

April 29, 2003

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to ask that you reconsider establishing a new Terrorist Threat Integration Center (TTIC) under the command of the CIA before the center opens its doors on May 1, 2003. Your decision to create such a center, designed to gather all counter terrorism information and intelligence in one place, was a positive step in our government's war on terrorism. However, the implementation of the center - specifically its location, composition, and control - appears to be misguided and potentially calamitous.

The Department of Homeland Security was created, among other reasons, to streamline management of intelligence and law enforcement information related to terrorism to ensure that our government can act as swiftly and effectively as possible to prevent future terrorist attacks. That goal will be jeopardized if the TTIC is placed at the CIA reporting to the CIA Director rather than at the Department of Homeland Security reporting to Secretary Ridge, and if it does not include state, local, and private entities in the flow of information and intelligence. The current design fails to apply the lessons of September 11th and threatens the progress of much-needed reforms.

The new Department will be collecting staggering amounts of data on the movement of people and goods across our borders and on the security conditions at our ports and points of entry. For the first time that information can be coordinated among the various agencies now placed within the new Department. The Department is also charged to closely coordinate these efforts with state and local law enforcement and security efforts as well as with the private sector. And the Department, in addition to its data assembly, analysis, and coordination role, has a major response role through its numerous law enforcement and security components. Unless this major new capability is closely tied to the other federal law enforcement and intelligence agencies outside it, the mission and capability of the new Department will be seriously compromised.

The fundamental problem is that, by placing TTIC under the command of the CIA and not the new Department of Homeland Security, it will be removed from our government's daily efforts to improve our domestic defenses, constrained by cultural and institutional rivalries between the CIA and FBI, isolated from state and local governments, and unaccountable to the nation's top ranking homeland security official. Rather than increasing the effectiveness and clarity of intelligence integration in our government as the Homeland Security Act intended, this decision risks increasing bureaucracy and confusion.

To ensure that we do everything possible to prevent another cataclysmic terrorist attack, America needs a central government location where all the intelligence and law enforcement information on terrorism - whether collected by the federal intelligence and law enforcement community, by the new network of homeland security officials, by state and local law enforcement, or gathered through open sources - can be brought together, analyzed, synthesized, and shared. The idea is to “connect the intelligence dots,” to create a full picture, so that at the federal, state, and local level, those charged with protecting us can understand what our terrorist adversaries are up to before their plans are carried out.

The location of this center within our government is crucial. If entrenched within the CIA, which has contributed to institutional rivalries and bureaucratic barriers within the Intelligence Community, it is likely the center’s ability to collect and integrate intelligence from all sources will be gravely compromised. If, however, it is placed outside these traditional rivalries - in the new Department - it will have the real power and potential to do the job we demand of it.

Independent experts agree about the need to overcome these barriers. In its fourth annual report, The Gilmore Advisory Panel to Assess Response Capabilities for Terrorism Involving Weapons of Mass Destruction called for the establishment of an *independent* fusion center to collect intelligence and other information on international terrorist activities inside the United States. In his testimony to the Senate Governmental Affairs Committee on February 14, 2003, Governor James Gilmore described the center they envisioned as the best way to overcome all the cultural and historical difficulties of getting the CIA and the FBI to cooperate.

The House and Senate Intelligence Committees’ Joint Inquiry into the terrorist events of September 11, 2001 recommended placing the new fusion center within the Department of Homeland Security. One of the primary recommendations in the Joint Inquiry’s December 10, 2002 report read:

Congress and the Administration should ensure the full development within the Department of Homeland Security of an effective all-source terrorism information fusion center that will dramatically improve the focus and quality of counter terrorism analysis and facilitate the timely dissemination of relevant intelligence information, *both within and beyond the boundaries of the Intelligence Community.*

But it is not just those outside the system who see the need for an independent integration center. Placing the TTIC under the control of the CIA ignores the experience of the Intelligence Community itself, which fully understands the difficulty of overcoming existing barriers. Just one day after you announced your intent to create the TTIC, an unnamed Administration official was quoted in *The New York Times* on January 29, 2003 stating that while information sharing between the FBI, CIA and other intelligence agencies had improved since September 11, “it has been by brute force.”

Indeed, the CIA's desire and ability to control and limit access to intelligence information is famous. Now, with the domestic United States a target for terrorists, everyone understands that our war against terrorism demands much wider support, broader sharing of intelligence and information, and better cooperation across layers and levels of government. As we now know, prior to September 11th our government knew bits and pieces of critical intelligence information regarding the nineteen suicide hijackers - but failed to integrate, analyze, share, or act on this information.

Nor is it inconsequential that placing the TTIC under the control of the CIA ignores the mandates of the legislation passed by the Congress and signed by you last year. The Homeland Security Act created an all-sources intelligence division *within the Department of Homeland Security*, called the Directorate for Information Analysis and Infrastructure Protection. The legislation is very specific, listing 19 responsibilities for the Under Secretary for Information Analysis - including "*primary responsibility to access, receive, analyze, and integrate all intelligence and law enforcement information including information from state, local, and private entities in order to assess, identify, and detect terrorist threats.*"

This is a matter of basic accountability. Our intent in creating the Department of Homeland Security was to simplify and strengthen the chain of command to make one government agency and one individual primarily accountable for the government's homeland security efforts. Since Secretary Ridge is now that individual and the Department he heads is now that agency, it only makes sense to have him and his department directly responsible for integrating, analyzing, and disseminating the information necessary to do the job. At a February 14, 2003 hearing before this Committee, Mr. James Steinberg, former deputy national security adviser, explained the dilemma this way:

Only by locating the key intelligence tasking, analysis and dissemination functions in the Department of Homeland Security can these synergies be achieved. By taking these functions away from the Department of Homeland Security, we will have a Secretary, and a Department, with accountability but no authority.

