

**Opening Statement of Chairman Joseph Lieberman
Homeland Security and Governmental Affairs Committee Hearing
Watching the Watch List: Building an Effective Terrorist Screening System
Washington, DC
October 24, 2007**

Good morning. In this hearing we continue this Committee's oversight of America's homeland security since 9/11. This week we had oversight hearings on port security and biodefense. Today we are focusing on the terrorism watch list – a critical tool in our battle to keep terrorists from entering the United States and attacking our homeland again.

After 9/11, we found that lists of suspected or potential terrorists were in the possession of many different federal agencies were not shared. As a result, we now know that two of the hijackers, Nawaf al-Hazmi and Khalid al-Mihdhar, were regarded as dangerous by both the CIA and the NSA, but that information was never shared with the Immigration and Naturalization Service or the State Department, and therefore these two terrorists were allowed to enter our country and carry out the greatest foreign attack on our homeland in our history.

The Terrorist Screening Center, operated by the FBI, was created in December 2003, and given the mission of pulling together all the different lists of potential terrorists into one master list and make sure everyone who needed it received the list. This master list is used as the basis for the creation of separate databases used by a number of federal agencies, such as TSA's No-Fly List and the State Department's CLASS database, which is used to screen visa applicants. The terrorism watch list is also a vital tool state and local law enforcement can now access, creating a powerful new link to generate leads on potential terrorists within our country and build a strong anti-terrorism information sharing capability throughout all levels of government.

This is a vast improvement over where we were before the attacks of 9/11. I want to thank the Terrorist Screening Center, the National Counterterrorism Center, DHS, and other federal agencies for the significant progress they have made over the past four years in this area in closing the gap.

The Government Accountability Office (GAO) report that we are releasing today describes this progress. But it also discusses some critical vulnerabilities and weaknesses in the watch list system. The DOJ Inspector General, also appearing before us, has found similar problems in the watch list system in its audits of the Terrorist Screening Center.

Some of the concerns stem from the sheer size of the watch list. It contained 158,000 names, including aliases, in July 2004. That grew to 755,000 names by May of this year and now stands at about 860,000 names just five months later. That's nearly a 500 percent increase in three years. Of course, if there is a good reason to have each of those names there, the increase in the size of the list is good news. But if many of these names are mistakenly there, the credibility of the terrorism watch list and its usefulness will be compromised.

I know that the Terrorist Screening Center has undertaken efforts to review portions of the watch list, such as the entire No-Fly List, and has a long-term plan to review the entire watch list.

But, with the list likely to go over a million names in the near future, we need to know that there are clear standards for placing names on it and taking them off.

Another concern of the Department of Justice, myself – and the traveling public – is providing an appeal for innocent individuals who are caught in the watch list system because they have the same name, or a similar name, to someone who deserves to be on the list .

In the most famous example, Senator Kennedy was denied boarding on five different airline flights because his name resembled that of an IRA terrorist. It took weeks to get this cleared up.

It is essential that we have a redress system that is easy for people to navigate and can quickly resolve problems of mistaken identity without weakening the list.

The GAO report also cites cases where people whose names are on the watch list have been admitted into the country by U.S. Customs and Border Protection, and cases where people on the “No Fly” list have been allowed to board international flights traveling to the United States. So we have a system in place and being improved, but one that still lets in people who are on the watch list, and keeps out people who shouldn’t be on the list. That must be fixed. I look forward to our witnesses’ thoughts on these issues.

Senator Collins?