

**SELECT COMMITTEE ON
INTELLIGENCE
UNITED STATES SENATE**



Prehearing Questions

For

Ambassador Daniel B. Smith

Upon his Nomination to be

Assistant Secretary, Bureau of Intelligence & Research

Department of State

Additional Prehearing Questions
For
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Upon his nomination to be
Assistant Secretary for Intelligence & Research (INR)
Department of State

Analysis

1. The Intelligence Reform and Terrorism Prevention Act of 2004 states that national intelligence should be “timely, objective, independent of political considerations and based upon all sources available to the Intelligence Community (IC) and other appropriate entities.”

A. How would you ensure that INR analysts have access to all sources of information available to the Intelligence Community? To what extent should INR analysts have access to information needed to understand sourcing, including information related to collection from HUMINT sources?

I fully support the reformed IC's emphasis on sharing information based on the “Responsibility to Share” rather than the prior emphasis on the “Need to Know.” Since INR is among the few IC all-source analysis entities, this means INR analysts need access to all information that is available to other IC analysts. I believe strongly that analysts must have sufficient information about sources to evaluate the credibility of the information, recognizing, however, that collectors must protect sources and methods.

B. INR is sometimes asked to coordinate on analyses drafted by other elements of the Intelligence Community. In those circumstances, what level of access to the relevant intelligence reporting is required before INR can be said to have “coordinated” on the analysis?

Ensuring the proper coordination of IC products is a basic INR responsibility, and analysts do not coordinate on products unless they have full access to the intelligence used to produce the analysis. The sole exception involves access to some operational details related to collection activities.

- C. How do you define improper pressure on intelligence analysis, and what would you do to prevent it?

“Improper pressure on intelligence analysis” is any effort designed to alter the outcome of the analytical process so that the analysis arrives at pre-ordained conclusions. If confirmed, I will maintain and nurture an INR work environment that strongly resists any outside efforts to distort analysis. As is now the case, analysts will be trained to “tell truth to power” and they will know that I will support them if confirmed as the INR Assistant Secretary.

2. How would you ensure that any INR dissents, or differences in confidence levels, are included in Intelligence Community analyses?

Analytical dissents are a normal part of the IC collaboration process. Policymakers appreciate and benefit from knowing when and why analysts disagree. If confirmed, I would fully support INR analysts who offer well-grounded dissenting opinions that touch on the major judgments of IC-coordinated products, using the full array of rights agencies have to advance dissents.

3. Who are the primary customers of INR analyses – Department of State policymakers or other officials in the Executive Branch? To what extent should INR’s analytical resources and priorities be directed toward the requirements of these different customers?

While INR’s primary focus is to supply intelligence and analysis for Department of State policymakers, especially for the Secretary of State and other senior Department officials, the interests and needs of those policymakers are often very much in line with the interests and needs of other Executive Branch officials dealing with national security. It is no surprise then that INR products are widely read and appreciated within the Executive Branch. INR analysts also write articles for the President’s Daily Briefing and coordinate closely with other intelligence community elements on a variety of products and analyses intended for the broader national security community.

4. How would you ensure that high-profile issues, particularly those of immediate concern to State Department policymakers, are adequately

covered? How would you ensure that strategic intelligence addressing "over the horizon" issues are adequately covered, particularly in the absence of expressed interest by State Department policymakers?

Because of the Secretary of State's global warrant, it is INR's enduring mission to cover all issues, all countries, all the time. INR's ability to cover both the high-profile and the "over the horizon" issues is attributable in significant measure to both the deep expertise common among its analysts and the close, daily proximity between INR personnel and their colleagues among policymakers at the State Department.

5. To what extent should INR analyses focus on country and region-specific expertise, or on transnational functional issues? To what extent should INR analysts cover countries, regions and functional issues?

To serve the needs of its customers, INR needs to be able to provide both country and region-specific analysis, as well as analysis focused on transnational functional issues. This presents a challenge for a relatively small bureau, but one that I believe INR has successfully met notwithstanding its resource constraints. That said, if confirmed, I want to review carefully INR's strategic planning and resource requests to ensure that the bureau has the expertise and experience it needs, especially when it comes to new and emerging threats to our national security.

