

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
WASHINGTON, DC 20511

September 29, 2009

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

The Honorable Christopher S. Bond  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Madam Chairman and Vice Chairman Bond:

Enclosed please find the completed responses to the Prehearing Questions in support of Mr. David C. Gompert's nomination to be the Principal Deputy Director of National Intelligence.

If you have any questions on this matter, please contact me on (703) 275-2473.

Sincerely,



Kathleen Turner  
Director of Legislative Affairs

Enclosure

## Responsibilities of the Principal Deputy Director of National Intelligence

### QUESTION 1:

#### A. Explain your understanding of the responsibility of the Principal Deputy Director of National Intelligence (PDDNI):

- To assist the Director of National Intelligence (DNI) in carrying out the DNI's duties and responsibilities; and
- To act in the DNI's place in the DNI's absence.

If you believe that the PDDNI has any additional responsibilities, please describe them.

**ANSWER:** The PDDNI's responsibilities flow from those of the DNI. Whether assisting, acting for, or serving alongside the DNI, the PDDNI has core responsibilities bearing on U.S. national security:

- Helping to keep the United States safe by bringing to bear the full capabilities of U.S. intelligence to warn of and prevent attack.
- Providing national security policy-makers with objective, high-quality intelligence information and analysis.
- Ensuring that U.S. operating forces and commanders have the benefit of all intelligence that might improve their effectiveness.

In turn, these core responsibilities require the PDDNI, working for and with the DNI, to integrate and improve U.S. intelligence in several fundamental ways:

- Setting priorities across the intelligence community so that both the allocation of existing collection and analytic capabilities and investments to improve those capabilities are optimized.
- Enabling the effective sharing of intelligence information at all levels across the community and with clients.
- Organizing cross-agency collaboration, such as through national intelligence centers, mission managers, and other forms of teaming.

I would, if confirmed, also be responsible, with the DNI and other IC leaders, for improving the understanding of, respect for, and trust in the intelligence community and its people on the part of the American people. Our national security depends on, and intelligence professionals have earned, public confidence, cooperation, and support.

#### B. Is it your understanding that you and the DNI will divide responsibilities and that you will have a specific portfolio as PDDNI? If so, please describe this portfolio as you understand it. If not, please describe what you believe your primary responsibilities and activities will be, and on what areas you will concentrate.

**ANSWER:** As just noted, the PDDNI, like the DNI, has responsibilities to meet today's intelligence needs as well as to integrate and improve U.S. intelligence. In 2005, the "WMD Commission" noted that "the DNI's responsibilities are both critically important and exceedingly difficult" and warned that "the obligation to provide current intelligence support to the President and senior policy makers will reduce or eliminate the

attention the DNI can devote to the painstaking, long-term work of integrating and managing the community." With this dual challenge in mind, Director Blair and I have agreed that my background and knowledge are especially suited to meeting the needs of policy-makers with information and analysis drawn from across the IC. This would enable the DNI to concentrate that much more of his energies on integrating and improving U.S. intelligence for the future.

Of course, the DNI is the chief intelligence advisor to the President and would in any case remain a key and full participant in the interagency process at the "principals" level. Likewise, if confirmed, I would be expected to fulfill all the responsibilities of the PDDNI, as just outlined.

**C. To what extent should the PDDNI be a manager within the ODNI? Is it your understanding that anyone will report to you directly if you are confirmed?**

**ANSWER:** I would, if confirmed, have management duties within ODNI. This has both formal and equally important informal aspects. Formally, I will be responsible for preparing performance reviews of the heads of the ODNI National Intelligence Centers and Mission Managers. This fits with the emphasis on supporting policy-makers, as just described, in that these organizations all relate directly to ensuring IC consumers are provided with objective, integrated, high-quality current intelligence. For his part, the DNI would be responsible for reviewing the performance of those ODNI officials responsible for helping to integrate and manage the IC, as well as heads of the intelligence agencies.

Notwithstanding these formal reporting and reviewing relationships, Director Blair and I agree that the leaders of all these organizations will continue to have direct access to and support of the DNI. Conversely, all parts of ODNI, not just those formally reviewed by the PDDNI, could count on me, if confirmed, to take a strong interest in their work, guide and support them as needed, and be completely accessible. Indeed, the PDDNI's role in IC management at the deputies' level and involvement in issues and initiatives as they arise will require my regular reliance on and contact with all parts of ODNI.

These understandings, along with the close working relationship I would expect to have with the Director, should make this arrangement succeed. My conversations with the DNI and senior ODNI managers in the course of preparing for confirmation convince me that it will.

**QUESTION 2:**

**A. Explain your understanding of the role of the DNI in overseeing elements of the Intelligence Community (IC) that reside within various departments of the federal government, and for elements that are not housed within other departments.**

**ANSWER:** The DNI's role is to see to it that the whole of the IC is greater than the sum of its many components. This does not require the DNI to second-guess day-to-day operations or management of the agencies, so long as they are consistent with law and applicable policies. Nor do I envision the DNI attempting to manage how elements of the IC are serving their parent departments. At the same time, the DNI

should encourage and assist these agencies to utilize the entire IC to serve their departments, such as through their involvement in IC-wide priorities-setting, information sharing, and collaboration. Likewise, the DNI is responsible for ensuring that all IC elements, including those within departments, function in ways that make U.S. intelligence as a whole more effective.

In addition to this general oversight role, the DNI has specific authorities by law to guide elements of the intelligence community, including those that reside in other government departments, for the overall effectiveness of national intelligence. In particular, the DNI provides budget guidance to these elements and ultimately approves and presents a consolidated National Intelligence Program (NIP) budget to the Congress; he approves transfers and reprogrammings of appropriated NIP funds; and he has the authority to effect transfers personnel among intelligence agencies for certain purposes.

The component of the IC that is not part of another department is, of course, the CIA. By law, the Director of the CIA reports to the DNI. The DNI has statutory authority to: direct the CIA to perform such functions and duties related to intelligence activities affecting the national security as may be required; direct the CIA in its coordination of foreign intelligence relationships; direct the allocation of NIP appropriations to the CIA; and ensure that the CIA complies with the law. Also, by statute and under Executive Order 12333, the DNI has a consultative or concurring role with respect to the appointment and removal of heads of intelligence elements in other departments. The DNI is responsible for recommending an individual to the President for nomination as CIA Director, with the advice and consent of the Senate.

**B. What issues have you become aware of through your general observation, professional experience, or through your preparation for your confirmation, with respect to the role of the DNI in overseeing intelligence elements of the Department of Defense? What is your understanding of these issues?**

**ANSWER:** I appreciate the vital importance of an effective relationship between the Office of the DNI and DoD. Moreover, I know from studying the legislative history of IRTPA that there were concerns that the chain of command between our armed forces and their DoD leadership could be complicated by the DNI's relationship with the various defense intelligence organizations that are part of the IC. From my observation over the years since IRTPA was enacted, reinforced by my preparation for confirmation, I believe that the awareness and effectiveness of our armed forces has in fact been improved by greater IC integration. From my own observation, I believe that DNI and DoD efforts to tighten the relationship between DoD and non-DoD IC elements is already increasing the timeliness and completeness of the intelligence available to our commanders and armed forces. This is increasingly evident from operations in Iraq and Afghanistan, where information sharing and collaboration between DoD and non-DoD intelligence arms has expanded since the establishment of the DNI. Conversely, I am not aware of any cases in which our commanders and forces have been disadvantaged by IC integration.

In addition to intelligence sharing, the DoD-ODNI relationship is working well with regard to:

- Allocating collection and analytic capabilities to serve both military and national needs

- Allocating funds for investment to develop and acquire improved capabilities to serve both military and national requirements
- Jointly managing development and acquisition programs that address both national and military intelligence needs, and that may involve both NIP and MIP funds.
- Addressing collaboratively the growing need for securing military and intelligence networks.

Although this is a positive and promising picture, it is so critical to national security and to current military operations that it should remain a top and constant priority for the DNI, the Principal Deputy, and leaders throughout the IC. I would, if confirmed, dedicate myself to doing all I can to ensure that the support of the DNI and the entire IC enables our military to be served better and better by national intelligence. Because the intelligence needs of DoD and our forces overlap with but differ from the intelligence needs of our nation's policy-makers, issues and trade-offs will inevitably arise about how best to exploit and improve total U.S. intelligence capabilities. I would, if confirmed, join the DNI and DoD leaders in addressing them squarely and resolving them cooperatively.

In sum, the relationship of the ODNI and DoD's intelligence arms, and between DNI and DoD generally, is vital, has progressed well, is bearing fruit, and will remain a top priority.

**C. What issues have you become aware of through your general observation, professional experience, or through your preparation for your confirmation, with respect to the role of the DNI in overseeing intelligence elements of other departments of the United States government? What is your understanding of these issues?**

**ANSWER:** The DNI's challenge in overseeing the intelligence elements in other departments and agencies is to coordinate and integrate their efforts. Aside from the FBI and CIA, the elements outside of the Department of Defense are analytical elements that serve their parent departments. The DNI is responsible for ensuring that each of these elements has access to all the intelligence that can support its department's mission. Likewise, it is the DNI's responsibility to ensure that skills and information resident in any element that can help other departments or address larger national intelligence questions are identified and optimized as part of an integrated team. While I am not aware of any issues regarding the intelligence functions or relationships between the ODNI and non-DoD federal departments, my impression is that they are making steady progress in meeting the heightened requirements facing the nation since 9/11, particularly those concerning terrorist threats. Moreover, they are making increasingly important contributions to U.S. intelligence as a whole. Being part of an increasingly integrated IC should help these intelligence elements as well as the departments they serve.

**QUESTION 3:**

**A. Do you believe additional legislation is needed to clarify or strengthen the authorities and responsibilities of the DNI with respect to the IC?**

**ANSWER:** While I have studied the responsibilities and authorities of the DNI as set forth in law and Executive Order, I lack the first-hand experience to make a considered judgment on the need for additional legislation.

I find the DNI's responsibilities, and by extension mine, if confirmed, as PDDNI, to be very clear. Simply stated, they are to lead the IC, to serve as chief intelligence advisor to the President and NSC, to improve both warning and support for policy-making, to give U.S. forces access to the best, fullest, fastest national intelligence, to effect IC-wide sharing and collaboration, to set priorities, and to build and manage an integrated National Intelligence Program.

The matter of authorities is more complex. The ODNI is unusual in that it has responsibilities over sixteen other IC elements, fifteen of which reside in six different departments and answer to the heads of those Departments as well as to the DNI. Consequently, DNI authorities are in many respects shared or otherwise limited by these dual reporting relationships. Overall, this arrangement appears to be working well and steadily improving. My judgment at this point is that the DNI is able to fulfill his responsibilities even with shared or limited authority where these six departments are concerned. Moreover, the departments themselves are all benefiting, and see themselves as benefiting, from the IC integration, sharing, and collaboration that the DNI already provides and is expanding. Finally, the roles, responsibilities, and reporting relationships of IC agencies within their respective departments is a strength of U.S. intelligence insofar as it improves responsiveness to departmental policy and operational demands.

In sum, the current arrangement with other departments, while complex and decentralized, has significant advantages and is not an inherent impediment to strengthening and integrating the IC under the DNI. Based on what I know now, I am confident that the understandings and practices governing shared authorities with cabinet departments will keep improving.

If confirmed as PDDNI, my views on this will be seasoned by experience. If I conclude that U.S. intelligence and national security could be strengthened by further clarification of DNI authorities, I would not hesitate to raise it with the DNI. In any case, it is important and helpful to have an open and continuing discussion with the intelligence oversight committees regarding the evolution and sufficiency of DNI authorities, and I look forward to joining that discussion if confirmed.

**B. What do you understand to be the authorities of the PDDNI? Does the PDDNI possess any authorities independent of the DNI, or are the PDDNI's authorities derived entirely from the DNI?**

**ANSWER:** Under the law, the PDDNI's function is to assist the DNI in carrying out the duties and responsibilities of the DNI. In addition, the PDDNI becomes the acting DNI in the DNI's absence. The law does not include any separate authorities for the PDDNI. The law does permit the DNI to delegate certain authorities to the PDDNI, including the authority to protect sources and methods from unauthorized disclosure. In addition, the PDDNI may be called upon to make major acquisition decisions. As

an executive branch officer, the PDDNI could also be directed by the President or the DNI to carry out any other lawful executive branch functions.

Although the PDDNI's authorities are not specifically enumerated in statute, if confirmed, I anticipate that I will assist the DNI in executing his authorities, to include overseeing IC elements, resolving issues between IC elements over the tasking of national collection assets, providing common services, ensuring maximum information sharing and collaboration, and ensuring objective and high-quality analysis of intelligence to support national security needs.

**C. If confirmed, will you have any role in completing the policies, guidelines, and procedures necessary to fully implement the revised Executive Order 12333? In answering this question, please identify and discuss the most important issues that you believe need to be addressed with respect to the implementation of Executive Order 12333.**

**ANSWER:** Executive Order 12333, as amended, is one of the fundamental documents governing the activities of the IC. In my view, its most important provisions are those that go to the heart of the effectiveness of U.S. intelligence: setting objectives, priorities, and guidance for collection, processing, analysis, and dissemination; issuing guidance with respect to how intelligence is provided to, or accessed by the IC; and issuing guidance concerning the deconfliction, coordination, and integration of intelligence activities. I also regard guidance concerning the functional managers and mission managers as extremely important to the IC's effectiveness and integration. If confirmed, I will focus on these areas, under the guidance of the DNI, to ensure that we have adequate implementing guidance in place.

#### **QUESTION 4**

**A. Explain your understanding of the obligations of the DNI under Sections 502 and 503 of the National Security Act of 1947.**

**ANSWER:** Section 502 of the National Security Act requires the DNI, as well as the heads of all departments and agencies with intelligence components, to keep the intelligence committees fully and currently informed of all U.S. intelligence activities (except covert actions that are covered in section 503). Clearly, this includes significant anticipated intelligence activities and significant intelligence failures. Section 503 imposes similar obligations with respect to covert action. Under this section, the DNI and the heads of all departments, agencies, and entities of the U.S. Government involved in a covert action are charged with keeping the committees fully and currently informed of all covert actions that may be undertaken by elements of the U.S. Government.

Both sections 502 and 503 require the DNI to furnish the congressional intelligence committees any information or material concerning an intelligence activity or covert action that the committees request in order to carry out their responsibilities.

Section 502 provides that congressional notification must be made to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive sources and methods or other exceptionally sensitive matters. Section 503 includes similar language. In extraordinary circumstances, I

believe it could be appropriate to brief only the Chairman and Vice Chairman/Ranking Member of the intelligence committees on particularly sensitive matters.

Director Blair has emphasized throughout our conversations his commitment to and insistence on timely and complete congressional notification. Like him, I believe that congressional notification must be timely to be effective. If confirmed as PDDNI, I will conduct myself in complete accord with his strong views, which I share.

