

SELECT COMMITTEE ON
INTELLIGENCE
UNITED STATES SENATE



Prehearing Questions

For

Caryn Wagner

upon nomination to be

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

Roles and Responsibilities of the Office of Intelligence and Analysis

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

DHS is, at its core, a security organization. As DHS' intelligence component and information sharing hub, I&A enables the Department and its customers to do their jobs more effectively. Based upon my understanding of I&A's mission, I&A's analytic priorities should be driven by the operational, intelligence and information needs of its customers – both within DHS, as well as its State, local and tribal partners – in order for it to successfully perform its mission.

In some cases, this means that I&A will perform original analysis in support of its partners. In other cases, I&A will leverage existing analytic expertise and products from elsewhere in the intelligence and law enforcement communities and tailor them to meet customer requirements. Finally, I think it is critical that I&A support and empower its State, local and tribal partners to conduct their own focused analysis, and then serve as the conduit for them to share that analysis with the national community.

2. What do you believe to be the appropriate role of I&A with respect to intelligence analysis?

- a. How should its role be distinct from the analytic role played by other members of the Intelligence Community (e.g. CIA, DIA, FBI, INR)?

As mentioned above, I&A should focus on meeting the needs of its customers in the most effective way possible. The distinction between I&A and other IC members is best defined by I&A's unique set of clients. The needs of State, local and tribal authorities and the private sector are often non-traditional, specific and unclassified. I&A must be nimble and responsive to requirements with specific regional and operational contexts. While this involves some original analysis by I&A, particularly in specific areas such as the threat to critical infrastructure, it often entails synthesizing, correlating, augmenting and tailoring existing intelligence and other information products to make them useful to I&A's diverse customer set. Support to these customers will and should take a variety of forms, many of which will not look like traditional finished intelligence products.

3. What do you consider to be the ideal skill set and experience profile of the DHS I&A workforce?

- a. How does this differ from the current profile; and if the current situation is short of the mark, what reforms do you plan to undertake to reach this ideal?

I believe it is important to have a robust mix of backgrounds and skills represented in I&A's workforce. I&A needs people who have experience in a variety of intelligence and law enforcement agencies and disciplines, and have knowledge and roots in a variety of regions and cultures. I also believe that I&A's

mission requires a workforce that understands both the complexities of the homeland security mission and the nuances of the interagency/intergovernmental environment. I&A analysts must possess impressive tradecraft, the ability to convey what they know accurately and clearly, and a thorough understanding of customer needs and how best to meet them. Most importantly, I&A requires a workforce that is both mission and customer-focused, while at the same time rigorously adherent to and respectful of the privacy, civil rights and civil liberties of all Americans. If confirmed, I will work to ensure I&A's workforce matches this profile and develop a strategic human capital plan to close any gaps that may exist through hiring, training and leadership.

4. Both the Department of Homeland Security (DHS) and Federal Bureau of Investigation (FBI) play a critical role in sharing terrorism-related information with state, local and tribal governments and law enforcement agencies.

What is your assessment of the effectiveness of efforts by DHS and the FBI to share information with state, local and tribal governments and law enforcement agencies?

- a. Do you believe that the roles of DHS and the FBI are clear with respect to information-sharing?
- b. As Under Secretary for I&A, what measures would you take to improve the effectiveness of efforts to share information?

I believe that DHS and I&A have recently made real progress in improving their support for State, local and tribal (SLT) governments and law enforcement agencies, especially within the State and local fusion center environment. DHS and the FBI enjoy a cooperative relationship in this regard, as evidenced by the many joint intelligence products that they issue to their State, local, tribal and private sector partners. While the FBI has the lead domestic role in investigating international terrorist threats to the United States, DHS' mission includes addressing all threats and hazards to the homeland. In carrying out its mission, DHS routinely partners and coordinates with entities that do not typically work with the FBI. For example, DHS works closely with Federal and State fire emergency management and public health services, as well as private sector entities. These entities rely on DHS to provide information regarding threats to their interests to enable them to establish priorities for protective and support measures.

If confirmed, I will continue to expand information sharing in all DHS mission areas, with all of its partners and customers – including the FBI. I will likewise work closely with the Department of Justice (DOJ), the Director of National Intelligence, and the National Counterterrorism Center (NCTC) to further refine policies and procedures on information sharing.

5. In August 2008, I&A issued a document entitled "Strategic Vision for the Department of Homeland Security Open Source Enterprise," which set forth a roadmap for organizing and strengthening open source intelligence (OSINT) capabilities within DHS.

What is your assessment of this vision?

- a. As Under Secretary, what steps would you take to improve the Department's OSINT capabilities?

