

# I&A RECONCEIVED: DEFINING A HOMELAND SECURITY INTELLIGENCE ROLE

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## HEARING BEFORE THE SUBCOMMITTEE ON INTELLIGENCE, INFORMATION SHARING, AND TERRORISM RISK ASSESSMENT OF THE COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES ONE HUNDRED ELEVENTH CONGRESS FIRST SESSION

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# CONTENTS

	Page
STATEMENTS	
The Honorable Jane Harman, a Representative in Congress From the State of California, and Chair, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment .....	1
The Honorable Michael T. McCaul, a Representative in Congress From the State of Texas, and Ranking Member, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment .....	2
WITNESS	
Mr. Bart R. Johnson, Acting Under Secretary, Office of Intelligence and Analysis, Department of Homeland Security:	
Oral Statement .....	3
Prepared Statement .....	5



## **I&A RECONCEIVED: DEFINING A HOMELAND SECURITY INTELLIGENCE ROLE**

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**Thursday, September 24, 2009**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON INTELLIGENCE, INFORMATION SHARING,  
AND TERRORISM RISK ASSESSMENT,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:08 a.m., in Room 311, Cannon House Office Building, Hon. Jane Harman [Chair of the subcommittee] presiding.

Present: Representatives Harman, Carney, Kirkpatrick, Himes, McCaul, Dent, and Broun.

Ms. HARMAN. The subcommittee will come to order.

The subcommittee is meeting today to receive testimony on the on-going efforts to focus the intelligence and information-sharing missions of the Office of Intelligence and Analysis, I&A, and to formulate an organizational strategic plan supporting both these missions. The hearing today is entitled, "I&A Reconceived: Defining a Homeland Security Intelligence Role."

Mr. Johnson, in your excellent testimony in June, you said, "Given the No. 1 responsibility of DHS is preventing terrorism, the primary mission of I&A is to be the recipient and developer of intelligence that creates the kind of situational awareness that we need to stop a terrorist plot and save lives."

I applauded, in fact we all applauded, an I&A mission that is based upon a two-way information-sharing system with State, local, and Tribal and private-sector partners, creating a talented analytical core at I&A, improving coordination among DHS components with regard to intelligence, and assuring that all these efforts respect the civil rights, civil liberties, and privacy of citizens.

While I recognize that guiding principles for an organization serve a valuable purpose, I&A's history shows us that simply articulating these principles is not enough to drive its organizational mission, strategy, and function to a successful outcome. So, this hearing is to drill down to understand what I&A is doing and will do operationally to implement the principles you ably articulated in June.

Many of us have great confidence that your background and experience equip you uniquely to realize I&A's potential. In June, I asked you how I&A could make our homeland safer. The "how," Mr. Johnson, is why we are here today.

Today, I hope you will discuss the new "how" of I&A: How are you going to accomplish the I&A mission and the expectations you

raised in your June testimony? What progress have you made? Where have you encountered challenges? How can this subcommittee help you address these challenges? As we have repeatedly said, we want to be your partner, not your adversary, in these endeavors. How are you coordinating your efforts, your vision, and mission, your supporting strategic plan and corresponding metrics with the other elements that contribute to detecting and disrupting those who might potentially do us harm?

This committee is mindful, as no doubt is the American public, of the widely reported cross-country terrorism investigation into a possible al Qaeda cell. My take—and I will not reveal any information received on a classified basis—is that our intelligence community is playing the critical role in uncovering the alleged plot and continues to work in close coordination with law enforcement at all levels in the on-going investigation.

I know, Mr. Johnson, that you are playing a role and that your organization is playing a role. I want to congratulate you for that role in this effort.

Welcome back. This subcommittee needs you to succeed. Our Nation will be safer if you do.

I now yield 5 minutes to the Ranking Member, Mr. McCaul, for an opening statement.

Mr. MCCAUL. I thank you, Madame Chair.

Let me first start out, Mr. Johnson, by saying thank you. The briefing that you provided both Ms. Harman and myself and the Chairman and Ranking Member of the full committee on the events of the past several days concerning the event in New York with the plot, potential terrorist plot, was not only helpful and informative to us but, I think, a great act on your behalf to come forward and keep us in the loop, if you will. I was very impressed by that, and I think I speak for the whole committee when I say that. We haven't always had that kind of cooperation in the past, and let me say you are starting out on a great note with this committee.

Homeland intelligence and information sharing is obviously critical to our efforts in combating terrorism, securing our borders, ensuring our airport, seaports, and border crossings all have the information they need to stop the illegal activity. As events of the past 10 days in New York, the city of Denver, Colorado, illustrates, the threat remains very real, and information sharing between agencies is vital.

In this case, the case that you briefed us on, information provided by Customs and Border Protection show that Mr. Zazi spent roughly 5 months in Pakistan training with al Qaeda in 2008 and 2009. Had CBP never possessed that information that he traveled to Pakistan and back to the United States or, even more important, if CBP had not shared that information, there is a chance that Mr. Zazi could have escaped suspicion and could have continued his efforts.

Let me just say again that I commend you in what you are doing, and I applaud your efforts and the success of thwarting what could have been a potential attack in New York.

Today's hearing will examine a new strategic vision for the Department of Homeland Security's Office of Intelligence and Anal-

ysis. Since the Department was created in 2003, the Office of Intelligence and Analysis has undergone various reorganizations. The office has worked during this time to determine exactly what its role should be within the intelligence community and how to best support its various customers at the Federal, State, local, and Tribal levels.

I look forward to hearing from you on your plan and your vision for the strategic plan for I&A.

I am also interested in hearing your thoughts and ideas for fusion centers. As we discussed in the June hearing, long-term funding for these fusion centers is of critical importance. I look forward to working with you in the future, and the Department, to ensure that these fusion centers have the resources they need to provide and fulfill this critical role.

Last, I hope to hear from you, Mr. Johnson, on what this subcommittee and Congress can do to help you and your office to continue to mature and maintain a lasting role in protecting our homeland.

With that, I yield back to the Madame Chair.

Ms. HARMAN. Thank you, Mr. McCaul.

Under the committee rules, other Members are reminded that opening statements may be submitted for the record.

I now welcome our witness this morning. Bart Johnson is the Acting Under Secretary for the Office of Intelligence and Analysis at the Homeland Security Department.

Prior to his May 18, 2009, appointment, Mr. Johnson served as the Director of Homeland Security and Law Enforcement at the Office of the Director of National Intelligence. His work focused on bridging the intelligence community with Federal, State, local, and Tribal customers.

Before this, Mr. Johnson served as a colonel with the New York State Police. He possesses over 30 years of law enforcement experience, a credential that I think all Members of this subcommittee think is a critically important credential that he brings to his current work.

He has now been at I&A for just over 4 months, and we are looking forward, as I said, to hearing how it is going.

Your testimony in June, Mr. Johnson, drew a “wow” from our Chairman, Mr. Thompson, who was in attendance. So that sets the bar fairly high. We are now anxiously awaiting your summary for 5 minutes, and after that we will each ask you some questions.

Mr. Johnson, the floor is yours. Without objection, I ask that your full statement be inserted in the record.

**STATEMENT OF BART R. JOHNSON, ACTING UNDER SECRETARY, OFFICE OF INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY**

Mr. JOHNSON. I just want to thank you for your very obvious support, Madame Chair, Ranking Member McCaul, and all the other distinguished Members of this subcommittee.

It is good to be back. It has been a very, very busy summer. I will be outlining some of the steps that we have taken in hopefully some very meaningful ways and really try to lay out what we are going to do next.

Basically, the vision can be summed up by saying this: I&A will be the premier provider of homeland security intelligence information products to our State, local, and Tribal customers, of which there are about 800,000 law enforcement officers putting their lives on the front lines each and every day.

