



Legislative Bulletin.....June 23, 2004

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 4 new programs and 1 new office
Year to Date Prior to Today’s Bills: 25

Total Cost of Discretionary Authorizations: *At least \$357 million***
Year to Date Prior to Today’s Bills: At least \$652.933 billion[#] over five years

Total Cost of Appropriations: \$0
Year to Date Prior to Today’s Bills: \$442.9 billion for FY05, & \$25.8 billion in contingent emergency (FY05) appropriations

Total Amount of Revenue Reductions: \$0
Year to Date Prior to Today’s Bills: \$160.6 billion over five years

Total Change in Mandatory Spending: \$31.4 million in FY05
Year to Date Prior to Today’s Bills: \$22.7 billion over five years

Total New State & Local Government Mandates: 1
Year to Date Prior to Today’s Bills: 17[#]

Total New Private Sector Mandates: 0
Year to Date Prior to Today’s Bills: 13

** The cost of the transportation extension is unknown, and the amount of the classified authorization is not available

* This figure does not include H.R. 4503, the Energy Policy Act of 2004

This figure does not include H.R. 3873 or H.R. 4503

H.R. 4635—Surface Transportation Extension Act of 2004, Part III (Young of Alaska)

Order of Business: The bill is scheduled to be considered on Wednesday, June 23rd, under a motion to suspend the rules and pass the bill. The last (two-month) transportation extension, H.R. 4219, passed the House 410-0 on April 28, 2004.

Summary: H.R. 4635 would extend for **one** additional month (through July 31, 2004) highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century (112 Stat. 116). Funding levels would be proportionally tied to the appropriations in the Transportation, Treasury, and Independent Agencies Appropriations Act for FY2004.

Background: On September 24, 2003, the House passed (by voice vote) a temporary extension of surface transportation programs until February 29, 2004. The President signed the extension into law (Public Law 108-88) on September 30, 2003. To see the RSC Legislative Bulletin on this previous extension, visit this webpage: Since then, two two-month extensions have been signed into law. The most recent extension expires on June 30, 2004.

Committee Action: H.R. 4635 was referred to the Transportation & Infrastructure Committee, the Resources Committee, the Science Committee, and the Ways & Means Committee on June 22, 2004. No committee officially considered the legislation.

Administration Position: The Administration supports a permanent reauthorization of TEA-21 at a funding level of \$256 billion over six years and has threatened to veto a more expensive bill: <http://www.whitehouse.gov/omb/legislative/sap/108-2/s1072sap-s.pdf>

Cost to Taxpayers: A CBO cost estimate for the **one**-month extension in H.R. 4635 is not yet available. CBO estimated that the last **two**-month extension (H.R. 4219) would actually DECREASE contract authority (a mandatory form of budget authority) by \$624 million each fiscal year relative to the baseline starting this fiscal year and continuing for the next ten years.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.R. 4053 — United States International Leadership Act of 2004 *(Lantos)*

Order of Business: The bill is scheduled for consideration on Wednesday, June 23, 2004, under a motion to suspend the rules and pass the bill.

Summary: The bill creates a new \$10 million authorization to combat piracy of copyrighted materials and develop intellectual property laws in foreign countries and a new \$2 million authorization for a voluntary contribution to the Organization of American States for the Inter-American Committee Against Terrorism. It also establishes a new office (at an estimated cost of \$2 million) and new programs within the State Department to interact with international and multinational organizations, such as the United Nations.

The \$10 million program is for countries that are not members of the Organization for Economic Development and Cooperation for:

- 1) Equipment and training for foreign law enforcement, including on intellectual property laws;
- 2) Training judges and prosecutors, including on intellectual property laws; and
- 3) Assistance in complying with international copyright and intellectual property treaties and agreements.

Preference is given in the bill to the World Intellectual Property Organization to promote the above programs.

The bill states that the President should seek to establish a “democracy caucus” (of democratic countries) at the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations. With 180 days of enactment, the Secretary must submit an implementation plan to Congress.

