

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY DEMOCRATIC LEADER FROM APR. 3 TO 12, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Slovenia	Dollar		217.00						217.00
Paul Matulic:									
Croatia	Dollar		280.00						280.00
Hungary	Forint	121,126	853.00					121,126	853.00
Albania	Dollar		178.00						178.00
Macedonia	Dollar		199.00						199.00
Slovenia	Dollar		217.00						217.00
Jan Paulk:									
Croatia	Dollar		280.00						280.00
Hungary	Forint	121,126	853.00					121,126	853.00
Albania	Dollar		178.00						178.00
Macedonia	Dollar		199.00						199.00
Slovenia	Dollar		217.00						217.00
Delegation expenses: ¹									
Croatia							627.47		627.47
Hungary							4,455.67		4,455.67
Albania							856.22		856.22
Macedonia							1,515.41		1,515.41
Slovenia							780.74		780.74
Bosnia-Herzegovina							617.50		617.50
Total			10,362.00				8,853.01		19,215.01

¹ Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and Senate Resolution 179, agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, Sept. 3, 1996.

MEASURE READ FOR THE FIRST TIME—H.R. 4134

Mr. GRASSLEY. Mr. President, I understand that H.R. 4134 has arrived from the House, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4134) to amend the Immigration and Nationality Act to authorize States to deny public education benefits to aliens not lawfully present in the United States who are not enrolled in public schools during the period beginning September 1, 1996, and ending July 1, 1997.

Mr. GRASSLEY. Mr. President, I now ask for its second reading, and I object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997—CONFERENCE REPORT

Mr. GRASSLEY. Mr. President, I submit a report of the committee of conference on (H.R. 3259) and ask for its immediate consideration.

THE PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 24, 1996.)

Mr. SPECTER. Mr. President, I am pleased to be able to submit for my colleagues' consideration the conference report on H.R. 3259, the Intelligence Authorization Act for Fiscal Year 1997. As you know, the Senate passed its authorization bill only last week and this may be an unprecedented turnaround time from passage of our bill to consideration of the conference report. For this, I want to thank House Chairman LARRY COMBEST for his outstanding management of what could have been a difficult effort at reconciling our two bills. Ranking Member NORMAN DICKS and Vice Chairman ROBERT KERREY played equally valuable roles in finding the right balance between ardently advocating their positions and ensuring eventual passage of this important legislation.

The rapid progress of this conference report is all the more noteworthy in that, in addition to the usual annual authorization of expenditures for intelligence and intelligence-related activities, this year's authorization bill adds important new provisions to the National Security Act of 1947 designed to help the Director of Central Intelligence [DCI] exert stronger direction and control over the intelligence community.

Let me remind my colleagues that under the National Security Act the DCI wears three hats: principal intelligence adviser to the President and the National Security Council; Director of the Central Intelligence Agency; and head of the intelligence community, which is composed of 13 different intelligence agencies.

For a variety of reasons, a long succession of DCI's have devoted almost all of their time and energy to their first two jobs—advising the President and running the CIA—and have given

short shrift to the third—managing the intelligence community. The result has been an unfortunate lack of coordination and focused effort by our various intelligence agencies. This is not to say that our intelligence agencies have not been successful. The opposite is true: the United States has the premier intelligence apparatus in the world. But because they are scattered among so many different departments and agencies they have not been able to operate as efficiently and effectively as they could.

Title VIII of the conference report—the Intelligence Renewal and Reform Act of 1996—contains provisions intended to strengthen the overall management of the intelligence community.

In particular, to help the DCI perform his community responsibilities, title VIII establishes a new Senate-confirmed Deputy Director of Central Intelligence for Community Management and three new Senate-confirmed Assistant Directors of Central Intelligence. Since the National Security Act was enacted in 1947, there have been only two statutory positions to manage the intelligence community: a Director of Central Intelligence and a Deputy Director of Central Intelligence. The time has come to give the DCI a better community management structure. The conference report provides that the DDICI for Community Management will manage an intelligence community staff and will direct communitywide functions, including personnel, resources, requirements, collection, research and development, and analysis and production. Each of the three Assistant DCI's will oversee communitywide efforts in a particular functional area: collection, analysis and production, and administration.

I should mention that the DCI has expressed some concern about whether the three Assistant DCI's should all be

Presidential appointments subject to Senate confirmation. While noting the DCI's concerns, a majority of the conferees concluded that the advantages of Senate-confirmation outweigh any potential disadvantages. In light of the fact that the three Assistant DCI's will be responsible for coordinating functions that cut across a number of different departments and agencies, the conferees determined that Senate confirmation is necessary to ensure that each of these individuals has sufficient stature and focus to impose a more cohesive and coherent process for allocating resources in each of these key functional areas.

