

The Honorable Paul Ryan
H-232, The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
H-204, The Capitol
Washington, DC 20515

September 13, 2016

Strengthening Congressional Oversight of the Intelligence Community

Dear Speaker Ryan and Minority Leader Pelosi,

We write to express our concerns about congressional oversight of intelligence activities. Congress is responsible for authorizing and overseeing these programs. In recent years, experts and policymakers have expressed concern that congressional oversight efforts are falling short. Experts have put forth reform proposals, but there has been no systematic evaluation of whether reforms adopted heretofore have met the mark.

We believe Congress must renew its commitment to provide a meaningful check on the executive branch and reform how it conducts oversight over intelligence matters. The time for modernization is now. When the House convenes for the 115th Congress in January 2017 and adopts its rules, the House should update them to enhance opportunities for oversight by House Permanent Select Committee on Intelligence (“HPSCI”) members; members of other committees of jurisdiction; and all other representatives. The House also should establish a select committee to review how it engages in oversight.

HPSCI Modernization

- 1. Provide staff designees for HPSCI members.** Each HPSCI member must be able to designate a staffer to represent his or her interests on the committee, as their Senate counterparts do.
- 2. Improve HPSCI operations and transparency.** HPSCI must improve transparency while protecting classified information. We recommend:
 - a. For HPSCI members.** Regularly review whether HPSCI receives all requested information and reports from the executive branch. Retain an information specialist to track all requests made by and reports received by HPSCI from the intelligence community.
 - b. For the House of Representatives.** Abide by the same requirements placed on standing committees with respect to providing notice to Congress and the general public. Provide appropriate notice to all members about HPSCI’s work and support an informed conversation about intelligence oversight.

whistleblower ombudsman office will be created to provide assistance and advice to offices and review House disposition of whistleblower complaints. Committees with jurisdiction will create new secure, classified intake systems for whistleblowers to contact Congress directly.

Review of Intelligence Community oversight

In addition to the above reforms, we urge you to consider establishing a distinct, broad-based review of the activities of the Intelligence Community since 9/11, modeled after the 9/11 Commission or the U.S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities.

When questions were raised about the activities of the intelligence community in the 1970s, Congress reacted by forming two special committees, colloquially known as the Pike and Church committees. Reports preceded wholesale reforms of the intelligence community, including improving congressional-oversight mechanisms. The outcome improved congressional oversight and the perception of its efficacy. The House should provide the new select committee adequate staffing and financial support, and give it a broad mandate to review practices and structures associated with congressional oversight of intelligence matters.

Background information on our recommendations are available in the forthcoming white paper "Congressional Oversight of the Intelligence Community Reform Agenda."

Thank you for your service to our nation and for your attention to our request. We welcome the opportunity to discuss this with you further. Please contact Daniel Schuman, policy director, Demand Progress, at daniel@demandprogress.org and 202-577-6100 or Nathan Leamer, outreach manager, R Street Institute, at 202-525-5717 and nleamer@rstreet.org.

Sincerely yours,

American Library Association
American-Arab Anti-Discrimination Committee
Association of Research Libraries
Bill of Rights Defense Committee/Defending Dissent
Brennan Center
Campaign for Liberty
Center for Democracy and Technology
Constitution Project
CREDO Mobile
Demand Progress
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Federation of American Scientists Project on Government Secrecy
Fight for the Future
Free Press Action Fund
Government Accountability Project
Liberty Coalition
National Security Archive

National Security Counselors
Open The Government
OpenTheGovernment.org
Participatory Politics Foundation
Principled Action in Government
Progressive Change Campaign Committee
Project on Government Oversight
Public Citizen
R Street Institute
Restore the Fourth
Rhode Island Coalition to Defend Human and Civil Rights
RootsAction.org
Sunlight Foundation
World Privacy Forum
X-Lab