H.R. 4053 instructs the Secretary of State to ensure that a yearly, high-level delegation from the U.S. is sent to consult with key foreign governments “to promote the United States agenda at key international fora, such as the United Nations General Assembly, United Nations Human Rights Commission, the United Nations Education, Science, and Cultural Organization, and the International Whaling Commission.” It also creates a series of training courses for Foreign Service officers to train for diplomacy and negotiations with international organizations, and requires a study to evaluate if the State Department should create a new Foreign Service “cone” to serve international and multinational organizations.

The bill also states that the U.S. should use its voice to exclude nations that violate the principles of the specific organization, such as being subject to UN Security Council sanctions, or being a state-sponsor of terrorism. A congressional report is required if such a group is selected for an international organization leadership post.

Finally, the bill establishes a new Office on Multilateral Negotiations, with an appointed representative to serve as an Ambassador-at-Large.

Committee Action: The bill was introduced on March 29, 2004, and referred to House Committee on International Relations, which did not consider it but agreed by voice vote to seek consideration of the bill under suspension of the rules.

Cost to Taxpayers: CBO estimates that implementing the bill would cost \$21 million over the 2005-2009 period, subject to appropriation. In addition, CBO estimates that establishing and operating the Office on Multilateral Negotiations would cost \$2 million a year.

Does the Bill Create New Federal Programs or Rules?: Yes, the bill creates a new office, creates new training programs for foreign service officers, and creates a new State Department fund for intellectual property protection efforts in foreign countries

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: An International Relations committee report citing authority is unavailable.

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H.Con.Res. 460—Regarding Israel’s security and the principles of Middle East peace (DeLay)

Order of Business: The resolution is scheduled to be considered on Wednesday, June 23rd, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 460 would resolve that Congress:

- “strongly endorses the principles articulated by President Bush in his April 14, 2004 letter to Israeli Prime Minister Ariel Sharon, which will strengthen the security and well-being of the state of Israel; and
- “supports efforts to continue working with others in the international community to build the capacity and will of the Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel has withdrawn from posing a threat to the security of Israel.”

The resolution would also state that:

- “the Congress of the United States is strongly committed to Israel's security and well-being as a Jewish state;...
- “the principles expressed in President Bush's letter will enhance Israel's security and advance the cause of peace in the Middle East;
- “there will be no security for Israelis or Palestinians until they and all states, in the region and beyond, join together to fight terrorism and dismantle terrorist organizations;
- “the United States remains committed to Israel's security, including secure, recognized, and defensible borders, and to preserving and strengthening Israel's capability to deter enemies and defend itself, by itself, against any threat; and
- “Israel has the right to defend itself against terrorism, including to take actions against terrorist organizations that threaten Israel's citizens.”

Additional Background: On April 14, 2004, President Bush sent a letter to Israeli Prime Minister Ariel Sharon to express written support for Mr. Sharon’s recent steps toward peace with the Palestinians. Most significantly, the President’s letter emphasized that it is “unrealistic” to expect that the outcome of final peace negotiations will include a full and complete return to the armistice lines of 1949, given the present demographic realities. Bush wrote that the solution for the Palestinian refugee problem will have to be found in Palestinian-controlled territories—not in present-day Israel.

RSC NOTE: Rep. Mike Pence (R-IN) and Rep. Shelley Berkley (D-NV) have introduced a related resolution (H.Con.Res. 371), which would support Israel’s right to prevent Palestinian terrorist attacks via a temporary security fence and condemn the UN’s decision to request the International Court of Justice to render an opinion on the legality of the security fence.

Committee Action: The resolution was introduced and referred to the International Relations Committee yesterday; no official action was taken.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Outside Organizations: The Republican Jewish Coalition supports this resolution.

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H.Res. 676 — Recognizing and honoring the 40th anniversary of congressional passage of the Civil Rights Act of 1964 (*Delegate Norton*)

Order of Business: The resolution is scheduled for consideration on Wednesday, June 23, 2004, under a motion to suspend the rules and pass the bill.