**B. Does the PDDNI have any responsibility to ensure that all departments, agencies, and other entities of the United States Government involved in intelligence activities in general, and covert action in particular, comply with the reporting requirements of those sections?**

**ANSWER:** The PDDNI has the responsibility to assist the Director in carrying out his statutory authority under the National Security Act to ensure compliance with the Constitution and laws of the United States, including those that require all components of the IC to keep the Congress fully and currently informed of intelligence activities and covert actions. Soon after assuming his position, Director Blair issued a memorandum to the heads of all IC components reminding them of their obligation in this regard and directing that they review their internal procedures to ensure full and timely compliance. If confirmed, I will assist the Director in ensuring that all IC elements comply with the reporting requirements in sections 502 and 503.

**C. What lessons do you believe should be learned from the experiences of the last several years concerning the implementation of Sections 502 and 503, including the decisions not to brief the entire membership of the congressional intelligence committees on significant intelligence programs at their inception such as the Central Intelligence Agency (CIA) detention, interrogation and rendition program and the National Security Agency (NSA) electronic communications surveillance program (often referred to as the "Terrorist Surveillance Program" or "TSP")? With the benefit of hindsight, do you believe these decisions were wise?**

**ANSWER:** As I understand it, the previous Administration initially limited notification to Congress of the CIA's rendition, detention, and interrogation programs, as well as the President's Terrorist Surveillance Program ("TSP"), to the so-called "Gang of 8". As noted in one of my previous answers, Sections 502 and 503 provide that congressional notification must be made to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive sources and methods or other exceptionally sensitive matters. This does not limit the obligation to keep the intelligence committees informed but rather provides the Administration a degree of latitude in determining how and when to bring extremely sensitive matters to the committees' attention. I agree with Director Blair that limited notification should be undertaken only in the most exceptional circumstances, as reflected in the standards set in Sections 502 and 503.

Because of the limited notification of the programs referred to in the question, those programs did not receive oversight of the full membership of the congressional intelligence committees. Such oversight helps ensure that intelligence activities are conducted effectively and efficiently, have solid legal and constitutional foundations, and protect the privacy and civil liberties of all citizens. I believe that timely and complete congressional notification to the full intelligence committees should be



provided and that the "Gang of 8" limitations should be used only when consistent with standards set forth in the statute.

**D. Under what circumstances, if any, do you believe notification should be limited to Chairman and Vice Chairman or Ranking Member of the congressional intelligence committees?**

**ANSWER:** See response to questions 4 (A) and (C).

### **National Security Threats**

#### **Question 5:**

**A. What are the principal threats to national security with which the IC must concern itself in the coming years?**

**ANSWER:** Based on my experience in assessing national security threats and my preparation for confirmation, I believe the IC should concern itself with the following priorities.

- Finding and crippling al-Qa'ida
- Preventing and countering the proliferation of WMD, especially:
  - Iranian and North Korean nuclear programs
  - Diversion and trafficking of fissile materials
  - Biological weapons
- Supporting U.S. forces in the field and securing the future of Afghanistan and Iraq
- Understanding the implications of change, especially:
  - Growing Chinese power
  - Global economic and financial stability
  - Cybersecurity
  - Energy security, environmental security, and health security

While most of these challenges are likely to be with us for years to come, I would observe that security conditions are unstable and that specific dangers and U.S. priorities can change. So the IC should continuously rethink its views of the principal threats.

**B. What is the nature of each such threat and what are the questions that the IC should address in its collection activities and assessments?**

**ANSWER:** Al-Qa'ida remains a serious threat to the Homeland despite recent successes in degrading its command structure. Although other terrorist groups, e.g., Hizballah, can pose a threat, none currently combine intent and capability to the same degree as al-Qa'ida. The challenge facing the IC is to understand, locate, track, isolate, disrupt and damage al-Qa'ida leadership, networks, and franchises. In this regard, the IC can help Pakistan improve its efforts against al-Qa'ida and extremist groups that support it.

Key questions for the IC include: the aims of the terrorists; the extent they pose a threat to the Homeland, its people, American interests at home and abroad, and American allies; their vulnerabilities; their capabilities; the states or other entities providing support (financial, political, logistical, and other support); recruitment into these groups; and potential disruption of the recruitment process; potential partnerships to achieve American goals.

Iran's continuing efforts to develop capabilities suitable for producing nuclear weapons could damage U.S. interests, threaten U.S. friends, and trigger wider proliferation in a critical region. With North Korea, I worry not only about nuclear weaponry in the hands of a potentially reckless regime, but also its covert sale of nuclear technology and missile weaponry. Biological weapons, which can be easier to acquire and use than nuclear, could present a growing threat.

Key questions for the IC include: the objectives and intentions of the Iranian and North Korean leadership; changes in these regimes and their objectives and intentions; opportunities options are to alter their intentions; current and developing capabilities and potential for disruption; regime sharing or selling their nuclear, biological, and/or chemical weapons technology; availability of weapons-producing knowledge, materials, and technology, both overtly and covertly; production of weapons-grade materials and weapons themselves.

The Taliban-led insurgency in Afghanistan is proving resilient. Besides supporting the commanders and armed forces in the field, the IC must assist and inform policymaker efforts to enhance security, improve governance and extend development so that Afghanistan does not revert back into a safe haven from which terrorists can attack Americans or American interests. Intertwined with the fate of Afghanistan is Pakistan, which has increased the tempo of its fight against militants. But Islamabad faces enormous social, political, and economic challenges dealing with the underlying reasons for the growing extremism.

Key questions for the IC include: the capabilities in the National Intelligence Program to support the policy makers and the war fighter and how can they be best utilized; the capabilities and intentions of the Taliban.

The situation in Iraq has improved in the last two years and is substantially better than when I served there in 2003-2004. Continued extremist violence is virtually certain. This danger suggests a need to watch closely how the main groups react to extremist provocations, and how the departure of U.S. forces will affect the behavior of all parties.

Key questions for the IC include: the potential of AQI to cause more widespread and sustained violence; the posture of the main groups (Shi'a, Sunni, Kurd) that make up Iraq's political order; reactions of key neighboring states (Iran, Syria, Turkey, and Saudi Arabia) to developments in Iraq.

China continues to grow rapidly and exert its power in a variety of arenas, from economics and military to cyberspace and diplomacy. The IC will be called upon to gather, analyze, and synthesize intelligence on all aspects of China's growth, capabilities, goals, strategy, and likely conduct.

Key questions for the IC include: China's interests and goals, and how are they evolving as China develops and integrated; the role of military capabilities and the use or threat of force in Chinese strategy; the issues on which China can and might play a constructive and cooperative role; China's internal development and its affect on its external policies; the growth of Chinese power and reach affecting U.S. interests and stability in East Asia.

The global economic downturn has the potential to contribute to political and social instability in many countries especially where unemployment remains high, resources are inadequate, and investment is lagging. Weak governance and failing states sow the seeds of instability, providing safe havens to terrorists and organized crime groups and resources are sourced.

Key questions for the IC include: the threats that economic instability poses to U.S. national security; the extent these threats emerge or escalate abroad; the conditions that exacerbate economic threats to national security and how these conditions and the threats themselves be detected and mitigated.

Most aspects of American life—commercial, financial, military, transportation, utilities, law enforcement, public safety, education, health, and social — are increasingly dependent on information networks and systems. This reality, combined with the spread of cyber know-how and the “open” (increasingly Internet-based) character of most information services, suggests that information security and cyber security will be a growing problem and potentially severe problem.

Key questions for the IC include: the disruption, intrusion, or destruction threat to IC IT systems, to U.S. Government IT systems, to American commercial IT systems, to critical infrastructure; Detection of threats and intrusions; other countries use of IT.

Energy security, environmental security, and health security present diffuse but important and related issues for policymakers. How environmental resources are acquired and exploited to create energy for powering states impacts climate change which in turn affects future energy resources and the quality of the environment and the health of the people in it. Energy security is quickly becoming a leading driver for the actions of foreign nations and the H1N1 virus presents both a threat to American health security and an opportunity to establish cooperation on future health issues. All three issues present opportunities for international cooperation but can also stress state relations and lead to conflict. Energy, health, and environmental security present a difficult challenge for the intelligence community because of the wide variety of sources to collect from, including open source, academic, and scientific in addition to clandestine and indirect sources. Because of the potential for these types of security issues to impact how nations interact, even if and when they go to war, the IC must play a useful, focused role for policymakers in providing information on these issues.

Key questions for the IC include: the influence of energy security, health security, and environmental security on foreign nations interactions with the U.S. and each other; the affect of energy, health, and environmental issues on the goals and interests of other nations.

**C. In your opinion, how has the IC performed in adjusting its policies, resource allocations, planning, training, and programs to address these threats?**

**ANSWER:** Without having done the kind of comprehensive examination I intend to do if I am confirmed, I can only give you an initial impression of the IC's performance in addressing these dangers. While the dangers are multifarious, it is necessary to apply whatever capabilities it takes to theaters where U.S. forces operate and are at risk, notably Iraq and Afghanistan. Moreover, the demands of warning of Homeland attacks and disrupting those who might launch such attacks must also be met. On these highest immediate priorities, I think the IC has done well in strengthening and focussing its collection and analytical capabilities.

At the same time, the immediate should not overwhelm the future. Any of the longer-term threats I mention could also become strategic and dangerous. Decision makers need help now in defusing and preparing for those threats and should not have to wait until immediate threats ease.

In general, the IC is making progress in adapting to a world of complex, diverse, and shifting dangers and demands. The IC is getting better at setting and adjusting priorities, allocating collection assets, exploiting all available information, and analyzing untraditional threats. A long term challenge is to develop a corps of analysts who are both deeply knowledgeable about known problems and versatile enough to spot and comprehend emerging ones.

**D. If not otherwise addressed, discuss your view of the appropriate IC roles and responsibilities with respect to the issues of climate change and energy security, and how well the IC has performed in these areas.**

**ANSWER:** Both climate change and energy dependence could cause national security problems in the future. The greatest concerns about energy security are with the disruption of supply resulting from attacks on production sources or supply routes, political upheaval in key supplying countries, and political manipulation. The IC has clear responsibilities to analyze and warn of such dangers. Security problems from climate change could include disasters, resource conflicts, and turmoil in fragile and/or critical regions. While these dangers may be well into the future, the IC has a duty to analyze and apprise policy-makers of them today so that we can prevent and prepare for them.

Climate change and energy have an obvious but complex interrelationship. Increasingly, the IC's role will be to understand such interrelationships, as well as to analyze these issues from many different perspectives – political, economic, and demographic, and from the perspective of several scientific disciplines. My experience is that the IC has been working to build expertise in many of those areas. For example, the National Intelligence Council issued National Intelligence Assessments on both climate change and energy security over the past year. In addition, the NIC has established a special Long-Range Analysis Unit, which is responsible for focusing IC attention on longer range challenges to US interests.

Outreach to and involvement of the expert community are increasingly important ways for the IC to gain specialized knowledge and information, while also contributing to national understanding. This is especially crucial on climate change, energy security, and other long-term global issues.

**E. Please discuss your view of the appropriate IC roles and responsibilities with regard to the vulnerability of both US government and privately-owned satellites.**

**ANSWER:** The IC has the responsibility to collect, analyze, and disseminate intelligence concerning threats to space systems that support U.S. national security and military operations. This entails assessing foreign counterspace capabilities and intent, actual and potential, as well as providing indications and warning of any threatening activity to help space operators mitigate intentional threats as well as natural and accidental dangers. It encompasses threats not only to satellites but also to other space subsystems and links, whether such threats are physical or electronic. Such intelligence can be used by space system designers, developers, and operators to identify and reduce satellite and other space system vulnerabilities.

The IC is also responsible for assessing threats to U.S. space systems that are not primarily for national security. As appropriate, information may also be shared with U.S. commercial and friendly foreign space authorities.

Finally, in cooperation with the U.S. military, the IC is responsible for ensuring the survivability, endurance, and performance of U.S. space systems with national security missions.

**Management Challenges Facing the Intelligence Community**

**QUESTION 6:**

**A. Apart from national security threats discussed in answer to Question 5, what do you consider to be the highest priority management challenges facing the IC at this time?**

**ANSWER:** While the IC as a whole and the DNI face a multitude of management challenges, my highest management priorities as PDDNI, if confirmed, flow from the core responsibilities and the expectations of the DNI as described in the answer to Question 1.

Coupling intelligence with policy-making is critical. Much of my career has been spent doing that. It is essential that the IC's organizations and people support the interagency policy process while maintaining their objectivity, which is fundamental to good intelligence. I sense that important lessons have been learned about the importance and challenge of keeping this balance between support to policymakers and independence from policymaking, and I am confident that it will be done. As one of the IC's leaders, if confirmed, I would draw on my experience, maintain my commitment, and work hard to ensure that the IC supports U.S. policy-makers with reliable information and unvarnished analysis.

Ensuring ever greater collaboration across the intelligence community is another high-priority management challenge. As reforms are made to integrate intelligence -- to improve sharing, remove barriers, set standards, and institutionalize cross-agency work -- such collaboration will become the norm. Meanwhile, by forming cross-agency teams to tackle critical current and looming problems, the DNI and PDDNI can help ensure that collection and analytic resources are aligned, that all information is exploited, that

best practices are developed and used, that people with Community awareness are developed, and that a culture of sharing is promoted.

One of the most important benefits of having a DNI is the ability to set priorities across the Intelligence Community and see to it that existing capabilities and investments in better capabilities are guided by those priorities. From what I have learned of it, the National Intelligence Priorities Framework (NIPF) is a good way to push continually for optimal use of existing capabilities. Also, the National Intelligence Program (NIP) both requires and allows investment funding to address priorities Community-wide. In addition to enhancing and utilizing the NIPF and NIP, I would if confirmed be able to help convey and translate the needs of policy-makers and military commanders to set the priorities of the intelligence community.

Recently, the DNI issued the National Intelligence Strategy (NIS) to guide the community for the next four years; this Strategy sets out the following guiding principles: responsive and incisive understanding of global threats and opportunities, coupled with an agility that brings to bear the Community's capabilities. Using the new NIS as a springboard for practical efforts and programmatic priorities is a management challenge for the DNI and PDDNI.

In my conversations with Director Blair and others in preparation for confirmation, I have also been encouraged to support the CIO in transforming the IC's business operations – people, processes and technology, such as for budgeting, financial tracking, and managing human resources. My background in this area convinces me that the IC as a whole could be more integrated and efficient if currently disparate “back-office” environments are rationalized and improved.. Because the IC is not the only large and decentralized enterprise that has faced this problem, it can learn from how others have tackled it, while also heeding the requirements of the users of these systems, which can motivate and guide transformation.

Finally, the DNI has undertaken a major effort to establish, communicate, and apply IC-wide standards of quality and objectivity in analysis and intelligence products. I bring to the IC considerable experience in the principles and practice of assuring quality through standards, analytic transparency, proper documentation, balance, and critical review. While I am inspired by the IC's level of commitment, sophistication, and recent progress on this front, it is a major challenge, which I intend to help tackle if confirmed.