To do that, we are going to be leveraging, not replicating or duplicating, what is already out there. By “leveraging,” I mean the Office of Director of National Intelligence, the National Counter Terrorism Center, the FBI, and the other intelligence community agencies that are out there and who possess a considerable amount of information and intelligence. We are going to do that all with a mindful eye to privacy, civil rights, and civil liberties.

Since my still seemingly brief 16 weeks at the helm of Intelligence & Analysis, I have been very impressed by the support of not only all of you, but Secretary Napolitano. Having been a Governor from Arizona, she understands it and really has articulated the importance of getting the information to the people that need it, in the format that they need it, so they can operationalize it.

I also appreciate the positive feedback that I continue to receive from my prior colleagues, who are still my current colleagues, in the State, local, and Tribal.

So to get down to what we have actually done in that regard, our steps have taken to empower our customers to be the drivers of our intelligence products. So, in other words, we are listening to and being led and driven by the requirement needs of our partners. Also, as I said, ensuring the privacy and civil liberties of others; optimizing and streamlining I&A production, dissemination, and process. So, in other words, a production plan as to what we are going to produce and why we are going to produce it. Obviously, increase the coordination of our component agencies, to include CBP and ICE, where that wealth of information and knowledge resides. Interacting with the intelligence community; I met with Director Blair the other day, and he is very, very supportive of what we are trying to do within I&A. Also, to further develop the core intelligence capabilities and training with, once again, Dr. Peter Lavoy of the ODNI, to learn from their experiences that they have.

These will allow us, hopefully, to be the premier provider of homeland security and intelligence and other information, strengthen our existing partnerships which are critical to our success, and then operate in a single integrated team.

Also, the biggest thing is, and you pointed out, Chair, is the enabling of a performance-based process to hold people accountable for the metrics as we go forward so we can see if we are succeeding, not succeeding, and really make midcourse adjustments as we go forward.

So what have we done? The State and local privacy program offices, with Chet Lunner, Rob Riegle, we have deployed upwards to about 45 I&A reps in the field. We have 10 others in process. We have received considerable accolades about the national-level exercise of 2009, as it relates to the information sharing. But, then again, some gaps were also identified, about more need of connectivity and tear lines, more working to reconcile those types of efforts as we move forward.



I shared in my written testimony a goal of the Secretary to create a program management office, so not only I&A assets and equities are being brought to bear, but Department-wide equities, in full accordance with the 2007 Implementing the 9/11 Commission Act as we go forward.

Additionally, as it relates to analysis, as I mentioned, we need to be better. I have always, over the past 2 weeks in particular, realized the breadth of knowledge and experience and devotion to the mission that is possessed there. There are a lot of great people there. I really want to take it to the next level and export that level of interaction to the field on a more regular basis.

As it relates to the two-way flow of information, the suspicious activity reporting that is going on, really harvest that information at the street level, integrate it with the intelligence community information, and vice versa, pass it downwardly to the State and locals from the intelligence community.

In closing, you have my full commitment that we have realigned our operations, refocused. Now it comes to the proof of developing the strategy, which will be done by the end—I was told October 15, and then developing that action plan, the implementation plan, the performance objectives to go along with that strategy as we move forward.

I really appreciate this opportunity to appear before all of you at this time. Thank you, ma'am.

[The statement of Mr. Johnson follows:]

PREPARED STATEMENT OF BART R. JOHNSON

SEPTEMBER 24, 2009

#### INTRODUCTION

Chair Harman, Ranking Member McCaul, and distinguished Members of the subcommittee, thank you for the opportunity to appear before you today to discuss the new strategic vision for the Department of Homeland Security's (DHS) Office of Intelligence and Analysis (I&A), and our recent efforts to align its intelligence and information sharing functions to advance the mission of the Department. I am pleased to report our progress to you.

On May 18, 2009, I was honored to be appointed the Principal Deputy Under Secretary for I&A by Secretary Janet Napolitano, and am currently serving in the capacity of Acting Under Secretary and Chief Intelligence Officer (CINT) for DHS. In the 16 weeks since my appointment, I&A has made great strides in supporting the Secretary's priorities and further developing a robust, integrated intelligence capability for the Department.

During my short time in this position, I have benefited greatly from many meetings and exchanges with you, distinguished Members of this subcommittee, and other Members of Congress. I was especially pleased to appear before this subcommittee in June to discuss the President's fiscal year 2010 budget request for DHS I&A. During that hearing, and in follow-up discussions, I gained invaluable insights into Congress' perspective on the challenges and opportunities facing I&A.

DHS I&A was established to meet the critical homeland security intelligence and information needs of customers not previously recognized as stakeholders by the national intelligence hierarchy—our State, local, Tribal, and private sector partners. We are still a maturing organization, developing relationships with new customers, and doing so in a field that was virtually nonexistent before Sept. 11, 2001. We have much work ahead of us as we continue to improve and perfect our performance.

Since I came on board, I&A has started laying the groundwork for future success by assessing its efforts and adjusting, as warranted, to successes, failures, and changing circumstances. This continuous process will be a hallmark of the organization for the foreseeable future. I&A's partnership with the Congress has helped facilitate these refinements, enabling innovation, and optimizing the organizational structure to best fulfill I&A's broad mission responsibilities. In addition, I am com-

mitted to ensuring that all of I&A's efforts protect the privacy, civil rights, and civil liberties of our citizens.

Today, I will highlight the critical steps I&A has taken to incorporate Congressional insights into I&A's refocused way ahead, as well as provide details on our progress to date. While this strategic vision does not comprise a detailed strategic plan for I&A, a formal strategic plan is being developed and will be forthcoming. I&A senior leadership has made significant progress in bolstering I&A's focus and efficacy. It is my main priority to expand upon those successes. I&A senior leadership, including myself, will be accountable for meeting the benchmarks in the strategic plan so that Congress will be able to assess our progress.

#### THE I&A STRATEGIC VISION

As Secretary Napolitano has publicly stated, the No. 1 responsibility of the Department is combating terrorism. This is the main reason Congress created DHS, combining the missions, functions, and personnel of 22 legacy agencies into one department. To that end, the primary mission of I&A is to be the recipient of information and developer of intelligence, in coordination with the Federal Bureau of Investigation (FBI) and other interagency partners, providing first preventers with the situational awareness needed to prevent a terrorist plot. I&A is charged with leading Departmental efforts to provide this kind of intelligence and information in a functional, useable form to State, local, Tribal and private sector partners—and getting functional intelligence and information back to national intelligence and law enforcement users—on a real-time basis. I&A is also committed to supporting the other broad areas of the Department's responsibility: Securing our borders; ensuring smart and tough enforcement of our immigration laws; preparing for, responding to, and recovering from disasters; unifying and maturing the Department into "One DHS"; and protecting the Nation's critical infrastructure.

I&A's overarching vision in this regard is to be the trusted leader in meeting our Nation's homeland security intelligence needs. This vision drives our core focus of strengthening the Department's and our partners' ability to protect the homeland by accessing, integrating, analyzing, and sharing timely and relevant intelligence and information, while preserving civil liberties and privacy. Accordingly, I&A's primary customers are clear: The Secretary; State and local fusion centers and State, local, territorial, and Tribal authorities; Department components; the private sector; the intelligence community (IC); and other Federal departments and agencies.

During my last appearance before this subcommittee, I laid out several guiding principles for I&A to attain this vision: we must provide the Secretary with the informed and objective intelligence and information needed to make policy and planning decisions about Department priorities; we must share information with our State, local, and Tribal partners; we must foster a more coordinated DHS Intelligence Enterprise (IE); and we must rigorously protect the privacy and civil liberties of the people we serve. I also pledged at that hearing that I would come back to you with a framework for how I&A will meet these important priorities. I am pleased to report that in the past few months, I&A has made substantial progress in defining priority missions, improving management processes, and determining the best structure for I&A to meet its priorities. These high-level principles mark an important starting point and will drive I&A's continuing evolution toward establishing best practices and a formal strategy, which observers inside and outside the Department will be able to use to assess progress.

