the term of the President of Lebanon, Emile Lahoud, who is supported by the Government of Syria.

(b) It is the sense of the Senate that—

(1) the United Nations should seek a firm, negotiated schedule for the complete withdrawal from Lebanon of Syria armed forces in order to facilitate the restoration of the sovereignty, territorial integrity, and political independence of Lebanon;

(2) the Government of Syria should immediately withdraw its troops from Lebanon in accordance with United Nations resolutions;

(3) the Government of Syria should—

(A) cease its support and armament of terror groups such as Hizbollah; and

(B) facilitate efforts by the government and armed forces of Lebanon to disarm all nongovernmental armed groups and militias located in Lebanon and to extend central government authority throughout Lebanon; and

(4) the Government of Syria should cease efforts to derail the democratic process in Lebanon and to interfere with the legitimate electoral process in that country.

This Act may be cited as the ''Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005''.

NATIONAL INTELLIGENCE REFORM ACT OF 2004—Continued

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Maine.

Ms. SNOWE. Mr. President, I rise today to speak to the monumental issue before us, the most profound, sweeping reform of our entire intelligence community in nearly 60 years, 3 years after the worst attack ever on American soil. As a member of the Senate Select Committee on Intelligence, I welcome this opportunity to discuss critical issues I believe must be addressed this year.

First, I thank the majority leader for his timely action and steadfast leadership ensuring that we have this legislation before us and we will complete action before we adjourn.

I also want to recognize my colleague, the chair of the Governmental Affairs Committee, the Senator from Maine, Ms. COLLINS, for her exceptional and tireless work over the past 2 months to produce this comprehensive legislation to reform our intelligence community, to rightly reflect the sense of urgency that this legislation deserves and certainly one we should consider. I applaud her for undertaking this historic effort and for guiding this legislation through her committee on a bipartisan basis.

As well, I want to express my appreciation to the ranking member, Senator LIEBERMAN, for his efforts in bringing us to this day. It truly was an enormous undertaking that was assigned to the Governmental Affairs Committee, and I want to thank them for all they have done to begin this debate this week on the intelligence reform bill.

As we begin these deliberations, I cannot help but be reminded that while the intelligence community reform has unquestionably taken on a new urgency, it is simply not a new issue. Since the first Hoover Commission in 1949, studies have been conducted, commissions have been established, and reports have been issued on how best to structure our intelligence community. Yet in spite of the over 50 years of debate on this issue, it was the morning of September 11 and all that followed that has resulted in us being where we are today on the Senate floor debating reform legislation and poised to accomplish what has alluded so many for so long.

To say that September 11 is a seminal moment for our Nation certainly would be an understatement. Indeed, that day will forever be etched in our minds and our national consciousness, just as it always will forever change the way we view the world. It was that day, more than any before, that catapulted us into a new era in which our Nation faced very different, more pervasive and inimical threats. It was a day that revealed in the starkest terms the truism that intelligence is now and must always be our best and first line of defense against a committed enemy who knows no borders, wears no uniform, and pledges allegiance only to causes and not states. It was a day that has proven that the intelligence community's old structure and old ways of doing business are insufficient for confronting the challenges of the 21st century.

But if September 11 provided the catalyst for reform, the failures in the prewar intelligence on Iraq's weapons of mass destruction programs provided even greater impetus for a major overhaul of the U.S. intelligence community, and that time for change is now upon us.

For over a year, the Senate Select Committee on Intelligence has focused intently on reviewing the prewar intelligence of Iraq's weapons of mass destruction program, the regime's ties to terrorism, Saddam Hussein's human rights abuses, and his regime's impact on regional stability. After the indepth analysis of 30,000 pages of intelligence assessment, source reporting, interviewing more than 200 individuals, the committee produced a report in early July that indisputably begs for intelligence community restructuring.

The report revealed a stunning lack of accountability and sound hands-on management practices throughout the community's chain of command. This lack of leadership and poor management allowed assumptions to go unchallenged, contributed to mischaracterizations of Iraq's weapons of mass destruction programs, and led to significant lapses in the intelligence community's responsibility to convey the uncertainties behind their assessments. In short, there was a lack of analytic rigor performed on one of the most critical and defining issues spanning more than a decade.

During our review, we learned that much of what analysts knew about Iraq's weapons of mass destruction program predated the gulf war, leaving them with little direct knowledge of the current state of those programs. The ''group think'' mentality that dominated analysis is just one of the intelligence failures this report illuminates.

