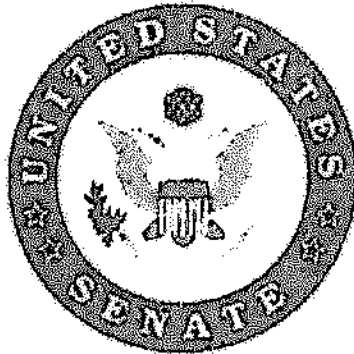# SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

**Additional Prehearing Questions
for
Mr. Nicholas Rasmussen
upon his nomination to be
the Director of the
National Counterterrorism Center**

Responsibilities of the Director of the National Counterterrorism Center

QUESTION 1: The National Security Intelligence Reform Act of 2004 created the National Counterterrorism Center (NCTC) and the position of Director of the NCTC.

- What is your understanding of the unique role of the NCTC within the Intelligence Community (IC)?

The National Counterterrorism Center (NCTC) serves a unique and critical role within the Intelligence Community (IC), one that is clearly articulated in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), which serves as the statutory basis for NCTC. Among its provisions, this law directs that NCTC:

- Serve as the primary organization of the U.S. government for analyzing and integrating all intelligence possessed or acquired by the U.S. government pertaining to terrorism and counterterrorism (CT), excepting exclusively domestic terrorists and domestic CT.

- Conduct strategic operational planning for CT activities, integrating all instruments of national power, including diplomatic, financial, military, intelligence, homeland security, and law enforcement activities within and among agencies.

- Ensure agencies have appropriate access to and receive all-source intelligence support necessary to execute CT plans or perform independent alternative analysis.

- Serve as the central and shared knowledge bank on known and suspected terrorists (KSTs) and international terror groups, as well as their goals, strategies, capabilities, and networks of contacts and support.

The law also directs the NCTC Director to advise the Director of National Intelligence (DNI) on the extent to which the CT program recommendations and budget proposals of the departments, agencies, and elements of the U.S. government conform to the priorities established by the President.

No other CT component of the IC has this range of responsibilities. In conducting all-source analysis and maintaining the database that underpins all government watchlisting, NCTC is authorized access to all terrorism-related information, both foreign and domestic. NCTC's whole-of-government role in strategic operational planning is also unique.

Beyond the statutory framework that sets NCTC apart from other IC components, the Center also enjoys a unique position within the IC due to the composition of its workforce. The mix of permanent employees, detailees, and contractors brings a unique diversity of skills, abilities, and backgrounds into NCTC.

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- What is your understanding of the specific statutory responsibilities of the Director?

The statutory responsibilities of NCTC and its Director are delineated in Section 1021 of the IRTPA. The law requires the Director to report to the President of the United States when exercising the Center's whole-of-government strategic operational planning functions, and to the DNI for all other activities and functions.

NCTC's mission, and that of its Director, is focused singularly on the prevention, detection and disruption of acts of terrorism directed against the United States and its interests both at home and abroad. The largest share of NCTC resources is allocated to providing all-source intelligence analysis—from strategic to tactical—that incorporates information from the full spectrum of collection disciplines. NCTC's unique statutory authorities allow its personnel to draw all of the both foreign and domestic intelligence possessed or acquired by the U.S. government to produce its integrated analysis.

Beyond its analytic mission, NCTC and its Director are responsible for ensuring that federal departments and agencies are provided with all-source intelligence support to execute assigned counterterrorism activities. NCTC has positioned itself as the information sharing and collaboration hub of the IC counterterrorism architecture. NCTC has developed a regular battle rhythm of written products, secure video teleconferences, and other mechanisms to ensure that federal departments and agencies have access to the most current reporting and analysis on CT issues. In addition to serving federal partners in the executive branch, NCTC also supports the Congress with a constant flow of information and analysis, both to the appropriate committees of the Congress, as well as to the Capitol Police Executive Board. NCTC is playing an increasingly important role in providing terrorism information and analysis to the state, local, and tribal community of customers, working closely with and often through FBI and DHS.

The Center and its Director are responsible for maintaining the U.S. government's central and shared knowledge bank on KSTs, international terror groups, and their contacts and support networks. NCTC accomplishes this mission through the design, operation and maintenance of a classified database called TIDE, or the Terrorism Identities Datamart Environment. Operating under interagency-developed and -approved watchlisting standards, identifying information on KSTs is provided to the FBI's Terrorist Screening Center (TSC) to support watchlisting and screening by other federal agencies and departments.

NCTC conducts whole-of-government planning to support CT strategies and plans. This is one area of its mandate where NCTC responsibilities extend beyond the bounds of the IC, requiring that NCTC planners engage and coordinate with partners all across the federal government to ensure that all elements of national power are mobilized to counter our terrorist adversaries. Working in close cooperation with the National Security Council (NSC) staff, NCTC supports the President in the development of appropriate CT strategies and plans.

Finally, the Director of NCTC serves as the National Intelligence Manager for CT intelligence matters for the DNI. In this capacity, NCTC leads the CT community in identifying knowledge gaps in CT analysis and then focusing collection/production resources on closing those gaps.

- Have you discussed with Director Clapper his specific expectations of you, if confirmed as Director, and his expectations of the NCTC as a whole? If so, please describe these expectations.

Director Clapper and I have discussed his expectations of me. First, I was gratified to learn that the DNI supported me to succeed Matt Olsen as Director of NCTC and sought consensus across the Executive Branch for my potential nomination.

Second, the DNI, respectful of the need not to assume confirmation, has simply told me to "do no harm" as Acting Director. If confirmed, I will be the third Director of NCTC during the DNI's tenure, and he has indicated that he is interested in continuity and stability—not revolutionary change.

