

address, and I appreciate our distinguished colleague bringing it to the floor. It is an important issue that we have to address on this floor and I think will play out in races across the country. Who is for reasonable, commonsense medical liability reform which allows obstetricians to keep delivering babies, trauma centers to stay open, and allows doctors to do what they want to do, and that is to practice medicine and take care of patients, instead of driving them away. It is as simple as that.

We are going to try to get it before the Senate, probably not in the next 18 days we have left in our legislative session, but we will bring it back again and again until we are successful.

I should mention as an aside as well, in the Presidential race, it is important, as we look at who is addressing the root causes in terms of a vision for health care, we do need to take a look at the health care plans.

The American Enterprise Institute released today a very good paper—I am sure there will be other papers—that looked at the Kerry health care plan and said it is going to cost \$1.5 trillion. That is twice what the Kerry campaign has said.

Mr. President, \$1.5 trillion is huge. The only way it can be paid for, obviously, is by increasing taxes on everybody—everybody. I encourage people to look at that document.

#### INTELLIGENCE REFORM

Mr. FRIST. Mr. President, I do want to bring people up to date—and I will be brief—on where we are with the Senate intelligence reform initiatives in light of the 9/11 Commission. Over the next several days, we will have a very busy week. It is cut a little bit short by the Jewish holidays. I believe our central focus in this body, given the fact we have so few legislative days, must be on the security of the American people, and that means the bill that is currently on the floor that we are turning to and will be voting on one of the amendments at 5:30 p.m. today, the Homeland Security appropriations bill.

It says “Homeland Security” appropriations. We have had good debate. We all hope to pass that bill late tomorrow night or Wednesday morning for sure.

Second, we need to focus on reforming our intelligence community, something people do understand—broadly the American people understand—that is reflected in the 9/11 Commission recommendations, the update of that report, the discussion of that report, and we have responded aggressively in terms of hearings, recognizing that reform should be done now, not knee-jerk but deliberate reform, and begin it in a way that will have an impact to make our intelligence better, to make our intelligence sharing among our various entities better, that makes our oversight better.

Last week, the leadership on both sides of the aisle, on both sides of the

Capitol, met with the President of the United States, who presented his plan for reorganizing the intelligence community. It was a good meeting. It was a productive meeting. There was a good discussion by the participants. The general consensus was we need to respond quickly but also very responsibly, and that really is our charge.

We are responding to the reform we all know needs to occur, but it was spelled out by the 9/11 Commission. It does not mean we should take every recommendation and do exactly what they said, but it means we need to look at those recommendations, study them, get new information, make them even more current, and then act on many of those recommendations.

The President mentioned that they in the administration have addressed 36 of the recommendations. There are really two recommendations that apply to reorganization of this body, 39 to the executive branch, and the administration has addressed 36 of those 39 recommendations.

Before we recessed in July, Senator DASCHLE and I announced that the Governmental Affairs Committee would be the vehicle, that they would have the responsibility for leading the reorganization of the executive branch, the branch outside the legislative branch.

For our internal reorganization, we announced a task force that is led by the leadership, represented by the majority whip, Senator MCCONNELL, and the minority whip, Senator REID, that would address the recommendations of Senate oversight.

The McConnell-Reid task force is meeting to discuss the whole range of options that have been put on the table, several of which were put on the table by the 9/11 Commission. Indeed, there are a lot more options that are available to be discussed and debated, and then to make a proposal as to what, based on all of this input, would be most appropriate, most responsible for this body to do, to accomplish that Senate oversight of intelligence and homeland security.

It is a bipartisan effort. When we talk about safety and security of the American people, politics falls aside pretty quickly. Senator DASCHLE and the Democratic leadership and the leadership on our side are working closely together to address the challenges before us. We have tapped into the expertise of the Congressional Research Service and other outside experts in a search for additional or other ways and means to improve Senate oversight.

The McConnell-Reid task force will meet several more times over the coming weeks. They will be assessing the 9/11 Commission's proposals, as well as other proposals. Our goal is to get a resolution to the floor before the Senate adjourns on October 8.

Meanwhile, the arm that I mentioned, the Governmental Affairs Committee arm, led by Senators COLLINS

and LIEBERMAN, continues to make steady progress. Last week, the Governmental Affairs Committee held a briefing with Robert Mueller, who is Director of the FBI, and John McLaughlin, who is Acting Director of the CIA. This morning they held another hearing with Secretary of State Colin Powell and Secretary of Homeland Security Tom Ridge.

I mention all these hearings so my colleagues and the American people know we are aggressively addressing these issues. We can expect more hearings to be held this week and in the weeks ahead, culminating in a draft bill that will be marked up that week of September 20. The bill will address the 9/11 Commission's key recommendations dealing with the establishment of a national intelligence director—we are using that little acronym NID—as well as the creation of the National Counterterrorism Center, as well as the proposals of the reorganization of the executive branch.

