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Senate Committee on Intelligence

Additional Prehearing Questions

for

David James Glawe

Upon his selection to be

**The Under Secretary for Intelligence and Analysis,
Department of Homeland Security**

Role and Responsibilities of the Under Secretary for Intelligence and Analysis

QUESTION 1. The mission of the Department of Homeland Security's (DHS) Office of Intelligence & Analysis (I&A) was established by the Homeland Security Act of 2002, which mandated I&A's responsibility for critical infrastructure analysis. The mission was further defined by the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) and the Implementing Recommendations of the 9/11 Commission Act of 2007. What is your understanding of the history and purpose, as established by Congress, of the office of the Under Secretary for I&A in DHS?

As I understand it, the DHS Office of Intelligence and Analysis (I&A) was designed to address key intelligence failures identified after September 11, 2001, by creating an office responsible for the integration, analysis, and sharing of all-source information and intelligence for and in support of the missions of the newly established DHS, and all other federal, state, local, private sector and other partners with homeland security-related responsibilities related to the prevention of and response to terrorist attacks against the United States.

The *Homeland Security Act of 2002* (HSA) established the Office of Information Analysis, the predecessor to I&A within the Department's Directorate for Information Analysis and Infrastructure Protection, to improve the coordination, sharing, and analysis of this information and intelligence; to provide DHS a seat at the table of the US Intelligence Community (IC) and a voice in determining the nation's intelligence collection priorities; to facilitate, leverage, and exploit the intelligence-related information already being collected by DHS through its constituent elements and operational components; and facilitate greater access to and cross-mission coordination of information collected by federal, state, and local intelligence, law enforcement, and other agencies.

In subsequent years, Congress enacted changes to the HSA that afforded I&A greater intelligence access, including to raw information, and analytical capabilities: (1) to meet a broader range of threats to the United States; (2) to provide intelligence analysis to all of the other directorates in the Department, to state and local government, and to law enforcement; and (3) for the purpose of preventing terrorist attacks, enhancing border security, protecting critical infrastructure, enhancing emergency preparedness and response, and better informing the Department's research and development activities.

The *Implementing Recommendations of the 9/11 Commission Act of 2007* (9/11 Act) also included key changes to I&A's mission aimed at improving information sharing among federal,

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state, local, and tribal authorities. In the 9/11 Act, Congress sought to improve the organization and mission structure for DHS-wide intelligence by codifying the role and expanded authorities of the Under Secretary for Intelligence and Analysis as the Chief Intelligence Officer (CINT) of the Department, and that of the DHS Intelligence Components, as constituent elements of the DHS Intelligence Enterprise (IE) led by the CINT. Congress granted the Under Secretary for Intelligence and Analysis new responsibilities as CINT in order to drive a common intelligence mission at the Department. As the head of the DHS IE, the DHS CINT exercises leadership and authority over the formulation and implementation of intelligence policy and programs throughout the Department, and provides strategic oversight of and support to the intelligence-related missions and goals of the DHS IE.

QUESTION 2. In addition to statutes, I&A's strategy was further refined by Departmental and IC strategies and guidance, including Vision 2025, the Quadrennial Homeland Security Review, and the Department's Bottom-Up Review. What do you understand I&A's current mission to be?

I&A's mission statement is "to equip the Homeland Security Enterprise with the intelligence and information it needs to keep the homeland safe, secure, and resilient." I believe this mission statement accurately reflects the evolution of I&A's role and responsibilities, to include various forms of DHS and IC strategic guidance.

QUESTION 3. In your opinion, does I&A have a focused and well-defined mission consistent with the purpose Congress originally intended?

I share the Committee's past concerns that I&A has historically struggled to establish a clear mission and consistent priorities. However, as indicated in my response to Question Two, I believe I&A has a defined mission. If confirmed, I intend to continue in that direction and focus on helping I&A better implement its broad statutory authorities, better identify its customers, and better serve those customers' needs.

QUESTION 4. What should I&A's mission be in the future?

If confirmed, I intend to focus my efforts on ensuring I&A provides timely, useful, and operationally-relevant intelligence to its customers, specifically DHS Components within DHS, state and local law enforcement partners, and the private sector. In addition, I&A should devote more attention to its role of integrating the Components' unique intelligence and operational capabilities with the IC, state and local law enforcement, and private sector partners.

QUESTION 5. I&A has been criticized in the past for producing intelligence products that are duplicative of finished intelligence from other IC entities. In addition, in 2014, I&A was found by some measures to be producing about one finished intelligence product per analyst - a level that is far below average throughout the IC.

A. How should I&A's role be distinct from the analytic role played by other members of the IC, such as the Federal Bureau of Investigation (FBI) or the National Counterterrorism Center (NCTC)?

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I&A's legislated mandate to share information with the Homeland Partners sets it apart from the other domestic Intelligence entities. Unlike FBI, which is charged with the domestic law enforcement mission for terrorism and counterintelligence, and NCTC which is limited to Foreign-based or inspired Terrorism issues, I&A provides intelligence information for all domestic threats to meet the needs of DHS operational components, state, local, tribal, and territorial and private sector partners, and the IC. I&A should strive to provide its partners and customers with timely, useful, and operationally-relevant intelligence and information at the lowest classification level possible.

B. What does I&A add that is missing from other IC production?

I believe I&A adds value to IC production in two ways. The first is by utilizing DHS' vast data holdings, as well as intelligence and information from DHS Components and state, local, tribal, territorial and private sector partners, in finished intelligence. I&A also adds value by developing products tailored to meet the needs of its unique customer sets, and releasing them at the lowest possible classification level. If confirmed, I would work to ensure I&A's analytic efforts add value to IC production, rather than duplicating it.

C. How will you measure and define the success of I&A analytic production? Is I&A currently meeting those standards?

In my view, successful analytic production results in sustained increases in the quality and quantity of intelligence collection, reporting, and intelligence analysis that gives homeland security stakeholders—state, local, tribal, territorial, and private sector partners; the Department; and the IC—insights they need to make evidence-based policy, operational, and resource decisions about their highest priority intelligence requirements and questions. I&A's analytic production must reflect Department priorities, address homeland-focused threat streams, and be operationally-relevant to its intended audience. If confirmed, I plan to review whether I&A's analytic production meets these standards. I commit to keeping the Committee informed of my findings including any necessary improvements.

D. Which is more important: the quantity or the quality/impact of the reporting? Why?

Both quantity and quality of raw reporting are critically important. It is my understanding that I&A sets achievable targets for analytic production that drive production for some I&A customer sets. In achieving those targets, quality is of paramount concern. If confirmed, I will continue to seek opportunities to improve both the quantity and quality of I&A's production and services across the entirety of the intelligence cycle to ensure I&A is delivering timely, useful, and operationally-relevant intelligence and analysis across all four major Departmental threat streams.

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QUESTION 6. Does I&A's work reduce the risk of a terrorist attack? If so, please explain how.

I need to conduct an assessment to better understand the metrics I&A has used to evaluate if its work has reduced the risk of a terrorist attack. I&A was established in large part to facilitate greater intelligence and information sharing with state, local, tribal, territorial, and private sector partners. I&A has provided those entities information to help identify threats and vulnerabilities but the feedback from the current and former local law enforcement and IC executives has been mixed.

