

**SSCI Additional Prehearing Questions for Daniel Coats
Upon his nomination to be Director of National Intelligence**

Responsibilities of the Director of National Intelligence

QUESTION 1: The role of the Director of National Intelligence (DNI) has been performed differently depending on what the President has requested from the position.

- A. What do you see as your role as Director of National Intelligence? Do you consider the position of DNI the director of national intelligence, a coordinator of national intelligence, or would you characterize it differently?**

I see the role of the Director of National Intelligence (DNI) first and foremost as the principal intelligence advisor to the President, the National Security Council (NSC), and the Homeland Security Committee (HSC) for intelligence matters related to national security. In addition, the DNI is responsible for accomplishing the duties and responsibilities as outlined in law; serves as the head of the Intelligence Community (IC), enabling the missions of the 16 IC elements while promoting the integration of foreign, military, and domestic intelligence related to national security; and coordinates, integrates, and builds consensus across the various IC elements. One of the DNI's greatest strengths is his/her proven ability to be an independent arbiter among the IC elements, providing impartial and substantive oversight and fostering a more integrated community.

- B. What is your understanding of the following responsibilities of the DNI:**

- i. As the principal adviser to the President, the National Security Council, and the Homeland Security Council for intelligence matters related to national security?**

It is the job of the DNI to make sure the President, the NSC and HSC have access to timely, accurate, objective, and integrated intelligence necessary to make informed policy decisions. When the required intelligence isn't readily available, the DNI works with IC elements to ensure they are aware of intelligence gaps and are developing IC-wide solutions to close those gaps. If confirmed, I would provide the IC's best estimates and analytical conclusions without regard to political positions or influence. The DNI must be an independent and honest voice, capable of speaking candidly on intelligence-related matters.

- ii. In overseeing and directing the implementation of the National Intelligence Program?**

The DNI is responsible for building, shaping, and determining the National Intelligence Program (NIP) budget, consistent with the intelligence priorities of the President. The DNI also monitors the activities undertaken by elements of the IC to ensure that appropriated funds are spent in accordance with the NIP budget, and that they are achieving established objectives. Should elements of the IC wish to spend funds for a different purpose, the DNI would review and approve such changes in accordance with applicable law.

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iii. In managing the Office of the Director of National Intelligence (ODNI)?

The DNI's responsibility is to ensure that the ODNI executes its mission in an efficient and effective manner. With the assistance of the Principal Deputy Director of National Intelligence, the DNI is responsible for leading the men and women of the ODNI in their integration, coordination, and oversight roles and ensuring they have the tools, authorities, and resources necessary to execute their mission. This includes setting priorities and direction so ODNI staff can assist the DNI in integrating and leading the Intelligence Community.

QUESTION 2: Please describe the specific experiences you have had in your professional career that will enable you to serve effectively as the head of the IC. What lessons have you drawn from the experiences of former DNIs?

As a member of the House of Representatives for 8 years and the Senate for 16 years, including service on the Senate's Select Committee on Intelligence, Armed Services Committee, and Appropriations Committee, I gained an appreciation for the tremendous breadth and depth of intelligence provided by the IC and its broad spectrum of intelligence consumers.

As a lawmaker, I received regular classified briefings related to IC programs and efforts that spanned the globe. My congressional oversight roles gave me broad insight into the issues that will confront me if confirmed as the next Director of National Intelligence.

Additionally, as the U.S. Ambassador to Germany, I managed the breadth of U.S. government interactions with the German government in the immediate aftermath of the 9/11 terrorist attacks. I reinforced established relationships and built new ones.

I think it is important to recognize that each IC element has its own character and culture, which makes each element unique. Since Director Negroponte to Director Clapper, each DNI has built upon the work of the prior DNI, to further integrate and focus the Intelligence Community.

Each DNI is bound by a common thread – to protect America's national security interests and to continue the ever-evolving building and enabling an integrated IC to provide timely, accurate, objective and integrated intelligence. What the previous DNI, Director Clapper, realized, and what he reinforced with me was that the strength of the IC is really achieved by robust integration across the elements, essentially reinforcing that common thread. Much like a puzzle, you cannot see the final picture unless the pieces are in place.

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QUESTION 3: What is your view of the role and responsibilities of the DNI in overseeing the IC agencies and integrating them into an effective intelligence enterprise? Please answer separately for the following:

A. The Department of Defense (DoD) intelligence components.

The DNI provides the Department of Defense (DoD) guidance on IC priorities to inform the DoD's budgetary decisions as they relate to the Military Intelligence Program (MIP), to ensure unity of effort and an integrated approach to meeting IC needs. In the event of vacancies, the DNI also consults on the nominations of certain DoD IC element heads. As it relates to acquisitions, the DNI serves as the milestone decision authority if NIP equities are involved, ensuring IC and DoD intelligence systems are complementary. In a broader sense, since the 1990's the IC has been asked to increasingly support tactical analysis in addition to its traditional strategic analysis, making close coordination with the DoD a mission imperative. The DNI works through the Under Secretary of Defense for Intelligence (USD(I)), to maintain close and continuing coordination with the DoD.

B. The Central Intelligence Agency (CIA).

As an element of the IC, the DNI provides oversight of the CIA. In the event of a vacancy, the law requires the DNI to recommend to the President an individual to be nominated as the Director of the CIA, and notes that the Director of the CIA reports to DNI on CIA's activities. In practice, the CIA and the ODNI are more closely linked than any organizational chart could depict. The Community Management staff at the CIA provided the foundation of today's ODNI, and many of their staff transitioned to the ODNI when the Office was first stood up. If confirmed, I would work closely with Director Pompeo to further strengthen the relationship between the CIA and the ODNI.

C. The intelligence agencies that reside in other departments of the federal government.

Together with the appropriate Department head, the DNI provides oversight of IC elements to ensure they are complying with the Constitution and laws. In addition, recognizing that intelligence elements are resident in other departments, the ODNI endeavors to ensure a collaborative approach to addressing IC-wide problems. In most cases, in the event of a vacancy, the law requires to the DNI to at least be consulted, if not provide concurrence, on Agency or Department recommendations to the President for nominations.

QUESTION 4: If confirmed as DNI, what steps will you take to improve the integration, coordination, and collaboration among the IC agencies?

If confirmed, I would engage the other 16 IC element leaders in an open dialogue as to what is working well with IC integration, coordination, and collaboration between/among them to identify best practices. I would also challenge them to identify what obstacles remain to the

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enterprise goal of providing timely, accurate, objective, and integrated intelligence to policymakers within the Executive and Legislative Branches. As the U.S. Ambassador to Germany, I had to consider the equities and coordinate activities of 23 agencies, each of which was an equal player in our endeavor to operate effectively and efficiently. This level of unity wasn't accomplished through organizational charts and emails, but rather through regular country team meetings, institutionalized collaboration, and a shared common vision.

QUESTION 5: Based on your professional experience:

A. Do you believe in the utility of the President's Daily Brief to ensure that the President has the most current information on pressing national security challenges facing the nation?

Yes. The PDB provides IC-coordinated insights, highlighting why each issue matters for the United States, and identifying candidly both what we know and what we do not know. The analysis is based on rigorous tradecraft. The President and his senior national security team each receive the President's Daily Brief (PDB) as a customized brief in a form that best suits their individual preferences.

B. Do you believe the current organizational structure of U.S. intelligence agencies is optimal to support the needs of the President, our warfighters, and other policy makers? If not, what changes would you recommend to the current structure?

It would be premature for me to come to any conclusions regarding the current organizational structure without first hearing from the IC's many customers to understand whether the IC is meeting their needs.