If confirmed, I intend to evaluate the DHS open source efforts to ensure that (1) they meet the needs of DHS and its customers; (2) adequate resources are applied to acquiring open source data and training analysts in its effective exploitation; (3) open source efforts are being properly integrated across I&A and the DHS components and customers; and (4) information gathering activities respect privacy, civil rights and civil liberties. Open source should be a critical element of I&A support, aiding in efforts to provide as much information as possible at the unclassified level.

6. What should the role of I&A be, if any, with regard to "radicalization" inside the United States?
 - a. How does this role differ from that of the FBI?
 - b. What limitations exist with regard to the collection, retention and analysis of information related to First Amendment-protected freedoms of speech, association and religion?

In my view, I&A's role with regard to radicalization rests mainly in its responsibility to synthesize, evaluate and share information with its State, local, tribal (SLT) and private sector partners. Where radicalization is an indicator of terrorist behavior, informational reports from SLT partners and other sources could lead to the creation of a helpful intelligence product. Assessments produced elsewhere in the IC likewise could and should be evaluated for local implications and tailored for specific regions or centers. As with other intelligence efforts, however, radicalization must be approached with attention and sensitivity to individual rights and liberties and strict adherence to both mission authorities and the principles of Executive Order 12333. It is my belief that, with regard to radicalization in particular and information collection in general, we should focus on activities that threaten our nation and violate our laws. We should not collect or maintain information regarding U.S. persons solely for the purpose of monitoring constitutionally protected activities such as the freedoms of religion, speech, press or peaceful assembly and protest.

7. What policies should govern the use, retention and dissemination by I&A of U.S. person information?
 - a. How should these policies differ, if at all, from the other elements of the Intelligence Community?

I understand that as a member of the IC, I&A is subject to Executive Order 12333, "United States Intelligence Activities," which establishes the core principles by which IC elements carry out their missions while protecting the Constitutional rights and privacy of U.S. Persons. Like all IC elements, I&A must apply the requirements of the Executive Order to its specific mission. The result should be a set of implementation policies that are similar to those of any other IC element in their reflection of the principles of the Executive Order, while differing in those areas where mandated by mission requirements.

8. 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 Intelligence Community?
 - a. What forms of information (e.g. threat information, infrastructure vulnerability, etc.) are appropriate?

In my view, I&A is at the critical nexus between the IC and State, local, tribal and private sector entities. I&A should provide specific requests to State, local, tribal and private sector partners for information, based upon a clearly articulated purpose derived from the authorized missions of DHS and I&A, as well as ensuring these partners are aware of general I&A informational needs. Information that was properly acquired by our partners, which complies with privacy, civil rights and civil liberties standards, and which is responsive to a properly formulated DHS requirement is appropriate for such a request, and retention and dissemination of this information must comply with all intelligence oversight laws and regulations. Moreover, I think I&A should emphasize the reverse process: I&A should leverage IC intelligence and other information on behalf of its State, local, tribal and private sector partners to help them become "force multipliers" that are essential for greater homeland security.

9. What role should I&A play in disseminating information obtained from other elements of the Department of Homeland Security to the Intelligence Community, and vice versa?
 - a. What kinds of information should be so disseminated and from what elements of the DHS?
 - b. What limitations should apply to this dissemination?

As a component of DHS knowledgeable in the missions, authorities and sensitivities of fellow DHS components, as well as an element of the Intelligence Community with the same knowledge related to its fellow IC members, I&A appears particularly well positioned to serve as the primary conduit between DHS and the IC. I&A plays a key role in meeting the Secretary's information sharing commitments with the DNI and broader IC through identifying and providing "national intelligence" from the universe of data and information held by DHS components. That said, all such information sharing must be carried out only where consistent with applicable legal authorities, to include privacy protections.