The DCI has also questioned whether Senate confirmation of the Assistant Directors is warranted given the limited authority vested in these positions. In fact, the statutory authority vested in these positions is the full authority of the DCI for each respective area. Thus, the actual authority exercised by the Assistant Directors will depend in large measure on the authority the DCI chooses to delegate and support.

In addition to creating a better intelligence community management team, the bill gives the DCI significant new management authorities. For example, the Secretary of Defense will be required to obtain the DCI's concurrence—or note the DCI's lack of concurrence—before recommending an individual to the President to be Director of the National Security Agency, the National Reconnaissance Office, and the new National Imagery and Mapping Agency. The DCI will also have to be consulted regarding the appointments of the heads of the smaller intelligence community elements, including the Defense Intelligence Agency, the State Department's Bureau of Intelligence and Research, and the FBI's National Security Division. In addition, separate provisions added to this year's DOD authorization bill require the DCI to submit an annual performance evaluation of the heads of the major defense intelligence agencies to the Secretary of Defense. These provisions are very significant. Previously, the DCI had little or no say in the appointments or evaluation of the heads of the major operating elements of the intelligence community.

I should note that the Director of the FBI objected strenuously to requiring the DCI to be consulted before the Attorney General appoints the head of the FBI's National Security Division. Director Freeh appeared to be concerned that requiring consultation might somehow make the FBI Director appear to be subservient to the DCI. In response to these concerns, the conferees agreed to modify the original Senate provision to require the FBI Director to give the DCI timely notice of his recommendation of an individual to fill the position, and to give the DCI an opportunity to consult. While agreeing to these changes, the conferees noted that the Director of the National Security

Division manages a significant portion of the national intelligence budget and concluded that it is wholly appropriate to give the DCI some voice in his or her appointment.

In addition to having a stronger voice in appointments, the DCI is given new statutory authority to participate in the preparation of defense intelligence budgets and to be consulted with respect to reprogrammings of funds among defensewide intelligence activities. For the first time, the DCI is also given the statutory right to establish intelligence collection requirements and priorities, and to resolve conflicts in collection priorities.

I also want to take a moment to address the press reports that opposition from the Department of Defense killed intelligence reform this year. It is true that bureaucratic resistance to change threatened reform efforts and that both the Senate and House Intelligence Committees agreed to scale back some of their proposals in the interest of ensuring passage of the bill. However, many very significant provisions remain. The conference report gives the DCI important new authorities to manage the intelligence community and, for the first time in 50 years, establishes a new intelligence community management structure. We expect these provisions will go far to make the intelligence community operate more effectively and more efficiently. In short, to paraphrase Mark Twain, the reports of the death of intelligence reform are greatly exaggerated.

With the end of the 104th Congress, we mark a significant milestone in the history of this Senate, the executive branch, and most of all, the intelligence community. Twenty years ago, on May 19, 1976, the Senate adopted Senate Resolution 400, establishing the Select Committee on Intelligence. The following day, May 20, 15 Senators were appointed to this committee, with Senator Inouye as its Chairman and Senator Howard Baker its Vice Chairman. Thus, from the very beginning, the nonpartisan nature of the committee was reinforced with the seating of a Vice Chairman rather than a ranking member. This nonpartisan attitude has continued for 20 years, with the Chairmen and Vice Chairmen working together overseeing U.S. intelligence, and at the same time ensuring that this important instrument of national security is maintained.

Mr. President, I ask unanimous consent that a brief statement outlining the impressive history of this committee be printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit 1.]

Mr. Speaker, the conclusion of the 104th Congress also marks the end of my term as chairman of the Senate Select Committee on Intelligence. Thanks in large measure to the commitment of the Vice Chairman, Senator BOB KERREY, and a dedicated staff,

it has been a productive tenure. Beginning in early 1995 with the confirmation of a new Director of Central Intelligence and Deputy Director of Central Intelligence and culminating with the passage today of significant legislation to strengthen the ability of the intelligence community to meet the needs of the post-cold-war world, the past 2 years have seen this committee address virtually all of the important national security issues confronting the country. Through hearings, intensive inquiries, committee reports, and legislation, the SSCI has examined the growing transnational threats of terrorism, narcotics, proliferation of weapons of mass destruction, organized crime, and economic espionage. We have continued the committee's focus on counterintelligence and the fallout from the treachery of Aldrich Ames, reopened longstanding inquiries into the role of the intelligence community in Central America, explored the risks and benefits of economic intelligence collection, overseen intelligence support to military operations in Bosnia, the Persian Gulf, Somalia, Haiti, and elsewhere, and provided insights to the Senate on intelligence-related aspects of arms control.

