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Senate Approves Intelligence Bill

By PHILIP SHENON

ASHINGTON, Dec. 8 - The Senate voted overwhelmingly on Wednesday to approve a landmark bill to restructure the nation's intelligence community, completing Congressional action intended to end the sort of catastrophic intelligence lapses that plagued the nation's spy agencies before the Sept. 11 terrorist attacks.

The Senate vote, 89 to 2, sent the bill to President Bush, who has promised to sign it, and ended a Congressional debate that began in earnest last summer with the release of the final report of the independent Sept. 11 commission.

The bill, which was adopted by the House on Tuesday by a wide margin, enacts the commission's major recommendations, including creation of the job of national intelligence director to force cooperation among the Central Intelligence Agency and the government's 14 other spy agencies, as well as establishment of a permanent national counterterrorism center to function as a clearinghouse on terrorist threats.

"We are rebuilding the architecture that was designed for a different enemy, in a different time, a structure that was designed for the cold war and has not proved agile enough to deal with the threats of the 21st century," said Senator Susan Collins of Maine, the chief Republican author of the bill. "The reforms are long overdue, and they will help to make our nation more secure."

After the Senate vote, the White House released a statement from President Bush, who had sometimes seemed hesitant in recent months in endorsing the findings of the Sept. 11 commission but who said Wednesday that the bill was "historic legislation that will better protect the American people and help defend against ongoing terrorist threats."

Although the scope of the powers of a national intelligence director was the issue that consumed the Congressional debate, the legislation has several other important provisions.

It calls, among other things, for new electronic surveillance powers for law enforcement agencies, uniform national standards in issuing driver's licenses and the hiring of thousands of new federal agents to patrol the nation's borders. Several of the law enforcement provisions have drawn strong criticism from civil liberties groups.

The bill will force the C.I.A., the F.B.I., the Pentagon and other intelligence and counterterrorism agencies to cede significant budgetary and personnel authority to the new director of national intelligence, who will be a cabinet-level official. The bill's Senate authors, however, acknowledged in their floor debate Wednesday that the new job would not have all of the powers that the Sept. 11 commission envisioned.

Still, they insisted, the intelligence director, designated in the bill as the president's chief intelligence adviser, will have the authority needed to force the nation's long-feuding spy agencies to work together.

Senator Joseph I. Lieberman of Connecticut, the bill's chief Democratic sponsor in the Senate, said it would end a situation in which "no one has the ability to knit together the work of the 15 disparate agencies working on intelligence."

"No one has been ultimately responsible for the deadly mistakes that have been made," Mr. Lieberman said. "This legislation changes all of that. The dots will be connected. And I hope, pray and believe that we will never have to suffer through another attack like the one we did suffer through on Sept. 11, 2001."

Ms. Collins cited the list of intelligence blunders that preceded the Sept. 11 attacks as well as more the more recent failures of the nation's spy agencies, including their inability to predict the extent of the insurgency that "has caused us to lose so many lives in Iraq" since the American invasion last year.

"We need to make sure we have a culture in our government of assembling the pieces of the puzzle," she said, noting that blue-ribbon federal commissions and national security scholars have called for decades for creation of a job of powerful national intelligence director.

Senator Arlen Specter, Republican of Pennsylvania, said he believed that the structure imposed on the intelligence community by the new bill might have allowed the government to pre-empt the Sept. 11 attacks.

"Had there been proper coordination among the intelligence agencies, then 9/11 might well have been prevented," Mr. Specter said, cataloging the intelligence failures investigated by the Sept. 11 panel, including the F.B.I.'s failure in August 2001 to follow up on warnings from field agents in Minnesota about the arrest of Zacarias Moussaoui, a Qaeda member who had sought pilot training.

The two votes against the bill came from Senator Robert C. Byrd, a West Virginia Democrat who accused colleagues of rushing to a decision, and Senator James M. Inhofe, an Oklahoma Republican who said the bill had been stripped of vital provisions intended to crack down on illegal immigrants. "Shame on us for not taking the time to better assess this legislation," Mr. Byrd said.

White House spokesmen would not comment Wednesday on possible nominees for the

post of director of national intelligence, but the bill's Congressional sponsors say the list is sure to include several current and former members of Congress with broad experience on intelligence matters, as well as members of the bipartisan Sept. 11 commission and the current director of central intelligence, Porter J. Goss.

Mr. Goss is effectively demoted under the bill, since it calls for him to answer to the national intelligence director instead of to the White House.

The chairman of the Sept. 11 commission, Thomas H. Kean, a former Republican governor of New Jersey, has been mentioned by some of the bill's sponsors as a strong candidate for the job. But Mr. Kean said in an interview Wednesday that he lacked the experience on national security issues required for the job. "I'm an outsider," he said. "I don't think I'm qualified."

Mr. Kean said he would urge the White House to give serious consideration to the commission's vice chairman, Lee H. Hamilton, a retired Democratic congressman from Indiana who led the House Intelligence and International Relations Committees, and to John F. Lehman, a Republican on the panel who was Navy secretary under President Ronald Reagan.

"I think they'd be superb candidates," Mr. Kean said. "I think it has to be somebody who has really got a deep understanding of these intelligence agencies and experience with them, and a real knowledge of the Washington bureaucracy and how it works."

In separate interviews, Mr. Kean and Mr. Hamilton said they wished that the bill had provided the national intelligence director with more explicit authority over the agencies that will answer to the new office.

But Mr. Hamilton, a 34-year veteran of Congress who is now the director of the Woodrow Wilson Center in Washington, said, "I think we've got very good language in the bill, and it will really depend on implementation and presidential leadership" in supporting the national intelligence director.

He added, "There will be battles over authority, you can't avoid those."