QUESTION 6: The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) was an effort intended to improve the management and coordination of the IC to meet current and future national security challenges.

A. Does the DNI have sufficient authorities, budgetary and otherwise, to effectively execute the ODNI's IC management role? If not, do you have any suggestions regarding potential enhancements to current authority?

Various statutes and executive actions have firmly established the DNI as the head of the IC and provided the DNI with a suite of authorities to oversee and drive the integration of the IC. If confirmed, I would leverage all existing authorities to accomplish the ODNI's mission and forge an IC that delivers the most insightful, timely, accurate, and insightful intelligence possible. However, I will not have a firm sense of what additional authorities, if any, may be needed in this area until I am confirmed. If and when I determine that additional authorities

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were necessary and beneficial to executing the ODNI's mission, I would make it known to the Congress.

B. Do you believe that granting the DNI more control over the intelligence agencies' personnel, training programs, and business systems would accelerate the integration of the IC?

The differing missions and cultures of the 17 IC elements bring unique challenges to the areas of personnel, training, and business systems. At this time, I believe that the Director of National Intelligence has the authority needed to integrate the Intelligence Community. If I did determine that additional authorities were necessary and beneficial to executing the ODNI's mission, I would make it known to the Congress.

C. What do you consider the highest priority leadership and management challenges facing the IC at this time? If confirmed, what will you do to address these challenges?

If confirmed, I will plan to personally engage with the IC to assess the challenges each element faces and work to address those challenges in a matter that would result in the best and most effective way forward. "All for one and one for all" would be my goal. Given the enormity and diversity of the current threats to our national security, we must strive for and achieve our goal of being the very "best in class."

Keeping the Congressional Intelligence Committees Fully and Currently Informed

QUESTION 7: IRTPA also grants the DNI the authority to recommend to the President an individual for nomination as Director of the CIA, and it requires the concurrence of the DNI in the selection of certain top IC leaders. In this instance, the President-elect announced his choice for Director of the CIA more than a month before you were nominated for the position of DNI. Have you been consulted by the incoming Administration with respect to any of its selections for top IC positions?

The nomination of the CIA Director preceded my selection as the DNI. However, had I been DNI at the time, I would have wholeheartedly concurred in the nomination of Mike Pompeo. Mike is smart, engaging, a veteran, and a patriot, and I have every confidence that he will represent the men and women of the CIA with distinction as they work collectively to secure our Nation.

QUESTION 8: What is your understanding of the obligations of the DNI under Title V of the National Security Act of 1947?

A. What steps should the DNI take to ensure that all departments, agencies, and other entities of the United States Government involved in intelligence activities in

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general, and covert action in particular, comply with the reporting requirements in those Title V sections?

Under Section 502, the DNI, in consultation with the heads of other departments and agencies involved in intelligence activities, shall keep the intelligence committees fully and currently informed of intelligence activities. Previous DNIs have issued IC-wide directives on the subject of Congressional notifications. In keeping with these directives, I expect all IC elements to follow both laws and policies. I have first-hand experience in this area and believe that when the IC works together to inform Congress, and proper oversight can be conducted, both the Intelligence Community and the American people will benefit.

B. Under what circumstances do you believe notification may and should be limited to the Chairman and Vice Chairman or Ranking Member of the congressional intelligence committees? In those circumstances, if any, what is the obligation of the DNI to notify subsequently the full membership of the committees as expeditiously as possible?

Congressional notifications must be made with due regard for the protection from unauthorized disclosure of classified intelligence sources and methods and other exceptionally sensitive matters. In my experience on the SSCI, if there were exceptional circumstances that required limited congressional notifications, it was often a matter of timing, and the committee leadership worked with the Executive Branch to determine when to expand access to the information. If confirmed as DNI, I would similarly work with the Chair and Vice Chair to decide, in these rare circumstances, when to brief the full membership of the committees.

C. The law establishes a separate category of notification for covert action. Given the specificity of the law, do you believe the Executive Branch could ever limit notification on matters other than covert action?

As I noted in my previous answer, congressional notifications under Section 502 must be made with due regard for the protection from unauthorized disclosure of classified intelligence sources and methods and with due consideration for other exceptionally sensitive matters. I believe this does not limit the requirement to keep the intelligence committees “fully and currently informed.” However, in certain exceptional circumstances, it may allow for the Intelligence Community to initially brief only the Chairman and Vice Chairman on particularly sensitive matters. If confirmed, I would expect limited initial notifications would be rare and only occur in exceptional circumstances.

QUESTION 9: Do you consider it possible for the written work product of an intelligence analyst, provided to anyone other than the President, to be a “deliberative” or “privileged” document in the sense that it is not releasable to Congress? If so, please describe the circumstances in which you would release such a document to Congress.

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Yes. There are instances when intelligence reporting or the Intelligence Community's assessment on a particular issue are so inexorably intertwined with a matter being deliberated by the Executive Branch that they are covered by the deliberative process privilege. If confirmed, I would release such documents after a deliberative matter has been decided or otherwise in coordination with other Executive Branch stakeholders.

QUESTION 10: Do you believe that it is appropriate for the IC to provide the Committee "unfinished" intelligence reports, such as FBI and DOD Intelligence Information Reports (IIRs) and CIA "TDs", in support of the Committee's intelligence oversight duties, upon request? What is your view regarding whether the Congressional Intelligence Committees should receive National Intelligence Council products, e.g., Major Issue Studies or National Intelligence Estimates, in support of their oversight duties?

The National Security Act, which charges the DNI with providing national intelligence to the Congress, provides that national intelligence should be timely, objective, independent of political considerations, and based upon all sources available to the IC and other appropriate entities. The most effective way to ensure national intelligence provided to the Committee meets that requirement is to provide "finished" intelligence that provides the IC's complete understanding of a given issue. I believe the Committee should have access finished intelligence, such as National Intelligence Council products, to the fullest extent possible, consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters.

With respect to providing unfinished intelligence, it should be provided sparingly and only after careful consideration. "Unfinished" reporting can be misinterpreted, misleading or frankly, inaccurate. That is why providing integrated, all-source intelligence is tremendously more useful as it incorporates rigorous analysis and goes through an extensive peer review process. Nevertheless, in extraordinary circumstances, it may be appropriate to share unfinished reporting with the Committee.

National Security Threats and Challenges Facing the Intelligence Community

QUESTION 11: What in your view are the principal threats to national security with which the IC must concern itself in the coming years?

Director Clapper testified to this committee, stating, "The U.S. is facing its greatest threats in the past 50 years." I tend to agree with him. These come from nation states like China, Russia, Iran and North Korea, as well as transnational terrorist threats. The emerging threats we face as a nation are unprecedented, raising the risk for instability and conflict.

- Key nation states continue to pursue agendas that challenge U.S. interests. China, Russia, North Korea, and Iran all remain a concern, as does the situation in the

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Middle East. Each creates unique challenges and must continue to be examined closely by the IC to inform decisions facing the administration.

- In this uncertain world, there will invariably be challenges or threats that emerge that are not from this top tier of enduring concerns. Many of these challenges will be products of converging global trends, such as weak economic growth, rising public expectations, accelerating technological disruptions, sharper social divisions, and the changing nature of warfare.
- Cyber threats are the most prominent example of this. Space and counter-space activities, biotechnology, and technological advances applied to weapons are other areas of concern.

The worldwide threat from terrorism will remain geographically diverse and multifaceted.

- Even as ISIS's strength and ability to exploit instability discontent are declining, the threat posed by the group will continue to evolve. Foreign fighters from that conflict will remain part of the recruiting pool for future terrorist attacks.
- Here at home, people are suffering as a result of drug trafficking, and deaths from synthetic opioids and heroin are surging. In this too, the IC must focus on the threat posed by foreign drug trafficking and transnational organized crime.

