



United States Senate

Committee on Homeland Security and Governmental Affairs

Chairman Joseph I. Lieberman, ID-Conn.

Opening Statement of Chairman Joseph Lieberman
“Ten Years After 9/11: Is Intelligence Reform Working?”
Homeland Security and Governmental Affairs Committee
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Good afternoon and welcome to this second in a series of hearings this Committee will hold to examine how well the national security reforms implemented in the wake of 9-11 are working and where improvement is needed.

We hold this particular hearing – “Ten Years After 9/11: Is Intelligence Reform Working?” – in the aftermath of a spectacularly successful collaboration between our intelligence and military agencies that resulted in locating and killing Osama bin Laden, the al Qaeda leader who presided over the 9-11 attacks on America.

This success required intense and focused cooperation among key intelligence agencies – the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Office of the Director of National Intelligence – and the Defense Department.

Each organization brought its distinct areas of expertise to bear on the clues that had been gathered about bin Laden’s suspected hiding place. All this data was then pulled together to reach informed conclusions with a level of confidence that allowed President Obama to act decisively.

I don’t believe this would have happened 10 years ago. In fact, the 9-11 Commission expressed its frustration that no one was in charge of our government’s hunt for Osama bin Laden, even after he killed almost 3000 Americans on our own soil. That symbolized the dysfunction and disunity that contributed to 9/11 in the first place.

In response to the 9-11 Commission’s criticisms, this Committee drafted and Congress passed the Intelligence Reform and Terrorism Act of 2004, the most sweeping intelligence reform since the creation of the Central Intelligence Agency more than 50 years ago.

Among its many improvements, the intelligence reform bill created a Director of National Intelligence – or DNI – to harness the efforts of our 16 intelligence agencies and offices under one yoke in order to make them work together towards the single goal of collecting and analyzing intelligence so we can better defend against the threats to our nation – especially the terrorist plots we know are being planned, rather than simply react after an attack.

The 2004 Act also created the National Counterterrorism Center to ensure that there was a single place in the government that would assess terrorism threats using the full resources and knowledge of the intelligence community and the wider government.

So is the killing of bin Laden proof that the new system works and the spirit of collaboration prevails? I would say yes. But the hunt for bin Laden – a mass murderer the entire free world wanted jailed or dead – was clearly a unique case.

The President, the Secretary of State, the Secretary of Defense and the heads of our national security apparatus were directly involved in evaluating the evidence and drawing up plans to kill or capture bin Laden.

When the scrutiny is not at this level, the evidence about how improved the functioning of the Intelligence Community is is mixed.

There have been impressive successes. Perhaps the most impressive is Najibullah Zazi, who received training from al Qaeda and was arrested in September 2009 with the plans and chemicals needed for a bombing attack in New York City. The plot was foiled by cooperative work among our intelligence agencies and local and federal law enforcement.

But we have seen failures, like Farouk Abdulmutallab, the Christmas Day bomber, and Times Square bomber Faisal Shazad, who both slipped through our intelligence networks.

Most notably, this Committee's report on the attack at Fort Hood, Texas, by "lone wolf" terrorist Maj. Nidal Hasan, painfully detailed how this tragedy was preventable. Clues to Hasan's Islamist radicalization and the potential danger he posed were hiding in plain sight in front of the FBI and the Department of Defense, but they didn't share the information or ignored it.

We need to ensure that the shoulder to shoulder cooperation we saw in the hunt for bin Laden, who already attacked us, is being applied to all those lurking in the shadows planning fresh attacks, because the death of bin Laden does not mean the death of Al Qaeda or Islamist terrorism.

Core al Qaeda has been greatly weakened but is not yet vanquished. Al Qaeda affiliates still operate in the Arabian Peninsula, Somalia, Iraq, and the Sahel. All pose dangers to the American homeland and our allies everywhere.

And the threat of homegrown "lone wolf" terrorists like Hasan is growing.

Our revamped intelligence community must take on these challenges and more.

Since its creation, the DNI has also helped the intelligence community to focus its efforts on new priorities, such as Cybersecurity and led the effort to update the FISA law, which governs surveillance of U.S. citizens, making our intelligence agencies more effective in collecting information on terrorist organizations.

DNI's have also established a joint-duty personnel program that requires personnel of one intelligence agency to rotate to another as a condition for promotion – thus encouraging cooperation and creating trust where there had been rivalries.

But, despite these great improvements, in this hearing we want to ask whether the DNI has all the authority it needs to truly be in charge of our sprawling intelligence community.

So today, I want to explore the DNI's authority over the intelligence budget and the hiring and firing of senior personnel, as well as other authorities in the 2004 legislation.

I want to understand if the DNI is now the leader of the intelligence community that we envisioned – and accountable for its performance. Or is the DNI primarily a manager who focuses on such functional matters as budgets, personnel, and technology while other officials handle the operations?

And if the DNI is not really in charge of the intelligence community, who is?

To answer these and other questions, we have before us today a stellar panel with vast expertise on intelligence issues. They are:

Former Congresswoman Jane Harman, who served as ranking member of the House Permanent Select Committee on Intelligence, where she worked closely with Senator Collins and me on the Intelligence Reform and Terrorism Prevention Act. She later chaired the House Homeland Security Committee's Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment;

General Michael V. Hayden, former director of the Central Intelligence Agency, former director of the National Security Agency, and former Principal Deputy Director of National Intelligence;

And John Gannon, former Assistant Director of Central Intelligence for Analysis and Production and one of our nation's premier experts on intelligence analysis.

We thank you all for coming today and look forward to your thoughts about where we are and where we need to go to ensure our intelligence community consistently performs at the high level we saw demonstrated in the hunt for bin Laden.

Sen. Collins.