

PANEL II OF A HEARING OF THE INTELLIGENCE COMMUNITY MANAGEMENT SUBCOMMITTEE OF THE HOUSE (SELECT) INTELLIGENCE COMMITTEE SUBJECT: THE DIRECTOR OF NATIONAL INTELLIGENCE'S 500 DAY PLAN CHAIRED BY: REPRESENTATIVE ANNA G. ESHOO (D-CA)

WITNESSES:

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ROBERT HUTCHINGS, DIPLOMAT IN RESIDENCE, WOODROW WILSON SCHOOL OF PUBLIC POLICY, PRINCETON UNIVERSITY
SUZANNE SPAULDING, PRINCIPAL, BINGHAM CONSULTING GROUP
SAMUEL VISNER, DEPUTY CHAIRMAN, AFCEA INTELLIGENCE COMMITTEE

ESHOO:

Let's have the committee reconvene. And I want to thank the witnesses of our second panel for patience. Certainly, you're more than aware of how this place operates and the interruptions that are a part of our life.

So I want to welcome you and say that, now that we've heard from the Office of the Director of National Intelligence about the DNI's 500-day plan, we're really looking forward to hearing from our second panel.

Our witnesses are going to take a broader perspective on how the current intelligence reforms are addressing issues identified by several recent commissions and by the reform legislation that the Congress passed in 2004.

Each of our three witnesses has intimate knowledge of the workings of the intelligence community, and each one is exceptionally qualified to discuss the reform efforts.

First, the Honorable Tim Roemer, we are really honored that you would be here today, Tim. Tim served with great distinction in the House of Representatives, from representing the Third District of Indiana from 1991 to 2003. And I think one of the blessings of my congressional life is that I can say that I served with you.

He was a member of this committee, of the House Intelligence Committee. He supported the work of the joint congressional inquiry into the nature of the 9/11 attacks. He sponsored the legislation to establish the National Commission on Terrorist Attacks Upon Our Country, known as the 9/11 Commission, and he went on to distinguish himself as a commissioner of that body.

He's currently the president of the Center for National Policy, a national security think-tank here in Washington, and he's a distinguished scholar. He's always been a distinguished scholar, but now, in addition, he's a distinguished scholar at the Mercatus Center at George Mason University.

Welcome.

Ambassador Hutchings, welcome.

The ambassador chaired the National Intelligence Council from 2003 to 2005, having previously served as the director of its analysis group and as the deputy national intelligence officer for Europe. His combined diplomatic and academic career includes teaching and leadership positions at Princeton University's Woodrow Wilson School, being a fellow and director of international studies at the Woodrow Wilson International Center for Scholars here in Washington.

He's written numerous books and served as special adviser to the secretary of state, 1992 and '93, with the rank of ambassador, which he carries for life, of course, and where his responsibilities included directing the \$1 billion U.S. assistance program for Eastern Europe. Ambassador Hutchings currently resides in Princeton, one of the most beautiful areas in our country, and serves as a diplomat-in-residence at the Woodrow Wilson School.

And our third witness, Suzanne Spaulding, whom we all know and consider a great colleague and friend, she has served as executive director for two congressionally mandated commissions in 1999 and 2000, the National Commission on Terrorism, the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction.

Ms. Spaulding has served as legal counsel for both Republican and Democratic leaders of the House and Senate Intelligence Committee. I've been the beneficiary of her knowledge and her leadership. She was minority staff director of the HPSCI and earlier was deputy staff director and general counsel for the Senate Select Committee on Intelligence.

She served as assistant general counsel at the CIA, recently chaired the American Bar Association Standing Committee on Law and National Security, and currently is principal and counsel at Bingham Consulting Group, where she works with clients on legislative strategies for issues of national security.

How lucky they are to be able to have you represent them.

So I'm going to ask that each one of you give brief opening remarks for five minutes, which I think will allow for ample time for the give-and-take and provide the subcommittee with your judgments about broad issues.

How well are the reform actions that are underway and are they addressing the core intent of the Intelligence Reform Act? That's what we're here for, and we need your keen observations on this, as well as the potential benefits and the potential risks of having a centralized intelligence authority.

We knew when we passed the legislation that it wasn't perfect. These are all instruments shaped by humans. And by that very fact, we begin with flaws, and we know that. And, also, the principle challenges you see ahead in enabling all the international agencies to overcome their

bureaucratic and cultural stovepipes and work together effectively, which was really the driving force of what we did.

And I have a huge apology to make, because I did not introduce -- but I will now -- Mr. Samuel Visner.

And I apologize to you.

He's the deputy chairman of the Armed Forces Communications and Electronics Association Intelligence Committee. A longtime national security person, he served as chief of signals intelligence program from 2001 to 2003 at the NSA, where he led a number of agency transformation programs.

So we know that we're going to benefit from your expertise, as well.

So why don't I start to my right with...

RUPPERSBERGER:

Madam Chair, first?

ESHOO:

Yes.

RUPPERSBERGER:

Unfortunately, I have to go to a Maryland delegation meeting where I'm speaking, so I have to leave at 11:45. We have a panel. I'm sorry I can't be here. I'm not leaving -- because I'd like to hear you, and I have a lot of respect for all of you.

ESHOO:

Thank you.

Why don't we begin with Mr. Roemer? Welcome.

ROEMER:

Thank you, Madam Chairman. Thank you.

I'm honored to be here. I served on this committee and very much respect you and the great oversight work that you do, Anna Eshoo.

It's nice to see you, Congressman, and I appreciate your attendance and your oversight function here today.

I would ask unanimous consent that my entire statement be entered into the record.

ESHOO:

So ordered.

ROEMER:

You will enjoy this story, Madam Chairman. I was telling my children that I was going to go up and testify on congressional issues up on Capitol Hill, and right away one of them said, "Daddy, are you in trouble?"

"No," I said, "I'm not in trouble yet," but I think when you come up here and talk about some of the important issues that this committee and this country faces, and you talk bluntly -- which I know you want us to do -- sometimes you can get yourself into a little trouble. But I know you welcome those remarks and that assessment.

And when I accepted this invitation, I was asked to do three things. One was to give an assessment of why the 9/11 Commission -- and almost every other commission for the last 50 years -- has recommended the creation of the director of national intelligence; two, from an architectural and analytical point of view, what is working, what is not working, and what is a work in progress in the DNI; and, lastly, why it's important that this position work, that the DNA was created almost three years ago this Saturday by the United States Congress, and it is wet clay in the progress of formulating how this very important position can do essential things, such as help us stay out of war, help us prevail in war, and take care of our troops when they are in harm's way overseas.