Our most important issues increasingly transcend regional and functional boundaries, crossing bureaucratic seams and requiring an IC-wide effort.

A. What are the questions that the IC should address in its collection activities and assessments?

There are a number of questions the IC should address. For example:

- Do we know enough to determine what we want to use scarce intelligence resources to collect?
- If we cannot access the information, is it due to capacity or capability limitations? Do we need a dedicated effort to identify and obtain new accesses?
- Would better coordination between platforms or assets significantly enhance our efforts?
- Do we need new analytical approaches or technical solutions?

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B. In your opinion, how has the IC performed in adjusting its policies, resource allocations, planning, training, and programs to address these threats?

Based on my experience on the SSCI, the IC has taken significant steps to address current and future threats. The ODNI has made tremendous strides in leading intelligence integration, providing a solid foundation to shape the IC's posture in the future. If confirmed, I will further review IC policies, resource allocations, planning, training, and programs to see if changes are appropriate.

QUESTION 12: What role do you see for the ODNI, in particular, and the IC as a whole, with respect to the encryption of information that could be useful in a criminal or foreign intelligence investigation?

ODNI has two primary roles in discussions about encryption of information. First, working with IC elements, ODNI should help identify the operational impact, and leverage IC capabilities to best understand the problems and potential solutions. Second, ODNI integrates perspectives from IC elements, and represents their interests in discussions with the White House, Congress, other policymakers, and the public about options to address this growing problem.

Office of the Director of National Intelligence

QUESTION 13: There has been considerable debate in the past concerning the appropriate size and function of the ODNI. The IRTPA specifically prescribed a number of offices and functions to the ODNI to ensure they were performed and to promote clear accountability to the Congress. In answering this question, please address the staff functions of the ODNI and the specific components of the ODNI, where appropriate, such as the National intelligence centers (the National Counterterrorism Center, the National Counterproliferation Center and the Cyber Threat Intelligence Integration Center).

A. What is your view of the ODNI's size and function?

ODNI has a diverse set of functions and as such must maintain appropriate staffing to carry out the missions assigned to it by both Congress and the President. In my initial review of the office, I note that the majority of the workforce is assigned to the major mission centers such as NCTC, NCSC, NCPC, CTIIC and Intelligence Integration. I also infer from the over 30 reports and briefings the SSCI proposes to require the ODNI to provide in their classified annex to accompany the FY17 Intelligence Authorization Act that the Congress considers the ODNI's size and integrated functions useful and appropriate. While the ODNI appears to be an efficiently run organization, if confirmed, I will thoroughly and carefully review each office and component and continue to seek ways to maintain and improve that efficiency, as appropriate.

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B. Do you believe that the ODNI has sufficient personnel resources to carry out effectively its statutory responsibilities?

If confirmed, I will evaluate the ODNI resources to ensure we are sufficiently staffed to carry out its statutory functions of leading the integration of the IC as efficiently as possible. As noted earlier, the size of the office appears to align to the functions and responsibilities assigned to it by the Congress and the President.

C. Are there any functions currently carried out by the ODNI that should be assigned to another element of the IC?

At this juncture, it is premature for me to make that assessment. If confirmed, I will assess if any specific functions of the ODNI may be more effectively executed by another element of the IC.

D. What in your view is the appropriate balance between ODNI's community management responsibilities and providing flexibility to the daily decision-making authorities of individual IC agency directors?

ODNI was established to better integrate the operations of the IC elements, rather than being involved in the daily decision-making of IC agency directors. I fully appreciate and understand the difference and will remain committed to executing the ODNI's mission of integrating the IC while respecting the authority of each IC element's leadership.

QUESTION 14: What is your understanding of the responsibilities of the following officers, and for each of them, how would you ensure that each officer is performing the mission required by law?

A. The General Counsel of the ODNI.

The General Counsel is the chief legal officer of the ODNI, providing authoritative legal advice on complex, difficult, and novel legal issues affecting the responsibilities of the DNI and ODNI, as well as legal advice and counsel on intelligence law and federal agency law. The General Counsel also assists the DNI in ensuring that IC elements comply with the Constitution and laws of the United States. Additionally, the General Counsel advises the DNI regarding the statutory obligation to keep Congress fully and currently informed of intelligence activities. If confirmed, I intend to work closely with members of my senior staff to ensure that we are working as a team to perform the missions assigned by law.

B. The Inspector General of the IC.

The Inspector General of the Intelligence Community (IC IG) has a statutory responsibility to provide broad oversight of the IC. Through audits, inspections, reviews, and investigations, the IC IG provides valuable insight to the DNI on how the IC is operating as an enterprise.

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The IC IG is a statutorily independent office. Issues identified by the IC IG within the IC's programs and activities are reported to the DNI, as well as the Congressional oversight committees. If confirmed, I will establish a working relationship with the IC IG that demonstrates my long-standing esteem and respect for independent oversight, and I will ensure that IC IG recommendations are addressed in a timely and thorough manner.

C. The ODNI Privacy, Civil Liberties, and Transparency Officer.

The ODNI Office of Civil Liberties, Privacy, and Transparency (CLPT) has two overlapping areas of responsibility. First, as directed by statute, the CLPT helps the IC ensure that it protects civil liberties and privacy as it carries out its intelligence mission. The second general area of responsibility is transparency. CLPT coordinates transparency while continuing to protect sources and methods. Protecting civil liberties and privacy, and providing appropriate transparency, helps demonstrate to the American people that the IC is lawfully and responsibly using its tools and authorities for the security of the Nation. The CLPT reports directly to the DNI, and if confirmed, I intend to consult with the CLPT closely to ensure that civil liberties, privacy, and transparency mission is carried out.

D. The individual assigned responsibilities for analytic integrity under Section 1019 of IRTPA.

The Analytic Integrity and Standards Group (AIS) improves the quality of analysis by promoting analytic standards across the IC and facilitates an integrated analytic enterprise by evaluating adherence to the analytic tradecraft standards in IC products. It also provides its annual report to Congress, as mandated in IRTPA, and briefs agency heads on the annual findings from its studies. More broadly, analytic integrity is tremendously critical to the IC's credibility as a "truth teller." There can be no trace or shred of any outside influence in the IC's assessments.

E. The individual assigned responsibilities for safeguarding the objectivity of intelligence analysis under Section 1020 of IRTPA.

The chief of Analytic Integrity and Standards Group (AIS) is designated as the Analytic Ombudsman for the IC. The AIS is responsible for ensuring that IC analysts can raise concerns about adherence to existing standards in analytic products and responds to concerns raised by Community analysts with fact finding, problem solving, conflict resolution, counseling, and recommendations.

QUESTION 15: What is your understanding of the role and the responsibilities of the Principal Deputy Director of National Intelligence (PDDNI)? If confirmed, what relationship would you establish with the PDDNI in order to carry out the duties and responsibilities of both positions?

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Pursuant to the National Security Act of 1947, as amended, the Principal Deputy Director of National Intelligence shall: (a) assist the Director of National Intelligence in carrying out the duties and responsibilities of the DNI and (b) shall act and exercise the powers of the DNI in the DNI's absence.

If confirmed, I expect the relationship between the PDDNI and myself to be one of complete trust and understanding, where we partner to fulfill the duties and responsibilities of both positions outlined in the National Security Act of 1947.

Foreign Intelligence Surveillance Act

QUESTION 16: Title VII of the Foreign Intelligence Surveillance Act (FISA) will sunset on December 31, 2017. What is your view on its reauthorization?