**B. Is it your understanding that you will have specific management responsibilities if confirmed?**

**ANSWER:** In addition to those management responsibilities shared with the DNI and noted in the division of labor, addressed in the response to Question 1, responsibilities unique to the PDDNI include:

- Chair of the IC Deputy Executive Committee (DEXCOM)
- Vice Chair of the IC Executive Committee (EXCOM)
- Chair of the IC Intelligence Requirements Board (IRB)
- Chair of the Intelligence Resource Alignment Framework (IRAF) process

If confirmed, I expect that there will be additional management responsibilities added to the PDDNI portfolio after the DNI and I have an opportunity to work together.

**Office of the Director of National Intelligence**

**QUESTION 7:**

**There has been considerable debate in the Congress concerning the appropriate size and function of the ODNI. The Congress has considered proposals to cap the size of the ODNI. In answering this question, please address the staff functions of the ODNI and the specific components of the ODNI, where appropriate, such as the National Counterterrorism Center.**

**A. What is your view of the ODNI's size and function?**

**ANSWER:** In preparing for confirmation, I have considered the size of the ODNI. I have looked at key DNI responsibilities and the ODNI functions needed to fulfill them, to include: improving and ensuring information sharing (in both intelligence and business systems); setting and managing IC-wide priorities; organizing and managing cross-agency collaboration; making major acquisition decisions; assuring quality standards are set, understood, and met; assembling and manage a huge budget; performing independent program analysis; providing policies and oversight; supervising or overseeing national intelligence centers; and providing services to the other parts of the IC. I also weighed the fact that the IC is a large, diverse, and decentralized enterprise, much of it embedded in other departments, which implies significant management challenges. Finally, I have considered the IC-wide functions performed prior to the creation of the DNI and the additional responsibilities and functions added by the creation of the DNI. Based on this preliminary assessment, as well as my experience in various fields and organizations, my judgment is that the ODNI is sized about right.

That said, as a former business executive with a sharp eye for savings, I always look for efficiencies and economies, and I would do the same as PDDNI, if confirmed. Moreover, upon assuming the job and learning more, I could find that my preliminary judgment is off in one direction or the other. Finally, while I think the ODNI is about the right size, I have not examined whether each of its parts is as well.

**B. Do you believe that the ODNI has sufficient personnel resources to carry out its statutory responsibilities effectively?**

**ANSWER:** Yes, for the reasons noted above.

**C. In your view, what are the competing values and interests at issue in determining to what degree there should be a permanent cadre of personnel at the ODNI, or at any of its components, and to what degree the ODNI should utilize detailees from the IC elements?**

**ANSWER:** After two decades of government civil service and my exposure to the ODNI in preparing for confirmation, I believe that both the sense of community and the effectiveness of that community are served when the agencies detail exceptional people to the ODNI and its mission and support activities. Detailees offer expertise and knowledge of their parent organizations and missions. They provide important perspectives and insight into how activities are currently conducted and how they could be improved. Working together, ODNI permanent staff and detailees learn and bond. Moreover, being detailed to ODNI expands the person's familiarity not only with ODNI but also with many or all components of the IC as a whole. For example, I

believe having detailees at the NCTC and NCPC has been of great benefit to improving the quality of government-wide analysis and cooperation in counterterrorism and counterproliferation, respectively. The civilian joint-duty opportunities provided by the ODNI also allow for high-level exposure, leadership development, and exposure to policy-making. The presence of detailees from across the community also provides credibility to the ODNI and facilitates the process of institutionalizing the Community construct. While there is a balance that we need to be struck between permanent cadre and detailees, the IC as a whole benefits from the presence of detailees at the ODNI.

**D. In November 2008, the ODNI Inspector General released a report on intelligence community management challenges. Have you had an opportunity to review that report? If you have, what is your reaction to this report's conclusions and recommendations? Do you disagree with any of them? Which recommendations do you believe should be high priorities for the ODNI or for the PDDNI in particular?**

**ANSWER:** I have reviewed the ODNI IG's report on Critical Intelligence Community Management Challenges, as well as the DNI's response to it. Without being familiar with the internal workings of ODNI before the current Director, I have no first-hand basis on which to comment on the report's validity. Still, I found it useful in highlighting management challenges, and I have no reason to disagree with any of the recommendations. In the ten months since the report, ODNI has made major progress implementing its recommendations: of the 16 recommendations made in the report, ODNI has fully implemented 8 and has taken significant steps to implement 5 more. If confirmed, I will do my part to implement outstanding IG recommendations that remain valid, as well as to encourage further IG study.

For the PDDNI in particular, the recommendations in the IG report on strengthening governance and communications should be especially high priorities because they go to one of the main purposes for which the ODNI was created: to integrate U.S. intelligence. This includes ensuring that critical Intelligence Community Directives are issued in a timely manner and their implementation tracked.

The significant advances made – and still being made – since last year's IG report are the result not only of the general progress of the DNI and ODNI but also their openness to IG views and recommendations. This suggests to me a willingness to listen, to learn, and to confront the remaining obstacles to fulfilling the vision of a stronger IC and a commitment to surmount them.

**E. Some officials in the intelligence agencies do not believe that the ODNI is adding sufficient value to justify its large staff and budget. What do you intend to do to reverse that perception?**

**ANSWER:** As the question implies, it is not enough for me to believe that the value of ODNI justifies its size if people elsewhere in the IC think that it does not.

I foresee a number of ways to show the value ODNI adds:

- The NIPF can be invaluable not only to the DNI and PDDNI in ensuring that the use of intelligence capabilities responds to priorities but also to individual IC agencies and professionals in managing their resources, adjusting to the availability of other agencies' capabilities, and understanding how their work relates to national needs.



- Likewise, the NIP helps all parts of the IC make good use of funding for their activities and investment, which works to the advantage of the IC as a whole and of the nation. The NIP also provides a framework through which intelligence agencies and professionals can create and exploit synergies for greater effectiveness at lower cost.
- The NCTC adds value by providing a focal point for sharing information and assessing terrorist strength, conduct, strategies, and threats. This makes every agency better informed and more capable, whether in collecting on or analyzing violent extremist groups. Likewise, the NCPC and NCIX contribute to agency effectiveness for counter-proliferation and counterintelligence, respectively.
- Other forms of cross-agency collaboration organized and supported by ODNI, e.g., mission management, afford agencies opportunities to improve their contribution to national intelligence and national security. As people throughout the IC participate in such collaboration, they become aware of the benefits: focusing on problem-solving, knocking down barriers, gaining better access to information, and serving intelligence users in direct and meaningful ways.
- The ODNI also includes the IC's CIO, which plays a central role in integrating, managing, and securing the information architecture of the IC as a whole, and is charged with improving intelligence sharing, transforming systems and securing IC networks.
- IARPA pursues exploratory research in S&T that offers promise to improve the capabilities of IC agencies.

It is also of significant value that several elements of the ODNI, e.g., IARPA, CIO, and the national centers, provide funding from the ODNI's Community Management Account to IC agencies for the purpose of improving integration, investment, and effectiveness.

Finally, I would point out that the ODNI has less than 2% of all IC personnel. Because approximately 2/3 of ODNI personnel are in the national centers and mission support activities, the remaining ODNI staff who provide IC management and integration, is less than 1% of IC personnel. From my experience, this is not excessive for managing such a large, complex, diverse, and dispersed organization as the IC.

#### **QUESTION 8:**

- A. Describe your understanding of the role played by mission managers in the IC since the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).**

**ANSWER:** Mission managers play an increasingly important role. The IC is and will remain a decentralized structure, most of which is concerned with the production (collection and analysis) of intelligence. Yet much of the demand upon it requires an integrated and rapid response. Where the need is substantial and persistent, e.g., in the cases of counterterrorism and counterproliferation, it may

justify maintaining a national intelligence center. Otherwise, high-priority demands for integrated intelligence can be met by organizing horizontal collaboration, one form of which is mission management. Provided they are given the focus, authority, support, resources, and latitude they need, mission managers provide a way to align and integrate collection and analytic capabilities with the needs of policy makers and commanders. In so doing, they also provide opportunities for persons throughout the IC to work together across agency lines to tackle common, important, and hard problems. Of course, mission management is not needed or appropriate for every IC challenge. Criteria for the use of this approach should include importance for U.S. national security interests, difficulty, multi-agency requirements, and strong external demand, e.g., from the NSC or U.S. commanders.

**B. If confirmed, what questions would you ask of the existing mission managers and members of the IC to assess the performance of the mission manager system?**

**ANSWER:** Director Blair and I have talked about what I could do, if confirmed as PDDNI, to help the existing mission managers succeed and to broaden the concept of cross-agency teaming, formal and informal. Drawing on my experience in institutional reform in general and horizontal collaboration in particular, I hope I can advance this important aspect of achieving the benefits of IC integration while retaining the benefits of IC decentralization.

Based on my experience with analogous collaborative efforts and what I have learned about IC mission management, I would expect a mission manager to be able to answer the following questions:

- Precisely what is the intelligence problem you are expected to address?
- How will you ensure that the fruits of your work will be responsive to your clients?
- What do you want me to do to secure buy-in from agency leaders?
- What collection and analytic resources do you need to fulfill your responsibility (e.g., people, information access, and other capabilities)?
- What obstacles do you see, and what do you recommend be done to overcome them?
- How will you engender motivation, focus, and cohesion in your team?
- How will you measure progress?

**C. Do you believe that the National Intelligence Officers are well positioned to assume some mission manager responsibilities?**

**ANSWER:** Apart from the formal mission managers that exist, NIOs are in sense mission managers insofar as they coalesce and align analytic resources across agencies to address intelligence requirements in their domains. But they could also be mission managers in the more formal sense. Given their responsibilities and experiences as NIOs, they should be well prepared, and well networked, for such assignments. Whether and when to assign an NIO as mission manager would depend on the problem to be addressed, the level of importance, the resources needed to solve the problem, and the relationship of the task to the NIO's regular duties. If mission

management is mainly to meet a cross-agency analytic need, and can be done without consuming all the time of the NIO, the NIO could be the natural candidate. On the other hand, if there is a need for a dedicated mission manager, if a major collection challenge is involved, and if the NIO is facing significant other demands, it may be better to select someone else. In that case, the NIO should be coupled tightly with the effort. In sum, mission management does not lend itself to a "cookie-cutter" approach, and the DNI and PDDNI, along with other IC leaders, must make sound judgments based on conditions.

**D. What do you believe is the appropriate role of the ODNI, if any, in solving the difficulties FBI has with clearing materials requested by this Committee through the Department of Justice (DoJ)?**

**ANSWER:** It is difficult to formulate an appropriate response without fully understanding the context, circumstances, and results of previous committee requests for information from the FBI. If confirmed, I will look into any difficulties that the committee has encountered in receiving intelligence-related materials in a timely manner and work to resolve them. I take seriously my commitment and the responsibility of the intelligence community and its members to keep the Committee fully and currently informed of intelligence activities and to be responsive to the Committee's congressional oversight responsibilities.

**QUESTION 9:**

**The SSCI recently approved legislation to create a statutory, Senate-confirmed Inspector General of the Intelligence Community in the Intelligence Authorization Act for Fiscal Year 2010. Do you support establishing in law an independent, fully empowered Inspector General for the Intelligence Community?**

**ANSWER:** I support the creation of a Presidentially-appointed, Senate confirmed Inspector General (IG) for the Intelligence Community. However, as the DNI has testified, it is important to ensure that the roles and responsibilities for this position be clarified, and that potential conflicts and duplicative efforts with existing departmental and agency IGs be avoided.

**QUESTION 10:**

**A. Describe the role of the Joint Intelligence Community Council (JICC).**

**ANSWER:** Established by the IRTPA, the JICC is chaired by the DNI, and comprises Cabinet Secretaries of the Departments containing intelligence elements (Defense, State, Treasury, Homeland Security, Energy, Justice). The JICC assists the DNI in developing and implementing a joint, unified national intelligence effort, by (a) advising on requirements, budgets, management, and performance, and (b) ensuring the execution of DNI programs, policies, and directives. It is, in sum, the highest-level IC forum available to the DNI to gain departmental input, commitment, and help to improve and integrate U.S. intelligence.

**B. In your understanding has this mechanism been useful? Are there ways in which it should be improved?**

**ANSWER:** Yes, the JICC has been useful. I am told that the first two DNIs used the JICC to receive senior level advice on key cross-Community issues, especially with respect to the budget. Director Negroponte used the JICC to consider the draft of the first National Intelligence Strategy (NIS). Director McConnell used the JICC to inform and build consensus and support for his key initiatives, e.g., revision of EO 12333, updating of the Foreign Intelligence Surveillance Act, and development of a comprehensive cybersecurity initiative. I understand that Director Blair is planning a JICC session to discuss IC efforts in support of critical national priorities, review the NIP, and to discuss the new National Intelligence Strategy.

Without having any direct involvement with the JICC, I have no definite views on how it could be improved. From my experience, top-level bodies like this should complement and guide the rest of the management system, rather than substitute for that system. There are several mechanisms to address IC-wide issues, hear from departments, and discuss priorities. Moreover, the processes that have been put in place – for forming strategy, developing plans, assessing tradeoffs, forming an integrated budget, and allocating capabilities and other resources – do not require the routine collective involvement of Cabinet Secretaries. This suggests that the JICC can have a critical role in helping the DNI to set general direction for the IC, to discuss important initiatives, and if need be to settle issues not settled elsewhere. My general view is that the utility of such high-level bodies lies not in how frequently they meet but in how well they guide and energize cooperation at every level and how well they tackle what only they can.

**C. If confirmed, will you have any role regarding the JICC?**

**ANSWER:** The membership and roles of the JICC laid out in the IRTPA do not specify a role for the PDDNI. That said, I would be prepared to assist or fill in for the DNI in carrying out those duties and responsibilities, per the statutory role of the PDDNI. In addition, the PDDNI could help the DNI and the JICC by identifying and preparing issues that would benefit from cabinet-level attention.

**QUESTION 11:**

**A. Do you believe the mission of the National Counterintelligence Executive needs to be changed? If so, how? If not, why not?**

**ANSWER:** It is important that the DNI and other IC leaders have a place to turn for a comprehensive understanding of foreign intelligence activities against the United States, how they are being conducted, and the damage they have caused. The counterintelligence components of the departments and agencies have pieces of this puzzle, but someone needs to put the puzzle together. It is also important to go beyond the “what” and the “how” to develop an understanding of our adversaries’ intentions in conducting these activities—i.e., “why”—and what they have learned, or believe they have learned, about us. This understanding would inform our own intelligence and counterintelligence activities.

The revolution in information technology raises the stakes, by increasing both the capabilities of foreign intelligence activities and our own ability to counter and exploit those activities. This suggests that the demands on U.S. counterintelligence will continue to grow and require an effective integrating mechanism for all components involved.

These needs are consistent with my understanding of the mission and functions of the National Counterintelligence Executive (NCIX) and staff. The NCIX serves as the head of U.S. national counterintelligence. NCIX responsibilities include the production of an annual National Counterintelligence Strategy and a National Threat Identification and Prioritization Assessment, the coordination of strategic analyses, the coordination of budgets and resource allocation plans for departmental counterintelligence activities. From my current vantage point, I am not able to judge if a change in the mission of the NCIX is necessary.