The role that the Vice Chairman has played in these committee endeavors cannot be overstated. Senator KERREY brings a keen mind and deep personal commitment to the committee's task of ensuring that this country has the best possible intelligence capability—one that is effective, efficient, and operates in a manner fully consistent with American laws and values. The Vice Chairman and I have not always agreed on every aspect of every issue, although the areas of disagreement have been remarkably rare. Senator KERREY has always approached these issues with characteristic grace and good humor. A determined advocate, he nevertheless finds ways to work through problems in a principled manner totally devoid of partisanship. As those of you who have had the privilege to serve on the Intelligence Committee know, the issues do not all have the glamour of James Bond adventures or the sensationalism of front page scandals. Senator KERREY has shown a willingness and an acumen for tackling even the most technical and obscure aspects of the committee's work where the effectiveness of our intelligence capability is at stake.

Senator KERREY's outstanding attributes are echoed in his staff director for the committee, Chris Straub. Mr. Straub has brought the same kind of nonpartisan professionalism to his work for the committee over the past 8 years. I have always found Chris fair, tough, and knowledgeable.

I also want to recognize Art Grant, the minority deputy staff director, whose command of the complex and at times arcane world of intelligence satellites has contributed greatly to the committee's oversight responsibilities in this area.

Which brings me to the committee's staff director, Charles Battaglia. When I first joined the committee in 1984, I was determined to hire a staff person with extensive intelligence experience and an excellent reputation within his field. I was lucky enough to find someone who not only had these qualities but also possessed the patience, perspective, and perseverance that are essential to a successful working relationship in this hectic institution. It was Charles Battaglia who urged that the committee move from the designee system, where each Member could bring on their own staff person—often resulting in staffers with little or no intelligence background who's focus was more on individual Member issues than on the core work of the committee—to a fully professional, non-partisan staff. This was not an easy transition, but Charles Battaglia has managed to ensure Members' needs are met without sacrificing the essential work of the committee staff. The result is a stronger, more cohesive staff and committee. Mr. Battaglia has been an excellent manager, valued adviser, and good friend.

In addition, I would like to thank the other members of the committee staff, particularly Suzanne Spaulding, the committee's general counsel, and her legal staff, Mark Heilbrun and John Bellinger, for their hard work on this legislation and on the many legal issues which have confronted the committee over the last 2 years; senior staff member Ed Levine, who has led the committee's inquiries into issues such as the flow of Iranian arms into Bosnia and human rights abuses in Guatemala, managing to draft committee reports on these potentially divisive issues in a manner that is fair, accurate, and thorough; the committee's budget director, Mary Sturtevant, whose mastery of every nook and cranny of the dispersed and complex intelligence community apparatus has been essential to our oversight function; and Pat Hanback, whose audit team has provided professional, detailed reviews of areas of oversight concern and has made many important recommendations for improvements.

I would like to express my gratitude as well to the committee's support staff for its professionalism in the face of continuing demands. Jim Wolfe, the committee's security director, and his staff did yeoman work in successfully maintaining the security of a vast array of classified material. Kathleen McGhee, the committee's chief clerk, and the rest of the staff literally made the engine run. I will thank each of them personally at a later time.

Mr. President, the outstanding efforts of the entire committee staff and membership is reflected in this Intelligence Authorization Act for Fiscal Year 1997 and I urge its passage.

THE SENATE SELECT COMMITTEE ON INTELLIGENCE: TWENTY YEARS OF INTELLIGENT OVERSIGHT

The Senate Select Committee on Intelligence was established in 1976 directly as a

result of the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities, or the Church Committee, which was set up to examine allegations of intelligence abuses by various intelligence agencies. The findings of this Committee were ample evidence that existing Congressional mechanisms were inadequate to meet the need for continual, focused, institutionalized oversight of the Intelligence Community.

The Intelligence Committee responded promptly to the need for changes highlighted by the Church Committee. Working with the Judiciary Committees of each house, the intelligence committees developed legislation known as the Foreign Intelligence Surveillance Act of 1978 which, for the first time, required that a court order be obtained from a special court established under the Act as a condition for undertaking electronic surveillance for intelligence purposes within the United States. Prior to that time, such surveillance had been carried out without a search warrant or court order, pursuant to the asserted constitutional authority of the President. The Committee, in the 95th Congress, also was the first to begin work on legislation to address the problem of "Graymail", i.e., the threat by defendants to disclose highly classified information if they were prosecuted. The committees were instrumental in the enactment of the Classified Information Procedures Act of 1980, which established statutory procedures for handling classified information involved in a Federal criminal proceeding.

