

Statement by  
the  
Honorable Peter Hoekstra, Chairman,  
House Permanent Select Committee on Intelligence  
at  
the Markup of H.R. 10

Good afternoon, and welcome to the House Permanent Select Committee on Intelligence markup of H.R. 10, a bill to reform the intelligence community of the United States, to improve the nation's ability to prevent and prosecute terrorism, to improve our border security, to improve international security cooperation and coordination, and for other purposes.

Before we get started, I want to point out that, as the purpose of the bill suggests, there are many aspects of this legislation that fall under the jurisdiction of other House committees. For that reason, markup of this bill is happening nearly simultaneously in several other committees. Because of the various jurisdictional authorities, and by the rules of the House, in today's markup, we will only be addressing those parts of H.R. 10 that have been referred to the Committee over which the Committee has primary jurisdiction. I want to be very clear about what we will be voting on. We will be marking up Title 1 in its entirety. We will be marking up only sections 3101 through 3104 of Title III (3). And, we will be marking up Section 5021 and Subtitle F of Title V (5). All other portions of the bill are not within the sole jurisdiction of this committee and will not be addressed in this markup.

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I think that it would not be too dramatic to say that our efforts here today are historic. We are addressing what may prove to be the most sweeping reform of the United States intelligence community since the National Security Act of 1947. Think about that, it has been nearly 55 years since we have had the opportunity to make truly substantive improvements to the overall management structure of the nation's intelligence community. We are truly at a notable moment in time, to consider a bill that has, a primary goal, and again focusing only the intelligence aspects, to create a National Intelligence Director who has dramatically improved authorities and capabilities to manage and coordinate the disparate efforts of all the various intelligence components and elements of the United States government. Although no legislation is perfect, and this bill is not perfect, I think it makes a tremendous move forward in providing better intelligence to our national policy makers and, just as importantly, to our military personnel engaged around the world.

It is significant to mention that this legislation addresses the recommendations of many studies of the Intelligence Community dating back to 1996, but, most importantly, it directly addresses the recommendations offered by the National Commission on Terrorist Attacks upon the United States, or more widely known as the 9/11 Commission. We critically reviewed the Commission's findings and have faithfully attempted to provide the new National Intelligence Director with all the authorities recommended by the Commission in the wake of the terrorist attacks on the United States. The only notable

exception is in the Commission's recommendation to declassify the national intelligence budget. We critically reviewed the ramifications of such an action, and, consistent with past votes in the House of Representatives, we believe that the unintended negative consequences of such a move outweighed any possible benefits, and did not, therefore, provide for this option. But, in virtually every other respect, we have included legislated changes recommended by the Commission.

I firmly believe that this legislation will make a significant difference in the ability of the new Director to coordinate and better manage the intelligence efforts of the federal government. I am, however, not under the false impression, nor would I like to offer the false impression, that, by themselves, structural changes and enhanced authorities vested in the new National Intelligence Director will ensure perfect knowledge about our enemies in the future. Those that would do America harm are clever, they are very secretive, and the asymmetric threats that they can both imagine and affect, require us to be many fold better at defense than they need be in offense. Intelligence support to defense can, I would offer, never be expected to be perfect. That said, I firmly believe the structural and authority improvements provided in this bill will, in fact, make significant improvements in the outcomes of our intelligence analysis, collection and dissemination operations.

I want to focus for a couple of minutes on the specific intelligence provisions contained in this bill. As we have seen, many will debate the specific meaning of individual words in the text. Rather than focusing, however, on the debate of whether the use of one word is better than another, I would like to focus

on the intent of the bill. I, like my colleagues on the other side of the aisle, would like to ensure the strongest, most empowered intelligence director possible. It is with that specific intent that we met with negotiators from the other affected committees of the House. We have together crafted what I consider a very strong bill that provides the necessary authorities to the new intelligence director. In doing so, we carefully and, I would say, prudently, considered the structure of the government, the realities of shared jurisdictions, and most importantly, we steadfastly worked to create a good piece of legislation that does no harm to the existing well-working aspects of intelligence support across the U.S. government institutions.

I want to address five major improvements this legislation addresses.

First and foremost, we create an empowered National Intelligence Director, who is the head of the intelligence community and who is the principal advisor to the President on all intelligence matters. Because we see the need for this individual to be the overall community director, this new position is no longer dual-hatted as the Director of the Central Intelligence Agency.

Second, we provide this individual with enhanced management authorities to coordinate and manage all aspects of intelligence operations and we provide improved authorities over, and control of, intelligence budgets. These new authorities are, I believe, unprecedented and strike a careful balance between the equities of the National

Intelligence Director and the heads of the departments that contain the elements of the intelligence community.

Third, we vest in the National Intelligence Director the responsibility and authority to dramatically improve information sharing of intelligence across the government. This includes the ability to implement an integrated information technology network and establish uniform security standards that can break down stovepipes and promote the fullest information sharing possible

Fourth, we make the National Intelligence Director responsible for strengthening intelligence analysis across the community, and for ensuring the sufficiency and quality of human intelligence and other intelligence capabilities. This responsibility will require the Director to focus more attention to the better balancing of all our national and tactical intelligence capabilities and therefore, more attention to the proper application of fiscal resources across the community. For that reason, we are making it a greater responsibility of the National Intelligence Director to oversee the budgets of the intelligence community.

Finally, we create in this bill a National Counter-Terrorism Center in the office of the National Intelligence Director. This center will be responsible for analyzing and integrating all intelligence pertaining to terrorism and counter-terrorism. This center will also be responsible for strategic planning and integration of all instruments of national power to detect, deter and disrupt terrorist activities.

While providing for the improved ability of the National Intelligence Director to coordinate all aspects of the nation's intelligence capabilities, we have taken great care to ensure that the civil liberties of United States citizens are not negatively impacted. This legislation, for example, creates an office of Civil Liberties Protection. The director of this office is empowered to ensure that the activities of the intelligence community do not violate the constitutionally guaranteed rights and privileges of U.S. citizens.

Finally, I want to mention that this legislation goes beyond the various commission recommendations for simply improving intelligence structure. We have, for example, included several provisions for dramatically improving intelligence community training and education, particularly in the areas of foreign language expertise and analyst proficiency.

Before, I turn to our distinguished ranking member for her comments, I want to thank Congresswoman Harman for the intelligence reform legislation she offered earlier this year. I think that it would be fair to say that Ms. Harman's legislation was incredibly foresighted, as it addressed many of the 9/11 Commission recommendations long before they were reported out. I hold in very high regard the thoughtful provisions of that legislation. In fact, I believe it would be only right to mention that a great deal of the intent and language in the Harman bill was used as a basis for the Title 1 provisions of H.R. 10 that we now consider. I think that is testimony to the bipartisan manner in which I believe she and I view the construct of this bill, to give her credit for a great deal of the bill's base text from which

we started. Further, I would like to congratulate and thank Ms. Harman on the support she and her staff has given us in attempting to make this bill a better product as we have gone, and will continue to go, through the legislative process.

H.R. 10 is real reform of the intelligence community. Although not perfect, it makes major changes that will improve the intelligence efforts and information sharing of the United States government. This is a good piece of legislation – it is historic legislation – and something that I believe we can approve in a the bipartisan manner in which it is intended.

With that, I would ask the Ranking Member, Ms. Harman for her comments.