This is a critically important position for our nation's security. And I know, when members of the Intelligence Committee talk to their constituents about the DNI, sometimes that seems like a pretty dry subject matter. I think this is the most important hearing taking place on Capitol Hill today.

What do we do in the future with respect to Iraq in intelligence? How is intelligence impacting our policies in Afghanistan? What is happening in Pakistan? What are our options in Iran? And what are we doing the future with North Korea? How do we rebuild our human intelligence capabilities so we can penetrate difficult groups like Al Qaida, transnational threats to this country? That's what this hearing is all about.

When we talk about this, Madam Chair, in terms of the genesis of the position, the 9/11 Commission was unanimous in recommending the creation of this position. Back in 1947 and the National Security Act, they created the DCI to try to do three things, which were almost all mutually exclusive: be the president's primary adviser on intelligence matters; run the CIA; and manage the entire intelligence community, 16 disparate branches.

We found through the Hoover Commission, the Jeremiah Commission (ph), the 9/11 Commission, over five decades, everybody knew that there were deficiencies in that position. It took 9/11 finally, with 3,000 people dying, to get the momentum and get the Congress and the president to agree to create this position, which is a centralizing, powerful, managing force in the community to try to get a movement to coordinate budgets, to try to get rid of old legacy architecture for the Cold War, and strategically think about planning 5 and 10 years down the line for our intelligence community, what do we need to look like in 2015 and 2020, and how do we get the intelligence community to work together toward these goals?

So this is not something the 9/11 Commission picked out of the blue and came up with an original idea. It is consistent through time. And, therefore, Republican and Democrats alike have supported the creation of this position.

Now, currently we have this position. As I mentioned, it is only three years old since you've created it, and the president signed it into law. What's working? Where are we making progress on the DNI?

I would say that we're generally making progress in three areas. One is the critically important area of jointness, that we're seeing the DNI recognize that people need to think of themselves as part of a community, not part of an agency, and to get the overall flow and viewpoint and perspective of the entire intelligence community.

I think we're making progress there, just as we've made slow progress with Goldwater-Nichols in the jointness of our military community. This is a high priority, I think, for Congress to oversee and to make sure that that jointness is being promoted and rewarded in the intelligence community.

Secondly, I think we've seen progress in the DNI on the cooperation between the DOD and the DNI. We've seen a memorandum of understanding and a dual-hatting there. We have seen informal agreements and better cooperation between DOD, Secretary Gates and Admiral McConnell in cooperating in different venues and with resources.

I hope this will continue. And I know that there will be, in the Q&A period, some questions about, is this an informal authority? Is it a statutory authority? Should it be strengthened in the future? Or is precedent strengthening this relationship for future DNIs and DOD secretaries?

Lastly, where we're making progress, I think, is in our analytical capabilities. I think the DNI is recognizing the better analytical resource cataloguing, that knows the number of analysts in the community. And I would venture to say that maybe this NIE that just came out on Iran reflects better analytical tasking and capabilities, better measurement and benchmarks of those

sources, possibly better tasking and communication with the collection capabilities, and possibly a less politicization of the process.

So that is something that I think Congress needs to oversee more and make a judgment on. Those are three areas where I believe that we could be making some good progress.

Lacking progress, I would say, is the growing size of the DNI. The United States Congress should be attuned to this. I do not think you should be enamored with a particular number and bet on, you know, taking that up to that number or reducing it to a particular number.

Because I think, as you remember, Madam Chair, Congress mandating that certain mission managers be part of the DNI, that certain counterterrorism centers be part of the DNI, that certain program managers and procurement people be part of this. So they have added to some of the personnel that has accumulated there.

But I think that you should keep a very careful and attuned eye on the size. We do not want duplicated bureaucracy. We do not want inefficiencies there. The 9/11 Commission was very clear about this point.

And one area that you might look in, in addition to the size of the DNI, is the contracting capability and size in the DNI. There are reports floating out there that the contractors may equal the size of the personnel in the DNI, and I think that's something to keep your eye on.

Is this a healthy development? Is this good for responsibility, accountability, long-term building of the institution of our intelligence community? I think you've got a lot of concerns there, and you should really focus in your oversight on that contracting part.

Another area that I think we're lacking progress, we've not made sufficient progress is in information-sharing, especially horizontally, not only inside Washington, D.C., but with our 50 states, our different state laws, our sheriffs, our local community leaders. Clearance issues, I think, are key here, and I would hope the DNI would come to the opinion of breaking the china on this particular culture.

We need to break down that existing culture of need-to-know and make it need-to-share, to provide better resources and information. We need to break down the stovepipes. We need to make sure people aren't working off the same workstation and the same servers and make sure they have the technology they need for information-sharing.

And, finally, one of the most critical issues that I think is important for this committee to make more progress on -- even the DNI has said insufficient progress is here -- is on diversity of our recruitment of people to serve us. The greatest thing about America is our diversity, yet we don't reflect that nearly enough and capably enough in our human intelligence capabilities.

First- and second-generation Americans that are raising their children in this country, that are patriots and loyal, could be cleared in tiered process, in the different translation capabilities, before they're moved into higher clearances and checked. There are ways to do this, to take

advantage of language capabilities, culture understandings, and regional expertise that we're not doing a good enough job on.

And maybe in the Q&A I can tell you about some of my experiences on the committee where this was a very raw and raging area of frustration for the committee.

Where are we a work in progress? A work in progress, I think, one is the authorities. I know there's a debate going on between the House and the Senate about how to extend authorities, additional authorities to the DNI. Let me be very blunt and frank with you: I am a believer that this DNI has to work, that we need a central manager for our intelligence community.

I'm a believer that you should probably, with your discretion, as distinguished members of this committee, decide how to extend those authorities. I think the DNI needs to use its authorities more capably, to manage those authorities more ably across the community.

We're seeing some evidence that he may be doing that, in canceling some major acquisition programs and hiring the right person there on acquisitions, Mr. Munson, to exert some muscle there. Does he need some authorities in reprogramming, in building a budget, in tasking, in collection that could serve to protect us more?

Does Congress tell the DNI, "Use the existing authorities more and then, as you effectively use those authorities, we'll extend you more in the next 13 or 15 months"? That, I think, is something that you need to decide.

Another area that's a work in progress is, how does the DNI communicate with Congress, particularly on these NIEs? Was the DNI sharing information as they were finding out information about Iran? Were they sharing this?

I saw in the New York Times this morning that the president of the United States was briefed that this situation might be changing in August in Iran, that they may have some information that would mean a recalculation in their assessment of Iran's nuclear capabilities. Does the DNI tell the Congress, "We have some concerns with this situation; we want to share this with the principals in the full committee and exchange information with you"?