### **Cyber Security**

#### **QUESTION 12:**

**The Obama Administration is moving forward with a major initiative to improve government cyber security, the Comprehensive National Cybersecurity Initiative.**

**A. Are you familiar with the recent White House review of this initiative?**

**ANSWER:** Yes. One of the “Near-Term Actions” of the White House’s 60-Day *Cyberspace Policy Review* is to produce an updated national cyber strategy that builds on the accomplishments of the CNCI and brings the full range of Government perspectives and capabilities to bear on the complex set of cyber security threats the Nation may face. The White House review acknowledged the progress achieved to date on the CNCI, but noted that much remains to be done.

**B. What changes do you believe need to be made to the initiative, based on this review?**

**ANSWER:** By design, the initiative was to move rapidly and then be improved through experience, learning, and implementation. The initial six-month effort yielded several important insights about what remains to be done, e.g.:

- The need to intensify work with traditional U.S. allies and partners and with international bodies that are deliberating standards which will affect U.S. cyber security now and in the future.
- The need for innovative ways to foster close and effective partnerships with the private sector, expanding the dialogue on security solutions, policy, and competitiveness.
- The need for more expansive cyber education, taking the issue beyond the credentialing of the government cyber-security workforce to encompass the private sector. This should include helping the U.S. public at large understand basic cyber-security practices in order to avoid becoming a victim or an unwilling part of a cyber attack.

**C. What are the major privacy or civil liberties issues concerning the CNCI that you believe need to be addressed?**

**ANSWER:** Intrusion detection programs that look for digital signatures associated with malicious software are becoming ubiquitous in our private and business systems. As they do, we need to be sensitive to the public's insistence on and right to privacy, including in their communications with government. Those involved in government security efforts must also be conscious of the responsibility to protect entrusted personal information. More generally, we must accept the need for transparency and oversight as we begin to implement the CNCI.

**D. What changes to the CNCI and the intelligence community's role within it would you recommend that the Administration consider?**

**ANSWER:** (See "B" above for prospective changes to the CNCI). The President assigned responsibility for monitoring and coordinating implementation of the CNCI to the DNI, although much of the CNCI portfolio falls outside the IC. This "stewardship" approach has worked. But as the CNCI matures and national cybersecurity strategy evolves, it is natural that leadership from outside the IC will be required.

**E. What should be the IC's role in helping to protect US critical infrastructure and commercial computer networks?**

**ANSWER:** As with traditional adversaries, the IC has a critical role in all-source threat assessment, detection, and warning against threats to important networks on which the government and country depend. Beyond that, the IC must take the primary role in protecting its own intelligence and administrative networks and data from intrusion, disruption, and exploitation. The IC should also have an important role in protecting the data and networks of the wider U.S. national security establishment, as well as the networks that enable essential government functions. Finally, the IC should assist in providing threat assessment, detection, and warning to other networks, including commercial ones, because the functioning of cyberspace has repercussions, direct and indirect, on all Americans and on our national security and welfare.

Regarding commercial computer networks, the IC should be prepared to provide threat information (discussed in greater detail below) to owners and operators of commercial networks to help foster a shared situational awareness and understanding of current and prospective cyber threats. Through such wider engagement, the IC may also be able to gain knowledge about threats and security measures that would in turn help in defending national security networks.

**F. What cyber threat information (classified or unclassified) should be shared with managers of the Nation's critical infrastructure to enable them to protect their networks from possible cyber attack?**

**ANSWER:** Cyber threat information that should, in principle, be shared with critical infrastructure managers, consistent with the protection of sensitive sources and methods, includes:

- notification that a network is being targeted for foreign exploitation
- specific signatures and indicators of cyber attack

- general cyber techniques that will inform managers of our critical infrastructure of protection options and allow them to take appropriate precautions against cyber attack and exploitation.

### **QUESTION 13:**

**If confirmed, will you have any cyber security responsibilities?**

**ANSWER:** Based on my conversations with Director Blair, I expect to concentrate much of my time and energy, if confirmed, in supporting the national security policy-making process. This would naturally include how cybersecurity affects and is affected by the other challenges the United States faces (e.g., how it might be used by a state or non-state adversary). Cybersecurity is both an issue to be addressed in its own right and part of the larger fabric of national and global security in the 21<sup>st</sup> Century.

In addition, based on my own background in the information technology industry and my research on various aspects of cybersecurity, I will be prepared to offer ideas and support on cybersecurity within the IC, the ODNI, and more broadly.

### **Science & Technology and Research & Development**

#### **QUESTION 14:**

**A. How do you assess the state of science and technology (S&T) activities within the IC?**

**ANSWER:** Because I have not been briefed in detail on S&T programs within the IC, my views on this are based on impressions formed in recent years. Although there has been great emphasis on the need to bolster HUMINT – justified, in my judgment – there is no question that the complex global collection and processing requirements the IC faces demand sustained and robust S&T. IC S&T should take advantage of the incomparable U.S. S&T base, but that too requires considerable IC S&T resources, technical prowess, and ingenuity. Moreover, IC S&T can benefit as much as any IC function from cross-agency sharing and collaboration to pool efforts, exchange knowledge, and exploit opportunities for technologies to complement one another. In sum, without knowing the details of promising research or deficiencies, I would say that S&T is crucial for U.S. intelligence – and a distinct U.S. advantage that should be sustained.

I would lend my support to whatever the DNI can do to spark greater and bolder S&T throughout the IC. In this regard, I consider the creation of the Intelligence Advanced Research Projects Activity (IARPA) as a major step, since it addresses the Community's need to have a source of high- risk/high-reward research.

**B. What, if anything, have you done in the past to improve S&T management at other organizations?**

**ANSWER:** Successful S&T management in U.S. intelligence demands an understanding of how the country's advantages in science and technology can be exploited. This includes knowing how to balance the need to link research to known needs and the need to nurture exploration that can give rise to new discovery and even breakthroughs. From my experiences as an executive, I recall two episodes in

which I have sought to improve the management of S&T research, each with a different lesson. The first was as an executive at AT&T in the 1980s, when I along with others worked to foster an orientation at Bell Labs toward meeting the needs of a rapidly shifting global market for information technology. This involved more "directed work" and by implication less resources and latitude for exploratory research. The second was as an executive at RAND in the 1990s when I advocated research on matters beyond those driven by current needs. These two experiences frame the balance I have described. While I have not studied in detail the IC's investment in S&T, I think these considerations should bear on it.

**C. What reforms need to be made with regard to S&T?**

**ANSWER:** While I have a lot to learn about S&T as it relates to U.S. intelligence, I have experience working at the intersection of technology and national security generally. From this, I place heavy emphasis on maintaining and exploiting U.S. advantages in S&T. The most striking recent case in point is the way U.S. forces and intelligence capabilities have incorporated a wide array of information sensing, processing, and networking technologies to achieve critical operational advantages. But it takes large, sustained, and reasonably stable investment and development, both in resources and personnel, before initiatives can be exploited to maintain or expand that advantage.

In my opinion, it is a priority to find an ODNI director for S&T and to commission that person to do a thorough review of S&T in the IC. That, in turn, will permit IC leadership to focus resources on the most promising and important areas. In addition, the new director should put into place a strategy and plan that supports the human capital needs of S&T, in particular IC recruiting, development, and retention of highly skilled technical personnel.

The IC must also ensure adequate funding of S&T and work to improve the speed with which technology is integrated into capabilities and operations.

**QUESTION 15:**

**The SSCI has been clear in its recommendations for increased IC research & development (R&D) funding and in its support for the IC's new R&D organization, the Intelligence Advanced Research Projects Activity.**

**A. What is your philosophy of the role of R&D in the IC?**

**ANSWER:** In line with my attitude about S&T, I believe R&D should play an important role in strengthening the capabilities of U.S. intelligence. Beyond that general view, IC R&D should focus on unique needs and niches that are critical to U.S. intelligence but under-supported or ignored by other government agencies and the commercial sector. Additionally, IC R&D should focus on leveraging the explosive, world-wide growth in information technology and applying innovation to intelligence missions faster and more effectively than do our adversaries. Finally, IC R&D needs to be a source of innovation for the IC as a whole, not only in meeting known requirements but also in seizing potentially game-changing opportunities that can revolutionize how the IC carries out its mission.



**B. What are your top priorities with respect to R&D in the IC?**

**ANSWER:** From a management standpoint, I will, if confirmed as PDDNI, work with the DNI and the Director of S&T to ensure that an R&D perspective is well represented in budget decisions; ensure adequate funding and manpower for R&D activities; emphasize cross-agency R&D activities; and examine the effectiveness of current mechanisms for interacting with the most innovative and advanced companies in the private sector.

Concerning technology priorities, I would like to delve deeper into the IC's needs and current R&D investments before providing a definitive answer. From other experience, though, I would inquire about various information technologies, nanotechnology, and analytical tools. I will also be interested to learn about R&D that could improve U.S. intelligence on technologies that hostile states and other actors could acquire and use against us.

**IC Missions and Capabilities**

**QUESTION 16:**

**Explain your understanding of strategic analysis and its place within the IC, including what constitutes such analysis and what steps should be taken to ensure adequate strategic coverage of important issues and targets.**

**A. Have you had the opportunity to review any long-range analysis recently produced by the IC and, if so, what is your view of such analysis?**

**ANSWER:** I have read several long-term analyses recently produced by the IC and have been impressed by the sophistication of what I have seen. From my government background in national security, I know that under fluid and unpredictable conditions such work is as hard as it is essential. I also know from experience how the press of immediate analytic and collection demands can crowd out long-term work. It is a testament to the managers and analysts of the IC that time and resources are being made available for such research despite heavy current demands from both policy-makers and military commanders in the field.

Two decades of non-government work leading and performing research on national security has made me familiar with a variety of methods to conduct long-term analysis that is more than simply projecting trends, e.g.: scenario analysis, exploratory modeling, and adaptive planning. Drawing on these sorts of methods, the IC has come a long way in its long-term analysis. This is important because some security challenges facing the U.S. may manifest themselves not as stark threats but as subtle but no less consequential problems. These may include hostile exploitation of cyberspace, vulnerability to transnational health problems, threats to maritime trade, the enlargement of under-governed areas, demographic imbalances and migrations, and adverse effects of climate change.

One aspect that could use more emphasis is the analysis of alternative futures that may be of low probability but could be of great consequence for U.S. security and interests. Also, it should be noted that the country at-large, including local governments, private sectors, and citizens, can benefit from the unclassified version of long-term analysis by the IC. Such contributions to general awareness of future dangers is not only beneficial

in prevention and preparedness but also in increasing public appreciation of the IC. Conversely, while the IC should not “outsource” work on the future, it can benefit from reviewing independent work while also gaining knowledge from the national research community on how to do long-term analysis.

**B. What is your view of the initiative to produce unclassified analysis such as Global Trends 2025: A Transformed World?**

**ANSWER:** I have read Global Trends 2025 twice: when it first came out and again recently. I was struck in my first reading with how far the IC has come in performing disciplined analysis of the future, especially with a global scope. I found the method sound, the caveats clear, and the findings interesting, important, and for the most part convincing. I was struck in my second reading that the analysis considered neither the possibility nor the effects of a global financial crisis and sharp economic contraction, which in fact occurred as the report was being issued. I do not mean this as a criticism of the analysis – after all, few analysts expected the crisis that ensued. Rather, it is a reminder of the difficulty and need for humility when peering into the future. In addition, it underscores the need to identify unlikely but highly consequential developments in any long-term or strategic analysis.

While the IC has improved in long-term analysis, I will if confirmed offer ideas, support, and guidance if useful to encourage this important progress.

**C. Please discuss your view of the appropriate mix of analytical resources between current, mid-term and long-term security concerns, particularly given that many of the oft-quoted failures of US intelligence involved broad-based social and government change with significant long-term ramifications, such as the fall of the Berlin Wall and the Iranian revolution.**

**ANSWER:** This is one of the hardest and, as the question suggests, consequential dilemmas facing U.S. intelligence – today as much as ever. My views on it are shaped by experience in tasking and consuming intelligence, and as a practitioner and leader of national security research – experience that includes such unexpected developments as the fall of the Shah, the collapse of Soviet communism, the rise of jihadism, the rapid global spread of the Internet, and the relentless economic growth of China. I wish there was an easy formula to resolve this dilemma, but I don’t think there is. Other than providing support for and insisting on long-term work, I doubt that there is an ideal mix of resources. At the same time, I do think there are some good practices to institute and nurture.

First, the corps of U.S. intelligence analysts must not become one exclusively of experts in specific countries, ideologies, weapons, technologies, economic sectors, etc. Also needed are people with broad knowledge who excel analytically – spotting hidden or subtle trends, noticing patterns across regions and links across sectors, offering competing hypotheses to explain events and future possibilities, and understanding how politics, economics, and technology interact. As a case in point, the experts who most closely watched the Soviet Union during the Cold War did not see, and could not have seen, that the information revolution gaining speed in Western commercial markets would decisively tip the East-West balance in ways that the Kremlin could not ignore. While I sense that the IC has learned this lesson, the pressures to rely overwhelmingly on experts are great.

Second, leaders of the IC must lead the battle against accepted ways of thinking about intelligence questions that tend to exclude non-conforming explanations and forecasts. The failure to understand the Shah's tenuous hold on power was the result of a failure to appreciate the depth of dissatisfaction in the population at large with the regime's economic and internal security policies, because such dissatisfaction did not conform with the accepted view that those very same policies assured the regime's survival. The few intelligence analysts who warned of an impending revolution were not heeded until the revolution's onset. I note that the IC has instituted practices of obtaining and showing alternative views, which can be critical in identifying long-term developments that may be at odds with short-term observations.

Third, it is important to recognize that indicators of long-term problems are usually evident in near-term developments, provided analysts are alert for them. This argues against a sharp separation between near- and long-term analysis. That said, we also have to recognize that long-term work often takes a back seat to responding to near-term demands. For this reason, I was pleased to see that the National Intelligence Council created a unit specifically for long-term analysis. If confirmed, I will encourage this work while also urging interaction between analysts with near- and long-term responsibilities.

Fourth, I note that the United States has unrivalled capabilities in research and analysis on long-term national security challenges. The IC should not be totally dependent on think tanks, universities, and other non-governmental institutions to conduct such work, given its importance. But it can rely more heavily on external sources for long-term analysis than it can for short-term analysis, which often requires awareness of current detail that only the IC itself can have. Moreover, several of the most important long-term questions facing U.S. intelligence – e.g., energy, health, and environment – require use of scientific inquiry that need not, and largely cannot, be done by the IC itself. Finally, use of high-quality, peer-reviewed external analysis can help the IC learn of subtle trends, intersections, and alternative explanations.

