Madam President, I rise today to speak on what

I consider to be one of the most important areas of intelligence

reform, and then I will offer an amendment to help advance that

position.

Over the last several weeks, I have been making a series of

statements on various aspects of intelligence reform. In my recent

statements, I have discussed the history of the U.S. intelligence

community, the community's failure to adapt to changing conditions

since the end of the Cold War, the unfortunate reluctance of both the

Congress and the administration to tackle these much needed and long-

reported necessary reforms, the shape that I believe our reform should

take, and the danger that excessive Government secrecy poses to our

national security.

I have also expressed my gratitude to the independent 9/11 Commission

and its predecessors for the work they have done in analyzing the

strengths and weaknesses of the American intelligence community and

offering recommendations as to how these weaknesses can be remedied.

Today, I also thank several of my colleagues for the work they have

done in providing the groundwork for this legislation and moving it

substantially toward fruition. Senators Collins and Lieberman have put

a substantial amount of work into crafting meaningful bipartisan

intelligence reform legislation that seeks to correct current failings.

They and their staffs should be commended for that effort.

In addition, Senators McCain and Roberts have stepped forward with

very thoughtful proposals for reform, and as we work to fine-tune the

Collins-Lieberman bill, their proposals will be an excellent source of

ideas and alternatives.

We all owe our gratitude to the other members of the Governmental

Affairs and Intelligence Committees, especially Vice Chairman

Rockefeller on the Intelligence Committee, and their respective staff

members for all the contributions they have made to the debate over the

direction of intelligence reform.

I spoke last week about the direction in which I thought we should

move with these reforms and the shape these reforms should take. I

would now like to discuss in more detail how we might accomplish that

within this legislation.

I will offer an amendment which I hope will be a contribution to

achieving these goals. First some background.

Our national intelligence community currently resembles our military

as it looked prior to 1947. It is made up of a number of agencies that

originated at different times and with different structures, with

shared common goals, but frequently found they had difficulty working

with one another because of their different histories, different

cultures, different bureaucratic structures, and different priorities.

That would have also been a definition for the American military pre-

1947.

In that year, at the urging of President Harry Truman, Congress

passed the National Security Act, which brought together all of the

components of the military. There had been a Secretary of the Navy,

there had been a Secretary of War, sometimes referred to as the

Secretary of the Army, and there certainly would have been a Secretary

of the Air Force had the National Security Act not intervened. This new

legislation created for the first time a civilian leader at the top and

uniformed service chiefs reporting to that leader.

This was an important reform, but it did not end all the rivalries

and competition for actions and spending resources within the military.

There were a series of events that occurred in the late 1970s and early

1980s which dramatized these continuing weaknesses. We were unable to

rescue hostages who had been taken in Tehran. We were unable to avoid

the massacre of over 200 American marines in barracks in Beirut by

Hezbollah, and there were a series of missteps on the small island of

Grenada. Reviewing all of these issues, in 1986, it was becoming

apparent that though all the services reported to a single departmental

head, they still had many problems communicating with one another and

working effectively together.

As it had in 1947, Congress again stepped forward with the Goldwater-

Nichols Act, which decentralized the military establishment. Control

over military operations moved from the Pentagon to several joint

commands, each responsible for a different geographic area of the

world. As a result, the U.S. military has become more effective than

ever before.

Given that our international intelligence community is currently in a

pre-1947 state, our challenge now is to enact both the equivalence of

the National Security Act of 1947 and the Goldwater-Nichols Act of 1986

at the same time. In other words, we must centralize authority and then

immediately commence the process of decentralizing the bureaucracy.

We waited 39 years between the National Security Act and Goldwater-

Nichols. We cannot afford to wait 39 years between the action we will

hopefully take this year and the time we will begin to decentralize the

intelligence bureaucracies. It is essential that this legislation

create a strong director of national intelligence and also lay out the

best possible structure for intelligence collection and analysis.