The committee's bill will reflect the views and the input of a number of Senate committees and Members of Congress, as well as proposals that are put forth by the President and the White House.

I am confident that the Governmental Affairs Committee product will serve as a strong, comprehensive, and serious bill that will be the baseline for our deliberations on the floor of the Senate on September 27. There will be a continuation of hearings. The main action on the Senate floor will begin soon.

I do want to show my colleagues and the American people that the Senate is moving deliberately, quickly, and in this bipartisan manner to address these national security needs.

As I said at the outset, our highest responsibility is to the safety, the security of the American people. We are working hard to meet that responsibility to move America forward, and I am confident we will get that job done. Over the course of this week, we will continue with the appropriations bills and, as I mentioned in my opening statement a few minutes ago, we are working out an agreement to address the next appropriations bill. Hopefully, we will be able to announce that either later today or tomorrow.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Florida.

#### EMERGENCY ASSISTANCE FOR FEMA

Mr. NELSON of Florida. Mr. President, before the majority leader leaves, I spoke with the chairman of the Appropriations Committee as he was leaving the floor and inquired as to what he is anticipating. He told me that he is anticipating there will be a House bill that would be sent sometime today on emergency assistance for FEMA and, I assume, other agencies as well.

If that is the case, then that is new information, and we can proceed on

that basis. That, in large part, is the commentary I am wanting to make, having just come back from Florida, visiting a number of the devastated areas. We will await the latest information on handling that information tonight.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I thank our distinguished colleague from Florida for his leadership. We were on the floor talking last Tuesday and Wednesday and will continue talking every day about the real tragedy that has gone on with the people of Florida and that whole part of the world as a result of the assault by Mother Nature again and again.

I pledge to him we will continue this dialog. He understands our commitment from the leadership—Democrats and Republicans—to address the issue of the flow of funds and that the resources necessary to respond in a responsible and quick way are first and foremost and that we will be right there and will continue to work over the course of today and will update each other as to the best, quickest, and most responsible way to address the issue.

Mr. NELSON of Florida. It does not look as though we are going to be spared the third one because the latest track, as of 11 this morning, now has it moving back east, hitting the Florida coast somewhere around Destin and Fort Walton, whereas this morning's track had it going into some place like Pensacola. The only good news is it is not coming back to that part of Florida where the two other hurricanes crisscrossed and hit the same area of central Florida. Of course, the last storm was so massive that it virtually covered up the entire State, not only with the deluge of rain but with whipping winds, so that its winds, albeit not a category 4 like Charley was, nevertheless did a great deal of damage.

As the majority leader exits, I am going to tick off a number of those particular estimates. It is rather extraordinary. I thank the majority leader for working with me on behalf of the people of Florida.

Mr. President, I have returned from Florida and I will tell my colleagues about some of the devastation I have seen over the course of this past weekend. Our folks are hurting and a number of their needs are unmet. As of this morning, some 8 to 9 days after the last hurricane, Frances—and, remember, we have been hit twice in a row, first with Charley and then with Frances—there are still about 350,000 people in Florida without power.

Now, if one is a young person, such as a lot of our pages, they can make do. But if one is a senior citizen and has special needs, particularly with lifesaving equipment, and does not have any electricity in the house, it is very difficult to be able to exist. Thus, we have to take special-needs folks and put them in shelters and then, if a shel-

ter does not have electricity, provide by generators the electricity in order to run the particular machines that are lifesaving machines.

Of course, this is beginning to wear thin on a lot of our folks in Florida and yet they have such an optimistic, can-do spirit. They are going about the process of rehabilitating themselves and repairing all of the damage and cleaning up from all of the destruction, but they are looking forward to what the Federal Government does, one of its charter reasons for existing, and that is protecting its people in times of disaster.

My colleagues heard my exchange with the majority leader on the necessity for us to pass this special legislation because last week FEMA ran out of money. We had to pass a special \$2 billion appropriation, but all of us knew that was not even going to take care of the expenses for FEMA for the first hurricane, which was Charley. So now we have to have an additional package of at least \$2.5 billion that includes not only FEMA but also a host of other agencies, such as the Department of Agriculture; the Small Business Administration, which offers low-interest loans to businesses and individuals; the Department of Agriculture because we have extraordinary crop losses in Florida as a result of these two hurricanes, the Department of Transportation for the damage that has been done particularly to airports in Florida; for the military, the damage that was done to Patrick Air Force Base, and NASA at the Kennedy Space Center, as well as the American Red Cross, and economic development funding.