6. What national security and/or foreign policy issues are, or should be, the highest priority for INR? Do you believe INR and the IC are providing policymakers in the State Department with sufficient support in these priority areas?

The highest priority national security or foreign policy issues for INR are those that occupy the Secretary of State and other national security policymakers on a daily basis, especially those that impact the vital interests of the United States and its allies. These often involve country-specific or regional issues, but also transnational threats and challenges. In general, I believe INR and the IC are providing policymakers with sufficient support in these areas, but this is something that requires constant attention as issues evolve and events unfold. If confirmed, I will work to ensure that INR and the IC continue to support the President and the Secretary's foreign policy priorities.

7. What should be the role of INR in analysis related to the security of U.S. missions and personnel overseas? What is the role of the Bureau of Diplomatic Security as both a customer of analysis on this topic and a collector of information, and how do the two Bureaus interact for this purpose?

INR works closely with the Bureau of Diplomatic Security, the regional bureaus, and other relevant parts of the State Department to ensure that they have the intelligence and analysis needed regarding the security of U.S. missions and personnel overseas. INR's analysis of the broader political and economic context in which our missions operate helps inform the Bureau of Diplomatic Security's more operational focus on immediate and near-term threats to our missions and personnel, and measures we might take to mitigate those threats. The two bureaus work closely together to ensure that Diplomatic Security has access to the information it needs, and that reporting and analysis of Regional Security Officers in the field are shared more broadly within the Intelligence Community.

8. What should be the role of INR's Office of Cyber Affairs, in terms of analysis and support to policymakers? What aspects of cyber security should be prioritized by INR analysts?

The analysts in INR/CYBER should focus their all-source written assessments, oral briefings and overall support to policymakers on the issues of immediate and ongoing concern to Department of State policymakers. The analysts, for instance, should assist the policymakers in preparing for bilateral and multilateral negotiations and also provide intelligence background to inform the development of U.S. strategy on cyber issues, including Internet governance, Internet freedom, norms of cyber behavior, and cyber threats from state and non-state actors.

In setting priorities, INR cyber analysts, especially given the small size of the office, should focus on the key issues and countries of strategic concern, with particular emphasis on aspects that could affect our foreign policy. They should focus on the strategic priorities of other states and how those states plan to advance their goals as well as on cyber threats from non-state actors. Analysts also must contribute to and coordinate on key intelligence community analytical products that have implications for foreign policy.

In addition to analysis, INR/CYBER coordinates with the intelligence community to ensure that intelligence activities support U.S. foreign policy goals.

9. How would you ensure that INR supports the work of Special Envoys and Special Advisors appointed by the Department of State and the White House?

If confirmed, I will ensure that INR continues to provide top quality intelligence to support the important work of our Special Envoys and Special Advisors. Customer service is a high priority for me. If confirmed, I will seek customer feedback so that INR can continue to build on its already impressive reputation for customer service.

10. What priorities would you set in terms of analysis of polling and foreign media? To what extent should INR devote resources to analyzing foreign media or rely on the analysis of the Open Source Center? How should INR analyses support the public diplomacy mission of the Department of State?

The Bureau's Office of Opinion Research sets its priorities for research in consultation with policy customers and the Intelligence Community. In addition to in person discussions, it also consults the National Intelligence Policy Framework. It crafts its research to provide unique information about how foreign perceptions may impact U.S. interests.

The Bureau's Office of Opinion Research no longer dedicates resources or staff time to do analysis based solely on foreign commentary. It recognizes that there are other agencies, including the Open Source Center, that provide this information to policy makers.

The Bureau's Office of Opinion Research offers public diplomacy practitioners direct and timely insight into the perceptions, aspirations, and needs of their audiences. The analysis of these studies can provide information on the intersection of public diplomacy programs and areas where foreign publics would like more direct involvement with the United States. Such programs are often related to education and technology, media development, entrepreneurship, rule of law, and English teaching.

