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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 7, 2010

The Honorable Edolphus Towns
Chairman
Committee on Oversight and Government Reform
Washington, D.C. 20250

Dear Chairman Towns:

We write to express our deep concern about your refusal to conduct an investigation and hold hearings on national and homeland security failures exposed by the Christmas Day terror attack. Following the September 11, 2001, terrorist attacks, the Oversight and Government Reform Committee built an extensive, robust and bipartisan record of investigating security failures and impediments to interagency cooperation and information sharing. This Committee also played a key role in drafting legislative responses to these security failures. We strongly believe that a change of administration should not alter this committee's commitment to successful cooperation and engagement on vital national security issues. This Committee is uniquely positioned in the House of Representatives to investigate failures involving multiple agencies, and our Committee must not abdicate this responsibility on critical questions of national security when American lives are at risk.

Your suggestion of a Government Accountability Office (GAO) study and your ambiguous commitment to privately review and resolve shortcomings in our homeland security system without hearings or a bipartisan investigation are wholly inadequate responses to this serious incident. We also find your assessment that the recommendations of the 9/11 Commission justify a lack of further investigation by this Committee to be deeply flawed. We support and stand with Ranking Member Issa in his demand that this Committee hold hearings to pursue a bipartisan investigation of this security failure. Furthermore, we reject any accusation, in view of this Committee's history, that such a demand is either inappropriate or partisan.

The central role that this Committee serves in solving the problems that continually plague the federal bureaucracy – especially those that threaten the safety and security of the American people – is undisputed. The House has assigned this Committee with vast oversight responsibilities that allow us to investigate any federal agency or program without the limitations of a narrow jurisdiction. Even when other committees

execute their own oversight responsibilities, they are necessarily restricted in the scope of their investigations. It is a real possibility that individual committees will hear from agencies that will tell their side of the story and possibly pass the blame onto other agencies, thus initiating a fruitless cycle of reciprocal finger-pointing and piecemeal reforms that fail to integrate government-wide solutions to nation-wide problems. Such a breakdown of oversight would be dangerously similar to the original problem each committee was tasked to solve. This Committee, however, has the authority to investigate the problem as a whole by requiring testimony from every government agency involved in this security breach, including Homeland Security, the State Department and the entire intelligence community.

This Committee must address the inactions of this Administration that facilitated a failed bombing attempt. Under previous Democratic leadership, this Committee rightfully demanded answers from the Bush Administration when it came to matters of national and homeland security. Already a growing suspicion is developing that this Administration will escape serious oversight and accountability because it happens to be of the same party as the Majority. Your resistance to hold hearings and initiate a thorough investigation threatens to leave the American people with the impression that providing partisan political cover is more important than their safety and protection.

While we have not questioned the legitimacy of many subjects that you have decided to investigate – from Portable People Meters to the “White House Party Crashers” – it is a dereliction of our duty to the American people that such investigations inhibit this Committee’s ability to continue ongoing and needed oversight on issues of much greater significance and national import. Moreover, any effort to occupy this Committee’s time and resources in a way that shields the Administration from real oversight will prove, in the end, a disservice to this Administration – or any administration that is denied the congressional check and balance that our Constitution requires. Our concern has reached such a level that we intend to consult with our Democratic colleagues about your repeated unwillingness to lead this Committee to fulfill its proper role. We strongly suspect that many of them share our concern that under your chairmanship this Committee has too often shown a reluctance to fulfill its oversight responsibilities. Already in this Congress, we have regretted the need to resort to extraordinary measures designed to convince you to pursue an investigation of corruption in the mortgage industry. It would be even more regrettable for the security of the American people to require a similar protracted strategy of political pressure to convince the Chairman of the need for action.

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The American people are clearly concerned that elements of the federal government are regressing into a pre-9/11 mentality on the threat of terrorism. These recent failings of our security agencies, which President Barack Obama has acknowledged led to near-tragedy, demonstrate unacceptable parallels to those that allowed the 9/11 attacks to occur. If you are unable to lead a bipartisan investigation on this subject, it raises very serious concerns about your ability to do so on other matters in the future.

Therefore, we request that you cease the stonewalling of this Committee's active and vigorous oversight, call for immediate hearings on this matter, and retrieve this Committee and your chairmanship from a year-long march toward the precipice of congressional irrelevance.

cc: Democratic Members of the Oversight and Government Committee

Sincerely,

Dan Burton

John Manning

Paul J. Cox

Blaine Murphy

Steve Chaffetz

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