Summary: The resolution has 15 findings regarding the 40th anniversary of the Civil Rights Act of 1964 and states:

“That the House of Representatives--

“(1) recognizes and honors the 40th anniversary of congressional passage of the Civil Rights Act of 1964; and

“(2) encourages all Americans to recognize and celebrate the important historical milestone of the congressional passage of the Civil Rights Act of 1964.”

Additional Information: In a 1963 nationally televised address, President John F. Kennedy proposed that Congress pass a civil rights act to address the problem of invidious discrimination. The year 2004 marks the 40th anniversary of congressional passage of the Civil Rights Act of 1964 (Public Law 88-352). President Johnson signed the bill into law on July 2, 1964.

According to the resolution’s findings: “the Civil Rights Act of 1964, among other things, prohibited the use of Federal funds in a discriminatory fashion, barred unequal application of voter registration requirements, encouraged the desegregation of public schools and authorized the United States Attorney General to file suits to force desegregation, banned discrimination in hotels, motels, restaurants, theaters, and all other places of public accommodations engaged in interstate commerce, and established the Equal Employment Opportunity Commission. Title VII of the Act not only prohibited discrimination by employers on the basis of race, color, national origin, and religion but sex as well, thereby recognizing the national problem of sex discrimination in the workplace.”

To read the text of the original law go to:

<http://usinfo.state.gov/usa/infousa/laws/majorlaw/civilr19.htm>

Committee Action: The resolution was introduced on June 15, 2004, referred to Committee on the Judiciary and to the Committee on Education and the Workforce. Neither committee considered the resolution.

Cost to Taxpayers: The resolution has no cost.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 1731 — Identity Theft Penalty Enhancement Act (Carter)

Order of Business: The bill is scheduled for consideration on Wednesday, June 23, 2004, under a motion to suspend the rules and pass the bill.

Summary: The bill amends 18 U.S.C. chapter 47 to establish penalties for aggravated identity theft (such as to commit terrorist acts, immigration violations, firearms offenses, and other serious crimes) and authorizes \$2 million a year for 5 years for the Justice Department to investigate and prosecute identity theft and related credit card and other fraud cases constituting felony violations of the law. The bill also amends current law to impose a higher maximum penalty for identity theft used to facilitate acts of terrorism and requires the U.S. Sentencing Commission to amend guidelines to apply higher penalties to employees or directors who use access to information at their place of business to commit identity theft or fraud.

“Identity theft” and “identity fraud” refer to all types of crimes in which someone wrongfully obtains and uses another person’s personal data in some way that involves fraud or deception, typically for economic or other gain, including immigration benefits.

Additional Information: According to the Committee, in 2002, the Federal Trade Commission (FTC) received 161,819 victim complaints of someone using another’s information. Of these, 22% involved more than one type of identity crime. Forty-two percent of complaints involved credit card fraud, 22% involved the activation of a utility in the victim’s name, 17% involved bank accounts opened in the victim’s name, 9% involved employment fraud, 8% involved government documents or benefits fraud, 6% involved consumer loans or mortgages obtained in the victim’s name, and 16% involved medical, bankruptcy, securities and other miscellaneous fraud.

FTC survey samples indicate that almost 10 million Americans were the victims of some form of identity theft within the last year. The FTC estimates the loss to businesses and financial institutions from identity theft to be \$47.6 billion. The costs to individual consumers are estimated to be approximately \$5.0 billion. Under current law, many perpetrators of identity theft receive little or no prison time.

An FBI agent testified at the a Congressional hearing that, “terrorists have long utilized identity theft as well as Social Security number fraud to enable them to obtain such things as cover employment and access to secure locations. These and similar means can be utilized by terrorists to obtain driver’s licenses, and bank and credit card accounts, through which terrorism is facilitated.”

Committee Action: The bill was introduced on April 10, 2003, and referred to House Committee on the Judiciary, which reported it the full House on May 12, 2004.

Constitutional Authority: The Judiciary Committee, in Report No. 108-528, found authority under Article I, Section 8 (Powers of Congress), but failed to cite a specific clause.

Cost to Taxpayers: CBO estimates that implementing H.R. 1731 would cost \$10 million over the 2005-2009 period, subject to appropriation. H.R. 1731 also creates new criminal penalties that could increase the collection of criminal fines, though CBO expects them to be minimal. Collections are deposited in the Crime Victims Fund.