So, I believe that if I am confirmed he would look to me to sustain the themes he has emphasized over the last four plus years. In my conversations with Director Clapper, he has consistently directed me—and former Director Olsen—to ensure that NCTC is fully and completely embracing and executing the roles and missions envisioned for NCTC in the IRTPA, most specifically with respect to the sharing of terrorism information and the production of terrorism analysis. He has further directed that NCTC continue to look for ways to reduce and ultimately eliminate unnecessary redundancy from across the IC with respect to terrorism analysis, while ensuring that we provide appropriate scope for competitive/alternative analysis. As NCTC addresses its challenges regarding analysis of large data holdings, Director Clapper has urged that NCTC integrate our information technology (IT) investment strategies such that we are able to take full advantage of IC efforts to evolve toward a common cloud-based platform where we can easily and securely share information across the IC. NCTC stands to benefit greatly from that effort as it takes shape.

NCTC Mission

QUESTION 2: The NCTC was designed to serve as the primary organization in the U.S. Government for integrating and analyzing all intelligence pertaining to terrorism and counterterrorism and to conduct strategic operational planning by integrating all instruments of national power.

- What is your assessment of the NCTC's current strengths and weaknesses?

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NCTC's two greatest strengths are its exceptional workforce and its unique access to counterterrorism-related data. NCTC has a dedicated, diverse, and integrated workforce with nearly half of its personnel drawn from across the IC. This creates a collaborative, inclusive atmosphere of professionals with varied IC experiences. Additionally, NCTC's strong relationship with IC counterparts and its position as the only IC entity with access to all foreign and domestic data streams allows this uniquely diverse workforce to provide the most comprehensive, coordinated all-source analysis. I would also note that NCTC does not engage in, or direct, operations, and we see this as a strength that allows us a unique and neutral perspective for CT analysis and strategic operational planning.

Because of NCTC's reliance on the skills and background of military, law enforcement, intelligence and other national security professionals, the current fiscal environment creates challenges to maintain a diverse workforce that draws fully from and represents the IC. Budgeting uncertainty is complicating interagency efforts to provide detailees to the Center. NCTC is also challenged to manage and fully exploit the data to which it has access. NCTC must continue to invest in technology-based tools to power more comprehensive data analysis, increase the speed at which information sharing, analysis and collaboration can occur, and automate production workflows. NCTC's new Office of Data Strategy and Innovation will help integrate mission and technology.

- **What do you believe are the greatest challenges facing the NCTC?**

NCTC's greatest challenge is the evolving and adaptive threat we face—both at home and abroad—including addressing the growing risk posed by self-radicalized and "lone wolf" threats. In assessing the threat and how best to mitigate it, NCTC relies on the skills and background of military, law enforcement, intelligence and other national security analysts who are detailed to NCTC from across the U.S. government. As I noted previously, the current fiscal environment creates challenges to maintain a workforce that is diverse and draws fully from and represents the IC. NCTC is also grappling with how to best address "big data" and the growing role of social media in counterterrorism analysis, which is why our focus on technology is paramount. The task of identifying terrorists and plots is further complicated by collection challenges that have grown even more acute in the context of unauthorized disclosures. Increasingly terrorists are using secure means to communicate, greatly reducing our access to critical information about their plans, capabilities and intentions. As secure applications are more available, our job will become even harder. Finally, NCTC must continue to institutionalize its role in strategic operational planning by helping the CT community think and plan strategically in the midst of immediate threats and issues. Ensuring our efforts to implement CT policy and strategy are integrated and incorporate a whole-of-government approach will reduce gaps in planning and avoid the unnecessary duplication of efforts.

- **Please explain your vision for the NCTC, including your views on its current and future priorities and what the organization should look like five years from now.**

My vision is for an NCTC that is fully staffed, with an agile, diverse workforce armed with the tools and data necessary to tackle the challenges I have previously described—an evolving and adapting threat, "big data," and a more security-conscious terrorist enemy.

In the ten years since its establishment, NCTC has made significant progress in fulfilling the vision set out by the 9/11 Commission and the Congress in 2004. I believe NCTC has become a recognized center of gravity in the counterterrorism effort. If confirmed, I will continue to build on the successes of my predecessors to evolve and improve the Center's capacity to carry out its mission.

I cannot emphasize enough the importance of people, technology, and information sharing. These tools are all critical to achieving the vision set out for us by the Congress. We face a complex, evolving and diverse threat. We will only meet this threat through realizing the synergy of effective information sharing, constantly seeking innovation, and finding the right expertise from across disciplines.

If confirmed, I would continue to focus investment on people and technology—the keys to increasing NCTC's success. I would support efforts to deepen integration and collaboration with state, local and tribal partners, as well as key foreign partners. I would also continue to promote information sharing and the integration of data necessary in our counterterrorism efforts, ensuring that appropriate technology is deployed to support NCTC's missions.

- **What specific benchmarks should be used to assess the NCTC's performance?**

We are a partner-and customer-oriented organization and, as such, we find that the best measure of our performance is the degree to which we are relied on by our partners and customers. We seek to be the first one they turn to, and the one partner they always want at the table when decisions are being made. By that measure, NCTC is performing at a very high level.

When looking at NCTC's performance, I would use a few key metrics to assess how we are doing in each of our core mission areas. For our analysis, we gauge readership and feedback from our products online through our CURRENT portal, which is available at the Top Secret/compartmented level, as well as the Secret level. We also get daily feedback from partners and senior leaders in department and agencies and from the White House. With respect to watchlisting, we use the number of enhancements as an indicator of progress, as that is the best measure of how much useful information is contained or added in the database. We also monitor timeliness for Kingfisher visa screening systems to ensure we meet our and the Department of State's stated goals. We are mindful of any backlog in our processing of KST nomination, enhancement, or removal requests.

