

Opening Statement
Senator Joseph Lieberman
Chairman, Committee on Homeland Security and Governmental Affairs
“Ensuring Full Implementation of the 9/11 Commission’s Recommendations”
January 9, 2007

Good morning and welcome to the first hearing of the Homeland Security and Governmental Affairs Committee in this 110th Congress.

Like all beginnings, this one is full of new opportunities. In the case of our committee, the opportunity is to work together to protect the homeland security of the American people and to improve the functions of our government. Those are the two unique and significant responsibilities that this Committee is given by the rules of the United States Senate. Together, we can and will carry them out productively in this session.

I particularly want to welcome the new members to this Committee: Senators Mary Landrieu, Barack Obama and the newly sworn Senators Jon Tester and Claire McCaskill. I also want to welcome back Senator John Sununu, who has wisely rejoined us after a temporary absence.

I look forward to working with all the members of this committee in this Congress.

I am proud again to regain the Chairmanship of this committee that traces its history back to 1921, when it was first established as the Committee on Expenditures in Executive Departments. In the years since then, this Committee has had many honorable and effective chairmen, including, I’m proud to say, my own personal mentor Senator Abe Ribicoff of Connecticut.

But I believe that history will find that the Committee had no more productive period than the years when Senator Susan Collins served as Chairman of this Committee. From the time Senator Collins took the gavel in January of 2003, the first woman to ever chair this Committee, we have not only conducted many important oversight investigations, but we have fashioned and seen through the Senate and the full Congress a series of very, very important, historic pieces of legislation, including our far-reaching investigation into the government failings in Hurricane Katrina and our act to rectify those failings.

We passed major port security legislation, protecting our ports from attack, making it harder for terrorists to smuggle weapons of mass destruction in cargo containers.

We enacted a landmark postal reform bill – the first major modernization of the postal service in more than three decades. That may be the most difficult of the accomplishments that occurred under Senator Collins’ term.

There are many, many others, but perhaps most significant is the subject of our hearing this day. We first passed the legislation creating the 9/11 Commission and then passed the landmark Intelligence Reform and Terrorism Prevention Act of 2004, which implemented most of its recommendations.

Throughout it all, Senator Collins has worked tirelessly for the good of the American people, without regard to partisan affiliation. It has been a great personal

pleasure to work with her. I said to Susan after the results of the election last fall were in, as far as I was concerned, all that was going to change in our relationship was the title we both have.

I aspire to continue in the tradition of nonpartisanship and productivity that she set. The truth is that in a Congress increasingly divided by partisanship, this Committee has been an oasis of non-partisanship, which I think helps explain why it has also been so productive.

So, now, in that spirit, let's get to work.

Since the enactment of the Intelligence Reform Act, this Committee has monitored and overseen its implementation, as part of our broader efforts and responsibility to protect our security and protect people from terrorism.

Today, we continue that work.

Much has been accomplished as a result of the work of the Commission and the passage of the 2004 legislation.

Most significantly, the legislation created a strong Director of National Intelligence with a budget and personnel authority necessary to coordinate our national intelligence efforts, so the dots, as we said, would be connected as they were not before 9/11.

We have created a National Counterterrorism Center to connect more of the intelligence dots which were left scattered before 9/11 and to coordinate strategic operational planning across the federal government to fight terrorism.

Incidentally, I recently visited the NCTC. I was very impressed by what has been established there. I came home and said to my wife that evening that I saw things there that should make her and every other American feel more secure about what their government is doing to prevent terrorist attacks.

These were, the DNI and the NCTC, the two major recommendations of the 9/11 Commission, which is to say the recommendations that the co-chairs Tom Kean and Lee Hamilton told us we should most significantly adopt, so I'm proud we were able to do that.

They are significant achievements. We are definitely better protected than we were before 9-11. But we are not as well protected as we want and need to be.

There were parts of the 9/11 Commission that were not adopted and implemented. Some were adopted but only partially, others were adopted, but oversight will lead us to conclude they were not adequately implemented.

That's the focus we begin with in the hearing today.

To start with, though some progress was made in the last Congress, Congress itself has failed to sufficiently reform its own oversight of homeland security issues and has done even less with oversight of the intelligence community, which the 9/11 Commission recommended as a priority. We found it a lot easier to reform the rest of the government than to reform ourselves post 9/11. That's unfinished business.

Information sharing: The Commission's report showed how crucial it is that our law enforcement and intelligence agencies share information among themselves and with state and local agencies, but the new Information Sharing Environment that was envisioned in our intelligence reform legislation has yet to fully take shape on the scale necessary.

Third, Communications interoperability: 9-11 showed that it is imperative in a disaster for first responders to be able to talk to each other. It's clear that many of the first responders died on 9/11 because they couldn't communicate with each other. Hurricane Katrina showed that four years later we still had a long way to go. This is a national problem, and the federal government needs to provide strategic leadership and dedicated resources to help solve it.

Fourth, keeping suspected terrorists out of the United States: The Intelligence Reform legislation included a number of provisions intended to prevent terrorist infiltration of the United States. The government has focused substantial resources on stopping illegal immigration across the Southwestern border.

But because terrorists typically attempt to enter the country by obtaining legitimate travel papers, we've got to do more to analyze their methods and develop initiatives to stop them.

Fifth, Privacy and Civil Liberties Oversight Board: Implementing an important 9-11 Commission recommendation, the intelligence reform act created a Privacy and Civil Liberties Oversight Board as a means of reconciling security with liberty. In 2004 the Senate overwhelmingly passed provisions we had drafted, to create a strong independent Board. But the Board Congress enacted into law is less robust and independent – and therefore deserves reconsideration.

State Homeland Security funding: Unfortunately, we in Congress have not been able to come to an agreement to enact legislation concerning homeland security grants to state and local governments. Instead, in that failure to act, we have left the law making to the Department of Homeland Security.

Each year, for the last several years, DHS has come out with a new set of rules reflecting its well-intentioned, yet inconsistent, efforts to determine how homeland security grants can best be distributed to reflect the risks throughout the nation.

The House passed a bill in this regard, the Senate passed a bill in this regard. Both distribute the overwhelming percentage of the money based on risk, the question is where to draw the line. I will say that I intend to make it a priority to pass legislation and come to a meeting of the minds with our colleagues in the House, so we can put into law an appropriate formula for responding from the federal level to risk.

Let me just say finally that my hope is that in the next few weeks, we will report out a piece of legislation that will take steps forward to adopt some of the un-adopted, unimplemented or inadequately implemented portions of the 9/11 Commission Report. That is the request of the leadership of the Senate, and I hope the Committee will work together to accomplish that.

But that won't be the end of it. We are going to continue to work on other parts that we may not be able to adopt in the next few weeks. Of course a priority for the Committee this session will be to oversee the work of the DNI and the NCTC and the Department of Homeland Security itself. That is our responsibility.

We are blessed five years later after 9/11 America has not been the target of another terrorist attack. That is a combination, I think, of what our government has done to prevent an attack and of the grace of G-d. We have just been plain lucky. The enemy is still out there, and we are not as defended and protected as we should be. And until we are, we are going to work tirelessly and restlessly, with the help of the distinguished witnesses who are coming before us today, to do just that.

So she has a different title, but she's my dear friend and partner in this effort, and will continue to be, Senator Susan Collins of Maine.