Relationship to the Director of National Intelligence (DNI)

11. What are the relative roles of INR as a bureau within the Department of State and an entity of the Intelligence Community? How would you balance INR's responsibilities to the Secretary of State and the DNI?

INR's mission is to ensure that a well-informed and independent analysis informs foreign policy decisions and that intelligence and counterintelligence activities support America's foreign policy. In carrying out this mission, INR makes a valuable contribution not only to the Department of State but also to the Intelligence Community. In this respect, the relative roles of INR within the Department and the Intelligence Community are not at odds, but are instead essential to its success. The bureau serves, in other words, as a bridge between the worlds of diplomacy and intelligence, playing a role that is critical for both the Secretary of State and the DNI.

12. Are you aware of any disagreements between the Office of the Director of National Intelligence (ODNI) and the Secretary of State with respect to the allocation of National Intelligence Program resources within the Department of State? If such differences were to arise, what would your role be in resolving them?

I am not aware of any disagreements between the DNI and the Secretary of State with respect to the allocation of NIP resources in the Department. I do not anticipate such differences ever arising, but if they did, I would work with both the DNI and the Secretary to find a solution that would ensure that policymakers continue to receive the intelligence support they need.

Management and Staffing

13. Please describe any specific goals you would set for INR and what specific actions you would propose to achieve those goals. What organizational or management changes, if any, would you consider or examine?

INR has been described as a "hidden jewel" with "a culture that supports dissent – and demands expertise." At the same time, the bureau's relatively small size and limited resources necessarily place some constraints on the contributions it can make, both within the Department and the Intelligence Community. If confirmed, I will work to ensure that INR continues to recruit and develop the deep analytic expertise for which it is renowned, while also looking carefully at our longer-term needs. We must ensure that

our hiring and resource allocations reflect the priorities and challenges that our policymakers will confront in the years ahead. Toward this end, I see the need to review carefully INR's strategic planning to make sure that the bureau is making the right management decisions now to meet the needs of the future.

14. How would you ensure the high quality and integrity of INR personnel?

An organization is only as strong as its people. The highly competitive selection process associated with INR positions ensures top quality candidates for positions in the bureau. The combination of Civil Service officers who have spent years on the same account and Foreign Service officers who bring an overseas perspective contributes to INR's reputation for strong, independent analysis. If confirmed, I would ensure that INR does everything within its power to continue to attract people of integrity and character. We must also always be on guard against insider threats. To that end, INR has put in place a rigorous insider threat monitoring system and is fully compliant with White House mandated insider threat monitoring requirements.

15. A single INR analyst is frequently responsible for one or more countries, regions, or issues that cover multiple countries. What are the advantages and disadvantages of this personnel structure? How should INR respond to periods during which, because of a vacancy or because an analyst is not available for any reason, gaps may emerge with regard to coverage of countries, regions or transnational issues?

The relatively small size of INR means that it is a nimble organization. INR's coordination officers and analysts all know each other and their counterparts in the Department and the IC. This allows INR to react quickly to emerging events. Another benefit of INR's small size is a relatively flat organizational structure. INR officers can quickly draft, coordinate, and clear products so that they can get to policymakers in time to add value. Of course, INR's small size also presents challenges in keeping up with the rest of the IC in terms of coordinating analytic products and releasing staff for joint duty assignments and training. Fortunately, INR has resources available both within the Department and the IC to help backfill and prevent gaps in critical portfolios. My job, if confirmed, is to ensure that INR is focused on its highest priority tasks and is using the considerable talents of its staff efficiently and wisely.

16. Should INR analysts staff Intelligence Community centers, such as the National Counterterrorism Center or the National Counterproliferation Center? Should INR analysts serve as detailees in other analytic agencies within the Intelligence Community?