NCTC's performance also can be measured by the same standards NCTC, as the CT mission manager, uses to assess the IC's counterterrorism performance:

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1. We evaluate the IC's progress against high priority CT intelligence gaps using objective measures.
2. We assess customer satisfaction with overall CT intelligence support through a subjective survey.

To evaluate our progress against high priority CT intelligence gaps, we bring together senior CT analysts and analytic managers from across the IC annually. These experts collaborate to identify and develop CT Priority Intelligence Gaps—topics that these experts identify as deserving particular analytic attention over the course of the next year.

We also use a subjective approach to assess customer satisfaction with overall intelligence support to the CT mission. We annually survey a broad range of customers from five customer segments (DOD/Warfighter, Homeland Security, Law Enforcement, Policy, and non-Departmental Intel) to determine their satisfaction with CT intelligence support.

Lastly, we recognize we are in a zero tolerance environment for our business. Any time we experience a terrorist attack on U.S. personnel at home or abroad, we go through a rigorous process of self-examination to ensure we continue to achieve the high standards to which we hold ourselves.

Current Terrorist Threat

QUESTION 3: The United States is arguably facing the most challenging threat environment since the September 11th attacks over a decade ago.

- How do you characterize the terrorist threat that is confronting the United States at this time?

The terrorist threat to the U.S. homeland is evolving. It is being driven by instability in critical regions, shifting local and regional factors and conditions, the increasing diffusion of the al-Qa'ida movement, and a more diverse and adaptive enemy. The terrorist threat today emanates from a more geographically dispersed area, increasing the likelihood of low-level attacks against U.S. and other Western interests overseas and also unsophisticated plots by individuals and small groups in North America.

The instability in the Levant, the Middle East, and Africa has contributed to a less centralized, more geographically dispersed threat environment than the South Asia-focused threat we encountered with the September 11th attacks.

In the Levant and the Middle East, the Islamic State of Iraq and the Levant (ISIL) has exploited the failure of the Syrian and Iraqi states to maintain control over their more remote regions or to oppose them with effective fighting forces. ISIL represents a growing threat to U.S. personnel and facilities in the region, and has called on ISIL supporters to conduct attacks against the United States and U.S. interests in retaliation for coalition airstrikes.

The threat posed by the so-called Khorasan Group—a network of al Nusrah Front and veteran al-Qa'ida terrorists who share a history of training operatives, facilitating the movement of fighters and money, and planning attacks against U.S. and Western targets—remains a critical concern.

The scope of the foreign fighters who are traveling to Syria to participate in the conflict is adding to the complexity of the threat environment we face. Western fighters, to include Americans, are joining with ISIL, Khorasan, and al-Nusrah, raising the possibility those groups will successfully direct and deploy fighters for attacks in the West or more individual extremists will return to their home countries and commit self-initiated attacks, as we saw in an attack on a Jewish Museum in Belgium in May.

Al-Qa'ida in the Arabian Peninsula (AQAP) continues to prioritize efforts to attack the U.S. homeland, with a particular focus on aviation. Iran, Lebanese Hizballah, and Shia-aligned groups in the region remain on our radar. Lebanese Hizballah remains committed to conducting terrorist attacks against Israeli targets worldwide, while maintaining the capability for attacks against U.S. targets overseas.

In Africa, the range of extremist/terrorist groups exploiting local and regional conditions across north and west Africa, to include al- Qa'ida in the Lands of the Islamic Maghreb (AQIM), al-Murabitun, Boko Haram and Ansar al-Sharia groups in Tunisia and Libya, present a serious challenge and threat to U.S. interests in the region. Al-Shabaab has consistently and publicly threatened the United States, but the group has not attempted an attack outside of East Africa and does not appear at present to have the capability to carry out plotting beyond the East Africa region.

In South Asia, the threat from al- Qa'ida core has been degraded but not defeated. As al-Qa'ida core's capabilities in Afghanistan and Pakistan have been degraded, attack planners have placed a greater emphasis on smaller and simpler plots against soft targets. The group continues to aspire to conduct larger-scale attacks against the West and here in the U.S. homeland. The recent announcement of the formation of al- Qa'ida in the Indian Subcontinent (AQIS) and enduring threats from Tehrik-e Taliban Pakistan (TTP) and Lashkar-i-Tayyiba are a reminder of the volatility of threat we face from South Asia thirteen years after the September 11th attacks, and at a time when we are drawing down our military presence in the region.

Here at home, the evolving threat is being driven by both foreign-directed terrorist organizations and by homegrown violent extremists (HVEs). As we saw in Canada last month, HVEs who are unable to travel overseas for violent jihad may choose instead to plot against targets locally. HVEs, reacting to multiple motivating factors, have posed the most likely threat here in the United States for the past three years. They make use of a dynamic, evolving online environment to connect themselves virtually to a global movement of jihadists. HVEs likely will continue trying to carry out simple plots that do not require advanced skills, outside training, or communication with others, based on past plots and guidance promoted by overseas terrorist groups.

- In your opinion, is the NCTC adequately staffed to address your priorities identified above?

We have focused our staff resources on existing mission priorities. As the threat we face has become more diverse and as we have assumed a more central role in the CT community, we have been constantly reevaluating our staffing needs and adjusting how we use our staff. As we encounter "surge" requirements like we are currently experiencing with respect to Iraq and Syria, we are sometimes compelled to put fewer resources against lower priorities and assume the risks that this approach entails. The heavy burden we place on our workforce is clearly reflected in the amount of overtime and compensatory time they have earned during the past two years. I am extremely proud of the dedication and hard work of NCTC's workforce.

- What impact does a shortage of detailees have on your mission?

Obtaining sufficient detailee support to reach our authorized levels would allow NCTC to focus additional resources in key priority areas and enhance our efforts on select lower priority issues. I am committed to having a diverse detailee workforce that constitutes between forty and fifty percent of our workforce.