Due to the immense value of the foreign intelligence collected under FISA Amendments Act (FAA) authority, if confirmed, I expect reauthorization of Title VII would be my top legislative priority.

Since enactment by the Congress in 2008, the FAA has significantly enhanced the capability of the Intelligence Community to collect vital information about high priority foreign intelligence targets located abroad. In particular, Section 702 of FISA permits the Government to collect communications of or about non-U.S. persons located outside the United States in order to acquire foreign intelligence information, with the compelled assistance of U.S.-based electronic communications service providers. Section 702 simultaneously provides a robust oversight regime by all three branches of government to protect the constitutional and privacy interests of any U.S. person whose communications are incidentally acquired during the collection, including a requirement that IC elements follow Court-approved targeting and minimization procedures that govern collection and retention of information.

The IC has repeatedly stated there has never been an intentional violation of those standards.

Cybersecurity

QUESTION 17: Concern over the security of the nation's cyber infrastructure has grown over the last several years, particularly with the respective roles of the Director of the National Security Agency and the head of U.S. Cyber Command.

- A. Are there any changes that you would recommend for the DNI's and IC's roles within the nation's cybersecurity infrastructure?**

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The Intelligence Community is responsible for collecting, analyzing, producing and disseminating intelligence on foreign cyber threats. Given the critical and evolving nature of the cyber threat, this will remain a top priority of mine and the Intelligence Community going forward, and if I were to be confirmed and identified changes to the current roles and responsibilities, I would communicate those to the Congress.

B. What is your view regarding the proposals to end the “dual-hat” relationship between the National Security Agency and U.S. Cyber Command?

As a Senator and former member of the SSCI and SASC, I believed that we needed to discontinue the temporary dual hat arrangement under which a single individual is simultaneously the head of both the NSA and the U.S. Cyber Command in order to ensure that all of the nation’s cyber capabilities are supported and operate at their full potential. With due deference to the NSA Director, I authored an amendment to the Intelligence Authorization Act that would prohibit the Director of NSA from concurrently serving as the head of unified combatant command. This remains my position, although ultimately the decision rests with the Congress.

A separation would allow the Commander of USCYBERCOM to focus solely on developing and delivering separate military cyber infrastructure and capabilities to fully address the range of cyber threats our nation faces today. Similarly, a separation will also allow the Director of NSA to focus on the agency’s important foreign intelligence and information assurance missions, both of which are critical to our nation’s security.

C. What should be the IC’s role in helping to protect U.S. commercial computer networks? What cyber threat information (classified or unclassified) should be shared with U.S. private sector critical infrastructure entities to enable them to protect their networks from possible cyber-attack?

The cyber threat to critical infrastructure has been a key concern of mine for some time.

If confirmed, I look forward to working closely with DHS and FBI and the rest of the Intelligence Community on foreign cyber threats to critical infrastructure, and how best to provide information to the private sector while protecting sources and methods.

Financial Intelligence

QUESTION 18: The IC’s ability to investigate and disrupt the illicit financial and commercial networks that support or enable violent actors is central to addressing national and international security threats. Please describe your strategy for improving the IC’s collection and analysis efforts regarding financial intelligence, including the use of open source and proprietary commercial information and obtaining the cooperation of other countries.

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I agree that financial intelligence—any information specific to understanding the finances of our adversaries—is a central component to understanding and addressing national and international security threats. We need to be able to follow the money. If confirmed, I intend to leverage the expertise of the Intelligence Community to address this critically important issue, including considering ways to improve the IC's efforts in this area.

Science & Technology and Research & Development

QUESTION 19: How do you assess the state of science and technology (S&T) activities within the IC? If confirmed, how would you improve S&T activities in the IC and improve recruiting and retention of the best available S&T talent?

While serving as a commissioner on the *National Commission for the Review of the Research and Development Program of the United States Intelligence Community*, I saw how S&T remains critical to our future national security in an increasingly complex world. From cyberspace to actual space, rapidly advancing technologies have forced changes to business processes and the way they we operate to defend our national security interests. I recognize that to maintain a competitive edge depends on the ability to sustain robust pipelines of individuals who advance and lead innovation in STEM and Cyber disciplines. I believe to meet future mission-critical skill requirements, the IC should develop effective plans to close critical skill gaps and continue to be innovative in their approach to attract future talent.

QUESTION 20: The Committee has a strong interest in IC research & development (R&D). If confirmed, what would be your top priorities with respect to R&D in the IC? What should be the appropriate size of the research and development budgets as a percentage of the total National Intelligence Program (NIP)?

I am concerned about technological advances of potential future adversaries like Russia and China, who continue to steal technology from both our public and private sectors. Additionally, other countries are developing new systems, strategies, and tradecraft designed to negate present and future known or suspected IC capabilities. If confirmed, I will examine the level of investment for research and development in the National Intelligence Program, while keeping an eye to maintaining the Intelligence Community's technological advantage.

QUESTION 21: What should be the future role and mission of the Intelligence Advanced Research Projects Activity (IARPA)?

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Given the unique missions presented to the IC, it is critical that the IC maintains its technical advantage over our adversaries. As we have seen, nations like China and Russia are not letting up on pushing the technological envelope, and neither should we.

In contrast to other IC R&D organizations, IARPA performs no research in-house; it selects and funds external organizations to perform research – over 500 organizations, to date, mostly universities and small businesses. To prevent duplication, IARPA collaborates closely with other IC elements, National Labs, and the Defense Advanced Research Projects Activity.

Going forward, I am confident that IARPA will continue to push the envelope to find breakthroughs on some of the hardest problems facing the IC. If confirmed, I look forward to working with IARPA to foster such innovations and ensuring that IARPA's programs are aligned with Community-wide priorities and emerging threats. I am also encouraged by IARPA's creative use of new acquisition methods, like prize challenges which allow any inventor to win cash rewards for solving a critical IC challenge.

QUESTION 22: If confirmed, will you fully support the Committee's Technical Advisory Group (TAG) studies and allow the TAG members to have access to the people and information throughout the IC that is required for their studies upon the Committee's request?

I fully support the Committee's need for access to IC information and personnel necessary to meet its oversight obligations, consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters. If confirmed, I will work with the Committee to facilitate that access for TAG members.

IC Missions and Capabilities

QUESTION 23: What is your assessment of the quality of current IC intelligence analysis? If confirmed, would you pursue additional steps to improve intelligence analysis, and, if so, what benchmarks will you use to judge the success of future IC analytic efforts?

From my experience as a member of the SSCI, I have consistently been impressed by the analysis presented to the Committee both in writing and in briefing sessions. And as I prepare for this job, the expertise in the IC's analytic community continues to impress me.

As with any tradecraft, the IC should always look to find ways to improve and advance its skills. For example, the challenge that "big data" presents to the analytic community is something I am eager to learn more about.

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If confirmed, I will look to ODNI's Analytic Integrity and Standards team to share with me the findings of their Community-wide reviews, and suggestions for ways to build upon the strong foundation of analytic expertise in the IC.

QUESTION 24: What is your view of strategic analysis and its place within the IC? Please include your views about what constitutes such analysis and what steps should be taken to ensure adequate strategic coverage of important issues.

Strategic analysis is central to the Intelligence Community's mission because it flags long-term trends in national security and puts them in a broader context for US decision makers, helping them think beyond the daily press of business. Different from the tactical analysis of certain situations or specific issues, strategic analysis addresses questions relevant to underlying and enduring US interests and policy objectives and helps US leaders assess how historical patterns and precedents may be relevant to the risks and opportunities of today and tomorrow. This work provides strategic warning of potential threats to vital US interests, a critical tenet of the IC.