I do believe the unique intelligence and information I&A can produce could be of great value. Especially regarding travel, border, maritime and aviation security to help protect the homeland and reduce the risk of a terrorist attack. I&A's work to better understand border security threats such as transnational criminal organizations and networks that smuggle aliens and contraband into the homeland, as well as weaknesses in foreign immigration, travel, and border security policies, helps push US borders out and inform actions taken to reduce vulnerabilities that could be exploited by dangerous people across the spectrum—from criminals to terrorists—effectively mitigating those threats before they reach our soil.

I&A also works across the Department to provide threat information and analysis to support DHS risk mitigation programs including FEMA's State Homeland Security Grant Program and Urban Area Security Initiative; various integrated Threat Risk Assessment processes for counterterrorism Chemical, Biological, Radiological, and Nuclear programs, and other risk-based analysis programs. In addition, I&A's analysis of terrorist trends, radicalization efforts, and direct interface with our state and local and private sector partners is unique in the IC.

QUESTION 7. The Inspectors General of the IC, DHS, and the Department of Justice (DOJ) released a joint report in March 2017 entitled, "Review of Domestic Sharing of Counterterrorism Information," in response to a 2014 SSCI-led request. The report found that both DHS and FBI personnel expressed "concerns about overlaps in their CT Missions and activities." What unique role should I&A be performing, if any, with regard to countering violent extremism in the United States?

Violent extremism, whether inspired by foreign terrorist groups or rooted in a range of domestic-based radical ideologies, poses a persistent and unpredictable threat to our homeland. Countering violent extremism has become a key focus of DHS's work to secure the homeland. The Department created the Office for Community Partnership (OCP) dedicated to the mission of countering violent extremism by partnering with those at-risk communities to spur societal change.

As a former local law enforcement officer, I have seen the value of working with and directly engaging at-risk communities. A key condition for success in this approach is that government entities must be accepted by the community as legitimate interlocutors. As a result, it is important to carefully evaluate the role of intelligence and law enforcement personnel. It is my understanding that I&A provides some analytical support to the work of OCP and broader USG

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efforts to counter violent extremism. If confirmed, I plan to review the level of support I&A provides to these efforts, and would be happy to report back the results of that review.

QUESTION 8. This same March 2017 report found that the "DHS Intelligence Enterprise is not as effective and valuable to the IC as it could be. For example, there is still a lack of unity among I&A and other DHS component intelligence programs, which also affects intelligence reporting."

A. As the Chief Intelligence Officer (CINT) of DHS, will you need more authorities to help unify DHS intelligence efforts?

In my view, Congress and the Secretary have, through statute and standing delegations, already provided the CINT with the baseline authorities necessary to drive a common intelligence mission across DHS. For example, the CINT is empowered to formulate and implement intelligence policy and programs throughout the Department and to exercise strategic oversight of and support to the intelligence-related missions and goals of the DHS Intelligence Components and their individual component intelligence programs that comprise the DHS Intelligence Enterprise.

Having said that, I can imagine a situation where the need for additional or enhanced authorities would become apparent. For example, should the DHS portion of National Intelligence Program funding and the Department's overall footprint within the IC further evolve and mature, the functional authorities of the Under Secretary in DHS-wide intelligence-related planning, programming, and budgeting may prove inadequate. If confirmed, and if necessary, I commit to working with my leadership and Congress, as appropriate, to address any changes or additions that may be needed.

B. Are there other legal authorities that I&A does not possess but that you believe it should possess to further its mission?

At this time, I believe I&A possesses the right mix of statutory and delegated authorities to perform the functions Congress intended. However, if confirmed, and if necessary, I commit to working with my leadership and Congress, as appropriate, to address any changes or additions that may be needed.

QUESTION 9. Are there legal authorities that I&A possesses that it does not need or should not have?

The Under Secretary for Intelligence and Analysis' authorities appear appropriate. If confirmed, I would assess these authorities for adjustment, and, as necessary and appropriate, work with my leadership and Congress to correct any problems.

QUESTION 10. What unique role should I&A play in supporting the efforts of DHS entities to combat trade-based money laundering, illegal bulk cash transfers, exploitation of money service businesses, and other illicit money flows that support the drug trade and other security challenges?

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I&A's role should be to synchronize the operational intelligence work of the Components to ensure collection and analysis on these topics supports the needs of DHS operators in an integrated and efficient manner.

QUESTION 11. One of the responsibilities you have with the CINT role is to exercise leadership and authority over intelligence policy throughout the department. This means you have a role in other DHS operational components such as Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA), Coast Guard, and Secret Service, all of which have intelligence functions.

- A. Does the Under Secretary for I&A have the authority to integrate intelligence activities and analysis effectively from these various components?**

As stated in my response to Question Nine, I believe the Under Secretary for Intelligence and Analysis' authorities appear appropriate given the breadth of the DHS Intelligence Mission. If confirmed, I would assess these authorities for adjustment, and, as necessary and appropriate, work with my leadership and Congress to correct any problems.

- B. From a budget standpoint, the intelligence functions of these components are outside of I&A's budget control. Should the Under Secretary for I&A have authority over their budgets?**

Based on my experience as the former Chief Intelligence Officer of a DHS Component and my prior capacity as the Acting Under Secretary for Intelligence and Analysis, I believe there is value in empowering the Under Secretary for Intelligence and Analysis with additional budget-related authorities for certain DHS Component intelligence functions. Such authorities could enhance the DHS Chief Intelligence Officer's ability to coordinate and execute the DHS-wide intelligence mission and ensure an integrated DHS Intelligence Enterprise business model. It could also be used as a tool to prevent duplication of effort and help identify and eliminate waste. However, any such change in authorities must be studied carefully and executed properly to be successful. If confirmed, I plan to review the statutory and delegated authorities for the Under Secretary of Intelligence and Analysis for adjustment, and, as necessary and appropriate, work with my leadership and Congress to address any changes or additions that may be needed.

- C. What is your assessment of efforts to date to improve integration between I&A and the other components?**

There has been much progress but there is still work to do. I believe the ultimate goal in improving integration between I&A and the DHS Components is to better integrate the intelligence activities across DHS. If confirmed, I plan to focus both on better leveraging the Under Secretary's strategic oversight authorities over departmental intelligence

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activities and improving the DHS Intelligence Enterprise's ability to organize itself to provide the right kind of intelligence support whether it is strategic, operational, or tactical support.

In my prior capacity as Chief Intelligence Officer for a DHS Component and my tenure as the Acting Under Secretary for Intelligence and Analysis, I identified two important tools that I believe can be leveraged to achieve this goal. The first is the Homeland Security Intelligence Council (HSIC). During my time at DHS, I have watched the HSIC mature to the point that it has been able to begin addressing some basic DHS intelligence integration challenges. For example, the HSIC is currently working within the DHS Intelligence Enterprise to address staffing shortfalls at key intersections of the Departments intelligence and operational missions: the Southern Borders and Approaches Campaign JTFs, the National Targeting Center, the Human Smuggling Cell and the Human Smuggling and Trafficking Center. If confirmed, I plan to focus the HSIC's attention on coordinating operationally-relevant intelligence support at these critical mission centers, ensuring our customers get the intelligence support they need, where they need it.

