

RPTS JOHNSON

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BUSINESS MEETING

Monday, February 10, 2014

U.S. House of Representatives,
Permanent Select Committee on Intelligence,
Washington, D.C.

The committee met, pursuant to call, at 5:15 p.m., in Room HVC-304, the Capitol, the Honorable Mike Rogers [chairman of the committee] presiding.

Present: Representatives Rogers, Miller, King, LoBiondo, Westmoreland, Bachmann, Rooney, Heck, Pompeo, Ruppertsberger, Thompson, Langevin, Schiff, and Himes.

THE CHAIRMAN: The committee will come to order. Today we will consider 12 requests from members for access to the Defense Department's damage assessment, which we will consider and vote en bloc. We also have one request for access to the Congressional Joint Inquiry into the 9/11 attacks. I want to remind members that we are currently in open session. It is my intent to remain in open session during consideration of these requests, and the open portion of the transcript will be posted on the committee's Web site.

The committee will now consider Committee Rule 14, whether to grant requests from 12 Members to access the Department of Defense's Information Review Task Force 2, or IRTF-2 initial assessment of the impact of the Department of Defense of the compromise of classified files by a former NSA contractor. As members recall, last week we voted to allow 94 Members access to this report. Taking into account the same considerations as we did then, and considering the same factors required by the Committee Rule 14, subparagraph(f), lead me to believe that it is important for Members to read the assessment which concerns one of the greatest compromises of secrets in our Nation's history.

Fallout from this information, theft, and likelihood of its disclosures to those who would use it to do us harm will impact our legislative, budget, and other considerations in fiscal years to come for the foreseeable future. I believe the information contained in this report is also essential for Members to understand the scope and scale of the stolen information. The report will also give a better context for the public discussion about the former NSA contractor, as well as for legislation that may come before the House in the very near future.

I now yield to the ranking member for any comment he may wish to make on

this request, and then we will recognize other members.

MR. RUPPERSBERGER: Thank you, Mr. Chairman. Last week, the committee, as you said, granted requests for 94 Members to review the Department of Defense's Information Review Task Force 2's classified report, which compiles the Defense Intelligence initial assessment of the potential impact that Snowden's compromises of classified files may have on the Department of Defense. Since our last meeting we have received 11 additional requests for the same report. I agree that Members have an interest in knowing about the impact these disclosures have had and may have on intelligence programs, legislation, and budget considerations.

Due to the high profile and public nature of these leaks, I believe Members should be fully aware of the totality of compromises beyond telephone metadata and NSA. I also believe that in this instance we can make Members aware of this information via DIA report without compromising sources and methods. So thank you, and I recommend we vote "yes" on the chairman's motion.

THE CHAIRMAN: Thank you very much. Any further comments on the Members requesting information? Just for the benefit of the membership, the 12 requests are from Braley, Brownley, Costa, Esty, Gerlach, Holt, Lofgren, George Miller, Neugebauer, O'Rourke, Van Hollen, and Yoho. The chair moves that under Rule 14, the committee approve the 12 pending access requests to IRTF-2 damage assessment. Without objection, the previous question is ordered.

THE CLERK: Chairman Rogers?

THE CHAIRMAN: Aye.

THE CLERK: Mr. Miller?

MR. MILLER: Aye.

THE CLERK: Mr. King?

Mr. KING: Aye.

THE CLERK: Mr. LoBiondo?

MR. LOBIONDO: Aye.

THE CLERK: Mr. Westmoreland?

MR. WESTMORELAND: Aye.

THE CLERK: Mrs. Bachmann?

MRS. BACHMANN: Aye.

THE CLERK: Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Heck?

DR. HECK: Aye.

THE CLERK: Mr. Pompeo?

MR. POMPEO: Aye.

THE CLERK: Mr. Ruppertsberger?

MR. RUPPERSBERGER: Aye.

THE CLERK: Mr. Thompson?

MR. THOMPSON: Aye.

THE CLERK: Mr. Langevin?

MR. LANGEVIN: Aye.

THE CLERK: Mr. Schiff?

MR. SCHIFF: Aye.

THE CLERK: Mr. Himes?

MR. HIMES: Aye.

The CLERK: Mr. Chairman, there are 14 ayes and zero knows.

THE CHAIRMAN: The ayes have it, and the motion is carried. The

committee will notify the 12 Members of their ability to access the damage assessment report.

The committee will now consider, pursuant to Committee Rule 14, whether to grant a request from Ms. Lofgren of California to access the Joint Inquiry into Intelligence Activities Before and After the Terrorist Attacks of September 2001. As members will recall, the committee has voted several times in the past to grant access to other Members to the 28 pages, as we have come to refer to them, in an unclassified setting of the Joint Inquiry.

As such, taking into account the same considerations under committee rules, I intend to vote in favor of granting access to the 28 pages, consistent with committee rules. I will now yield to the ranking member for any comments he may make.

MR. RUPPERSBERGER: Thank you, Mr. Chairman. Congresswoman Zoe Lofgren has requested the classified 28 pages of the Joint Inquiry into Intelligence Activities Before and After the Terrorist Attacks of September 2001, which is part of the 9/11 Commission Report. It is important that we provide Members with transparency and access to information critical to our national security as long as it does not compromise sources and methods or our committee's ability to conduct full oversight of the Intelligence Community. Given that the committee has granted this request for other Members multiple times in the past year, I recommend that Ms. Lofgren's request be granted. I recommend voting "yes" on the chairman's motion. Yield back to the chairman.

THE CHAIRMAN: Do any members wish to be heard on the request? Seeing none, the chair moves that the committee grant access, consistent with the rules of the committee, for Ms. Lofgren to the 28 pages of the Joint Inquiry into

Intelligence Activities Before and After the Terrorist Attacks of September 2001.

Without objection, the previous question is ordered, and the clerk will take the roll.

THE CLERK: Chairman Rogers?

THE CHAIRMAN: Aye.

THE CLERK: Mr. Miller?

MR. MILLER: Aye.

THE CLERK: Mr. King?

Mr. KING: Aye.

THE CLERK: Mr. LoBiondo?

MR. LOBIONDO: Aye.

THE CLERK: Mr. Westmoreland?

MR. WESTMORELAND: Aye.

THE CLERK: Mrs. Bachmann?

MRS. BACHMANN: Aye.

THE CLERK: Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Heck?

DR. HECK: Aye.

THE CLERK: Mr. Pompeo?

MR. POMPEO: Aye.

THE CLERK: Mr. Ruppertsberger?

MR. RUPPERSBERGER: Aye.

THE CLERK: Mr. Thompson?

MR. THOMPSON: Aye.

THE CLERK: Mr. Langevin?

MR. LANGEVIN: Aye.

THE CLERK: Mr. Schiff?

MR. SCHIFF: Aye.

THE CLERK: Mr. Himes?

MR. HIMES: Aye.

THE CLERK: Mr. Chairman, there are 14 ayes and zero nos.

THE CHAIRMAN: The ayes have it, and the motion is carried. Is there any further business before the committee? Seeing none, the committee is adjourned.

[Whereupon, at 5:21 p.m., the committee was adjourned.]