Service in other IC agencies and Centers is beneficial to INR officers. That said, because of its small size, sometimes these details can prove challenging for INR. If confirmed, I will look for ways to help ensure that INR staff can take advantage of these opportunities, perhaps by arranging one for one exchanges, or by seeking shorter detail assignments. In general, such “out of organization” assignments help broaden the perspective of analysts and contribute to building a more unified and collaborative Intelligence Community.

17. How would you ensure that INR analysts actively participate in the drafting of National Intelligence Council products, including National Intelligence Estimates, and Presidential Daily Briefings (PDBs)?

If confirmed, I would nurture the long, productive relationship between INR and the National Intelligence Council that has featured INR participation in drafting and coordinating NIC-sponsored analyses, including National Intelligence Estimates, from the beginning to final approval in the case of NIEs by the National Intelligence Board. In the case of the PDB, I intend to ensure that INR analysts continue their current practice of coordinating on every article published in the PDB and drafting articles at a rate far out of proportion to INR’s relative size in the IC.

18. To what extent should INR analysts travel to and work in U.S. missions overseas? When working out of overseas missions, what should be the role of the INR analyst, in terms of ongoing analytical responsibilities, overt collection activities, and support to Chiefs of Mission or other members of the mission? Does INR have sufficient resources to backstop for analysts serving in U.S. missions overseas?

INR analysts regularly serve short-term temporary duty assignments in countries aligned with their portfolios. Their roles have varied according to the needs of the mission. This frequently used arrangement has continued to be mutually-beneficial to INR and U.S. embassies and consulates worldwide. INR has managed to find ways to accommodate such details on a case by case basis.

19. Would you encourage INR analysts to participate in joint analytic training programs with other Intelligence Community analysts?

Yes. A well-trained workforce is essential for INR to perform its mission. I understand that INR analysts actively participate in joint analytic training. The Bureau has a Director for Professional Development dedicated to ensuring that all INR staff have the skills they need to do their jobs. If confirmed, I intend to foster the Bureau's culture of training and development and strengthen it further in any way I can.

20. Do you believe that INR is better served by hiring analysts based on competitive service requirements, in line with general State Department civil service hiring practices, or based on excepted service regulations that apply to other elements of the Intelligence Community?

Competitive service requirements clearly have not kept INR from hiring an exceptionally talented, motivated, and dedicated workforce.

INR recently completed an internal professional and educational survey. The survey results revealed that INR analysts have an average of 10 years of USG service and 13 years of USG and non-USG professional experience directly related to their current INR portfolio. Ninety-three percent of INR analysts have graduate degrees. INR staff collectively speaks over 50 foreign languages. INR's FY 2013 customer satisfaction survey indicated that 96% of surveyed customers found INR's products and services timely and useful.

Thus far, the bureau has not determined that the benefits of excepted service merit attempting to move from competitive service requirements. If confirmed, I will monitor this issue closely to ensure that INR continues to recruit, hire, and retain the best possible staff to meet its mission needs.

Outside engagement

21. How would you ensure that INR employees with whistleblower concerns are treated properly?

If confirmed, I will ensure that all INR employees are aware of their rights and the protections available to them. Last year the President issued

Presidential Policy Directive-19, Protecting Whistleblowers with Access to Classified Information. PPD-19 ensures that employees serving in the IC can effectively report waste, fraud, and abuse while protecting classified national security information. My role as Assistant Secretary would be to ensure that all staff members feel comfortable coming forward with issues of concern without fear of reprisal.

22. What should INR's role be in terms of outreach to the academic community, international and nongovernmental organizations, and foreign diplomatic personnel? To what extent is INR's role in these areas unique? To what extent should INR lead Intelligence Community outreach efforts, including through conferences and other exchange opportunities open to all IC analysts?

INR takes a leading role in outreach in the intelligence community (IC), engaging with private sector experts from the academic community, international and nongovernment organizations, and the business community to inject new thinking in intelligence analysis for senior policymakers.

