliates in Afghanistan and around the world.

(8) The anonymous, unsung heroes of the intelligence community have pursued al Qaeda and affiliates in Afghanistan, Pakistan, and around the world with tremendous dedication, sacrifice, and professionalism.

(9) The close collaboration between the Armed Forces and the intelligence community prompted the Director of National Intelligence, General James Clapper, to state, ''Never have I seen a more remarkable example of focused integration, seamless collaboration, and sheer professional magnificence as was demonstrated by the Intelligence Community in the ultimate demise of Osama bin Laden.''.

(10) While the death of Osama bin Laden represents a significant blow to the al Qaeda organization and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to United States national security.

(11) President Obama said, ''For over two decades, bin Laden has been al Qaeda's leader and symbol, and has continued to plot attacks against our country and our friends and allies. The death of bin Laden marks the most significant achievement to date in our Nation's effort to defeat al Qaeda.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the raid that killed Osama bin Laden demonstrated the best of the intelligence communities capabilities and teamwork;

(2) for years to come, Americans will look back at this event as a defining point in the history of the United States;

(3) it is vitally important that the United States memorialize all the events that led to the raid so that future generations will have an official record of the events that transpired before, during, and as a result of the operation; and

(4) preserving this history now will allow the United States to have an accurate account of the events while those that participated in the events are still serving in the Government.

(c) REPORT ON THE OPERATION THAT KILLED OSAMA BIN LADEN.—Not later than one year after the date of the enactment of this Act, the Director of the Central Intelligence Agency, in consultation with other agencies and entities involved in the operation that killed Osama bin Laden, shall submit to the congressional intelligence committees a classified report that memorializes such operation including a description of the events leading up to the discovery of the location of Osama bin Laden, the planning and execution of the raid, and the results of the intelligence gained from the raid.

(d) PRESERVATION OF RECORDS.—The Director of the Central Intelligence Agency shall preserve any records, including intelligence information and assessments, used to generate the report described in subsection (c).

SEC. 416. RECRUITMENT OF PERSONNEL IN THE OFFICE OF THE INSPECTOR GENERAL.

(a) STUDY.—The Director of the Central Intelligence Agency, in consultation with the Inspector General of the Central Intelligence Agency, shall carry out a study of the personnel issues of the Office of the Inspector General. Such study shall include—

(1) identification of any barriers or disincentives to the recruitment or retention of experienced investigators within the Office of the Inspector General; and

(2) a comparison of the personnel authorities of the Inspector General with personnel authorities of Inspectors General of other agencies and departments of the United States, including a comparison of the benefits available to experienced investigators within the Office of the Inspector General of the Central Intelligence Agency with similar benefits available within the offices of Inspectors General of such other agencies or departments.

(b) RECOMMENDATIONS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees—

(1) any recommendations of the Director for legislative action based on the results of the study conducted under subsection (a); and

(2) a description of any administrative actions taken by the Director based on such results.

Subtitle C—National Security Agency

SEC. 421. CONFIRMATION OF APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following new subsection

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law.''.

(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 422. ADDITIONAL AUTHORITIES FOR NATIONAL SECURITY AGENCY SECURITY PERSONNEL.

(a) AUTHORITY TO TRANSPORT APPREHENDED PERSONS.—Paragraph (5) of section 11(a) of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended to read as follows:

''(5) Agency personnel authorized by the Director under paragraph (1) may transport an individual apprehended under the authority of this section from the premises at which the individual was apprehended, as described in subparagraph (A) or (B) of paragraph (1), for the purpose of transferring such individual to the custody of law enforcement officials. Such transportation may be provided only to make a transfer of custody at a location within 30 miles of the premises described in subparagraphs (A) and (B) of paragraph (1).''.

(b) CONFORMING AMENDMENT RELATING TO TORT LIABILITY.—Paragraph (1) of section 11(d) of the National Security Agency Act of 1959 (50 U.S.C. 402 note) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(D) transport an individual pursuant to subsection (a)(2).''.

Subtitle D—Other Elements

SEC. 431. CODIFICATION OF OFFICE OF INTELLIGENCE AND ANALYSIS OF THE DEPARTMENT OF HOMELAND SECURITY AS ELEMENT OF THE INTELLIGENCE COMMUNITY.

Section 3(4)(K) of the National Security Act of 1947 (50 U.S.C. 401a(4)(K)) is amended to read as follows:

''(K) The Office of Intelligence and Analysis of the Department of Homeland Security.''.

SEC. 432. FEDERAL BUREAU OF INVESTIGATION PARTICIPATION IN THE DEPARTMENT OF JUSTICE LEAVE BANK.

Subsection (b) of section 6372 of title 5, United States Code, is amended to read as follows:

''(b)(1) Except as provided in paragraph (2) and notwithstanding any other provision of this subchapter, neither an excepted agency nor any individual employed in or under an excepted agency may be included in a leave bank program established under any of the preceding provisions of this subchapter.

''(2) Notwithstanding any other provision of law, the Director of the Federal Bureau of Investigation may authorize an individual employed by the Bureau to participate in a leave bank program administered by the Department of Justice under this subchapter if in the Director's judgment such participation will not adversely affect the protection of intelligence sources and methods.''.

SEC. 433. ACCOUNTS AND TRANSFER AUTHORITY FOR APPROPRIATIONS AND OTHER AMOUNTS FOR INTELLIGENCE ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Chapter 21 of title 10, United States Code, is amended by inserting after section 428 the following new section:

''§ 429. Appropriations for Defense intelligence elements: accounts for transfers; transfer authority

''(a) ACCOUNTS FOR APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENTS.—The Secretary of Defense may transfer appropriations of the Department of Defense which are available for the activities of Defense intelligence elements to an account or accounts established for receipt of such transfers. Each such account may also receive transfers from the Director of National Intelligence if made pursuant to Section 102A of the National Security Act of 1947 (50 U.S.C. 403-1), and transfers and reimbursements arising from transactions, as authorized by law, between a Defense intelligence element and another entity. Appropriation balances in each such account may be transferred back to the account or accounts from which such appropriations originated as appropriation refunds.