In consultation with Department leadership and our State, local, and Tribal partners, I&A has further refined its guiding principles into several new strategic goals. These will, in turn, drive the more detailed mapping, planning, and assessing work in the months ahead.

I&A's strategic goals are likewise driven by the priorities of the President, including the National Strategy for Information Sharing and the National Intelligence Strategy, as well as Secretary Napolitano's mission priorities for the Department. They are further informed by the Department's on-going Quadrennial Homeland Security Review (QHSR) and the many elements of the Secretary's DHS Efficiency Review and One DHS Initiative. I&A's strategic goals conform to the Homeland Security Act of 2002, the Intelligence Reform and Terrorism Prevention Act of 2004, the Implementing Recommendations of the 9/11 Commission Act of 2007, and all other relevant statutes and directives of the Congress.

The strategic goals can currently be summarized as follows:

- *Goal 1.*—Be the premier provider of homeland security intelligence, which entails building, supporting, and integrating a robust information-sharing capability focused on getting intelligence and homeland security-relevant information to those who need it, when they need it.

- *Goal 2.*—Strengthen existing partnerships and forging new ones.
- *Goal 3.*—Operate as a single integrated team focused on mission and customers.
- *Goal 4.*—Enable the mission by maximizing performance and accountability, including protecting privacy, civil rights, and civil liberties.

These goals, in turn, are reinforced by newly promulgated organizational values: Integrity, respect, customer service, continuous improvement and learning, and leadership.

Having described the highest-level guiding priorities for I&A, I will now describe the specific steps that will translate these goals into an organizational reality.

#### EXECUTING THE STRATEGIC VISION

The new direction of I&A is dictated by the needs of the Department and of our partners, and we need to be prepared to implement concrete initiatives, aligned to the I&A goals, to upgrade our business operations and better meet the Secretary's priorities for the Department and I&A specifically. To this end, I have directed that any I&A realignment must demonstrate how it will enhance I&A's ability to fulfill its strategic goals. I want to make clear that these goals drive the organizational change necessary for I&A's future success.

At the first I&A senior leadership meeting that I held in June 2009, my leadership team and I reached consensus on the need for I&A to realign capabilities and resources to better meet mission priorities. The discussion was interactive and productive, and primarily focused on the need to build on success, identify areas that need more focus, and establish a collaborative atmosphere.

We were unanimous in our belief that changing the organization to better meet the mission was necessary, but that any change should be well-informed, based on sound reasoning, and the result of a truly deliberative process.

I will now review some of the key initiatives and reforms underway in four different areas for which I&A has major responsibility: Our State and Local Fusion Center program, our analysis processes, our management practices (and the new Plans, Policy, and Performance Management element charged with streamlining I&A processes), and Operations.

#### *Support to State and Local Fusion Centers*

One of the primary reasons for I&A's existence is to strengthen the sharing and dissemination of useful intelligence and information between the Federal Government and our State, local, Tribal, and private sector partners. I take this responsibility seriously, and it is infused into the I&A strategic goals. I&A will provide increasingly functional and useable intelligence and other information to these partners. Fusion centers are and will continue to be the critical delivery vehicle for this intelligence.

As Secretary Napolitano has said, while a great deal of information sharing is occurring today—among and between agencies and departments at all levels of government—the key for protecting the homeland from attack is disseminating useable intelligence and information to our State, local, Tribal, and private sector partners, getting similar intelligence and information back from those partners for analytic work by I&A and the IC, and ensuring this two-way exchange happens on a real-time basis.

Our efforts to date have been substantial and include unprecedented outreach by I&A. In June, the intelligence officer assigned to the Arizona Counter Terrorism Information Center (ACTIC) worked with its Terrorism Liaison Officer Program to solidify ACTIC's partnership with the Tohono O'odham Nation, marking the first formalized information-sharing relationship between a fusion center and a Tribal partner. The Tohono O'odham Nation covers 65 miles of border with Mexico, making it a key partner in information sharing related to border threats and trends. In addition, I&A assigned two intelligence officers to the Oklahoma Information Fusion Center to assist with the recent 2009 National Level Exercise (NLE-09). Both I&A officers originated from fusion centers outside of Oklahoma. Officials from the Oklahoma fusion center praised the officers' efforts during NLE-09, in fulfilling key roles and educating the fusion center's analysts on DHS products and services. As a result, the Oklahoma fusion center looks forward to the permanent assignment of a deployed DHS intelligence officer. Similar exchanges are occurring at fusion centers across the country. Such appreciation and advocacy for the DHS program to support fusion centers is critical to sustaining and expanding homeland security partnerships with State, local, and Tribal entities.

There are currently 72 fusion centers up and running around the country (a substantial increase from 38 centers in 2006). I&A has deployed 39 intelligence officers to fusion centers Nation-wide, with another five in pre-deployment training and nearly 20 in various stages of administrative processing. I&A will deploy a total of

70 officers by the end of fiscal year 2010, and will complete installation of the Homeland Secure Data Network (HSDN), which allows the Federal Government to share Secret-level intelligence and information with State and local partners, at all 72 fusion centers. These fusion centers are I&A's primary means for engagement with State and local partners. Having spent most of my professional life in the New York State Police, I know first-hand how valuable fusion centers are to multiplying the effectiveness of our homeland security and law enforcement efforts.

To ensure that we in I&A are doing all we can to meet our goals of supporting two-way information flow with State, local, Tribal, and private sector partners, the Secretary directed I&A to outline a Department-wide initiative to strengthen the baseline capabilities and analytic capacity of State and major urban area fusion centers. The proposal our office developed articulates that fusion centers must be better able to:

- Operate at a more consistent level;
- Rapidly identify and disseminate information regarding emerging terrorism, criminal, and other homeland security threats; and
- Support and enhance a State and urban area intelligence platform for risk-based, information-driven decision-making by State, local, Tribal, territorial, and Federal homeland security and law enforcement officials.

Central to this proposal is the establishment, at the Secretary's direction, of a new Joint Fusion Center Program Management Office (JFC PMO). The JFC PMO will lead a unified Department-wide effort to develop and implement survey tools to ensure State, local, and Tribal customers are provided the opportunity to define and identify the types of homeland security-related information they need, and the format in which they need it. The JFC PMO will also develop mechanisms, in coordination with Federal, State, local, Tribal, and territorial authorities, to improve the capability of State and major urban area fusion centers to gather, assess, analyze and share locally generated and national information and intelligence, in order to provide complete pictures of regional and national threats and trends. Department intelligence production and dissemination processes, in turn, will be streamlined to better support these consumer-driven needs. While I&A will manage the JFC PMO on a day-to-day basis, the Secretary has made it clear that all relevant DHS components will be involved, and will have new responsibilities when it comes to providing coordinated support to fusion centers.

The JFC PMO will be managed by I&A on behalf of the Department and staffed by personnel assigned from various components and offices across DHS. This entity will leverage the existing Information Sharing Governance Board to ensure Department-wide coordination in this effort, as well as the capabilities of our other valuable Federal partners, such as the FBI. We are readying various implementing documents to make this proposal a reality.

I&A is also supporting the fusion centers by partnering with the DHS Office for Civil Rights and Civil Liberties (CRCL) to provide training for new and current fusion center analysts. In addition, CRCL, the DOJ Office of Justice Programs and I&A are working together to create a multifaceted privacy and civil liberties training program to support all personnel at the fusion centers.