Perhaps the most striking fact that we encounter when we look back 20 years, however, is how many of the issues then confronting the Committee are still relevant. Hearings were held in 1977 on the question of whether or not to declassify the bottom line amount of the intelligence budget, a question with which we are still wrestling. The Committee looked into the involvement of the National Security Agency in developing the Data Encryption Standard. Today, we are looking into the development of new encryption standards in an effort headed by NSA. Again, in the 95th Congress the Committee published a case study on "Activities of 'Friendly' Foreign Intelligence Services in the United States." Presently, in Congress we are looking into activities within the continental United States of the intelligence services of allies and adversaries in the field of economic espionage. The Committee also published its first report on terrorism in the 1970's.

One of the most important activities of the Senate Select Committee in the 1970's was its involvement in S. 2525, The National Intelligence Reorganization and Reform Act of 1978, for out of this effort was born the duty of the Intelligence Community to ensure that both the House and Senate Intelligence Committees were "fully and currently informed of all the national intelligence activities," to include, "any significant anticipated intelligence activity." This has proven to be central to the Committee's ability to carry out its oversight responsibilities.

As we moved into the 1980's, a new Administration brought a new Director of Central Intelligence. The legislative underpinnings in place were to be sorely tested in the coming years, but in the end, they held up under great pressure. In the early 1980's the Committee looked into and reported on such disparate matters as the U.S. capability to monitor the SALT II treaty; Soviet succession; political violence in El Salvador; the Soviet presence in the United Nations; unrest in the Philippines; and renewed counterintelligence and security concerns in the United States. In 1983 the Committee hired, as a full time staff employee, a Court Re-

ported because of the sensitivity of hearing information. The Select Committee on Intelligence remains the only Committee of either House to have a Reporter as a staffer.

In late November 1986, the Select Committee on Intelligence was the first Committee to begin an investigation into the Iran-Contra matter. Between the initiation of its investigation on December 1, 1986, and the publication of its public report on January 29, 1987, the Select Committee held over 50 hearings and interviews into the Iran-Contra matter. Following these events, S. 1721, the Intelligence Oversight Act of 1987, and S. 1818, the National Security Act of 1987, were introduced and brought clearly into focus the need for agreement between the Administration and the Congress on reporting requirements and covert action finding notification.

The Committee reported on many other matters of concern during 1987 and 1988. An extensive investigation resulted in a report on the security at the United States mission in Moscow and other areas of high risk. An exhaustive Committee and staff inquiry resulted in the publication of a report on the monitoring and verification of the Treaty on the Elimination of Intermediate-Range and Shorter Range Missiles, the INF Treaty. The Committee further investigated and reported on the FBI's mishandling of a domestic case involving the Committee in Solidarity with the People of El Salvador, or CISPES. While the Committee determined that there were improprieties in the FBI investigation, it also determined that this was an aberration, and that the Bureau continually held to the high standards that were demanded of it.

The 1980's were also the "Decade of the Spy." By the end of 1987, over 20 Americans had been implicated in espionage or were investigated on counterintelligence grounds. In hindsight, we now know that beginning with the Walker-Whitworth, Pollard and Pelton cases in 1985, was Aldrich Ames, who began his traitorous career in 1985 and lasted until 1994.

Following hearings in 1987 and 1988, the Committee established an independent Inspection General for the CIA. This legislation was included in the Intelligence Authorization Act of 1990, and the first statutory Inspection General at the Central Intelligence Agency was confirmed in the fall of that year.

In the aftermath of the Iran-Contra affair, legislation was introduced with the objective of clarifying the roles of the President and the Congress in approving and overseeing intelligence activities, particularly covert actions. The legislation also provided that Presidential finding must be written, and defined what a covert action is and is not. After much negotiation, the FY 1991 bills was signed into law in August 1991.

Convinced of the growing threat posed to international stability by the proliferation of weapons of mass destruction, the Committee, through the FY91 Intelligence Authorization Bill, instructed the DCI to establish a mechanism to deal with these growing threats. This led to the development of the DCI's Nonproliferation Center to look into the spread of chemical biological and nuclear weapons.

Robert M. Gates, who had been Deputy Director of Central Intelligence under Director Casey, had been nominated for the position of DCI after Director Casey's death in 1987. He pulled his nomination when Members raised questions about his role in Iran-Contra. In mid-1991 he was again nominated to the Director of Central Intelligence. The confirmation hearings for Mr. Gates to be

DCI in September and October 1991 were unprecedented in terms of their scope and substance. Eight days of hearings were held, including seven in public session. The nominee's role in the so-called Iran-Contra affair was explored at length, as were allegations that during the tenure of the nominee as Deputy Director for Intelligence the nominee undertook actions resulting in the "politicization" of intelligence, or the shaping of intelligence for political purposes. At the conclusion of the Committee's inquiry, the Committee issued a 225 page report of its findings. In the end, the nomination was approved by the Committee and subsequently approved by the full Senate.

In October 1992, the Committee began an inquiry into the Intelligence Community's role in the Banca Nazionale del Lavoro, or BNL, affair. This initial inquiry by the Committee resulted in a full staff investigation of the matter. After an intensive investigation, the staff prepared a 163 page report released on February 4, 1993, which focused on the Intelligence Community's involvement in the affair, and found numerous institutional weaknesses in the relationship between intelligence and law enforcement, as well as serious errors in judgment by officials of the CIA, the Defense Intelligence Agency, and the Department of Justice.

Other efforts by the Committee in 1992 included the Assassination Materials Disclosure Act of 1992, which fostered the release of materials concerning the assassination of President John Kennedy; a report on the Treaty on the Reduction of Limitation of Strategic Offensive Arms, or START; and many other activities surrounding chemical, biological, and nuclear weapons, Iraqi disarmament, covert action, and so forth.

Counterintelligence rose to the fore with the February 1994 arrest of CIA employee Aldrich Ames. After extensive hearings the Committee issued an analysis of the Ames case in November 1994. In addition to criticizing the leniency of the internal disciplinary actions promulgated by the DCI, the Committee found "numerous and egregious" shortcomings in the handling of the Ames case. In its report, the Committee proposed 23 separate recommendations for change at the agency.

Counterterrorism jumped to the front with the January 1993 murder of two CIA employees at the main gate to CIA headquarters, and a month later the bombing of the World Trade Center in New York City.

Economic intelligence also emerged in the 1990's to lay claim to the time and assets of the Intelligence Committee and the Intelligence Community. Unfortunately, one of the more noteworthy events which combined the new direction of intelligence gathering with the continued and even enhanced need for counterintelligence occurred when the French government accused the CIA in France of targeting French government officials and high ranking officials in key French commercial firms. Six people were requested to leave the country, and several CIA personnel in other European cities were identified.

The Intelligence Committee requested the CIA Inspector General to "analyze the events of this case in detail and report to the Committee on the mistakes that occurred and any necessary corrective measures." In the end, it was poor counterintelligence and poor tradecraft which led to the events in France.

The Committee, in addition, addressed such disparate issues as the Clipper Chip digital telephony, the North American Free Trade Agreement (NAFTA), Russian and East European organized crime, environmental intelligence, NSA support to law enforcement, as well as the traditional budget and program oversight.

Controversy, however, seems to have found a home in the Intelligence Community. Charges arose in the mid-1990's that the Central Intelligence Agency had been involved with and had knowledge of several events in Guatemala. The Committee, again through hearings, staff interviews and record reviews, investigated the events surrounding the abduction and murder of an American who ran a small hotel in Guatemala, Michael DeVine; the kidnapping, rape and torture of Sister Diana Ortiz; and the disappearing of Efraim Bamaca, a Guatemalan guerrilla married to an American, Jennifer Harbury. In each of these cases, claims have been made that the CIA had knowledge of or that agents of the CIA were involved in the events themselves.

Following up on information learned as a result of the Ames inquiry, the Committee investigated a series of events in the CIA's Intelligence Directorate where material prepared for the highest policymakers in the nation was inappropriately identified as its source. For a period of time, intelligence that the CIA knew was from controlled or co-opted sources was delivered to policymakers without proper warnings that the reports did come from controlled sources.

The Committee is presently involved in investigating the role of U.S. officials in the flow of arms from Iran to Bosnia at a time when there were U.S. and UN sanctions active against such shipments.

Throughout this 20 year period, two things have stood true. The dedication of the Members of the Senate to this Committee—a Committee assignment which garners more headlines than headlines—and the dedication of a truly professional staff which handles the most sensitive material our nation produces. Since 1976, 61 Senators have served on the Senate Select Committee on Intelligence, and there have been a total of 221 staff members.