Lastly, I would say one of the key areas that we need to make more progress is on congressional oversight. The speaker of the House took very important steps, great leadership in creating a panel on the Appropriations Committee with crosspollination between the authorizers and the appropriators. Several people that serve on your committee serve on that committee.

The intelligence community knows how to end run the authorizers. They're getting very good at it. They're exploiting that. So the speaker recognized this. The Senate has still not done much about it, but you have. I think you need to take further steps to create a joint community of authorizers and appropriators to oversee the very strong and powerful position of the DNI.

If you continue to see this DNI do what it needs to do, you'd better have strong congressional oversight to make sure it's doing the appropriate things. You'd better know about secret prisons. You'd better know about torture.

You'd better know about a Predator that, if it goes after Osama bin Laden and blows up a bus full of schoolchildren, that finger of blame will not just be pointed at 1600 Pennsylvania Avenue. It's going to be pointed up at the United States Congress, as well. So having that strong oversight, Madam Chair, is absolutely key.

Let me conclude by just saying that the responsibility for our intelligence is not only with the DNI. It is not only and solely with better human intelligence capabilities and better analytical tasking and red teaming of the sources. It also resides in the first branch of government, the United States Congress, as James Madison talked about.

Article I, Section I of our great Constitution says the United States Congress is the first branch to legislate, and that means, as Woodrow Wilson talked about, overseeing is as important as lawmaking. So strengthening that oversight capability for our Congress, making sure this DNI functions and does not go outside the lines of authority is very important.

Madam Chair, this is not managing by crisis; it's managing by leadership and by opportunity. And never before in this history of the intelligence community or with the American citizens has there been more of a looking, of a searching for leadership from our congressional people than there is now.

And I think you can step into this with hopeful suggestions, strong oversight, and good reform to make sure you're doing your job appropriately and that the DNI is.

Thank you so much, and I look forward to the questions.

ESHOO:

Thank you. Excellent statement.

Ms. Spaulding?

SPAULDING:

Chairwoman Eshoo, Congressman Ruppertsberger, thank you very much for this opportunity to be here today to testify on implementing intelligence reform initiatives.

I'm here today to offer an outsider's perspective, with all the limitations inherent in relying upon the observations of a classified world by one who no longer holds a clearance. However, I spent nearly 20 years as an insider, working national security and intelligence reform issues for both the executive branch and the legislative branch.

In 2003, as you know, I was able to assist the members of this committee, including both of you, to develop your proposals for intelligence reform, which were modeled in large part on the Goldwater-Nichols reforms in the military. This proposal was introduced in early 2004 and was largely echoed in the subsequent recommendations of the 9/11 Commission.

By the end of that year, after much difficult negotiation, Congress enacted the Intelligence Reform and Terrorism Prevention Act of 2004. This legislation was far from perfect; I think we all agree on that. However, I believe it does provide an adequate basis upon which a director of national intelligence who has strong backing from the president can significantly improve the management of the intelligence community to achieve greater unity of effort in order to provide better intelligence.

SPAULDING:

Good intelligence is essential for the success of virtually every element of our national security policy. Having said that, expecting the intelligence community to provide accurate, timely, actionable intelligence with respect to every security and foreign affairs target all over the world at all times is not realistic, something Americans and particularly policymakers need to understand.

The challenge is to maximize the effectiveness of intelligence capabilities so as to enable significantly better strategic and tactical awareness, understanding, and warning about today's threats.

With those initial thoughts as a backdrop, let me comment briefly on the DNI's 100- and 500-day plans. I have a more detailed statement, which I'll submit for the record.

The most important element in the success of any enterprise is the quality of its workforce. This has obvious implications for recruitment, hiring, training, deployment, and retention.

The second essential element for producing better intelligence is to enable a freer flow of people, information, and resources, to enable the level of agility required to meet evolving threats.

And, third, these people and resources need excellent management. They must be deployed and managed in a way that maximizes their potential.

Appropriately, the first core initiative in the 500-day plan is "treat diversity as a strategic mission imperative." A more diverse workforce produces better results in any place of employment, but it is particularly imperative for the intelligence community.

But we have known this for many years. Greater progress should have been made long ago. This is not so much a criticism of the DNI, as it is a plea for impatience, for a sense of urgency not apparent in the plan or in the component agencies.

At the same time, the intelligence community -- and particularly CIA -- should re-examine its traditional preference for recruiting young people right out of school and assuming they'll work there for their entire careers.

Instead, the community should be recruiting individuals who are in mid-career or even nearing the end of a career elsewhere. These workers can bring specialized skills and ready-made experience that would take many years and significant resources to duplicate in the intelligence community.

The DNI's plan also focuses on standardizing performance appraisal reviews to reward collaboration. Properly implemented, this will help counter current incentives for defaulting to classification. This will help to overcome the over-classification problems that threatens information-sharing and thereby threatens our nation's security.

But the way in which evaluations are handled can also distort behavior in ways that do not contribute to better intelligence. When candidates for senior executive service are told they are more likely to get the promotion if policymakers ask for them by name or customer satisfaction becomes the key to advancement, it makes it harder for an analyst to be the bearer of bad news.

Policymaker evaluations can be a valuable tool for measuring the value of intelligence, and I would encourage the committee to consider bringing in consumers of intelligence to get their views on whether intelligence reform efforts are, in fact, producing more useful and accurate intelligence.

However, policymaker assessments must be taken with a grain of salt and filtered for bias based on preferred policy outcomes. To balance the inevitable tendency to want to deliver good news to the policymaker, intelligence community leadership at all levels must constantly reinforce the importance of independent analysis. The most effective way to convey this message is to lead by example.

Another important recommendation is to treat Congress as a legitimate customer of intelligence with the ability to ask questions at the intelligence community, which will promote a broader scope for analysis, if only because it is likely to broaden the scope of questions that analysts are sent off to answer.

The government cannot reorganize every time the nature of the threat changes. Instead, organizational boxes need to become less significant, replaced by policies and technology that permit people, information and resources to flow far more freely, to meet changes in missions, opportunities, and the tactics of our adversaries.

The joint duty program is finally moving forward, but Congress and the DNI will need to watch very carefully, as Congressman Roemer has indicated, to ensure that the policy is being implemented fully, something that has taken years and years, following the enactment of Goldwater-Nichols, to finally come to full fruition in the military.

Unfortunately, the weakest aspect of the 500-day plan appears to be information-sharing. The report on the 100-day plan talks about having prepared memos and established interagency groups, but there is no real evidence that information-sharing has actually increased in any significant way. It will require a strong commitment from the DNI to move its initiative forward.

The DNI was established to bring greater unity of effort to the intelligence mission, and key to this is ensuring that national priorities take precedence over agency priorities. The most important element of this is to ensure that the DNI has timely transparency into budget execution on an ongoing basis, budget execution that is aligned with the mission.