Every day across the country, State, local, Tribal, and territorial law enforcement and other officials gather information in the course of their work of providing emergency and non-emergency services to their communities. This information may serve as the first indicator of a potential threat to our national security. I&A must have the structures and processes in place to ensure complete and accurate analysis of threat information to facilitate timely warnings to all our homeland security partners to prevent a threat from materializing. I&A's new initiatives to support fusion centers across the country will help ensure that the needs of State, local, Tribal, and territorial governments drive I&A intelligence activities.

#### *Analysis*

I&A has the unique statutory role of providing analytic intelligence and information products in a functional, useable form to State, local, and Tribal governments and other key customers. A key priority for I&A's refocused Analysis element is to align specific topics of intelligence analysis to the needs and requirements of core customers, and to ensure that the products resulting from that analysis are focused, timely, and relevant. Our internal review identified terrorism, border security, cyber, counterintelligence, and violent extremism as primary areas of analytic focus for I&A.

After a comprehensive evaluation of I&A's analytic capabilities and functions, we determined that I&A needed to strategically realign its analytic and production resources and efforts more tightly with the priorities of the Secretary and the new Na-

tional Intelligence Strategy. Accordingly, I&A's analysis and production resources will be prioritized to:

- Realign analytic resources to improve and expand support to our State, local, and Tribal consumer base.
- Develop an analytic capability and methodology for assessing Suspicious Activity Reporting data.
- Create a centralized analysis group to meet the intelligence and information needs of the Secretary and Department components, including improved coordination and information sharing.
- Augment our border security analytic capability.
- Strengthen our collaboration and consultation with other producers of intelligence and information products.

We recognize that I&A should not attempt to be an expert in all areas, especially when sound analysis is already being conducted elsewhere in the IC. Therefore we will emphasize collaboration with interagency partners in some areas, including:

- *Analysis of Weapons of Mass Destruction.*—I&A will maintain a focused, senior in-house expertise and ensure surge capacity, in coordination with the FBI.
- *Violent Radicalization.*—I&A will realign to collaborate with the National Counterterrorism Center and other Federal agencies for substantive reporting on violent radicalization.
- *Domestic Terrorism.*—I&A will work with the FBI and other law enforcement partners to identify analytic and other reporting relevant to our State, local, and Tribal consumer base.
- *Health Security.*—I&A will work closely with the DHS Office of Health Affairs, in addition to the Departments of Health and Human Services and Defense as well as other relevant agencies, to identify analytic and other relevant reporting.

We will also commence a comprehensive consumer outreach effort to make sure what we are producing is what our customers at the State, local, territorial, Tribal, and private sectors want, at the time they want it, and in the form they need it. This will include leveraging best practices at the Office of the Director of National Intelligence (ODNI) and elsewhere in production planning and customer service.

In addition to the realignment of our analytic capabilities and functions, I&A is incorporating CRCL and the Privacy Office in the review of all intelligence products, including products created by I&A analysts working for State, local, and Tribal fusion centers. Lessons learned from I&A product review will continue to be incorporated into CRCL's fusion center personnel and I&A analyst training programs.

The dedicated staff of I&A strives every day to provide accurate, actionable, and timely intelligence and information to support our broad consumer base. Our realignment of I&A's analytic activities is designed to adopt systemic intelligence production planning, and to fully utilize programmatic funding and personnel investments made available by the Secretary's June 2009 decision to end the National Applications Office. In short, this new analytic element will maximize the impact of our analysis to provide the most value added to our primary consumer base.

#### PLANS, POLICY, AND PERFORMANCE MANAGEMENT

I&A is a relatively new organization that is still maturing its management and business processes. To build on past success, we are realigning disparate activities that were previously dispersed throughout I&A under the leadership of a new Deputy Under Secretary for Plans, Policy, and Performance Management (PPPM). This will give new emphasis to activities that were lower priority in the past, and stands up new activities that were unprecedented for the organization. The establishment of PPPM demonstrates I&A's commitment to developing and implementing fair, transparent and collaborative decision-making processes, rationalizing resource allocation to priority missions, and assessing whether investments are leading to preferred outcomes.

I&A continues to foster high standards for accountability, collaboration, transparency and respect for normal business planning and management behaviors. Although I&A has taken significant steps to address some of the organizational gaps that previously existed, more work is needed. The establishment of PPPM institutionalizes a unified management structure for I&A to transparently develop and implement planning and decision-making processes that foster predictable, informed, and contextual program planning and management execution. We are doing this in coordination with our counterparts in the DHS Office of Policy and ODNI, among others.

This new I&A element will enable more streamlined and integrated strategic planning, programming, and budgeting life cycle processes. PPPM will further the

Department's intelligence mission by providing Intelligence Enterprise (IE)-wide management guidance. PPPM's responsibilities include developing and unifying applicable strategies, plans, and policies using collaborative outreach, advocacy, and strategic futures analyses, leading to an integrated DHS IE focused on its mission and its customers. PPPM will also develop a detailed I&A strategic action plan that will include a mapping of all organizational activities and performance management metrics to measure program execution and effectiveness. This, in turn, will institute valid metrics to measure success and create a systemic cycle that facilitates organizational improvement.

The 9/11 Act amended the Homeland Security Act and created the Under Secretary for Intelligence and Analysis (U/SIA). The U/SIA also serves as the Department's CINT, with the authority to lead and manage the Department's intelligence and information-sharing enterprises. This authority is exercised largely through the Homeland Security Intelligence Council (HSIC). The HSIC is comprised of all the intelligence chiefs in the DHS IE, and serves as the U/SIA's formal advisory and decision-making body on Departmental intelligence matters. The role of the HSIC will become even more crucial regarding implementation of key 9/11 Act authorities. The U/SIA is statutorily required to provide the head of each DHS intelligence component with guidance on intelligence activities underway in the Department for efficacy and mission focus, as well as to present the Secretary with a unified recommendation for the further cultivation of a Department-wide Intelligence Enterprise. I appreciate the support of the intelligence heads that I have received so far and I look forward to working with them in the future. I commend the diligent work of the Chair, the Ranking Member and the subcommittee for helping us realize these intelligence-related authorities, which are so critical to integrating the Department's intelligence functions and providing focused, unified support to key homeland security partners.

#### *Operations*

Finally, I&A's realigned Operations element will also be well-positioned to help I&A's refocused mission flourish. Operations encompasses missions and program responsibilities formerly housed in I&A's Mission Integration element, as well as specific programs migrated from what was I&A Analysis and Production. The new Operations element will maximize the effectiveness of our knowledge management, counterintelligence, mission support and training, collection requirements, and external operations programs. The focus of Operations will also help to strategically align programs to I&A goals and priorities, as well as to achieve programmatic efficiencies.

The Operations element will better align I&A's information technology capabilities with the needs of our analysts and our State, local, Tribal, and private sector stakeholders with the information they need to keep the homeland safe. This program includes new focus on the Homeland Security State and Local Intelligence Community of Interest (HS SLIC) web portal, which is an exceptional forum for analyzing homeland security-related information and a critical tool for information sharing and collaboration between the Department and our partners. A new HS SLIC office will receive additional support for its program management responsibilities, thereby ensuring that our stakeholders have the best system possible for sharing valuable homeland security-related information. The Deputy Under Secretary for Operations is in the process of refocusing efforts within the Knowledge Management Division to make it more efficient and responsive to I&A customers.

Intelligence training is a critical capability that will enable fulfillment of I&A's strategic goals, and Operations will build on past I&A success in training. I am determined to prevent the ever-increasing demand for vital training and professional development services from outstripping our ability to deliver, and am therefore increasing the size of I&A's intelligence training staff. I&A currently provides a core suite of intelligence training courses for a broad spectrum of intelligence personnel, including State and local analysts and component personnel in the DHS IE. Our entry level Basic Intelligence and Threat Analysis Course (BITAC) is the hallmark of our training success. We are proud of the level of participation received from within the Department, graduating 192 students in 3 years. As a testament to this success, we were recently asked by U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement—both components of the DHS IE—to train a large cadre of their new hires over the next year.