**QUESTION 17:**

**A. Explain your views concerning the quality of intelligence analysis conducted by the IC.**

**ANSWER:** Analytic quality and objectivity are essential to the IC's mission and to the success of the policy-making and military operations that depend on the IC. In preparing for my confirmation hearing, I made a point of reading a wide selection of recent IC analysis. Having been a consumer of U.S. intelligence in a variety of capacities for over three decades, I believe the current level of quality is excellent. I also believe that sustaining and improving analytic quality takes persistence, clarity about expectations, leadership – including leadership by example – recognition, reward, and a healthy dose of peer pressure. From our discussion, I know that Director Blair is determined to achieve and maintain the highest levels of analytic quality and integrity in U.S. intelligence. Quality assurance is an area to which I bring long experience, relevant methods, and a strong commitment, so I look forward to helping.

**B. What is your assessment of steps taken by the ODNI, and the elements of the IC, to improve the quality of intelligence analysis within the IC, including through the creation of an Analytic Integrity and Standards Unit, the use of alternative analysis and "red teaming," and the use of collaboration tools such as Intelipedia?**

**ANSWER:** I am impressed by the steps the IC has taken in recent years to enhance the quality of intelligence analysis and to ensure objectivity. Drawing on direction in the IRTPA, the ODNI established the position of ODNI Analytic Ombudsman and promulgated common IC Analytic Standards for objectivity, independence from political considerations, timeliness, use of all available intelligence, and application of proper analytic tradecraft, including alternative analysis. ODNI's Analytic Integrity and Standards staff has established a vigorous evaluation program to assess how well IC products adhere to these standards, and its feedback helps the IC target its analytic training and professional development, and quality assurance initiatives. IC analytic elements are conducting parallel efforts to promote the standards and evaluate product quality. The ODNI and the IC elements are promoting the use of techniques such as Analysis of Competing Hypotheses that help analysts challenge their assumptions and consider alternatives.

I also consider it extremely important to tap into independent views by involving experts outside the government, and I support steps the IC has taken to enhance such outreach. For example, the National Intelligence Council's Long Range Analysis Unit promotes strategic analysis that challenges assumptions by drawing on expertise from inside and outside the IC.

Finally, I strongly endorse harnessing technology to enable more effective sharing of information across and with key IC stakeholders; the Library of National Intelligence, A-Space, and Intelipedia are important accomplishments in this area that I wholeheartedly support.

**C. If confirmed, what responsibilities will you have with regard to analysis?**

**ANSWER:** If confirmed, Director Blair and I have agreed that my background and knowledge are especially suited to meeting the needs of policy-makers with information and analysis drawn from across the IC. This would enable the DNI to concentrate that much more of his energies on integrating and improving U.S. intelligence for the future.

**QUESTION 18:**

**A. Explain your views concerning the quality of intelligence collection conducted by the IC and your assessment of the steps that have been taken to date by the ODNI to improve intelligence collection.**

**ANSWER:** The quality of intelligence collection is good and getting better. Significant efforts in this area by the ODNI are bearing fruit. IC country-specific integrated collection plans bring the best of each intelligence discipline to bear on a problem. This integration results in better tipping and queuing, maximizes the effectiveness of individual intelligence techniques, and has produced significant progress on a range of topics. The ODNI and the rest of the IC also are vigorously linking collection and policy-maker priorities.

**B. If confirmed, what responsibilities will you have with regard to collection?**

**ANSWER:** The tools are largely in place—the emphasis now must be on using them well. If confirmed, I will work with IC leaders, through the Executive and Deputies Committees, to ensure collection is focused against the highest priorities and that our capabilities are adequately resourced.

**QUESTION 19:**

**A. The ODNI has attempted several processes for conducting strategic planning. The most recent effort, "Strategic Enterprise Management," could face the problems of inadequate information on program life-cycle costs and lack of full cooperation from IC elements.**

**ANSWER:** The DNI recently realigned the ODNI to consolidate and strengthen its capability to analyze programs and resource allocations. He created a new unit—Systems and Resource Analyses (SRA)—to provide independent, in-depth, resource trend and trade-off analysis to inform DNI resource decisions. Strategic priorities will be identified early in the planning process to guide the development of the NIP, and a limited set of major issues will be identified for cost and risk analyses to inform resource allocation decisions in a constrained fiscal environment.

SRA has already initiated analyses of five major issues to be analyzed in forming the FY 2012 NIP. IC elements are key participants in these studies, providing substantive expertise and resource data to ensure analytic integrity, as well as transparency and cooperation.

**B. What do you believe are the most effective means for gaining acceptance for this approach from the individual IC elements? To what extent do you plan to be involved?**

**ANSWER:** The DNI will use existing IC senior leadership committees--the Joint Intelligence Community Council , Executive Committee , and Deputies Executive Committee --to advise him, ensure transparency, tackle issues squarely and fairly, and build consensus on all aspects of resource alignment.

I believe the assurance of sound analysis, a transparent process, and an active role for the IC agencies in that process will help the DNI gain the IC's appreciation of, commitment to, and participation in the effort to make well-informed resource decisions. If confirmed, I will also work to that end, through my chairmanship of the Deputies Executive Committee as well as less formally. It is, as the question implies, crucial for the IC as a whole to have confidence in relying on a central, independent, and trusted capability to inform the sort of difficult resource issues that a better integrated and optimized IC will need to face.

**QUESTION 20:**

**The ODNI has created a process known as the Intelligence Collection Architecture (ICA) as a way to guide future IC investment decisions. To date, the process has not led to major investment decisions terminating underperforming programs despite projected budget shortfalls.**

**A. What is your understanding of the main elements of the ICA?**

**ANSWER:** The ICA was a joint ODNI-DoD activity to assess proposed collection capabilities from an integrated mission-focused perspective, perform trades across collection disciplines and programs, and lead change in our strategic thought processes regarding what intelligence capabilities we need.

The main elements of the ICA were:

- Governance was to be provided by a joint steering group composed of senior officials from the IC and DoD, with formal documentation of roles and responsibilities. Upon receiving and prioritizing the results of these studies, this joint steering group made investment recommendations which were presented to the DEXCOM and EXCOM for decision.
- The purpose of the ICA was to develop a single set of recommendations to rebalance, integrate, and optimize collection capabilities to meet current and future customer and analytic priorities and ensure that those capabilities are aligned with national intelligence strategy goals.
- Processes used by the ICA were to include ODNI management of the study process, study letters to define issues, interagency study teams led by key IC agencies, and interactive vetting of the studies by a standing interagency group that had wide clearance for IC activities. These processes were intended to create capability trades across all intelligence organizations, disciplines, and programs.

These elements allowed the ICA to develop community perspectives on some critical issues. In some cases -- notably GEOINT architecture, some SIGINT priorities, and development of integrated ground and identity intelligence concepts -- ICA studies became the baseline for IC efforts.

**B. What is your view of the effectiveness of the ICA process as an investment decision-making tool and are there any changes that you would make?**

**ANSWER:** As I understand it, the ICA process is being reworked. Although it had useful results, the ICA also had its shortcomings. Foremost among these were the lack of a defined offset process and the fact that many of the ICA studies resulted in recommendations for budget increases that were not adequately incorporated into the annual budget process.

In preparing the FY 2011 budget, the DNI placed the ICA on hold and chartered an independent review of the IC planning, programming and budgeting process. That review recommended a new organization and process to conduct independent analysis of program costs, performance and risks. As a result, the DNI formed SRA (described above).

I think it was important to establish SRA and to implement a new process that: conducts independent cost, performance, and trade-off analyses on major issues selected by the DNI; integrates the results of those analyses into the budget cycle in a way that provides for fiscally constrained planning; and coordinates with the DoD budget cycle.

**C. What are your views on the best mechanisms for the ODNI in managing investment decisions concerning the IC's major systems acquisitions?**

**ANSWER:** My understanding is that once a major acquisition program begins, the IC acquisition oversight process is the best mechanism to evaluate acquisition progress and performance. That oversight process is managed by the IC Senior Acquisition Executive and presented to Congress annually in the Program Management Plan Report.

For major systems acquisitions that are 51% to 100% funded in the NIP and executed by DoD IC elements, oversight is shared between the DNI and SECDEF, who co-chair the Joint Intelligence Acquisition Board, co-sign acquisition decision documents, and co-lead quarterly program reviews.

For new programs, IC acquisition policy provides guidelines on the mechanisms and best practices to enable sound investment plans and decisions prior to program initiation. IC acquisition policy requires:

- requirements validation by the appropriate ODNI authority
- affordability analysis or full independent cost estimate
- analyses of alternatives
- independent program review
- program management plans

In sum, ODNI has instituted oversight measures that should improve program management, provide progress monitoring, and facilitate effective shared DNI-DoD management of programs that are jointly funded.

**Authorities of the DNI: Personnel**

**QUESTION 21:**

**A. Explain the DNI's authority to direct the transfer or detail of particular personnel from one element of the IC to another. Do you believe this authority is easy to exercise?**

**ANSWER:** My understanding is that the DNI may transfer up to 100 IC personnel in order either to establish newly authorized intelligence centers or transfer people from one IC element to another of higher priority for no more than two years, provided the transfer supports an emergent need, improves effectiveness, or increases efficiency. In either case, the DNI must obtain the approval of the Director of the Office of Management and Budget and notify the relevant Congressional committees. The DNI may also transfer personnel through the annual budget process by moving resources from one IC element to another.

I also understand that this authority needs to be used with care. The greater the numbers of potential transferees, the larger the impact will be on the functions from which people are being shifted. Similarly, the transfer of persons with rare and critical expertise, even in small numbers, must be approached thoughtfully. At the same time, national imperatives may well call for the transfer of significant numbers of personnel and/or personnel with exceptional skills. For this reason, exercising this authority requires strategic analysis and balancing of priorities. Fortunately, the DNI has tools,

such as the NIPF, that can inform decisions to transfer personnel. As this framework is improved, embraced, and exercised by the agencies of the IC, and departments in which most of those agencies reside, transfers can increasingly be done collaboratively. But the DNI's authority will remain essential. In sum, this is an important authority for ensuring that IC resources are optimally employed, but one that must be used judiciously and cooperatively.

**B. What policies should govern the role and responsibilities of IC elements and of the DNI with respect to transfers and details?**

**ANSWER:** Because all IC agencies are performing essential work, any decision to transfer personnel from one to another should be taken with care and be based on a rigorous analysis of advantages and risks. As noted, this analysis is aided by such priority-setting tools as the NIPF. These processes can take time, and if critical national intelligence needs dictate, the DNI may need to exercise this authority decisively, if only temporarily. In order to build consensus throughout the IC for this DNI authority, as well as for any specific use of it, it is important to be transparent, analytic, and consistent. For transfers outside of the National Intelligence Center context, the joint procedures called for in statute, which must be agreed to by the DNI and the affected department or agency head, will ensure that the process is fair and cooperative.

**C. What approach would you recommend if the head of an IC element or the head of a concerned department or agency objects to the transfer of particular personnel from one element of the IC to another?**

**ANSWER:** The objection to a personnel transfer on the part of the head of a department or agency would be a serious matter requiring the immediate attention of the DNI and/or PDDNI. From my experience in analogous cases, I would try to resolve the issue analytically. For instance, I might suggest a joint review of how the NIPF and other ways of gauging IC client needs elucidate the various priorities at issue. I might initiate a study of the consequences of several options, e.g., full transfer, partial transfer and no transfer. I would be open to proposals to meet the looming need without actual personnel transfer, e.g., through Mission Management or other forms of cross-agency teaming. My belief is that going the extra mile in this fashion – consistent with meeting national security needs -- is the best way to create the sense of community, shared problem-solving, and agreed practices that the new IC needs.

**QUESTION 22:**

**To what extent do you plan to be involved in the reprogramming process?**

**ANSWER:** It is the responsibility of the DNI and PDDNI to ensure that there is a sound process in place to review priorities so that reprogramming can be considered based on those priorities, as well as changes to them. The DNI has delegated authority for the reprogramming process to the CFO. Consequently, the DNI or the PDDNI would need to be involved in the process only in cases that cannot be resolved by the CFO.



## **QUESTION 23:**

**Explain your view of the principles that should guide the use of contractors, rather than full-time government employees, to fulfill intelligence-related functions**

**A. Are there some functions that should never be conducted by contractors or for which use of contractors should be discouraged or require additional approvals, including by the DNI?**

**ANSWER:** I appreciate the concerns expressed by Congress about the use of contractors rather than government employees to perform intelligence-related work. I have observed and experienced this issue from several perspectives over two decades, and my own views have evolved. What once seemed to me to be a major opportunity for the government to benefit from the scale and skills of the American economy as a whole, as well as to meet temporary or unusual needs, has in practice raised questions about government dependence, lost competence, and the appropriateness of some functions being performed by contractors. If these questions are valid for the government as a whole, they are especially valid for U.S. intelligence, given its criticality and sensitivity.

After years of down-sizing following the Cold War, followed by a steep growth in demands after 9/11, the IC's use of contractors expanded significantly. Moreover, reliance on contractors for sensitive tasks has generated controversy. So this is an area that requires close attention by the leaders of the IC, including the PDDNI. The strategic principle guiding this effort, in my view, should be to use contractors as a way to tap into the economic and technical strengths of the nation for the purpose of improving government performance and capabilities.

Using contractors may be justified and should be considered under a variety of conditions: when it is determined that they are markedly more cost-effective than federal civilian employees; when they possess unique or scarce expertise; when they are essential to meet sudden and temporary exigencies; when they enable the government to concentrate on what it must or can best do; and when they can help the government to improve its own capabilities.

At the same time, the need to turn to contractors because of a lack of government personnel may indicate a shortcoming in government capacity or competence. Indeed, extended reliance on contractors may mask government deficiencies that should not be ignored. The IC should not become habitually dependent on contractors instead of confronting inadequate government capabilities, especially for important functions that recur or persist.

Although the direction at present should be to reduce reliance on contractors, specific capabilities and choices should be viewed strategically. For example, one domain where, from my experience, reliance on contractors may be indicated is that of services based on information technology, where the public can best be served by the government being a smart buyer and a smart user instead of trying to replicate the scale and talent of this fast-moving industry. It would be counter-productive, in my view, if the reduction in use of contractors in general led to a reduction in the ability of the government, including the IC, to exploit such critical technologies.

Whether in seeking additional government resources where reliance on contractors has gone too far, in reviewing functions that lend themselves to contracting support, or in tracking progress in reducing dependence on contractors, it strikes me that this is a topic that warrants open and continuing dialogue between the IC and the Congressional committees that oversee it.

**B. What consideration should be given to the cost of contractors versus government employees?**

**ANSWER:** From my own experience as an executive in the information technology industry, I believe that there can be significant economies in using contractors, even for continuing and important functions. These economies may result from the scale that the private sector can achieve, as well as from the possession of knowledge and skills that do not exist or are not economical to maintain within the government. Saving money by the use of contractors can permit the IC to focus its resources on more essential government capabilities. There may even be cases where the use of contractors is not economically advantageous but the level of service is substantially better. Finally, contractors may play a critical role in introducing new technology to the government and building government capability to use it effectively. However, economic justifications for the use of contractors should not enter into decisions concerning core mission functions mentioned in my answer to the previous question. Nor should cost considerations obviate the need for IC managers to address critical gaps in government capabilities.