''(b) RECORDATION OF TRANSFERS.—Transfers made pursuant to subsection (a) shall be recorded as expenditure transfers.

''(c) AVAILABILITY OF FUNDS.—Funds transferred pursuant to subsection (a) shall remain available for the same time period and for the same purpose as the appropriation from which transferred, and shall remain subject to the same limitations provided in the act making the appropriation.

''(d) OBLIGATION AND EXPENDITURE OF FUNDS.—Unless otherwise specifically authorized by law, funds transferred pursuant to subsection (a) shall only be obligated and expended

in accordance with chapter 15 of title 31 and all other applicable provisions of law.

''(e) DEFENSE INTELLIGENCE ELEMENT DEFINED.—In this section, the term 'Defense intelligence element' means any of the Department of Defense agencies, offices, and elements included within the definition of 'intelligence community' under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

''429. Appropriations for Defense intelligence elements: accounts for transfers; transfer authority.''.

SEC. 434. REPORT ON TRAINING STANDARDS OF DEFENSE INTELLIGENCE WORKFORCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Under Secretary of Defense for Intelligence shall submit to the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives and the Select Committee on Intelligence and the Committee on Armed Services of the Senate a report on the training standards of the defense intelligence workforce. Such report shall include—

(1) a description of existing training, education, and professional development standards applied to personnel of defense intelligence components; and

(2) an assessment of the ability to implement a certification program for personnel of the defense intelligence components based on achievement of required training, education, and professional development standards.

(b) DEFINITIONS.—In this section:

(1) DEFENSE INTELLIGENCE COMPONENTS.—The term ''defense intelligence components'' means—

(A) the National Security Agency;

(B) the Defense Intelligence Agency;

(C) the National Geospatial-Intelligence Agency;

(D) the National Reconnaissance Office;

(E) the intelligence elements of the Army, the Navy, the Air Force, and the Marine Corps; and

(F) other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs.

(2) DEFENSE INTELLIGENCE WORKFORCE.—The term ''defense intelligence workforce'' means the personnel of the defense intelligence components.

TITLE V—OTHER MATTERS

SEC. 501. REPORT ON AIRSPACE RESTRICTIONS FOR USE OF UNMANNED AERIAL VEHICLES ALONG THE BORDER OF THE UNITED STATES AND MEXICO.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the congressional intelligence committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on whether restrictions on the use of airspace are hampering the use of unmanned aerial vehicles by the Department of Homeland Security along the international border between the United States and Mexico.

SEC. 502. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended—

(1) in section 3(6) (50 U.S.C. 401a(6)), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence'';

(2) in section 506(b) (50 U.S.C. 415a(b)), by striking ''Director of Central Intelligence.'' and inserting ''Director of National Intelligence.''; and

(3) in section 506A(c)(2)(C) (50 U.S.C. 415a–1(c)(2)(C)), by striking ''National Foreign Intelligence Program'' both places that term appears and inserting ''National Intelligence Program''.

SEC. 503. TECHNICAL AMENDMENTS TO TITLE 18, UNITED STATES CODE.

Section 351(a) of title 18, United States Code, is amended—

(1) by inserting ''the Director (or a person nominated to be Director during the pendency of such nomination) or Principal Deputy Director of National Intelligence,'' after ''in such department,''; and

(2) by striking ''Central Intelligence,'' and inserting ''the Central Intelligence Agency,''.

The CHAIR. No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of House Report 112–200 and amendments en bloc described in section 2(f) of House Resolution 392. Each amendment printed in part B of the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Permanent Select Committee on Intelligence or his designee to offer amendments en bloc consisting of amendments printed in part B not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–200.

Mr. ROGERS of Michigan. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike lines 9 through 14 and insert the following:

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 415c)

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

Page 5, line 17, insert ''the Director of'' before ''the Federal Bureau of Investigation''.

Strike section 307 (page 15, line 1 through page 16, line 18).

Strike section 309 (page 18, line 17 through page 19, line 16).

Page 24, after line 15 insert the following:

(d) DELEGATION.—The head of a covered agency may not delegate the authority provided in subsection (b) or the responsibility to make a determination under subsection (c) to an official below the level of the service acquisition executive for the agency concerned.

At the end of subtitle A of title IV (page 30, after line 18), add the following new section:

SEC. 405. TEMPORARY APPOINTMENT TO FILL VACANCIES WITHIN OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103 of the National Security Act of 1947 (50 U.S.C. 403–3) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) TEMPORARY FILLING OF VACANCIES.—With respect to filling temporarily a vacancy in an office within the Office of the Director of National Intelligence (other than that of the Director of National Intelligence), section 3345(a)(3) of title 5, United States Code, may be applied—

''(1) in the matter preceding subparagraph (A), by substituting 'an element of the intelligence community, as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)),' for 'such Executive agency'; and

''(2) in subparagraph (A), by substituting 'the intelligence community' for 'such agency'.''.

Strike section 421 (page 43, line 14 through page 45, line 9).

Mr. ROGERS of Michigan. Madam Chair, I ask unanimous consent to modify the manager's amendment to include a clarification at the request of the ranking member. The modification is at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1:

After the amendment to line 15 of page 24 of the bill, insert the following:

Strike section 401 (page 26, line 12 through page 29, line 6) and insert the following new section:

SEC. 401. INTELLIGENCE COMMUNITY ASSISTANCE TO COUNTER DRUG TRAFFICKING ORGANIZATIONS USING PUBLIC LANDS.