Intelligence community managers, collectors, and analysts believed that Iraq had weapons of mass destruction, a notion that dates back to Iraq's pre-1991 efforts to retain, build, and hide those programs, and in several circumstances the intelligence community made intelligence information fit into preconceived notions about Iraq's weapons of mass destruction programs. From our review, we know the intelligence community relied on sources that supported its predetermined ideas, and we also know that there was no alternative analysis or ''red teaming'' performed on such a critical issue. We also now know that most of the key judgments in the national intelligence estimate were overstated or were not supported by the underlying intelligence.

For example, the intelligence community insists that Iraq had chemical weapons. Yet this was based on a single stream of reporting. The intelligence community based its assessment that Iraq's biological warfare program was larger and more advanced than before the gulf war largely on a single source to whom the intelligence community never had direct access and with whom there were credibility problems. The intelligence community judged that Iraq was developing a UAV probably intended to deliver biological weapons. Yet there was significant evidence clearly indicating that nonbiological weapons delivery missions were more likely.

The committee's report also notes the lack of human intelligence on the Iraqi target and reveals, as the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001, also documented, that our intelligence community is averse to undertaking higher risk human intelligence operations, compelling our analysts to rely on inadequate, outdated, or unreliable intelligence.

The points raised form an inescapable indictment of the status quo. The facts speak for themselves, and they are a significant reason we are here today to debate issues of intelligence community reform. The men and women, the dedicated professionals of the intelligence community, who toil every day to protect our national security, must have a decisive, innovative, and centralized leadership and management structure as well as the requisite resources to perform this vital and often daunting task. While I acknowledge the need to be cautious and deliberate, in this era of unprecedented challenges, we must ensure our intelligence community is poised to confront these challenges, and we must act now. The status quo is clearly not an option.

On that note, I do happen to believe that we must create a national intelligence director and certainly that it

would be a significant leap forward, and that is why I commend the committee for embracing this type of reform.

I also commend Senator FEINSTEIN for her leadership on this issue, and I am pleased to have joined with her several months ago, before the release of the September 11 Commission Report, in championing this idea of establishing a critical position, to be filled by a single person, independent from the day-to-day responsibilities of running a single intelligence agency and whose sole responsibility is to lead and manage the intelligence community. I believe our perspectives on the Senate Intelligence Committee and the work we did for more than a year and a half on Iraq's weapons of mass destruction program gave impetus to this notion and this idea that we clearly had to embark on major restructuring of the intelligence community.

I happen to believe that creating this central position is a significant component in the larger imperative of overall intelligence community reform because it simply just does not make sense today to have one person who is the Director of the Central Intelligence Agency also responsible for the entire intelligence community of the other 14 agencies. Rather, we need a national intelligence director whose dedicated leadership will ensure that consistent priorities are set and implemented, and that all the gears of our intelligence gathering, analysis, and reporting are synchronized and not ad hoc.

In fact, Dr. David Kay, who is the former director of the Iraq Survey Group, said such management changes in the intelligence community could have resulted in a very different national intelligence estimate than we received on Iraq weapons of mass destruction program. He noted that failures of analytic tradecraft, culture, management, and mismanagement of the information flow could have been alleviated with proper management and leadership.

Indeed, I asked Dr. Kay when he came before the committee in August:

> We know what went wrong. Could it have been a very different product?
>
> Could we have had a very different product in the NIE, if we had changes, organizationally, that we are speaking of?

That is a question posed of Dr. Kay. He responded:

> It could have been a very different product, in my judgment.

That is a very telling and significant statement. He said the national intelligence estimate, the estimate upon which we predicated war, upon which we made our decisions, based on the assessments that were included in that national intelligence estimate, could have been a very different product if we had an entirely different type of organization within the intelligence community.

I happen to believe that creating a national intelligence director would also facilitate a better atmosphere of objectivity, an element that has been sorely lacking in the intelligence community. Separating the Director of the Central Intelligence Agency from one specific organization would better allow the other 14 intelligence community agencies to be heard in the debates about the validity and veracity of intelligence information and analyses that have a direct effect on our national security.

A director of national intelligence would level the playing field when it comes to the competition of ideas and intelligence analysis. Currently, as the head of both the CIA, as well as the intelligence community, the DCI is the principal intelligence adviser to the President. This provides the CIA with unique access to policymakers. Although the goal of this structure was to coordinate the disparate elements of the intelligence community in order to provide the most accurate and objective analysis, this report reveals that in practice this arrangement actually undermines the provision of objective analysis.