It must not be forgotten that one of the government's most urgent homeland security responsibilities is expediting the exchange of important information between federal authorities and state and local governments, who bear the brunt of the responsibility for protecting our people and responding in case of emergency. The Department of Homeland Security was carefully designed to interface with state and local governments; the CIA was not. The culture at the CIA and the FBI, oriented to older missions, too often views information sharing with the state, local, and private entities as burdensome rather than beneficial, an outlook that directly contradicts the lessons of September 11. Locating the fusion center at the CIA and placing it under the control of the CIA Director would therefore fail to create a resource that gets all necessary intelligence information from, and swiftly disseminates vital information to, state and

local governments. This is why the Homeland Security Act, the Gilmore Advisory Panel, and the Joint 9/11 Inquiry all propose full collaboration with states and locals - as well as with representatives of private enterprise - as an integral part of the culture of a new fusion center.

Governor Gilmore views strong input from states, local governments, and private entities as absolutely crucial to the success of a new fusion center. In testimony before the Senate Governmental Affairs Committee on February 14, 2003, he said:

We believe that there ought to be co-located people, representative people from states and local organizations to begin to understand the nature of what is going on in the States. There is a serious cultural problem here. We identified it years ago. It remains to this day. It is the inherent feeling of Federal law enforcement authorities that they are superior. ... But, that is balanced by the fact that local law enforcement people are more places, seeing more things across this nation each and every day. ... I think the recommendation of our commission would be that the fusion center creates a vehicle for the gathering together of all the different organizations. There even should be some facility or some ability to have an open channel of communication with private enterprise.

Mr. Steinberg, at the same hearing, stressed the changing nature of the intelligence challenge posed by terrorism directed at our country and the need to involve others beyond the federal government and the intelligence community in this struggle:

In reality we see that there are a wide variety of actors who are crucial: Foreign governments, state and local officials, business and private citizens. They all have access to information that may be relevant to the terrorist threat. They have expertise that can help us transform this raw information into meaningful intelligence. And perhaps most important, they are the key players who need to act on this intelligence, to apprehend a suspect, to prepare public health facilities in the event of an attack, to secure critical infrastructure.

With all these serious handicaps, how then will the TTIC as currently proposed work? The odds are against its success.

Moreover, the plans to create this center will not only fail to maximize government's effectiveness; they may literally increase confusion. With two government offices - the Terrorist Threat Integration Center and the Department of Homeland Security's Directorate for Information Analysis and Infrastructure Protection - arguably responsible for analyzing, integrating, and disseminating intelligence information, how will we assure clarity and swift government action to thwart terrorist threats to our homeland?

Congress's efforts to better understand the precise organization of the TTIC have unfortunately not been satisfied. Administration witnesses from the CIA, FBI, and

Department of Homeland Security at a February 22, 2003 hearing told the Senate Governmental Affairs Committee that the Administration would provide an explanation of the exact relationship between and the responsibilities of the Terrorist Threat Integration Center, the Counter Terrorism Center at CIA, and the Information Analysis and Infrastructure Protection Directorate at the Department of Homeland Security. As of today, no such explanation has been received.

In short, the TTIC, as it is currently being implemented, may fail to learn the lessons of September 11, heed the warnings of history, or build new capabilities truly suited to the new threats we face. Instead, it appears to be a clone of existing government agencies and offices - bringing together certain members of the federal intelligence and law enforcement communities and controlling their access to intelligence. It appears to be a passive, not proactive, structure, and if it is not changed the failures of the past may well recur.

In testimony on March 31, 2003 before the National Commission On the Terrorist Attacks Upon the United States, survivors of the events of September 11, 2001 and victims' families urged us all to face our government's shortcomings honestly, to pay attention to the recommendations of past commissions and inquiries by "pulling those volumes off the shelves and reading them," and to "get it right" in terms of the changes that we implement. That is why I have called for the new terrorist threat integration center to be placed in the Department of Homeland Security. Important volumes on the shelves - namely, the Gilmore Advisory Panel to Assess Response Capabilities for Terrorism Involving Weapons of Mass Destruction and the September 11th Joint Inquiry by the House and Senate Intelligence Committees - recommend such an independent integration center. More significantly, the Homeland Security Act requires it. For the sake of America's security, we must "get it right."

I hope that you will respond that we can work together to create this fusion center at the Department of Homeland Security where it belongs. However, in the absence of such a positive response, I would appreciate your explanation of the rationale and justification for placing the new center under the control of the Director of the CIA, locating it at the CIA without the benefit of the participation of state, local, and private entities, and leaving it unaccountable to our new top-ranking homeland security official.

I look forward to your response.

Respectfully,

Joseph I. Lieberman
Ranking Member

cc: The Honorable Susan M. Collins
Chairman