(a) CONSULTATION.—The Director of National Intelligence shall consult with the heads of the Federal land management agencies on the appropriate actions the intelligence community can take to assist such agencies in responding to the threat from covered entities that are currently or have previously used public lands in the United States to further the operations of such entities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the results of the consultation under subsection (a). Such report shall include—

(1) an assessment of the intelligence community collection efforts dedicated to covered entities, including any collection gaps or inefficiencies; and

(2) an assessment of the ability of the intelligence community to assist Federal land management agencies in identifying and protecting public lands from illegal drug grows and other activities and threats of covered entities, including through the sharing of intelligence information.

(c) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' means an international drug trafficking organization or other actor involved in drug trafficking generally.

(2) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' includes—

(A) the Forest Service of the Department of Agriculture;

(B) the Bureau of Land Management of the Department of the Interior;

(C) the National Park Service of the Department of the Interior;

(D) the Fish and Wildlife Service of the Department of the Interior; and

(E) the Bureau of Reclamation of the Department of the Interior.

(3) PUBLIC LANDS.—The term ''public lands'' has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

Mr. ROGERS of Michigan (during the reading). I ask unanimous consent that the modification be considered as read.

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

There was no objection.

The CHAIR. Without objection, the amendment is modified.

There was no objection.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, this is the manager's amendment to the bill. These are the last few details that we were able to work out in a bipartisan way to bring the bill to the floor.

The manager's amendment is primarily intended to remove three provisions that have been the subject of a veto threat by the administration. In addition, it makes a number of largely technical clarifications and adds a provision on authority to fill vacancies, a provision that was inadvertently omitted from the Rules Committee's print of the bill.

Madam Chair, as I explained during the general debate, moving this bill forward is critical to ensure comprehensive legislative oversight of our intelligence activities and, just as importantly, intelligence budgeting and spending. While I regret that our efforts to reach accommodation on these provisions, which were originally included in the Senate Intelligence Committee's bill, it is important that we remove these contentious provisions now so that the detailed spending and oversight recommendations in the classified annex can go forward.

The first contentious provision would have required Senate confirmation of the National Security Administration's Director. The other two contentious provisions subject to veto would have required the production of certain State Department cables related to detainee negotiations. While I support the production of these materials, the committees seeking them have other tools at their disposal to obtain them, and the bill should not be held up over that document dispute.

In addition, the manager's amendment includes a clarification to clarify section 310 on mitigating risks in the supply chain to ensure that those authorities cannot be delegated below the level of a service acquisition executive. The change is important to ensure the appropriate level of management is involved in such important decisions. This change reflects the committee's understanding that these acquisition authorities will not be used lightly and that all decisions under this provision will be carried out by responsible senior officials within the intelligence community and coordinated and overseen by the Director of National Intelligence.

Finally, the manager's amendment contains a modification requested by the ranking member to a provision concerning narcotics trafficking on public lands. The modification is needed to clarify the intended scope of the provision to ensure it is not read too broadly.

With that, Madam Chair, I ask Members to support the manager's amendment, and I reserve the balance of my time.

Mr. RUPPERSBERGER. I claim time in opposition to the amendment, although I am not opposed.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. Madam Chair, I strongly support the manager's amendment.

The manager's amendment deals with the issues that the chairman talked about. Also, it was our negotiation to resolve certain issues, and that has been done. So I fully support it.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Michigan (Mr. ROGERS).

The amendment, as modified, was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WOLF

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112–200.

Mr. WOLF. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

SEC. 312. ESTABLISHMENT OF COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) terrorism and domestic radicalization represent evolving, dynamic, multidimensional threats that necessitate a structured, iterative process to continuously revise plans, operations, concepts, organizations, and capabilities; and

(2) past federal experience in competitive analysis executed by experts drawn from outside the government has helped the intelligence community and policymakers better understand the nature of complex threats to the United States.

(b) ESTABLISHMENT.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et. seq.) is amended by adding at the end the following:

''COUNTERTERRORISM COMPETITIVE ANALYSIS COUNCIL

''SEC. 120. (a) ESTABLISHMENT.—There is established a council to be known as the 'Counterterrorism Competitive Analysis Council' (in this section referred to as the 'Council').

''(b) DUTIES.—The Council shall—

''(1) advise the Director of National Intelligence on matters of policy relating to the threats of international terrorism and domestic radicalization based on all-source information;

''(2) prepare a competitive analysis of each national intelligence estimate concerning al-Qaeda and other foreign terrorist organizations and submit such analysis to the Director of National Intelligence and the National Intelligence Council; and

''(3) annually submit to Congress a report in unclassified form, which may include a classified annex, on trends in counterterrorism and domestic radicalization, including a summary of any competitive analysis prepared pursuant to paragraph (2).

''(c) MEMBERS.—(1) The Council shall be composed of eight members appointed by the Director of National Intelligence, in consultation with the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate. Members shall be selected on the basis of previous experience with matters of policy relating to international terrorism and domestic radicalization.

''(2)(A) The Director of National Intelligence may not appoint an individual to the Council if such individual has served as an officer or employee of the Federal Government within a five-year period of the date of appointment.

''(B) The Director of National Intelligence may not appoint an individual to the Council if—

''(i) such individual has served as an officer or employee of the Federal Government within a 15-year period of the date of appointment; and

''(ii) on the date of appointment, three of the members of the Council have served as officers or employees of the Federal Government within a 15-year period of the date of appointment.

''(3) The term of a member is five years, and a member may not serve more than two terms, except that a member appointed to fill a vacancy may serve two additional terms after the expiration of the term in which that vacancy occured.

''(4) Any member appointed to fill a vacancy occurring before the expiration of a term shall be appointed for the remainder of that term.

''(5) Every two years, the Council shall select a chair and vice chair from among its members.