In order to present the best strategic analysis, we must have clear priorities for our resources, and properly integrate those priorities into the IC's collection and analysis strategies. The role of the DNI is key to ensuring that those priorities are integrated across the entire Community, bringing the whole of the IC to address the issue.

We must also continue to recruit and maintain analysts with diverse skill sets and backgrounds, and balance those with those steeped in data analysis. An integrated workforce is a force multiplier that can advance our knowledge of key problem sets.

QUESTION 25: What are your views concerning the quality of intelligence collection conducted by the IC and your assessment of the steps that have been taken to date by the ODNI to improve that collection? If confirmed, would you pursue additional steps to improve intelligence collection and, if so, what benchmarks will you use to judge the success of future collection efforts by the ODNI?

Collection is at the heart of the intelligence mission – we can't analyze information that we don't have. The many sources and methods of collection are all valuable for the diverse missions of the IC. I have been continually impressed by the quality of collection that the community provides across a vast array of topics. The challenging environments in which our collection efforts take place only further complicates our mission, and I am continually encouraged by the creative minds of the IC to achieve the mission.

It is too early for me to assess the collection posture of the whole of the IC, and if confirmed, I will work closely with the leaders of the IC's collection agencies and the National Intelligence Managers to clarify top collection focus areas, whether they are

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enduring needs or temporary gaps, and ask the NIMs to take the initiative in integrating the community's collection response.

Efficiencies across the Intelligence Community

QUESTION 26: The IC Information Technology Environment (IC-ITE) is a significant accomplishment by former Director of National Intelligence Clapper to better integrate the IC and reduce long-term costs by sharing services. With IC-ITE operation, it may be time to consider other "back office" support activities, such as financial management, human resources, asset management, procurement, to force increased integration and efficiencies.

A. What are your thoughts on integrating these activities?

I appreciate the focus on this issue by Director Clapper, and agree that this is a critical area of emphasis for the IC. Also, in considering the breadth of this effort, the IC-ITE program is a great example of the value that ODNI brings to hard problems for the IC. Only an integrated and independent look at the many IT systems among the many IC elements could put together a comprehensive way forward to not only improve how the IC does business, but bring down the long-term costs as well.

The DNI and the IC have focused attention primarily on mission adoption of IC ITE services, believing mission is where the technology can make the greatest impact. The differing operations of 17 IC elements bring unique challenges to the areas of personnel, training and business systems.

If confirmed, I would anticipate reviewing the current structure and practices to assess whether there are efficiencies available to accelerate integration of the IC but recognize that need to focus first on mission adoption of IC ITE services before focusing on other areas.

B. Does the DNI have the authority to manage these functions as a shared service for the entire IC?

Yes, based off authorities granted under IRTPA and EO 12333, I believe the DNI has adequate authorities to designate and oversee shared IT services by designating agencies to provide "Services of Common Concern."

Authorities of the DNI: Personnel

QUESTION 27: The Committee's most recent Intelligence Authorization bill included provisions supporting IC employment of those with science, technology, engineering, and mathematics (STEM) backgrounds and expertise. If confirmed, how would you undertake outreach, recruitment, and retention of employment candidates with STEM experience?

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With IC missions that require a highly skilled workforce continuing to grow—areas like cyber and data science come to mind—we must remain competitive with the private sector that can offer attractive salaries and benefits to top talent.

Maintaining the competitiveness of the IC depends on its ability to sustain robust pipelines of individuals who advance and lead innovation in STEM and Cyber disciplines. The IC must have the capability to project current and future mission-critical skill requirements and develop effective plans to close critical skill gaps.

I am encouraged by the strong partnerships that the IC has built with academia and industry to attract highly-qualified STEM candidates. The IC must continue to be innovative in its approach to attract future talent as early as possible in the education process.

Moreover, to remain relevant, I will consider leveraging special salary rates and maximizing employee mobility authorities and other incentives to keep the IC competitive in a “hot” market for individuals with specialized skills. I would also consider the hiring of term-limited Highly Qualified Experts in order to bring in experts with STEM experience.

I would see as one of my roles the responsibility to reach out to the public and universities to explain the role of the IC and the benefits of being a part our national security enterprise.

QUESTION 28: What is your view of the principles that should guide the IC in its use of contractors, rather than full-time government employees, to fulfill intelligence-related functions?

There are legal and regulatory limitations on the use of contractors that the IC must continue to abide by.

With regard to the value of a workforce mix that includes both contractors and government employees, both play a critical and complementary role in ensuring that the Intelligence Community performs its mission. Questions to consider when deciding whether to hire contractors, include: whether the work is inherently governmental; whether an effort is temporary or enduring; what presents the most cost effective option; and whether the skill set is unique or a surge requirement requiring a quick solution.

If confirmed, I will work with the IC Chief Human Capital Officer to ensure that the IC’s policy for the use of contractors is appropriate, and provides an appropriate workforce mix to meet the IC’s many missions.

A. Are there functions particularly suited for the use of contractors?

Yes, there are functions particularly suited for the use of contractors within the IC. These include providing widely available commercial services and functions that are not specific or tailored to the business or mission of the IC. Contractors are also best able to support surge requirements for changing mission needs.

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B. Are there some functions that should never be conducted by contractors, or for which use of contractors should be discouraged or require additional approvals by the DNI?

Yes, contractors should not conduct inherently governmental functions. Examples of inherently governmental functions are judgments related to monetary transactions, resources, entitlements, exerting control over acquisitions, and developing IC policies.

C. What consideration should the IC give to the cost of contractors versus government employees?

I have a long-standing interest in ensuring the best value for the taxpayers. The cost of contractors versus government employees should be an important factor when evaluating workforce composition. By thoroughly evaluating cost, the IC can ensure that taxpayers are getting the best value.

However, while cost is a key consideration, it cannot be the sole determining factor. For example, certain positions must by statute or regulation be performed by government employees. For those positions, cost cannot be a consideration. There also might be times when a contractor is more expensive than a government employee, but if the nature of the work is temporary, a decision to weigh short-term against long-term costs may lead to hiring a contractor.

D. Does the IC need any legislation or administrative policies or practices to facilitate the replacement of contractors by full-time government employees?

I believe lifting the civilian personnel position caps, as was proposed by the Senate version of the FY17 Intelligence Authorization act, is an important step that will bring the IC in-line with common practices across the government. This move would allow the IC the opportunity to ensure that it has the right balance between government and contractor employees.

E. What does the IC need to appropriately balance the workforce between government civilians and contractors?

The flexibility to make workforce resource decisions based on mission requirements, capability, and costs as opposed to the availability of contract dollars or positions would allow the IC to strike the right balance between government civilians and contractors.

I am encouraged by the steps taken by the Senate in the FY17 Intelligence Authorization Act, which I supported before my retirement, to work toward this goal and I will continue to support them if confirmed.

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QUESTION 29: What do you believe is the appropriate mix in the ODNI between cadre employees and detailees from other government entities?

In order for the ODNI to successfully perform its statutory missions of integrating the IC, there must be a significant portion of the workforce that come from across the IC elements. These rotational detailee employees refresh the workforce and infuse up to date operational knowledge and experience from across the IC. ODNI also must maintain a stable cadre population for continuity over time and oversight of various business and infrastructure capabilities.

Maintaining an appropriate balance of cadre and detailee personnel is crucial to ODNI's ability to effectively and efficiently carry out its statutory missions. I understand that previous DNIs have considered a variety of different ratios between cadre and rotational employees at the ODNI, and if confirmed, I will review each of these prior experiences to understand the lessons learned from such efforts.

