

**STATEMENT OF MR. BART R. JOHNSON,
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BEFORE THE SUBCOMMITTEE ON INTELLIGENCE, INFORMATION
SHARING, AND TERRORISM RISK ASSESSMENT
COMMITTEE ON HOMELAND SECURITY
U.S. HOUSE OF REPRESENTATIVES**

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Introduction

Chairwoman Harman, Ranking Member McCaul, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the President's Fiscal Year 2010 budget request for the Department of Homeland Security's Office of Intelligence and Analysis (I&A).

On May 18, 2009, I was appointed by Secretary Napolitano to be the Principal Deputy Under Secretary for Intelligence and Analysis (I&A) at the Department of Homeland Security (DHS). I am honored to have been given this opportunity to serve as the Principal Deputy Under Secretary at the request of Secretary Janet Napolitano. I proudly accepted this new mission at her request and at the urging of many of my friends and colleagues who work in homeland security, law enforcement and intelligence. As you are aware, there currently is no Under Secretary in place at I&A; for now, and for the foreseeable future, I will also serve in the capacity of Acting Under Secretary.

Since this is the first time I have interacted with some of you, I want to share with you a little bit about my background. I served as a law enforcement officer in the State of New York for nearly 31 years and retired as the New York State Police Field Commander in December of 2007. The terrorist attack of September 11, 2001 was among the most tragic experiences of my law enforcement career. That day impacted all Americans directly and many of us lost loved ones. Two of my close friends, New York City Fire Fighter Samuel Oitice and Port Authority Police Officer Paul Jurgens, were among those killed.

Later in the day on September 11, 2001, I was assigned by the Superintendent of State Police to build an investigative and intelligence-led effort to work with other agencies to prevent, deter, detect, and identify persons or organizations who are trying to carry out other attacks in our country. It was through these efforts that I worked with a number of agencies at the federal, state and local levels – including the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) – doing similar work. It was through the relationships I developed with professionals at these agencies that I was able to work on a number of programs that are now in place throughout the country and in the nation's capital to make us safer. I would especially like to thank General Hughes and Charlie Allen – my predecessors – for all of their work in standing up I&A and making it an essential part of the nation's homeland security effort.

In January of 2008, I was selected by then Director Michael McConnell of the Office of the Director of National Intelligence (ODNI) to be the ODNI's Director of Homeland Security and Law Enforcement. For the next year and a half, I gained a better understanding of the Intelligence Community (IC) and what it does to better protect our country. These experiences with the ODNI have given me a better understanding of the importance of sharing intelligence and information with all of our partners, both foreign and domestic. As Acting Under Secretary, I will continue to leverage the resources of the ODNI in my work at I&A.

During my short time in my new position, I have had the opportunity to meet and interact with several Members of Congress and their staffs. I appreciate these interactions and I find them to be informative and helpful. I look forward to meeting and consulting with all of you in the coming months.

I would also like to state that over the past month I have had numerous opportunities to interact with the I&A staff through Town Hall meetings that I have held and informal “walk arounds” during which I have met quite a few of the employees. I have found them all to be deeply committed to DHS’ work and the important role they play in performing the mission that I am going to outline for you today. I look forward to working with each of them.

Finally, I would like to state that throughout my career, I have taken my responsibility of protecting the public and upholding the rule of law very seriously. I have always given my utmost to carry out the mission while respecting the civil rights and civil liberties of the people I serve. I am enthusiastic about the way forward, focused on the challenges ahead, and look forward to working with the committee.

The Office of Intelligence and Analysis Mission

As Secretary Napolitano recently stated, the number-one responsibility of DHS is preventing terrorism. Terrorism is the reason DHS was created. More specifically, it is the reason that 22 legacy agencies were joined together. To that end, 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 in its tracks and save lives.

Critical to this effort is providing intelligence in a useable form to state, local and tribal governments and the private sector. As Secretary Napolitano has said, while there may be a lot of information sharing going on – among and between agencies and departments at all levels of government – the key is disseminating *useable* intelligence to our state, local, tribal and private sector partners; getting similar intelligence back from those partners for I&A’s “in-house” analysis work; and making this two-way exchange happen on a real time basis. That is exactly the niche that Congress intended DHS to fill when passing the *Homeland Security Act of 2002*. It is precisely where I will be taking I&A during my service as Acting Under Secretary.

