

- The Committee will come to order.
- General Alexander, Deputy Attorney General Cole, Deputy Director Joyce and Mr. Litt, thank you for appearing before us today—especially on short notice.
- The Ranking Member and I believed it was important to hold an open hearing today to provide this House and the public with an opportunity to hear directly from you how the Government is using the legal authorities that Congress has provided to the Executive Branch since the terrorist attacks of September 11, 2001.
- I also would like to recognize the hard work of the men and women of the NSA and the rest of the IC who work day in and day out to disrupt threats to our national security. The people at NSA, in particular, have heard a constant public drumbeat about a laundry list of nefarious things they are alleged to be doing to spy on Americans. Yet, they keep their heads down and keep working every day to keep us safe. General Alexander, please convey our thanks to your team.
- This Committee has been extensively briefed on these efforts on a regular basis as part of our ongoing oversight responsibility over the 16 elements of the Intelligence Community and the National Intelligence Program.
- In order to fully understand intelligence collection programs, most of these briefings and hearings have taken place in classified settings. Nonetheless, the collection efforts under the business records provision and Section 702 of FISA are legal, court-approved and are subject to an extensive oversight regime.
- I look forward to hearing from all of the witnesses about the extensive protections and oversight in place for these programs. General Alexander, we look forward to hearing what you're able to discuss in an open forum about how the data that you obtain from providers under the Business Records provision is used; and Deputy Attorney General Cole, we look forward to hearing more about the legal authorities themselves, and the state of the law on what privacy protections Americans' have in business records.
- One of the frustrating parts about being a member of this Committee is sitting at the intersection of classified intelligence programs and transparent democracy as representatives of the American people. The public trusts the government to protect the country from another 9/11 type attack, but that trust can start to wane when they are faced with inaccuracies, half truths and outright lies about the way intelligence programs are being run.
- One of the more damaging aspects of selectively leaking incomplete information is that it paints an inaccurate picture and fosters distrust in our government. This is particularly so when those of us who have taken an oath to protect information that can damage the national security if released, cannot publicly provide clarifying information because it remains classified. It is at times like these where our enemies within become almost as damaging as our enemies on the outside.
- It is critically important to protect sources and methods so we aren't giving the enemy our playbook. It is also important, however, to be able to talk about how these programs help protect us so that they continue to be reauthorized.

- General Alexander, you and I have talked over the past week about the need to be able to publicly elaborate on the success stories these authorities have contributed to without jeopardizing ongoing operations. I place the utmost value in protecting sources and methods, but I also recognize that when we are forced into the position of having to publicly discuss intelligence programs due to irresponsible, criminal behavior that we also have to carefully balance the need for secrecy with educating the public.

- I think you have struck the right balance between protecting sources and methods, and maintaining the public's trust—by providing more examples of how these authorities have helped disrupt terrorist plots and connections. And I appreciate your efforts in this regard.

- For these authorities to continue to work they must continue to be available. Without them, I fear we will return to the position we were in prior to the attacks of September 11, 2001. And that should be unacceptable to all of us.

- I hope today's hearing will help answer the questions that have arisen as a result of the fragmentary and distorted illegal disclosures over the past several days.

- Before recognizing General Alexander for his opening statement, I turn the floor over to the Ranking Member for any opening statement he would like to make.