



Legislative Bulletin.....June 29, 2006

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H.Res. 895—Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.Res. 895—Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances—*as introduced* (Oxley, R-OH)

Order of Business: The resolution is scheduled to be considered on Thursday, June 29th, subject to a closed rule (H.Res. 896). The rule provides for one motion to recommit without instructions.

Summary: H.Res. 895 would resolve that the House:

- “supports efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks here and abroad, including through the use of the Terrorist Finance Tracking Program;
- “finds that the Terrorist Finance Tracking Program has been conducted in accordance with all applicable laws, regulations, and Executive Orders, that appropriate safeguards and reviews have been instituted to protect individual civil liberties, and that Congress has been appropriately informed and consulted for the duration of the Program and will continue its oversight of the Program;
- “condemns the unauthorized disclosure of classified information by those persons responsible and expresses concern that the disclosure may endanger the lives of American citizens, including members of the Armed Forces, as well as individuals and organizations that support United States efforts; and
- “expects the cooperation of all news media organizations in protecting the lives of Americans and the capability of the government to identify, disrupt, and capture terrorists by not disclosing classified intelligence programs such as the Terrorist Finance Tracking Program.”

The resolution also notes that “effective intelligence depends on cooperation with foreign governments and individuals who trust the United States to protect their confidences,” and “the unauthorized disclosure of sensitive intelligence information inflicts significant damage to United States activities in the global war on terrorism by assisting terrorists in developing countermeasures to evade United States intelligence capabilities, costs the United States taxpayers hundreds of millions of dollars in lost capabilities, and ultimately endangers American lives.”

The resolution asserts that, “persons who have access to classified information, or who have classified information passed onto them, have a responsibility to the people of the United States not to endanger the populace through their exercise of the right to freedom of speech.”

Additional Background: At some point before June 23, 2006, classified information regarding the Terrorist Finance Tracking Program was illegally and improperly disclosed to the *New York Times*, which then knowingly published details about this classified program. To read the *New York Times* article in which the tracking program was exposed, visit this webpage: http://www.nytimes.com/2006/06/23/washington/23intel.html?_r=1&oref=slogin.

As the resolution notes, after the September 11th attacks, the federal government initiated a classified Terrorist Finance Tracking Program, which gathers bank transaction and other financial transaction information on suspected international terrorists or terrorist entities as part of specific terrorism investigations. The resolution asserts that regular, independent

audits of the tracking program have confirmed that the federal government has “consistently” observed the established safeguards and protocols for protecting individual privacy. Congress has also been regularly briefed on this program and has conducted oversight of it.

The resolution notes that the tracking program provided intelligence leading to the capture of Hambali, the operations chief of an al Qaeda affiliate, who masterminded a nightclub bombing in Indonesia that killed over 200 people, and to the capture of Uzair Paracha, an al Qaeda money launderer operating in the United States.

Committee Action: On June 28, 2006, the resolution was referred to the Financial Services Committee, which took no official action on it.

Administration Position: President Bush referred to the New York Times leak as “disgraceful” and asserted that the illegal disclosure made it easier for terrorists to evade detection and attack Americans.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

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

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