In my view and in the view of many others, our intelligence community

would be most effective if it were organized around the mission-based

model that brings personnel from different agencies and specialties

together to focus on whatever intelligence missions the national

director deems to be most important.

In a recent publication called ``Intelligence Matters,'' I state:

The structure we have before us today gives us an opportunity to

place those large issues of adaptation to new threats in an appropriate

structure.

The director will be responsible for giving the centers their

missions and assigning them the personnel and resources they need to do

their job.

He or she can then be held accountable for the centers' performance

and accomplishments.

This model was previously suggested by the 9/11 Commission.

In the conclusion of its report, it discusses the structural problems

that currently plague our intelligence community, and suggest that

significant changes must be made in order to achieve unity of effort

among the community's various agencies.

The Commission report recommends that a national center for

counterterrorism be established, and I am pleased that President Bush

has endorsed the creation of such a center, and it is contained in the

legislation before us today.

This center will bring together personnel from a variety of

disciplines and specialties from across the intelligence community to

focus on the problem of international terrorism.

By bringing them all together and placing them on the same staff, we

can overcome the bureaucratic and sociological barriers that have

sometimes prevented them from being effective.

This will also help us use our intelligence resources more

efficiently by ensuring that different agencies are not doing redundant

work on the same threat.

In addition to a national counterterrorism center, the Commission

also recommends that other centers be created to focus on different

global challenges, such as nuclear proliferation, international drug

trafficking, or particular rogue states such as North Korea, and Iran.

These centers would be able to bring together personnel in the same

manner as the Counterterrorism Center, allowing us to be more efficient

and effective in intelligence gathering and analysis.

The Commission recommended that management of these centers should be

one of the director's primary responsibilities. Their recommendation

states:

The national director must be given the flexibility to create,

reorganize or even disband these centers as needed, just as the

Secretary of Defense has the authority to shift the responsibility of

the unified commands.

For instance, Syria and Lebanon were once included in the European

Command, but as the international situation changed, it became more

appropriate to move them to Central Command, which already included

their Middle Eastern neighbors.

A second instance is the Caribbean region, which was previously

included in the Atlantic Command and has since been moved to the

Southern Command, which includes the rest of Latin America.

Congress had empowered the Secretary of Defense to make these

decisions while maintaining its constitutional responsibility for

oversight and appropriations.

This wise allocation of authority has enabled the Department of

Defense to do what the intelligence community has been unable to do;

that is to respond to changing conditions in a swift and decisive

manner.

The authors of Goldwater-Nichols gave the Secretary of Defense the

necessary level of flexibility and adaptability by not writing into law

which commands should be created and what countries they should

include.

Instead, we empowered the Secretary to establish or alter the unified

commands as circumstances dictate.

The current version of the Collions-Lieberman bill includes language

to establish national intelligence centers, in accordance with the 9/11

Commission's recommendations.

This is obviously a significant step in the right direction.

However, I believe that is necessary to make some modifications to

the language in order to clarify the purpose of the centers and to

ensure that the national intelligence director has the authority needed

to manage them effectively.

Some of the provisions that we need to be aware of and include in the

final version of this legislation as it relates to national

intelligence centers are these:

First, we should include language making clear that the mission of

the national intelligence centers is to focus on specific threats.

In keeping with the Commission's recommendation, this would mean that

some centers might focus on specific countries or regions, while others

would focus on global problems such as nuclear proliferation.

Second, we must make the national intelligence centers the focal

point of intelligence gathering and analysis for their particular area

of focus.

The centers should develop a strategy for the collection and analysis

of intelligence regarding their area of focus and draw upon the

resources of the various intelligence agencies to implement this

strategy.

To give an example of how this might work, imagine that the national

director believes that we need a focus on counterproliferation of

nuclear weapons, and surely we do.

In a very important recent book, ``Nuclear Terrorism,'' by Graham

Allison, it is pointed out that there are two important truths as it

relates to nuclear terrorism. The first is that it is inevitable that

nuclear weapons will come into the hands of terrorists who will use

them against us. The second truth is that inevitability is preventable.

