

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will begin consideration of the conference report to accompany the intelligence reform bill. We have a number of Senators who desire to speak, and we hope to lock in a time for a vote later this afternoon. As announced last night—and again we will try to lock all of this in shortly, after discussion with the Democratic leadership—we are working toward beginning the vote sometime around 2 to 2:30 today. This will have to be adjusted depending on how many people do want to speak and how long they want to speak. We continue to have Members who are adjusting their schedules, who will be traveling today, and thus we will, in a very unusual fashion, keep the vote open until sometime around 5 or 5:15 today to accommodate individuals' schedules.

The actual time in terms of bringing the bill to the floor was dependent upon the House schedule, and as everyone knows, and our colleagues know, that bill was passed last night. We will shortly begin to address that bill here formally on the floor. Once all of our colleagues have had the opportunity to discuss the bill, we will proceed to the vote.

I expect later today, tonight, the Senate will adjourn sine die, and that will be following the disposition of the intelligence reform conference report. There will be additional wrap-up items that we will address, including some of the executive nominations before we close sine die.

INTELLIGENCE REFORM BILL

Mr. President, let me also say, with respect to the intelligence bill we will pass today, it is the most sweeping reform of our intelligence community since the beginning of the CIA. This is a huge accomplishment for the United States of America and for the U.S. Congress and, indeed, for the President of the United States, but most importantly for the American people whose safety and security are first and foremost in all of our minds.

The reform of our intelligence community is not going to end today, and

we have seen that in the debates. In many ways this is a major leap forward, but we all understand in this changing environment that intelligence community reform and the strengthening and improving of our intelligence is an ongoing process, and debates and recommendations will continue well into the future. This body will continue to respond in an expeditious manner, as has been demonstrated over the last 4, 4½ months since the release of the 9/11 Commission report.

With the step that is going to be taken today in this body, our country will be safer from those plotting against us. The bill provides for much improved coordination, much improved communication within our intelligence community.

We have heard it argued by many people that it does not go far enough, and then we hear it argued that it goes too far. Again, it is not a perfect bill. There is never a perfect bill or piece of legislation that comes to this body, but it is a very strong bill, and we clearly are not going to let the perfect be the enemy of the good.

We must adapt. Our intelligence capabilities must adapt. By passage of this legislation, we demonstrate we are adapting and will adapt. But reform is an ongoing process.

I have a few more remarks to say on the intelligence bill, but let me turn to the assistant Democratic leader for comments about the schedule over the course of today, and then I will make a few more remarks.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting Democratic leader is recognized. Mr. REID. Thank you, Mr. President.

TIME AGREEMENTS

Mr. REID. Mr. President, we are very close to being able to wrap up the time agreements on the most important legislation that is before us. Two efficient staff people are now typing as we speak. I think we should be able to vote around 3 o'clock or something like that. They are adding up the time now. Senator BYRD has indicated he wants 2 hours, leaving a half hour for the managers or the leader, if he wants that time before the vote. So we are almost there. Within a few minutes that should be able to be completed. I think we should get that done as quickly as we can.

DEATH OF STAN KIMMITT

Mr. REID. Mr. President, I just want to say one thing before we get into debate. I think it is appropriate today to mention the death of Stan Kimmitt. Stan died last night. We have had a lot of familiarity with him here. He was in the cloakroom yesterday. Some may

not recognize him by name, some of the new people here, but he was a fixture on the Democratic side of the Senate.

He served for 11 years as Secretary of the majority under Senator Mansfield when he was the majority leader. He was also elected Secretary of the Senate from 1977 to 1981. He was well known.

He was a World War II combat veteran, and he spent 25 years in the Army. He served in combat in both Korea and the European theater. He was awarded the Silver Star and the Legion of Merit.

I am not going to dwell on this other than to say it is people like him who have such a love for this institution they have worked in, that even though they leave, they are back. He had a very good business downtown but came here all the time.

As the Chaplain in his prayers talks about the Senate family, Stan Kimmitt was truly a part of the Senate family. I express my condolences on behalf of the entire Senate to his wife and his family.

The PRESIDENT pro tempore. The majority leader is recognized.

THE INTELLIGENCE REFORM BILL

Mr. FRIST. Mr. President, today is a signature day in what has been a Congress of milestone achievements. Our last vote this year will be on one of the most consequential legislative initiatives of this session, intelligence reform. The road to this moment has been filled, as we have all witnessed and participated in, twists and turns. Our hearts still run with the emotions of the attacks on our Nation on 9/11. Our sorrow became our resolve to protect our homeland with all of the tools that could possibly be at our disposal.

Under the President's leadership, al-Qaida was chased from Afghanistan, and that country was freed. To head off an imminent threat, our country toppled Saddam Hussein from his dictatorship in 3 short weeks.

To begin the process of making our country safer here at home, we created the Department of Homeland Security. And now we take another large step forward—not the last, but another large step forward—by recognizing that our intelligence community needed reorganization, responding to that reorganization, and doing that reorganization for the first time in 50 years. Change is never easy—the summer and fall have been proof of that maxim—but big change is on the way for our intelligence community, change that will serve our country to make it safer and more secure.

I can't credit enough the careful and thorough work of the chairman of the Senate Governmental Affairs Committee. At my request she cancelled all summer plans and, with her counterpart on the Senate Governmental Affairs Committee, Senator LIEBERMAN,

began work immediately on this critical project, literally hours after the 9/11 Commission issued its report. From beginning to end she has brought her talents and skill to an extremely difficult issue. Chairman SUSAN COLLINS demonstrated tremendous leadership. The Senate and the Nation are in her debt.