In addition to the HSIC, I believe the Intelligence Mission Manager/Functional Manager construct can also be a valuable tool for coordinating DHS-wide intelligence efforts. DHS has started to implement this concept by using Intelligence Mission Managers to help coordinate intelligence efforts within their topical domains across multiple intelligence functions. For example, they developed the FY17 Strategic Analytic Guidance which in turn was the basis for the FY 2017 DHS Intelligence Enterprise's Program of Analysis. The Intelligence Mission Managers were also the major contributors to the development of the DHS QHSR Threat Estimate. They are at various stages of completing departmental strategies that focus coordination efforts in their domains. However, as I understand the current concept, the Mission Manager role at DHS is only a collateral responsibility. If confirmed, I plan to review the current Intelligence Mission Managers concept as it exists at DHS and find ways to improve it.

QUESTION 12. If confirmed, how will you evaluate whether your tenure as Under Secretary for I&A has been a success?

In my view, my tenure at I&A will be successful if we are able to position I&A to provide or facilitate customer access to timely, actionable, and operationally-relevant intelligence that allows those customers to re-adjust resources and achieve operational outcomes related to key homeland security objectives. I will also assess whether I&A is providing the kind of timely-strategic intelligence products that allow its customers to adjust to the asymmetric, fluid and emerging threats facing the homeland.

QUESTION 13. Have you discussed with the Secretary of Homeland Security his specific expectations of you, if confirmed as Under Secretary for I&A, and his expectations of I&A as a whole? If yes, please describe those expectations.

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Secretary Kelly communicated clearly to me his expectations for I&A. He expects I&A to provide timely, useful and operationally-relevant intelligence to the DHS enterprise, the IC, state and local law enforcement partners and the private sector. He also directed me to, if confirmed, act through the role of the CINT to develop a DHS Intelligence Enterprise approach to DHS' representation within US Embassy country teams.

QUESTION 14. Have you discussed with the Director of National Intelligence his expectations of the relationship between I&A and the Office of the Director of National Intelligence and other elements of the IC? If yes, please describe those expectations.

In preparation for the confirmation process, I met with DNI Coats. He expressed his interest in the continued integration of the DHS Intelligence Enterprise with the IC and the aggressive pursuit of efforts to increase the sharing of DHS data with the IC. We also discussed in general terms the need to take a closer look at the threat posed by Transnational Organized Crime and how to better equip operators on the front lines with the intelligence and information they need to confront the threat before it reaches the border. We also discussed the need for I&A to continue strengthening relationships with state and local law enforcement and to expand outreach to private sector partners, especially on cybersecurity and critical infrastructure.

Priorities and Performance

QUESTION 15. What do you believe are the most critical analytic priorities for I&A today?

The most critical analytic priority for I&A is to identify areas where DHS is best positioned to add value to the overall body of analysis. I believe that is centered on leveraging the unique data collected held by the Department. I&A should leverage that data to produce timely, useful, and operationally-relevant products focused on trade, travel, border and aviation security, and the functional threats associated with those threat vectors.

I&A's intelligence analysis priorities will continue to evolve based on new intelligence and customer requirements of the Secretary, DHS operational components, and state, local, tribal, territorial, and private sector customers in the field. As those priorities evolve, I&A must remain focused on continuing to leverage unique DHS data fused with IC reporting to perform analysis those mission areas most closely associated with protecting the Homeland.

QUESTION 16. I&A has many customers competing for analytic capacity. Who are I&A's top five customers?

I&A has one of the broadest customer bases in the IC, ranging from the Secretary, to DHS and USG policymakers and operators, thousands of state local and private sector officials, and foreign partners - each of whom have different information classification requirements and limitations. I believe I&A's customer base falls into the following five categories: policy makers, federal entities, state and local governments, tribal and territorial leadership, and critical infrastructure asset owners and operators. All of them are important, and I&A must continue

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meeting their needs by producing a broad range of products at different classification levels. If confirmed, and consistent with the direction provided to me by the Secretary, I intend to focus I&A's analytic capacity on areas where we are positioned to add value or that are underserved by other parts of the IC, rather than duplicating work done elsewhere.

Workforce

QUESTION 17. Morale within the office of the Under Secretary for I&A has been consistently low.

A. If confirmed, what is your plan to address this issue?

Based on my experience, morale is often linked closely to an employee's ability to clearly understand the mission, to identify how their role supports the mission, and to be given the resources and discretion to do their job. It is my understanding that there are a number of morale improvement initiatives already in place at I&A, as well as additional factors for consideration that I believe will improve morale and employee engagement.

If confirmed, my first action on this front will be to ensure the agency's mission is communicated clearly and consistently to the workforce. I will hold I&A managers, especially at middle management level, accountable for establishing daily briefs on their activities, messaging campaigns that help communicate the value of the work they produce, and establish a battle rhythm with all their employees that clearly articulates the mission and operational requirements of I&A's customers. In addition, I&A managers will be expected to provide daily feedback and transparency on the mission and intelligence products they produce. To foster better understanding of customer needs and help employees develop a closer, deeper connection to our critical homeland security mission, I also intend to create opportunities for the workforce to engage more regularly and directly with their customers through field deployments and rotational assignments. I also intend to continue efforts already in progress at I&A to equip employees with the tools and resources they need to do their jobs, including improving IT service support to employees, enabling analysts to access data and data sets more quickly, and standardizing and codifying processes that impact employees on a daily basis.

B. Why will this strategy work where others have failed?

I am confident that employee morale will improve as employees better understand their mission, develop a deeper connection to that mission, and receive the support they need to accomplish that mission.

QUESTION 18. Do you have a human capital strategy to recruit and retain the "best and brightest" to I&A?

In order to position I&A for success, it is imperative I&A's Human Capital Office retain skilled and experienced HR professionals familiar with the unique mix of hiring authorities at I&A's

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disposal as a result of its position within DHS and within the IC. With those professionals in place, I&A will be best positioned to successfully execute its overall human capital strategy.

While I am not an HR professional, I believe there are certain common elements in successful human capital strategies at federal agencies. First, it is important to define the organization's mission in a way that appeals to those looking to begin or continue a career government service. I believe I&A's stated mission meets that threshold. So to be successful, I&A must also be able to communicate and market that mission in a clear and effective way.

To recruit applicants at the entry level, I&A must work to increase its presence at entry-level hiring opportunities. And to recruit experienced applicants looking to further develop their career, I&A should find ways to increase visibility of open opportunities and streamline the application and hiring process for qualified applicants already in the IC, DHS, other federal or state agencies, and the private sector. The I&A workforce should also represent the diversity of the communities we serve, so I&A must develop new and creative ways to target demographics that are under-represented in the workforce.

Concerning retention, I&A must ensure its employees receive the experience, training, and advancement opportunities they need to develop into Homeland Intelligence Professionals. To me, this means improving the on-boarding program to help new employees acclimate to the culture of I&A and DHS. It also means developing distinct career paths with associated roadmaps that identify each development stage, training opportunities, and rotational assignments along the way. It also means fully leveraging all available workforce awards and recognition programs which emphasize not only long-term contributions to the mission, but on-the-spot recognition of time-sensitive and situationally-specific employee contributions.