''(6) To the extent provided in advance in appropriation Acts, each member shall be paid at a rate not to exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(7) Any member of the Council may, if authorized by the Council, take any action which the Council is authorized to take by this section.

''(d) STAFF OF COUNCIL.—(1) To the extent provided in advance in appropriation Acts, the Council shall appoint and fix the compensation of a Director and such additional staff as may be necessary to enable the Council to carry out its duties.

''(2) The Director and staff of the Council may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive

service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that the rate of pay fixed for the Director and staff may not exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(3) In accordance with rules adopted by the Council, and to the extent provided in advance in appropriation Acts, the Council may procure the services of experts and consultants under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(e) ACCESS TO INTELLIGENCE INFORMATION.—(1) The Director of National Intelligence shall transmit to the Council each national intelligence estimate concerning al-Qaeda and other foreign terrorist organizations.

''(2) Upon request of the Council, the Director of National Intelligence shall make available to the Council any intelligence information in the possession of the intelligence community.

''(3) The Director of National Intelligence shall ensure that the appropriate executive departments and agencies cooperate with the Council in expeditiously providing to the members and staff appropriate security clearances in a manner consistent with existing procedures and requirements.

''(f) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App.), relating to the termination of advisory committees, shall not apply to the Council.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 through 2017. No amount is authorized to carry out this section for a fiscal year unless the appropriation for the Office of the Director of National Intelligence for such fiscal year is reduced by an amount equal to the amount appropriated to carry out this section for such fiscal year.''.

(c) INITIAL REPORT.—The initial report required to be submitted under section 120(b)(2) of the National Security Act of 1947, as added by subsection (a), shall be filed not later than 1 year after the date of the enactment of this Act.

(d) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 (50 U.S.C. 401 et. seq.) is amended by inserting after the item relating to section 119B the following:

''Sec. 120. Counterterrorism Competitive Analysis Council.''.

Mr. WOLF. I have a modification at the desk, and I ask unanimous consent for its consideration.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 2:

Strike the entire text of the amendment and insert the following:

At the end of title III, add the following:

SEC. 312. COUNTERTERRORISM COMPETITIVE ANALYSIS COMMISSION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) terrorism and domestic radicalization represent evolving and dynamic threats to the United States;

(2) biases and group think can prevent intelligence analysts from detecting important changes in such threats that can prevent the detection and prevention of terrorist attacks; and

(3) competitive and alternative intelligence analysis are important tools to prevent biases and group think from resulting in analytical failures and can help the intelligence community and policy makers better understand the nature of complex threats to the United States.

(b) ESTABLISHMENT.—There is established a Commission to be known as the ''Counterterrorism Competitive Analysis Commission'' (in this section referred to as the ''Commission'').

(c) DUTIES.—

(1) STUDY.—The Commission shall conduct a study on—

(A) how the elements of the intelligence community use red teams, alternative analysis, and competitive analysis of foreign intelligence to address domestic radicalization;

(B) whether such analysis is timely, objective, based upon all sources of available foreign intelligence, and employs the standards of proper analytic tradecraft; and

(C) the feasibility and advisability of establishing a permanent entity to—

(i) advise the Director on matters of policy relating to the threats of international terrorism and domestic radicalization;

(ii) prepare competitive analyses of national intelligence estimates prepared by the intelligence community and submit such analyses to the Director and the National Intelligence Commission; and

(iii) annually submit to Congress a report in unclassified form, which may include a classified annex, on trends in counterterrorism and domestic radicalization, including a summary of any competitive analyses referred to in clause (ii).

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Commission shall submit to the congressional intelligence committees a report containing the results of the study under paragraph (1).

(d) MEMBERS.—

(1) APPOINTMENT.—The Commission shall be composed of six members selected on the basis of previous experience with matters of policy relating to international terrorism, intelligence analysis, and domestic radicalization, of whom—

(A) 2 members shall be appointed by the President;

(B) 1 member shall be appointed by the Speaker of the House of Representatives;

(C) 1 member shall be appointed by the minority leader of the House of Representatives;

(D) 1 member shall be appointed by the majority leader of the Senate; and

(E) 1 member shall be appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—An individual may not be appointed to the Commission under paragraph (1) if such individual has served as an officer or employee of the Federal Government within a three-year period of the date of appointment.

(3) COMPENSATION.—To the extent provided in advance in appropriation Acts, each member of the Commission shall be paid consistent with the skill and experience of such member at a rate not to exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) ACTIONS OF COMMISSION.— Any member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(e) STAFF OF COMMISSION.—

(1) COMPENSATION.—To the extent provided in advance in appropriation Acts, the Commission shall appoint and fix the compensation of a Director and such additional staff as may be necessary to enable the Commission to carry out its duties.

(2) RATE OF PAY.— The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that the rate of pay fixed for the Director and staff may not exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) EXPERTS AND CONSULTANTS.— In accordance with rules adopted by the Commission, and to the extent provided in advance in appropriation Acts, the Commission may procure the services of experts and consultants under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(f) SECURITY CLEARANCES.—The Director of National Intelligence shall ensure that the appropriate executive departments and agencies cooperate with the Commission in expeditiously providing to the members and staff appropriate security clearances in a manner consistent with existing procedures and requirements.

(g) TERMINATION.—The Commission shall terminate on the date that is 30 days after the date on which the Commission submits the report required under subsection (c)(2), or on the date that is 395 days after the date of the enactment of this Act, whichever is earlier.

Mr. WOLF (during the reading). I ask unanimous consent to dispense with the reading.

The CHAIR. Without objection, the reading of the amendment, as modified, is dispensed with.

There was no objection.

The CHAIR. Without objection, the amendment is modified.

There was no objection.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Virginia (Mr. WOLF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. I yield myself such time as I may consume.

