



## **Opening Statement by Chairman Rockefeller Worldwide Threat Hearing (Open) January 11, 2007**

Today the Senate Select Committee on Intelligence embarks on an ambitious agenda of hearings and committee reviews that will restore meaningful congressional oversight of the activities of the United States Intelligence Community.

It is fitting that the Committee's first hearing of 2007 is on the worldwide threat. It is important that not only the Congress but the American people understand the threats facing our country both inside our borders and abroad. This is why the Committee is conducting today's hearing in open session.

I am extremely concerned that misguided policies of the Administration have increased the threats facing our Nation and hampered our ability to isolate and defeat al-Qaeda and other terrorists that seek to strike against the United States.

I believe our actions in Iraq have placed our Nation more at risk to terrorist attack than before the invasion. Based on the findings of the Committee's Iraq investigation, I have concluded that the Administration promoted non-existent links between Iraq and al-Qaeda in an effort to sell a war that was fundamentally about regime change, not about an imminent threat to America.

The sobering consequences of our actions are well-known. Over 3,000 Americans have died in Iraq, many thousands more gravely wounded. Our military and intelligence efforts in fighting and capturing the Taliban and al-Qaeda in Afghanistan were diverted at a critical juncture to support the invasion of Iraq. Now these agents of extremism and violence have reestablished themselves in a safehaven that threatens not only America but also the governments in Kabul and Islamabad.

Al-Qaeda and foreign jihadists have used our occupation as an opportunity to strike against Americans and as a propaganda tool to spread its influence in Iraq and the region. I also believe this portrayal of our actions in Iraq has fueled the spread of the terrorist message and increased the number of terrorist cells in other parts of world, such as Asia and Europe.

The ongoing war in Iraq has demanded enormous funding and personnel resources which has strained our efforts in the global war on terrorism.

I have seen nothing in my service on the Intelligence Committee, or in any other forum, that suggests sending an additional 21,500 American troops to Iraq will bring about greater security on the ground or lead to a more successful outcome.

There is little reason to believe that the diplomatic, political and economic objectives will be any more successful with 153,000 troops than with the current 132,000 troops. And that's really the crux of the President's new strategy -- more troops.

It is an approach that tinkers at the margins of a grave and deteriorating situation. It is not grounded in the realities we face in Iraq and in the region, and it is an unacceptable gamble with additional soldiers' lives.

The President must understand that even as Congress continues to support and fund the brave work of the servicemen and women who are now serving in Iraq, we will push back on an ill-conceived plan to put more soldiers in harms way.

I am also troubled by what I see as an Administration counter-terrorism policy which, in certain respects, may be complicating if not worsening our ability to win the war on terrorism.

To be specific, I have serious misgivings about the soundness and the effectiveness of the CIA's secret detention program and the NSA's warrantless surveillance program, both publicly acknowledged by the President.

I am concerned that the very existence of a separate CIA prison program established to interrogate high value detainees under a different set of rules than those outlined in the Army Field Manual and repudiated by the FBI has undermined our moral standing in the eyes of the world.

How many millions of moderate Arabs and Muslims around the world, having seen the photos of Abu Ghraib, heard stories about abuses at Guantanamo, and who are now aware that the CIA operates a secret prison, believe that America tortures detainees?

How does this perception help foster extremism around the world and how do we weigh this fact, combined with the lasting damage done to America's image, against the putative intelligence benefits of operating a separate CIA program in lieu of single Pentagon program that is subjected to greater scrutiny?

With respect to the NSA surveillance program, I believe the Administration's policy has unnecessarily alienated an essential ally in combating the terrorist threat: the United States Congress.

In the aftermath of 9/11, our Nation stood unified to defeat the terrorists. The Administration's decision to go it alone and work outside the legal parameters of the Foreign Intelligence Surveillance Act was a serious miscalculation and undercut the strength of our unity of purpose.

This approach also created serious doubts in the minds of Americans -- whose support is essential in any successful war effort -- as to how far the Administration would go in unilaterally carrying out secret programs seeking to identify potential terrorists inside our borders.

The Administration has still not convincingly demonstrated to me that the end justifies the means – in other words, that the NSA program has produced the sort of unique, timely and actionable intelligence to justify the surveillance of American phone calls and email messages without a court warrant.

As we hear from our witnesses today, I hope they can address these concerns about the effectiveness of our counter-terrorism programs and whether the situation in Iraq has worsened the threats facing America's security.

In the coming weeks and months, the Committee will receive testimony from intelligence officials and outside witnesses on critical questions at the heart of our national security policies.

Next week, the Committee will hold a closed hearing on Iraq's regional neighbors and their influence on the war, including, in light of the Iraq Study Group recommendations, the Intelligence Community's assessment on the receptivity of Syria, Iran, and other nations to a regional diplomatic initiative and the consequences of changes in the U.S. military presence in Iraq.

The Committee will then turn its attention to an examination of current, emerging, and future terrorist safehavens. Our focus will be not only on current operations, such as in Somalia, to deny terrorists sanctuary where they can plot and carry out attacks but also on the soundness and foresight of our counterterrorism policy to identify those places where the terrorists virulent message of violence may take root and preemptively prevent its spread.

In two weeks, the Committee will hold a pair of open hearings on the state of Intelligence Community reform two years after the passage of landmark legislation establishing an empowered Director of National Intelligence to manage and coordinate our intelligence programs.

At the first hearing we will receive testimony from Director Negroponte on what has been accomplished in this two-year period, what work remains unfinished, and what changes to the reform law should be considered by the Committee. We also will examine whether the recently established National Counterterrorism and Counterproliferation Centers are realizing the vision behind their creation.

The focus of our second open hearing will be on the intelligence activities of the Federal Bureau of Investigation and the Department of Homeland Security. We will be interested in evaluating the pace of transformation at the FBI and the effectiveness of newly-created Joint Terrorist Task Forces and state and local fusion centers in carrying out counter-terrorism investigations that do not run afoul of privacy rights and civil liberties.

We will have outside witnesses at each reform hearing to hear informed perspectives of those not in the Administration, including witnesses representing state and local law enforcement and homeland security agencies.

The Committee's workload will continue to be heavy beyond January. In addition to a number of closed hearings on developments in Afghanistan, Pakistan, Iran, and North Korea, the Committee will hold monthly hearings on the situation in Iraq, including a hearing on the Intelligence Community's new Iraq National Intelligence Estimate once it is completed.

Our first act of committee business will be to re-pass the Fiscal Year 2007 intelligence authorization bill the Committee unanimously reported out last May but which never received Senate approval.

We must also complete the Committee's two-and-a-half year investigation of prewar intelligence on Iraq in a prompt but thorough and objective manner. We should have, and could have, completed this effort long ago.

There is other important unfinished business before the Committee in the area of counterterrorism.

For four years, the Administration kept the very existence of the National Security Agency's warrantless surveillance program and the Central Intelligence Agency's detention, interrogation and rendition program from the full membership of this Committee.

Through the over-restriction of member and Committee staff access to the NSA and CIA programs and the denial of requested documents, the White House has prevented the Committee from completely understanding the programs and thoroughly evaluating their legal soundness and operational effectiveness.

The Administration can no longer stonewall all the Committee's legitimate requests with respect to these two programs. It needs to understand the fundamental precept that congressional oversight is a constructive and necessary part of governance. Our Committee stands ready to work with the Administration to fashion responsible legislation in these and other areas, but we cannot responsibly do so as long as we are deprived critical information we need to do our job.

Before introducing the witnesses, I now turn to Vice Chairman Bond for his opening remarks.

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