10. As you may know, earlier this year DHS released an unclassified report titled *Right-wing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment* dated April 7 that warned that the faltering economy and the election of the country's first African-American president could fuel support for "right-wing radicalization and recruitment." Specifically, the report stated that rightwing extremists may include "individuals that are dedicated to a single issue, such as abortion or immigration." Additionally, the report warned that "the return of military veterans facing significant challenges into their communities could lead to potential emergence of terrorist groups or lone wolf extremists...carrying out violent acts." According to I&A, this report was coordinated with the FBI.
- a. What is your assessment of the analytic tradecraft in the April 7th report?
 - b. What is your assessment of the judgments in the April 7th report?
 - c. Should I&A institute additional audit processes or other steps before dissemination of its reports?
 - d. As you may know, the DHS Civil Rights Civil Liberties (CRCL) did not concur with the April 7th report prior to its release. As Under Secretary of I&A, under what circumstances would you release an intelligence product that does not have DHS CRCL concurrence?
 - e. Under what circumstances should DHS Office of General Counsel (OGC) review products prior to their release?
 - f. Do you believe "rightwing" and "leftwing" extremism are appropriate topics for I&A? If so, how do you define "rightwing" and "leftwing" extremism?
 - g. What training do you intend to implement to ensure that all I&A analytic reports meet well-defined Intelligence Community standards?
 - h. As you may know, this report was not originally provided to this Committee. If confirmed, will you pledge to provide all unclassified and classified intelligence products of I&A to this Committee?
 - i. Acting Under Secretary for I&A Bart Johnson testified before Congress that I&A "is incorporating CRCL and the Privacy Office in the review of all intelligence products." If you are confirmed, will CRCL and the Privacy Office continue to review all I&A intelligence products?

The referenced report did not reflect the level of analytic tradecraft that should be expected of I&A. If confirmed, I will seek to ensure that I&A products reflect the highest standards of analytic tradecraft and practices.

I&A intelligence products must comply with applicable standards for production, review and dissemination, whether those standards are derived from law, executive order, or departmental policy. If confirmed, I will review I&A's policies and procedures to ensure that I&A meets these standards. I will also ensure that the highest standards of analytic tradecraft are upheld while privacy, civil rights and civil liberties are protected. If confirmed, I intend to keep I&A's oversight Committees fully and currently informed consistent with the law and applicable guidance, and I will work with those Committees to facilitate effective and beneficial oversight.

Violent extremism, regardless of type, may be an appropriate topic for analysis when it constitutes a threat to our homeland security and our citizens' well-being. In my view, I&A must understand such threats in order to provide information from which its customers can make informed decisions regarding the allocation of protective and security resources.

11. According to DHS, the National Immigration Information Sharing Operation (NIISO) "will facilitate the appropriate uses of citizenship and immigration benefits information currently being collected and housed at a U.S. Citizenship and Immigration Service's facility" and that it "will seek to fulfill the Secretary's budgetary goal to protect the homeland from 'dangerous people.'" According to the Department of Homeland Security Appropriations Act, 2010, "none of the funds provided in this...Act shall be available to commence operations of the National Immigration Information Sharing Operation...until the Secretary certifies that such program complies with all existing laws, including all applicable privacy and civil liberties standards," and that certification is reviewed by the Comptroller General. As of early November, the Secretary has not certified that NIISO complies with all existing laws, including all applicable privacy and civil liberties standards, nor has any certification been reviewed by the Comptroller General. If confirmed, do you pledge not to commence operations at NIISO until the Secretary has certified that NIISO complies with all existing laws, including all applicable privacy and civil liberties standards, and such certification has in fact been reviewed by the Comptroller General?

Yes.

12. The Committee has stressed the need for basic counterintelligence training at I&A. What CI training do you intend to implement at I&A?

Counterintelligence (CI) is an essential mission of the IC. In my view, having an effective CI program is necessary to protect employees, information and facilities from foreign penetration attempts. If given the opportunity to lead I&A, I will ensure that I&A personnel are trained on how to protect against espionage and implement effective and appropriate counterintelligence measures to support DHS. Such training would leverage the counterintelligence community's core training courses.

13. As you may know, the purpose of the fusion centers is to provide State and local officials with situational awareness, threat information and intelligence on a continuous basis. What is the right model or models for State and Local Fusion and Centers (SLFC)?
- a. Why, in your opinion, have SLFCs "increasingly gravitated toward an all-crimes and even broader all-hazard approach"?

- b. Does I&A currently provide adequate support to all SLFCs? Please explain your view.
- c. The Committee requested that DHS complete a formal national fusion center strategy outlining the federal government's expectations of fusion centers, its position on sustainment funding, and metrics for assessing fusion center performance. If confirmed, would you pledge to complete such a strategy?

While I look forward to continuing to learn more about fusion centers if confirmed, it appears to me that there is no "one size fits all" fusion center model. I believe that the right model for any given fusion center is one that enhances the timely and relevant sharing of information across geographical and jurisdictional lines within the specific context of that fusion center.

Secretary Napolitano has consistently made DHS support for fusion centers one of her highest priorities. She and I agree that fusion centers should be the centerpiece of our information sharing efforts with non-federal partners, and, if confirmed, this will be a primary focus area for me. I will make it a priority to continue I&A's review of the DHS footprint and interaction at each State and local fusion center, with the goal of completing a fusion center strategic plan to guide resource planning, training development, analytic allocation, and information sharing priorities.