In addition, State, local, and Tribal law enforcement officers and other representatives are able to use applicable homeland security grant program funds to participate in BITAC.

I&A has also established a mentorship program, embedding seasoned Government personnel throughout our workforce to help ensure that our analysts develop and

maintain the analytic tradecraft habits critical to the practical application of skills learned in the classroom. This program is intended to support the establishment of a culture of disciplined analytic work in I&A.

To better align reporting between our State, local, and Tribal partners and the I&A requirements management process, I moved I&A's Reports Officer Branch into our new, bolstered Collection Requirements Division. This transfer will allow for a more streamlined effort that will result in empowering State, local, and Tribal partners to drive I&A's intelligence and information products, and expediently providing answers to these customers.

Finally, I&A established a new External Operations Division, which has the mission of ensuring management oversight of several high-level, interagency outreach programs in which I&A is a participant. These include the Single Point of Service program that handles information needs transmitted by our State, local, and Tribal partners, and support of elements such as the Joint Analysis Group and the FBI's Terrorist Screening Center.

#### IMMEDIATE WAY FORWARD

These first steps taken by my leadership team are only a beginning. I fully expect that I&A will be able to further refine its organization now that our strategic foundation is set. In conjunction with my senior management team and I&A functional leaders, I will be directly accountable for evaluating our areas of responsibility. We will continue to mature our management and business standards; move towards more proactive, collaborative, and prioritized planning processes; and ensure that all activities align with core I&A missions and goals. I&A has commenced a top-to-bottom review of the organization, which when completed, will lead to a more efficient, effective, and focused organization.

I&A's efforts to gather, assess, analyze, and share intelligence and information will continue to be guided by the dual imperatives of protecting the Nation from those who wish to do it harm, and protecting our privacy, civil rights, and civil liberties. All discussions and efforts to reprioritize I&A resources and capabilities will comply with binding strategic guidance, including I&A strategic goals, the National Strategy for Information Sharing, the Secretary's priorities, and the White House's guidance on fiscal year 2011 investment priorities for the Federal Information Sharing Environment. The latter guidance includes three specific investment priorities for which I&A has major implementation roles: Suspicious Activity Reporting, State and Major Urban Area Fusion Centers, and implementation of the Controlled Unclassified Information Framework.

#### CONCLUSION

I appreciate your inviting me to appear before you to apprise you of our progress in defining and executing the strategic vision of I&A. While our office has taken significant strides, I&A is not a finished product, and more time will be required before we are functioning optimally. Nonetheless, we are on the right track and have strategically aligned the organization to more effectively support core customers. Developing the first-ever strategic action plan will be a crucial step toward strengthening the strategic alignment of I&A activities. We expect to deliver this plan to you by the end of 2009.

It has been less than 3 months since I appeared before this committee and pledged to move swiftly, smartly, and decisively in the development of plans to refine I&A's focus. With your support, the leadership of Secretary Napolitano, and the fine men and women of I&A, I believe that I have honored this pledge. I look forward to keeping the committee apprised of I&A's progress as we continue to move forward.

Thank you for this opportunity and I look forward to your questions.

Ms. HARMAN. Thank you very much.

This is the second time you have concluded in precisely 5 minutes. Superb example, Mr. Johnson. We applaud you. All of us applaud you. I wonder if we could do it. The Republican side doubts it.

Our questioning will now begin, and I yield myself 5 minutes for questions.

Thank you for the thrust of your testimony. I surely agree that the mission is to be the premier provider of intelligence products

to State, local, and Tribal and private-sector partners. You have described, in general terms, how you are going to do that.

I have said that your objective is not to create a mini-CIA at Homeland, but to do something that will specifically empower those in our communities to know what to look for and what to do. That is how we thwart a terrorist plot.

On that subject, and without getting into specifics of any ongoing investigations, which I will not get into and you will not get into, does I&A have a unique role that it can play as law enforcement and intelligence communities work to detect, disrupt, and dismantle the plans of both networks and individuals in the United States who are suspected of seeking to harm our country and our citizens? If it does, what precisely is that role?

Mr. JOHNSON. I believe I&A is in the best position to provide that consistent information flow back and forth to State, local, and Tribal. I don't believe there is any other entity that does that uniformly and as consistently as has been done. But, having said that, we even need to do better.

When you take a look at the information holdings of the intelligence community based on past incidents and attacks overseas, whether it is Madrid or the London tube bombings, and the acquisition of material, the construction of the material, the timing of runs of the surveillances, how those attacks are carried out, that is the type of information that needs to be absorbed by I&A, shared with State, local, and Tribal on a very consistent basis, like it has been done over this past week as it relates to terrorist tactics, techniques, and plans.

However, you know, as I said, there is so much more to be had. I am sure you are aware of the recent success of gaining access to information resident on SIPRNet and that relationship that we built with the Department of Defense. This was all about criminal activity that is occurring overseas that is going to better inform our partners about what type of equipment to buy, how they should fund it. But, more importantly, the first responders, when they see something that appears to be suspicious, what actions, you know, blast radius, should you approach it, should you not approach it. It is that type of information that I think we have been and we are going to provide value added in that regard.

Ms. HARMAN. Well, I surely agree with that. But it then leads to my other question, which you also mentioned in your testimony, and that is ensuring the privacy and civil liberties of innocent Americans.

You said in your testimony that you have provided about—I think you said 40 people to State and local privacy program offices. I would like you to give us some specific examples of things that have happened in your first and last 16 weeks on the job that you believe are contributing to the protection of privacy and civil liberties. How are you proposing to continue or expand those programs?

Would you specifically mention suspicious activity reporting, SARs? Because you mentioned it in your testimony, and a lot of folks out and about are very worried that that program, which can provide very valuable situational awareness to the folks who need to prevent the next attack, could be abused.



Mr. JOHNSON. Sure.

As it relates to privacy and civil liberties, I have met with Mary Ellen Callahan, the lead for privacy for the Department writ large, and also David Gersten of Civil Liberties and Civil Rights.

We have ramped up our training. Our training is mandated. We are holding people accountable to, No. 1, make sure they are regularly refreshed on it and accountable to take that training; also, that training is being exported out to the fusion centers to ensure our I&A reps are trained also.

Ms. HARMAN. Could you give us a specific example of what they are trained about, in 30 seconds or less?

Mr. JOHNSON. Sure. As it relates to U.S. persons and non-U.S. persons, what they are able to collect, what they are able to hold, what they can't collect, what they cannot hold, the checks and balances associated with that, and the levels of review that go through it; in addition to sharing information, you know, with the fusion centers.

In particular, as it relates to the suspicious activity reporting, that is something that I did back in 1977 when I was in the city of Peekskill. When you make an observation of an individual, that you just don't collect information on things that don't reach that level of reasonable suspicion. So, in other words, something that I could articulate that makes me reasonably suspicious, and then I document it.

What the SAR initiative does with the major city chiefs and the IACP, it really formalizes it, trains to it, has accountability associated with it. So I believe that it is a much better, much improved process than previously existed. In fact, we just met on it the other day with the Bureau of Justice Assistance, and the evaluation is nearly complete. The results, which I really don't have, were moving forward. It appears as though it is very, very optimistic.

Ms. HARMAN. Thank you. I would like to request on behalf of the subcommittee those results, when they are in. Because we are very concerned that the program go forward but that it protect the privacy and civil liberties of Americans.

I now yield 5 minutes to Mr. McCaul for questions.

Mr. MCCAUL. Thank you, Madame Chair.

Let me just again reiterate my appreciation, Mr. Johnson, for your timely briefing this committee on the events of New York and the arrests that took place and the work that DHS provided in terms of getting the information and sharing it timely to prevent a potential terrorist attack.