Community management can also be strengthened if the DNI is relieved of the burden of being the president's daily intelligence briefer. The DNI can be the president's senior intelligence adviser without being the daily briefer.

And to conclude, Madam Chairwoman, the 500-day plan recognizes the importance for measuring results, but it's very short on specifics. Terms like "continual improvement," "more accessible," "increased interaction" assume that improvement, any improvement, constitutes success.

There should be more detailed benchmarks against which the IC measures progress. And the metrics, to the greatest extent possible, should be based on output, rather than input in process, and these metrics should be constantly re-evaluated to see if they actually correspond to the desired outcome, which is better intelligence.

The DNI 500-day plan also makes reference to possible changes in Executive Order 12333 and other policies regarding U.S. persons. And I would urge the Congress not to adopt any broad overhaul in these areas without first undertaking a comprehensive review of both the nature of the threat inside the United States, as well as what we have done and are doing currently to counter that threat and who is undertaking those activities.

Congress should undertake this comprehensive consideration of domestic intelligence with an eye toward the future, but informed by the past and the present. Until Congress fully understands precisely what has and is being done, in terms of collection and exploitation of intelligence related to activities inside the United States by all national security agencies, it cannot wisely anticipate needs and potential problems going forward.

Thank you.

ESHOO:

Thank you very much.

Ambassador Hutchings?

HUTCHINGS:

Thank you, Madam Chair. Thank you for this opportunity to testify.

I have submitted a written statement and would ask that be entered into the record.

ESHOO:

Certainly.

HUTCHINGS:

In that statement, I argued that the highly politicized climate in which intelligence reforms were debated back in the fall of 2004 were not conducive to the best judgment about how to proceed, in particular focusing singularly on the dramatic and politically attractive quick fix of creating an intelligence czar without simultaneously addressing the other recommendations coming out of the 9/11 Commission report, may have diverted attention from what I see as the most important problems facing the intelligence community.

At worst, the DNI office may have created several layers of additional bureaucratic. At worst, it may prove to be simply irrelevant to those problems.

With those thoughts in mind, let me offer five suggestions for intelligence reform, or a reform of the reform, none of which entail further organizational change. And, indeed, after the organizational turmoil of the last few years, I think it would be a mistake to tamper with the organizational charts for some time to come. So I think we should dig deeper to affect cultural change.

First, focus on the demand side of the problem. All the reform ideas so far have focused on the supply side, the quality and reliability of the intelligence being provided, but until we fix the demand side, all these efforts will fail.

Politicization of intelligence is part of the problem, and I fear that it will get worse under the new DNI set-up, which is no reflection on the incumbent, but on the organizational focus.

As an example, I think it is a mistake for the DNI to be the administration's point person in advocating for the wiretapping program, just as I think it was a mistake for General Petraeus to be the point person for advocating for the surge. U.S. intelligence, like our uniformed military, ought to be one step removed from policy advocacy.

Second, and relatedly, create an interagency strategic planning group in which intelligence plays a prominent role. This would have two benefits. It would restore the primacy of strategic analysis, after a period in which the overriding focus on current intelligence has robbed our

government of the capacity to think broadly and strategically, and it would lend coherence, rather than have different departments undertaking their own uncoordinated planning, as for the case in preparations for post-war Iraq.

It may seem amazing that we don't have such a group, but we never have. And the bureaucratic resistance to such efforts is enormous, but the need is compelling. We would never have gotten into the mess in Iraq had the Pentagon's plans been subjected to serious, independent, critical scrutiny.

Third, strengthen congressional oversight, as the 9/11 Commission recommended and as Congressman Roemer just did. For example, in the past year or so, there have been two National Intelligence Estimates on terrorism, the first on trends in the global terrorist threat, the second on threats to the homeland.

Both had, in my reading, quite alarming findings. But to my knowledge, no hearings on those estimates have occurred. They may well have occurred, but not to my knowledge.

On the second one, concerning threats to the homeland, General Hayden said up at the Council on Foreign Relations a couple of months ago that 70 percent of the information in that estimate came from detainee interrogations.

I have no reason to doubt Mike Hayden. He's, I'm sure, telling the truth. But this is worrying for two reasons.

First, it shows how poor our penetration of terrorist networks still is, if we have to rely so much on old, dated, and suspect detainee information.

Second, and more worrying for us as a country, it may contribute to a kind of circular argument that we need to continue the indefinite detention of prisoners in Guantanamo and elsewhere, because their information is so important to our understanding of the terrorist threat. So there should be hearings looking into this, as well.

Similarly, the just-released Iran estimate raises a number of questions about how the intelligence community arrived at these starkly different conclusions and how they could have done so with high confidence both times.

Fourth -- and this gets more directly into the DNI's 100- and 500-day plans -- accentuate the strategic coordinating role of the DNI and de-emphasize the centralization of operational functions. My experience with highly bureaucratized efforts, like the DNI's 100- and 500-day plans, is that they take up an enormous amount of time on the part of managers, but have little or no impact on actual policy.

The targets that are set in those programs are too vague and too detailed at the same time. They should be more specific and fewer in number.

For example, a serious set of targets is "Double the number of qualified Arabic speakers by Date X." That's a measurable metric. And then leave it to agencies to figure out how to do this. If they cannot do this, then they are under fire to explain why and how.

But many of these efforts -- I've been associated with some, such as the National Intelligence Priorities Framework -- amount to little more than diplomatic or bureaucratic busywork.

Additionally, I do not believe that the DNI should be burrowing down to this level of detail. The DNI should set broad goals, leaving the elaboration of specific operational plans to agency directors.

Stated differently, if those implementing the reforms do not have line authority over those responsible for implementing them, they will fail. They will simply be an exercise in reporting back and forth between different bureaucratic levels.

This then leads to my fifth and final recommendation, and here I think we've made some progress. Again, the evolutionary process of changing the culture of intelligence, this will entail a radical re- conceptualization of what intelligence is and should be.

Instead of thinking of intelligence as something done by a few specialized agencies with highly secretive mandates, we need to think of it much more expansively, as a global intelligence community, an eclectic virtual community with unclassified, lightly classified and heavily classified domains.

The DNI's 100-day and 500-day plans focus on many of these issues. And for that, they deserve credit. But the reality that I've seen is an intelligence community that is retreating into great secrecy and old cultural habits, even in the short time since I left the National Intelligence Council in early 2005.

Try to get a CIA analyst to go on the record at an academic conference or participate in an interactive Web site or blog with an expert from outside government or other countries, and you will see how deeply ingrained are the old Cold War cultural habits and mindsets.