QUESTION 30: What is your assessment of the personnel accountability system in place at the IC, both at the ODNI and within other IC elements? What actions, if any, should be considered to strengthen personnel accountability as well as ensure fair process in the IC, including matters related to allegations of serious misconduct?

The ODNI and other IC elements have personnel accountability processes in place that are generally handled at the supervisor or manager level. However, there are also roles for the human capital, equal employment opportunity, General Counsels, civil liberties protection officers, as well as various offices of Inspectors General. Throughout the IC, counterintelligence and security officials also participate in personnel accountability processes.

I have not yet had the opportunity to assess the systems in place. If confirmed, I will be committed to having strong, but fair accountability processes in place throughout the IC.

QUESTION 31: What is your assessment of the sufficiency of the DNI's authorities to be involved in the selection of senior intelligence officers (below the level of the head of the component) outside the ODNI?

While the DNI currently has no authority in the selection of senior intelligence officers for positions below the level of the head of IC components outside the ODNI, the DNI can exercise significant influence based upon his or her relationship with the head of the component.

At this time, I believe this is sufficient as it is keeping with my views that the agency heads need to have adequate independence to run their organizations.

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QUESTION 32: One of the challenges of the position of DNI is staff management and the resolution of important policy and oversight issues when different divisions of the ODNI may disagree on a proposed course of action. If confirmed as DNI, how would you balance the competing demands of fulfilling the DNI's responsibilities within the IC and the internal responsibilities of managing the ODNI staff?

In preparing for this opportunity, I have quickly learned about the many requirements levied on the ODNI by Congress and the President. These include matters relating to the running of the ODNI as an agency and matters relating to IC as a whole. Both will require my attention. Striking a balance will be critical to addressing the needs of the IC and ODNI.

Within ODNI, I will rely on my Principal Deputy Director of National Intelligence and the senior management team at ODNI to provide me guidance and counsel on the internal operations of the ODNI with a focus on ensuring that ODNI resources are directed at strengthening IC integration and effectiveness. Through the Executive Committee and Deputies Executive Committee, I will rely on the PDDNI, senior intelligence officers within ODNI, and the IC element heads to provide guidance and counsel on IC-wide issues.

If confirmed, it will be my responsibility to seek and understand different opinions within ODNI and make decisions in the best interest of the IC as a whole.

Authorities of the DNI: Information Access

QUESTION 33: What is your view of the IC's current efforts to enable the IC to operate like a true "information enterprise" where information is accessible by all IC elements? If confirmed, how would you pursue this goal?

The primary role of the DNI is to foster integration of intelligence, with information being the connective tissue of that integration. As the 9/11 Commission found, the ability to "connect the dots" is critical to best protect the nation. Sharing information is how we let people know there are dots to connect in the first place.

Key steps have been taken to allow for wider information sharing across the Community. IC policy speaks to an overall "responsibility to provide" intelligence information, to provide the widest dissemination of information within security requirements. Practically, the IC has made significant progress in acquiring and delivering a common IT infrastructure that enables greater information sharing. IC elements are also developing data-sharing agreements that enable secure, lawful information sharing, and they are building tools that help analysts find and use data to support the mission while protecting civil liberties and privacy.

If confirmed, I would work with IC elements to maintain the momentum they have achieved toward an information enterprise and support programs that operationalize these principles. Specifically, I would review all efforts to ensure that the IC's data, tools, and

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applications enable the right IC analysts to find and use the right data in a timely manner, in accordance with applicable law and policy.

QUESTION 34: What in your view are the appropriate steps that should be taken to allow for increased inter-agency access to sensitive intelligence information? If confirmed, how would you pursue these efforts?

The DNI oversees the management and administration of all IC Controlled Access Programs, ensuring compliance with policy regulations as well as the balance to safeguard our most sensitive information and meet the need of our mission to provide timely intelligence. In deciding whether to increase interagency access to sensitive intelligence information, it is important to weigh the risks of sharing and the risks of not sharing.

If confirmed, I will seek input on existing IC policies and seek to ensure that the IC is allowing interagency access to the maximum extent possible while managing risk appropriately. Further, I will expect the IC's senior leadership, who have insight across our sensitive holdings, to take proactive measures to ensure that information is getting into the hands of personnel who need it in order to produce timely, accurate analysis.

QUESTION 35: Section 103G of the National Security Act (50 U.S.C. § 403-3g) establishes the authorities of the Chief Information Officer of the Intelligence Community (IC CIO), including procurement approval authority over all information technology items related to the enterprise architectures of all intelligence community components.

A. What is your view of the authority of the IC CIO to create an integrated national intelligence and military intelligence information sharing enterprise?

Although IC CIO does not exercise authority over DoD equities, my understanding is that the DoD CIO and USD(I) partner closely with the IC CIO to ensure the national intelligence and military intelligence IT capabilities are efficient and interoperable. To that end, the IC CIO is working closely with the intelligence elements of the Combat Support Agencies and the military services and they are full participants in IC ITE.

As the DNI's authority does not allow for direction of resources outside the National Intelligence Program, I am encouraged by the coordination currently in place, and I will continue to foster this collaboration with the Department of Defense.

B. If confirmed, how do you intend to achieve true integration of national intelligence and military intelligence information sharing enterprises?

In my view, major decisions regarding our IT and information sharing enterprises must be made in collaboration with DoD.

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If confirmed, I would work with Secretary Mattis and the IC's DoD partners to overcome any obstacles to the adoption of common services or sharing of information.

Authorities of the DNI: Financial Management, Infrastructure, and Classification of Information

QUESTION 36: (Bullets A-C)

A. What are the most significant acquisition management issues facing the IC in the near and long term?

Recruiting, retaining, and cultivating an acquisition workforce with the relevant expertise, critical thinking skills, and competencies is an ongoing challenge. As the acquisition workforce continues to lose seasoned acquisition professionals, it is imperative that the IC strives to attract, retain, and develop the next generation of committed acquisition professionals (particularly contracting officers) with the skills required to address the challenges the IC faces today and in the future.

B. What is the appropriate balance between classified and unclassified capabilities in IC acquisition programs?

Given the sensitive nature of intelligence collection, there will always be a need for classified systems to protect our most sensitive sources and methods. By keeping these capabilities classified, the IC prevents its adversaries from creating new methods and/or means to counter our systems. Classified and unclassified capabilities have been, and will continue to be, complementary. Wherever possible, the IC should seek to leverage unclassified capabilities to fulfill intelligence needs.

The IC must continue to balance the mix of classified and unclassified capabilities based on intelligence needs, capabilities available, and risk. I will look to leverage the capabilities that unclassified platforms can bring to the mission, while maintaining the advantages that our unique classified programs provide.

C. Are there any changes you see as necessary to improve IC acquisition management?

As of now, I am unaware of any changes needed to improve IC acquisition management and believe that current authorities are sufficient. If upon further review, I realize that changes are needed, I will update the Committee.

QUESTION 37: The IRTPA assigned certain budget authorities to the DNI to include developing a consolidated National Intelligence Program (NIP).

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A. Do you see a need to modify financial management of the NIP?

The National Intelligence Program (NIP) is a very large and complex enterprise made up of 6 Departments (the Departments of Defense, Treasury, State, Justice, Homeland Security, and Energy) and two independent agencies (ODNI and CIA). The total NIP budget authority of \$53.5 billion exceeds the discretionary budgets of 11 Cabinet Departments; only 4 Cabinet Departments are larger.

If confirmed, I will examine all facets of NIP financial management under my authority to determine if any modifications are needed. Should I discover any necessary changes to my authorities, I would raise them to the Committee for consideration.