NCTC was designed to have a reliance on detailees, and we draw strength from the diversity of hosting officers from across the U.S. government. As I noted earlier, this diversity is one of our greatest strengths. Having the opportunity to integrate people into the Center from other organizations gives us the opportunity to form an effective network across all of the agencies that have a stake in the CT mission. They have been and will continue to be key contributors to our mission. Some of our best partners in other agencies are those who came to NCTC at some point in their career and who understand who we are and what we do. A shortage of detailees degrades our available expertise, diminishes our surge capacity, and keeps us from being the interagency center of CT excellence we were designed to be.

- The National Counterterrorism Center is housed within the Office of the Director of National Intelligence, but the NCTC workforce and the rest of the ODNI workforce have very different demographics. Are there ODNI workforce policies that do not fully take into account the differences in the NCTC workforce?

NCTC's senior leaders work closely within the ODNI to develop and tailor workforce policies that meet the specific requirements of the mission-driven NCTC workforce. ODNI recognizes that NCTC's workforce differs from that of the broader ODNI and we have been able to collaborate with ODNI and evolve workforce-related policies to be able to account for NCTC's workforce, especially with respect to managing our ODNI cadre members' career development. NCTC has also collaborated very effectively with ODNI to execute a new hiring initiative this year which will result in more than 40 newly hired officers joining NCTC's ranks this year.

- What actions will you take, if confirmed as Director, to ensure that NCTC is fully staffed?

If confirmed, I would continue to consider the adequate resourcing of the Center among my highest priorities. I have discussed the status of our staffing with the DNI and PDDNI and they understand the Center's staffing situation and are supportive of the Center's recruiting efforts. Since early this year, we have hired more than 40 new ODNI officers. Our greatest focus in terms of staffing is on ways to maintain and increase our detailee totals. I have personally worked with my IC peers to ask agencies to support joint duty rotations. A key strength of NCTC remains the expertise drawn from our multi-agency composition.

We are also working closely with the ODNI to hire additional ODNI permanent hires, and to streamline the processes we rely upon to get detailees from other IC agencies into NCTC jobs.

Intelligence reform and counterterrorism

QUESTION 4: What do you see as the most important outstanding priorities in the ongoing intelligence reform effort, as it relates to counterterrorism?

While the IC has made significant progress implementing the IRTPA, there is work that remains to be done. Among the key priorities is to continue to advance information sharing. In some instances, the public disclosures of classified information have created a reluctance among foreign partners to share the classified, sensitive data that most illuminates analysts' understanding and identification of terrorists. This reluctance could migrate to the wider information sharing community. We cannot allow this to happen.

The IC will also continue to grapple with how to exploit big data and social media for CT analysis. As a community, we must continue to address policies and technological limitations that have the effect of potentially constraining how completely we exploit the data available to the U.S. government. The community will need to invest in technology-based tools to power more comprehensive data analysis, increase the speed at which information sharing and collaboration occur, and automate production flows. Technology can also help implement privacy and civil liberty protections beyond the current basic safeguards in place.

- How do intelligence gaps and the current collection environment more generally impact NCTC's mission?

The dynamic and diverse nature of the terrorist threat requires continued NCTC and IC emphasis on targeting, collection, and analysis. Based on our understanding of intelligence gaps and IC posture against them, NCTC works with interagency partners to enhance the

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IC's ability to address evolving terrorism threats as an integrated team. As a result, the IC is able to adjust its posture to focus limited analytic and collection capabilities to address the highest CT priorities and to advance capabilities to address future challenges over the long term.

The current counterterrorism collection environment is challenging. The diverse set of nefarious actors operating across a broadening swath of geography is straining existing resources. In those areas that are most difficult to operate human sources, the community is increasingly reliant on imagery and signals intelligence. Unfortunately, frequent unauthorized disclosures and leaks have compromised certain signals intelligence collection efforts and reduced our ability to track terrorist communications. The IC is working to identify new opportunities to restore collection against our most significant threats.

- ### Do you see any need for modifications to the statutory role or authorities of the Director of the NCTC? If so, please explain.

I do not see a need for any such modifications at this time. If confirmed, I would work with the DNI and others to use the existing authorities to accomplish NCTC's statutory responsibilities. I would also keep this Committee fully informed if I identify a need for legislative modifications to my authorities.

Pursuit teams

QUESTION 5: Following the failed terrorist attack of December 25, 2009, NCTC created the "Pursuit Group" to help track down tactical leads that could lead to the discovery of threats aimed against the U.S. Homeland or U.S. interests abroad.

- ### To what extent has the creation of this Group succeeded in ensuring that tactical leads are identified and tracked?

By seeking less obvious connections, previously unknown identities, and seemingly unimportant details, rather than focusing on the high-profile elements of terrorism cases, Pursuit analysts ensure that more aspects of a terrorism case are explored. Pursuit has successfully worked with IC partner agencies to use data and tools to identify and pass actionable intelligence.

The Pursuit Group uses specialized analytic tools that integrate and search multiple sources of data, assist with data visualization, and promote information sharing and knowledge management of research and connections identified.

In 2013, the Pursuit Group identified and started tracking twenty categories of actions that IC agencies are taking based on the leads it developed. Since 2013, Pursuit disseminated more than 600 lead cables and recorded almost 800 actions taken by other IC agencies. Some of

these actions include FBI opening investigations, CIA and FBI engaging liaison partners, and State Department revoking visas.

- How are the priorities of the Pursuit Group established?

The Pursuit Group prioritizes any terrorism threads that have potential links to the homeland. Pursuit's first priority is intelligence reporting with a clear homeland connection. Pursuit's second priority is intelligence reporting that contains unique selector information on individuals allowing Pursuit analysts to search all systems and identify—or rule out— possible homeland linkages. Pursuit's third priority is intelligence reporting identifying members of terrorist networks overseas, or individuals who are part of a broader threat stream.