It is my understanding that I&A's Human Capital Office is working to develop a strategic recruitment plan that precisely targets the sources of talent to meet our current and emerging mission sets. If confirmed, I look forward to reviewing that plan and ensuring it helps I&A build a workforce capable of executing I&A's mission and fulfilling the priorities communicated to us by DHS and IC leadership.

QUESTION 19. Are there any reforms you plan to take to improve the skill set and experience profile of the I&A workforce?

I am proud to have been nominated to lead the I&A workforce, which I believe is made up of dedicated, hard-working and skilled Homeland Intelligence Professionals responsible for both executing and supporting the intelligence cycle at I&A. If confirmed, I intend to build on this solid foundation and bring a greater operational focus to the mission I&A performs.

To that end, I&A must provide its employees with the requisite professional development opportunities to advance this mission. If confirmed, I plan to leverage additional training opportunities as a way to build and sustain a skilled and professional workforce capable of responding to both current and emergent threat vectors and by expanding and enhancing professional development. Elements of a successful training program must include a mix of in-residence, on-line and web-enabled, and hybrid courses, seminars, and workshops sourced from

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within the department, IC, and Law Enforcement Community to advance students' knowledge, skills, and abilities which, in turn, expand and enhance I&A's intelligence capacities.

QUESTION 20. A significant portion of I&A's budget has been used for contractor support. What are the appropriate roles for contractor staff within I&A and what, in your view, is the appropriate contractor-to-employee ratio?

It is my understanding that I&A, in response to the Committee's direction and to better support execution of its mission, has significantly reduced its reliance on contractor support for intelligence and support functions over the last several years. At the same time, contractors bring valuable experience, and enable I&A to access skills in specific technical or fast-evolving areas like cyber and data analytics for mission areas that cannot be fully staffed by federal employees due to the market rate for those skills, high turnover, or high training costs. Contractors also provide flexibility to respond to surge requirements. If confirmed, I will work to ensure I&A maintains a contractor-to-employee ratio that allows it to achieve its mission objectives as defined by DHS leadership, the DNI, and the President.

QUESTION 21. Do you believe that contractor staff should serve as intelligence analysts? If yes, under what conditions?

In general, all-source intelligence analysis should be performed by federal employees, and it is my understanding that is generally the case at I&A. However, there are cases where contract intelligence analysts can provide the flexibility needed to quickly bring to bear specific skills, competencies, or subject matter expertise that may not already reside in the federal workforce. For example, I believe it would be appropriate to consider contract support to fulfill unanticipated requirements for immediate analytic support to meet critical mission objectives, particularly where that need could not be fulfilled through ordinary workforce planning processes and hiring efforts. This kind of flexibility may be particularly useful at I&A, which continues to grow and mature capabilities and expertise of its analytic workforce in a dynamic mission environment.

It is my impression that contractors are being phased out of core analytic functions, but that a limited number will remain as tradecraft mentors to continue to support the development of our more junior analysts and in watchlisting and watchstanding roles, and in situations that require a short-term surge in personnel. I think this is the right approach, and if confirmed, I will continue working to ensure I&A achieves the appropriate mix of federal employees and contractors in its analytic workforce.

QUESTION 22. I&A now enjoys direct hiring authority. How has this new authority affected I&A's ability to recruit and retain personnel?

It is my understanding that I&A's direct hire authority has benefited the organization's ability to aggressively recruit and hire individuals, and that I&A's fill rate has increased from 80 percent to over 97 percent over the last three years. If confirmed, I will work to ensure direct hire authority is strategically leveraged to target applicants with highly technical and sought-after skills and bring them on quickly to support critical I&A missions.

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QUESTION 23. How will you manage the analysts' career paths to ensure that they have opportunities to serve in DHS or elsewhere in the IC at the senior-most levels?

I believe a DHS rotational assignment program can be a very effective way to develop Homeland Intelligence Professionals and retain employees within I&A and the DHS Intelligence Enterprise. If confirmed, I will work to ensure I&A analysts receive required tradecraft training provided by DHS and the IC, and that they are exposed to the various elements of the DHS Intelligence Enterprise through serving on temporary assignments, and working collaboratively. Exposure to the intelligence needs, requirements, and contributions of the Department will provide I&A analysts with unique intelligence skills and competencies that will make them competitive in the Department and the IC.

QUESTION 24. If confirmed, do you plan to provide additional opportunities for I&A analysts to work directly with I&A customer groups to improve the level of collaboration between I&A analysts and the customers they serve?

I believe strongly that all analysts can benefit from being more closely aligned to their customers—particularly the operators. In my prior capacity as the Acting Under Secretary for Intelligence and Analysis, I worked with the leadership team to begin identifying ways to implement an analyst deployment program designed to place analysts alongside their counterparts in operational Components of DHS. If confirmed, increasing I&A analysts' exposure to these and other customer sets will be a top priority of mine. I plan to aggressively pursue joint duty and long term deployments within the DHS operational Components. In addition, I also plan to develop an integrated DHS Enterprise intelligence capability within select US Embassies, and deploy personnel within those select embassy country teams. I look forward to the opportunity to review I&A's resource allocations and explore additional opportunities to get the analysts closer to their customers.

QUESTION 25. I&A has undergone almost yearly realignments since it was established. Each time, our Committee has been told that it is imperative to the future success of the organization, but it seems to further confuse employees and cause uncertainty with I&A's mission. Are you satisfied with the current organization of I&A, or do you intend to reorganize the office? If the latter, how would you organize I&A if confirmed as Under Secretary for I&A?

I understand the Committee's concern with the number of realignments that have been initiated at I&A. If confirmed, I plan to evaluate how well I&A is serving our customers' needs under the current organizational structure, and leverage that analysis to drive resource allocation decisions that ensure I&A is maximizing the value of DHS's unique intelligence and operational capabilities. Based on my experience as the Chief Intelligence Officer of a DHS Component and my prior capacity as the Acting Under Secretary for Intelligence and Analysis, it is clear that I&A is not adequately integrated with the DHS operational Components. As a result, I do anticipate some structural adjustments will be needed to support and enhance the operational Components' need for IC data, integration and resources. If confirmed, I look forward to working with the Committee to develop and execute those adjustments.

Fusion Centers and Information Sharing

QUESTION 26. The aforementioned March 2017 report identified gaps and duplication among the nearly 300 domestic information-sharing entities, including Fusion Centers. I&A provides representatives to approximately 60 Fusion Centers.

- A. Is there duplication between these field elements that are either run by, or staffed with, federal government resources?**

I believe that the National Network of Fusion Centers brings context and value to homeland security and law enforcement that no other federal or local organization can replicate. Fusion centers accomplish this through their unique information, perspective, and role. Their independence from federal entities allows fusion centers to provide partners with a unique perspective on threats to their state or locality, while also contributing to the national threat picture. The result is a security force multiplier that helps strengthen and protect the homeland from all manner of threats. If confirmed, I plan to take a closer look at the findings of the report in the context of I&A's mission in this space, with an eye toward eliminating any duplication within I&A's mission space.

- B. Do you believe the current level of Fusion Center staffing by I&A is sufficient? How would you improve the current Fusion Center model?**

It is my understanding that additional personnel in current positions, and establishing a new job category could help enhance and mature intelligence production and support in the field. If confirmed, I plan to review I&A's overall field footprint in the context of funding and resource constraints. If there are opportunities where additional staffing makes sense, I will work with DHS leadership and Congress to explore those opportunities.

