

**Opening Statement of Congresswoman Jane Harman,
Ranking Democrat
HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE**

**9-11 COMMISSION FINDINGS: SUFFICIENCY OF TIME, ATTENTION,
AND LEGAL AUTHORITY**

August 11, 2004

It's nice to see such strong media interest in our hearing. But something tells me that you all didn't come here for an illuminating discussion about today's hearing topic, "The Sufficiency of Time, Attention, and Legal Authorities."

No, we know what brings us together today.

First, we're here to listen and learn from two American heroes: 9/11 Commission Chairman Tom Kean and Vice Chairman Lee Hamilton. I want to welcome them to our Committee and personally commit that I will do all I can to see that their excellent recommendations are enacted into law. We look forward to your testimony.

Second, I know that many of you came today because of President's Bush announcement yesterday that he intends to appoint Congressman Goss as CIA Director. This is the first hearing in 8 years in which he will not serve as Chairman. Congressman Goss and I certainly have had some differences, but we have always shared an unyielding commitment to supporting the talented women and men of our Intelligence Community – and I look forward to sharing that same commitment with our next Chairman.

My sincere hope is that the confirmation hearings on Congressman Goss will not distract us from our priority task: how we can create one national intelligence director with true authority to manage all 15 intelligence agencies.

The country is waiting for the President to step up and lead. Is he truly committed to the 9/11 Commission recommendations? In announcing the nomination yesterday, the President missed an opportunity to offer strong support for implementing the 9/11 Commission recommendations, and I am concerned that some in his party – including some on this Committee – are advocating a “go slow” approach.

The recommendations brought to us by Chairman Kean and Vice Chairman Hamilton have not been a “rush to judgment.”

- The idea of splitting the duties of the CIA Director and the DCI has been around since 1955, when the Hoover Commission recommended that the DCI role be separated from the CIA Director role.

- In 1978, Congress considered legislation to establish a national intelligence director. At that time, there were some who feared that the legislation would strip authority from the Pentagon, and the legislation died. Does that sound familiar?
- Congress considered this issue again in 1992. But again, that effort stalled when Vice President Cheney, who was Secretary of Defense at the time, recommended that President Bush “41” veto the legislation. Again, the bill died. But the idea did not.

Three years ago, as has been widely reported, General Brent Scowcroft recommended the creation of a national intelligence director with authority to manage the entire intelligence community. But this recommendation was never acted upon.

Eighteen months ago, the Joint Congressional Inquiry into 9-11 completed a year-long investigation that included 23 hearings. The number one recommendation of this bipartisan Inquiry was the creation of a national intelligence director. Several members of this Committee served on that Inquiry and joined in that unanimous recommendation. Yet, oddly, today some warn that such a proposal would be a “rush to judgment.”

Now, we have the 9/11 Commission Report – the unanimous, bipartisan Report issued under the able guidance of our two witnesses today. As I believe our witnesses will attest, the Commission did not “rush” to anything. It carefully reviewed 2.5 million pages of documents; interviewed 1,200 individuals in 10 countries; held 19 days of hearings; and took public testimony from 160 witnesses. And again, this bipartisan Commission – like others before it -- recommended the creation of a national intelligence director and other critical reforms.

Last week, Congressman Goss said that this Committee has held 62 hearings this year. At least 12 were directly related to issues that are the subject of our hearings this August. And as I pointed out at our last hearing, we have two pieces of legislation – HR 4104, introduced by the minority in April, and HR 4584, introduced by the majority in June – that have been languishing in our Committee for months.

Let's not forget what happened with the Patriot Act. I voted for the Patriot Act, and believe that a number of its reforms were long overdue. The Patriot Act was passed 7 weeks after 9-11 with little debate. So, here's the math: 7 weeks – that's not a rush to judgment. Three years, 2 bipartisan commissions, 35 hearings – that's a rush to judgment.

It's not a rush to judgment to fix intelligence gaps 3 years after 9/11 with bipartisan ideas that have been debated for decades.

One month from today will be the third anniversary of 9/11.
Three years is ample time for Congress to act. And the time to
act is now.

Thank you.