Additionally, Pursuit analysts work collaboratively with their counterparts in the IC to ensure that they are adding value to the effort and not duplicating what other agencies are already working on.

- What is the role of the Director of the NCTC in establishing those priorities?

The previous Director of NCTC worked with Pursuit to evaluate and update existing priorities, and consulted the expertise of his Director's Advisory Board to provide an outside perspective and input on these priorities.

If confirmed, I would continue to shape the direction of the Pursuit Group's priorities and ensure that they are appropriately aligned with both the U.S. government's overarching terrorism priorities and the intent behind the Group's creation.

- What is the role of the Pursuit Group in integrating the tactical counterterrorism analytical efforts of the various components of the Intelligence Community?

Pursuit Group integrates tactical counterterrorism analytic efforts through its employment of detailees from across the IC. Given its mission—to identify non-obvious connections and linkages—some duplication in efforts across the departments and agencies is desirable.

Pursuit Group analysts bring a deep understanding of their home agency's collection capabilities and authorities with them. Pursuit analysts also are embedded in various interagency task forces and war zone deployments, further integrating Pursuit capabilities and accesses throughout the IC. Pursuit employs these exclusive capabilities and accesses to identify new actionable leads by incorporating data from numerous agencies. Pursuit analysts are expected to explore leads more fully, optimize analytic tools for data analysis, and exploit data holdings from a tactical optic unavailable to individual agencies.

To support the tactical IC efforts, Pursuit provides investigative leads, collection requirements, and potential source candidates. Additionally, Pursuit supports information sharing among agencies with related investigations, and coordinates interagency meetings to promote communication. Pursuit's diverse workforce facilitates collaboration among IC components by providing a distinct perspective based on a fusion of intelligence data and tools.

- In partnership with Treasury's Office of Intelligence and Analysis, Pursuit hosts the Integrated Financial Intelligence Group, which conducts comprehensive CT and other financial intelligence research, enabling Pursuit to track CT financial leads.

- Pursuit is closely tied with FBI's CT officers and synchronizes efforts on homeland threats coming from Pakistan, Yemen, Europe, and the Horn of Africa.

- If confirmed, will you make any changes in the roles and responsibilities of the Pursuit Group?

If confirmed, I do not see anticipate making changes to the roles or responsibilities of the Pursuit Group. I will continue to strengthen and expand the interagency partnerships that are critical to the Pursuit mission and to the Group's continued success.

NCTC analysis

QUESTION 6: What unique role does strategic counterterrorism analysis conducted at NCTC play, as compared to the analysis produced by other components of the Intelligence Community?

In accordance with the IRTPA, NCTC was designated by the Congress as the primary organization within the U.S. government for analysis of terrorism and terrorist organizations. NCTC directly supports the President and the NSC, the Congress, and other elements of the CT policy, intelligence, law enforcement, and homeland security communities through a wide range of CT analysis.

NCTC's strategic CT analysis fulfills the mission objectives outlined in the DNI's National Intelligence Strategy by providing senior policymakers and key stakeholders strategic intelligence analysis on enduring counterterrorism issues and anticipatory intelligence analysis on emerging conditions, trends, threats and opportunities to support national security decision-making.

NCTC draws on the broad-based skills and backgrounds of a diverse analytic workforce drawn from across the IC, our unique access to the full range of CT information possessed or acquired by the U.S. government, an unparalleled track record of coordination and collaboration with key IC partners, and a strong emphasis on the employment of structured

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analytic techniques to produce a unique body of work on strategic CT analysis.

Unlike agency-specific analysis, nearly all NCTC's analysis is community-coordinated. This ensures policymakers are provided authoritative counterterrorism analysis that is consistent across the IC. Where analytic conclusions differ between agencies, those differences are highlighted and explored.

QUESTION 7: What is the role of the NCTC, including through the Interagency Intelligence Committee on Terrorism (IICT), in coordinating and publishing the Intelligence Community's assessments on terrorism?

The Director of NCTC chairs the IICT, oversees the Directorate of Intelligence production of strategic intelligence, and works closely with the National Intelligence Officer for Transnational Threats to ensure the broader IC is producing the full range of assessments on terrorism required to support effective development of policy.

There are presently more than 100 U.S. government agencies, departments, and other organizations involved with the IICT, and it is one of the few entities in the federal government that includes contact with all three branches of government. The Capitol Police represents the Legislative Branch; the Office of the Marshal of the Supreme Court represents the Judicial Branch, and there are approximately 100 agencies from throughout the Executive Branch. All of these organizations are invited to the IICT's community twice-monthly meetings covering terrorism warning and other key counterterrorism issues.

Terrorist Threat Warning Products

The IICT has five types of threat warning products:

- **Alert:** Alerts are the highest level of Intelligence Community Terrorist Threat Warning. An Alert warns of a *credible, specific, imminent attack against U.S. personnel, facilities, or interests* with information the Community considers sufficiently specific and credible to enable implementation of local security measures. Alerts expire 30 days after issuance and cannot be extended. There is a requirement for a SECRET version for wide distribution.

- **Advisory:** An Advisory warns of a terrorist threat to *U.S. personnel, facilities, or interests with information that is credible but general in timing and/or target.* Advisories expire 45 days after issuance and may be extended for an additional 45 days if it is determined that a valid threat remains. There is a requirement for a SECRET version for wide distribution.

- **Standing Advisory:** A Standing Advisory warns of a *persistently high threat environment for U.S. personnel, facilities, and interests from terrorists who have the intent and capability to conduct anti-U.S. attacks* and is based on a body of credible intelligence indicating the threat will remain high for the next 180 days. It can be

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updated or rescinded prior to expiration if the threat environment changes. Upon expiration, the Community will determine if a new Standing Advisory will be issued. Alerts and Advisories can be issued in addition to a Standing Advisory to warn of specific threats. There is a requirement for a SECRET version for wide distribution.