B. What should be the relationship between the IC and the Defense Department and Services in the management and execution of all NIP resources?

The relationship between the IC and DoD is critical on all levels, and the responsible management of our resources is essential.

I believe the IC, the DoD, and the Services should take a collaborative approach to the management and execution of NIP resources that ensure the DNI has access to the information necessary to effectively carry out its statutory responsibility to manage the NIP, while providing necessary flexibility for DoD IC elements to execute their missions.

QUESTION 38: The IC Information Technology Enterprise (IC ITE) is moving the Community into a consolidated information environment that seeks to maximize information technology resources while promoting integration and a collaborative work environment. Are there additional initiatives that need to take place in order to capitalize on existing efforts? If so, please explain.

I believe the IC CIO, as well as the CIOs across the IC, should continue to identify additional capabilities, built on a strong IC ITE foundation, that are important to further improve mission effectiveness. Areas like cloud services, improved sharing at lower classification levels, and the best use of data centers are growth areas that, if confirmed, I will work with the IC CIO's to foster.

QUESTION 39: Please explain your understanding of Section 102A(i) of the National Security Act of 1947 (50 U.S.C. § 403-1(i)), which directs the DNI to establish and implement guidelines for the classification of information, and for other purposes.

A. If confirmed, how would you implement this section of the law?

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If confirmed, I will use my authority to: effectively manage and safeguard information that requires protection; expand information dissemination within the IC; responsibly share information with other U.S. agencies and departments in defending against transnational terrorism and other threats; and facilitate foreign disclosure and release that can provide critical support to our national security and foreign policy objectives.

B. What approach would you take to the systematic review and declassification of information in a manner consistent with national security, including the annual disclosure of aggregate intelligence appropriations?

The accurate and accountable application of classification standards is critical to maintaining the security of sensitive information. Maintaining effective and robust declassification programs demonstrates to the American people the IC's commitment to keeping the public informed of the activities of its Government in a manner consistent with national security.

Any declassification efforts must weigh the value of making public the information with the risk of our adversaries being able to use the information against us. I will face each of these decisions with those factors in mind. As directed by statute, I will ensure that the public release of figures representing aggregate funds requested by and appropriated for the IC is completed annually.

If confirmed, I will encourage the IC to be proactive in making available to the American public classified information no longer requiring protection.

ODNI Relationship with the Department of Defense

QUESTION 40: Please explain your understanding of the need to balance the requirements of national and military intelligence consumers, specifically between establishing a unified national intelligence effort that includes intelligence elements housed within DoD with the continuing requirement that combat support agencies be able to respond to the needs of military commanders.

A. What is your assessment of the national intelligence effort to satisfy the needs of military commanders for human intelligence collection, and what steps would you take to address any deficiencies?

A Combatant Commander's human intelligence requirements are best met through continuous close coordination with the IC. IC/DoD coordination should focus on a common understanding of collection capabilities, and continuously evaluating results.

I intend to work with the USD(I) to enable more effective DoD human intelligence efforts by furthering IC HUMINT capabilities writ large. I would also leverage the expertise of the HUMINT Functional Manager in such discussions.

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B. What is your assessment of the military intelligence gathering effort, and what role do you see for the DNI in addressing the challenges faced by programs funded by the Military Intelligence Program?

I see NIP-MIP coordination as an effective means to allocate collection resources between national and military missions. To further support military intelligence, I envision that ODNI would work to understand challenges in the MIP, and in close coordination with USD(I) as the manager of the MIP, identify the means to address those challenges.

QUESTION 41: (Bullets A-E)

A. What is your understanding of the different roles that the DNI and the Secretary of Defense should play with respect to intelligence elements within DoD?

In general, the roles of the DNI and Secretary of Defense are ones of mutual support. With regard to intelligence, the Secretary of Defense has primary responsibility for the Military Intelligence Program, and the DNI for the National Intelligence Program. It is a mission imperative for ODNI and DoD to coordinate efforts across both programs to ensure strong support to combatant commands and current operations.

If confirmed, my objective is to work closely with the Secretary Mattis on strategic issues while working routinely with the USD(I) on a regular basis. I'll rely on the USD(I) to develop DoD's national intelligence requirements and to advise me on issues directly affecting DoD.

While the DNI serves as the head of the IC, the responsibilities of the position cannot be accomplished without the support of the Secretary of Defense, who has day-to-day authority and direction over a large part of the Intelligence Community. I am encouraged by the coordination I have seen, and if confirmed, will continue to foster strong integration with DoD.

B. What is the relationship between the DNI and the heads of the individual intelligence agencies residing within DoD?

As the head of the Intelligence Community, the DNI has a responsibility to oversee the activities and programs of intelligence agencies residing within DoD, and foster integration between them and all parts of the IC. The DNI's role is overseeing the programming and execution of the national intelligence program (NIP) portions of their budgets. These agencies are also responsive to the DNI, who determines national intelligence requirements and priorities, thus ensuring unity of effort against the array of challenges we collectively face.

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At this point, it appears that ODNI has strong working relationships with each of the DoD intelligence agencies, relationships that I will work to personally strengthen if confirmed.

C. Does the DNI now have visibility over the full range of intelligence activities conducted by DoD?

My current understanding is that the DNI has visibility over the full range of intelligence activities in DoD.

D. Are there additional authorities that the DNI should have regarding the full range of intelligence activities conducted by DoD?

I am not aware of any additional authorities that the DNI should have regarding the full range of intelligence activities conducted by DoD.

E. Is the Undersecretary of Defense for Intelligence (USD(I)) subject to the authority of the DNI? If so, to what extent?

The USD(I) serves as the principal staff assistant to the Secretary of Defense for DoD intelligence matters and is not a formal member of the Intelligence Community, as defined by the National Security Act or EO 12333.

Nevertheless, the USD(I) also acts for the DNI as the Director of Defense Intelligence (DDI), providing valuable advice and input to the DNI on DoD intelligence matters. In his role as DDI, he is subject to the DNI's authority.

QUESTION 42: (Bullets A-B)

A. What is your understanding of the responsibilities of the USD(I) regarding the different intelligence elements within the DoD?

My understanding is that the USD(I) is the principal advisor to the Secretary and Deputy Secretary of Defense for intelligence, counterintelligence, security, sensitive activities, and other intelligence-related matters. The USD(I) exercises the Secretary of Defense's authority, direction, and control over, and oversees the activities of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency/Central Security Service, and the National Reconnaissance Office.

The USD(I) also fulfills the Secretary's statutory requirement to advise the DNI on his requirements from the National Intelligence Program. Lastly, as the Program Manager for the MIP, the USD(I) is the entry point for the DNI's participation in developing the Military Intelligence Program, for which USD(I) is the program manager.

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B. If confirmed as DNI, what issues do you believe require the attention of the DNI and the Secretary of Defense regarding the role of the Office of the USD(I)?

If confirmed, I will acquaint myself in detail about the current relationship between the ODNI and the Department of Defense, especially the role of the USD(I). It would be my intent to continue the close partnership between the DNI and USD(I) and further strengthen an integrated approach to supporting national security objectives.

ODNI Relationship with the Central Intelligence Agency

QUESTION 43: (Bullets A-E)

A. What is your view of the DNI's responsibility to supervise, direct, or control the activities of the CIA?

Under the National Security Act, the Director of CIA reports to the DNI regarding the activities of the CIA. To that end, the DNI has both an oversight role to play, along with a key partnership in relation to the CIA. I have had multiple conversations with CIA Director Mike Pompeo about the relationship between the ODNI and the CIA, and I am confident that, if confirmed, I will work closely with him to ensure that we and the agencies we lead are well-positioned to work together to protect national security.