Does the Bill Create New Federal Programs or Rules?: The bill creates a new federal felony offense for aggravated identity theft.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 218—Law Enforcement Officer Safety Act of 2003 (Cunningham)

Order of Business: The bill is scheduled for consideration on Wednesday, June 23rd, under a motion to suspend the rules and pass the bill.

Summary: H.R. 218 would allow law enforcement officers (including retired officers) to carry a concealed firearm if the officer meets certain conditions. The officer may not be subject to disciplinary action or prohibited by federal law from receiving a firearm. A retired officer must have retired in good standing and have been employed as a law enforcement officer for at least 15 years. Both currently employed and retired officers must meet state standards for law enforcement officers to carry firearms, with retired officers required to provide proof of training.

When carrying the concealed weapon, the officer must also be carrying photographic identification from the governmental agency where the officer is or was employed. Officers would not be permitted to carry machine guns, firearms silencers, or destructive devices such as bombs, grenades, and rocket launchers.

The bill would not supersede state laws that permit private citizens to restrict concealed weapons on their property or that restrict the possession of a concealed weapon on any state or local government property.

Committee Action: The bill was introduced on January 7, 2003, and referred to the Committee on the Judiciary. The committee marked up the bill on June 16, 2004, and reported it to the full House by a vote of 23 to 9. In committee, some conservatives

expressed concerns that the bill supersedes most state laws regarding the carrying of concealed weapons by private citizens.

Cost to Taxpayers: While a cost estimate is not available, nothing in the bill suggests that there would be any cost to taxpayers.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: The bill supersedes most state laws as they relate to the carrying of concealed weapons by private citizens, but the cost of the mandate does not exceed the threshold established by the Unfunded Mandates Reform Act.

Constitutional Authority: A committee report citing constitutional authority is not available.

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H.R. 4345—To amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs (Brown-Waite)

Order of Business: The bill is scheduled for consideration on Wednesday, June 23rd, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4345 increases the maximum amount of a Veterans Affairs (VA) home loan guarantee to 25 percent of the Freddie Mac conforming loan rate. This ensures that unlike in current law, VA home loan guarantees will be updated yearly.

Additional Background: Under the VA home loan guarantee, veterans can obtain mortgages at competitive interest rates and often without a downpayment. The current maximum loan guarantee, last updated in 2001, is \$60,000, allowing for the purchase of a home costing \$240,000. H.R. 4345 would effectively increase the loan guarantee to \$81,000 for 2004, allowing for the purchase of a home costing \$330,700.

Committee Action: The bill was introduced on May 12, 2004, and referred to the Committee on Veterans Affairs. The committee reported the bill to the House by voice vote on May 19, 2004.

Cost to Taxpayers: The Congressional Budget Office estimates that H.R. 4345 would reduce direct spending on the veterans' housing program by \$208 million over the 2005-2009 period and \$288 million over the 2005-2014 period. Direct spending is reduced

even though the loan guarantee limits are increased because of loan fees that are based on the value of the loan and because VA loans have a negative subsidy rate.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is not available.

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H.R. 4548—Intelligence Authorization Act for Fiscal Year 2005 (Goss)

Order of Business: The bill is scheduled to be considered on Wednesday, June 23rd, subject to a structured rule (H.Res. 686). Only the amendments summarized below (in the sequence listed below) can be offered.

Note: This Legislative Bulletin addresses only the unclassified portion of the bill. The language of H.R. 4548 provides for the passage of the classified annex. The classified annex is available to the Committees on Appropriations of the House and Senate and to the President. The President shall provide for suitable distribution of appropriate portions of the annex within the executive branch.

Summary: The unclassified portion of H.R. 4548 would authorize **\$324 million** in discretionary FY2005 appropriations (up from \$221.5 million in last year's conference report) and **\$239.4 million** in FY2005 mandatory spending (up from \$226.4 million in last year's conference report) for intelligence activities of the federal government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System (CIARDS). The specific schedule of authorizations for intelligence activities of the federal government (including the CIA, Defense Department, National Security Agency, FBI, etc.) is classified.

