

By Mr. CRAPO (for himself, Mr. FEINGOLD, Mrs. MURRAY, Mr. SMITH, Ms. COLLINS, Mr. CRAIG, Mr. BURNS, and Ms. CANTWELL):

S. 2807. A bill to amend the Internal Revenue Code of 1986 to exempt containers used primarily in potato farming from the excise tax on heavy trucks and trailers; to the Committee on Finance.

By Mr. BYRD:

S. 2808. A bill to amend title 5, United States Code, to make the date of the signing of the United States Constitution a legal public holiday, and for other purposes; to the Committee on the Judiciary.

By Mr. GREGG:

S. 2809. An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SPECTER:

S. 2810. An original bill making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SPECTER:

S. 2811. A bill to establish the Department of Intelligence, to modify and enhance authorities and responsibilities relating to the administration of intelligence and the intelligence community, and for other purposes; to the Committee on Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. Res. 426. A resolution commending Maryland's Olympians on their accomplishments at the 2004 Summer Olympic Games in Athens, Greece; considered and agreed to.

By Mr. SARBANES (for himself, Ms. SNOWE, Mr. LEVIN, Mr. BIDEN, Mr. BREAUX, Mr. SCHUMER, Mr. WYDEN, Mr. CORZINE, Mr. LUGAR, Mr. DASCHLE, Mr. ALLEN, Mr. FEINGOLD, Mr. KERRY, Mr. SUNUNU, Mr. MILLER, Mr. CHAFEE, Mr. VOINOVICH, Mr. DORGAN, Mr. LAUTENBERG, Mr. KOHL, Mr. GREGG, Mr. DAYTON, Ms. MURKOWSKI, Ms. MIKULSKI, Mrs. MURRAY, Mrs. BOXER, Mrs. CLINTON, Mr. SPECTER, Mr. LIEBERMAN, Mr. REED, and Mr. FITZGERALD):

S. Res. 427. A resolution congratulating the citizens of Greece, the members of the Athens 2004 Organizing Committee for the Olympic and Paralympic Games, the International Olympic Committee, the United States Olympic Committee, the 2004 United States Olympic Team, athletes from around the world, and all the personnel who participated in the 2004 Olympic Summer Games in Athens, Greece; to the Committee on Commerce, Science, and Transportation.

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. COCHRAN, and Mr. HAGEL):

S. Res. 428. A resolution reauthorizing the John Heinz Senate Fellowship Program; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself, Mr. CRAIG, Mr. AKAKA, and Mr. DAYTON):

S. Res. 429. A resolution establishing a special committee of the Senate to investigate the awarding and carrying out of contracts

to conduct activities in Afghanistan and Iraq and to fight the war on terrorism; to the Committee on Rules and Administration.

By Mr. FRIST (for himself, Mr. DASCHLE, Mr. DEWINE, and Mr. NELSON of Nebraska):

S. Con. Res. 137. A concurrent resolution calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 1482

At the request of Mr. INOUE, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1482, a bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment.

S. 1510

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1510, a bill to amend the Immigration and Nationality Act to provide a mechanism for United States citizens and lawful permanent residents to sponsor their permanent partners for residence in the United States, and for other purposes.

S. 1684

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1684, a bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissections performed for the treatment of breast cancer.

S. 1890

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1890, a bill to require the mandatory expensing of stock options granted to executive officers, and for other purposes.

S. 2447

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2447, a bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the National Institute of Child Health and Human Development to study the role and impact of electronic media in the development of children.

S. 2461

At the request of Mr. DEWINE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2461, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 2488

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr.

AKAKA) was added as a cosponsor of S. 2488, a bill to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes.

S. 2493

At the request of Mr. GREGG, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2493, a bill to amend the Federal Food, Drug, and Cosmetic Act to protect the public health from the unsafe importation of prescription drugs and from counterfeit prescription drugs, and for other purposes.

S. 2568

At the request of Mr. BIDEN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2568, a bill to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin, and for other purposes.

S. 2661

At the request of Mr. GRASSLEY, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 2661, a bill to clarify the effects of revocation of a visa, and for other purposes.

S. 2718

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2718, a bill to provide for programs and activities with respect to the prevention of underage drinking.

S. 2719

At the request of Mr. ENZI, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2719, a bill to amend the Occupational Safety and Health Act of 1970 to further improve the safety and health of working environments, and for other purposes.

S. 2780

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2780, a bill to amend title XVIII of the Social Security Act to stabilize the amount of the medicare part B premium.

S. 2781

At the request of Mr. LUGAR, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2781, a bill to express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan, and for other purposes.

S. 2784

At the request of Mr. BROWNBACK, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2784, a bill to promote freedom and democracy in Vietnam.

S. RES. 311

At the request of Mr. BROWNBACK, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Res. 311, a resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thadeus Nguyen Van Ly, and for other purposes.

S. RES. 422

At the request of Mr. FEINGOLD, his name was added as a cosponsor of S. Res. 422, a resolution expressing the sense of the Senate that the President should designate the week beginning September 12, 2004, as "National Historically Black Colleges and Universities Week".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 2811. A bill to establish the Department of Intelligence, to modify and enhance authorities and responsibilities relating to the administration of intelligence and the intelligence community, and for other purposes; to the Committee on Governmental Affairs.