The more than 70 state and local fusion centers that now exist nationwide are an important step in the right direction and, in my view, point the way forward. Secretary Napolitano made it clear at the National Fusion Center Conference this past March that fusion centers are “the centerpiece of state, local, federal intelligence-sharing for the future and that the Department of Homeland Security will be working and aiming its programs to underlie Fusion Centers.” To that end, we must look at information sharing in fundamentally new ways. Our goal is not just to share a fact or a report, but rather to ensure that fusion centers and fusion center personnel have the capacity not only to gather

and share information at the state, local and tribal levels but also to analyze that information meaningfully – to convert what might appear to be bits of unrelated information into a product that can help authorities protect their communities from attack. That also requires I&A to rise to the challenge. It must have at its core an analytical team that accesses this kind of *useful* intelligence from fusion centers and adds to their analysis intelligence and other information that is available to DHS and other IC agencies about terrorist tactics and plans. In the process, I&A will be well-positioned to create *useful* homeland security intelligence products that can be shared back with state, local, tribal and private sector partners.

The National Suspicious Activities Reporting (SAR) Initiative, which for the first time creates a systematic way for state, local and tribal law enforcement officers to connect the dots in their own jurisdictions about terrorism and other criminal activities, will be an important source of data for both fusion center and I&A analysis. The engagement of the American Civil Liberties Union (ACLU) and other privacy and civil liberties organizations in the development of the SAR Initiative, moreover, is the same kind of engagement that I&A plans to initiate and maintain as it refocuses on building a robust and transparent homeland security analysis function. As a former law enforcement professional who well understands the critical importance of the rule of law in making our people and places truly safe, I pledge to you that strict adherence to privacy, civil rights and civil liberties laws and regulations will be the starting, mid and end points of I&A's homeland security intelligence work under my watch.

As I&A lays out a strategic vision going forward, we will focus on several principles.

Sharing Information With State, Local and Tribal Governments

First, the needs of state, local and tribal governments will drive I&A's intelligence products. I&A will work closely with state, local and tribal law enforcement officials, emergency managers, homeland security advisers, Mayors, Governors, County Officials and tribal leaders to better understand the types of information they need, and the format in which they need it.

Second, I&A's production and dissemination process will be streamlined and optimized. Intelligence and other information intended for state, local and tribal authorities will be provided rapidly, using dissemination processes that ensure that all state, local and tribal decision-makers responsible for counterterrorism and other homeland security efforts have the information and intelligence they need to make critical decisions. I&A will work closely with the FBI, NCTC, the DEA and other members of the IC to clearly define roles and responsibilities related to the dissemination of federal intelligence and information to state, local and tribal officials. I&A will work with these same entities to provide state, local and tribal officials all intelligence and information necessary to support investigative activity, protective actions and response planning – particularly during rapidly evolving threat-related situations and major events.

Third, I&A will better leverage state, local and tribal analytic capabilities with the goal of developing synergistic analytical excellence throughout the process. I&A will work closely with state, local and tribal authorities to improve the capability of state and local fusion centers to gather, assess, analyze and share information and intelligence regarding threats to both local communities and the nation. I&A's representatives in state and locally owned analytic centers will work closely with representatives from locally-based DHS operational components as well as other locally-based federal personnel (FBI, DEA, ATF, etc.) to avoid duplication of effort and ensure close cooperation in the sharing of federal information. While fusion centers are the central component of I&A's efforts to share information with state, local and tribal authorities, they do not represent the entirety of those efforts. Accordingly, I&A will ensure that mechanisms are in place to share information with fusion centers and other state, local and tribal officials as appropriate.

Fourth, I&A will analyze locally generated information to identify regional trends and national threats. Each day across the nation, state, local and tribal officials gather information in the course of their everyday efforts to provide emergency and non-emergency service. This information may serve as the first indicator of a potential threat to the homeland. The ability to blend and analyze information gathered and documented by multiple localities is vital to I&A's ability to identify regional and national patterns and trends that may be indicative of an emerging threat to the homeland. To this end, I&A will support federal efforts to institutionalize the SAR Initiative.