Indeed, this committee's report on Iraq concluded:

> The CIA continues to excessively compartment sensitive human intelligence reporting and fails to share important information about [human intelligence] reporting and sources with Intelligence Community analysts who have a need to know.

Further the report concluded that:

> The CIA, in several significant instances, abused its unique position in the [intelligence community], particularly in terms of information sharing, to the detriment of the [intelligence community's] prewar analysis concerning Iraq's [weapons of mass destruction] programs.

One agency should not be able to control the presentation of information to policymakers, nor should an agency be able to exclude analyses from the other agencies. As the committee's report on the prewar intelligence on Iraq reveals, the Director of Central Intelligence was not aware of dissenting opinions within the intelligence community on the potential use for the aluminum tubes, despite the fact that the intelligence community had been debating the issue for well more than a year.

Since the Director was not aware of all the views of the intelligence agencies, he could only pass on the CIA's view to the President. This has to change. Policymakers must be aware of all views of all intelligence agencies on such crucial matters.

Some might say consolidating the leadership of the entire intelligence community under a national intelligence director might actually stifle healthy competition, that central planning will deprive decisionmakers of a full range of intelligence. I echo what Chairman Kean and Vice Chairman Hamilton have said:

> Competitive analysis is very important . . . no one can claim that the current structure fosters competitive analysis. Look at the Senate report on group-think with regard to Iraq. The current system encourages, we believe, group-think. . . .

In my view, to accomplish the task we have just discussed, the national intelligence director should be equipped with the authority commensurate with the responsibilities with which he is vested. We can no longer afford to have the Intelligence Committee unable to direct those resources.

As the Chairman of the 9/11 Commission indicated—he said in response to another question I posed when he testified before the Intelligence Committee with regard to George Tenet raising the red flag about the threat from al-Qaida:

> . . . a problem we have of communication between agencies . . . one of the best illustrations that hit me when I first heard about it is in 1998, when [the Director of the Central Intelligence Agency] George Tenet got it. What we are suggesting, I guess, is if you had that coordination and that declaration of war had been made under the system we recommend, the military, the diplomatic side, the intelligence side, they all would have gotten it.

If you can imagine when the Director of the Central Intelligence Agency had been talking about a major threat to the United States back in 1998, raising a red flag, going around Washington talking to whomever in order to get attention, to draw attention to this tremendous threat that al-Qaida and Osama bin Laden posed, that they were declaring war on the United States, and he could not get anyone's attention, never, ever again should we be in a position where the Director of Central Intelligence, now the director of the national intelligence community, should not be able to get the attention of the executive branch or of the Congress or of policymakers across the board within the intelligence community because he doesn't have the power to redirect resources or to redirect the attention or to make sure there is a collective focus on such a major threat.

There are a number of authorities that this legislation before us will provide the national director of intelligence. I think it is absolutely vital and critical that the national intelligence director have strong authority to redirect resources with respect to budget and personnel. There is no question that we must have a director of national intelligence who is vested with the kind of power and authority to command a centralized organization. This is not just about moving boxes around. It is vesting the authority within this individual to command the direction of the resources and the decisionmaking that is absolutely vital to establish the kind of strategic thinking across the intelligence community that heretofore has not been present.

Some have argued that providing the national intelligence director with these authorities equates to the loss of intelligence support to our warfighters.

I do not dispute the fact that any successful intelligence reform must respect the military's necessity to maintain a robust organic tactical intelligence capability and to have rapid access to national intelligence assets and information.

I would argue that providing the national intelligence director with the authorities commensurate to his responsibilities, by providing him the ability to better coordinate and manage the entirety of our Nation's intelligence operations, could improve national support to our military operations, both strategically as well as tactically.

One of the national intelligence director's greatest responsibilities will be to secure national intelligence support to our warfighters and ensure that strategic information of tactical importance is expeditiously delivered to our soldiers, seamen, airmen and marines. There is no question but that the men and women of our Armed Forces deserve and must continue to receive the best, most timely actionable intelligence. So I believe that creating this position will also improve the accountability within the intelligence community, an issue that also has been a focus of mine for the past 20 years.