- C. How can Congress measure the effectiveness of Fusion Centers? How do you hold them accountable when each one is uniquely structured and operated by a particular state?**

It is my understanding that DHS conducts an annual fusion center assessment to provide a comprehensive picture of the National Network's performance, help measure the effectiveness of Federal Emergency Management Agency (FEMA) grant funding, and guide partners to invest in mission areas with the greatest potential benefit to the entire homeland. It is critical that DHS use this assessment process to capture performance measures that demonstrate the impact of the National Network and provide a standard against which to measure its progress, strengths and weaknesses, all focused on outcomes of fusion center activities and their impact on protecting the homeland. An honest and objective review of how the National Network is meeting these performance measures will help all stakeholders, including Congress, make informed decisions about how best to allocate resources and adjust policies to make steady and visible progress. If

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confirmed, I will commit to working with Congress to continue improving DHS' fusion center assessment process.

QUESTION 27. In recent years, the Intelligence Authorization Act has set limits on the number of personnel I&A has posted in the field as Information Officers and Reports Officers. Part of the reasoning behind these limitations was to force a close examination of I&A's field presence to ensure they had a clear mission, and to encourage de-confliction with FBI and other federal agencies. Should I&A's presence be limited, particularly in light of the March 2017 report identifying sharing issues between federal entities in the field?

As stated in my response to Question 26B, it is my understanding that placing additional I&A field personnel in current positions, and establishing a new job category could help enhance and mature intelligence production and support in the field. If confirmed, I plan to review I&A's overall field footprint in the context of funding and resource constraints. If there are opportunities where additional staffing makes sense and adds value to DHS operational missions, including border security, travel security, and refugee and immigration screening and vetting, I will work with DHS leadership and Congress to explore those opportunities.

QUESTION 28. The DHS Data Framework aims to foster the efficient sharing of homeland security information across DHS and IC entities while protecting United States persons' privacy. The Committee has supported this effort to get DHS information to IC analysts.

A. What is the status of this project?

The DHS Office of the Chief Information Officer (OCIO) runs the Data Framework Program in close coordination with I&A, who is responsible for the technical work on the classified network. It is my understanding that, based on DHS and IC customer feedback, the Data Framework is currently focused on enhancing the quality of several data sets critical to the screening and vetting mission. Once that data quality work is complete, I&A will be able to deliver these data sets to IC partners through a single data flow. I&A has already built the infrastructure necessary to deliver this data to IC partners, and has already begun sending the Data Framework's cleaned ESTA data for a classified program that supports DHS screening and vetting.

B. Is I&A behind the projected schedule? If yes, why?

Having received only initial briefings on this topic, my knowledge of the history of this program is limited. It is my understanding that in its efforts to accelerate the ingestion schedule of the top 20 priority people-screening and vetting data sets, the Data Framework program underestimated the technical and policy implementation challenges that would arise as a result of focusing resources on accelerating ingestion efforts. Feedback from users emphasized a need to prioritize data quality over continued data ingestion, and the program has adjusted its focus on cleaning up and standardizing data.

C. Do you consider this project a top priority?

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Yes. The Data Framework is positioned to continue closing long-standing national security gaps by enabling I&A and other IC analysts to access accurate, current DHS data sets. The project provides critical information sharing capabilities to the IC, Department and the homeland security enterprise, while fulfilling the Department's responsibility of ensuring the privacy, civil rights, and civil liberties of individuals are not diminished by efforts, activities, and programs aimed at securing the Homeland. If confirmed, maturing this program will be one of my top priorities.

Management

QUESTION 29. What do you believe are the most important management-related challenges facing I&A today?

In my opinion, employee morale is the most pressing management-related challenge facing I&A. It is critical that I&A leadership move quickly to address this challenge, and if confirmed, I intend to execute the strategy I described in my response to Question 17.

QUESTION 30. Previous reports have found I&A processes to be ill-defined, inconsistent, and ad hoc. Does I&A tie budgets and financial planning to requirements through a defined and stable long-term budgeting, planning, and programming process? If so, do you have confidence that the process effectively serves its purpose?

Over the course of my career, I have gained a deep appreciation for the effectiveness of well-defined, consistent, and repeatable management processes. I am not aware of any systemic deficiencies in I&A's budgeting, planning, and programming processes. If confirmed, I will continue to look for ways to improve resource management at I&A and ensure I&A budgets aligned to mission goals defined by the Secretary, the DNI, and the President.

QUESTION 31. Do you believe DHS I&A should have outcome measures for antiterrorism and intelligence-related programs consistent with those measures established by other government agencies? Please explain.

It is my understanding that I&A has developed a robust performance measurement and analytic capability that can measure both outputs and outcomes across the full spectrum of the intelligence cycle. In some instances, I&A is helping lead IC efforts in this mission space, and the analytic capability has been successful in increasing the quantity, quality and focus of intelligence production across the board. If confirmed, I plan to use this capability to further analyze I&A production and outcomes to ensure it is meeting or exceeding its quantitative and qualitative goals.

QUESTION 32. How do you intend to measure financial and human capital processes as a part of I&A's performance measures?

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It is my understanding that I&A has invested in and developed a dedicated performance measurement and evaluation capability that assesses the full spectrum of the intelligence cycle and the performance of mission support process. Through regular reviews with I&A leadership, the organization consistently reviews human capital, CIO and CFO processes. I participated in some of these reviews, and I am encouraged that the metrics in place do help ensure I&A is efficiently executing its appropriated and authorized resources. If confirmed, I look forward to refining those metrics to ensure I&A's mission priorities align with those of the Secretary, the DNI, and the President.

I&A's Relationship with the Intelligence Community

QUESTION 33. I&A has responsibilities for disseminating information from within DHS to the broader IC.

- A. What role should I&A play in disseminating information obtained from other elements of DHS to the IC?**

I think I&A can play a critical role in helping operators and decision makers protect the homeland by disseminating and providing access to timely, relevant, and comprehensive intelligence and information across the full range of Homeland Security missions (e.g., preventing terrorism and enhancing security, securing and managing our borders, enforcing and administering our immigration laws, safeguarding cyberspace, and ensuring resilience to disasters). I&A can also play a key role in integrating DHS and state and local data with data collected or produced by the IC. DHS data has the potential to contribute significant value in key Departmental mission areas such as identity resolution, contacts, travel history, and derogatory information such as criminal activity. DHS data can, and has, contributed to the IC's knowledge about threat actors.

- B. What kinds of information should be so disseminated, and from what elements of the DHS?**

I&A supports the dissemination and analysis of a wide range of Department information to other agencies of the Federal Government, including the IC, with responsibilities related to homeland security, and to state, tribal, territorial, local, and private sector entities. This includes law enforcement information, suspicious activity reporting information, unique travel and immigration data, seizures data, and cyber intrusion data.

- C. What limitations should apply to such disseminations, if any?**

DHS must protect the integrity of ongoing law enforcement investigations, and ensure that information sharing practices are conducted in a manner consistent with the US Constitution, federal and state law, privacy and civil rights, civil liberties laws, and international treaties and agreements when applicable.