Improving Coordination Among DHS Components

The consolidation of 22 legacy agencies into today's DHS was intended to enhance federal homeland security efforts by enabling closer operational coordination and eliminating duplications in mission-related activities. In order to strengthen the ability of the various components to function as a unified department, I&A must coordinate, centralize, and integrate information and intelligence sharing activities across components that are distinct in their missions and operations – thereby structuring a true DHS Intelligence Enterprise. At the same time, individual components must continue to strengthen their internal operational capabilities so that they can continue to carry out critical law enforcement, transportation-related, emergency response and border security efforts. To achieve these objectives, information sharing efforts by individual components must be organized based on a “shared mission” concept. Across DHS there are multiple operational, technological, programmatic and policy-related activities underway that focus on both improving the sharing and analysis of information between departmental components and/or on improving the sharing of intelligence and information between DHS and other federal, state, local, tribal and foreign government entities and the private sector. Despite investing significant resources in these efforts, more can be done. Accordingly, I&A will reevaluate the current approach to how the various components design, procure and implement information-sharing technology. I&A will put in place protocols, safeguards and a governance structure that ensure that the DHS Intelligence Enterprise better supports the missions of individual components, I&A, and DHS as a whole

Protecting Privacy and Civil Liberties

Efforts by I&A to gather, assess, analyze and share intelligence and information will be guided by the dual imperatives of protecting the nation from those who wish to harm it and protecting privacy, civil rights, and civil liberties. I&A will work closely with officials at all levels of government, including the Department's own Privacy Office and Office for Civil Rights and Civil Liberties, as well as representatives of the privacy, civil rights, and civil liberties communities, to ensure that information sharing efforts comply with both the letter and spirit of the law. In fact, I&A is in the process of hiring a privacy officer to work closely with senior leadership on these important issues.

The Work of the Office of Intelligence and Analysis Today

The dedicated staff of I&A strives every day to provide accurate, actionable and timely intelligence to support DHS; private sector critical infrastructure owners and operators; federal, state, local, and tribal officials; our component agencies and the other members of the IC. As the current leader of this effort, I am responsible for managing the daily activities of I&A and ensuring we are appropriately organized and positioned to adequately meet the demands of our diverse customer set. As DHS' Acting Chief Intelligence Officer, as codified in the *Implementing the Recommendations of the 9/11 Commission Act of 2007 (9/11 Act)*, I am also responsible for integrating DHS' intelligence components; developing programs such as the State and Local Fusion Center (SLFC) Program described more fully below; and furthering the DHS Intelligence Enterprise – all key examples of DHS's capabilities to support our homeland and national security objectives. As the Acting DHS Information Sharing Executive, I work to integrate and facilitate information sharing within DHS and between DHS and our many customers. As the Acting DHS Executive Agent for support to state, local and tribal organizations, moreover, I manage the network of intelligence personnel deployed across the country through the SLFC Program to ensure a two-way exchange of information between our first preventers, first responders and the federal government. Finally, as the Acting Principal Accrediting Authority for DHS's classified information management systems, I am responsible for the intelligence networks and systems across DHS.

I&A continues to position itself to meet all of these growing demands. We have increased and improved our analytic tradecraft in the arena of domestic threat analysis – a notable accomplishment in an area that has been traditionally outside the scope of the IC. I&A has elevated border security to a division level to better focus analysis on this issue and ensure that border-related activities are more effectively integrated across I&A and the DHS Intelligence Enterprise. Working with other federal agencies and state, local and tribal partners, I&A continues to grow the quality and frequency of the Homeland Intelligence Reports (HIRs) that it distributes. These reports rapidly provide state, local, tribal and federal entities access to unevaluated information that may be of intelligence value and also inform the IC on matters that could be relevant to homeland and national security. We likewise have, along with the DHS Chief Information Officer, recently established a joint program office to manage DHS' classified information systems. Furthermore, in my first weeks in my new position, I instituted mandatory privacy

training for all I&A personnel. These are just some of the examples of the progress I&A has and will continue to make in the months and years ahead.

I&A adds unique value when it comes to combating terrorism by viewing it through the prism of its impact on the homeland. This holistic perspective allows DHS to make connections – if and where they exist – between terrorism and other illicit transnational criminal activities, such as illegal immigration and smuggling, trans-national organized crime or the trafficking of illicit drugs. Moreover, these illicit activities often constitute additional threats to the homeland, and I&A must address them as well in order to support both our departmental mission and to help secure the public from harm.