I saw firsthand the consequences of serious inadequacies in accountability during my 12 years as a member of the House Foreign Affairs International Operations Subcommittee and as chair of the International Operations Subcommittee of the Senate Foreign Relations Committee.

During the 99th Congress back in 1986, I worked to bring to the State Department an accountability review board as part of the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986. I think about those times because accountability becomes a critical component as we ensure that our agencies are responsive to the threats that are posed to America, to Americans, to American interests here as well as abroad.

As a member of the Senate Intelligence Committee, I look back to that time. That is why I think it so critical to ensure that in every phase of the new challenges that we are facing we also incorporate the kind of accountability that compels our policymakers, our officials, and agencies responsive to those threats. As a member of the Senate Intelligence Committee, I continue to see that there is a stunning lack of accountability within the community.

The committee's review of the prewar intelligence on Iraq's weapons of mass destruction is replete with information-sharing failures, analytic failures, and collection failures. It is imperative that these failures, many of which were identified in the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, are not repeated. As former United Nations weapons inspector Dr. David Kay told the Intelligence Committee at one of our reform hearings, '' . . . intelligence reform without accountability will not achieve the objective we all share to avoid repeating the clearly avoidable tragedy of 9/11 and the equally avoidable failures in analysis that marked the Iraq WMD program.''

That is why back in 1986 we created an accountability review board in the State Department because of embassy security, because of the threat posed by terrorists back in the 1980s. We had the Inman Report in 1983, and we responded to that. We redesigned embassy security, both physical, perimeter security, intelligence security, and we didn't want any more lapses and failures in that regard. That is why we set up the accountability review board—so we can ensure that these measures put in place are implemented and strongly enforced.

I think the same is true here. We have to ensure there will be accountability. In the aftermath of the World Trade Center bombing in 1993, there was a failure of information sharing among the agencies. Again, it was another lapse in failure among agencies. Even after 9/11 we are now examining failures again of information sharing—replete with failure.

It seems to me that we have to redesign the system to ensure that we have the kind of accountability we should demand rightfully of those who are in positions of authority to implement these responsibilities and obligations. That is why I think it is critical that we incorporate these types of reforms which will be essential.

I concluded after my examination of what went wrong with our pre-war assessment concerning Iraq's WMD program and the reality posed to the military phase of Iraq that one way to prevent these lapses in the future is to inject more accountability into the intelligence community. That is why I introduced legislation in June to create the office of inspector general for intelligence.

The intelligence community lacks a single, overarching intelligence communitywide investigative entity that bridges the gap between and among all the various agencies in order to identify problem areas to ensure critical deficiencies are addressed before they become crises or tragedies, and to develop and ensure the implementation of the most efficient and effective methods of intelligence gathering and interpretation.

What is required, in my view, is an inspector general for the entire intelligence community. The agencies now have their own individual inspector generals. But I happen to believe that this newly created office would assist in instituting better management accountability and would help the national intelligence director resolve problems within the intelligence community.

I am very pleased that the legislation we are debating today includes—again I thank the leadership of the chair of the committee, Senator COLLINS, for including a provision to create an office of inspector general for the entire community. That inspector general has the ability to initiate and conduct independent investigations, including investigating current issues within the intelligence community, not just conduct ''lessons learned'' studies, not just a retrospective, but prospective to identify the problems that may be there, may be present in the intelligence community, and to have that strategic view of what is going wrong and make sure we can also prevent and preempt the problems before they take place.

This new office will seek to identify problem areas and identify the most efficient and effective business practices required to ensure that critical deficiencies can be addressed before it is too late, before we have another intelligence failure, and before lives are lost.

In short, an inspector general who can look across the entire community will help improve management and coordination, and cooperation and information sharing among the intelligence agencies—again, another dynamic that will help to ensure and enforce the kind of information sharing that clearly has been lacking up to this point.

The inspector general also will help break down the barriers that have perpetuated the parochial, stovepipe approaches to intelligence community management and operations.

Again, I commend the work of the authors of this underlying bill, Senator COLLINS for her dedication, and Senator LIEBERMAN for working together to include this recommendation of creating the inspector general in the office of the national intelligence director.

The authors of this bill have crafted extensive language creating and defining this vital agent of accountability. I look forward to further working with them to complete the creation of an independent IG, and to ensure that proper accountability to the director of the national intelligence, to the President and to Congress, and ultimately to the American people is carried forward.

In addition, I hope I can work with the committee on several other issues and amendments to enhance this legislation.