INR's Office of Outreach (INR/OTR) consists of 14 intelligence professionals who custom design and execute annually approximately 165 analytic exchanges, bringing together hundreds of outside experts with thousands of IC analysts and policymakers on the full range of foreign policy and national security issues. In addition, individual INR analysts regularly engage directly with leading experts in their portfolio to broaden their analysis. This combination of established outreach infrastructure and individual analytic initiative makes INR unique in IC outreach.

INR collaborates with other IC elements, especially the National Intelligence Council, to the benefit of analysts across the IC. All of INR's exchanges are designed for a broad USG audience in an off the record and not for attribution setting to foster candid discussion with outside experts.

INR leads the IC as permanent co-chair of the Analytic Outreach Committee (AOC), a standing committee of the National Intelligence Analysis Board, along with a rotating co-chair from another IC element and the ODNI's senior advisor for outreach.

Support to policymakers regarding operations

23. What steps, if any, would you take, in terms of technology and policy, to increase the availability of classified and compartmented information to appropriately cleared officials within the Department of State and at U.S. missions overseas? What role should INR play in advocating for expanded "read in" to compartmented collection activities (and analyses derived from those activities) and covert action programs?

INR is working with the Bureaus of Diplomatic Security and Information Resources to expand access to e-Intel to more customers in the Department and to posts overseas. This is making it easier to get TS/SCI level intelligence to policymakers in the building and to Chiefs of Mission at our embassies. I believe that we can balance the need to protect sensitive information with the need for access. If INR staff are aware of sensitive intelligence that policymakers need to see in order to do their jobs, I believe that INR should advocate for that access, while at the same time ensuring that we are doing all that we can to protect sensitive sources and methods.

In advocating for expanded "read ins" to compartmented collection activities and covert action programs, and analyses derived from those activities, INR must be ever aware of the need to balance legitimate security concerns with the needs of policymakers to have full access to information that will better enable them to make informed decisions. As in other matters, daily access to policymakers on the part of INR analysts facilitates informed, timely action in requesting access for policymakers to sensitive information and activities.

24. Please describe your view of how INR should ensure that intelligence activities support and are consistent with U. S. foreign policy and that State Department policymakers are involved in policy reviews of intelligence activities. What new mechanisms, policies and resources, if any, are required to fulfill this mission?
- How should INR identify those intelligence activities that require policy review? Who, within INR, should make those decisions, and with whom should INR operations personnel consult? What substantive direction would you provide INR operations personnel in identifying intelligence activities that require policy review, in terms of covert operations with direct impact on foreign countries and collection activities which, if discovered or publicly revealed, could have diplomatic consequences?

- To what extent should INR conduct ongoing reviews of intelligence activities for possible policy implications?
- How should INR bring intelligence activities to the attention of State Department policymakers? How should INR identify which policymakers to approach and at what level? At what stage of development and execution of an intelligence activity or program should State Department policymakers be involved?
- What role, if any, should INR play in identifying for State Department policy makers Title 10 operations that may be similar to, or closely connected to intelligence activities? Please address collection activities and military operations outside of declared war zones and operations conducted by Cyber command.

While INR is well known for its all-source analysis, INR has more than 50 years of experience working on intelligence policy and coordination issues. INR has a staff of seasoned intelligence professionals who understand the risk versus gain analysis. These professionals alert Department policymakers to intelligence activities and operations so that the Department can provide an appropriate level of foreign policy oversight. INR staff has direct access to the Department's most senior officials and on a daily basis provide them the benefit of their insight, expertise and ability to reach into the IC for more information.

INR works equally hard to ensure that Chiefs of Mission understand their intelligence oversight authorities and that they have a right to concur or nonconcur in intelligence operations that take place in their country of assignment. The Departments of State and Defense are working cooperatively to ensure that policymakers and Chiefs of Mission have insight into Title 10 operations, including cyber operations, which could impact foreign policy.

INR reaches out to Chiefs of Mission via cable, secure phone, or secure e-mail and ensures that Chiefs of Mission know how to reach INR or others in the Department when they want to consult about an intelligence activity or operation.

If confirmed, I will maintain this critical INR function.