- 14. Section 502 of the National Security Act of 1947 provides that the obligation to keep the congressional intelligence committees fully and currently informed of all intelligence activities applies not only to the Director of National Intelligence but also to the heads of all departments, agencies, and other entities of the United States Government involved in intelligence activities. What is your understanding of the standard for meaningful compliance with this obligation by the Secretary of Homeland Security in keeping the congressional intelligence committees, including all their Members, fully and currently informed of intelligence activities?
 - a. Under what circumstances, if any, is it appropriate to brief the Chairman and Vice Chairman and not the full Committee membership?

If confirmed, I plan to engage the Committees frequently to ensure that Members and staff are fully apprised of I&A's activities. I will review I&A's notification procedures to ensure they are consistent with the law and applicable guidance.

- 15. Have you discussed with the Secretary of Homeland Security her specific expectations of you, if confirmed as Under Secretary, and her expectations of I&A as a whole? If so, please describe those expectations.

The Secretary and I agree that DHS Intelligence Enterprise should fill a unique homeland security niche that includes intelligence and information support to State, local, tribal, and private sector partners in support of I&A's clear statutory mandate to ensure that these partners are fully integrated into the homeland security enterprise. If confirmed, I will work to ensure that I&A matures further as an advocate, resource, and facilitator for this diverse group, whose needs and requirements must be significant drivers of I&A's analytic priorities.

The Secretary also expects that I&A will mature its role as the hub of the DHS Intelligence Enterprise, with the Under Secretary for Intelligence and Analysis acting as the Chief Intelligence Officer for the Department. If confirmed, I will also work to serve as an advocate and a resource for the intelligence elements of the DHS components, ensuring that all of these elements and I&A are acting in concert, in order to optimize intelligence support to component operations and component support to the Enterprise, State, local and tribal customers, and the IC.

16. 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 Intelligence Community? If so, please describe those expectations. Also please describe your own expectations.

I have discussed with Lieutenant General Kimmons the DNI's expectations of the relationship between the ODNI and I&A. If confirmed, I look forward to coordinating with the DNI and building on I&A's unique place in the IC. I believe I&A should continue to evolve into a strong IC member that disseminates information to partners that other members of the IC do not reach and ensures that the unique information from those partners and from DHS operational components is provided to the IC as appropriate. If confirmed, I look forward to deepening these productive and important relationships.

17. What sources should I&A use when conducting its analysis, in particular in its analysis of U.S. Persons?
 - a. How should analysts determine what open source material is appropriate?

In my opinion, I&A should use all sources of information it is legally authorized to use, to include information from the IC, DHS components, fusion centers, open sources, and State, local, tribal and private sector entities. In doing so, it must ensure that U.S. Persons' information is used in compliance with the law and other governing authorities, to include privacy, civil rights, and civil liberties protections.

18. Please describe your views on the importance of financial intelligence – understanding and analyzing money flows – in addressing 21st century networked threats to the homeland such as al Qaida and other terrorist groups, WMD proliferation, Mexico’s violent drug trade, etc.

- a. What role should I&A play in supporting the efforts of DHS entities such as CBP, ICE, and Secret Service 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?

I believe that our combined national efforts against Al Qaida have clearly demonstrated the importance of “following the money” to understanding and responding to decentralized, networked threats. I further believe that one of I&A’s primary missions is to support DHS’s operational components; if confirmed, I look forward to determining if I&A can provide increased financial intelligence support to further the missions of components such as CBP, ICE, Coast Guard, and the Secret Service.

19. The HSI report concluded that I&A “still has work to do...in differentiating its intelligence products from those of the rest of the Intelligence Enterprise” and that “some stakeholders perceive I&A as having an intelligence function that is overlapping and, in some ways, redundant.”

How will you ensure that I&A analytic products are differentiated from those of the rest of the intelligence enterprise?

- a. In your opinion, how does I&A currently duplicate the intelligence function of other stakeholders? Please specify which stakeholder.

I think that I&A and the DHS Intelligence Enterprise as a whole should fill a unique homeland security niche that includes intelligence and information support to State, local, tribal, and private sector partners in support of I&A’s clear statutory mandate to ensure that these partners are fully integrated into the homeland security enterprise. If confirmed, I will work to ensure that I&A matures further as an advocate, resource, and facilitator for this diverse group, whose needs and requirements must be significant drivers of I&A’s analytic priorities.

In carrying out this mission, DHS routinely partners and coordinates with entities that do not typically work with other members of the IC. For example, DHS works closely with Federal and State fire emergency management and public health services, as well as private sector entities that rely on DHS to advise them regarding threats to their interests and to provide them enough information upon which to establish priorities for protective and support measures.