- **Assessment:** Assessments may warn of credible but non-specific threats, or provide in-depth analysis on a specific terrorism topic, trend, or development for decision-making and policy support.

- **Memorandum:** A short-form Assessment.

Intelligence Community Terrorist Threat Warning products may be suggested by any organization. Alerts and Advisories are voted on by the "Warn-8": NCTC, CIA, DIA, NSA, State/INR, FBI, DHS, and NGA. The IICT Executive Secretariat at NCTC polls these agencies on the need for Alerts and Advisories, and concurrence of five of the Warn-8 agencies is required for a warning. For all products, the IICT Executive Secretariat identifies the drafting agency; coordinates language with Warn-8 and other agencies as-needed; and produces the warning product for wide distribution across U.S. government circles, including at the Secret level to ensure widest possible dissemination.

In addition to the IICT process, NCTC interprets its role as the primary organization within the U.S. government for analysis of terrorism and terrorist organizations to include a responsibility to coordinate its assessments with IC partners and to invite IC partners to publish their assessments in NCTC product lines.

- NCTC analytic products are considered IC products, and represent the analysis of the entire CT community, to include highlighting analytic differences between IC agencies.

- IC partners, including CIA, DIA, FBI, and DHS now author or co-author about a third of NCTC analytic products.

Watchlisting

QUESTION 8: How do you assess enhancement efforts to the Terrorist Identities Datamart Environment (TIDE) following the Boston Marathon Bombing of April 15, 2013?

In the aftermath of the Boston Marathon bombing, NCTC reviewed its enhancement processes and assessed that overall they were functioning as intended. At the time of the attack, Tamerlan Tsarnaev was in TIDE and properly watchlisted based on the information provided by our nominating partners. While our process was found to be functioning appropriately, NCTC did identify specific areas of improvement with regard to enhancements that could be used to improve the data within TIDE. NCTC's internal after action report was provided to the Intelligence Community's Inspector General in support of their review which was published this spring. We have attempted to use the lessons learned from the Boston

Marathon bombing case to help us devise more effective procedures to enhance the TIDE nominations process.

QUESTION 9: According to the Committee's report on the failed attack of December 25, 2009, while the NCTC processed watchlisting information it had received, its standard practice did not include conducting additional analysis or enhancing existing records with more derogatory information. To what extent has this problem been addressed?

The Congress and NCTC examined the Center's processes and systems in the wake of the attempted terrorist attack on Northwest Flight 253, and identified several gaps and shortcomings. Based on these lessons learned, significant changes were made to the watchlisting process. In January 2010, the President directed NCTC to focus more efforts on enhancing the records in the TIDE database. To support this effort, NCTC created the Directorate of Terrorist Identities (DTI), whose sole purpose would be to maintain TIDE and enhance those records.

- Prior to 12/25, our efforts centered on collecting information and building the database to support screening agencies. What we learned after 12/25 was that it was equally important that we try to develop the most complete record possible to enable us to positively identify an individual, thus establishing TIDE as an analytic tool rather than solely a repository of information.

- Concurrent with these enhancement efforts, the threshold for information on subjects to be included in TIDE and subsequently watchlisted was lowered as a matter of policy. This was a key decision point because as we learned with Abdulmutallab, sometimes not all information on a known or suspected terrorist (KST) is immediately available but given time, analysts can piece information together.

- In 2013, the U.S. government revised its watchlisting practices to account for these changes.

State and local governments

QUESTION 10: What is the role of the NCTC in producing and disseminating intelligence for state, local and tribal partners?

In partnership with the FBI and DHS, NCTC produces and disseminates terrorism and CT intelligence for state, local and tribal (SLT) partners. NCTC acts in support of FBI's and DHS's responsibilities to produce and disseminate intelligence for SLT consumers.

NCTC's primary vehicle for identifying, producing, and disseminating relevant intelligence to SLT consumers is the Joint Counterterrorism Assessment Team (JCAT). JCAT is the

successor organization to the Interagency Threat Assessment and Coordination Group (ITACG), which was created by the Implementing Recommendations of the 9/11 Commission Act of 2007, but decommissioned in 2012 when its authorization for appropriations expired.

ITACG, a joint organization staffed by DHS, FBI, and NCTC, was created by Congress to provide tailored federal intelligence through DHS and FBI that supports public safety and first responders within their state, local, and tribal jurisdictions. JCAT's mission, organization, and processes closely mirror those conducted by ITACG. JCAT's mission is to improve information sharing to enhance public safety, in coordination with FBI and DHS. NCTC notified the Congress about the standup of JCAT through a congressional notification on April 29, 2013.

JCAT products routinely are coordinated through the intelligence analysis components of NCTC, DHS, and FBI before dissemination. JCAT disseminates intelligence products via FBI's Law Enforcement Online website, DHS's Homeland Security Information Network website, and also posts SLT products on NCTC's classified CURRENT website.

FBI, DHS, and NCTC staff JCAT through resource burden sharing. In addition to federal officers from each of these three organizations, SLT officers also serve within JCAT. They receive equivalent security clearances, and assist their federal counterparts in identifying, producing and disseminating CT intelligence to SLT consumers. This unique staffing construct is the key to JCAT's success.

- How is that role different than that of the FBI and the Department of Homeland Security?

DHS and FBI are primarily responsible for producing and disseminating intelligence to SLT consumers. Because NCTC is the primary organization in the U.S. government for analyzing and integrating all intelligence possessed or acquired by our federal departments and agencies with regards to terrorism and counterterrorism, NCTC is uniquely qualified to ensure DHS and FBI have access to and receive all-source CT intelligence support they need to execute their missions. This activity is in keeping with the NCTC Director's responsibilities in the IRTPA.