Professor Allison points out a number of steps that must be taken in

order to avoid the inevitable. Many of those relate to the intelligence

community's role. Professor Allison makes a number of suggestions as to

what reforms are required in order to avoid a nuclear weapon in the

hands of a terrorist who is destined to use it against the people of

the United States.

Just to summarize his points:

First, American intelligence must move beyond its Cold War mindset.

This legislation will help us achieve that goal.

Second, the United States must cultivate long-term strategic

relationships with foreign intelligence agencies. I believe having a

strong director

of national intelligence will contribute to that objective.

Third, the American intelligence community must enhance its data-

mining efforts to process, analyze, and disseminate open sources of

intelligence. This legislation provides a heightened awareness of the

value and the credibility of open source information, that is

information that is available, other than through clandestine means.

Finally and above all, intelligence assessments must be credible.

I believe this provision for the establishment of national

intelligence centers will make a dramatic contribution toward enhancing

the credibility of U.S. intelligence.

The fact that we are creating within this legislation one national

intelligence center, that for counterterrorism, and leaving the

creation of the other centers up to the discretion of the national

intelligence director is essentially an accident of history. The 9/11

attacks were the use of conventional weapons--fire and gasoline--in a

nonconventional manner--large airplanes flying into large buildings.

If the attacks of 9/11 had taken another form, such as a cargo

container which was loaded at a distant point and arrived in the Port

of New York and was unloaded, and a week later found itself in downtown

Chicago, and because that container, in addition to its commercial

cargo, also carried a dirty nuclear bomb, and that bomb, were it to be

detonated, we would have had an event multiple times of what, in fact,

happened on 9/11. And I can assure you that the center would have been

written into this legislation and would have been the center on the

avoidance of the proliferation of nuclear weapons.

We are about to give that authority to the director of intelligence.

I believe we should give it to him with as close as possible the same

authority and the same capability as we are statutorily giving to the

center on terrorism. That is what this amendment attempts to do.

Finally, we must ensure that our national intelligence community is

constantly adapting in response to changes in the world around us.

Unfortunately, our intelligence community, since its inception in that

same National Security Act of 1947, has had difficulty adapting to

changed circumstances. It had that difficulty in the 1950s. It has had

that difficulty since the last of the Soviet Union in the late 1980s

through the early 1990s. Our intelligence agencies were slow in

shifting their focus from the Soviet Union to the more diffuse threat

such as terrorism, weapons proliferation, and rogue states.

As former CIA Director James Woolsey put it:

The national director should be required to frequently review the

mission and areas of responsibility of the intelligence centers, so

that we do not waste time staring at the dragon which we have already

slain.

He must also have the ability to create new centers rapidly, so that

they are not slow to react to the appearance of snakes.

The amendment I am offering would modify the very instructive

policies in the Collins-Lieberman bill to lay the groundwork for

reforms recommended by the 9/11 Commission, and ensure that the

national director has sufficient authority to carry them out.

Madam President and colleagues, I draw your attention to the fact

that I have discussed this amendment with Governor Kean and with former

Congressman Lee Hamilton, the distinguished Chair of the 9/11

Commission. And I am pleased they have responded enthusiastically.

I have received a letter from Governor Kean and Congressman Hamilton

which includes this statement:

The letter concludes:

We have the opportunity to take a step which will fundamentally

enhance the security of the people of America not only against the

threat that we know today, not only against the dragons with which we

are currently grappling, but with those poisonous snakes that may not

be so obvious, the poisonous snakes which may be hiding just beyond the

horizon.

The national intelligence centers will be a key to our ability to do

for intelligence what Goldwater-Nichols did in 1986 for our military.

I urge my colleagues to seriously consider and to adopt these

amendments to the excellent legislation which is before us today.

I ask unanimous consent that the letter from Governor Kean and

Congressman Hamilton be printed in the Record.

There being no objection, the material was ordered to be printed in

the Record, as follows: