

**Opening Statement of
Thomas H. Kean and Lee H. Hamilton
Former Chair and Vice Chair of the
9/11 Commission, before the
Select Committee on Intelligence
United States Senate
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Mr. Chairman, Mr. Vice Chairman, distinguished members of the Select Committee on Intelligence: It is an honor to appear before you today on the topic of FBI reform.

We want to be as helpful as we can, as you carry out your important oversight work in the weeks and months ahead. We want to make just a few points this afternoon before we turn to your questions.

Congressional Oversight

First, successful reform of the institutions of government requires strong oversight by the Congress. Reform is a long and hard road: Crises distract. Attention wavers. Senior officials are pulled in a hundred different directions. The Executive branch cannot carry out difficult reforms on its own. It needs the interest and support of this Committee.

When the Congress is watching, when it cares deeply about the success of reform, the Executive branch stays focused. When oversight is robust, the laws are faithfully executed.

All of us understand that the FBI is going through a period of significant change. All of us have seen the block and line charts showing the new organization of the FBI.

- Do these charts mean anything?
- Are the new offices being staffed?
- Are reforms being implemented?

These questions can only be answered through careful oversight by the Congress.

There have been FBI abuses in the collection of data. These include improper demands for records through administrative subpoenas, and inaccurate data for surveillance warrants. These abuses have been acknowledged by the FBI, and they have gone on for a long time.

Who watches the FBI? It is up to the Congress to ensure that these abuses are corrected. Congress must provide oversight.

Intelligence Analysis

Second, if fighting terrorism is the now the highest priority of the FBI, then the role of analysts at the FBI must change dramatically. Change is happening, but so far very slowly.

Since 9/11, the number of intelligence analysts has doubled. Yet intelligence analysts are still answering the phones. They are still seen as support. They are still second-class citizens within the FBI.

Why does this matter? If the FBI is going to become a terrorism prevention agency, intelligence analysis must become the core of its mission. Analysis determines the nature of the threat. The nature of the threat determines the allocation of resources.

You cannot defeat terrorism by police work alone. Those efforts must be guided and targeted by our very best assessment of the domestic threat. That is why analysis – and the analyst – matters.

Human Capital Development

Third, we continue to be impressed with the importance of human capital development. You cannot transform the FBI into a terrorism prevention agency unless you create the workforce to carry out the mission.

There is a world of difference between snooping for intelligence and chasing criminals – and the training must reflect that difference.

There is still not a good training program in place for FBI analysts.

There is still not a good career path. There are too few analysts who are role models or in positions of responsibility.

Counterterrorism work at the FBI requires not only analysts, but also a wide range of talents: surveillance teams, translators, and agents who can speak Arabic and other critical languages.

- The FBI does not devote enough resources to surveillance teams.
- The FBI still has a deficit of translators. It has a deficit of special agents who speak Arabic. Only 33 out of 12,000 agents speak Arabic – and most of them not very well.
- The FBI lacks the ability to detect and infiltrate suspect terrorist organizations. More agents who speak Arabic, Pashto, Urdu and other critical languages would strengthen the ability of the FBI to plant and infiltrate extremist groups.

It requires great effort to recruit, hire, train, and retain a quality workforce. Human capital should be a very high priority for the FBI.

All FBI employees need to know that they are valued members of the team.

Special Agents – as talented as they are – cannot do it alone.

Every part of the FBI workforce is necessary to accomplish the terrorism prevention mission.

Management

Fourth, so many of the questions before the FBI – whether people, hardware, or software – involve questions of management. Time and again, when the FBI has run into trouble – whether it has been with computer systems or with national security letters – the central problem has been a failure of management.

The FBI cannot become the first class terrorism prevention agency the country needs and demands, unless it has top-flight management.

Everyone recognizes that the skills of special agents are critical to the future of the FBI. So are the skills of senior managers. You cannot expect agents, analysts or anyone else at the FBI to perform at their peak unless they are

trained, supported, assigned, and rewarded according to the principles of good management. The FBI has begun – and needs to continue – to bring in management talent from outside its current structure.

Resources

Fifth, the FBI must have more resources. For the past two years, the number of FBI special agent, intelligence analyst and professional support positions has been static. You cannot have terrorism prevention and law enforcement on the cheap.

We worry especially about the future of law enforcement. Since 9/11, FBI resources devoted to criminal investigations are down some 30%. Prosecutions are down 30%. At a time when violent crime in the United States continues to surge, we strongly oppose budget cuts in the Nation's premier law enforcement organization.

Congress, to its credit, has consistently voted to increase the President's request for the FBI. We can and simply must provide the resources to protect our citizens against both crime and against terrorist attack.

Vision for the Future

Finally, we want to close by talking about the FBI's vision for the future. The Bureau has been in upheaval and change for the past six years. Change has been necessary, but the American public also needs to know at the end of the day what all these changes mean and where they will lead.

The FBI Director or the new Attorney General needs to spell out for the country a clear and simple vision for the future of the FBI. What will the FBI look like, and what will its future activities include, and not include? What confidence can the American people have that they will be safe from attack, and that their civil liberties and rights will be protected?

The FBI has an important history of successful reform. It came out of the 1960s and 1970s – dark days of surveillance of civil rights leaders and anti-war protesters – and built itself anew. The FBI rededicated itself to the rule of law, changing both its reputation and our country for the better.

Now the challenge is before our leaders to spell out their vision for the future of the FBI. We look to the Congress and to this Committee to exercise robust oversight – to ensure that this vision matches the needs, values and aspirations of the American people.

Thank you for your time and attention. We look forward to your questions.

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