



**One Hundred Tenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515**

September 26, 2007

The Honorable Michael Chertoff
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Chertoff:

In recent days, we have received reports that since the passage of the Implementing Recommendations of the 9/11 Commission Act of 2007 (the "9/11 Act") on August 2, 2007, progress on the Interagency Threat Assessment and Coordination Group (ITACG) has slowed to a standstill. We are particularly concerned by the news that the Department of Homeland Security apparently is a major cause of the problem. This is very disappointing.

As we understand it, the White House circulated a draft Memorandum of Agreement (MOA) pertaining to the ITACG on June 17, 2007, to the Deputy Associate Director of National Intelligence for Information Sharing and Customer Outreach, the Director of the National Counterterrorism Center (NCTC), the Deputy Director of the FBI, the Program Manager of the Information Sharing Environment, and Mr. Jackson. The MOA was agreed to on June 23, 2007, and the MOA became final on August 29, 2007. The Department is now requiring the MOA to be modified, offering two separate rationales.

We have been informed the Department claims the 9/11 Act requires a change to the MOA because the MOA makes no mention of the newly mandated ITACG Advisory Council. We also understand the Department is claiming that the MOA must be clarified in order to ensure that the creation of the ITACG in no way restricts the Office of Intelligence and Analysis from either producing or disseminating its own intelligence products.

The 9/11 Act dramatically expanded the Department's Office of Intelligence and Analysis, elevating the Chief Intelligence Officer to the position of Under Secretary and increasing his authorities over departmental intelligence components. While no provision in the 9/11 Act prohibits the Department from disseminating information to State, local, and tribal entities, we are generally concerned that, if true, the above information implies the Department sees the ITACG as a threat instead of an opportunity. Congress stated clearly in the 9/11 Act Joint Explanatory Statement:

The Conference strongly believes that the ITACG presents the Department with a unique opportunity to realize its mission as the primary source of accurate, actionable, and timely homeland security information for its State, local, tribal and private sector partners that Congress had originally envisioned in the

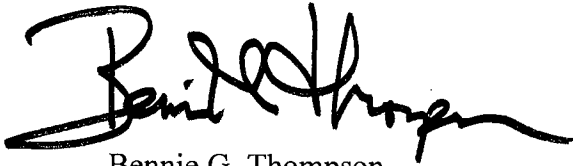
September 26, 2007

Page 2

Homeland Security Act of 2002 (6 U.S.C. 101). The Department should seize the moment. The ITACG will provide the Department and the wider Intelligence Community with an unmatched ability to identify information that is of interest and utility to those partners; produce reports which can be disseminated to them in an unclassified format or at the lowest possible classification level; and assist in the targeted dissemination of particular intelligence products to appropriate end users. By building upon the Department's customer service approach to information sharing, Department leadership of the ITACG will help the Department and other Federal agencies co-located at the NCTC to leverage their existing ties with their State, local, tribal, and private sector counterparts and ultimately invigorate the two-way flow of information with them that the 9/11 Commission identified as critical to making the homeland more secure.

It is urgent that the Department sign the agreed upon MOA without further delay and get to work on making the ITACG the robust entity the nation so urgently requires.

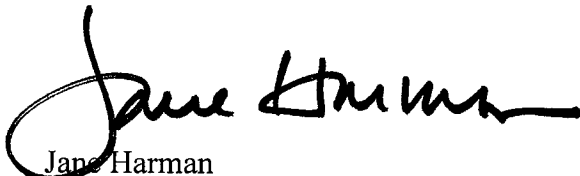
Sincerely,



Bennie G. Thompson
Chairman



Peter T. King
Ranking Member



Jane Harman
Chair
Subcommittee on Intelligence, Information
Sharing and Terrorism Risk Assessment



David G. Reichert
Ranking Member
Subcommittee on Intelligence, Information
Sharing and Terrorism Risk Assessment

cc: Frances Townsend, Assistant to the President for Homeland Security and Counterterrorism