State and Local Fusion Centers and the Interagency Threat Assessment and Coordination Group (ITACG)

Securing the homeland is a complex mission that requires a coordinated and focused effort by federal, state, local and tribal authorities. I&A leads this coordinated effort through direct support to state and local fusion centers through its State and Local Fusion Center (SLFC) Program and a multi-faceted approach for providing intelligence and information to non-federal and private sector partners. I am proud to say that by the end of this year, I&A will have deployed intelligence officers to 45 fusion centers. These dedicated officers are at the front lines working side by side with our first preventers and first responders. Our fiscal year 2010 request provides the resources necessary to increase deployments to all 72 approved fusion centers, including centers located in Urban Area Security Initiative (UASI) cities. We are also developing production plans that focus on state, local, tribal and private sector requirements. Based on the feedback of our partners, I&A has implemented a “single point of service” contact to ensure that any state, local or tribal support request (SLSR) makes of a fusion center receives a timely and appropriate response. A Program Assessment Rating Tool audit of fusion center representatives conducted by the Homeland Security Institute earlier this year credited this initiative with significantly improving the process for requesting and receiving a timely response from DHS. It is my goal to forward deploy additional analysts to the field to major cities and our component agencies.

In response to the needs of the fusion centers, we are also strengthening core competency training programs – in cooperation with the ODNI, the FBI and the Bureau of Justice Assistance –in order to make our partnerships with state, local, and tribal entities even more effective. I&A training programs for fusion center employees are designed to meet their intelligence training needs, and they contain many of the best practices of training programs that have been developed by the IC. Among other things, I&A offers Critical Thinking and Analytical Methods (CTAM), Principals of Intelligence Writing and Briefing (PIWB), Basic Intelligence Threat and Analysis Course (BITAC), Mid-level Intelligence Threat and Analysis Course (MITAC), as well as the Analytic and Critical Thinking Skills Workshop training modules to our fusion center partners.

We likewise take our responsibility to protect and respect the privacy, civil rights, and civil liberties of the public in the fusion center environment very seriously. We partner

with the DHS Privacy Office, the DHS Office for Civil Rights and Civil Liberties, the DHS Office of the General Counsel, the ODNI Civil Liberties and Privacy Office, the ODNI Office of the Program Manager for the Information Sharing Environment, and the ODNI Office of the General Counsel to make sure that all of our efforts are consistent with our obligations. We require all I&A staff assigned to fusion centers to receive specific training and to have subject matter expertise on all relevant privacy, civil rights, and civil liberties laws and regulations as a matter of practice and as required by the *9/11 Act*. Working with our partners in the field, moreover, we are equally committed to ensuring that all state, local and tribal representatives working in fusion centers are supported and fully cognizant of their privacy, civil rights and civil liberties obligations. Together with our federal partners, we offer technical assistance in meeting these goals. In its initial Privacy Impact Assessment of the program, required under the 9/11 Commission Act, the DHS Privacy Office has recommended that each fusion center conduct its own privacy impact assessment, develop a privacy protection policy, make it available to the public, and then engage with its local advocacy communities. Approximately 60% of fusion centers have completed such plans to date. Going forward, I&A will continue its efforts to implement this recommendation at fusion centers.

In addition to placing intelligence professionals at the state and local fusion centers, we have worked with our federal partners to establish the Interagency Threat Assessment Coordination Group (ITACG). The ITACG was created in the National Counterterrorism Center (NCTC) to help us meet the information needs of our state, local, and tribal partners. I&A has provided two senior I&A officers, along with two officers from the FBI, to lead the stand-up and operation of this organization. Over the past year, the ITACG has increased in size and perspective. In total, four federal representatives, five state and local personnel (four police and one firefighter), one part-time tribal representative, and supporting contractors are working in dedicated spaces with essential systems connectivity in NCTC.