As the Senate begins its third decade of oversight of the Intelligence Community, it can look back with some pride on the successes of the institutional framework it established. Oversight of intelligence has indeed been conducted in the nonpartisan, focused manner intended. This pride must be tempered, however, with a serious examination of how this oversight can be improved. The Committee advocated one such improvement this year, with the effort to remove the eight-year term limit for membership. This restriction, initially put in place out of concern that members might become captives of the intelligence community over time, has proven unnecessary and counterproductive. The concern of cooptation has been belied by the unerring vigilance of long-time members such as Senators William Cohen and John Glenn, whose unswerving principles have led them to be both ardent advocates for and among the harshest critics of the intelligence community. Instead, the term limit has hampered the ability of the Committee to develop the kind of expertise, institutional memory, and dedication the complex field of intelligence requires. While the Committee failed in its effort to remove this limit this year, it will no doubt try again and eventually succeed.

Additional issues involving the Committee's ability to ensure that it is fully and currently informed of all intelligence activities, the Committee's relationship with other Senate committees, and measures which undermine the authorizing authority of the Committee may require further legislative efforts. Intelligence is a uniquely challenging area of Congressional oversight. Its activities must often be shrouded in secrecy, sheltered from the scrutiny of investigative journalists who so often uncover problems in other areas of government. It is essential, therefore, that Congress have sufficiently

strong and effective institutional mechanisms to perform that crucial oversight.

Mr. KERREY. Mr. President, the conference report accompanying the fiscal year 1997 Intelligence Authorization Act highlights the results of significant efforts by many people. This bill creates important changes which will help to improve the Director of Central Intelligence's ability to manage the intelligence community and also improves oversight of the Nation's intelligence activities. It is an important step in reforming and renewing the intelligence community.

I would like to thank Chairman SPECTER for his bipartisan approach to the intelligence community's problems. Intelligence can become the topic of partisan debate if we are not careful to preserve its goal of providing the unvarnished truth to policy-makers—congressional as well as executive branch. Because of the important issues at stake, there have been many opportunities throughout this year for partisan politics to enter the intelligence community's analysis of what threatens our vital interests. But Chairman SPECTER has steadfastly resisted any effort in that direction. As his term as chairman comes to a close, I salute him for his wise and farsighted leadership during a period of great challenge for the Intelligence Committee. He turned those challenges into accomplishments, including the significant reforms contained in this conference report. Chairman SPECTER has also acted on behalf of the entire Senate to provide thorough and attentive oversight of this Nation's intelligence activities. In the process he has taken the bold, and I believe correct, course of convening frequent open oversight hearings to acquaint the public with these important issues, all the while protecting the secrecy of intelligence sources and methods. So I am proud to have served with Chairman SPECTER during this momentous two years, and to have been part of the process which produced the Intelligence Authorization Act for fiscal year 1997.

Chairman SPECTER and I have been supported by a superb staff effort led by a real intelligence professional, Charles Battaglia, the staff director of the Intelligence Committee. Mr. Battaglia followed a distinguished naval career with service at CIA, he knows this complex business from every angle, creates the conditions and prepares the tools Senators can use to get results. He also has every right to be proud of this bill.

I would also like to add my sincere thanks to the members of the House Permanent Select Committee on Intelligence. As some of my colleagues may recall, there was considerable disagreement between the House and Senate in last year's lengthy authorization conference. Not so this year. Although there were important differences between the two Houses at the beginning of the year, we resolved our differences

quickly because we realized the significance of our combined efforts. Chairman LARRY COMBEST, Ranking Member NORM DICKS, and the other members of the House Committee worked with us in a spirit of comity and the Senate can be proud of the product. We are returning to the Senate with an important piece of legislation.

Naturally, most of the programmatic work is classified. Nevertheless, as I mentioned when I helped introduce the Senate version of the bill, some of the most significant provisions are unclassified. The Office of the Director of Central Intelligence has been strengthened to allow him to manage the intelligence community much better. Among the most prominent of these are improved financial management procedures, strengthened delineation of authorities for collecting, analyzing, and disseminating intelligence, and better internal oversight of intelligence activities. In this bill, we have successfully preserved the equities of the Secretary of Defense so that intelligence support of military operations will be stronger than ever. We have also included important provisions to improve intelligence support of law enforcement. And, finally, there are also major improvements in support of our war against terrorism.

I cannot over-emphasize the importance of the bill's provisions to strengthen the Director of Central Intelligence's management of the intelligence community. I am aware of some senior intelligence officials to the Oversight Committees efforts to strengthen community management, specifically the creation of three new Presidentially-appointed, Senatorially confirmed Assistant Directors of Central Intelligence. I am reminded of the intense effort by some elements of the Department of Defense some years ago to undermine the Goldwater-Nichols reform of defense. As was the case then, we are told that strengthened management is, on the one hand, unnecessary and, on the other hand, unwieldy. I assure my colleagues that neither criticism is warranted.