Having offered my philosophy regarding the use of contractors, I should add that as PDDNI, if confirmed, I would not hesitate if critical circumstances dictate to use whatever capabilities, public or private, that U.S. intelligence and security demand, with the exception of inherently governmental functions that cannot be lawfully performed by contractors. The challenge for management is to ensure that the use of contractors in such circumstances is not the result of failure to have created and maintained capabilities that the government itself should have.

**C. What legislation or administrative policies and practices should be implemented to facilitate the replacement of contractors by full-time employees?**

**ANSWER:** In the course of preparing for my confirmation hearing, I have discussed the IC's use of contractors with those responsible for policy. This has led me to conclude that there is clear awareness of this issue and that policies and practices are being strengthened in line with the views I have stated here. I am not aware of a need for legislation to provide either authority or impetus for improvement. However, knowing the concerns of Congress, I will if confirmed give this my attention and would not hesitate to recommend additional reforms, including legislation.

**QUESTION 24:**

**A. Explain your responsibilities if confirmed in making decisions or recommendations concerning the accountability of officials of the IC with respect to matters of serious misconduct.**

**ANSWER:** If an IC official was alleged to have engaged in serious misconduct, my responsibility as PDDNI, if confirmed, would be to see to it that the allegation was investigated thoroughly, objectively, and promptly by the department or element, and

that appropriate disciplinary action was taken. If the official in question worked within an IC element, I would in the first instance refer the matter to the element's head, who has the responsibility to take appropriate action.

When necessary to ensure an objective inquiry, I would in parallel refer the matter to the ODNI IG and ask that the IG of the agency in question be involved. I would also confer with the DNI and, in cases of agencies within a government department, the department's leadership. I would also ensure that the matter is referred to the Justice Department, if advised by counsel that a criminal law may have been violated.

I would expect the DNI to hold the heads of IC elements responsible for ensuring that appropriate disciplinary actions are taken when warranted. In the event the head of an IC element did not take appropriate action, or was alleged to have been involved in the misconduct, the DNI has a role in the removal of that head. As PDDNI, if confirmed, I would not hesitate to raise concerns in such cases, and I would have both the duty and authority to take action in the DNI's absence.

It is also good practice to refer any recurring patterns of misconduct, even if not severe, both to relevant agency heads and to the ODNI IG. The IC Inspectors General Forum, chaired by the ODNI IG, is an excellent venue for examination of chronic problems, based on which the DNI, PDDNI, and agency heads may learn and act.

**B. What is your assessment of the strengths and weaknesses of the accountability system that has been in place at the IC and what actions, if any, should be taken to strengthen both to strengthen accountability and ensure fair process at the IC?**

**ANSWER:** Since the creation of the DNI, the IC has improved its internal oversight structure. The existence and attention of the DNI, PDDNI and ODNI provides the IC with additional levels of assurance. Moreover, IC-wide coordination bodies, e.g., EXCOM and DEXCOM, facilitate sharing of information and concerns across agencies. Such management oversight is supplemented by IGs, Offices of General Counsel, Civil Liberties Protection Officers, and others organizations. For example, the ODNI IG leads IGs across the community in identifying systemic issues, reducing redundancy, sharing best practices, and conducting cross-cutting IC examinations that result in recommendations to agency heads and the DNI. While I have no first-hand basis for assessing how well these structures work in practice, they appear to me to provide an adequate framework for vigilant, thorough, prompt, and fair accountability.

No framework is stronger than the commitment to and acceptance of the principle of accountability on the part of leadership. Leaders are accountable not only for their immediate actions and inactions but also for the results and conduct of the organizations over which they have responsibility and authority. It is up to leaders to put in place and motivate people who are competent, prepared, and committed to the same principle. While I have not identified specific measures that I should take, if confirmed, to strengthen the DNI's system of accountability, I intend to make clear by my statements and actions that accountability starts and ends with leadership.

**C. Explain your responsibilities if confirmed on ensuring rewards systems across the IC agencies that are fair and equitable.**

**ANSWER:** My responsibilities, if confirmed, will be to assist the DNI in ensuring that policies and practices across the IC concerning employee performance and rewards are consistent with existing directives. These directives, which apply to employees and to senior officers, provide safeguards and oversight to prevent discrimination and favoritism in personnel actions.

In fulfilling these responsibilities, I would depend on the National Intelligence Civilian Compensation System, which requires that:

- there is a clear and evident link between performance and compensation, including pay, bonuses, and other incentives and rewards;
- recognition is linked to demonstrated ability, individual achievement, and contribution to collective results;
- rights are protected and avenues are provided for reconsideration and redress;
- performance and recognition systems include internal review mechanisms to guard against discrimination, partisan pressures, and other non-merit factors;
- merit-based pay decisions are transparent.

Even if no problems are brought to my attention, I would, if confirmed, review periodically the effectiveness of these policies and directives, and initiate changes as needed to ensure our employees perceive the system and their treatment under it as fair.

**D. What is your view regarding the value of permitting highly skilled officers, particularly in niche disciplines, to enter the Senior Intelligence service (SIS) without having to become managers?**

**ANSWER:** My understanding is that the IC uses a dual-track career system for seniors that includes both senior executives and senior professionals. Exceptional officers with rare or essential abilities can enter the IC senior corps and continue their careers without having to become a supervisor or manager. This approach recognizes the importance of and distinction between managerial and technical skill requirements. I understand it is working well in the IC today. For example:

- at DHS, DoE, FBI/DEA, State, and Treasury, senior managers come under the Senior Executive Service and senior technical experts come under the Senior-Level and Scientific/Professional Corps;
- at ODNI, senior officers in the Senior National Intelligence Service (SNIS) are classified as either “executive” or “professional;”
- at CIA, senior officers in the Senior Intelligence Service are classified as either “manager” or “expert;”
- at DoD IC elements, senior executives fall under the Defense Intelligence SES, and senior technical experts are covered by the Defense Intelligence Senior-Level Corps.

## **Authorities of the DNI: Information Access and Analysis**

### **QUESTION 25:**

**Section 103G of the National Security Act establishes the authorities of the Chief Information Officer of the Intelligence Community (IC CIO), including procurement approval authority over all information technology items related to the enterprise architectures of all intelligence community components.**

**A. How do you interpret this statute with respect to the authorities of the IC CIO for programs funded by the Military Intelligence Program (MIP)?**

**ANSWER:** My understanding is that the IC CIO has IC-wide oversight authority for information systems and discharges this authority by:

- participating in the development of DNI planning and programming guidance and recommendations for DoD guidance;
- chairing the IC CIO Council and works with agency CIOs as they develop their programs and budgets;
- assisting the DNI in providing advisory guidance on MIP-funded programs and works closely with counterparts in the DoD to ensure there is coordination on information sharing and IT-related national and defense intelligence activities; and
- working closely with the DoD CIO to harmonize and de-conflict NIP and MIP IT systems and new programs.

The IC CIO is also a member of the Joint Intelligence Acquisition Board, co-chaired by the DNI Senior Acquisition Executive and his DoD counterpart, which makes milestone decisions for IC major system (including IT) acquisitions jointly funded by NIP and MIP.

The IC CIO monitors the performance of the IC enterprise architecture and leads reviews and assessments, and prioritizes IT investments in the IC. These efforts are designed to eliminate redundant systems, improve interoperability, and focus IT resources on intelligence priorities.

The IC CIO, who is the IC's Enterprise Architect, develops a comprehensive mission-focused architecture that furthers information sharing and identifies capability needs across the entire IC. The IC Enterprise Architect also works with the DoD Enterprise Architect to ensure DoD agencies and IC elements develop capabilities in accordance with common standards.

**B. What is your view of the authority of the IC CIO to create an integrated national intelligence and military intelligence information sharing enterprise?**

**ANSWER:** The IC CIO's authority is for the IC enterprise architecture and is not divided strictly along NIP/MIP lines. DoD and IC personnel are working cooperatively to address a wide range of enterprise issues, including improvements in the systems used to transmit and share intelligence products, network consolidation efforts, enterprise email and collaboration tools, and shared data centers.

**C. If confirmed, will you have any role regarding the integration of national intelligence and military intelligence information sharing enterprises?**

**ANSWER:** If confirmed, I will assist the DNI as needed in guiding and supporting the IC CIO.

**Authorities of the DNI: Financial Management and Infrastructure**

**QUESTION 26:**

**A. What is your view of the legislation passed by the Congress to create a comprehensive Intelligence Community Business Enterprise Architecture (which did not become law due to a presidential veto) controlling financial management and financial reporting within all IC elements?**

**ANSWER:** I support the concept of creating a Business Enterprise Architecture for the IC. The IC has embarked on a significant Business Transformation initiative, with plans to deliver an initial BEA in several months.

**B. What is your view of the authority of the DNI to create this architecture and the steps required, if any, to do so?**

**ANSWER:** The IC CIO has the necessary authority required to create an effective Business Enterprise Architecture.

**C. What will be your role in moving the Intelligence Community forward in modernizing business systems?**

**ANSWER:** As the PDDNI, if confirmed, I will join the DNI in moving IC business transformation forward, and I will work with the heads of the IC agencies to further this important initiative.

**QUESTION 27:**

**The Committee has sought to ensure that IC elements become able to produce auditable financial statements. The majority of the IC elements still lack the internal controls necessary to receive even a qualified audit opinion. If confirmed, what will you do to ensure that existing commitments to improve the IC's financial and accounting practices are carried out in an effective and timely manner, and that IC reporting on the status of these efforts is factual and accurate?**

**ANSWER:** This issue is of first-order importance in that the DNI and others depend on sound financial information to make sound budgetary and program decisions bearing on the effectiveness and cost of U.S. intelligence. This is why it is high-lighted as an area in need of attention in the new NIS.

Specifically, improving the IC's financial and accounting practices will require:

- implementing cost-effective financial management practices and internal controls to further our intelligence mission;
- adopting standard accounting and financial management practices that leverage government and private sector best practices;

- ensuring the IC remains on target to obtain and sustain the same unqualified audit opinion is expected of other government entities;
- streamlining IC operations and employ common business services to deliver financial capabilities that use taxpayer dollars more efficiently and effectively;
- improving financial management transparency by producing financial information that is timely, reliable, and relevant;
- holding IC program manager's accountable for financial management progress and implementation of NIS objectives in their personal performance agreements; and
- improving communications and reporting processes so that Congress is informed quarterly of our challenges, as well as our successes, in meeting financial improvement goals

Congress has encouraged the DNI to strengthen accountability for financial data and reporting throughout the IC. The DoD intelligence agencies, CIA, and ODNI are all focusing resources, time, and personnel to improve and harmonize financial management practices and strengthen internal controls.

Even with this effort, improvement in financial reporting of this magnitude will take time and considerable resources to achieve.

**QUESTION 28:**

**Explain your understanding of Section 102A (i) of the National Security Act of 1947, which directs the ODNI to establish and implement guidelines for the classification of information, and for other purposes.**

**A. If confirmed, how will you be involved in implementing this section of the law?**

**ANSWER:** The President stated that his administration is committed to operating with an unprecedented level of openness. As such, he directed a review of Executive Order 12958 which addresses the Administration's implementation of the law. I would expect that after the review is completed and guidelines are established the DNI and I, if confirmed, would monitor the IC's implementation of that the President's directive.

**B. What other issues would you seek to address, and what would be your objectives and proposed methods, regarding the classification of information? Please include in this answer your views, and any proposals you may have, concerning the over-classification of information.**

**ANSWER:** Simply stated, we need a classification system that adequately protects information that requires protection but at the same time allows information to be shared within the IC, as well as with policy makers and operators at all levels in the wider national security establishment. To the extent that we can eliminate the concern for the protection of sources and methods by writing intelligence reports or analysis in a way that removes any references to sources and methods, we should do so.

An underlying problem is that there are, appropriately, many penalties for those who improperly disclose classified information, but few rewards for those who take the additional effort to write at lower levels of classification. It is much safer to write and

classify at higher levels than to go through a time-consuming declassification process for wider distribution. If confirmed, I will be looking for ways to reform the system at its lowest levels so that incentives are created at the very outset of creating intelligence reports to make them as widely available as possible.

If confirmed, I would expect that the DNI and I would work closely with the Information Security Oversight Office to ensure that standards are created for the establishment of classification management programs within the IC. Then, new IC guidance could be issued by the DNI regarding classification guides, marking tools, training, and classification audits. I believe that these efforts would go far to assist in resolving the serious issue of over-classification.

**C. Are you familiar with the review of this issue directed by President Obama? What do you expect to happen as a result of this review?**

**ANSWER:** Please see my answer to Question 29 (A).

**D. What approach would you take to the systematic review and declassification of information in a manner consistent with national security, including the annual disclosure of aggregate intelligence appropriations?**

**ANSWER:** I understand that there is an initiative to create a National Declassification Center. Assuming this comes to fruition, the IC should have a prominent role in balancing the advantages and risks of declassification. It would be natural for ODNI to take the lead for the IC on that. The question of what to disclose about intelligence appropriations, and when to disclose it, could be taken up in that process.

### Acquisitions

#### **QUESTION 29:**

**A. What is your assessment of the state of acquisitions in the IC?**

**ANSWER:** I would assess the state of acquisitions in the IC to be uneven but improving. Systems started under IC acquisition policy written by the ODNI have generally done well. Some acquisitions started earlier had significant cost and schedule growth. I have been assured that these have largely been stabilized under the current IC acquisition policy.

Transparency is also improving, and clear baselines are being put in place.

**B. Do you believe the space industrial base specifically, and the intelligence industrial base more generally, are capable of producing the number of complex systems the IC and Department of Defense demands of them on time and within budget?**

**ANSWER:** While I have not studied this, my “going-in” judgment is that our industrial base, while fragile and challenged in many ways, is still capable of producing systems of unrivaled performance if given appropriate direction, freedom, oversight, and stable funding.

Successful outcomes are not easy, but the fundamental capability is in place, and with the right combination of government policies and oversight, there is every reason to expect the industrial base will rise to the challenge and overcome the substantial



technical and management obstacles to create the complex systems the IC and DoD need.

**QUESTION 30:**

**The National Reconnaissance Office has historically had difficulty matching its program content to the budget that the President has provided it. We understand that this problem is again arising in the fiscal year 2011 budget build now in progress. What skills or experience do you bring to help the DNI tackle this critical fiscal problem?**

**ANSWER:** I am broadly familiar with the problem stated in the question. My experience as a line executive in private industry gives me a perspective and some tools that could help deal with such problems if I am confirmed. First is the conviction that a budget is a compact whereby a unit can count on an agreed amount of resources and the corporation can count on agreed results. Consequently, if a unit cannot deliver the results expected of it within its budget, there are serious implications for the enterprise as a whole and for other units. While the government cannot be run like a corporation, over-runs are not just accounting entries but have real consequences, which in the national security domain can be profound.