I am not aware of any specific instances where I&A duplicates the intelligence functions of another DHS component, but, as I said with regard to the IC, I would encourage cooperation rather than competition with other agencies and between DHS intelligence components.

20. 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?

Yes.

21. I&A has taken positive steps to provide intelligence reporting that has greater relevance to its private sector customers.

- a. What additional steps will you implement to ensure that I&A private sector customers are provided with timely and relevant intelligence reports?

If confirmed, I will look for opportunities to share more useful information with private sector customers and will examine the most appropriate vehicles and conduits for doing so.

22. What steps will you undertake to develop better customer feedback mechanisms to ensure that I&A is continually providing its customers with the reporting they need?

As I said in my response to question 1, I believe that I&A's job is to understand its customers' requirements and address them by synthesizing analysis produced by others or doing its own original analysis.

It is critical to understand the baseline requirements of I&A's State, local, tribal and private sector partners; to plan I&A production accordingly; and to put in place feedback mechanisms that evaluate whether the products fulfill the requirements. If confirmed, Acting Under Secretary Bart Johnson and I will be personally focused on outreach to I&A's State, local, tribal, and private sector customers as part of this planning process. Mr. Johnson brings many years of State and local law enforcement experience to this and other issues impacting I&A's State, local, and tribal customers, and I look forward to our partnership.

I also believe we can work with DNI to discuss and, where appropriate, replicate IC best practices in requirements management, production planning, and customer feedback.

Organizational Structure and Performance Measures

23. In testimony before the Senate Homeland Security and Governmental Affairs Committee on September 30, 2009, Secretary Napolitano noted that I&A is “currently undergoing an important realignment to strengthen [the] delivery of useful, actionable intelligence to state and local law enforcement based on their particular needs.”

Have you been briefed on this realignment? If so, do you support the intent of this realignment?

- a. As Under Secretary, you will be responsible for implementing this realignment of priorities. What steps would you take to measure whether I&A is achieving its goals as this realignment is implemented?

I have received initial briefings on I&A’s realignment and I understand it to be consistent with both the Secretary’s priorities and the National Intelligence Strategy. The result appears to be a logical and effective division of labor. If confirmed, I will ensure that I&A has a clearly articulated strategy that establishes priorities and drives budgetary and resource allocation decisions.

24. According to the Homeland Security Institute (HSI) study titled *Independent Evaluation of Office of Intelligence Analysis Programs*, I&A was rated at a functional level between 1 and 2 out of 5, using the well accepted Capability Maturity Model (CMM). This means the office is functioning somewhere between Level 1 – “very unstable, does not support efficient production, and does not result in optimal resource utilization” and Level 2 – “basic project management processes that help the organization track cost, schedule, and performance.” The HSI study identified the following steps as the next steps in I&A’s progression to improve its poor rating: develop a detailed strategic action plan for I&A, clarify organizational roles of the I&A, enhance value-adding functions in meeting requirements of customers and stakeholders, define and implement comprehensive budgeting and planning processes, develop a human capital strategic action plan, and define a complete set of performance metrics.

Have you reviewed this report?

- a. What corrective actions will you undertake to address each of the steps?

I have read the HSI study, and it is my understanding that I&A is working with HSI on how it can best address the recommendations. For example, I think the realignment that Acting Under Secretary Johnson has initiated and the evolving plans for a Joint Fusion Center Program Management Office (JFC-PMO) directly address issues raised in the study. I have not been briefed more specifically on I&A’s corrective action plans, but if confirmed I intend to focus on improving the basic business processes of I&A, with particular focus on human capital and planning, programming, and budgeting.

25. Additionally, the HSI study stated that with “few exceptions [I&A] back office processes are ill-defined, inconsistent, and ad hoc...there is a notable lack of transparency in areas such as programming and budgeting” and that “planning, programming and budget processes are ill-defined and lack division manager involvement.”

How do you intend to improve the transparency of programming and budgeting processes and involve division managers in strategic resource planning to enable them to plan for growth and adapt to emerging issues?

I have extensive experience in developing and executing collaborative programming and budgeting processes. I believe it is critical that budgeting processes are transparent, repeatable, and reliable. If confirmed, I will work with the Department’s Chief Financial Officer to develop a budget process and timeline, with well-defined deliverables and deadlines, and will include senior leadership in the decision-making process.

26. As you may also know, I&A still struggles to define the scope, relevance and quality of its finished intelligence products. As the HSI draft report recommends, I&A must determine if it is “an aggregator or [as] a value-added provider of intelligence.”