Mr. President, the management of intelligence suffers from poor senior level management. The culprit is not a person. It is not a comment on the superb abilities of the current Director of Central Intelligence or his Deputy. Rather, it is a comment on the structure they inherited. As the Aspin-Brown Commission noted when it evaluated the intelligence community's readiness for the 21st century, the DCI faces a dilemma on managing the community which the current structure does not solve. He is relatively weak in his ability to manage the community and therefore spends most of his time as the principal intelligence adviser to the President and as the head of the CIA. The bill solves his dilemma by creating a new Deputy Director for Community Management. This new senior level official will be assisted by three Assistant Directors who will be

functional managers of the intelligence community. One will handle administration, one will oversee analysis and production, and one will supervise intelligence collection.

In deciding which information to collect about our vital interests, four different and independent organizations every day set their own goals, priorities, and allocate resources. Except on a by-exception basis—and also during an annual budget review—neither the Director of Central Intelligence nor his staff have any idea of the duplication which exists, the relative effectiveness of one method of collection over another to break a tough intelligence target, or the marginal utility of procuring new systems to solve new problems. With all of the responsibilities pressing upon their daily lives, neither the Director nor his Deputy have the time to understand or direct daily the community's intelligence collection efforts. In response, the bill gives the DCI help in the form of an assistant whose sole purpose is to help him do what he already is responsible for doing—manage the collection of intelligence.

Similar problems exist in the areas of intelligence analysis and production. Today, CIA's analysts analyze military problems. The Defense Intelligence Agency analyzes political problems. The Department of State evaluates political and military problems. On a daily, weekly, or monthly basis, no one reviews—with any hope of changing the community's direction toward new problems—who is analyzing what throughout the community. Certainly, as part of the annual budget process, the DCI makes a quick review of the intelligence analysis structure supporting policy makers. But the DCI's annual review addresses analysis and production in only a cursory manner. He needs help. The bill gives him help in the form an assistant whose sole purpose is to help the DCI do what he already is responsible for doing—analyze and produce intelligence.

Perhaps most fragmented of all are the administrative programs of the various intelligence agencies. Each agency maintains separate administrative, personnel, security, and training programs. In 1992, Congress gave the DCI specific authority to consolidate and reduce duplication in these programs, but successive DCI's have done little to make use of this authority. Again, the DCI needs help. The bill gives him help in the form of an assistant DCI for administration.

Mr. President, in its confirmation of these new officials, the Senate must be vigilant in protecting intelligence from politicization. I expect the candidates for these positions to be life-long intelligence professionals approaching the pinnacle of their careers. I don't expect them to have political leanings that would affect their professional judgments, any more than I would expect such leanings in the career diplomats the Senate confirms to be Assistant

Secretaries of State or in the career military officers the Senate confirms to be flag officers. I have also heard it argued that senatorial confirmation might make these intelligence officials less loyal or less responsive to their superiors. Looking again at the Assistant Secretaries of State and at the military, I see no empirical data to support this concern. I have high hopes that these officials will make our intelligence more timely and useful to all its customers, and I will use my role in the confirmation process to that end.

Mr. President, let me note two other provisions in the conference report of special interest to me. One provision modifies the House bill's prohibition on the CIA use of U.S. journalists as intelligence assets unless the President waived the prohibition and made a written certification. This procedure seemed to the Senate conferees to be too onerous and time consuming. We accepted Director Deutch's assurance that any CIA approach to a U.S. journalist would be extremely rare. But it seemed to us that such a rare occasion might also require speed, and the process to obtain a Presidential waiver and certification would take too long. Consequently the conferees agreed to give waiver authority to the President or the DCI. In either case, use of the waiver would be reported to the oversight committees.

Second, the conferees agreed to modify a Senate provision denying senior CIA personnel the possibility of accepting employment with a foreign country within 5 years of retirement. It seemed to us that security and the reputation of the service are best protected by a clear prohibition on such employment. Our compromise with the House reduced the period of prohibition from 5 years to 3 and provided authority for the DCI to waive the provision when foreign employment of a former senior official is in the U.S. interest. Nonetheless, I think we are sending a strong message with this provision and I support it.

The effort to bring the bill forward for final passage has not been easy. Significant change never is, and there is no object more resistant to change than the baroque bureaucratic structure that our intelligence community has evolved into since 1945. But the effort to bring the bill to this point has been worth it. It has been strengthened by the intense discussions it generated with the Director of Central Intelligence, the Department of Defense, and the other Senate committees. Quite correctly, each had strong concerns, and we have answered those concerns with an excellent bill. I urge my colleagues to support final passage of this important legislation.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President; I rise to express my concern regarding the fiscal year 1997 intelligence authorization conference report. I make these observations, not in my capacity as the chairman of the Armed Services Committee, but as an individual Senator

concerned about growth in Government bureaucracy.