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

Mr. WOLF. I want to personally thank Mr. ROGERS and his staff for helping with regard to this amendment with regard to radicalization, and I also want to thank Mr. RUPPERSBERGER. Also, as somebody who has served here for a number of years, I want to say that I don't think there have been two finer chairmen and ranking members of the Intelligence Committee since I've been here. I think it's very impressive to see that, and I just want everyone up here, particularly in the country, to know that.

Very briefly, Madam Chair, this amendment deals with radicalization. I won't go into the whole statement, but I will just read several examples of radicalization that have taken place in northern Virginia.

In October 2010, Farooque Ahmed from Ashburn, in my congressional district of Vienna, was arrested for allegedly plotting attacks on the Washington Metro system, targeting Metro stations to find optimal times to kill as many innocent people as possible.

In July 2010, Zachary Chesser, a graduate of nearby Oakton High School, which is very close to where I live, was arrested in New York en route to join al Shabaab in Somalia. Late last year, Chesser pled guilty to charges of providing material support to terrorists, communicating threats and soliciting crimes of violence, and was sentenced to 30 years in prison.

In November 2009, five American teenagers from Fairfax County, Virginia, were arrested in Pakistan, attempting to join militant Islamist organizations. They have been sentenced to 10 years in a Pakistan prison.

In November 2009, Virginia native Army Major Nidal Hassan attacked Fort Hood in Texas and was charged with the shooting deaths of 13 service men and women and civilians. Hassan was a graduate of Virginia Tech and grew up in Arlington County and Roanoke, Virginia.

In 2004, Abdul Rahman al-Amoudi from Falls Church, Virginia, was convicted on three charges of terrorist financing and conspiring to assassinate Saudi Crown Prince Abdullah and was sentenced to 23 years in jail.

In 2003, Ahmed Omar Abu Ali, a northern Virginia resident and the Islamic Saudi Academy's 1999 valedictorian, was arrested in Saudi Arabia and was later convicted in Federal District Court in Alexandria of conspiracy to commit terrorism, including a plot to assassinate President Bush. He was sentenced to life in prison.

Probably the number one terrorist threat today is Aulaqi, who is an American citizen and who went to college on American taxpayers' money. He was with a mosque in northern Virginia, in Falls Church, which used to be in my old congressional district. So this issue of radicalization is very important.

Again, I want to thank the chairman and his staff and Mr. RUPPERSBERGER and his staff.

With that, I yield back the balance of my time.

□ 1000

Mr. RUPPERSBERGER. I claim time in opposition to the amendment, although I do not intend to oppose it.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I just want to thank my friend, the gentleman from Virginia, for his involvement in all national security issues. We serve together on the Commerce-Justice Subcommittee in Appropriations and we work together on gangs. So I appreciate your focus on this area to protect the citizens of our country and our district.

I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Virginia (Mr. WOLF).

The amendment, as modified, was agreed to.

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112–200.

The Chair understands that amendment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 112–200.

Mr. HOLT. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, add the following new section:

SEC. 405. NATIONAL INTELLIGENCE ESTIMATE ON THE IMPACT OF REVOLUTIONS IN NORTH AFRICA AND THE MIDDLE EAST.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a national intelligence estimate on the impact of the recent revolutions in North Africa and the Middle East on the security of the State of Israel.

The CHAIR. Pursuant to House Resolution 392, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Madam Chair, many have expressed deep concern about the security situation in the Middle East. There are many hopeful signs from the so-called Arab Spring, but there are also concerns about the security of Israel and neighboring States.

Several among us and among my constituents expressed concern some months ago about what would happen with a weakened border between Egypt and Israel. And, as we all know, on August 18 several groups of terrorists killed eight Israelis, wounded several more in attacks along the road leading to Eilat.

This is just one example of what we need to pay attention to in the area. Will Egypt become a staging ground for more terrorist attacks against Israel? Can al Qaeda gain new safe haven in any of the countries undergoing massive political change? We hope not, I would like to think not, but it is important that we have good, solid intelligence assessments of the situation.

My amendment would direct the Director of National Intelligence to submit to Congress within half a year of passage of this law an estimate on the implications of these revolutions for the security of the State of Israel and to report to Congress in a way that is accessible to all Members of Congress on the implications of the so-called Arab Spring and the changes in the countries around the area.

This amendment is for obvious reasons. Israel is an important ally and really is founded on principles of law and fairness and justice, and we want to see those values upheld and extended.

I recognized, in conversations with Chairman ROGERS and the ranking member, that an amendment to this legislation is, perhaps, not the best way to accomplish this. So in a moment I will ask unanimous consent to withdraw the amendment, giving notice to the Chair, but with the understanding that we will make this same request of the Director of National Intelligence by way of a letter and that we will have available to Members of Congress this estimate of this security situation.

I thank the chairman and the ranking member very much for their cooperation on this. They are fully aware of this, which is partly why it is not necessary to offer an amendment to that effect.

Mr. ROGERS of Michigan. Will the gentleman yield?

Mr. HOLT. I am pleased to yield to the gentleman from Michigan.

Mr. ROGERS of Michigan. I appreciate the gentleman for working with us. It is an important issue, and you have our commitment from myself and, I believe, the ranking member to coordinate this particular report.

I appreciate the gentleman's consideration, because it will allow the community to prioritize it. It may take 3 weeks or longer, or 3 weeks shorter than an amendment might call for, but it allows them to adjust according to the demands at the particular time on the intelligence community. For that, I want to thank the gentleman, and I look forward to working with him on the issue.

Mr. HOLT. Reclaiming my time, having served on the Intelligence Committee until this year for a number of years, I am very much aware of the constraints that are sometimes placed on the agencies by lots of reports due on lots of dates.

I look forward to working with the chairman and the ranking member to see that we get this estimate done in the most constructive way.

With that, I ask unanimous consent to withdraw the pending amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 6 OFFERED BY MR. HUNTER

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 112–200.