This day cannot go by without also thanking many other Members: Senator LIEBERMAN, the ranking member; members of the Governmental Affairs Committee, and the Senate conferees; Senator WARNER, who stepped in to lend an able hand in this last week; Senator JON KYL, whose patience has been remarkable; Senator TED STEVENS, our very experienced hand who has dealt with all of the programs under review in this bill for decades and whose continued interest and leadership and focus on implementation of this bill will be absolutely critical; Senator TOM DASCHLE, who joined hands with me and said right after the report was released that we would work together in a bipartisan way to generate a complex bill in a responsive, expeditious way that would respond to the recommendations put forth by the 9/11 Commission.

That product has been developed and will be delivered to this body shortly and will be voted on this afternoon. The legislation is not perfect. It does not solve every problem. But the legislation was not designed to solve every problem. Specific problems were identified by the work of the Commission and Congress in reviewing operations in the intelligence community in the years leading up to the 9/11 attacks. To the best of our ability, we have produced legislation that, with the visionary leadership from the President and his Cabinet, will serve to make America safer.

I can't emphasize that last point enough. Today we are safer than we were before 9/11, but we are not yet safe. Active and engaged Americans around the world and here at home are our first and our best line of defense against a philosophy that seeks and is committed to doing us harm. This legislation is an important tool in a war against terrorism, but it is not one-stop shopping for our country's needs. It should help in making sure that our intelligence assets are deployed wisely, that information developed is shared broadly, that our strategy to fight this war evolves effectively, and it will accomplish those things.

The families who lost their parents, their children, their relatives, their close friends on that tragic day in New York and Pennsylvania and Washington, all deserve our constant dedication in the Congress to buttress the war on terror. This conference report is our latest contribution, not our final contribution, to that conflict. No one should have to suffer the horror and anguish of the 9/11 events again.

I will close by saying that when we act later today, we will have acted on

that hope. We will have kept our charge as Members to stand on behalf of America in her defense. And we will have stood and made a lasting difference that is a fitting capstone to the 108th Congress.

I thank all Members for their patience. I appreciate them for their diligence and dedication since the end of July, working nonstop to bring this bill to the floor and ultimately see it through to passage today and later signature by the President of the United States.

INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004—CONFERENCE REPORT

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of the conference report to accompany S. 2845 which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2845) to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of December 7, 2004.)

The PRESIDENT pro tempore. The majority leader.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, in a discussion with the Democratic leadership, we have come to an agreement that gives us a pretty good template for the organization during the course of the day. This will be useful, and I will ask unanimous consent shortly to allocate time for the people who have come forward and said they would like to speak prior to the vote.

As part of this, the managers will have time right before the vote—up to 30 minutes, but probably that much time will not be used before the vote—to add closing statements.

I ask unanimous consent that debate on the conference report be limited to the list below:

Senator COLLINS will be controlling 45 minutes; Senator LIEBERMAN, 45 minutes; Senator BYRD, 120 minutes, to begin at 12:30 p.m.; Senator STEVENS, 5 minutes; Senator ROBERTS, 10 minutes; Senator ROCKEFELLER, 10 minutes; Senator DURBIN, 15 minutes; Senator WAR-

NER, 30 minutes; Senator LEVIN, 15 minutes; Senator GRAHAM of Florida, 15 minutes; Senator COLEMAN, 10 minutes; Senator CARPER, 5 minutes; Senator SPECTER, 20 minutes, and his comments will follow Senator LIEBERMAN's comments this morning.

I further ask that following the use or yielding back of the time, the Senate proceed to a vote on the adoption of the conference report, with no intervening action or debate.

Mr. REID. Mr. President, reserving the right to object, I will ask a couple of things: One, that the time for quorum calls run off of the time equally against everybody. I suggest that those people who have time come over and use it. Senator BYRD will be here at 12:30. That time is locked in for 2 hours. I think this is fair and reasonable. I will also ask the distinguished majority leader if we will be able to—this vote is not close or controversial in any way, and nobody is trying to do anything untoward. People on both sides may not be here at whatever time the vote begins.

The PRESIDENT pro tempore. Is the Senator asking that the time be charged against all those who have time, or just against—

Mr. REID. I ask unanimous consent that the quorum calls—when they are in effect—be charged against everyone except Senator BYRD at 12:30. After 12:30, it would be charged against him also. So the time during quorum calls I ask be charged against all speakers equally. Otherwise, we are going to wind up with more people—

The PRESIDENT pro tempore. The Chair is constrained to ask the Senator to modify that. The occupant of the Chair has asked for 5 minutes. That could entirely wipe out the amount of time I have allocated to me.

Mr. REID. It would not if it is done on a proportionate basis. Well, if the vote does not occur until 7 o'clock, I don't really care. I will withdraw that request and we will let things fall where they may.

Mr. FRIST. Mr. President, for clarification, this is a plea to our colleagues to be here and be speaking on the floor of the Senate. We are trying to do an awful lot, so we can start the vote around 3 o'clock. It will likely finish around 5:15. In order to accomplish that, we cannot be sitting in quorum calls. We need the people wishing to speak to be here on time and to be available. Check with the managers.

The PRESIDENT pro tempore. May the Chair suggest that the time for quorum calls be charged against the next person in line to speak and put these speakers in order?

Mr. FRIST. Mr. President, since we have not talked to each individual, I don't want them necessarily to have to come in this order. I think we can leave it with the understanding that we need speakers here to work with the floor managers and to have no down time over the course of the morning and, if so, we are going to ask people to try to shorten their remarks.