These are some of the kinds of innovations that have long needed to be undertaken. They don't have much to do with the motivations that got us to the present state of intelligence reform, but if these reforms and this set of hearings can get us headed in that direction they will have succeeded.

Thank you, Madam Chair.

ESHOO:

Thank you very much, Mr. Ambassador.

Mr. Visner?

VISNER:

Madam Chairman, thank you. And I do have a statement that I ask be entered into the record. I've provided a copy.

ESHOO:

So ordered.

VISNER:

On behalf of the Intelligence Committee of the Armed Forces Communications and Electronics Association, which we call AFCEA, and as a member of the industrial base supporting the intelligence community, I appreciate the opportunity to join in this discussion with the House Permanent Select Committee on Intelligence.

I'm the deputy chairman of the intel committee at AFCEA. And just for context, AFCEA was founded in 1946. It's a nonprofit membership association serving the military, government, industry, and academia, as an ethical forum for advancing professional knowledge and relationships in the fields of communications, information technology, intelligence and global security.

And our intelligence committee was founded in 1981 to enhance AFCEA's outreach to the U.S. intelligence community and to support intelligence professionals in the government, military and private sector. The committee serves as a forum to strengthen the public- private partnership and to advocate for foreign and domestic intelligence in order to improve national security.

Committee members bring experience gained in government, industry, academia, and the federal research and development community, so it's a fairly broad organization.

Like many people, I was impatient after 9/11 with what appeared to be the slow pace with which we were rebuilding our nation's intelligence community and national intelligence capability. A sudden shock seemed to require a vigorous response.

Looking back, we might, in fact, have done somewhat worse than we've done. The reform of the intelligence community, including organizational change, new resources and capabilities, changes in operational concepts, this has a lot of moving parts.

And the reform of our national security community following the 1947 National Security Act, the changes brought about by the passage of Goldwater-Nichols in 1986, these changes took many years to bring about.

So our impatience with the intelligence reform should be tempered by these realities. In the years following 9/11, and particularly in the time following the passage of the Intelligence Reform and Terrorism Prevention Act of 2004, I think we've deployed new capabilities.

I think the community has recruited many young people, both the government and industry components of the community, and we've started to focus on the operational concepts that will make a long-term difference.

The Intelligence Reform and Terrorism Prevention Act of 2004 provides the overarching context for efforts to restructure the community and strengthen community management. And the act calls for information-sharing; it calls for information technology systems that include intelligence integration capability. And the term interoperability appears throughout the act almost too many times to count.

Given these needs, the AFCEA intelligence committee's white papers have recommended consistently that an integrated intelligence community requires integrated capabilities, based on interlocking requirements across the community and buttressed by community-wide architecture, systems engineering, and acquisition processes and activity.

These are hard things to do, and they're not very glamorous things at all. Building a set of community-wide operational requirements and using them to drive architecture, engineering, acquisition and eventually capabilities is technically demanding and that takes time. Perhaps it's more time than we want, more than it should, but I actually think that there have been some important steps taken.

The DNI's 500-day plan appears to me to be among the most important of these steps. And among its goals are several that link integrated community requirements with integrated acquisition.

And although Mr. Kerr read them, I want to read four that I think, in order, bear on this point.

They are: to create a culture of collaboration; accelerate information-sharing; foster collection and analytic transformation; and build acquisition excellence in technology. So from culture to sharing to support that culture to collection and analytic transformation that supports information-sharing and finally acquisition excellence in technology leadership to bring capabilities that will cause integration to be real.

So how well will the DNI succeed in meeting these goals? First, I think there are already signs of progress. The use of community-wide collaborative tools, like A-Space, gives impetus to the development and application of common information standards that can be used community-wide.

It calls inevitably for more enterprise-level applications that can link analysts across the community, new ways of working that exploit the power of these tools and applications.

Over time, there is a very real chance that integration, interoperability and collection, all terms that are called forth prominently in the act, at the analyst level will encourage integration for processing and mission management.

In the longer term, I think much depends on the quality of the cadre of architects, engineers, and acquisition professionals the DNI already has and can put in place. It depends on the will with which the community rebuilds and empowers its acquisition and program management cadre community-wide, something that should not be deferred and that should be resourced strongly.

It depends, as well, on a vigorous industrial base, one that is seen as organic to the community, one that provides needed services, and, more important, real capability. Our nation succeeds when it mobilizes industry, brings it into the fight, and leverages our nation's industrial and organizational advantages.

I believe the DNI's deputy for acquisition, a position for which the AFCEA intelligence community and others has called, and we called for it in our white papers, will operate from this perspective, just as I believe he understands the importance of building a strong program and acquisition cadre, something that can't be stressed enough. I'd urge Congress to facilitate his doing so.

Let me close these comments by thanking the committee and, Madam Chairman, you, again, for the opportunity to participate. And I look forward to this session and to our discussion. Thank you.

ESHOO:

Thank you very much, Mr. Visner, and to each of you. Terrific panel.

Let me just make just a few observations and then go with some questions. The word "culture" has been referred to many, many times, and also in the lead-up to the reform legislation that took place. And I don't need to repeat all of that.

You know the context of how the word "culture" was used, stovepipes, not a need-to-know but a need-to-share, et cetera, et cetera, et cetera. I also think that there's another culture that is really one of the essential ingredients in all of this, and that's the culture of the relationship between the Congress and the intelligence community.

And I say this because it, I think, many, many days really bedevils the entire committee. The quality of the testimony -- I can't say that it lacks quality, but it certainly leaves many of us perhaps asking each other, "What are they saying?" Or that we didn't ask a question that so hits the mark where we get a full answer.

And I think that we continue to struggle with that. But I do believe that when we are really sincere, honest, and tough partners, and taskmasters jointly, for the benefit of our country, that people in the intelligence community will understand that and that there will be more confidence on the part of both partners that we're in this together for our country.

Now, there are several things that have gone down that have damaged the relationship. And we know what they are. I don't have to go into them.

But I just want to say this for the record, because I am a critic, because I want to keep pushing so that we can not only do our best, but be the best, because, as others have said, intelligence is the tip of the sphere. Every president deserves the absolute best intelligence that can be produced, because that's what instructs policy.

So what you've given us today is so valuable. And it is in real contrast, I think, to the testimony of the first panel. It's kind of hard to understand where we've made progress.

So let me ask you this. If you were all sitting up here and having heard kind of the report card that was issued -- and I think Dr. Kerr was more than forthcoming when he gave the grade -- how would you turn this around and challenge the community on the very issues that you all have raised?

I mean, you've raised different ones, but they're all valuable. They're all very precise about what we should do. Should we be challenging them back and say, "Given what you have given to us, as well as the expert testimony that we received in the second panel, we are now challenging you to bring these specifics back"?