Second, if it becomes apparent that the budget is not sufficient, the matter must be escalated without delay so that measures can be taken, which may include steps to return to budget or analysis leading to decisions to re-allocate resources. A distinction must be made between whether additional funding is the result of additional needs and changed priorities or, instead, inadequate estimating or managing of costs. The current security environment is too unstable to expect requirements to remain constant. But there must be discipline, transparency, and precision if changing requirements indicate a need to adjust resources.

Finally, as noted elsewhere, my experiences in the military, government, and business have produced a strong belief in accountability, for myself and others. Accountability must include meeting financial commitments, and if confirmed I would insist on it.

**The Department of Defense**

**QUESTION 31:**

**A. Explain your understanding of the need to balance the requirements of national and military consumers, specifically between establishing a unified intelligence effort that includes Department of Defense (DoD) intelligence elements with the continuing requirement that combat support agencies be able to respond to the needs of military commanders.**

**ANSWER:** I do not see a contradiction between establishing a unified intelligence effort that includes DoD and the requirement of combat support agencies to respond to the needs of military commanders. With the right approach by DNI, good DNI-DoD co-leadership, improved information sharing, and agreed methods for setting and managing all intelligence priorities, a more integrated IC should help those with

immediate responsibilities to meet the intelligence needs of military commanders. In fact, I think that this is what we are increasingly witnessing in the field.

Of course, even with good collaboration, balance between national and military requirements – like balance within both sets of requirements – can raise issues. These usually have to do with the capacity of collection capabilities and the assignment of analysts. Sometimes multi-purpose collection systems for signals and imagery intelligence do not have the capacity to handle all requirements. Sometimes analysts might have to be taken from one subject and to support another. Such issues are far easier to resolve with an integrated IC, a strong DNI, and a close DNI-DoD relationship than otherwise. Moreover, the DNI can also help combat support agencies meet their duties to commanders in the field by being able to draw from and share information and analysis from the entire IC.

The majority of capabilities under the NIP reside in DoD. Because one of the DNI's core responsibilities is to meet the needs of U.S. commanders and forces, these authorities can be, should be, and are used to enhance the effectiveness of the combat support elements of the IC.

Conversely, DoD combat support agencies have demonstrated the ability to contribute to meeting national intelligence requirements, both within and beyond DoD. This contribution is also being increased by IC integration, an active DNI, and a good DNI-DoD relationship.

If confirmed, I will assist the DNI in striking an appropriate balance in using and improving capabilities to meet the entire range of U.S. intelligence requirements. Because of my background in national defense and military affairs, I believe I will, if confirmed, be prepared for this.

**B. What is your assessment of how this balance has been handled since the creation of the ODNI and what steps would you recommend, if confirmed, to achieve a proper balance?**

**ANSWER:** I do not have sufficient knowledge at this point to make a definitive assessment of how this balance has been handled. Overall, intelligence support for both forces and national policy-makers has been improving, and I do not perceive that one mission is being broadly compromised in order to fulfill the other. At the same time, both of these intelligence missions are highly challenging – support for forces because of the complex and unstable character of military operations; support for policy-making because of the complex and unstable character of global security conditions. So striking the right balance will be a constant challenge for the IC leadership.

If confirmed, managing that balance to meet these two challenges will undoubtedly be one of my most important responsibilities, working with the DNI and DoD. As I become more able to address this question in detail, I would be glad to share my assessment with the committee.

**C. What is your assessment of the national intelligence effort to satisfy the needs of military commanders for human intelligence collection and what steps would you take to prevent or redress any deficiencies?**

**ANSWER:** In regard to HUMINT, military commanders' requirements and national requirements overlap but are obviously not identical. Additional HUMINT capabilities are needed to meet both sets of requirements. Moreover, military commanders are reluctant to depend solely on military HUMINT, which is not sufficient to assume full responsibility for the wartime HUMINT mission. In these circumstances, it is important that both national and military HUMINT capabilities be able to contribute to meeting both national and military HUMINT needs – under the idea of the whole of U.S. intelligence being greater than the sum of the parts.

DoD's own efforts to increase HUMINT collection capabilities are part of the solution but could take years to mature. Developing and employing collectors with in-depth understanding of the languages and cultures of critical regions is an important but challenging part of that effort. Clear ODNI support for DoD efforts to increase organic collection provides payoff in two respects: enabling theater military commanders, which best understand their requirement, to conduct HUMINT; and freeing national-level agencies to maintain focus on strategic targets. In addition, the DNI's emphasis on IC-wide sharing in general and military-civilian sharing in particular will help address the military's operational needs with both HUMINT and other intelligence collection means.

**D. What is your assessment of the military intelligence effort and what role do you see for the DNI in the challenges faced by programs funded by the Military Intelligence Program?**

**ANSWER:** From my direct observation, independent research, and my preparation for the confirmation hearing, I believe U.S. forces in Iraq and Afghanistan, and around the world, receive the finest intelligence support that has ever been provided to deployed forces, American or otherwise. The support comes primarily from military HUMINT and from surveillance systems such as manned aircraft and UAVs that are largely funded under the MIP. I also believe that DNI efforts to integrate the IC, strengthen linkages with DoD, and improving access to information from national intelligence capabilities are beginning to pay dividends for forces in the field. As I learn more about this, if confirmed as PDDNI, I will be glad to share a more considered assessment with the committee.

If confirmed, I will work with the Secretary of Defense and the Undersecretary of Defense for Intelligence (USD(I)) to ensure that there is common effort, understanding, DNI input to the MIP, and synchronization of NIP and MIP resources to maximize effectiveness and minimize costs.

**QUESTION 32:**

**A. What is your understanding of the role that the Under Secretary of Defense for Intelligence has played with respect to the elements of the IC that are within DoD?**

**ANSWER:** The USD(I) exercises the Secretary of Defense's authority, direction and control over the defense intelligence and combat support agencies (NSA, NGA, DIA). The USD(I) also exercises the Secretary's statutory requirement to advise the DNI on his requirements for the NIP, and he is the portal for the DNI's participation in

developing the MIP, for which the USD(I) is the Program Manager. Thus, USD(I) helps to ensure coherence among the defense elements of the IC, which contributes substantially to the integration and effectiveness of the IC as a whole.

While it is important to coordinate IC policies and procedures with the USD(I), the DNI maintains a direct relationship with heads of the DoD intelligence elements and with the Secretary of Defense.

**B. Please describe any issues that you believe require the attention of the DNI and the Secretary of Defense with regard to the role of that office.**

**ANSWER:** If confirmed, I will inform myself in detail about the current relationship between the ODNI and DoD. One of the questions deserving continuing attention is the relationship between the NIP and the MIP. These are very different constructs: the USD(I)'s authorities over the MIP are not equivalent to the DNI's authorities over the NIP. I understand that the procedures for reaching agreement on resource allocations to shared responsibilities between the NIP and MIP are just now becoming firmly established.

If confirmed, I look forward to discussing with DoD leadership, including USD(I), the most appropriate mechanisms for strengthening further both sharing and programmatic cooperation between the DoD and the DNI.

**C. Do you believe any issues with regard to that office should be addressed through legislation?**

**ANSWER:** I do not know of any. Again, the existence and effectiveness of USD(I) is helpful to the DNI's mission of integrating U.S. intelligence, while also facilitating DNI support for in meeting defense intelligence needs. If I am confirmed and encounter any issues, I will discuss them with the DNI and DoD leaders, and will recommend legislation, if appropriate.

**D. What do expect to be the regular method of interaction between you and officials in the Department of Defense over intelligence matters?**

**ANSWER:** If confirmed, the regular method of interaction between me and DoD counterparts will include both formal and informal contact. We will be colleagues in the NSC. They will be consumers of intelligence. Together, we will jointly manage programs and decisions that are within the NIP; and the views of the DNI, PDDNI, and non-DoD IC agencies will be weighed in programs and decisions within DoD's MIP. The USD(I) will be a key counterpart in the management of the defense elements of the NIP and because USD(I) is the DNI's window into the MIP. Finally, senior DoD intelligence officials sit on the DEXCOM, which the PDDNI chairs. It happens that I have worked with key members of DoD leadership, in particular Secretary Gates (under whom I served at the NSC), Deputy Secretary Lynn, and Under Secretaries Carter and Flournoy. And I will of course make a point of establishing a similarly close and open relationship with General Clapper, if I am confirmed. Of course, good personal ties and the cooperation they engender are no substitute for institutional ties. If confirmed, I would propose to my DoD colleagues that we together set the goal of further institutionalizing our cooperation for our successors.

## Covert Action

### QUESTION 33:

**A. What is your view of the DNI's responsibility to supervise, direct, or control the conduct of covert action by the CIA?**

**ANSWER:** Pursuant to the National Security Act of 1947, as amended by the IRTPA, Executive Order 12333 calls for the DNI to oversee and provide advice to the President and the NSC with respect to all ongoing and proposed covert action programs. This includes ensuring that the congressional intelligence committees are kept fully and currently informed of all covert actions, that covert action programs are effectively implemented, and that they comply with the law.

**B. Do you believe any additional authorities are necessary to ensure that covert action programs are lawful, meet the public policy goals of the United States, or for any other purpose?**

**ANSWER:** Based on my preparation for my confirmation hearing and my preliminary impression, I am not aware of any lack of DNI authority to fulfill his responsibility to ensure that covert action programs are lawful and supportive of policy goals. However, if I am confirmed and discover a need for more authority, I will discuss it with the DNI and, with his concurrence, this committee.

**C. Do you support the enactment of statutory requirements for regular audits by the CIA Inspector General of any ongoing covert action program with appropriate reporting to Congress?**

At this time, I am not aware of all the internal Executive Branch oversight mechanisms currently in place. I would want to review those mechanisms before making any recommendations about additional ones.

**D. If confirmed, what role will you have regarding covert actions?**

**ANSWER:** If confirmed, I will assist the DNI to ensure that covert actions are thoroughly considered, appropriately authorized, notified to Congress, and implemented in a manner that complies with U.S. laws, furthers U.S. goals and interests, and makes the best use of U.S. resources and capabilities.

## Privacy and Civil Liberties

### QUESTION 34:

**A. Describe the efforts of the IC to protect privacy and civil liberties and what, if any, challenges face the IC in these areas.**

**ANSWER:** If the IC is to succeed in its missions, it must earn and retain the trust of the American people. I have a strong sense that the men and women who work in our intelligence agencies are dedicated the rule of law, take seriously their pledge to support and defend the Constitution in every respect, and respect our citizen's rights and freedoms.

It is my impression that the IC is working increasingly hard to protect privacy and civil liberties while also accomplishing its intelligence objectives. At the same time, meeting this dual imperative is complicated by new information technology, the growth and

accessibility of a global information infrastructure, the character and conduct of state and non-state adversaries, and the need for U.S. intelligence services to operate in this domain. The more each of us participates in cyberspace, the harder it gets to protect privacy. Consequently, even with a heightened commitment throughout the IC, it will not get any easier to carry out intelligence support for national security while satisfying the American people that their privacy and civil liberties are absolute protected.

In general – specifics to follow in response to the next question – my sense is that IC leaders accept that privacy and civil liberties are not merely a constraint but a solemn responsibility, and that they support increasingly strong safeguards

**B. Explain the roles of the Civil Liberties Protection Officer, the department privacy and civil liberties officers, the Privacy and Civil Liberties Board, and the Intelligence Oversight Board in ensuring that the IC complies with the Constitution and applicable laws, regulations, and implementing guidelines governing intelligence activities.**

**ANSWER:** The Civil Liberties Protection Officer is a senior ODNI official whose job is to ensure that the policies and procedures of IC elements include adequate protections for privacy and civil liberties. He also oversees compliance by the ODNI with laws and policies relating to privacy and civil liberties, investigates complaints, and provides related advice and oversight.

There are other privacy and civil liberties officers designated by statute at other departments and agencies. For example, the Department of Homeland Security has a Chief Privacy Officer, and a Chief Civil Rights and Civil Liberties Officer, and the Department of Justice has a Chief Privacy and Civil Liberties Officer, all of whom perform their duties on a full-time basis. Moreover, the IRTPA provides that heads of certain other departments and agencies must designate a senior officer to carry out privacy and civil liberties responsibilities – namely, at the Departments of Defense, Treasury, Health and Human Services, and at the CIA. These officers are to perform advice and oversight duties with respect to privacy and civil liberties matters within their departments and agencies.

The DNI Civil Liberties Protection Officer interacts with these and other officers with privacy and civil liberties responsibilities across the Federal government on a regular basis. This also includes offices of general counsel, offices of inspector general, and other senior representatives from specific IC elements, to the extent they have responsibilities relating to privacy and civil liberties.

The Intelligence Oversight Board (IOB) is the oversight component of the President's Intelligence Advisory Board, which is a board of outside senior advisors formed to provide direct advice to the President and senior leadership on intelligence matters. The IOB receives, reviews, and makes recommendations based on reports from IC elements and the ODNI regarding possible violations of law, executive order, or presidential directive. To the extent these involve matters affecting privacy and civil liberties, the IOB would be in the position to identify serious matters meriting direct reporting to the President, recommend corrective action and review efficacy of such action.

The Privacy and Civil Liberties Oversight Board is an independent board within the Executive Branch that provides advice and oversight on policies and actions to protect the Nation from terrorism. It consists of a full-time chair and four part-time members

from outside government. If confirmed, I look forward to participating in ODNI's close work with the Board – once its members are nominated and confirmed - to ensure it receives the information and cooperation it needs to play its important advisory and oversight role.

**QUESTION 35:**

**Section 102A of the National Security Act provides that the DNI shall ensure compliance with the Constitution and laws of the United States by the CIA and shall ensure such compliance by other elements of the IC through the host executive departments that manage the programs and activities that are part of the National Intelligence Program.**

**A. What are the most important subjects concerning compliance with the Constitution and laws of the United States that the DNI should address in fulfilling this responsibility?**

**ANSWER:** The DNI and PDDNI have the responsibility both to protect the nation from foreign threats and to protect the civil liberties of Americans. The Fourth Amendment guarantee against unreasonable search and seizure is the Constitutional issue most frequently raised in connection with intelligence collection. It is also imperative that intelligence activities are conducted with due regard for First Amendment freedoms.

In addition, intelligence collection needs to be carried out in compliance with the Foreign Intelligence Surveillance Act, the Privacy Act, and the Attorney General's guidelines required by Executive Order 12333, as well as other statutes, regulations and orders.

**B. What methods, and through what officials, should a DNI use to ensure compliance with the Constitution and laws, including but not limited to the Office of the General Counsel, the ODNI Inspector General, and the Civil Liberties Protection Officer?**

**ANSWER:** The DNI has made clear his personal commitment to ensuring that all elements of the IC are in compliance with the Constitution and laws of the United States. To fulfill this commitment, the DNI should rely on all of the offices mentioned in the question. The DNI also should ask elements of the IC and their host departments to conduct their own legal reviews prior to undertaking activities that raise issues of privacy or other legal issues.