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QUESTION 34. If an individual U.S. person or non-U.S. person voluntarily provides information to a DHS entity, such as CBP, ICE, TSA, or the United States Citizenship and Immigration Services, do you believe that information should be made available for Title 50 entities conducting intelligence activities?

I believe such information should be made available where it is relevant and necessary to the purposes for which it is being shared, provided that information is collected and shared in accordance with any applicable notice requirements and proper oversight and policy protections that ensure the individual's privacy and civil rights and liberties are protected. The Privacy Act, the Violence Against Women Act, the Intelligence Reform and Terrorism Prevention Act, and Executive Order 12333, U.S. Intelligence Activities, are some of the governing legal authorities used by DHS to determine the circumstances of sharing information reasonably believed to constitute terrorism information. The Department's Chief Privacy Officer, Officer for Civil Rights and Civil Liberties and General Counsel also serve significant roles in determining the scope of terrorism information that can be further disseminated within the IC and also with our state, local, tribal and territorial and private sector partners. Collecting and sharing information is a serious responsibility shared by many within the Department, and we must serve as responsible stewards of the information collected from the public.

QUESTION 35. If confirmed, what assistance do you expect from an IC element that is primarily focused on foreign threats?

It is my sense that in general, I&A today has good partnerships across the IC. But it is imperative that DHS and the IC enhance these partnerships to better integrate law enforcement and intelligence capabilities to secure America's borders. Specifically, leveraging National Security Agency (NSA) and National Geo-Spatial Intelligence Agency (NGA) capabilities to identify real-time, tactical threats emanating from foreign countries that are trying to evade US border security agencies. It is clear that the traditional law enforcement model is not capable of securing the homeland without aid from the IC and partnership with foreign intelligence and law enforcement organizations.

QUESTION 36. While the mission of I&A is statutorily unique, the particular program activities carried out at the division and branch levels are not. If confirmed, will you commit to reviewing I&A programs to ensure they are not redundant or duplicative of any other Federal, state, local, or private effort?

I am absolutely committed to reviewing DHS intelligence programs to eliminate redundancies and identify opportunities for shared services and resources with intelligence, law enforcement and military partners.

QUESTION 37. Do you believe that the roles of DHS and the FBI are clear with respect to domestic information sharing?

The FBI and DHS roles in domestic information sharing must be more specifically defined to prevent redundancy, duplication and/or conflict of intelligence reports. It is clear to me that

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there is still room for improvement, especially in the international and domestic terrorism programs. If confirmed, I will work with my colleagues in the DHS Components and the FBI to develop a specific business plan which defines our respective "lanes in the road." In addition, I will look to eliminate or reduce programs where duplication of efforts is obvious.

QUESTION 38. How do you envision the relationship between DHS and FBI in providing intelligence support for law enforcement personnel?

As a former FBI Agent who worked national security and counterterrorism cases, I have a good understanding of how the Bureau works to provide intelligence support to law enforcement personnel. As I indicated in my response to Question 37, if confirmed, I look forward to working closely with the FBI to ensure that I&A's unique capabilities and data are used to meet our customers' intelligence needs in a way that is complementary and not duplicative or in conflict with the FBI's efforts.

I&A's Relationship with State, Local, Tribal, Territorial, and Private Partners

QUESTION 39. What role should I&A play in disseminating information obtained from other IC elements to state, local, tribal, territorial, and private partners?

The HSA identifies I&A as the only IC element statutorily charged with delivering intelligence to our state, local, tribal, territorial and private sector partners, and developing intelligence from those partners for the Department and the IC. Therefore, I&A should, and does, provide the tools for state, local, tribal, territorial, and private sector partners to share information with and receive information from the IC by way of unclassified and classified connectivity, as well as relevant, timely analysis.

Additionally, I fully support I&A's recently assumed responsibility to meet the requirement of paragraph 5 of the Presidential Policy Directive-21 (PPD-21), "Additional Federal Responsibilities," for IC assessments regarding threats to critical infrastructure. I also support I&A's efforts to lead and leverage the IC to produce PPD-21 related intelligence assessments regarding foreign and foreign-inspired threats to US critical infrastructure. This effort will support the flow of IC information to critical infrastructure partners.

QUESTION 40. What is the proper role of I&A in framing requests for information from state and local law enforcement officials, as well as retaining such information and disseminating it to the IC?

It is my understanding that I&A ensures that its field personnel who interface with state and local law enforcement customers are trained in Intelligence Oversight, CRCL and Privacy guidelines. They provide guidance to state and local officials on the formulation of requests so that requests for information are appropriate for DHS to respond. Any I&A responses intended for state and local customers receive additional oversight review and vetting before dissemination. I&A does not share state and local requests or the results of those requests with other partners. Responses may be shared with other partners if they have requested the

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same information from DHS I&A, and the response is cleared by the requester and can satisfy multiple customers.

QUESTION 41. If confirmed, what measures would you take to improve the effectiveness of efforts to share information in both directions?

While I have not yet had the opportunity to conduct a full assessment of these processes and procedures, my sense is that there is appetite for aligning the fusion centers along a more unified business model for information sharing. I also believe that DHS Components could benefit from a more uniform alignment of intelligence functions, similar to how CBP has aligned at the Southwest border by regions and corridors. If confirmed, I plan to conduct an extensive review of the process, its metrics, and its outcomes to determine its effectiveness and identify what gaps need to be addressed.

QUESTION 42. What types of information (e.g. threat information, infrastructure vulnerability, etc.) are appropriate for sharing?

I believe that I&A should share any type of information that enables its partners to take timely, informed action to prevent, protect against, and effectively respond to threats in the homeland. At the same time, information sharing does have limits, such as the protection of investigations, sources and methods, and the privacy, civil rights, and civil liberties of US persons.

QUESTION 43. I&A has taken positive steps to provide intelligence reporting that has greater relevance to its private sector customers. Do you believe this is important? If yes, if you are confirmed, what additional steps will you implement to ensure that I&A private sector customers are provided with timely and relevant intelligence reports?

I agree that I&A has taken positive steps to improve the intelligence provided to the private sector. However, more must be done to increase the quantity and quality of timely, useful, operationally-relevant intelligence and information provided to I&A's private sector customers, particularly in the areas of cybersecurity and threats to critical infrastructure. If confirmed, it would be one of my top priorities to build upon these improvements to ensure the private sector has the intelligence it needs to effectively protect critical infrastructure from threats.

QUESTION 44. Do you intend to work with I&A customers to determine training needs and requests?

It is my understanding that I&A does work with state and local partners to identify training that can and should be integrated into I&A intelligence training curricula. If confirmed, I will work to strengthen this partnership and measure performance against it by incorporating it as an evaluated item in the annual fusion center assessment process.

QUESTION 45. If confirmed, how do you plan to incorporate the IC law enforcement and Intelligence Enterprise partners' training plans into the I&A training plan?

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If confirmed, I intend to leverage I&A's current relationships and processes with state and local partners, as well as the HSIC to ensure that I&A receives input from, and meets the training needs of its customers. I will also ensure that IC and state and local training opportunities are available to DHS personnel when possible and appropriate:

QUESTION 46. If confirmed, what assistance would you expect from state, local, tribal, territorial, and private partners?