Personnel Ceilings. Authorizes the Director of Central Intelligence, with the approval of the Director of the Office of Management and Budget, to exceed the (classified) FY2005 civilian personnel ceilings, when necessary to perform important intelligence functions and when reported to Congress.

Intelligence Community Management Account. Authorizes FY2005 appropriations of \$318.4 million (up from \$221.5 million in last year's conference report) to the Intelligence Community Management Account (CMA) to fund 310 full-time personnel (same as last year's conference report) and other administrative requirements.

National Drug Intelligence Center. Of the funds authorized for the CMA, \$29.8 million (down from \$47.1 million in last year's conference report) is authorized for the National Drug Intelligence Center in Johnstown, Pennsylvania.

CIARDS. Authorizes mandatory spending of \$239.4 million (up from \$226.4 million in last year's conference report) for CIARDS.

Increase in Employee Compensation. Authorizes such appropriations increases "as may be necessary" for employee salaries, pay, retirement, and other benefits.

Intelligence Restrictions. Emphasizes that this legislation should not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or the laws of the United States.

Assistant Director of Central Intelligence for Information Management. Creates a new (appointed) position within the CIA Director's office: the Assistant Director of Central Intelligence for Information Management. This Assistant Director would function as the chief information officer of the intelligence community and manage all information technology issues.

Voluntary Separation Incentives. Permanently extends the CIA's voluntary separation incentive program.

NSA Emerging Technologies Panel. Creates an Emerging Technologies Panel within the National Security Agency to study and assess, and periodically advise the Director on, the research, development, and application of existing and emerging science and technology advances, advances on encryption, and other such topics.

Education Programs. Includes a variety of funds-transfer authorities for national security education programs.

Assistant Director of Central Intelligence for Language and Education. Creates a new (appointed) position within the CIA Director's office: the Assistant Director of Central Intelligence for Language and Education. This Assistant Director would coordinate the foreign language education and training efforts of the intelligence community.

Foreign Language Requirement. Requires that a person could not advance into the Senior Intelligence Service in the Directorate of Intelligence or the Directorate of Operations without a certification of proficiency in a foreign language.

Foreign Languages Program. Allows the Secretary of Defense and the CIA Director to jointly establish a new program to advance foreign languages skills in languages that are critical to the capability of the intelligence community to carry out national security activities. Authorizes education partnership agreements as part of this program to encourage and enhance the study of critical foreign languages. Such partnerships would allow the intelligence community to provide to educational institutions such items as

instructional equipment and materials, dedicated personnel to teach courses, career advisors, and cash awards.

Civilian Linguist Reserve Corps. Creates a new, three-year pilot project (authorized at “such sums”) to establish a Civilian Linguist Reserve Corps comprised of American citizens with advanced proficiency in foreign languages who would be available, upon a call of the President, to perform foreign language service or duties in the federal government as the President may specify.

National Virtual Translation Center. Codifies the National Virtual Translation Center, which provides for “timely and accurate” translations of foreign intelligence for all other elements of the intelligence community.

Defense Language Institute. Mandates a study on ways to improve the recruitment and retention of qualified foreign language instructors at the Defense Language Institute (including ways to expeditiously adjust the immigration status of a qualifying alien from temporary to permanent.

Amendments Made in Order under the Rule (H.Res. 686):

Debate time listed parenthetically after each amendment

Goss #5: Increases the FY2005 authorization for the National Drug Intelligence Center by \$8 million to \$37.8 million. (10 minutes)

Gallegly #15: Amends current law regarding designations of Foreign Terrorist Organizations (FTO). Replaces the requirement to formally re-designate FTOs every two years with a procedure allowing these groups to petition the Secretary at two-year intervals to have their designation revoked. Requires the Secretary to review the designation of each FTO every six years, and such designation would not be subject to judicial review at any level. Establishes a new procedure for handling the situation in which a terrorist organization changes its name or uses new aliases. Requires that the State Department's annual report on terrorism include information on countries and FTOs that are seeking to obtain weapons of mass destruction. (20 minutes)

