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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN ENSIGN, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, giver of every good and perfect gift, great are Your works. We sing of Your strength, for You are the ruler of the universe. Your righteousness endures forever. Give us the wisdom to ask You for Your guidance and to follow Your counsel. Subdue freedom's enemies and provide a shield for liberty.

Lord, thank You for America, with all of its freedoms and opportunities. May we always feel gratitude for this land.

Bless our Senators. Give them insights that will make justice roll down like waters. Help them to make laws that will maintain the rights of the afflicted and the destitute. Empower them to rescue the perishing and to care for the dying. Incline their hearts to so labor that Your will may be done on Earth as it is in Heaven.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN ENSIGN, a Senator from the State of Nevada, 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 22, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN ENSIGN, a Senator from the State of Nevada, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ENSIGN thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, following my remarks and the remarks of the Democratic leader, we will proceed to a period for morning business for 90 minutes. The first 45 minutes will be under the control of the majority and the second half under the control of the minority. Following that time, the Senate will proceed to executive session for the consideration of PORTER GOSS to be Director of Central Intelligence. The agreement we reached last night allows for up to 6 hours equally divided for debate on the Goss nomination. The discussion the leaders were just having was that we want to make as much time available to everyone who would like to speak, but in the event we do not need all of that time, that would be yielded back and we would be able to proceed to a vote on that nomination. Again, we have up to 6 hours, but I expect time will be yielded back.

Today we do have a briefing for Senators regarding Iraq this afternoon from 3 to 4. Before that briefing, we will be able to set the vote. I am sure even later this morning we will be able to announce the time we will be voting later today.

We are also continuing to negotiate agreements on some of the remaining appropriation bills. I hope we can agree to a consent to allow us to consider the spending bills with a reasonable time limitation. If so, we will be able to follow the Goss nomination with that. I suspect that will be tomorrow morning.

We have the expiring family-friendly tax items and we want to consider that legislation as soon as it becomes available. I understand that progress is being made. It will be important for us to vote on that this week. In the event that is Friday morning, that will have to be Friday morning, but I do want to encourage the conferees, who I think are very close to reporting out that legislation, so that the House of Representatives can consider it and we can consider it. We will be voting on that this week, either Friday or, if it is available, Thursday night. Obviously, I encourage the latter.

I remind my colleagues of the joint meeting tomorrow morning at 10 with Prime Minister Allawi of Iraq. He will be addressing both Houses on Thursday. Members should be in the Senate Chamber no later than 9:30 in order to proceed to that joint meeting.

NOMINATION OF PORTER GOSS TO BE CIA DIRECTOR

Mr. FRIST. Mr. President, I will take a few minutes to comment on Representative PORTER GOSS' nomination to the post of Director of the CIA, as well as to comment on the real progress the Senate Governmental Affairs Committee is making as we address the issues of the 9/11 recommendations.

With regard to the former, I congratulate the Senate Intelligence Committee. One of the reasons I do not think there will be as much debate on the floor today is that they very thoroughly addressed the nomination with

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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very good debate in committee and reported him out of that committee with an overwhelmingly positive vote.

Mr. GOSS is a highly capable manager and leader, with a strong background and extensive experience in intelligence matters. As we all know, he served in the Congress representing the people of southwest Florida for the past 15 years. He has a long history of public service, which I am sure will be outlined on the floor later. He served as mayor of Sanibel Island. In 1983, he was appointed to the Lee County Board of Commissioners by then Governor BOB GRAHAM. PORTER GOSS has a long career that has, of course, extended these last 15 years as a House Member where he held the chairmanship of the House Permanent Select Committee on Intelligence.

As chairman, he led one of the key investigations into possible intelligence failures regarding 9/11. He was thorough. He demonstrated a thoughtful and fair approach in these hearings and investigations. His committee's findings did add critical insights into how we can and should move forward to strengthen our defenses against terrorist attack.

So far, his committee, including the subcommittees, has held over 60—I think it was 62—oversight hearings on various aspects of the intelligence community. That number is more than the committee has held in any other calendar year. I use that as an example to show that Mr. GOSS takes his duty to investigate and reform the intelligence community very seriously.

Despite this, he did come under some harsh criticism from the other side. It has been charged that he has been too partisan in his career as a Congressman to take over this very important post. I do believe, however, that if one looks at his record of service to this country, that that criticism falls by the wayside.

PORTER GOSS has specific experience working for the Agency he is now nominated to run. During the Cold War, Mr. GOSS was a clandestine services case officer. He served as director of operations. In his own words, the CIA's mission "is to obtain the plans and intentions of our enemies, adversaries and their associates before they could attack the United States."

