

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of H.R. 5959, the Fiscal Year 2009 Intelligence Authorization Act, and the important measures to strengthen oversight and accountability of contractors that the bill includes.

I want to first thank Intelligence Committee Chairman SILVESTRE REYES for his leadership in crafting this bill. Chairman REYES very graciously worked with me to include in this bill major portions of legislation I recently introduced along with Representative JAN SCHAKOWSKY, H.R. 5973, the Transparency and Accountability in Intelligence Contracting Act.

For the last several years, I have been working to correct a serious lack of attention to the management and oversight of contractors in the Intelligence Community. Press reports indicate that roughly half of the Intelligence Community's budget is now contracted out, yet there is little understanding of where the money goes, what kinds of activities contractors are performing, whether this contracting saves taxpayer money, and whether the contracted activities are appropriate for private corporations to perform. Additionally, accountability for misconduct by contractors has been seriously deficient.

This rush to outsource sensitive government functions has placed private contractors at the center of some of the most significant national controversies in recent years. Contractors have been accused of torturing or abusing foreign detainees, including the practice of waterboarding high-level suspects. Contractors have participated in warrantless electronic surveillance and data-mining programs targeting U.S. citizens. Contractors have been deeply involved in the analysis of critical intelligence on Iraq and al Qaeda, including, reportedly, the preparation of the President's Daily Brief on intelligence matters.

Contractors may very well have a place in the Intelligence Community, but their role must be carefully considered, thoroughly managed, and strenuously overseen. A national conversation about the appropriate use of contractors in our national security apparatus is long overdue. This is a conversation the Administration skipped over as it was implementing this major shift in the way we conduct intelligence operations, but for the sake of the integrity of our national defense, we must collectively scrutinize this practice and set clear boundaries.

H.R. 5959 begins to put Intelligence Community contracting back on a rational and stable footing. It incorporates a number of provisions for which I have advocated. Let me highlight just

a few examples.

First, the legislation would explicitly prohibit the use of contractors for the performance of interrogations. Interrogations should be carried out by individuals who are well-trained, fall within a clear chain of command, and have a sworn loyalty to the United States--not by corporate, for-profit contractors. Given how delicate such interrogations are, and how critical the intelligence they obtain might be, I believe that drawing this red line is a commonsense step with which all members should agree.

The House passed a similar restriction on Defense Department contractors as part of the Defense Authorization bill in May. This bill would appropriately extend that limit to intelligence contractors outside the DoD.

Second, the bill would require an assessment of the number and cost of contractors employed by the intelligence community, the types of activities being performed by contractors, an analysis of cost savings, and a description of mechanisms available for ensuring oversight and accountability. This assessment will give Congress the data we need to ascertain whether the use of contractors for certain activities is beneficial and what reforms may be needed.

Third, the bill would require the Director of National Intelligence to assess the appropriateness of using contractors for especially sensitive activities, including intelligence collection, intelligence analysis, interrogation, detention, and rendition. It will also require information on how many contractors are currently employed in the performance of these activities. Giving the head of the Intelligence Community the chance to explain the reasoning behind this widespread contracting will allow the Congress to carefully weigh the appropriate limits for intelligence outsourcing.

These provisions are not overly prescriptive or restrictive. We fully recognize that the intelligence community needs flexibility and agility to be able to obtain and deliver to decision-makers accurate and timely intelligence about matters involving extremely high stakes. Rather, this bill gives us the tools we need to initiate a conversation about how we can better organize, manage, and oversee contractors. It is a first step toward ending the abuses of the past.

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Again, I thank Chairman REYES and his colleagues on the Intelligence Committee for recognizing the importance of addressing contractor issues in the intelligence community. I look forward to continuing to work with him on this issue.

I urge my colleagues to support this legislation.