



---

November 21, 2004

## House Leadership Blocks Vote on Intelligence Bill

By PHILIP SHENON and CARL HULSE

ASHINGTON, Nov. 20 - House Republican leaders blocked and appeared to kill a bill Saturday that would have enacted the major recommendations of the Sept. 11 commission, refusing to allow a vote on the legislation despite last-minute pleas from both President Bush and Vice President Dick Cheney to Republican lawmakers for a compromise before Congress adjourned for the year.

The decision to block a vote on the landmark bill, which would have created the job of a cabinet-level national intelligence director to oversee the C.I.A. and the government's other spy agencies, came after what lawmakers from both parties described as a near-rebellion by a core of highly conservative House Republicans aligned with the Pentagon who were emboldened to stand up to their leadership and to the White House.

The bill would have forced the Pentagon, which controls an estimated 80 percent of the government's \$40 billion intelligence budget, to cede much of its authority on intelligence issues to a national intelligence director.

"What you are seeing is the forces in favor of the status quo protecting their turf, whether it is Congress or in the bureaucracy," said Senator Susan Collins, the Maine Republican who was the chief Senate author of the failed compromise bill, in what amounted to a slap at her Republican counterparts in the House.

The chairman of the Sept. 11 commission, Thomas H. Kean, a Republican and the former governor of New Jersey, said that the lawmakers who blocked the vote should be held accountable by the public, and he blamed senior Pentagon officials as well.

"I think there's no question that there are people in the Pentagon who want the status quo, and they fought very hard with their allies in Congress for the status quo," Mr. Kean said.

The decision to block a vote was announced by the House speaker, J. Dennis Hastert, who said that his members had determined that the bill hammered out by a House-Senate conference committee earlier in the day might dangerously dilute the authority of the military commanders over intelligence issues and could "endanger our troops in the field."

"It's hard to reform; it's hard to make change," Mr. Hastert said, only hours after House and Senate negotiators ended a monthlong stalemate and announced their agreement. "We are going to keep working on this."

While Mr. Hastert said that the negotiations would continue and that as a result he would not formally adjourn the House for the year, many lawmakers said the action had effectively killed the legislation. Saturday was supposed to be the last day of business for the House and Senate in their so-called lame-duck session after the election, with many lawmakers not expected to return to Washington until January.

The decision to block a vote was seen by the bill's proponents and others in Congress as a surprising embarrassment to the president, who had personally intervened as late as Friday night to pressure rebellious House Republicans to agree on an intelligence bill, and to Mr. Hastert, who had signaled that he wanted the legislation and was willing to overrule the opposition from within his ranks.

Congressional officials said that Mr. Bush had telephoned a leading Republican critic of the bill, Representative F. James Sensenbrenner Jr. of Wisconsin, the chairman of the House Judiciary Committee, from Air Force One on Friday en route to a economic summit meeting in Chile to urge him to compromise.

They said a similar call was made Saturday morning by Mr. Cheney to the chairman of the House Armed Services Committee, Duncan Hunter of California, who has long warned that the creation of a national intelligence director could interfere with the military chain of command as American troops continue to fight in Iraq.

But the calls were to no avail, since House and Senate negotiators agreed that the continuing opposition of Mr. Sensenbrenner, Mr. Hunter and a handful of other influential Republicans had tipped the balance for Mr. Hastert in deciding to block a vote.

Less than three weeks after Democrats suffered a stinging defeat at the polls, the bill's failure could provide Democratic leaders with a political opening to argue - along with members of the Sept. 11 commission and the families of victims of the terrorist attacks - that House Republicans killed a bill that had widespread, bipartisan support and that would have allowed the government to protect the public better against terrorist threats.

"Today, the House Republicans missed an opportunity to make the American people safer," said Representative Nancy Pelosi of California, the House Democratic leader. "Their inability to overhaul our intelligence system is a staggering failure."

Representative Jane Harman of California, the ranking Democrat on the House Intelligence Committee and one of the authors of the compromise bill, said, "This is a tragedy for America." Ms. Harman added, "If there is another major terrorist attack on our soil - and sadly, there will likely be one - we will have only ourselves to blame. Congress had a chance to protect America, and Congress failed."

The decision appeared also to reflect a sharp split between Republicans in the House and Senate. Senate Republicans voted unanimously last month to support a version of the intelligence bill that had been endorsed by both the Sept. 11 commission and the White House and that would have granted sweeping budget and personnel authority to a national intelligence director.

In its final report in July, the commission cataloged the blunders and turf battles of the nation's spy agencies in the months and years before the Sept. 11 attacks and called for the appointment of a powerful intelligence director to force them to cooperate.

At a news conference on Saturday to explain the tumultuous events of the day, Mr. Hastert singled out Mr. Hunter as instrumental in the decision to prevent a final vote on the bill. Mr. Hunter, a member of the House-Senate conference committee that shaped the compromise bill, had opposed the final product when it was made public on Saturday morning, warning colleagues that it could interfere with the transfer of vital intelligence to soldiers on the battlefield.

Mr. Hunter's views reflected those of senior Pentagon officials, who have quietly lobbied for months to block the creation of the job of a powerful national intelligence director, the central recommendation of the Sept. 11 commission.

In an interview, Mr. Hunter predicted that Congress would eventually approve an intelligence-overhaul bill, but one that would not permit a national intelligence director to interfere with the transfer of intelligence within the military and "leave a state of confusion, which is deadly on the battlefield."

"I'm very proud today of House Republicans and the House Republican leadership," he said. "They care. If they didn't care, Denny Hastert could have hammered this thing across the goal line."

He said that during his telephone call with the vice president, Mr. Cheney had said "he wanted to have a compromise and wanted to have a bill." But Mr. Hunter said the vice president "also very much understands the importance of this lifeline between the combatants and the troops."

A spokesman for the Defense Department, Lt. Col. Barry Venable, rejected the suggestion by Mr. Kean and other proponents of the compromise bill that Pentagon officials were behind Saturday's developments. "What goes on on Capitol Hill is entirely within their purview," he said. "We don't have a vote."

House and Senate negotiators said that Mr. Sensenbrenner had been equally responsible for the decision to block a vote on the bill, which did not include a variety of provisions he had championed to broaden the powers of law-enforcement and immigration agencies.

They said Mr. Sensenbrenner had been adamant that the bill include a provision to create federal standards for drivers' licenses to prevent them from being issued to illegal

immigrants, a move widely criticized by civil liberties groups as a step toward a national identification card.

"Regrettably, the Senate thus far has been hellbent on ensuring illegal aliens can receive drivers' licenses, regardless of the security concerns," Mr. Sensenbrenner said in a statement.