Mr. HUNTER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 501 (page 51, after line 18), insert the following new section:

SEC. 502. STRATEGY TO COUNTER IMPROVISED EXPLOSIVE DEVICES.

(a) STRATEGY.—

(1) ESTABLISHMENT.—The Director of National Intelligence and the Secretary of Defense shall establish a coordinated strategy

utilizing all available personnel and assets for intelligence collection and analysis to identify and counter network activity and operations in Pakistan and Afghanistan relating to the development and use of improvised explosive devices.

(2) CONTENTS.—The strategy established under paragraph (1) shall identify—

(A) the networks that design improvised explosive devices, provide training on improvised explosive device assembly and employment, and smuggle improvised explosive device components into Afghanistan;

(B) the persons and organizations not directly affiliated with insurgents in Afghanistan who knowingly enable the movement of commercial products and material used in improvised explosive device construction from factories and vendors in Pakistan into Afghanistan;

(C) the financiers, financial networks, institutions, and funding streams that provide resources to the insurgency in Afghanistan; and

(D) the links to military, intelligence services, and government officials who are complicit in allowing the insurgent networks in Afghanistan to operate.

(b) REPORT AND IMPLEMENTATION.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Defense shall—

(1) submit to the congressional intelligence committees and the Committees on Armed Services of the House of Representatives and the Senate a report containing the strategy established under subsection (a); and

(2) implement such strategy.

The CHAIR. Pursuant to House Resolution 392, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Madam Chair, my amendment is pretty simple. It requests that the Director of National Intelligence and the Secretary of Defense, 120 days after the passage of this bill, submit a plan and execute the plan to develop a coordinated strategy between our intelligence communities and our Department of Defense to go after IED manufacturers and IED transporters between Pakistan and Afghanistan.

The majority of improvised explosive devices in Afghanistan come from Pakistan. We know where a lot of those IED manufacturers are, but our DOD is not able to execute the strategy of going after those IED manufacturers and the people that transport them across the border on their own. They need the intelligence community and the 16 agencies which make up that community to be on their side.

More than 80 percent of the explosive devices used against our U.S. troops in Afghanistan have homemade explosives as the main charge and are almost exclusively derived from calcium ammonium nitrate fertilizer produced in Pakistan. Homemade explosives are also called HMEs.

The vast majority of IED components, including commercial explosives, radio-control triggers, and HME precursors are sourced from and/or transmitted through Pakistan. The continued uncontrolled availability of ammonium nitrate and other HME precursor materials smuggled into Afghanistan from Pakistan is the most significant factor contributing to the Afghan IED problem. Over 70 percent of our casualties in Afghanistan come from these homemade IEDs.

IEDs are also a problem in Pakistan and to the Pakistani people. Since January of 2011, more than 500 people have been killed and over 14,000 people have been injured by IEDs in Pakistan.

The Afghanistan IED threat cannot be defeated without addressing the networks and precursors in Pakistan. To defeat the Pakistan-produced HME-fueled IEDs in Afghanistan, the solution requires integrated efforts and leveraging of the combined authorities, policies, and capabilities of many agencies of our government, coalition partners, and especially the intelligence community.

We need to identify the key facilitators of raw materials supplying the HME pipeline into Afghanistan. We also need to identify specific financial networks and funding streams for these HME networks, as well as identify these key financiers.

That's what my amendment does. It makes the intelligence community and the defense community get together, submit a plan, and execute that plan to work on the same page, because right now there is a severe gap between what the DOD considers its number 1 priority, our defense guys over there, our soldiers and marines on the ground; their number 1 priority is different from the intelligence community's number one priority.

□ 1010

The intelligence community right now goes after high-value targets. They go after the bad guys wherever they may be found, but they need to work together on these IEDs coming over from Pakistan. It's the only way we can defeat them.

With that, I urge my colleagues on both sides of the aisle to accept my amendment.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. First, I just want to acknowledge the gentleman's service. You have been on the field. I think IEDs are one of the biggest threats that we have to our men and women in theater, and I strongly support that we move forward with your amendment.

I yield back the balance of my time.

Mr. HUNTER. Madam Chair, I yield the balance of my time to the gentleman from Michigan, Chairman ROGERS.

Mr. ROGERS of Michigan. I thank the gentleman from California.

This is an important amendment. These are issues we have been working on in committee; and I can tell you, we have been a tad bit frustrated at that lack of coordination. I think it is unfortunate it took this amendment as a part of the Intelligence bill to continue to put pressure on the administration to get their act together on this particular issue. It is an issue we absolutely must solve, not only for the safety and security of the men and women who serve in our Armed Forces in Afghanistan, but also for the greater impact on the war on terror. I strongly urge support of the Hunter amendment.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

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

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CARNEY

The CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 112–200.

Mr. CARNEY. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 501 the following new section:

SEC. 502. SENSE OF CONGRESS REGARDING THE PRIORITY OF RAILWAY TRANSPORTATION SECURITY.

It is the sense of Congress that—

(1) the nation's railway transportation (including subway transit) network is broad and technically complex, requiring robust communication between private sector stakeholders and the intelligence community to identify, monitor, and respond to threats;

(2) the Department of Homeland Security Office of Intelligence and Analysis maintains a constructive relationship with other Federal agencies, state and local governments, and private entities to safeguard our railways; and

(3) railway transportation security (including subway transit security) should continue to be prioritized in the critical infrastructure threat assessment developed by the Office of Intelligence and Analysis and included in threat assessment budgets of the intelligence community.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CARNEY. Madam Chair, I rise to recognize the importance of rail security in the effort to access, prepare for, and neutralize terrorist threats to our critical infrastructure. While roughly 1.7 million passengers ride in domestic and international air flights daily, every weekday 34 million Americans ride on trains and transit systems.