I am particularly concerned by the fact that the intelligence conferees have decided to establish four new senior positions under the Director of Central Intelligence, all requiring Senate confirmation. In addition to a new Deputy Director, which the administration requested, the Intelligence Conferees have agreed to create three new Assistant Directors of Central Intelligence. The administration has clearly indicated its opposition to the establishment of these Assistant Director positions.

In my view, this is an unnecessary expansion of bureaucracy at a time when virtually every other area of Government is shrinking. There is no evidence that I am aware of to justify this growth. The Presidential commission that just completed its study of these matters, the Brown Commission, did not make such a recommendation, nor has the Director of Central Intelligence.

Since the organization of the Office of the Director of Central Intelligence does not come under the jurisdiction of the Armed Services Committee, Senator NUNN and I have not sought to oppose the establishment of these new positions on behalf of the Armed Services Committee, even though we agree that the case for their creation is not compelling. In the areas where the Armed Services Committee does have jurisdiction, the intelligence conference report has been adjusted to address concerns that Senator NUNN and I raised on behalf of the Armed Services Committee and the Department of Defense. Since the Intelligence Conferees addressed these concerns in a satisfactory manner, Senator NUNN and I have agreed not to oppose the intelligence conference report.

Notwithstanding our general satisfaction with the intelligence authorization conference report, Senator NUNN joins me in registering opposition to what we view as an unwarranted expansion of intelligence bureaucracy. It is my intent to follow this matter closely in the future. The executive branch may choose not to fill these positions. Nevertheless, I plan to reexamine the legislation establishing these new positions during the 105th Congress.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the conference report be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the conference report appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The conference report was agreed to.

ANIMAL DRUG AVAILABILITY ACT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 2508, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2508) to amend the Federal Food, Drug and Cosmetic Act to provide for improvements in the process of approving and using animal drugs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the bill be deemed read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2508) was deemed read the third time, and passed.

NATIONAL MAMMOGRAPHY DAY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and that the Senate turn to the immediate consideration of Senate Resolution 295.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 295) to designate October 18, 1996, as "National Mammography Day."

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. I ask unanimous consent that the resolution and the preamble be agreed to, en bloc, that the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 295) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 295

Whereas according to the American Cancer Society, 184,300 women will be diagnosed with breast cancer in 1996, and 44,300 women will die from this disease;

Whereas in the decade of the 1990's, it is estimated that about 2,000,000 women will be diagnosed with breast cancer, resulting in nearly 500,000 deaths;

Whereas, the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease than a woman at age 50;

Whereas, at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas, mammograms, when operated professionally at a certified facility, can provide a safe and quick diagnosis;

Whereas, experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives; and

Whereas, mammograms can reveal the presence of small cancers of up to 2 years or more before regular clinical breast examination or breast self-examination (BSE), saving as many as 30 percent more lives: Now, therefore, be it.

Resolved, That the Senate designates October 18, 1996, as "National Mammography Day". The Senate requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

AUTHORITY TO PRINT REPORT AS SENATE DOCUMENT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the report mandated by Public Law 101-423, entitled "Final Report to Congress on the Joint Resolution to Establish a National Policy on Permanent Papers," be printed as a Senate document, and I ask further that 300 additional copies be made available for use of the Joint Committee on the Library.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I am pleased to call to the attention of my colleagues—especially those who co-sponsored my legislation establishing a national policy on permanent paper—the final mandated report to the Congress on progress in reaching the objectives of that policy. That legislation, which became Public Law 101-423 on October 12, 1990, stated that:

It is the policy of the United States that Federal records, books, and publications of enduring value be produced on acid free permanent papers.

The Librarian of Congress, the Archivist of the United States, and the Public Printer were required to make three progress reports to the Congress over a 5 year period, and the last of these has now been made, reporting developments through 1995. This latest report is a record of remarkable progress and I am pleased that it will be printed as a Senate document.

When I first introduced a permanent paper bill in October 1988, almost all documents and publications produced by the Federal Government or by Federal funds were on acidic papers with a useful life of less than 100 years. These papers had been in general use since the mid-19th century. The Federal Government was not unique. State and local governments and private publishers all used such papers.

Librarians and archivists had for some time expressed their concerns about the loss of irreplaceable historical, cultural and scientific books, publications and other records. Many millions of dollars were already being spent by research libraries, foundations, and State and Federal governments either to save these materials by deacidification or to preserve their contents by microfilming—both costly processes.

I might note that when the present Librarian of Congress, James H. Billington, appeared before the Senate