The ITACG continues to mature in providing valuable input to intelligence products disseminated to state, local, and tribal organizations and is engaged in DHS, FBI, and NCTC production processes and activities critical to serving non-federal customers. Since its initial stand-up in October 2007, the ITACG has reviewed thousands of intelligence products for state, local, and tribal consumers of intelligence, and has offered important suggestions to make them more useful to our first responders. Of particular note is the *Roll Call Release* that was developed by ITACG. The *Roll Call Release* is a collaborative DHS, FBI, and ITACG effort that addresses specific needs and requirements of “street-level” first responders. Like a traditional roll call release for officers at the beginning of their work shifts, this ITACG product provides situational awareness and other actionable information that first preventers can use in the course of their daily work. It has been very well received – as evidenced by both the appearance of *Roll Call Releases* in state and local-originated publications and by the high number of downloads from government websites.

As we expand our cooperation with our state, local and tribal partners I&A will increasingly position itself as a partner that understands the needs of these organizations,

responds to their informational and intelligence requirements, and writes reports and assessments that serve them well.

Cybersecurity

DHS is a leading agency of the *Comprehensive National Cybersecurity Initiative* as prescribed by Homeland Security Presidential Directive 23/National Security Presidential Directive 54. I&A provides the DHS Office of Cybersecurity and Communications and National Cybersecurity Division with intelligence support to help secure Executive Branch unclassified civilian (".gov") networks and critical information infrastructure, including parts of the ".com" domain, state and local networks, and telecommunications infrastructure. The *Homeland Security Act* prescribes that DHS shall share threat information with state, local and tribal authorities and the private sector. I&A uses these authorities and the public-private partnership framework as outlined in the *National Infrastructure Protection Plan* to collaborate with the National Protection and Programs Directorate to provide cyber threat analysis and warning on issues to defend critical U.S. cyber infrastructures and information systems.

Specifically, I&A provides cyber threat briefings and intelligence products to state, local and tribal authorities on a regular basis. For example, I&A analysts recently provided cyber threat briefings to the Texas Homeland Security Fusion Center, the Wisconsin State and Local Fusion Center, and the Multi-State Information Sharing and Analysis Center (MS-ISAC). In addition, I&A has developed a line of intelligence products tailored to state, local and tribal authorities to help them understand the cyber threat that they face so they can better allocate their computer network defense resources. I&A's cooperation with the U.S. Computer Emergency Readiness Team (US-CERT), moreover, enables the U.S. government and private sector to more effectively deter, detect, defend, and respond to adversarial activity against these vital resources.

Integrating the DHS Intelligence Enterprise

As the Acting Under Secretary and Chief Intelligence Officer of the Department, it is my responsibility to work with the component agencies to transform I&A into a service-oriented provider of intelligence to the DHS components themselves and to consolidate intelligence assets throughout the DHS Intelligence Enterprise. To facilitate this, I chair the Homeland Security Intelligence Council (HSIC), which provides a venue for all Enterprise leaders to discuss issues and collectively make decisions of consequence to the entire Enterprise. Under these authorities, I am responsible for conducting an annual DHS intelligence program review and work with the DHS Office of Policy and the Chief Financial Officer to issue intelligence guidance as part of our resource planning and programming cycle.

As you know, I&A is legally required to present a consolidated DHS intelligence budget to the Secretary. The program reviews provide the analysis and insights necessary for us to identify comprehensively the requirements and activities of the Enterprise. These reviews will also demonstrate how to streamline and structure departmental activities to

leverage efficiencies of scale and eliminate unnecessary programmatic duplication. In the future, we will seek to expand and diversify beyond annual program reviews to include periodic, focused, issue-based evaluations of smaller component intelligence activities throughout the entire year.

A key element of integrating the Intelligence Enterprise is to work with the other intelligence components within DHS. As we continue forward with this effort, training and education will be key. I&A will address this need by providing training and professional development to the entire Enterprise. During this fiscal year, 130 Enterprise personnel have completed the BITAC and 15 have completed the MITAC.

National Applications Office

At the direction of Secretary Napolitano, I am conducting a top-to-bottom review of the National Applications Office (NAO). Specifically, I am starting where Congress said the NAO should have started more than two years ago: with DHS' state, local and tribal partners. I already have had two telephone conferences with representatives from the Major Cities Chiefs Association; the International Association of Chiefs of Police; the National Sheriffs Association; the Fraternal Order of Police; the Major County Sheriffs Association; the National Native American Law Enforcement Association; the Association of Law Enforcement Intelligence Units (LEIU), state homeland security advisers and other key stakeholders. I am working with these stakeholders to determine how the NAO might meet their homeland security needs to protect lives and property in their communities. Once, and if, any such needs are identified, I plan to work closely with Congress, the Privacy Office, the Office for Civil Rights and Civil Liberties, and the DHS Office of the General Counsel to determine if they comply with DHS policy and legal requirements. Once we have those answers, I will make my recommendation on the future of the NAO to the Secretary for her final determination. Let me be clear: my review and final recommendation to the Secretary will be made in accordance with the Constitution, the legal framework that law enforcement has worked under for generations.