We have seen the tragic consequences of attacks to rail and subway systems in Britain, Spain, and India. We know al Qaeda was looking to target American rail systems this year. An attack on our rail system here in the United States would simply be devastating.

Earlier this year, the House adopted an amendment I offered to the fiscal year 2011 Intelligence Authorization Act. There was broad bipartisan support for making rail security an intelligence priority. I continue to believe we must address the security vulnerabilities in our rail and transit systems. Our intelligence community does great work to coordinate with those who own and operate trains and rail lines. In particular, the Office of Intelligence Analysis within the Department of Homeland Security develops a threat assessment for critical infrastructure.

My amendment is a simple amendment. It affirms the importance of assessments and information sharing conducted by intelligence analysts. It expresses the sense of Congress that the intelligence community must continue to prioritize rail security in identifying and preventing terrorist threats.

As a near daily rider of Amtrak myself, I want to know that the United States Government is doing all it can to keep my fellow passengers and rail passengers across the country safe. I urge my colleagues to support this amendment. I thank you for your consideration.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Again, I appreciate the gentleman's concern for rail security. It is an incredibly important issue. I continue to believe, as I did the last go-round, this is not the right place for this. I have agreed not to officially oppose his amendment.

I just want to again remind individuals that this is 17 agencies across the whole spectrum of intelligence work. And for Congress to step in and say rail priority, even if their agency might be satellite oriented, just does not make a lot of sense to me; and I know it won't make a lot of sense to them as well.

Again, I agree that rail security is incredibly important. We have segments of the intelligence community, and I want to re-emphasize segments, and here in our homeland security, that worry about rail security, and I argue that would be a better place for this amendment. As I said, I will not officially oppose it. I have made no official recommendation. Again, I appreciate the gentleman's position. I will be voting ''no,'' but I would tell the rest of the Members to do what they see fit.

I yield back the balance of my time.

Mr. CARNEY. In closing, I would like to thank the chair. I appreciate his position on this. I thank him for not officially opposing it and ask for support from everyone in the Chamber.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Delaware (Mr. CARNEY).

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

Mr. CARNEY. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Delaware will be postponed.

The Chair understands that amendment No. 8 will not be offered.

AMENDMENT NO. 9 OFFERED BY MR. KEATING

The CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 112–200.

Mr. KEATING. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 501 (page 51, after line 18), insert the following new section:

SEC. 502. SENSE OF CONGRESS REGARDING INTEGRATION OF FUSION CENTERS.

It is the sense of Congress that ten years after the terrorist attacks upon the United States on September 11, 2001, the Secretary of Homeland Security, in consultation with the Director of National Intelligence, should continue to integrate and leverage fusion centers to enlist all of the intelligence, law enforcement, and homeland security capabilities of the United States in a manner that is consistent with the Constitution to prevent acts of terrorism against the United States.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Thank you, Madam Chair; and thank you, Mr. RUPPERSBERGER, for allowing me to present this timely amendment to the FY12 Intelligence authorization.

Madam Chair, there are 72 fusion centers throughout the United States, including one in Massachusetts, which is also the home of the sole joint terrorism task force that is housed in an airport. However, as noted yesterday by Mr. Lee Hamilton, vice chair of the 9/11 Commission, during the Committee on Homeland Security hearing, which dealt with looking back 10 years after 9/11, all 72 fusion centers have varying degrees of quality, and this results in gaps in communication. Gaps in sharing, such as agencies' failure to link information about the individual who attempted the December 25, 2009, airline bombing, prevented him from being included in the Federal Government's terrorist watch list, a tool used by DHS to screen for persons who pose a significant security threat.

This week, the GAO released a report to the Department of Homeland Security recommending that DHS improve its assistance and services to State and local homeland security partners and streamline some of the information-sharing mechanisms.

Furthermore, in July 2011, DHS reported that it established performance measures for assessing its information-sharing efforts. These measures include, for example, the percent of intelligence reports customers rated as satisfactory, enabling customers to anticipate emergency threats.

DHS plans to report on these metrics beginning in fiscal year 2012. While these are positive steps, GAO's work has shown that developing outcome-based performance measures that gauge information-sharing efforts are really necessary to strengthen the accountability of these efforts, and we are still waiting for DHS to implement these steps.

Now, as a former district attorney of over a decade, I understand how critical it is to share information and how not sharing that information enhances and enables critical activity. That, indeed, carries over to terrorists themselves.

□ 1020

This amendment encourages this type of streamlining process by further integrating and leveraging fusion centers to enlist all the intelligence, law enforcement, homeland security capabilities in the United States in a manner that's consistent with the Constitution to prevent acts of terrorism against the United States of America. It was just a few months ago that Secretary Napolitano in testimony before the Homeland Security Committee said that the threat of terrorism is at its most heightened state since 9/11. That's what she's saying now.

So I encourage all Members to vote for this amendment, as well as the manager's amendment, to strengthen this bill and incorporate all the elements of the intelligence community, particularly trying to merge information, enhance sharing of information with State and local officials who have their ear to the ground.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Again, I appreciate the gentleman's interest here. I don't know any organization that we established not to operate under the rules and construct of the Constitution of the United States. It is a little bit redundant, in my perspective; and also we deal with these issues through IGs, we do this through congressional oversight, and we deal with this in the classified annex. I would encourage the gentleman to take a look at the classified annex. A lot of the work that we do is to make sure that these organizations are functioning according to rules, regulation, and constitutional law.

I am not going to oppose his amendment. I have no recommendation. I do think, however, it's probably not well placed in this particular piece of legislation.

With that, I yield back the balance of my time.

Mr. KEATING. I yield such time as he may consume to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. First, I support this amendment. The amendment would include a sense of Congress language to encourage the Director of National Intelligence and the Secretary of Homeland Security to integrate the intelligence-sharing capability of fusion centers and leverage participation from all intelligence, law enforcement, and homeland security agencies to prevent acts of terrorism against the United States.