For example, as I have been reviewing this legislation, and as we look at the pre-war intelligence, it was apparent that the intelligence community relied on forces that supported this predetermined idea and found there was no alternative analysis or ''red teaming'' performed on critical issues, allowing assessments to go unchallenged year after year, and certainly for more than a decade with respect to Iraq.

While this bill includes provisions for an analysis review unit, I also think we must consider the ability for the community to look at alternatives in that

area as well. It is very important to have that type of dynamic within the intelligence community, to think out of the box, to think creatively and innovatively and not just be confined to the assumptions that have been carried over, to preconceived notions that were so inherent in all of the pre-war assessments with respect to Iraq's WMD program.

This bill also mandates that the national intelligence council produce national intelligence estimates. I believe this process must be made a little more automatic and transparent and a little ad hoc. I believe that the national intelligence council should report to us what they can do to streamline that process.

I also believe we should have the National Counterterrorism Center report to us in a year about what they are doing and whether they are meeting the mark. This bill already requires a report from the national director of intelligence. But I think it would also be important to hear from the Director of the National Counterterrorism Center the lessons learned in the establishment of capability before we move to set up other centers. The creation of a national intelligence director and improving the community's accountability through the creation of an inspector general are but two of the many issues in the ongoing debate on intelligence community reform. Indeed, it has been an extremely challenging year for the intelligence community and those who work in it, one in which we saw every aspect of the intelligence process come to the fore at one time or another.

From the tactical collection and analysis of on-the-ground intelligence by our battlefield commanders in Iraq that led to the capture of Saddam Hussein, to the global search for the information that led to the exposure of Aq Khan's nuclear proliferation network, to the decision to commit troops to the field in Iraq, it became obvious to every American that timely and quality intelligence is imperative if we are to be successful in defeating the forces that have pledged themselves to the destruction of America.

I think all of these events highlight how abundantly crucial it is to ensure that we have the leadership with the requisite authority to ensure that the collection, analysis, and dissemination of intelligence information is as synchronized, accurate, and as comprehensive as it possibly can be, and that it represents the very best judgment of the intelligence community when it is provided to the national policymakers who rely on that information to make the most profound of decisions.

Of course, intelligence reform must include reforming oversight of not only the intelligence community. Ideally, this should have occurred in tandem. Congress must not abrogate its responsibility to seriously tackle the oversight issue. As 9/11 Commissioner Lehman said, it is like one hand clapping, if you only do the executive branch this year. Hopefully we will be able to pursue those initiatives shortly as well.

In the final analysis, it is apparent to me that the intelligence structure put in place over 50 years ago was one that focused primarily on developing intelligence to counter a military threat that is no longer sufficient for confronting the asymmetrical threats we are now confronting in the 21st century—a century in which our enemies no longer make distinctions between our battlefields and our backyards.

So, therefore, we must develop a lighter and more agile intelligence capability that can keep pace with the kind of enemy we are now fighting—one that is elusive, one that does not need a large land-based military capability to bring the fight to us.

This legislation will bring America the agility we require, the ability to reform our intelligence apparatus into an adaptable organization prepared to anticipate and prepare for future threats.

I look forward to working with my colleague again, the Senator from Maine, who I congratulate again for bringing this most timely, this most forthright, comprehensive, very sound framework for intelligence reform and working with them on the issues I might propose with my refinements and enhancements to the underlying bill.

I hope in due course of this week or the following week, however long it takes before we adjourn, to complete this process, to pass this legislation, not only in the Senate but the overall Congress, so the President can sign this legislation because clearly it must be done forthwith. This is something the American people and the future of this Nation deserve.

I yield the floor.

Ms. COLLINS. Mr. President, I congratulate the senior Senator from Maine for her comments and her work on this issue. As a member of the Intelligence Committee she has understood very early the need for significant intelligence reform. The provisions included in the Collins-Lieberman bill that created an inspector general for the new national intelligence authority are the direct result of the legislation sponsored by the senior Senator from Maine.

I thank the Senator for her expertise and her leadership. This is an area, as she indicated, on which she has been working for many years. We very much value her contributions to the debate.

I know of no other requests to speak tonight.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands in adjournment until 9:45 a.m., Tuesday, September 28, 2004.

Thereupon, the Senate, at 6:32 p.m., adjourned until Tuesday, September 28, 2004, at 9:45 a.m.