In your opinion, should I&A be an aggregator of intelligence or a value-added provider of intelligence?

a. What changes will you implement to reflect this vision?

Please see my answers to questions 1 and 2. I believe I&A can, and must, be both an aggregator and a provider of finished intelligence and other information products. I&A should be shaped by meeting its customers’ requirements in the most effective manner, not constrained into an arbitrary “either/or” model. If confirmed, I will work to define and clarify customer requirements and determine how to best to meet those requirements.

27. The HSI report also stated that I&A new performance measures “do not include any operational measures such as financial, human capital, or internal processes that would provide to management the insight needed to run the organization, divisions, and branches effectively.”

How do you intend to measure financial, human capital, and internal processes?

a. Do you intend to add such operational measures as financial, human capital, or internal processes to the new I&A performance measures?

If confirmed, I will establish performance goals and measures in the areas of programming and budgeting, financial execution, and human capital management, including training. My senior leadership team and I will directly monitor progress in these areas.

28. According to HSI, the I&A FY09 budget justification did not include sufficient detail to serve as an effective tool for I&A managers.

How will you change the I&A budget justification to ensure that it serves as an effective for I&A managers and can be effectively evaluated by the Congress?

I believe that providing adequate budget justifications, with sufficient detail for managers to plan and execute against priority missions, is a key attribute of organizational maturity and necessary for performance management. If confirmed, I will ensure that the I&A budget justification provides an accurate and complete picture of the planned activities of I&A.

29. According to HSI, I&A does not disaggregate budget lines during budget development, which would provide visibility into budget plans for contracted or purchased services and investments so that IT investments, other asset investments, and contracted support services can be differentiated. Do you intend to disaggregate I&A budget lines during I&A budget development?

a. Do you intend to provide division-level managers with visibility into the I&A budget?

If confirmed, I look forward to working with DHS and ODNI planners, as well as the Congress, to make sure I&A's budget lines adequately reflect the diversity of its activities. Although I do not have enough information about the structure of the I&A budget to more fully answer this question, if I am confirmed, I will review that structure to ensure that it is clear, and that informed decisions about resource levels and trade-offs can be made.

30. The efforts of the United States to address the issue of violence along the U.S.-Mexico border are dependent on timely and accurate intelligence on southern border-related threats such as drug trafficking and alien smuggling. The Integrated Border Intelligence Program (IBIP) at I&A is intended to improve the coordination and effectiveness of DHS components with respect to these intelligence efforts.

As Under Secretary, what steps would you take to improve the effectiveness of I&A's activities with respect to the integration of intelligence on border-related threats?

Secretary Napolitano has designated securing the border as one of her top departmental priorities. In my view, border-related threats such as drug, arms, bulk cash, and human smuggling impact more than our border communities; they create vulnerabilities for the entire nation.

I&A has laid a strong foundation for intelligence analysis and support on border-related threats. I&A must continue to support its partners within DHS and throughout the State, local, tribal, and private sector community by providing useful information quickly and securely while coordinating with the

efforts of other federal agencies. I&A also needs to collaborate further with its partners within DHS and throughout the State, local, tribal, and private sector community to identify and pursue new sources of legally obtained information that can assist in addressing border-related threats. If confirmed, I will prioritize both of these objectives.

31. The Under Secretary for I&A is responsible for coordinating and enhancing integration among the intelligence components of the Department of Homeland Security, including those at Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE) and Transportation Security Administration (TSA).

What is your assessment of efforts to date to improve integration between I&A and the components, and among the components?

- a. What steps do you believe are the key barriers to enhanced coordination and integration, and what steps would you take as Under Secretary to overcome these barriers?
- b. 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?

Like the Secretary, I believe many opportunities exist to make the DHS Intelligence Enterprise more efficient and unified. I&A is now in a good position to be able to improve information sharing with and among DHS components, and to evaluate and bolster the capability of their intelligence elements. Each component has unique needs, strengths and capabilities. All components need to work collectively to leverage those traits to strengthen the capabilities of the entire DHS Intelligence Enterprise. If confirmed, I will work to make this happen.

At the same time, I believe it is critical for the components to retain their organic intelligence capabilities in the same way that the military services have independent intelligence functions. I&A has an important role in building the professional capacity of those elements so they provide better support to their respective missions and so they can participate more effectively in the broader Departmental Intelligence Enterprise. If confirmed, I will make closer integration of DHS intelligence activities one of my top priorities.

Management of the Office of Intelligence and Analysis

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

I have read the HSI study and the OPM, DHS, and IC surveys, and have spoken with numerous I&A staff members about the workplace environment at I&A and the opportunities and challenges that environment presents. In my view, the most important challenges are developing and disseminating fair and transparent policies and procedures that focus on identifying and meeting customer requirements, promoting and rewarding a collaborative culture, and effectively addressing current human capital issues. If confirmed, I will make these management improvements a priority.