I thank the gentleman for this amendment, which is very timely as we approach the 10th anniversary of September 11. The Intelligence Committee is holding a series of open hearings in order to acknowledge the progress made in the intelligence and national security community since 9/11 and to identify areas that will need improvement.

One area we will explore is Federal collaboration with first responders at State and local levels. The Bipartisan Policy Center and the former cochairman of the 9/11 Commission, Lee Hamilton, recently issued a report about our national response to 9/11 over the last 10 years. They found that Federal and local information sharing is still not as good as it could be.

The proposed sense of Congress is consistent with the findings of numerous organizations, but our Nation still requires better integration of intelligence. I therefore urge a ''yes'' vote on the amendment.

Also, I acknowledge the fact you are a former prosecutor. I am a former prosecutor. Our chairman is a former FBI agent.

Mr. KEATING. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112–200 on which further proceedings were postponed, in the following order:

Amendment No. 6 by Mr. HUNTER of California.

Amendment No. 7 by Mr. CARNEY of Delaware.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. HUNTER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 397, noes 0, not voting 34, as follows:

[Roll No. 695]

AYES—397

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (IN)

NOT VOTING—34

Akin
Bachmann
Barletta
Barton (TX)
Becerra
Bishop (UT)
Brown (FL)
Cardoza
Diaz-Balart
Engel
Filner
Giffords
Granger
Higgins
Holden
Honda
Johnson (GA)
Lewis (GA)
Lungren, Daniel E.
Marino
McCotter
Miller, Gary
Neal
Paul
Pitts
Reyes
Sullivan
Thompson (PA)
Wasserman Schultz
Waters
Wilson (SC)
Wittman
Young (AK)
Young (FL)

□ 1053

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall 695, I was unable to vote. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 7 OFFERED BY MR. CARNEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Delaware (Mr. CARNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 303, noes 92, not voting 36, as follows:

[Roll No. 696]

AYES—303

Ackerman
Adams
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Buchanan
Bucshon
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Fleming
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gohmert
Gonzalez
Goodlatte
Gosar
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hayworth
Heinrich
Herger
Herrera Beutler
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Mack
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Myrick
Nadler
Napolitano
Nunes
Nunnelee
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Richardson
Richmond
Rigell
Rivera
Rogers (AL)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Stearns
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wolf
Woolsey
Yarmuth
Yoder
Young (IN)

NOES—92

Amash
Benishek
Berg
Black
Blackburn
Boustany
Broun (GA)
Buerkle
Burgess
Canseco
Carter
Chaffetz
Coffman (CO)
Conaway
Culberson
Davis (KY)
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Flake
Fleischmann
Flores
Foxx
Garrett
Gingrey (GA)
Gowdy
Graves (GA)
Hall
Hartzler
Hastings (WA)
Heck
Hensarling
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Labrador
Lamborn
Long
Lummis
Marchant
McClintock
McHenry
Mica
Miller (FL)
Miller (MI)
Murphy (PA)
Neugebauer
Noem
Nugent
Olson
Palazzo
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reichert
Ribble
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ross (FL)
Royce
Schilling
Schock
Schweikert
Scott (SC)
Sessions
Shimkus
Smith (NE)
Southerland
Stutzman
Thornberry
Walsh (IL)
West
Westmoreland
Womack
Woodall

NOT VOTING—36

Akin
Bachmann
Barletta
Barton (TX)
Bishop (UT)
Brown (FL)
Cardoza
Diaz-Balart
Engel
Filner
Giffords
Granger
Higgins
Holden
Honda
Johnson (GA)
Lewis (GA)
Lungren, Daniel E.
Marino
McCotter
Miller, Gary
Neal
Paul
Petri
Pitts
Reyes
Smith (TX)
Sullivan
Thompson (PA)
Van Hollen
Wasserman Schultz
Waters
Wilson (SC)
Wittman
Young (AK)
Young (FL)

□ 1100

Mrs. BLACK changed her vote from ''aye'' to ''no.''

Mr. PENCE and Ms. HAYWORTH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall No. 696, I was unable to vote. Had I been present, I would have voted ''aye.''

Mr. PETRI. Madam Chair, I inadvertently did not vote on the Carney amendment to H.R. 1892. I would have voted for adoption of the amendment.

Mr. AKIN. Madam Chair, on rollcall Nos. 695 and 696, I was delayed and unable to vote. Had I been present I would have voted ''aye'' on both.

PERSONAL EXPLANATION

Mr. WITTMAN. Madam Chair, on rollcall Nos. 695 and 696, I was unavoidably detained. Had I been present, I would have voted ''aye'' on 695 and ''aye'' on 696.

The CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIMM) having assumed the chair, Mrs. MILLER of Michigan, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1892) to authorize appropriations for fiscal year 2012 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, and, pursuant to House Resolution 392, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1892 is postponed.

COMMEMORATING SEPTEMBER 11

The SPEAKER pro tempore. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in memory of the victims of the terrorist attacks on September 11, 2001.

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that the Committees on Armed Services, Foreign Affairs, Homeland Security, the Judiciary, Oversight and Government Reform, and Transportation and Infrastructure, and the Permanent Select Committee on Intelligence be discharged from further consideration of the resolution (H. Res. 391) expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001, on the 10th anniversary of that date, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 391

Whereas on September 11, 2001, while Americans were attending to their daily routines, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, a third into the Pentagon near Washington, D.C., and a fourth was prevented from also being used as a weapon against America by brave passengers who placed their country above their own lives;

Whereas thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders;

Whereas 10 years later the country continues to, and shall forever, mourn their tragic loss and honor their memory;

Whereas these attacks destroyed both towers of the World Trade Center, as well as adjacent buildings, and seriously damaged the Pentagon;

Whereas these attacks were by far the deadliest terrorist attacks ever launched