It is essential that the ODNI General Counsel, the IG, and the Civil Liberties Protection Officer have a close working relationship with one another, with the DNI and PDDNI, and with their counterparts throughout the IC. The three offices have related but distinct responsibilities and approach those responsibilities from different perspectives. This provides both an opportunity and a need for collaboration among them, giving each one a comprehensive picture of any problem and of possible solutions. In the course of my preparations, I have been in contact with all three officers and expect, if confirmed, to rely heavily on them.

**C. What do you understand to be the obligation of the DNI to keep the intelligence committees fully and currently informed about matters relating to compliance with the Constitution and laws?**

**ANSWER:** Section 502 of the National Security Act requires the DNI, as well as the heads of all departments and agencies with intelligence components, to keep the intelligence committees fully and currently informed of all U.S. intelligence activities (except covert actions that are covered in section 503). Clearly, this includes significant anticipated intelligence activities and significant intelligence failures, to include compliance with the Constitution and laws.

In addition, both sections 502 and 503 require the DNI to furnish the congressional intelligence committees any information or material concerning an intelligence activity or covert action that the committees request in order to carry out their responsibilities.

Section 502 provides that congressional notification must be made to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive sources and methods or other exceptionally sensitive matters. Section 503 includes similar language.

Director Blair has emphasized his commitment to and insistence on timely and complete congressional notification. Like him, I believe that congressional notification must be timely to be effective. If confirmed as PDDNI, I will conduct myself in complete accord with his strong views, which I share.

**D. What do you understand to be the specific obligations of the PDDNI in this area?**

**ANSWER:** The PDDNI has the responsibility to assist the Director in carrying out his statutory authority under the National Security Act to ensure compliance with the Constitution and laws of the United States, including those that require all components of the IC to keep the Congress fully and currently informed of intelligence activities and covert actions. If confirmed, I will assist the Director in ensuring that all IC elements comply with the reporting requirements in sections 502 and 503.

**QUESTION 36:**

**A. In your view, should the provisions of the Foreign Intelligence Surveillance Act (often referred to as the "lone wolf," "roving wiretap," and "Section 215" provisions) which expire on December 31, 2009, be extended?**

**ANSWER:** I am aware that the Administration has requested that all three provisions be reauthorized, and the Administration also noted willingness to consider additional privacy protections provided they do not undermine the effectiveness of the authorities. I am not familiar with the application of these provisions, however, and if confirmed, would consult with IC professionals to better understand the details.

**B. Should they be made permanent?**

**ANSWER:** I would like to defer judgment until I have the opportunity, if confirmed, to thoroughly examine the pros and cons of these provisions.

**C. Should they be extended in their current form, or modified?**



**ANSWER:** Again, I would like to defer judgment until I have the opportunity, if confirmed, to thoroughly examine the pros and cons of these provisions.

**D. If you believe they should be modified, what modifications would you recommend?**

**ANSWER:** Please see answers 36 (A), (B), and (C) above.

### Miscellaneous

#### **QUESTION 37:**

**A. What are the advantages to having the position of PDDNI filled by an individual nominated by the President and confirmed by the Senate, rather than having other individuals fulfill the PDDNI's duties on an acting basis?**

**ANSWER:** It is clearly preferable to have the PDDNI position filled by a leader nominated by the President and confirmed by the Senate rather than by an acting PDDNI, especially since the PDDNI acts for and may exercise the powers of the DNI during his absence or disability. However, in the interim, it may be advantageous to national security for the first assistant to the PDDNI to exercise the authorities of acting PDDNI, or to have the President appoint an "acting PDDNI" on an interim basis pending Senate confirmation of a Presidential nominee.

#### **QUESTION 38:**

**For each of the following, describe specifically how your experiences will enable you to serve effectively as PDDNI:**

- Senior Advisor to the Coalition Provisional Authority, Iraq
- President of RAND Europe
- RAND Fellow
- Senior Director for Europe and Asia, National Security Council
- Your various positions at the State Department
- Your various positions in the private sector.

**ANSWER: Senior Advisor, CPA:** Several aspects of this experience stand out with regard to enabling me to serve effectively as PDDNI if confirmed. The first is the direct exposure to the complexities of the Muslim and Arab worlds in the course of six months in Iraq. While one cannot generalize from one country and set of conditions, I found a society and individuals pulled in many directions: modernization, a hunger for democracy, strong religious currents, ambivalence toward the West, and vulnerability to extremist appeals. As a result of my duty in Iraq, I believe I understand better now how such a mix of conditions can give rise to insurgency and terrorism. At the same time, I know that a half year exposure is only the beginning, and also that we need the best expertise our Country can offer on this region and its problems. But just as leaders of U.S. intelligence during the Cold

War had to comprehend the potential for conflict in Europe, leaders of U.S. intelligence today should work to better understand the sources of anger and turmoil in the Muslim and Arab worlds today. The second aspect is what I learned about the challenge of building new institutions of governance, security, and economic progress under such conditions. One lesson is that it takes time, resources, and patience. Another is that the persistence of violence can take a major toll on institution-building. A third is that it is crucial to make clear to local counterparts that they must take responsibility for dealing with their country's problems, even as the United States is making a major effort to support them. Such lessons can be helpful in supporting policy-makers with intelligence analysis and advice.

My service in Iraq also gave me first-hand exposure to the intelligence needs of our military forces in complex counter-insurgency operations. I observed the problems of sharing and collaboration between military and civilian intelligence arms, including classification, technical, and organizational barriers. I was especially struck by the time it took for intelligence information to find its way to a user in need of it, during which time insurgents might have melted away, or struck. This experience convinced me that the United States could do much better in moving intelligence across bureaucratic jurisdictions – indeed, that the United States had to do better if it was to succeed in campaigns like Iraq and Afghanistan. As I noted elsewhere, there has been considerable progress in overcoming these barriers since I served in Iraq five years ago, owing in large part to the reforms launched by IRTPA and implemented by increasingly close IC-DoD collaboration.

President of RAND Europe: Having spent part of my career in developing and implementing U.S. policy toward Europe, I felt I knew the region and its people well. But living and working in Europe greatly expanded my understanding. At RAND Europe, with research centers in the UK, Germany, and the Netherlands, my vice presidents, board, employees, clients, and competitors were almost all Europeans. In addition to having a better understanding of the region and its people, I was able to witness first hand the debates in Europe about security dangers, about sharing responsibilities and risks with the United States, about NATO, and about Europe's role in the world. This experience bears directly on my effectiveness as PDDNI, if confirmed, because the Europeans, bilaterally and through NATO, remain the largest collection of close and capable allies the United States has. For the IC, this affects analysis in support of policies that seek European cooperation, as well as how to effect fruitful intelligence relationships.

Vice President of RAND and Director of the National Defense Research Institute: This position required me to guide research and analysis on an extremely wide range of national security matters, including emerging threats, violent extremism, homeland security, military capabilities and readiness, proliferation of WMD, critical regions, and intelligence - all relevant to PDDNI responsibilities. In addition, I was responsible for assuring the quality and objectivity of every piece of work done within my organization, and at one point led a RAND-wide quality review at the request of the board of trustees. The discipline and methods used to assure quality and objectivity of RAND work are clearly applicable to the IC, where similar standards are being instituted by the DNI. If confirmed, I believe I can lend significant help to the effort to ensure greater reliability of U.S. intelligence.

Senior Director for Europe and Eurasia, NSC: I served in this capacity at a time of discontinuity, promise, and danger in world affairs, centered on the collapse of the Soviet empire and the USSR itself. Among other things, this experience underscored both the importance and difficulty of managing immediate crises with an eye toward the future, including the long-term implications of current decisions. Because actions taken during times of upheaval often have especially significant long-term consequences, good intelligence provides policy-makers with both tactical and strategic analysis. As an NSC senior director, I was heavily involved in tasking the IC with critical and often shifting demands. I developed a particularly good understanding of and NSC's relationship with the NIC and the analytic and operational activities of the CIA. As the President's Special Assistant, I had responsibility to ensure that he was prepared for policy decisions, international negotiations, and crises as they arose, including the coup that precipitated the dissolution of the Soviet Union, the violent break-up of Yugoslavia, and the Gulf War. I prepared many analytic papers for the President and NSC, and from that have an appreciation of how to convey information and analysis that is concise, balanced, and of high quality. These are, of course, features of good intelligence products. Finally, I had significant interagency coordination responsibilities during those tumultuous times, and I saw first-hand the vital role of the IC and importance of reliable intelligence in informing the interagency process.

State Department: In my several assignments at State, I developed a close relationship with and appreciation of the intelligence community, especially INR and the CIA. I gained a sense of how good intelligence organizations and professionals can best serve their colleagues with policy responsibility. I requested and applied intelligence on such matters as the 1973 Middle East War and ensuing peace negotiations, the Iranian revolution, the Soviet invasion of Afghanistan, NATO's deployment of intermediate-range nuclear missiles, Poland's Solidarity uprising, and the Falklands War. In working for Secretaries Kissinger, Vance, Muskie, Haig, and Schulz, I bore significant responsibilities for tasking intelligence and applying it in shaping policy and managing crises.

Private sector experience: In addition to developing general leadership skills, my private sector experience can help me in several respects. First, as noted earlier, I learned and applied critical principles: performance accountability; measurement of results; clarity about the link between goals and resources; and disciplined short- and long-term planning. I also acquired skills at cost-cutting, budgetary and financial discipline, and cross-divisional collaboration. Finally, because I worked as an executive in the information industry, with many large and sophisticated government and corporate customers, I acquired considerable knowledge of how to exploit a wide range of information technologies to solve business problems, gain economies and efficiencies, and achieve strategic advantage. These are all relevant to the IC in general and to the role of PDDNI especially.

Naval officer: My years as an officer in the U.S. Navy instilled in me the values of service, honor, steadiness in the face of challenge, and regard for "shipmates." It is when I first experienced and embraced the importance of accountability. These values are relevant to any senior government position, including the position of PDDNI.

CNO Executive Panel: In fifteen years of active membership on the Executive Panel of the Chief of Naval Operations, I have become closely connected to several of DoD's

intelligence arms, especially the Office of Naval Intelligence and the DIA, which frequently brief the Panel and support its studies.

**QUESTION 39:**

**Do you believe you would be a stronger candidate for this position if you had experience as an analyst, collector, or manager in the IC? If not, why not?**

**ANSWER:** My experience as an analyst and supervisor of analysts bears directly on my candidacy for the position of PDDNI. Most of my career in analysis - in government, at RAND, at the National Defense University and elsewhere -- has concerned national security. I am familiar with, and have often been at the forefront of, methods of evidence-based analysis that include exploratory modeling, computer simulation, robust long-term planning, hypothesis testing, cost-benefit analysis, strategy-to-resource analysis, and systems analysis. Moreover, I have done and led a great deal of analysis of political, economic, and technological factors, as well as how they interact. I have conducted and overseen extensive peer-review and quality-assurance work, which is the key to subjecting analysis to high standards of evidence, logic, balance, transparency, comprehensiveness, and objectivity. There is a growing awareness in the IC of the importance of such disciplines, and if confirmed I intend to be a strong advocate, exacting reviewer, and helpful colleague, given my experience.

In regard to management, I have been an executive in government, in the for-profit world, and in the world of research and analysis. I have held deputy responsibilities in three jobs in government, have been a vice president at two large corporations, and have held the presidency of a business group in one case and a subsidiary in another. I have been accountable for a full range of financial results, have depended on full, accurate and timely financial accounting, and have held fiduciary responsibilities in board positions. This management background bears on my qualifications to manage within ODNI and the IC. For example, it could be useful to bring proven and generally applicable management practices from the corporate world into the IC. Of course, the IC is substantially different from business organizations I have managed. However, the specific management challenges I will face, if confirmed, are not new to me. Regarding ODNI itself, I have managed successfully in organizations of comparable size and complexity, with a number of senior people reporting to me. Regarding the IC as a whole, managing effectively in a diverse and decentralized enterprise requires the ability to set general direction, establish performance expectations, allocate resources, delegate authority over operations, insist on accountability, organize collaboration, and remedy shortcomings. I have experience in all these aspects of management.

I have not served as an intelligence collector, though from in my government and research work on national security I have a thorough understanding of collection, and I have been a consumer of every sort of sources and methods and am familiar with the advantages and limitations of each. I believe this gives me the necessary knowledge to be an effective PDDNI, given the way the Director envisions my role and focus. At the same time, I will if confirmed delve deeply into the collections field. Having been briefed by those responsible for it within ODNI in preparation for my confirmation hearing, I do not believe that this particular lack of practical experience will be a handicap.

In sum, my background and abilities in national security, analysis, and executive management, while not as an IC career professional, should enable me to be effective, if confirmed. Where I may be lacking, I would make every effort to come up to speed.

**QUESTION 40:**

**The Committee has been notified that as of August 21, 2009 you have been serving as a “term-limited” government employee of ODNI pursuing a “task pertaining to an assessment of the mission management construct.”**

**Please describe what your responsibilities are in this new position and what you have learned about the ODNI so far. What are your own views on the mission management construct?**

**ANSWER:** My responsibility is to study the IC experience with mission management with a view toward further developing this function. By mandate, I have had no supervisory responsibilities in regard to mission management, no direct involvement in any current mission management, and no authority to implement my views.

While incomplete, my assessment has led me to several general views:

- Cross-agency teaming, of which mission management is a prominent form, is critical to making the decentralized, production-oriented U.S. IC more integrated and responsive. This is key for meeting intelligence challenges that are at once difficult, critical, and beyond the capabilities of any single agency. In addition to serving policy-makers and commanders better, it fosters a sense of community, drives the IC towards problem-solving, works to remove barriers, and enables creative solutions to hard problems.
- Such teaming should range from enduring intelligence challenges (for which national centers can be created) to current high priorities (e.g., Af-Pak) to sudden crises that require integrated response across agencies. Organizing, empowering, and clearing obstacles to the success of mission management and teaming in general are among the most important responsibilities of the DNI and PDDNI.
- Wise selection of mission managers and other team leaders is crucial, given the need for leadership qualities, broad knowledge of the policy context, experience across the IC, and skill at serving clients while maintaining strict objectivity. As important is to be precise about the mission and to track performance.
- Mission management may require flexibility and support regarding such matters as co-location, how agency resources are applied, IT, internal organization, common clearances, upward reporting, and tracking costs across agencies.
- For these reasons, the support of the IC’s leadership for the function of mission-management (and cross-agency teaming in general) and for specific undertakings is indispensable. Building this support is mainly up to the DNI and PDDNI.
- Going forward, we need agreed criteria for establishing and maintaining mission management on particular problems. When the criteria are met, we should not hesitate to take this path. While most IC work does not demand formal mission management, many of the collaborative practices and pathways created by mission management can have wider benefit.

In sum, my preliminary assessment is that mission management is vital to IC integration and performance; is going well so far; is promising enough to expand; can and should take various forms; requires clarity on criteria, problem specificity, resource assignment, and measurement of results and costs; and deserves leadership attention and support. If confirmed, I would hope to be able to give this considerable attention, and would welcome every chance to discuss ideas, progress, and issues with this committee.