This office came under heavy criticism early in the year, actually maybe even before, right as you were getting on board. So I am not attributing this to you at all, but I want to know what you have done to repair the damage.

But it came under criticism for warning in a report that veterans returning from Iraq and Afghanistan could be recruited and radicalized by right-wing extremists to carry out violent acts. That caused quite a stir across the country.

My first question to you is, what have you done to realign the Intelligence Office to make sure this doesn't happen again?

Mr. JOHNSON. Absolutely. I appreciate very much that question.

As I reported lastly, that was one of the things, that first Monday that I started, that I was struck with, to answer what occurred, I believe it was on April 17, regarding that report. The ODNI shared it with us, an analysis of that report, and they found that it was improperly cited, improperly sourced. I agreed with that assessment. The analysts that I have been dealing with at I&A are much better than that. So I am going to subscribe to say that that was an anomaly of a process that was not followed.

But I wasn't willing to just leave that alone. I worked very closely with our privacy people and CRCL and created a new process that, for example, whenever a U.S. person's name or Governmental agency or company is potentially mentioned in that report, they get engaged at the front end to make certain that we follow the rules and the regulations of the road to ensure that something is not improperly released to cause an individual or an organization harm that heretofore should never have happened.

Additionally, there is a series of other checks and balances as it relates to checking with OGC, the Office of General Counsel, if it could involve an on-going investigation. Or, for example, if it is going to directly impact on our State, local, and Tribal partners, which it normally always does, that very unique customer set, it is shared with the Interagency Threat Assessment and Coordination Group, as it well should.

We are not leaving that alone. We are training to it, actually having examples. I saw them the other day. Tim Martin and Larry Jaski are working very hard. If your staffers have not been briefed on it, you know, count on them being briefed on it. I believe that they will report back to you the comfort, hopefully, that you will gain from that briefing.

Mr. MCCAUL. Well, thank you. I appreciate your efforts to correct the process. My understanding was this report was released with little or no vetting in the process, and I think hopefully you have put the checks and balances in place to ensure that doesn't happen again. I appreciate the opportunity to be briefed fuller on that issue.

Also, I wanted to ask you about an inspector general's report in December, that while your office has made improvements in supporting fusion centers, there are still several problems: Providing adequate and timely information, helping to navigate the Department's complex bureaucracy, and, finally, that the Department had fallen short in deploying intelligence analysts to the fusion centers.

I note to that end that the Department has announced it plans to provide each of the Nation's 72 fusion centers with at least one analyst by October 2010.

I just wanted you to comment on that.

Mr. JOHNSON. Certainly.

Regarding the IG's report, our goal is to really reorient, realign. We have already started doing that.

I met a retired chief from Fairfax County Police Department just the other day, and that individual is working with the analysis component. They are working with a Dave Sobczyk, former commander of Chicago PD, and Ernie Chambers, former commander of Las Vegas PD. I met with them as a group. They are walking around I&A, integrating themselves with the analysts, and making

sure they are sharing information back and forth about what a law enforcement officer is really like, really what they expect. Really, the energy is upticking.

So I am confident in relying on the criticisms that were put forth within the IG report, which I am very aware of and sensitive to, that the next time they do an IG report will show some improvement.

Falling back to the discussion I just had with Dr. Peter Lavoy with ODNI regarding the assessment, you know, one important thing is that they have a rating system on analytical products. They were mostly rated as "good," but on the poor side of good. The most recent one they did, it was good, really relying on good. So I hope to make that "good" a high good, as it relates to the quality, as the products go forward.

So I hope that that will continue to prove through that interaction, and I want to get more State and locals on-board to really turn that whole engine, that I&A engine, into a more analytical, meant for the component agencies of State, local, and Tribal law enforcement.

Mr. McCaul. Well, thank you, Mr. Johnson. I appreciate your attention to that report.

I see I have exceeded my 5 minutes, as promised.

Ms. HARMAN. Thank you, Mr. McCaul.

Again, Mr. Johnson, your comments about the way you are integrating law enforcement into the activities of I&A are very impressive. It is precisely the kind of progress we were looking for.

The Chair now recognizes Mr. Carney of Pennsylvania for 5 minutes of questions.

Mr. CARNEY. I thank the Chair.

I really thank you, Mr. Johnson, for your testimony earlier and, of course, this morning.

I kind of want to focus a little bit on sort of the internal workings around your organization. I understand that the State and Local Program Office may be going through a period of transition. That is to be expected with any change of administration; that is not unusual.

Are you expecting a change of leadership at the SLPO? If so, what are you doing to make sure we don't lose focus during the transition?

Mr. JOHNSON. I know exactly what you are referring to. One of those personnel changes haven't been officially announced. But, yes, there is going to be change.

But be assured, it is not going to disrupt any of the activities. I have had several conference calls. Unfortunately, I wasn't able to make it out to EPIC last week because of the on-going things going on in the District of Columbia here, but they are very close to me. I know the majority of them. It is not going to be watered down. It is going to be supported. I think the activity is going to be increased. That cross-pollination that I was referring to and the exposure to the analysts I think is a very, very good thing.

SLPO is not going to be subsumed within another operational component. It is going to stay just the way it is. The only change that is going to be happening is hopefully we are going to be standing up that Program Management Office, which is going to be on

top of the organization and be supportive of the State and Local Program Office.

So, in other words, what the PMO is going to do Department-wide is going to further support the I&A reps in the field, some of whom I have talked to over the past couple of days and am very supportive of. So I think it is going to be more supportive.

The only downside is that, when things seem to take a while to change, there is uncertainty and unsteadiness. I am doing everything that I can through Rob Riegler and Chet Lunner to mitigate any of that through those personal conversations.

I think it is going to be all just fine as we move forward.

Mr. CARNEY. What sort of time frame are we looking at for new leadership to be announced and to come in? Are you in the process of looking now? What sorts of background would you like to see in the next person to take over the SLPO?

Mr. JOHNSON. A person who really has that cross-cutting capabilities to understand the needs of the State, local, and Tribal; a familiarity with ops, you know, at the NOC, the National Operations Center, so they know what is going on there.

I met with Admiral John Acton. It has been a very, very productive and positive relationship to make sure that we are speaking with one voice. I have been trying to pull the trigger on this for a couple weeks now, and I am still trying to pull the trigger. I hope to have that completed within the next 30 days.

Mr. CARNEY. Okay. My concern, and I think some folks share it, is that the PMO does not absorb the SLPO. I think we really need to make sure that there is a distinction there and that one is supportive of the other and doesn't try to usurp its authorities and its powers and its duties. You know, we don't need that sort of squishiness, as you understand, in the organization.

Let's move on to somewhat of a related point. What is the relationship—or have you built better relationships with other stakeholders in the city? You know, are you working well with the FBI and DNI? You know, you start to grow this relationship. How has it matured? Can you characterize that, please?

Mr. JOHNSON. Absolutely.

I met with the Director Blair, the day before yesterday, about my own personal performance objectives. I asked him straight-up as it relates to Intelligence and Analysis and his support. He is very supportive of that aspect and supportive of not necessarily Bart Johnson, but the Under Secretary for Intelligence and Analysis.

Behind that comes Dr. Peter Lavoy, Mr. David Shedd, and a host of others who are constantly providing support that I am very willing to take.

As it relates to the National Counter Terrorism Center, I believe I have an excellent working relationship with Director Mike Leiter. I speak to him and have been speaking to him on a regular basis. He, too, is supportive.

We just took on a new individual, Dawn Scalisi, who is going to oversee the analysis aspect. She has very strong roots within the National Counter Terrorism Center. That is going to be helpful.

As it relates to the Bureau, Mr. Art Cummings, Mr. John Pistole, you know Mr. Mike Heinbach. I know them personally, I know

them well. They, too, have provided their support. I have met with Director Robert Mueller. He has been supportive.