33. In the 2007 DHS Employee Survey, only 28.7 percent of I&A career employees provided a positive response to the statement, "In my organization, leaders generate high levels of motivation and commitment in the workforce." Only 29.7 percent of I&A career employees provided a positive response to the statement, "My work unit is able to recruit people with the right skills." Only 35.0 percent of I&A career employees provided a positive response to the statement, "My training needs are assessed."

As Under Secretary for I&A, how would you address these three areas in which employees feel the Office is under-performing?

- a. Do you intend to work with I&A customers to determine training needs and requests?
- b. How do you plan to incorporate the IC, law enforcement, and IE partners training plans into the I&A training plan?

I know how important it is to *want* to come in to work in the morning. It is vital that employees feel not only committed to their work, but inspired by it, especially for a workforce charged with key homeland security responsibilities. In my view, demonstrating commitment to the mission and the workforce, establishing clear, fair and transparent expectations and holding people accountable, and rewarding good performance will contribute to improving these scores. One way of demonstrating commitment to the mission and the workforce is to ensure that people are appropriately trained for their jobs. If confirmed, I will place emphasis on training, not only for I&A but also for all of the DHS intelligence components.

34. A significant portion of I&A's budget since its inception has been used for contractor support. Intelligence analysts who work for contractors sit side-by-side with intelligence analysts who are federal employees; the former are reputed to be paid on average a significantly higher salary than the latter.

Within the context of I&A, what do you believe are the appropriate roles for contractor staff to play?

- a. Do you believe that contractor staff should serve as intelligence analysts, and if so, under what conditions?
- b. What can be done to help recruit the “best and brightest” to I&A?
- c. Do you have a human capital strategy? Why will this strategy work where others have failed?

I support the Administration’s – and Secretary Napolitano’s – commitment to building the Federal employee workforce. In my view, there clearly are “inherently governmental” functions that must remain within the purview of government employees—though there can be appropriate roles for contractors in supporting these inherently governmental functions, provided they do not involve carrying them out on behalf of the government.

I understand that the DNI has issued guidance to the IC on the appropriate use of contractors and, if confirmed, I will make it a priority to apply that guidance and IC best practices. I will also craft an aggressive and strategic human capital plan to bring top-flight talent into I&A. If confirmed, I will personally monitor this strategy’s progress and make contributing to it a performance element against which my senior leadership will be evaluated.

35. On March 24, 2009, the Intelligence and Operations Division of the DHS Office of Procurement Operations issued a notice on FedBizOpps.gov that it would issue a Request for Proposal (RFP) for Organizational, Training and Intelligence Services (OTIS) within 30 days. The original synopsis linked to this notice included such work categories as (a) strategic planning, (b) policy support, (c) intelligence analysis, (d) international relations, (e) counterintelligence program support, and (f) state and local fusion centers support.

Do you believe that any of the categories above are or might be inherently governmental functions?

- a. If so, will you commit to reviewing this procurement to determine whether its scope should be modified prior to an RFP being issued?

Although I am unfamiliar with this notice, there are activities within these categories that may not be appropriate for contractors to perform. If confirmed, I will look into this notice to determine an appropriate course of action. More broadly, if confirmed, I will conduct a full review of the work currently performed by contractors, work under consideration as potentially suitable for contractors, existing plans for conversion of contractors to government personnel, and the DNI and Departmental guidance on the use of contractors. These reviews will help to inform and develop a comprehensive and effective human capital strategy that will ensure top-flight intelligence talent become members of the full-time I&A workforce.

36. The number of government civilian employees employed by the Office of I&A has significantly grown the past few years.

Do you believe that this growth is necessary given I&A's roles and mission?

a. Will you commit to informing the Committee within six months of your views on this issue?

Until I&A completes its requirements survey of DHS components and State, local, tribal and private sector partners, it is difficult to know what the appropriate size of the organization is or should be. If confirmed, I will develop a strategic human capital plan, a foundation of which will be evaluating the workforce levels based on mission requirements. I will be pleased to share the results of this evaluation with the Committee.

37. As you may know, the Senate Select Committee on Intelligence Fiscal Year 2010 Intelligence Authorization bill included report language regarding I&A that specifically stated that "although the Committee commends the Office of Intelligence and Analysis [I&A]...for recognizing the importance of converting contractor positions to government civilian in FY2010, the Department's plans to continue to a gradual conversion of contract personnel positions to government civilian through 2015, when the workforce mix will be about 50/50, is unacceptable." Currently, contract personnel make up 63 percent of the workforce of the I&A. The I&A must improve its ratio of contract personnel to government civilian personnel to levels at least comparable to the rest of the Intelligence Community. How will you work with ODNI to accelerate efforts to bring the ratio of contractors to government employees more in line with the rest of the IC?

