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ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

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### Statement of Rep. Henry A. Waxman, Ranking Minority Member Committee on Government Reform

#### Hearing on Moving from Need to Know to Need to Share: A Review of the 9-11 Commission's Recommendations August 3, 2004

Thank you, Mr. Chairman. This is a timely and important hearing. Understanding and acting on the recommendations of the 9-11 Commission are an urgent national priority.

Let me begin by welcoming the family members of the 9-11 victims — those testifying today and the thousands of family members you represent. Without your resolve, the 9-11 Commission would not have been established and we would never have learned the truth about what happened. And without your commitment, we would not be considering the Commission's recommendations — or even holding this hearing. Because of you, our nation will be safer. And we thank you.

I also want to thank John Lehman and Bob Kerrey, who served on the 9-11 Commission and who will be testifying today. The 9-11 Commission produced an extraordinarily important report with dozens of concrete recommendations for fighting terrorism and making our nation safer. And the Commission did so unanimously, achieving a rare bipartisan consensus.

We owe Secretary Lehman and Senator Kerrey a debt of gratitude. And we ignore their recommendations at our peril.

The recommendations of the 9-11 Commission are getting attention right now. In fact, the House has over a dozen hearings scheduled this month alone. But I have been around long enough to know what is likely to happen next. Without sustained public pressure, Congress will vacillate and the Administration will temporize. And we will end up with a pale shadow of the bold action recommended by the 9-11 Commission.

Indeed, this may already have started to happen.

The 9-11 Commission recommended major reforms in our intelligence agencies. The Commission recommended the creation of a National Intelligence Director who would be in charge of a new National Counterterrorism Center. The Commission proposed giving the National Intelligence Director the authority to wield real power. The Director would control the

budgets of the intelligence agencies and would have direct management authority over the head of the CIA and the other intelligence agencies.

But this doesn't appear to be what the President has in mind. The President yesterday spoke about giving the National Intelligence Director the authority to "coordinate" and "monitor" the actions of the intelligence agencies. But he made no mention of giving the Intelligence Director the authority to control the intelligence budgets. And he specifically said that the new Intelligence Director will not be in "the chain of command."

In this city, if you have a fancy title but you're not in the chain of command and you don't control the budget, you're a figurehead. And another figurehead is not what the 9-11 Commission recommended — or what our nation needs.

The 9-11 Commission made over 40 concrete recommendations. Its recommendations cover a wide range of crucial subjects: how to protect our borders ... how to safeguard our transportation systems ... how to support our first responders ... and how to conduct an assessment of risks and vulnerabilities.

All of these recommendations are essential. We will be doing the nation a grave disservice if we ignore any of them.

Let me give you an example of why I am so concerned about the fate of the recommendations. The 9-11 Commission warned about the dangers of weapons of mass destruction getting into the hands of al Qaeda. Here's a quote from the report:

Our report shows that al Qaeda has tried to acquire or make weapons of mass destruction for at least ten years. There is no doubt the United States would be a prime target. Preventing the proliferation of these weapons warrants a maximum effort by strengthening counterproliferation.

Here's what the Bush Administration did last week: it killed international efforts to strengthen nuclear weapons inspections. This is a quote from a front-page article in the *Washington Post* on Saturday:

In a significant shift in U.S. policy, the Bush Administration announced this week that it will oppose provisions for inspections and verification as part of an international treaty that would ban production of nuclear weapons materials.... Arms-control specialists [said] the change in U.S. position will dramatically weaken any treaty and make it harder to prevent nuclear materials from falling into the hands of terrorists.

The cynicism is breathtaking. A week after the 9-11 Commission recommends greater nonproliferation efforts, the Administration undermines an international nonproliferation treaty. And then it says it is doing everything possible to fight terrorism and implement the recommendations of the 9-11 Commission.

Despite their merit, many of the ideas in the report from the 9-11 Commission have encountered resistance.

Nearly three years ago, a bipartisan group of members from this Committee urged the Administration to develop a coherent strategy based on a comprehensive threat and risk assessment.

Over two years ago, Rep. David Obey, the ranking member of the House Appropriations Committee, and I wrote the Bush Administration to recommend the creation of a White House office that could unify the collection and dissemination of intelligence.

Over one year ago, Rep. Jane Harman, the ranking member of the House Intelligence Committee, introduced legislation to establish a National Director of Intelligence.

And over the past year, Rep. Jim Turner, the ranking member of the Homeland Security Committee, has repeatedly proposed initiatives that closely parallel recommendations of the 9-11 Commission.

But all of these suggestions have fallen on deaf ears. Secretary Ridge never even responded to the letter that Mr. Obey and I sent.

With so much at stake, we can't let that happen again. The 9-11 Commission has spoken; now it is our turn to act.