Boehlert #18: Expresses a sense of Congress to:

- affirm that the world has been made safer with the dismantling and removal of Libya's weapons of mass destruction and the means to deliver them;
- acknowledge that this would not have been possible if not for the demonstrated resolve of the United States in the global war on terror and in the liberation of Iraq by United States and Coalition Forces;
- commend the President for having the courage to undertake those policies which persuaded Libya to agree to relinquish such weapons; and
- urge other countries such as Iran, Syria, and North Korea, to follow Libya's example and voluntarily dismantle their weapons of mass destruction and submit their programs to international inspections. (20 Minutes)

Johnson, Sam #16: Expresses a sense of Congress that the apprehension, detention, and interrogation of terrorists are fundamental to the successful prosecution of the Global War on Terror. (20 Minutes)

Rogers, Mike (MI) #17: Expresses a sense of Congress that the intelligence community should be revitalized by investing in the missions, people, and capabilities of the community and that the efforts of the men and women of the intelligence community should be recognized and commended. (20 Minutes)

Ackerman #1: Requires the CIA Director to annually report to Congress on:

- the efforts of any Pakistani entity or individual to acquire or transfer weapons of mass destruction and related technologies or missile equipment and technology to any other nation, entity, or individual;
- Pakistani steps to curb the proliferation of weapons of mass destruction and the means to deliver them;
- Pakistan steps to ensure that their own nuclear weapons are secure;
- an estimate of the size of the Pakistani fissile material stockpile;
- efforts by the government of Pakistan to fight al Qaeda, the Taliban, and other terrorist networks inside Pakistan; and
- efforts by the government of Pakistan to establish and strengthen democratic institutions in that country. (10 Minutes)

Shays #13: Expresses the sense of Congress that the head of each element of the intelligence community, including the CIA, the FBI, and the intelligence elements of DoD, the State Department, and the Treasury, should make available, upon a jurisdictionally relevant request from Congress, any information and documents in the possession or control of such intelligence element in connection with any congressional investigation of the Office of the Iraq Oil-for-Food Program of the United Nations. (20 Minutes)

Kucinich #12: Directs the CIA's Inspector General to audit the evidence of the pre-September-11th relationship between the regime of Saddam Hussein and al-Qaeda, referenced in all intelligence reporting, including products, briefings, and memoranda, distributed by the CIA to the White House and Congress. (10 Minutes)

Simmons #3: Directs the CIA Director to submit an unclassified report to Congress within six months on the progress the intelligence community is making in using Open Source Intelligence (OSINT). OSINT is intelligence gleaned from public sources, such as scientific articles, newspapers, phone books, and price lists. (10 Minutes)

Reyes #8: Withholds 25% of the funds available to the Central Intelligence Agency Program, the General Defense Intelligence Program, the Joint Military Intelligence Program, and the Army Tactical Intelligence and Related Activities Program until the appropriate congressional committees receive all documents related to the handling and treatment of detainees in Iraq, Afghanistan, Guantanamo Bay, and elsewhere. (20 Minutes)

Committee Action: The bill was referred to the Permanent Select Committee on Intelligence on June 14, 2004, and was marked up two days later. The Committee then amended and by voice vote ordered the bill reported to the full House.

Cost to Taxpayers: CBO reports that the unclassified portion of the bill would authorize discretionary appropriations of \$324 million in FY2005 and a total of \$348 million over the FY2005-FY2009 period. Further, the bill would authorize mandatory spending of \$239.4 million in FY2005 (no increase over the baseline and thus scores as zero).

Does the Bill Create New Federal Programs or Rules?: H.R. 4548 would create three new programs, two new Assistant Directorships, and one new panel.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Permanent Select Committee on Intelligence, in House Report 108-558, cites constitutional authority in Article I, Section 8, Clause 1 (common defense and general welfare), Clause 12 (raise and support armies), Clause 13 (provide and maintain a Navy), and Clause 18 (make all laws necessary and proper for carrying into execution the foregoing powers).

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