That doesn't even mention the other component agencies within the Department of Homeland Security through two meetings that I think and I hope have built a strong relationship with them. It is mine to lose, quite frankly.

Mr. CARNEY. Okay. Well, I am glad to see Roger up to that duty then. Thanks.

No further questions, Madame Chair.

Ms. HARMAN. We don't expect you to lose, Mr. Johnson.

The Chair now yields 5 minutes to Mr. Broun of Georgia.

Mr. BROUN. Thank you, Madame Chair.

Mr. Johnson, I am personally very excited that someone of your background is in this position at I&A and at the Department. I look forward to having a tremendous improvement in what is going on over there, in my opinion. I congratulate you on your appointment. I thank you for being here with us today.

In your testimony, you state that I&A's realigned operations element will maximize the effectiveness of your knowledge management, your counterintelligence, mission support and training, collection requirements, and external operations programs.

One area that I have been particularly disappointed with is the counterintelligence at DHS. I am a firm believer that DHS is not going to be a respected member of the intelligence community or very useful to its customers unless DHS takes counterintelligence very seriously. DHS is too large a target for foreign intelligence services and for terrorist organizations to neglect a vigorous counterintelligence element within the program and within DHS.

Can you elaborate on your testimony? How will the realignment affect counterintelligence? How does it fit within your own strategic vision?

Mr. JOHNSON. Certainly. I appreciate that question.

As it relates to counterintelligence, that is a world that is, not relatively new, but I am not as familiar as other people are. Fortunately, once again, through Director Blair and some of the studies that he has been conducting regarding counterintelligence, I have been leveraging and working very, very closely with him and people who have supported him in that regard.

One in particular, Mr.—and I apologize for the first name—"Bear" Bryant, former FBI deputy director, I believe, who is very well-versed in that CI arena. So I have already met with him and other individuals, to include I have had a conversation with Director Louis Freeh on that particular topic. I am going to once again leverage their expertise.

Because I agree with your assessment, without going into any other detail, regarding what people want to do, what they want to gain access to. We have a responsibility within the Department to protect the Department from our adversaries who want to get our information. So I understand it. Like I said, I don't have the expertise, but I will get the expertise and use that expertise.

So, as it relates to the operations component, you know, Jim Chaparro oversees counterintelligence, and he is working it, and he is leveraging those same things. I expect to have more information and solutions by the end of the month, because we are going to be

meeting with some of those individuals to learn more about what their review revealed and really have them really tell us what we need to do better.

Mr. BROUN. Thank you, Mr. Johnson.

I asked the Secretary about counterintelligence, and I have been very disappointed with the responses I have gotten thus far. I hope, particularly with your background, that counterintelligence will become a much greater priority within the Department. I think it is absolutely critical for us to do so, to make sure that this country remains one that is secure.

I am also—I am particularly interested, along with Chair Harman, about the protection of civil rights and privacy. I would like to see us focus more on the bad guys and not on people who are just concerned—who are American citizens and also people who are concerned about freedom and believe in very limited government.

So I hope, as you go forward, that we can focus on the bad guys and that counterintelligence will be a strong, very integral part of what you do in your position. That is one reason that I am excited about your appointment to this position and hope that you can continue to assure us, as Members of this committee, that—I think counterintelligence is just as important as is outright intelligence gathering. I would like to see the Department be very actively engaged in the, kind of, intelligence process. So I thank you for that.

Madame Chair, I will yield back the rest of my time. I have other questions that I would like to submit and ask unanimous consent that we—

Mr. JOHNSON. Madame Chair, may I just follow up with the gentleman?

You can be assured that the Secretary is aware, you know, and she has been involved in conversations on that topic.

I am sure you are also aware the DNI just released the national intelligence strategy that addresses that very topic. The performance objectives that are being built fall well within the national intelligence strategy, along with the priorities of the Secretary.

So I just want to clarify that, sir.

Mr. BROUN. Thank you, Mr. Johnson.

I yield back, Madame Chair.

Ms. HARMAN. Thank you.

Without objection, questions can be submitted for the record.

I assume, Mr. Johnson, you would have no objection to answering them? Written questions, I am talking about.

Mr. JOHNSON. I would look forward to them, ma'am.

Ms. HARMAN. Thank you.

Ms. Kirkpatrick of Arizona is now recognized for 5 minutes.

Ms. KIRKPATRICK. Thank you, Madame Chair.

Mr. Johnson, I am pleased to hear that we are making progress in the deployment of the intelligence officers. While 45 people sounds like a lot, my question is, first, is that enough to cover our huge country, including our island State of Hawaii, and provide adequate protection for our border States and our coastal States, both north, south, east, and west?

Mr. JOHNSON. I believe we need to do more in that regard.

I just flipped to a chart here to try to give you some more definitive answers. Currently, we have 45 officers on-board, in place,

which I think really is more than where we anticipated to be. That is because of due diligence of the State and Local Program Office. In processing are another 17.

So we are doing well, but I don't believe it is enough, you know, in light of what the Secretary's goal is, to support State and local and the fusion centers. Whether or not it is through analytical capability or an operational capability or really working with our State, local, and Tribal, particularly the border States down in Arizona, New Mexico, or the EPIC.

You know, I am happy to say that we have more analysts assigned to the EPIC, where Art Doty is working. I still have yet to get down there. I have been wanting to get down there to thank Art and also Tom Shelton, with everything that they are doing. They are responsible and they are providing an overall-arching collaborative environment with intelligence with Mr. Burson and everything that he is trying to accomplish.

So that was a long answer to a short answer that should have said we need to identify more personnel to get into the field to support our partners. That is a goal that I have, to do exactly that.

Ms. KIRKPATRICK. I&A is the lead Federal agency interfacing with the State, local, and Tribal law enforcement. However, many police departments around the country, particularly in the large, rural districts like mine, are still unaware of what I&A is and how it can be a useful tool.

What are you doing to reach out to the small and rural police departments and ensure that they understand how to work with DHS? What can I do to help facilitate this?

Mr. JOHNSON. Certainly. Hopefully, I will be going to the International Association of Chiefs of Police meeting, starting on October 2, I hope. I plan on visiting a number of venues, to include the Homeland Security Committee, meet with Jim McMahon; meet with Russ Lane, who comes from a small State and a small agency. He is the current president of the IACP.

We met with the major city chiefs—I know Chuck DeWitt is here, and Tom Frazier, Bill Bratton and other individuals, to make sure that message gets out. Because you are right, we need to get the message out.

So I actually co-signed a letter with Mr. Ron Ruecker, the assistant director for the Federal Bureau of Investigation, to the president of the small agencies chiefs of police. That has been passed to Mr. Ron Brooks and also Mr. Russ Porter to get to the fusion centers to start that dialogue, so the small agencies, when they say, "Hey, how is your fusion center doing?" they won't say, "What is a fusion center?" They will at least know what it is and hopefully see the value added that the fusion centers contribute, that we need to contribute to the fusion centers our value added. Then, once that information and that structure starts, that process will improve. It needs to be greatly improved, in fact.

Ms. KIRKPATRICK. Well, please know that I support your efforts. If there is anything I can do to be helpful in that regard, don't hesitate to let me know.

Thank you, Madame Chair. I yield back my time. I finished in less than 5 minutes.

Ms. HARMAN. Thank you very much.

You just got an offer from a former prosecutor, by the way. So that is good. You are racking up a lot of help here.

The Chair now yields 5 minutes to Mr. Dent of Pennsylvania.

Mr. DENT. Thanks, Madame Chair.

Mr. Johnson, welcome.

In a previous testimony, you had indicated that you would be working closely with the FBI, the National Counter Terrorism Center, and other intelligence community members to clearly define responsibilities for the dissemination of intelligence products to our State and local customers.