- If confirmed, what priority would you give this issue?

If confirmed, I would continue to place this unique information-sharing role as one of NCTC's top priorities. NCTC is uniquely positioned to integrate intelligence and augment information sharing relevant to SLT consumers. In addition, as a joint NCTC, FBI, and DHS activity, JCAT adds significant value as an organization staffed jointly with federal, state, local, and tribal officers who can recognize and tailor terrorism and counterterrorism products for state and regional fusion centers, and first responders that enhance public safety across the United States.

Strategic Operational Planning

QUESTION 11: Please describe the activities of the NCTC in carrying out its strategic operational planning responsibilities pursuant to the Intelligence Reform and Terrorism Prevention Act (IRTPA).

In accordance with Section 1021 of the IRTPA, NCTC works to integrate all elements of national power in U.S. counterterrorism efforts, ensuring a unity of effort. NCTC's Directorate of Strategic Operational Planning (DSOP) regularly supports the NSC in this effort by providing strategic operational plans in support of U.S. counterterrorism objectives. This planning entails developing objectives and tasks, coordinating across departments and agencies, and assigning roles and responsibilities. NCTC then monitors the implementation of plans in concert with other agencies and produces impact assessments of key strategies in order to inform policy discussion and deliberation.

- To what extent does the Directorate of Strategic Operational Planning develop inter-agency plans for counterterrorism operations?

NCTC's DSOP develops CT plans in response to requests made by the NSC staff for plans to support specific policy objectives established by the President or the NSC. These requests generally originate from intensive interagency deliberations carried out through the PPD 1 process. In addition, NCTC has proposed the creation of new strategies or plans based on NCTC's analyses, assessments, or exercises conducted for the NSC.

- Do you believe the Directorate of Strategic Operational Planning is performing its mission as directed in statute?

Yes, I believe DSOP is performing its mission as envisioned by and in accordance with the IRTPA.

QUESTION 12: As the threat from regional al Qaeda affiliates increases, what is the role of the Director of the NCTC in developing regional counterterrorism strategies? How are those counterterrorism strategies related to broader U.S. policies, particularly in Pakistan, Syria, Libya, Yemen, the Horn of Africa and the Sahel?

NCTC supports NSC efforts to develop CT strategies, integrate whole-of-government CT actions, and assess their effectiveness in protecting the homeland, our people, and our interests. The Director of NCTC does not have a role in the direct execution of any operations in support of broader U.S. government CT efforts. As such, NCTC is well positioned to serve as the honest broker in the interagency planning process.

Through DSOP, NCTC coordinates with the departments and agencies to facilitate informed decision making among senior U.S. government officials, ensuring the experience and expertise available across the government is effectively leveraged when developing regional CT strategies. This planning process drives the government to align ways and means with our desired CT ends, and also makes sure that our CT end states are nested under—and supportive of—broader U.S. government policy.

The United States has policy priorities in Pakistan, Iraq, Syria, Libya, Yemen, the Horn of Africa and the Sahel that are much broader, and often much more complex, than CT objectives. For example, while protecting the American people is always paramount, we also have an interest in the democratic transition and future stability of Yemen. In sub-Saharan Africa, U.S. priorities include democratization, improved governance, and economic growth. In Syria, the United States has concerns with human rights violations, a refugee crisis, and an end to a civil war. The United States must pursue its CT priorities while also working to alleviate the conditions terrorists exploit for safe haven and recruitment.

QUESTION 13: Historically, the Committee has had difficulty in obtaining the strategies that are produced by NCTC's Directorate of Strategic Operational Planning. If confirmed, will you abide by the current accommodation that has been reached between the Committee and NCTC?

> Yes. I am familiar with the accommodation that has been reached with the Committee with respect to the strategies that DSOP produces and, if confirmed, I would continue to abide by it.

QUESTION 14: What is your view of the proper role of Congress in overseeing the activities of the Directorate of Strategic Operational Planning?

> I believe the Congress is obligated to exercise its oversight role over all of NCTC's activities. Pursuant to the IRTPA, NCTC conducts strategic operational planning at the direction of and in support of the President and the Executive Office of the President. If confirmed, I would continue to work closely with the Congress to facilitate its ability to perform its oversight function in keeping with accommodations agreed upon by NCTC and the Committee.

National Intelligence Manager

QUESTION 15: As the Counterterrorism Mission Manager for the Intelligence Community, the Director of the NCTC identifies intelligence gaps and resource constraints and sets collection and analytic priorities.

- What is your vision of the Director of the NCTC in the role of mission manager? Should the Director provide broad, strategic guidance, for example by prioritizing emerging regional terrorist threats? Should the Director provide guidance on the allocation of resources with regard to particular CT capabilities and platforms?

If confirmed, as the CT Mission Manager, I would continue to promote organizing and prioritizing analysis and collection activities for terrorism and CT intelligence, with a particular focus on areas in which there are identified intelligence gaps or newly emerging requirements. Through the Unified Intelligence Strategy for CT, the Director of the NCTC provides strategic guidance to components of the IC regarding threat-driven priorities.

- What is the role of the Director of the NCTC in providing guidance with regard to the allocation of resources among, and within elements of the Intelligence Community?

The IRTPA mandates that the Director of NCTC advise the DNI on government programs and budgets that support national counterterrorism priorities. Accordingly, I believe that the Director of NCTC is obligated to work with CT program managers to understand where there are shortfalls and redundancies wherever resources are allocated against key CT objectives. As a matter of practice, the Director, in his National Intelligence Manager for CT role, should continue to serve as an advocate for the CT mission in the IC budget process and to provide recommendations to the DNI. NCTC is uniquely suited to offer these recommendations.

- Given resource constraints, how should the Director of the NCTC identify unnecessary or less critical programs and seek to reallocate funding?