Please see my responses to questions 34 and 35. I share the Committee's desire to accelerate the rate of reducing the ratio of contractor staff to government employees in I&A. If confirmed, I will consult DNI and departmental guidance on this issue when developing the I&A strategic human capital plan.

38. The Committee also requested the ODNI work with the next Under Secretary for I&A to complete a comprehensive study to determine the appropriate number of personnel, define inherently government functions, identify where contract personnel might be performing those functions, and specify how the Office intends to transition contract personnel from those functions within the fiscal year given the statutory mission of the I&A, as described on its website, to "ensure that information related to homeland security threats is collected, analyzed, and disseminated to the full spectrum of homeland security customers in the Department, at state, local, and tribal levels, in the private sector, and in the Intelligence Community."

If confirmed, will you pledge to complete such a review?

I pledge if confirmed to develop a strategic human capital plan that will address the Committee's concerns in this area.

Experience

39. For each of the following, in addition to your responses to the questions listed under the subsection 'Experience', describe specifically how your experiences will enable you to serve effectively as Under Secretary for I&A. Include within each response a description of issues relating to the position that you can identify based on those experiences.

- Instructor, The Intelligence and Security Academy, LLC

In teaching the IC 101 course, I addressed what appeared to many of my students to be unclear or overlapping responsibilities for counterterrorism across the US government. My experience teaching this course reinforced the importance of clearly defining the programming and budgeting process throughout the IC and the impact it has on members of the IC's ability to perform their missions.

- Budget Director, House Permanent Select Committee on Intelligence

As Budget Director for the HPSCI, I was also the Committee's cybersecurity coordinator. I learned a great deal about the technical, legal and management challenges associated with this area of growing importance and, if confirmed, I hope to play a constructive role in supporting DHS' cybersecurity mission. As Budget Director, I also had the chance to observe and participate in discussions about achieving the right balance between privacy, civil rights and civil liberties and technical collection for counterterrorism purposes during the FISA modernization discussions—an experience that will directly help me, if confirmed, to seek to achieve such a balance.

- Assistant Deputy Director of National Intelligence for Management, Office of the Director of National Intelligence

In this position, I learned about the difficulty of blending cultures and merging organizations. It was a management and leadership challenge to fold my previous organization, the Community Management Staff, into the newly stood-up ODNI and keep my staff focused on supporting the new team. I learned a great deal about organizational dynamics and integrating different workplace cultures. If confirmed, I will ensure that I&A operates as part of a team—a departmental team, an IC team, and a nationwide homeland security team.

- Chief Financial Officer for National Intelligence Program, Office of the Director of National Intelligence

Please see my comments above under ADDNI for Management. These were the same position.

- Executive Director for Intelligence Community Affairs, Office of the Deputy Director of Central Intelligence for Community Management

I held this job for less than a year before the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-408) was passed, the Community Management Staff (of which I was the Director) was disestablished, and the ODNI was created. In this position, I learned to focus on achievable solutions to pressing problems. By focusing on the issues that could potentially be resolved, we were able to maximize our impact.

- Deputy Director for Analysis and Production, Defense Intelligence Agency

In this position, I was responsible for producing DIA analysis; overseeing and guiding the analysis of other defense components; and answering the requirements of a broad customer set, including the defense policy customers in the Pentagon, the geographically dispersed Unified Commands and deployed Joint Task Forces, and the Service doctrine and acquisition establishments who relied on information about foreign weapons systems to design countermeasures. While in this position, I revamped the entire DIA product line, introduced digital authorizing tools, and introduced policies on alternative analysis and re-teaming. I also served as the functional manager for defense production, orchestrating production assignments and schedules in support of crises and operations. Finally, I worked hard to improve internal controls and processes, particularly in the areas of hiring, diversity, and programming and budgeting.

- Staff Director, Subcommittee on Technical and Tactical Intelligence, House Permanent Select Committee on Intelligence

In this position, my first assignment on Capitol Hill, I learned about the importance of “systems of systems”—and the difficulty of achieving that goal in more than just a cosmetic way. A big focus of this position was on interoperability, architectures and “jointness,” experience that I believe is still germane to today’s ongoing information sharing challenges. I also learned about Congressional oversight, the authorization and appropriation processes, and legislative and executive branch roles, limits, and prerogatives.