If confirmed, I intend to remain actively engaged with all of I&A's partners and stakeholders to maintain an open dialogue and relationship that will support a two-way exchange of ideas to meet our shared goals. With respect to state, local, tribal, territorial and private sector partners, I will leverage I&A's State and Local Intelligence Council (SLIC) as the primary mechanism to solicit feedback and guidance from these partners.

I&A's Relationship within DHS Intelligence Enterprise and DHS

QUESTION 47. If confirmed, what assistance would you expect from the rest of DHS, and the other intelligence elements of the DHS Intelligence Enterprise, including as to the Under Secretary for I&A's role as head of the Homeland Security Intelligence Council (HSIC)?

As I mentioned in my response to Question 11C, I believe the HSIC is one of the primary vehicles for achieving integration, harmonization, and synchronization of departmental intelligence. Although the CINT does not retain operational control of the Department's intelligence assets, the HSIC can serve as the CINT's touchpoint to the DHS Intelligence Enterprise and the mechanism by which the department's intelligence activities are de-conflicted, coordinated, and integrated. I expect that DHS Component representatives to the HSIC come to the table not just to represent their component equities, but to work together focusing on Departmental equities. While this is often difficult to do, especially when everyone at the table has their own specific intelligence mission and a direct chain of command linkage to the Secretary, it is imperative.

I also mentioned the role the Intelligence Functional Managers can provide in terms of leadership and direction on DHS-wide intelligence issues. In many cases, the current Intelligence Functional Managers are I&A employees. They coordinate and facilitate intelligence integration activities directly with their component counterparts.

And finally, I&A continues to serve as DHS touchpoint into the IC. Among others things, I&A performs the Collections Management function for the Department, coordinates Counterintelligence functions as well as Information Sharing and Safeguarding functions, coordinates the watchlisting effort for the Department, and manages the Compartmented Access Program for the Department. I expect that this would continue.

QUESTION 48. What do you believe are the key barriers to enhanced coordination and integration? If confirmed, what steps would you take to overcome these barriers?

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In my prior capacity as Chief Intelligence Officer at CBP, I represented CBP on the HSIC. While it is apparent to me that efforts to improve integration between I&A and the components have matured in recent years, the Homeland Security Intelligence Enterprise has not yet reached its full potential. If confirmed, I would continue to leverage the HSIC to ensure that I&A and all the DHS Components are integrating efforts to meet the Department's mission of protecting the Homeland.

It has been my experience that coordination and integration at DHS is often hindered by an inability to resolve competing priorities between component operational needs and enterprise priorities with limited resources. Differing authorities among intelligence components as well as cultural differences between the various members of the DHS Intelligence Enterprise also pose challenges. If confirmed, I will work to identify new ways to demonstrate the value I&A provides to the DHS Intelligence Enterprise and the Components' operational mission generally, develop and communicate consistent departmental intelligence priorities, identify and lead collaboration to address gaps in intelligence support to operations and gaps in intelligence capabilities, and develop consistent career development roadmaps for Intelligence Enterprise staff.

QUESTION 49. Do you believe that each of the components of DHS should retain its own intelligence function, or would the Department be better suited by having I&A assume their efforts?

I do not believe that I&A should assume the intelligence functions or efforts of the Components, nor is it structured or resourced to do so. The role of I&A in the DHS Intelligence Enterprise should be to integrate and align the efforts of the Component Intelligence Programs to maximize the effectiveness of DHS intelligence in support of the Homeland Security Enterprise.

Each DHS Operating Component has its own operational and tactical intelligence functions that are tailored to its own unique mission. In addition, each DHS Component has developed the knowledge, skills and abilities of its intelligence workforce to meet its needs. The Homeland Intelligence Professionals we have developed over the years throughout the Department are not interchangeable. It is this the diversity of knowledge and experience across the Department that enables us to better protect the homeland collectively. If confirmed, I will work to lead and further develop the DHS intelligence mission, not control or centralize it at I&A.

QUESTION 50. Some DHS components have their own individual intelligence support units that provide operational support to their field elements. How does I&A uniquely augment these efforts?

In my view, I&A can uniquely augment these efforts by producing tailored all-source analytic products that fuse IC, DHS Component, and state and local partner information, specifically for the operations of the DHS Intelligence Enterprise. Additionally, I&A can

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provide a centralized collection requirements management process and a centralized intelligence request-for-information process for the DHS Intelligence Enterprise including intelligence support units to help eliminate the duplication of staffing similar efforts at DHS Components. Finally, I&A field personnel must routinely engage and collaborate with their DHS component partners in the field to ensure a unified approach to intelligence and information sharing.

QUESTION 51. What process is in place to ensure that I&A does not duplicate the efforts of these intelligence support units?

In my view, I&A has struggled with its relationship and coordination with the DHS Components. The further maturation of the HSIC and the recent implementation of the Intelligence Mission Managers concept has helped identify areas of duplication in some cases, but as the former Chief Intelligence Officer of DHS's largest Component Intelligence Program, it is apparent that the Intelligence Mission Managers need to be further empowered to accomplish their missions. The Mission Managers concept at DHS lacks a defined business process and ability to direct intelligence collections and operations. I envision the Mission Manager position as a full-time, senior management position with the ability to coordinate and at times direct intelligence operations and collection. In addition, using a similar to models elsewhere in the IC, the creation of functional Senior Intelligence Officers (SIO) for key Homeland Security threats such as terrorism, trade/finance, transnational organized crime, foreign/counter-intelligence, weapons of mass destruction, cyber and immigration/migration can help fuse intelligence functions and analysis with the DHS Components and the IC.

Homeland Security Intelligence Program (HSIP)

QUESTION 52. When the HSIP formed in 2012, the stated rationale was to fund intelligence activities that predominantly support Department-focused efforts. However, no Homeland Security Intelligence Enterprise components, except for a small portion of I&A, are funded in the HSIP.

A. Do you consider it inconsistent to apply this methodology only to I&A resources, without doing the same to other elements of the Homeland Security Intelligence Enterprise?

I believe the HSIP is the appropriate way to identify and managing intelligence resources focused primarily against Departmental mission objectives. I also think there is value in examining whether it is appropriate to place non-National Intelligence Program (NIP) intelligence activities of the Department as a whole into the HSIP. It is my understanding that the Under Secretary for Intelligence and Analysis is responsible for conducting an annual review of Component intelligence budgets and making recommendations to the Secretary, and the HSIP could be used to better facilitate this process. However, I am also aware of the functional difficulties of this approach. Although the Department now has a Common Appropriations Structure, remaining differences in DHS Components' accounting and reporting systems make it difficult to account for and manage these resources in a unified way. If confirmed, I look forward to reviewing this issue further.

B. What standards do you believe should be used to determine if something should be included in the HSIP?

I am not in a position to speculate on this topic at this time. If confirmed, I plan to raise this issue at the HSIC and with DHS leadership to determine collectively what standards might be appropriate when considering what I&A and DHS Component intelligence activities might be appropriate for inclusion in the HSIP.

Domestic Intelligence Responsibilities

QUESTION 53. Please describe any and all intelligence roles I&A and other DHS intelligence components perform, other than analysis.