Under IRTPA, the Director of NCTC is required to "advise the Director of National Intelligence on the extent to which the counterterrorism program recommendations and budget proposals of the departments, agencies, and elements of the United States Government conform to the priorities established by the President." In support of this responsibility, NCTC's Office of National Intelligence Management regularly reviews the performance of the IC's counterterrorism activities by department and agency, and makes recommendations for adjustments as appropriate. Additionally, given NCTC's position within the ODNI, the NCTC Director and his staff support the DNI's Chief Financial Officer in its consideration of Department and agency counterterrorism budgets.

Congressional Oversight

QUESTION 16: The Intelligence Reform Act (Section 102A of the National Security Act) provides that the DNI shall ensure compliance with the Constitution

and laws of the United States by elements of the IC through the host executive departments that manage the programs and activities that are part of the National Intelligence Program.

- What are the principal matters to which this obligation relates, and what specific functions of the NCTC are of particular significance with regard to these matters?

One of the responsibilities of the DNI, as outlined in IRTPA, is to ensure that the IC complies with both the Constitution and laws of the United States. This responsibility applies across the entirety of NCTC's functions. Like the rest the IC, NCTC has the duty to analyze, produce, and disseminate critical intelligence to protect America and its interests abroad. Of note, NCTC is not a traditional intelligence "collector" but rather relies on the lawful collection of other departments and agencies in the execution of its mission. NCTC has the additional obligation to conduct strategic operational planning for counterterrorism activities. In carrying out all of its responsibilities, NCTC, like the Intelligence Community as a whole, must always act in a manner that complies with the Constitution and other legal requirements, protecting fully the freedoms and civil liberties, and privacy rights of the American people.

Based on my prior experience, I recognize and value the close involvement of the Offices of the General Counsel, the Inspectors General, and the Civil Liberties Protection Officers in the operations of government. If confirmed, I would rely heavily on the staffs of these critical offices to ensure that the NCTC fulfills its mission in a manner that complies with the Constitution and all applicable laws.

- What do you understand to be the obligation of the DNI, and the Director of the NCTC in support of the DNI, to keep the congressional intelligence committees fully and currently informed about matters relating to compliance with the Constitution and laws?

During my career in public service, I have viewed congressional oversight as an essential part of our constitutional system of checks and balances. Given the fact that most of the activities of the NCTC and the IC must remain secret, this relationship only becomes more important. As such, it is an integral responsibility of all components of the Intelligence Community, including the ODNI and the NCTC, to be responsive to the congressional oversight process and to ensure our obligation to keep the congressional intelligence committees fully and currently informed of intelligence activities is taken very seriously.

Intelligence oversight is critical to the successful operation of the IC, but it can only be effective if the IC views the intelligence committees as true partners and keeps them fully and currently informed of their activities. This entails communication with Congress on a regular and continuing basis. In furtherance of that partnership, NCTC regularly provides

this Committee with written notifications, briefings on intelligence issues and priorities for NCTC and the Committee, and hosts Committee members and staff. By doing so, we advance our collective ability to address the threats we face today, prevent further terrorist attacks, and remain consistent with American laws and values.

If confirmed as the Director of NCTC, I assure you that I would continue to abide by the responsibility to keep Congress fully and currently informed, consistent with the law.

Presidential Policy Guidance

QUESTION 17: Please describe your role in developing the "U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas of Active Hostilities."

While I was serving at the NSC staff as Special Assistant to the President and Senior Director for Counterterrorism, I participated in May and June of 2012, in the production of the very initial drafts of the policy document that ultimately became the classified Presidential Policy Guidance (PPG). After moving to NCTC as Deputy Director in June 2012, I was intermittently involved in interagency policy discussions as the draft was reviewed and refined before it as ultimately approved by the President in May 2013.

a. Has the Presidential Policy Guidance made our counterterrorism operations more effective?

The PPG has allowed the U.S. government to effectively pursue terrorist targets while also institutionalizing the rigorous review process and legal and policy standards that guide these operations. In this way, the PPG forms a sustainable framework for our use of direct action against terrorist threats.

At the time the effort to create the PPG was begun, the principal goals of the effort as I understood them were to:

- Institutionalize and document the careful and deliberate approach that the USG and the CT Community was already employing with respect to use of force in CT operations outside the United States and areas of active hostilities.

- Spell out in written form the procedures, steps and the policy standards that were being routinely applied to the conduct of such operations, that they could form the basis for these operations going forward.

- Contribute to the goal of greater transparency in our CT operations by documenting the careful, deliberate processes and the standards by which decisions about CT operations—particularly lethal operations—were being made.

By refining and documenting the careful and deliberate way in which these operations are approved and conducted and by contributing to greater transparency in our CT operations, I believe the PPG has made it easier for some of our key allies and CT partners to support those operations by sharing intelligence and/or providing other forms of support for our CT operations. I believe the PPG has likely contributed to making some of our CT operations more effective by making critical forms of CT cooperation with key partners more sustainable. By standardizing and institutionalizing the considerations and processes that inform our policymaking on direct action operations, we have become more effective in reviewing these operations and ensuring all appropriate national security equities are considered prior to approval.

b. Do you believe the Presidential Policy Guidance is a good long term solution for this type of irregular warfare?

I believe the PPG represents an important step forward in the effort to make our CT policies and operations more sustainable as threat conditions and the security environment change over time. The PPG appropriately places direct action in context with other CT tools and provides a sustainable framework for the use of this important tool. The document contains provisions designed specifically to account for the fact that threat conditions may evolve over time and may cause the government to decide to review and potentially adjust either the procedures outlined in the document governing conduct of CT operations and/or the standards applied to certain proposed CT operations. In that regard, I believe the PPG has sufficient flexibility to serve as long-term policy guidance for addressing the CT threat faced by the United States.