Is that fair? Is it strong enough? Will it produce what we need? And if you believe we need to develop statutory responsibility in any area to strengthen -- I didn't hear anyone really say that they don't think we should have a DNI anymore. The question is to have an effective one.

And I might add that we had a conference yesterday with our Senate counterparts. And you wouldn't have believed how solid the entire House committee was on this growth of the size of the DNI. I mean, we were just absolutely rock-solid together on that, deeply concerned about the numbers of positions.

And it's not so much a magic number as our growing sense that it is a growing bureaucracy and that we're not going to reap or harvest out of that the intent of the legislation.

So, a, tell us what you think is the most effective way. And you might be thinking, "She's the one that should know the answer to that." But you've given us excellent information. We have to go back and re-challenge for the specifics in a time frame.

What I worry about is the following. I don't want this to be a checklist as an administration winds down, some piece of paper that satisfies a few, and they can check some things off, and say, "Well, this is the goals that we set, and, and, and" -- time is the most precious thing that we have. And I don't think that we can squander a moment of it, especially in this area.

This is about protecting the people of our nation, protecting the people of our country, the most sacred responsibility.

So to all of you -- Tim, do you want to start?

ROEMER:

Well, I will, because I think you've hit on the key issues and the key questions, Madam Chairwoman, as to how we go forward.

You, first of all, talked about culture, and I remember serving on the committee where sometimes you would be asking somebody in the intelligence community a set of questions, and you might get very frustrated by the end of the day as to how direct those answers were, and then how to follow-up effectively on getting the appropriate answers to those questions in a secret setting, where you don't have C-SPAN, you don't have the press capability to put sunshine on it, you don't have the opportunity to do open hearings on that particular set of issues.

So effective oversight, focused and prioritized oversight is really key. And I think, Madam Chair and Mr. Holt, to me it comes down to the golden rule. It is: Those that have the gold make the rules.

And when you have the gold, if you have the joint authorizing, appropriating power, you're going to get answers, because you can cut that budget immediately. They can't go around you to a different committee. They can't do the end run that they continue to do these days and go to a different committee. Particularly, they may do that on the Senate side.

So changing that culture, I think, by strengthening your own oversight capabilities is key. After 1947, when Harry Truman established all these new institutions and executive branch agencies, the Congress marched forward with its own reforms to create committees to do stronger oversight of these institutions. They marched up and took on the responsibility.

The other part that I want to comment is -- you talked about the size of the DNI. I think you are focused on a very important issue. As I said in my opening statement, you shouldn't be enamored with a particular number, because some of these capabilities to manage, to have power in this DNI function and not create -- I agree with the ambassador. We don't want to create a czar.

That's one of the worst terms you can call anybody in Washington these days. Harry Truman used to say, "If you need a friend, get a dog." If you want to insult somebody in Washington, call them a czar. We want to make sure a DNI does not become a czar, that they have the capabilities, the authorities to do their job, manage their job, be a centralized authority, but not execute, not take on operations. And I think that's something that you should prioritize.

And, finally, I would say, in regard to your good questions, I would say Congress needs to set some priorities. You know, my three or four recommendations to you for the next 13 months

for Director McConnell would be: focus on rebuilding human intelligence capabilities, the diversity, the language skills, the recruitment people in mid-life, the first-generation Americans, and set tough goals, milestones, and standards for the community, and see that they are forced to reach them, and to try to use the power of the purse.

Secondly, focus on two or three key acquisition projects. Make sure that they're not over-budget, that they are architectures that will help us in the 21st century with the threat environment, whether it be Al Qaida, China, Russia. We see from the front-page article in the New York Times a couple weeks ago that we have some problems in this area, overseeing this, and making sure that this architecture is helpful and on budget to us.

And, thirdly, I would put emphasis, as you are today, Madam Chair, on long-term strategic planning. When I served on this committee, it is easy to drown in budget hearings. It is easy to be mesmerized by hotspot hearings by the director, and then you don't look long-term strategically.

That's what you're doing today. What's working in the DNI? What's not working? What do we need to focus on in the next 13 months? What do we need to hold their feet to the fire on? What can they do better? And I think that kind of focus and strategic planning is key.

ESHOO:

Very helpful. Thank you.

On the issue of acquisition, I think that the committee, on a bipartisan basis, has really rolled their sleeves up to do important work in this area. And I mentioned it when Mr. Ruppensberger was here. We put a great deal of emphasis, actually pressure on the intelligence community to bring forward a plan.

And we're working very, very hard on that. And I think members that maybe didn't think they wanted to be engaged in it now are, because it's absolutely so essential. And that piece that was done was, I think, the seminal piece, in terms of lessons learned. It's one thing to go through history; it's another thing to learn something from it.

So I distributed that to every single member of the committee and said, "This is a must-read."

(CROSSTALK)

ESHOO:

Yes, the New York Times article, Mr. Toddman (ph), I think.

Thank you, Tim.

ROEMER:

Thank you.

ESHOO:

Suzanne, yes.

SPAULDING:

I think you...

ESHOO:

You wrote a number of wonderful recommendations in your -- important recommendations in your full testimony.

SPAULDING:

Thank you. Well, I hope it will be helpful. As I say, it's limited by an outsider's perspective.

But during the time when I was on both those Senate and House Intelligence Committees, I was very aware of this importance of what you refer to as the culture of the relationship between Congress and the executive branch.

The intelligence oversight committees, more so than any other committee in Congress, absolutely is dependent on a mutual relationship of trust with those they're overseeing. On other committees, as the congresswoman has noted, you have the press, you have outside viewers who can much effectively help in the oversight process, because there's so much more transparency.

In this context, it really is very much up to the oversight committees to ferret out the information necessary to conduct effective oversight. And it is almost impossible if you're dealing with a lack of trust within the intelligence community towards the committee. They can always hide the ball.

So mutual trust and a recognition in the intelligence community of the value that the oversight committees can bring to their mutual objective is really absolutely essential.

And one specific recommendation that you might consider in the context of today's hearing and trying to foster that relationship in the context of intelligence reform is to see if you could sit down with the community and agree upon, come to consensus on the benchmarks.

Rather than simply coming up with benchmarks and imposing them either legislatively or even by letter, sit down and agree together on specific benchmarks. You know, say to the community, "What do you think you can accomplish, in terms of specific numbers of diversity?" Say, "By what date, what percentage of increase?"

Come to an agreement on as many of those as you can, because you share the same objective. And then you have buy-in on both sides, and you have a better sense that the goal posts won't keep moving, that nobody is playing "gotcha" or hide the ball. I think that could really, really be a helpful step in the right direction.