Counterintelligence

No intelligence element can be completely effective without a strong counterintelligence capability. DHS continues to develop its counterintelligence elements in order to be able to assess the threats posed to DHS personnel, programs, operations and technologies and to protect them from foreign espionage penetration. Counterintelligence must be a part of the DHS infrastructure and integrated into DHS operations. Support to our state, local and tribal partners; border security; cybersecurity; and information sharing generally all require counterintelligence support to be fully effective. For example, counterintelligence support to fusion centers is especially critical because I&A shares classified DHS information there. Furthermore, DHS must instill a culture of counterintelligence awareness throughout the Department in order to monitor foreign intelligence collection efforts—especially the nearly 2,000 personnel who are permanently assigned overseas and the many more thousands who travel abroad

routinely. An effective, DHS-wide counterintelligence program is essential to the protection of DHS and its vital mission. Working closely with the FBI, we must swiftly identify foreign intelligence attempts to penetrate our operations and recruit our personnel, and we must effectively neutralize those threats wherever they may be. I consider this to be a priority for DHS and an area that requires additional investment in both the analytical and operational areas of counterintelligence.

Border Security

Border security is a major priority of the President, Congress, and the Secretary. I&A has been working diligently with its partners and is well positioned to meet the increasing requirements to provide intelligence support for border security operations. The office currently works with border security operators at all levels of government to ensure information sharing and intelligence support are sufficient to enable focused enforcement activities.

Recently, I&A has been working very closely with our federal, state, local and tribal partners to ensure that a logical and meaningful intelligence plan is developed to support operations in the field. As you are aware, the National Southwest Border Counter Narcotics Strategy was announced by the Secretary, the Attorney General and the Director of the Office of Narcotics Drug Control Policy on June 5, 2009. This strategy contains clear and significant direction regarding the need for an intelligence plan and implementation. Under my leadership, I&A will be a full participant with our partners in this process.

A critical part of this effort is the development of the southwest border Homeland Intelligence Support Team (HIST) that operates from the El Paso Intelligence Center (EPIC). EPIC hosts not only I&A and other DHS representatives but also a number of our other key partners including the Drug Enforcement Agency (DEA) and the FBI. The HIST is designed to integrate and fuse key federal, state, local, and tribal intelligence and information in the region in support of border security operations. I&A border security analysts assigned to the HIST (and elsewhere) identify and assess threats to the security of the nation's air, land, and maritime borders and analyze the methods by which terrorists and their associates attempt to penetrate those borders. They focus on five primary areas: illegal immigration, human trafficking; terrorist use or manipulation of homeland-bound maritime and air transit; terrorist exploitation of specific U.S. border security policies and procedures; and attempts by suspect persons to enter the homeland and transport illegal contraband. I&A is currently evaluating this effort. Based on the results of our review, we will examine the potential establishment of a HIST along the northern border to provide similar integrated cross-departmental intelligence support to border operations.

In addition to I&A's efforts at the HIST and at headquarters, our analysts are also participating in community-wide counterterrorism research, analysis, and production planning – aligning our areas of expertise with overarching documents such as the

National Strategy for Homeland Security or the Counterterrorism Implementation Plan which will, in turn, influence the *National Southwest Border Counter Narcotics Strategy*.

Report and Review Processes

One of my primary areas of attention when I arrived at I&A on May 18, 2009, was the framework that I&A applied to the review, clearance, and dissemination of its analytical intelligence products. This review centered on the release of the April 7, 2009 Rightwing Extremism assessment.

To strengthen our existing processes, an interim clearance process was put in place shortly after the release of the April 7, 2009 assessment. That process established mandatory review and concurrence by four offices – Civil Rights and Civil Liberties, the Privacy Office, Office of the General Counsel, and I&A’s Intelligence Oversight Section. Any non-concurrence that could not be resolved was elevated to the Deputy Secretary for review, ensuring a much more coordinated review of I&A’s products than had previously been in place. We are currently in the process of finalizing additional guidance to further clarify and streamline the clearance process. I look forward to briefing you and members of the staff on the new procedures in the near future.