25. Are you aware of any disagreements between the ODNI or elements of the Intelligence Community and the Department of State related to intelligence

activities? If such disagreements were to arise, what would your role be in resolving them? Should INR have a role in resolving any disagreements between the Department of Defense and the Department of State regarding activities and operations outside of declared war zones?

I am not aware of any disagreements between the ODNI or elements of the Intelligence Community and the State Department related to intelligence activities. If such disagreements were to arise, INR would serve as an honest broker to assist policymakers to conduct a deliberate risk/benefit analysis to help determine whether a given intelligence activity should be conducted. Whether INR would have a role in resolving any disagreements between the Department of Defense and the Department of State regarding activities and operations outside of declared war zones would depend on the nature of those activities and operations.

26. What should be INR's role in supporting U.S. Chiefs of Mission, in terms of analytic support and in facilitating policy guidance related to collection and covert action programs and operations? What new mechanisms, policies and resources, if any, are required to fulfill this mission?
- What mechanisms should INR establish to alert Chiefs of Mission when INR becomes aware of ongoing or proposed intelligence activities with policy implications? What mechanisms and policies should INR establish so that Chiefs of Mission can solicit and obtain policy guidance from Department of State policymakers?
 - Is Chief of Mission concurrence required for intelligence activities, such as certain signals intelligence and cyber operations, that affect the country in question but may not be conducted by members of the U.S. mission? What should be the role of INR in ensuring that Chiefs of Mission are aware of these activities?

One of INR's key missions is to ensure that Chiefs of Mission know their authorities over intelligence activities and understand their responsibility to judge whether the intelligence gains from such activities justify any risk. INR does this in a number of ways. INR conducts intelligence oversight training for new Chiefs of Mission, arranges briefings at IC elements, and issues guidance cables on a regular basis. INR staff is also available 24x7 to respond to requests for information and assistance from Chiefs of Mission around the world.

INR proactively reaches out to Chiefs of Mission to solicit Chief of Mission views for proposed intelligence activities.

If confirmed, I intend to ensure that INR is doing all it can to support our Chiefs of Mission.

Support to Chiefs of Mission

27. Are you aware of any disagreements between the ODNI or elements of the Intelligence Community and Chiefs of Mission? If such disagreements were to arise, what would your role be in resolving them? Should INR have a role in resolving any disagreements between the Department of Defense and Chiefs of Mission?

I am not aware of any such disagreements. INR has earned the reputation of an honest broker. If confirmed, I would continue this tradition by working to protect Chief of Mission authorities while ensuring that properly coordinated intelligence activities can move forward. Whether INR would have a role in resolving any disagreements between the Department of Defense and Chiefs of Mission would depend very much on the nature of any disagreement.

Diplomatic reporting

28. Section 1.8 of Executive Order 12333 tasks the Secretary of State with transmitting reporting requirements and advisory taskings of the Intelligence Community to Chiefs of Mission and disseminating reports received from U.S. diplomatic and consular posts. What should INR's role be in identifying intelligence gaps that could be addressed through diplomatic reporting?

- What role should INR play in advising the Department of State of those gaps and requirements for diplomatic reporting?
- What should INR's role be in conveying reporting requirements and advisory taskings from the Secretary of State and the Intelligence Community to U.S. missions overseas?
- What should INR's role be in ensuring that diplomatic reporting is disseminated throughout the Department of State and the Intelligence Community?

INR works with the National HUMINT Requirements Tasking Center to develop National HUMINT Collection Directives and transmits these Directives to U.S. missions overseas. To help facilitate the work of the NHRTC, a senior Foreign Service Officer serves as the Vice Chair of the NHRTC and several Foreign Service Officers serve in the Center. Since the Department (with the exception of INR) is not part of the Intelligence Community, these taskings are considered advisory taskings for Foreign Service Officers. Nonetheless, these Directives provide embassy officers with a sense of those information gaps that diplomatic reporting may be able to fill. There are well established mechanisms in the Department and the IC to distribute diplomatic reporting to those who need to see it.