

Opening Statement of
Senator Susan M. Collins

**“Intelligence Reform: The Lessons and Implications of the Christmas Day
Attack”**

Committee on Homeland Security and Governmental Affairs
January 20, 2010

★ ★ ★

Every day, the men and women of our military, homeland security, law enforcement, and intelligence community work to keep our nation safe. They serve on the front lines of the war against terrorism. Over the last year alone, their efforts have helped thwart numerous terrorist attacks.

But as the attempted Christmas Day attack demonstrates, our government’s efforts to detect and disrupt terrorists’ plots must be strengthened.

We dodged a bullet in the skies above Detroit on Christmas day. A mere fluke – a mistake by the terrorist aboard the plane or a failed detonator – prevented that attack from succeeding. The quick action of courageous passengers and crew helped spare the lives of the nearly 300 passengers on Flight 253.

We cannot escape these cold, hard facts: terrorists have not relented in their fanatical quest to frighten our nation’s citizens and to slaughter as many Americans as they can. Their tactics continue to evolve. Attacks inspired by al-Qaeda’s violent ideology, including those by “lone wolves” or those perpetrated by smaller uncoordinated cells, are incredibly difficult to detect. The threat posed by America’s terrorist enemies continues to grow, and our nation’s efforts to defeat them must be nimble, determined, and resilient.

In response to the terrorist attacks of September 11, 2001, this Committee authored the most sweeping reform of our nation’s intelligence community since the Second World War. The Intelligence Reform and Terrorism Prevention Act of 2004 did much to improve the management and performance of our intelligence, homeland security, and law enforcement agencies. The increased collaboration and information sharing have helped our nation prevent numerous attacks – at least nine in the last year alone.

But reform is not a destination; it is a work in progress. Reform requires constant focus and attention to stay a step ahead of the threats we face.

For example, despite vast improvements in information sharing, our intelligence community continues to rely on internal systems and processes that are relics from the days before reform. These systems do not effectively surface intelligence information so that analysts and security officials can effectively identify threats in real-time.

The President has asserted – and I agree – that there was ample, credible intelligence on Abdulmutallab to warrant his inclusion on the “No Fly” list. Yet that did not occur, even though his father warned U.S. officials about his ties to Islamist extremists. Whether this failure was caused by human error, poor judgment, outmoded systems, or the sheer volume of data that must be analyzed, we must develop systems and protocols that prevent these failures.

Consider what I believe to be the most obvious error in handling Abdulmutallab’s case: after his Islamist extremist connections in Yemen were reported by his father, the State Department should have revoked his visa. At the very least, he should have been required to come to an embassy and explain his activities before he was allowed to travel to the United States.

The State Department has this authority. In fact, the Intelligence Reform Act protects the Department from lawsuits when its officials revoke a visa overseas. But the State Department failed to act.

The President has now directed the Intelligence Community to determine which of the 400,000 suspected terrorists in the Terrorist Screening Center’s terrorist watchlist have valid U.S. visas. But that response is not sufficient.

The government should immediately identify and suspend the visas of all persons listed in the broadest terrorist database operated by the NCTC, known as TIDE, until a further investigation is undertaken in each case. These visa holders with suspected connections to terrorism should shoulder the burden of proving they do not intend to harm this nation or its citizens. If they cannot meet this burden, then we cannot take the risk of permitting them the privilege of traveling to our country.

Page 3 of 3

But immediately revoking the visas of suspected terrorists is only the first step. The Department of Homeland Security also should confirm the validity of the visa of every foreign passenger that attempts to board an airplane to this country rather than waiting until the arrival in our country. There is no technological reason this cannot occur – we already confirm whether a passenger is on the No Fly or Selectee list.

We did not choose this war. It was thrust upon us by terrorists whose only mission in life is to destroy our American way of life. Our counterterrorism efforts must be tireless and steadfast. We must continue to build on the intelligence reforms already in place to make America more secure.

#