I also want to endorse what the congressman has said, in terms of not focusing too much on the size of the DNI staff. I think you're absolutely right, Madam Chairwoman, that one of the reasons that's become an issue is because that it hasn't -- we don't see the result, clear results of the results of this, what is admittedly a bureaucracy there.

And so I think the need is to focus on producing better results. And then we're in a better position to evaluate whether, in fact, we've got the right size there. But it really is the case that the DNI has managed to take on an awful lot of responsibilities.

And I know that these people are working, burning the midnight oil. They are all working very, very hard to achieve those results. So to simply suggest that they're bloated, you know, maybe isn't quite where the focus needs to be.

ESHOO:

Well, you hear the congressional shorthand to describe those things, which always, I guess, I can either add or subtract from the relationship. But, unfortunately, it's the way it's expressed.

But there is concern from this committee. And I think that your point that it is more about what's measurable, what are we getting, what are actually the results? And they're not as clear or crisp, and I think that, if they were, that this broad concern of the House Intelligence Committee would not have been expressed as strongly as it was, including yesterday.

Ambassador Hutchings?

HUTCHINGS:

Apropos of Congressman Roemer's comments about the czar, one of my students wrote a paper on foreign aid reform, in which she proposed creation of a democratization czar. I thought that was particularly a nice touch.

Let me echo a couple of points that have been made. I think, following on what Suzanne just said, is I would not accept the 100-day and 500-day plans as acceptable to the committee. And maybe there's a way of fashioning in consultation with the intelligence community

something that is less jargon-ridden, less full of acronyms, less bureaucratic and less vague, and take not all of those elements, but take the five or six or seven most important ones.

And Congressman Roemer had a good list. I had a list. Suzanne had a list. We could come up with them. And then focus down on translating into real language, into real, operational language, and reasonable language, some tangible goals.

I mean, the dearth of Arabic speakers in the community and the slow progress since 9/11 is just scandalous. And there are ways...

ESHOO:

And we've been saying it ad nauseum. It's not as if we've just finally come to this conclusion. It's been said from the very beginning, emphasized over, I mean, generations now of members of Congress on the committee and members that don't even serve on this committee that have the same concerns, as well as the public.

HUTCHINGS:

I would think the second question -- and this follows from my testimony -- is, on each of them, ask, "Why is the DNI doing these things? Shouldn't the DNI" -- and this is my view -- "shouldn't the DNI be setting broad parameters and goals, and leaving the operational plans to agency directors?"

And I'm convinced, having spent a long career in government, that unless plans are implemented by those who have line authority, they won't work. They'll just be a back-and-forth between the DNI office and senior managers in the intelligence community.

So focusing on a few goals, I'll just give you an example, and I'll focus on some of the ones that I know best and have some personal experience with, training. How many intelligence community analysts are being sent out of the agency for post-graduate training?

Even those who came in with a graduate degree, if they've been in 10 or 12 years, they've gotten rusty. At the Woodrow Wilson School, we have three or four Foreign Service officers every year in our mid-career program. We grant them tuition-free programs.

We have made the same offer available to the intelligence community. And the only ones that have come -- there have been like three in the last decade, the decade that I've been at the Woodrow Wilson School. And I had to go beg them to offer up people. They're just not interested.

Instead, they create something called a National Intelligence University, which -- I don't even want to get started on this. I think I know what a university is. This is not a university. And calling it so doesn't make it one.

ESHOO:

Well, that's helpful to us.

HUTCHINGS:

Instead of sending people out to some of the best institutions -- I understand there's a very good one at Palo Alto -- sending them off to the best institutions rather than create some learning center...

ESHOO:

Yes, I would recommend it.

HUTCHINGS:

... and call that a graduate degree.

Recruitment. The CIA claims it's getting the best and the brightest. They're not. My students don't go. My students have better offers. And this is as true of the State Department as it -- almost as true as the State Department as it is at CIA.

The intelligence community needs to recognize it's a competitive environment out there. There are students who are happy to forgo big money because of their desire to make a difference with their lives, but not on the terms that these organizations offer. They simply go elsewhere. The clearance process is part of it.

ESHOO:

And we're going to be having hearings on the clearance process, which I think one of the remaining relics of the Cold War era.

Mr. Visner?

VISNER:

Thank you. There are a lot of -- I think the question that you're asking, if I understand correctly, is, what is the role of the DNI? And how should Congress and the DNI work together in support of the nation's intelligence needs? And my own views were focused largely on capabilities (inaudible) the intelligence community does.

I don't have a view on the size of the Office of the DNI, but I do know that complex program management, engineering architecture, integration, those are big jobs, take a lot of people. I don't see that number of people in the Office of the DNI.

It seems like the DNI is attempting to do two things. It should be, and I think is. One is trying to cause the development of an architecture of requirements and then an architecture of capabilities with those requirements that spans the community.

And while I'm sensitive to the thought that the DNI should coordinate and cause things to be done, as opposed to doing them, I'm not quite sure which agency would be in charge of developing an architecture of requirements and an architecture of capabilities and plans that spreads itself across the entire community.

So that may be a more legitimate role for the DNI to go a little bit beyond facilitating and take a more proactive role. The other thing I think in this regard that the community needs to be doing and that the DNI, I think, is trying to do -- and I think needs support from Congress -- is in developing a cadre of people throughout the community who can do everything they can to make sure we have the highest level of program management, acquisition, and engineering architecture throughout the entire community.

I think it's one thing -- I've heard discussion, should we have Nunn-McCurdy language imposed on the community? Well, we can have any language we want imposed on the community, but I think the real question is not what punitive things we do to the community if they don't succeed. It's what resources and activities can we undertake to ensure that the community can succeed and does succeed?

But it seems to me that, in these areas, things that the DNI could be doing and places where the DNI and Congress can work together is to ensure that there is a creation, probably at the level of the DNI, of this architecture, and that the DNI has everything that's necessary, but to facilitate the development throughout all of the community of a cadre of people with real acquisition, program management, engineering an architectural throw-weight who can get this job done.

And to conclude, when this was done in the Department of Defense, we were able to produce, throughout the Cold War and past the Cold War, absolutely unrivaled capabilities in this country, coming out of the Second World War and up until today. So it seems that the precedent for doing it this way has been set.

Thank you.

ESHOO:

Thank you.

ROEMER:

Madam Chair, could I just engage my colleagues just a little bit on this diversity issue? I agree with Suzanne and with the ambassador that, in an ideal world, to sit down with the intelligence community, the CIA and the DNI, and engage them on milestones of Arabic speakers, which is just outrageous that we haven't done better, diversity, recruitment, getting people in mid-life, first-generation Americans, we are not making the progress...

ESHOO:

Do you think that they don't know how?