There are news accounts going around right now about the President sending a disaster package requesting \$2.5 billion, and that it may include FEMA, the Small Business Administration, and NASA. But what about all the other agencies? Conspicuously absent is the Department of Agriculture. That is why I sent a letter to the President on Friday and pointed out the Florida Department of Agriculture has estimated that Florida agriculture itself suffered to the tune of \$2 billion in losses due to those two hurricanes.

For example, most people do not realize we have a huge nursery industry in Florida. We have one of the biggest fern industries in the world. Nurseries have suffered a half a billion dollars in damages. Citrus growers, a half a billion dollars in damages; sod producers, \$300 million from the standing water.

You will have to excuse my raspy throat because, in and out of all of the elements, the gremlins grabbed hold of my throat. But I am going to croak it through so that people understand we really have some losses. Cattlemen, \$100 million; dairy producers, about \$12 million; timber, \$150 million. The need is great. It is in an industry, agriculture, that is huge in Florida. It is a \$62 billion-a-year industry in Florida.

I mentioned the Federal Aviation Administration under the Department of

Transportation. It estimates \$64 million in losses, and that includes about \$50 million in losses to the Orlando International Airport. There is \$12 million in losses, almost total, to the little Charlotte County Municipal Airport where it was ground zero and where the Charlotte County Emergency Operations Center had the roof ripped off when Charley hit with 145-mile-an-hour winds.

Last week, I participated in a hearing with the NASA Administrator. The highest winds, interestingly, were recorded in a gust at the Kennedy Space Center, 120 miles an hour. This is from Frances, the second storm. They are estimating \$100 million in damage. That took 900 panels off the big vehicle assembly building. Those panels are huge, 10 feet high and about 4 feet wide. They are out, and there are 900 open windows now into the vehicle assembly building where we assemble the stack of the space shuttle vertically. So that is another \$100 million.

If you look back to Hurricane Andrew, its supplemental—which ended up costing over \$6 billion for the Federal Government, and that was 12 years ago; that was the monster hurricane—that even included \$75 million for the Economic Development Administration, which had a lot of projects, including dislocation caused by the hurricane and replacement of such things as sewer and water treatment facilities and the construction of a drainage system to deal with the flooding.

I mentioned Patrick Air Force Base, the military. It suffered. Also the National Guard, the Navy, the Air Force, the Coast Guard—they all report funding needs into the millions because of those storms.

I wanted to lay the predicate for this request when it comes over. When the White House sends their request, if it is \$2.5 billion, it is not going to start to cover all the things that are needed. If that is what comes to us with the House originating this legislation tonight, then this Senator is not going to have any choice but to accept this so we can go ahead and get something over to the White House to be signed into law because of the many needs we have. Yet there is going to be more to come in the future, and we will have to identify those. I want to make sure, in these requests that are made by the White House and then in whatever the House passes tonight, that we do not forget these additional needs such as Florida agriculture where the damage has been so significant.

That is my story. I am going to continue to tell this story like a broken record. As I go home and I come back and I go home and I come back, I will continue to help out these folks who are suffering, these folks who are so courageous in the midst of the utter devastation around them.

If two storms were not enough, we have another one coming. I was thinking over the course of the last 24 hours that we might be spared this, that it

might inch on out there in its track to the west. It is now, as we speak, starting to round the western end of Cuba, between the west end of Cuba and the Yucatan Peninsula of Mexico. But now the track, instead of sending it further west out of Florida, has it coming back.

I see my colleague from Florida, my distinguished senior Senator, is here. Just to share with him the latest 11 o'clock advisory from this morning, instead of coming in at Pensacola, it has now moved back east in the area of Destin, WaterColor, San Destin, that area. It doesn't look like we are going to get spared the third hurricane.

My family has been in Florida 175 years. I know there have been times in that span of time where we have had back-to-back hurricanes, but not hurricanes of the magnitude of a category 4 and then a category 2, a category 2 that had gusts up to 120 miles an hour, which is category 3. But never have I heard where we have had three major hurricanes in a row all hitting the same State. Mind you, as Hurricane Ivan is rounding the tip of western Cuba tonight, it is a category 5, and as it comes around Cuba, what does it hit? It hits the warm waters of the Gulf of Mexico. Unless there is some shearing action at the top of the hurricane, it is even going to intensify more from the 160-mile-an-hour winds it has right now. No State should have to suffer three big ones in a row, yet this is what we are facing.

I ask, I implore, I plead with my colleagues, don't hesitate a moment to help our people in Florida.

#### ASSAULT WEAPONS BAN

Mr. NELSON of Florida. Mr. President, before I get into this hurricane discussion, my eye caught an Associated Press newswire out early this morning. A Miami-Dade County police officer was shot several times after a driver she stopped fired nearly two dozen bullets at her with an AK-47 assault rifle.