The question I have is, have you reached any agreements at this time?

Mr. JOHNSON. It is interesting that you ask. You know, that dialogue has been occurring, but the Secretary is now involved, just to make certain that the roles and responsibilities are well-established, so, for example, during a time of stress, things don't break down, that it is more of a memorized type of activity, that it doesn't have to be made up as we go along.

But personally, yes, I have reached out, you know, to Ron Ruecker. I mentioned having a meeting with him on a regular basis. We are going to be meeting out at the IACP, the International Association of Chiefs of Police, with the Criminal Intelligence Coordinating Council. I meet with Russ Travers from the National Counter Terrorism Center, as it relates to roles and responsibilities—

Mr. DENT. On that point, specifically, can you say what I&A's responsibilities are going to be, as opposed to FBI and the National Counter Terrorism Center?

Mr. JOHNSON. Sure. The National Counter Terrorism Center is the epicenter for, really, the development and analysis of information regarding the counterterrorism. That information is then passed to us and also the Federal Bureau of Investigation for passing to our State, local, and Tribal partners.

Our specific role in that responsibility is to empower and pass that information and maybe add a little bit more context to it through our deployed State and local employees at I&A, and then get that to the fusion centers. The FBI's role is to work with the joint terrorism task forces, as it relates to the investigative aspects of it.

So ours is to more inform, aware, indicators and warnings, making certain that they are taking the protective measures, working with Under Secretary Rand Beers, you know, as it relates to what the critical infrastructures are concerned.

So I believe that our role within I&A is pretty clear, and I am reinforcing it on a regular basis.

Mr. DENT. Now, one other quick follow-up question. I have to go vote. But you are the executive agent for the Intelligence Threat Assessment Coordination Group, ITACG, at the NCTC. The ITACG detail reviews intelligence community products in an effort to add relevance for State and local customers.

Do you have the authority to require changes to intelligence community products to make them more useable for the various local customers?



Mr. JOHNSON. That is one I would have to get back to you on. But working with the ITACG, they influence, they inform, they are part of the production process of the CIA, so they are in it at the very beginning of the production process. Same thing with I&A, they——

Mr. DENT. Is their role more advisory then?

Mr. JOHNSON. The NCTC oversees the operational day-to-day activities of the ITACG. But the Secretary of Homeland Security is responsible for the whole, overall program and its effectiveness. I am the person responsible for that.

Mr. DENT. Can you take classified materials and then sanitize them and disseminate them?

Mr. JOHNSON. We take classified documents and then ask the creators of those documents to create tear lines from “TS” to “secret” or “secret” to “unclassified.” We have had success on it. It needs to be improved, but we are doing it, we are exercising it. In fact, we are doing it on a more frequent basis.

Mr. DENT. Thank you.

Out of respect for time, I will yield back.

Ms. HARMAN. Thank you, Mr. Dent.

I would just point out to our Members and this audience that this subcommittee authored legislation on overclassification, which has passed the House twice, and there is some optimistic news about some Senate action on a variation of that. But it would help Mr. Johnson get products to those in need, because there would be a reduction of overclassification and there would be portion marking of documents. That means that most of the documents would be unclassified, and it would be much easier for him to do what he needs to do.

I now yield to Mr. Himes for 5 minutes of questions. There is a vote on the floor. There will be two votes. I think you will get all your time in.

I want to suggest that, at the conclusion of his questions, we adjourn this hearing. There just are so many other things this morning, that I think it would be difficult to continue. Is there any objection to that?

Okay.

Five minutes.

Mr. HIMES. Thank you, Madame Chair.

Mr. Johnson, thanks very much for coming before this committee. I am excited, based on your testimony, for the progress you appear to be making in a challenging role.

I would like to devote probably not the full 5 minutes but a couple of minutes of my time today to a topic which actually hasn't been addressed, which is the collection of intelligence and your evaluation thereof.

We have lots of characterizations of dissemination up to the Secretary, the other agencies, through the fusion centers. I wonder if you could take a minute to talk structurally about what you see in terms of your ability with respect to collection. You did make mention of 192 trained intelligence people.

Can you take a minute or so and characterize what you see as your collection capabilities and then maybe 2 minutes to talk about the strengths and weaknesses that you perceive therein?

Mr. JOHNSON. Certainly.

First and foremost, there needs to be a structure about what is important, what is of interest to not only the Federal Government but our State and local, Tribal partners. So it is really a two-way flow as it relates to the requirements.

So, for example, a northern border State like New York, as it relates to border smuggling, their requirement would be for information from the intelligence community about individuals who may try to exploit the border and get that information to them so that IC would collect that information, pass it through I&A, and get it to the New York State Intelligence Center in Albany so they could be better prepared, better aware of what they need to do to prevent that from occurring.

You know, from the flip side of that, the information requirements of I&A, you know, are those individuals who may be carrying out a terrorist attack within the shores of the United States, or, for the intelligence community, people within the United States who, through criminal activity, are communicating with individuals overseas. So that would be an information requirement set upon them, as it relates to things that we would be interested in.

So that is enabled through the dialogue of the forward-deployed intelligence analysis personnel like an individual like Kerri Morgan, who I spoke to this morning, up at the New York State Intelligence Center, that she is aware. They pass that information, that they interact with an individual who has chemicals and who may have photographs or drawings of something occurring out in Los Angeles, that that information needs to be shared with the I&A analyst, which it is. Then it needs to be input and then shared with the Federal Bureau of Investigation. Then, if there is a nexus to overseas, that needs to be shared with IC, the intelligence community.

So that is the end game, where we need to go. Are we there yet? No, we are not there. But I believe that we have the structures, the knowledge, and the wherewithal and the partnerships to really build towards that effort.

Mr. HIMES. Thank you.

So, to the second part of my question, which was your analysis, your perceived strengths and weaknesses of your own native collection capability, what do you see as going well and what do you see of concern?

Mr. JOHNSON. I believe we have a good foundation. But I believe we need to clarify those information needs and requirements and communicate them in a more consistent and regular basis to our partners at both ends of the spectrum, the IC and also our domestic partners in the field, and then really build, according to civil liberties and civil rights, the ability to glean that information and share that information in a lawful way to make sure that that information gets into the hands of the people that need it most.

So the structure is there, the foundation is there, the knowledge is there. But, really, I believe the processes need to be matured, sustained. Most importantly, the people who are providing us the information need to see a return on their investment and the value added, that the contribution that they made really made a difference in what they are trying to do.

Mr. HIMES. Are you satisfied with the mechanism whereby the tens of thousands of eyes and ears that you have potentially got access, local law enforcement, that they are being trained and kept up to speed on what to look for? Are you happy with the infrastructure that allows you to convey to them what they should be looking for?

Mr. JOHNSON. I am very pleased with the relationships that we have with the various law enforcement agencies and the people that I interact with about the need to do that. You know, the major city chiefs, the IACP, the national county sheriffs and the major county sheriffs, they all understand and get at the needs. But working with them, you know, we all recognize that we need to improve.

So I am happy about the relationships, I am satisfied about the relationships. We know where we are, and we know where we need to go. Working with them, you know, very closely, we are going to develop a plan and get that to them.

Mr. HIMES. Thank you. Thank you, Mr. Johnson.

Madame Chair, 5 minutes exactly.

Ms. HARMAN. Yes, precisely.

Thank you, Mr. Johnson, again for your testimony and for helping to make real progress on two fronts. One is effective two-way sharing, and the other is protection of privacy and civil liberties. We will be watching closely. We are your partners, not your adversaries.

There are just a few minutes in this vote, so I am adjourning the hearing.

You will be receiving some questions in writing from some of the Members. Again, I thank you for your testimony.

Having no further business, the subcommittee stands adjourned. [Whereupon, at 11:00 a.m., the subcommittee was adjourned.]