ROEMER:

... and I would say, Madam Chair...

ESHOO:

Do you think that they don't know how? That could be the case. It's one thing to throw the word around. It's another thing to really design something. Is it stuck in the EEO? And does it go out to line managers? I think that's where we have to drill down.

We all agree that it needs to be done. We understand how important it is. It comes up, and especially, you know, they want to give a report.

They trot out someone of a different color that's one of the very few in the entire community, because I've never seen so many white men in my life. That's what the intelligence community is made up of. Nothing against white men, but there isn't any diversity.

And they give some report, some promise, and then it crops up, and what we're going to do, except we don't get it.

ROEMER:

Madam Chair, if I could just say to your point, I remember asking top-level CIA people when I served on the committee in 2000, "When are we going to be able to have this diversity in these language capabilities?" And they said, "Well, it's hard, Mr. Roemer. It takes seven years."

Then, on the 9/11 Commission, we asked them again in 2005, "When will we have this?" And they said, "Well, it takes seven years. We'll have them in 2012." It doesn't happen.

And I think it's complicated. It's hard. When I served on the committee and traveled extensively to see how our people reflected the diversity of the different countries, I'd often find people that look like me -- no offense to a Hoosier, a Caucasian Hoosier from Indiana -- but you need to look like the people in the countries.

ESHOO:

Like me.

ROEMER:

And you need to talk at fluency levels of four and five, not one or two, and be moved on to that particular place in a year or two.

So we also, Madam Chair, need to reward people who have these skills. The Australians and the Brits do that. We do not do it sufficiently.

HUTCHINGS:

And just very briefly, it would not be hard to commission a couple of studies of examples of how this kind of recruiting has succeeded.

I mean, I'm familiar with it in my own institution. That means that I personally go down to visit historically black colleges and universities. Has Admiral McConnell done this? Has Mike Hayden done this? I know the answer is no.

This is only one thing. We have a program at Princeton that brings in and pays for historically underrepresented juniors from college to show them what our school is all like. We pay for it, and we assure them, if they graduate successfully, of admission when they want to apply to graduate school.

Now, this is just the beginning, but there are plans that people have implemented elsewhere that show they're serious. So it's not assigning quotas to be met. It's putting in place a whole lot of plans to be effective.

ESHOO:

Excellent. I want to get to Mr. Holt because, as you heard, the bells are going off. And I don't think that we're going to come back to ask more questions, since there are just the two of us.

But what I am going to do is take you up. There's going to be a rain check here, because we want to work with you and the ideas that you've put forward, because time is so precious. And I think that we need to partner more closely and make this plan something that's doable, with understandable goals, that will really reap the successes that need to be achieved.

So Mr. Holt? Thank you for coming back, Rush, very much.

HOLT:

Well, thank you all. I missed part of your comments from this panel. I've read much of the testimony and benefited from what I have heard here. And there isn't time to go over all the questions that I have and all of the areas for which I'd like to get your wisdom, so I will be part of that rain check.

I mean, I'd certainly like to hear, on some of the big picture items, how we deal with what Ambassador Hutchings calls the demand- side problem. I'd like to hear more about how we guard against the whale-watching that Ms. Spaulding talks about, or, you know, it's sometimes called the lamppost problem, where in a trend everybody looks in one place, and sometimes it's because that's where the light is, not where the missing car keys are, and, certainly, some of your comments about open source and changing culture and so forth.

Let me talk about what -- or ask about what I began with today, which I still think is the biggest problem, is the erosion that we have seen in recent years in the dividing line between foreign intelligence and domestic intelligence and law enforcement.

To some extent, the 9/11 Commission said, "You've got to start crossing that line, in some sense." It makes me very nervous. It makes Americans very nervous.

And in the case of foreign intelligence surveillance, Ms. Spaulding, you talked about that to some extent, in saying we need -- in this day of international communications, we need to be alert. In fact, I would say, because of international communications, we don't have a greater need to blur the line. We have a greater need to sharpen the line.

And my general question is, am I chasing a shadow here? Is there really a change? And should we have further discussions on how to sharpen the line?

And I'm asking probably all of you, but there isn't really time for all of you to answer, so do the best you can in any order.

ESHOO:

There's five minutes left before the vote, as well.

HOLT:

I don't expect the resolution of the problem now, if there is a problem. I'd just like to hear whether you think it's a problem and kind of in general how we go about addressing it, if there is.

ROEMER:

Congressman, I think that you have put your finger on a key challenge that can be a problem, that we saw on 9/11 how we picked up information overseas, in this rapidly changing world, how terrorists can come overseas, be picked up by the CIA, and have information where they can legally get information on somebody, and then those people come into the country. How do you legally and ethically transfer that information to the authorities that need to have it, when those people intend to do great harm to people in America?

This is a very sensitive topic. It is highly classified, so it's difficult to talk about out in this open hearing.

Let me give you -- another challenge here is that you all have had a very public debate, which is good for this country, on FISA, where you've tried to look at this delicate balance and see, how do we modernize the technology to pick up information where Al Qaida is increasingly using the Internet, and e-mails, and other electronic mechanisms? But how do we also balance that with people's liberties, when Americans are using those things more often? How do we modernize our technology to be aggressive going after Al Qaida and respect constitutional rights and liberties?

That's something we've done out in the open. That's been good for America to hear. We have a bill pending in Congress that there are many different opinions on. I think we're arriving at the right balance. And I think you'll have more of these discussions, if the FBI can't do a better job in updating its technology and its e-mail and doing a better job domestically.

ESHOO:

Mr. Holt, can I just -- I think we have like maybe a couple of minutes left to get over to the Capitol to vote. Clearly, there is much work to be done.

You have made -- I think this has just been a terrific panel. And I'm not saying that just because you're here. It's worthwhile. We are hungry to help make the changes that are necessary and to work with the community to help accomplish that.

I want to ask you for something, and that is, would you be willing to come back and work with us in a roundtable with members? We would have this hearing, but I think Mr. Holt, I think

members from both sides of the aisle would benefit from your testimony, your ideas, as well as, I think, really being a big help to the intelligence community, to help not only have a written plan, with all that's embedded in it, but that we end up with results, so that the ultimate report card that's issued by the end of the 500 days or whatever is left of the administration, that the country will win, that there will be accomplishments.

So I want to ask if you would make that commitment to us and that we'll all have the holidays off, but I won't say goodbye. I'll say thank you, and I'll see you at the roundtable that you've all acknowledged that you're willing to work with on.

ROEMER:

My answer is yes, Madam Chair.

HUTCHINGS:

Anything we can do to help.

ESHOO:

Thank you very, very much. And have a wonderful holiday. And thank you to all of the staff that have done a great deal of work to put the hearing together.