The lessons of the extremism assessment are important ones. I want to assure you that DHS takes very seriously its mission of preventing, preparing for and responding to all threats posed by foreign and domestic terrorists. As you know, the Secretary has pledged that sharing information with state, local and tribal law enforcement partners will be a guiding principle as we work to fulfill the mission of securing the homeland from terrorist violence and related criminal activity. At the same time, DHS will not target, for information gathering or enforcement purposes, individuals or groups based on their associations, beliefs, or other Constitutionally-protected activities.

The President’s FY 2010 Budget Submission

Finally, I would like to address how the President’s FY 2010 budget submission supports I&A and the programs outlined above. This budget request continues our commitment to a national fusion center network that is already demonstrating results by providing I&A with additional funds to expand its representation at state and local fusion centers across the country. The FY 2010 budget will enable I&A to deploy additional intelligence analysts and secure communications to all 72 state and local fusion centers; provide security awareness training to fusion center personnel accessing sensitive federal information; more robustly conduct privacy and civil liberties awareness and protection training; and continue I&A’s efforts to provide intelligence support to fusion centers from headquarters. I am encouraged by Congress’ continuing support to the SLFC Program and look forward to working with you to fully fund the program in FY 2010 in order to meet both the President’s goals and objectives and the requirements of the *9/11 Act*.

The FY 2010 budget also provides additional funds to hire seven additional cybersecurity analysts. This budget request will allow I&A to grow the cyber threat analysis element

within I&A to provide for strategic warning of cyber threats to our federal, state, local, tribal and private sector stakeholders in addition to supporting our component agencies. I&A will be better able to fully coordinate and integrate our cyber threat analysis with US-CERT, the National Cyber Security Directorate, law enforcement, and the IC. Furthermore, we will be in a better position to leverage Department and IC expertise to provide analytic insight into cyber threats to U.S. government and critical infrastructure networks; fully analyze cyber intrusions and emerging cyber threat trends; and provide strategic cyber threat assessments for our federal and non-federal partners.

Our FY 2010 budget request also includes additional funding to improve information sharing capabilities across DHS. The requested funding will allow I&A to deploy approximately six homeland secure data network (HSDN) systems to DHS components. Current classified communication capabilities are limited, and this request will increase DHS' ability to share classified information throughout the Enterprise and with our state, local and tribal partners.

Finally, and perhaps most importantly, the FY 2010 I&A budget request includes – as you have urged – the conversion of over 100 contractors into federal positions. As you know, when DHS was established several years ago, we had to rely heavily on contractor support in order to quickly build an intelligence organization from the ground up. Since then, I&A and DHS have made a concerted effort to maximize the number of federal positions. If approved, these conversions will enable I&A to maintain a more consistent workforce and greatly reduce the amount of inherently governmental work performed by contractor support.

Conclusion

Members of the Subcommittee, I want to convey to you my personal sense of urgency and commitment to the responsibility we all share – ensuring that DHS and its partners have the intelligence capability to address threats to the homeland while performing their mission within the rule of law. I&A is a modestly sized program, representing less than one-half of one percent of the total IC workforce, but our mission set belies our size. The President's budget request will enhance departmental intelligence capabilities to address the "complex and dynamic threats" outlined in the *National Strategy for Homeland Security*.

I thank you for the opportunity to appear before this Subcommittee to provide you some background on my career and why I came to work for DHS; to share my thoughts on the future of I&A; and to review the major funding priorities in FY 2010. These priority areas are vital to advancing the DHS Intelligence Enterprise to where it should be. Overall, the realization of a national homeland security intelligence enterprise rests on addressing these areas. None of us – whether at the federal, state, local, or tribal level; in the IC; or in the private sector – can unilaterally predict the threat, warn our stakeholders, and take action to mitigate the risks. Our success depends on our ability to work together while never losing sight of the privacy, civil rights and civil liberties of the

public that we are sworn to protect. Our success in protecting our nation's security depends on how relentlessly we collaborate.

Thank you and I look forward to your questions.