The assault rifle ban has been in effect for over a decade. According to the Department of Justice, it expired this past weekend and now AK-47s are allowed to be purchased under U.S. law.

My family has been in Florida 175 years. I grew up in the country. I grew up on a ranch. I have hunted all my life. I have a son who is an avid hunter. We enjoy the outdoors, but we do not hunt with AK-47s. AK-47s and assault rifles are for killing, not for hunting.

Why is it that law enforcement, at every level of government—Federal, State and local—is against terminating this law that prohibited the sale of assault rifles? Why is law enforcement opposed to the termination of this law? For exactly this reason: A Miami-Dade County police officer was shot two dozen times by an AK-47. I rest my case, and I think it is a sad day that we could not reenact an extension of the law on the abolition of assault weap-

ons, primarily for the sake of law enforcement.

I am a defender of the constitutional right to bear arms. I am a defender of the right to have guns of all kinds except when getting to the common sense that it is not worth it in our society to be able to purchase AK-47s.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM of Florida. Mr. President, as he leaves, I would like to commend Senator NELSON, my good friend and colleague, who has given an enormous amount of attention to two disastrous hurricanes that have already hit our State, both before and in the aftermath. He is now continuing that as we face yet another hurricane in our State.

I extend my appreciation, admiration, and, as a Floridian, my thanks.

#### INTELLIGENCE REFORM, III

Mr. GRAHAM of Florida. Mr. President, on Saturday the Nation paused to observe the third anniversary of the horrible tragedy of September 11, 2001. In the first hours and weeks after the attack on the World Trade Center and the Pentagon, the Nation was shocked by what had been the unthinkable—a terrorist plot carried out on the soil of the United States of America.

We have seen grisly images of terrorism on our television screens from the Middle East, from Africa, from the Baltics, even from Great Britain. But now we have been hit here at home seemingly without warning, without the chance to have prevented the loss of over 3,000 innocent lives.

We now know that the terrorist attack of September 11 was the result of a sophisticated plot, a plot that developed over many months, a plot that required the coordination among a number of individuals and we know that had our national intelligence agencies been better organized and more focused on the problem of international terrorism this tragedy would have been avoided.

Incredibly, it is now more than 3 years after that tragic event and the basic problems in our national intelligence community that contributed to our vulnerability on September 11, 2001, are now for the first time being seriously considered. Let me be clear.

These problems were not a mystery before September 11. Before September 11, there had been a series of reviews of our national intelligence, reviews of our national intelligence in the context of terrorism and a series of very similar conforming recommendations. These weaknesses that contributed to September 11 were well known. They were well known by the administration and a majority in this Congress. What had occurred is that they had been essentially dismissed.

I am delighted that the good work of the 9/11 Commission has finally shaken the administration and my colleagues out of their lethargy.

In my last statement I identified five major problems and challenges of the U.S. intelligence community. Today I would like to suggest the direction the reforms should take in response to each of these problems and challenges.

First, the failure to adapt to a changing adversary and a changing global environment.

In the final report of the congressional joint inquiry, we optimistically stated:

The cataclysmic events of September 11, 2001 provided a unique and compelling mandate for strong leadership and constructive changes throughout the intelligence community.

However, the record is that since September 11 the intelligence community has been slow to accept the concept that a non-nation state can challenge the United States of America. We are all familiar with those scenes immediately after September 11 when the finger of responsibility was pointed not at al-Qaida, not at the Taliban, not at the place in which the terrorist plot had emerged but, rather, to Iraq because only a nation state could carry out a plot as complex and as devastating as September 11. We have taken only first steps to understand the real enemy, international terror.

Satellites will not give us the understanding, the capability, nor the intentions of Osama bin Laden. Yet the allocation of our intelligence resources continues to be dominated by the maintenance of the cold war satellite architecture and the development of yet a new generation of satellite technology. The recruitment and training of human intelligence agents has accelerated but remains inadequate. A sense of urgency is required to dramatically increase the number of men and women in the intelligence agencies with the command of the languages and the cultures of the Middle East, Central Asia, and China. In none of our intelligence agencies is this failure to transition to new threats and to new demand more evident than in the Federal Bureau of Investigation.

The FBI is, first and foremost, a law enforcement agency and it deserves its reputation as the best in the world. In that important responsibility, the priorities and professional rewards are for investigating a crime after it has occurred, arresting the culprit, providing the court admissible evidence to secure a conviction, and sending the criminal to jail. That is not the orientation of an intelligence agency. There the objective is to understand the threat before the act has occurred so the plot can be interdicted.

So what should we do? The United States can begin by learning a lesson from our foe.

Since our unfinished war in Afghanistan, al-Qaida has regrouped and decentralized. It has established alliances with terrorist groups in over 60 countries. This may seem counterintuitive, but in public administration there is