It is my understanding that I&A personnel engage in the full range of activities necessary to execute the intelligence cycle. Examples include the Field Operations Division whose personnel perform overt collection; watchlisting; information sharing; incident response; routine outreach, engagement, and liaison services; and training support to partners in the field. I&A's Foreign Liaison Office also serves a key liaison and information sharing role with the Department's foreign intelligence and security service partners. I&A also executes a robust private sector engagement program, serving crucial liaison and information sharing roles with critical infrastructure owners, operators, and decision makers. I&A maintains a Security Management Branch as well to perform multi-disciplinary security support to I&A and state and local partners. And finally, I&A leads a comprehensive, integrated and unified counterintelligence program that spans across DHS.

As the former head of a DHS Component Intelligence Program, I am very familiar with the variety of intelligence functions executed by DHS Components. Such activities include the collection and exploitation evidence collected during law enforcement operations; Confidential Human Source Operations (to include policy oversight, approval, and direction of confidential human source operations); the processing, exploitation, analysis, and dissemination of intelligence collected from Component air assets; intelligence collection management and reporting; operational Field Testing/Red Cell Testing (to include the use of undercover agents and officers at DHS operational Components to covertly test and surveil border security operations, identify the vulnerabilities, and develop/deploy counter-measures); and Insider Threat and Counterintelligence, to include intelligence analysis and investigations as well as proactive and reactive activities that identify vulnerabilities to the DHS enterprise systems and personnel.

QUESTION 54. What policies should govern I&A's use, retention, and dissemination of U.S. person information? How should these policies differ, if at all, from other IC elements?

Executive Order 12333 requires that elements of the IC collect, retain, and disseminate information regarding US persons only in accordance with procedures established by the head of the element or department and approved by the Attorney General. These procedures

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incorporate principles set forth in the EO, and expand upon them as required for the mission-specific requirements of each IC element. This January, I&A's Intelligence Oversight Guidelines were signed by the Secretary and Attorney General, and they are now in effect. The guidelines take into consideration DHS's national and departmental missions, I&A's specific legal authorities (and constraints), and both the frequency and manner in which I&A routinely encounters US Persons information.

QUESTION 55. What limitations exist with regard to the collection, retention, and analysis of information related to First Amendment-protected freedoms of speech, association, and religion?

It is my understanding that I&A's intelligence oversight guidelines prohibit collection of information regarding US persons solely for the purpose of monitoring activities protected by the US Constitution, the National Security Act, and HSA, among other statutes, such as the First Amendment protected freedoms of religion, speech, press, and peaceful assembly. The guidelines permit US Person information collection only where there is a reasonable belief of a nexus between the subject and one or more of I&A's defined collection categories (such as terrorism information, counterintelligence, threats to safety, etc.), and where the information is necessary for the conduct of an authorized I&A mission.

I&A's functions, and its handling of US Person information, are subject to numerous legal and policy restrictions, including the US Constitution and other statutes, executive orders and directives, and internal departmental guidelines, including I&A's Intelligence Oversight Guidelines. If confirmed, I would consider it a core part of my responsibilities to work closely with the DHS Office of the General Counsel, the I&A Intelligence Oversight Office, the DHS Chief Privacy Officer and the DHS Officer for Civil Rights & Civil Liberties to ensure that I&A is operating in full compliance with the law and consistent with DHS policies to protect privacy rights, civil rights, and civil liberties.

Analytic Quality

QUESTION 56. How would you assess I&A's analytical tradecraft, analyst training, editing, quality control measures, approval procedures, and independence from political considerations?

It is my understanding that I&A has made considerable strides to improve the analytic tradecraft of finished intelligence products. If confirmed, I will work to continue efforts to promote I&A's analytic tradecraft, ensuring analysts have access to analytic mentoring and training designed to focus on ICD 203 standards.

QUESTION 57. How does I&A ensure that all I&A analytic reports meet well-defined IC analytic tradecraft standards prior to production of intelligence that is disseminated to the IC?

It is my understanding that all finished analytic products at I&A are independently reviewed and scored against ICD 203 tradecraft standards, and that results are consistently and

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regularly reviewed by leadership and feedback is routinely provided to analysts. If confirmed, I will work to ensure leadership remains focused on tradecraft standards as we work to increase the production and dissemination of timely, useful, and operationally-relevant intelligence to our partners.

QUESTION 58. Should I&A be an intelligence aggregator or a value-added provider of analysis? If confirmed, how will you ensure that I&A reflects your vision?

It is my understanding that I&A has a statutory mandate to both share terrorism-related information and to produce original analysis. I believe that this broad mission calls for a healthy balance of both. While I&A is responsible for sharing intelligence produced by others when it is relevant to state, local, and private sector homeland security partners, I&A can also add significant value by fusing that intelligence together with other sources of information to include unique Departmental data to provide a holistic picture of the threats to the Homeland.

Congressional Oversight

QUESTION 59. Under what circumstances, if any, is it appropriate to brief the Chairman and Vice Chairman and not the full Committee membership?

In general, it is my understanding such an arrangement would be appropriate only when necessary and essential in light of extraordinary circumstances affecting the vital national security interests of the United States, as determined by the President pursuant to Section 503(C)(2) of the National Security Act of 1947. I am not aware of any instance where I&A has sought such an arrangement.

QUESTION 60. If confirmed, do you pledge to provide all of I&A's unclassified and classified intelligence products to this Committee?

I pledge to work in good faith with the Committee to ensure access to all information, classified or unclassified, that is necessary for full and proper oversight of I&A activities.

QUESTION 61. If confirmed, how will you change the I&A budget justification to ensure it is effective for I&A managers and can be effectively evaluated by Congress?

It is my understanding that I&A's budget justification must adhere to the structure and format utilized by DHS and the Director of National Intelligence. I&A provides both versions of the justification to the Intelligence Committees when they are released. If confirmed, I will work the Committee to find ways to improve these submissions, subject to DNI, Department, and OMB approval.

QUESTION 62. Do division-level managers have visibility into the I&A budget? Do you intend to provide visibility to these managers, if confirmed?

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It is my understanding that since FY2013, the I&A CFO has consistently provided detailed execution data to the Deputy Under Secretaries on a monthly basis which includes data responsive to execution of annual spending down to the Branch level. I&A CFO also provides quarterly spending plans, and is monitoring and reporting spending execution at the Division level. The Under Secretary also leads monthly Resource Management Board meetings which review execution of funds and provide a forum for wide-ranging discussions on resource management issues. If confirmed, I will look for additional ways to increase the transparency of I&As budget and execution information in order to facilitate full and open discussion about how I&A spends its authorized and appropriated resources.

Unauthorized Disclosures of Classified Information

QUESTION 63. Please describe the actions you will take, if confirmed, to prevent, detect, and report unauthorized disclosures of classified information.

Presidential direction, DNI guidance, and requirements reflected in the HSA each emphasize the need to protect intelligence and information that I&A produces and receives. It is my understanding that the Under Secretary for Intelligence and Analysis serves as the Department's Senior Information Sharing and Safeguarding Executive as well as the Department's Counterintelligence Executive. If confirmed, I will use the authorities, in cooperation and coordination with the DHS Chief Security Officer, Chief Human Capital Officer, Inspector General, and other DHS and external officials, to ensure that the Department's counterintelligence and information sharing processes and procedures are sound, and personnel are properly trained in protecting this information. In the event of intelligence or other classified information being improperly handled or shared with individuals without proper need-to-know, I will ensure all incidents are thoroughly investigated and adjudicated.