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Intelligence Reformation Act of 2004, also known as the "9/11 Act." This bill creates clear, unambiguous lines of authority in the intelligence community, which assures both accountability and sufficient command authority for a new Department and Director of Intelligence to manage and coordinate the intelligence community, break down existing stovepipes, demand accountability among the agencies, set requirements, and use new directive authority to quickly task collection and analysis while moving personnel and resources to respond to new and emerging situations.

The unanimous recommendations which accompany the Report of the National Commission on Terrorist Attacks Against the United States ("9/11 Commission"), and the Executive orders issued on August 27, 2004, relating to information sharing, intelligence community management, and the National Counterterrorism Center, are intended to address systematic, long-term problems with the U.S. Intelligence Community that have been highlighted by the various investigations into the 9/11 tragedy, including the findings of the Senate Intelligence Committee on Iraq Pre-War Intelligence, and the congressional Joint Inquiry recommendations issued in 2002. Our country has during the last decade suffered through an escalating cycle of intelligence failures while witnessing the onset of new global threats—most notably terrorism and proliferation of weapons of mass destruction. The existing intelligence community structure is disorganized and dysfunctional, and thus incapable of effectively responding to these threats.

The restructuring recommendations of the President and 9/11 Commission

are consistent with the reorganization efforts I undertook as chairman of the Senate Intelligence Committee during the 104th Congress, my efforts to install a Director of National Intelligence beginning in 1986, and my work in 1998–1999 on the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction ("WMD Commission"), as well as that of no fewer than 15 independent commissions and legislative or executive branch attempts at restructuring the intelligence community, beginning in 1955 with the Second Hoover Commission.

It is imperative that we immediately put into place a national security structure that is competent to confront this enemy. While the 9/11 Commission and recent Executive orders provide helpful guidance, much discretion is left to Congress in determining the scope and nature of the restructuring of the intelligence community.

Under the legislation I introduce today, budgetary authority will be a principal means for the new Director of Intelligence to maintain supervision and control of the intelligence community. For example, the Director would have the National Foreign Intelligence Program appropriation go directly to him, and that appropriation would remain under his jurisdiction through the budget execution process.

Further, enhanced tasking authority would facilitate coordinated intelligence collection and analysis and overcome the "culture of concealment" that exists among intelligence entities.

And clear lines of authority, including the ability of the Director to hire and fire intelligence community personnel, will in turn avoid the uncertainty of "serving two masters." Clear lines of authority means that intelligence community personnel will not suffer from the disorder and paralysis that epitomized the community prior to 9/11, and which continues today. This legislation differs from the 9/11 Commission recommendations on restructuring the intelligence community in two main respects: the institution of a ten-year term for the Director of Intelligence in order to remove him from political influence, and the direct control and supervision by the Director of the major national intelligence community entities, rather than the untested "dual hatting" approach favored by the 9/11 Commission.

I also believe that any legislation must address the FBI failures that preceded 9/11. By placing the certain FBI functions under the direction of the new Director of Intelligence, FBI missteps in communication, intelligence gathering and analysis that contributed to failures in anticipating the 9/11 attack and in intercepting the hijackers can be averted in the future, while adding necessary safeguards to protect privacy and civil liberties. And this bill, like the bill I have introduced

with Senators MCCAIN and LIEBERMAN, codifies the 9/11 Commission recommendations on FBI reform.

Other important reforms undertaken by this legislation are also contained in the 9/11 Commission bill. For example, consistent with the recent conclusions of the Senate Intelligence Committee, the legislation would require the National Intelligence Council to incorporate alternative views held by elements of the intelligence community into National Intelligence Estimates (NIE), and be certified as approved for publication by the Director of Intelligence and the Chair of the National Intelligence Council.

The Director and Department of Intelligence that I recommend fully integrate the 9/11 Commission and President's important tenets of central direction, coordination, and control by a high-ranking intelligence official and would bring crucial expertise and immediate direction to the many intelligence challenges we face. Creating a Department of Intelligence, run by a Director empowered with full budget execution and clear line authority over national intelligence, but without a large new bureaucratic infrastructure, is a proposal which best meets the need of the intelligence community.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 426—COM-MENDING MARYLAND'S OLYMPIANS ON THEIR ACCOMPLISHMENTS AT THE 2004 SUMMER OLYMPIC GAMES IN ATHENS, GREECE

Mr. SARBANES (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 426

Whereas the 2004 Summer Olympic Games, which recently concluded in Athens, Greece, was a resounding success;

Whereas the athletes of the United States who participated in the 2004 Summer Olympic Games reflected the ideals of the Olympic movement by exhibiting determination, honor, sportsmanship, and excellence throughout the competitions;

Whereas Maryland's athletes played a prominent role in the 2004 Summer Olympic Games and represented the talent and diversity of the athletes of the United States;

Whereas markswoman Libby Callahan of Upper Marlboro, through her wisdom and experience, and swimmer Katie Hoff of Abingdon, through her youthful exuberance, both displayed the spirit of Olympic competition;

Whereas Liz Filter, from Stevensonville, and Nancy Haberland, who coaches the Naval Academy sailing team, both displayed the Olympic spirit in their decisions to participate in the sailing competitions in the face of challenging life circumstances;

Whereas Jun Gao of Gaithersburg shone with Olympic spirit when, on day 4 of the table tennis competition, as the only remaining member of the United States table tennis team left in competition, she shouldered the hopes of her teammates;

Whereas paddlers Joe Jacobi and Scott Parsons, both from Bethesda, reflected the