Mr. GOSS articulated so clearly and succinctly how this has occurred and will occur, and states very clearly indeed this mission has not changed and will not change.

Mr. GOSS understands the criticism now being leveled at him. As he told the Senate Intelligence Committee, he is sensitive to it; he understands the grave responsibility of leading the CIA and effecting the necessary reforms to strengthen our Nation's security. As he himself explains, being the Director of the CIA is a capabilities job, not a policy job.

There is no doubt that PORTER GOSS—former CIA agent, former U.S. Army intelligence agent, Congressman,

and public servant—is totally committed to the safety and security of America. He is committed to making the CIA run effectively. He has both the inside and the outside perspective we need. Clearly, Mr. GOSS is the man for the job. I urge my colleagues to give him their overwhelming support when we vote on this nomination today. He is an outstanding choice to lead this agency.

I do hope we do not have a shift in conversation, which should be about his eminent qualifications, to distracting other issues. I do hope we focus on the man and the job for which he is being nominated.

INTELLIGENCE REFORM

Let me also close in saying we made real progress on the intelligence reform front. I know there are a lot of people who say slow down or don't have knee-jerk reactions or don't go too fast or it is a huge issue. I think the leadership is very sensitive to that. I wish to reassure our colleagues and the American people and the other House—really everyone—that we are addressing this as a huge issue, as big as any issue we have had to address in recent times, because it does focus on the safety and security of the American people.

There is a sense of urgency that this body has a responsibility to reflect. If there is a better system, if there is a better way to guarantee the safety and security of Americans, and we know it—and we do know it—then it is our responsibility to act and to do it thoughtfully and deliberately, and that is the process that the Democratic leader and I set up in which to address the two important issues.

Senator SUSAN COLLINS and Senator JOE LIEBERMAN, who are managing the initial legislation through the Governmental Affairs Committee, have very carefully, and are very carefully, considering all the information. They have been doing so for a long period of time, most acutely since the day the 9/11 Commission report and recommendations came out. They made great progress in marking up this legislation yesterday and will continue on that over the course of the day. That is exactly the task Senator DASCHLE and I set out for them in late July, to have the vehicle through which all the ideas, thoughts, and deliberations can be collected, understanding there are lots of very good ideas out there. But it is an important vehicle, an important bill, and one we will be addressing on the floor of the Senate next week.

The committee's baseline legislation does create a national intelligence director. It does establish a national counterterrorism center, which has the responsibilities which have been well defined in the legislation. It does implement a whole range of initiatives to improve the quality and effectiveness of the intelligence community. It does track closely with the plans and decisions put forward by many bodies, including proposals put forth by the White House, which has embraced the

major conclusions of the 9/11 Commission.

I do hope, once this bill is completed in the Governmental Affairs Committee, people take the time to look at it very quickly and look at possible amendments over the course of the end of this week so they will be prepared for next week in terms of amendments they might put forward, so we, over the course of the deliberations, can improve that bill appropriately where people think it needs to be improved.

Just one final comment: Senator DASCHLE and I established a bipartisan task force to address the issues that look at how we need to reorganize in this body, so that our responsibility of oversight can be appropriately carried out. That task force has met on a number of occasions, at the Member level and at the staff level. Senators McCONNELL and REID, the managers of this effort who represent the leadership on that task force, have been discussing this matter, as I understand it, daily.

There are a number of issues on which we can come to agreement relatively quickly. Others will have to be resolved through floor debate and votes. That just remains to be determined, once we see what those recommendations are. Either way these reforms will be implemented through Senate resolution or through modification of the Senate's rules. My goal remains to get these reforms in motion before the Senate adjourns next month.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The Democratic leader is recognized.

INTELLIGENCE DELIBERATIONS

Mr. DASCHLE. Mr. President, I wish to associate myself with the remarks made by the majority leader with regard to the progress we have made on both fronts, both the reorganization of the executive branch as well as the reorganization of the legislative branch with regard to the 9/11 recommendations. I think both efforts have been laudable, they have been bipartisan, and they have been cooperative.

I don't think that being deliberate and being expeditious is a mutually exclusive proposition. We have to be deliberate but I don't see any reason why we can't also be expeditious.

Three very important commissions have analyzed and advised over the course of the last 3 years. It is not as if this came up within the last couple of weeks. It has been under consideration and very thoughtfully and carefully considered. I found it somewhat remarkable that all three commissions had many of the same recommendations to the Congress.

So this is in keeping with those experts who have very thoughtfully and carefully deliberated about this matter. We are simply continuing in that deliberative fashion, first in the committee and then on the task force. I am hopeful we can continue to be both deliberate as well as expeditious as we