B. Should the DNI have a role in the supervision, direction, or control of the conduct of covert action by the CIA?

Any decision to employ covert action as a tool of national security strategy will, by law, be made by the President. EO 12333 states that the DNI "shall oversee and provide advice to the President and the NSC with respect to all ongoing and proposed covert action programs." The flow of information to the DNI on covert action programs should be driven by this role, meaning that the DNI must be kept informed of existing covert action programs.

C. What level of notification about covert action activities should the DNI receive?

I understand that CIA and ODNI regularly schedule updates that ensure that ODNI stays abreast of developments relevant to its oversight and advising responsibility, and that any covert action issue warranting CIA notification to the National Security Staff or to Congress should be provided contemporaneously, or earlier if practicable, to the DNI.

D. What role should the DNI have with respect to the Director of the CIA's responsibilities to coordinate the relationships between IC elements and the intelligence and security services of foreign governments or international organizations?

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The IRTPA directs the DNI to oversee the coordination of foreign intelligence relationships and the Director of CIA to coordinate those relationships under the direction of the DNI. To that end, the ODNI establishes and oversees policies guiding IC engagement with foreign partners, such as through various Intelligence Community Directives governing information sharing. The CIA implements those IC-wide policies and objectives in its conduct of foreign liaison activities. If confirmed, I expect to continue this approach.

E. What role should the DNI have with respect to the CIA's management of its national human intelligence responsibilities?

The DNI, as head of the Intelligence Community, establishes policies, objectives, and priorities. The Director of CIA is responsible for coordinating the clandestine collection of foreign intelligence collected through human sources means outside of the United States, and also serves as the Functional Manager for HUMINT. The DNI has effectuated these IC-wide responsibilities, in part, through issuance of Intelligence Community Directives that address the functional manager role across intelligence disciplines and that further specify the role of the CIA in HUMINT coordination abroad. In other words, the DNI establishes the policy framework for deconfliction, coordination, and integration of HUMINT activities, while the CIA is responsible for operational coordination of HUMINT activities abroad.

ODNI Relationship with the Department of Justice and the Federal Bureau of Investigation

QUESTION 44: What is your view of the role of the Federal Bureau of Investigation (FBI) within the IC?

As one of the primary agencies tasked with identifying, detecting and disrupting foreign government and terrorist threats to U.S. national security, the FBI is an integral component of the IC. The FBI is a strong IC element, with the ability to use both its intelligence and law enforcement tools to protect our nation from attacks on the homeland and on U.S. persons and interests abroad.

Moreover, the FBI plays a critical role in U.S. domestic security and counterintelligence. Through the domestic DNI Representative Program, FBI executives in the field are dual hatted as DNI representatives, and work with IC, state, local, and private sector partners within their regions to understand the threat picture and key issues within each geographic region. This is key to ensure that the IC has a coordinated effort and fully supports our partners within the region. With economic and industrial espionage from our preeminent foreign adversaries on the rise, FBI's counterintelligence efforts play a critical role in protecting our economy and national sovereignty. A more unified and effective IC enhances the nation's ability to share information with our law enforcement and private sector partners and prevents and minimizes threats to our national security.

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QUESTION 45: What is your understanding of the relationship between the National Security Branch of the FBI and the DNI, particularly regarding collection priorities and information sharing?

The FBI's National Security Branch (NSB) furthers the IC mission by its investigation of national security threats. It brings critical skill sets to the IC, especially in areas like cyber, counterterrorism, and counterintelligence.

As is the case for all members of the IC, the FBI follows the DNI's intelligence collection priorities.

Numerous ODNI centers and offices, including NCTC, NCSC, and DDII work closely with the FBI's NSB regarding national intelligence priorities and information sharing.

QUESTION 46: What is your understanding of the different roles and responsibilities of the DNI and the Attorney General in the U.S. Government's counterterrorism effort?

The DNI and the Attorney General have complementary mutual roles and responsibilities with respect to the U.S. Government's counterterrorism efforts. They must work together, and with other Federal, State, international and private partners, to successfully deter terrorism. The DNI serves as head of the intelligence community and principal intelligence adviser to the President and the National Security Council for intelligence matters concerning U.S. national security. The Attorney General serves as head of the Department of Justice and the chief law enforcement officer of the United States. The DNI, like all executive branch officials, is bound by the legal opinions of the Attorney General.

A key to the DNI's success is ensuring that the IC obtains available intelligence in a timely manner. The Attorney General and the DNI work together in this regard. The DNI establishes requirements and priorities for foreign intelligence collection, both pursuant to FISA and other applicable authorities, as well as for the dissemination of intelligence to IC partners. The Attorney General, in turn, sets the legal guidelines and provides oversight for certain intelligence activities, as well as supervises the FBI, the lead agency for domestic counterterrorism investigations.

The DNI's responsibility for counterterrorism efforts is also embodied in the inclusion of the National Counterterrorism Center within the ODNI. NCTC has broad responsibility within the U.S. Government to consolidate sources of government data believed to contain information about known or suspected terrorists or terrorism threats, and to conduct analysis of terrorism and terrorist organizations (except purely domestic terrorism and domestic terrorist organizations) from all sources of intelligence. NCTC produces a wide range of analytic and threat information for the senior policymakers across government.

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QUESTION 47: What is your understanding of the different roles and responsibilities of the DNI and the Attorney General in the U.S. Government's counterintelligence effort?

The Attorney General is the chief law enforcement officer in the United States. In this role, and together with the FBI, the Department of Justice and FBI investigate potential violations of criminal law, including counterintelligence matters. As directed in statute, the National Counterintelligence Executive (NCIX) serves as the head of the U.S. government counterintelligence activities, including setting operational priorities, developing strategies, and conducting vulnerability assessments.

ODNI Relationship with the Department of Homeland Security and other Departments of the United States Government

QUESTION 48: What is your view of how well the intelligence elements of the Departments of Homeland Security, Treasury, State, and Energy are integrated within the IC? Do you believe that there are changes that should be made to the organization, mission, or resource level of any of these agencies?

The intelligence elements within the Departments of Homeland Security, Treasury, State and Energy are part of the IC and bring to bear resources and knowledge critical to U.S. national security. The Secretaries of each of these departments are statutory members of the Joint Intelligence Community Council (JICC), an advisory council that assists the DNI in developing and implementing a joint, unified national intelligence effort to protect national security.

I believe the standup of the ODNI has enabled more effective integration of the intelligence elements of the Departments of Homeland Security, Treasury, State, and Energy over time. If confirmed, I would examine the organization, mission, and resource levels of all elements under my authority to determine if any changes should be considered and implemented.

QUESTION 49: What is your understanding of the different roles and responsibilities of the DNI and the following officials, regarding the IC elements within their departments:

A. The Director of the Office of Management and Budget

Several authorities of the DNI are exercised subject to the approval of the Director of the Office of Management and Budget (OMB).

For instance, the DNI's authorities to transfer IC civilian personnel throughout the community require approval of the Director of OMB. Likewise, the authority of the DNI with regard to transfer or reprogramming of NIP funds is subject to the approval of the Director of OMB. Finally, the ODNI, like other Federal agencies, complies with applicable OMB guidance and policies for implementation of various Federal laws.

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B. The Secretary of Energy

C. The Secretary of Homeland Security

D. The Secretary of State

E. The Secretary of the Treasury

The intelligence elements of the Departments of Energy, Homeland Security, State, and Treasury are responsible for supporting both national and departmental missions, in addition to other missions specifically assigned to them by EO 12333. These elements play an important role both within the Intelligence Community and within their respective departments.

As the head of the IC, the DNI has responsibility for the overall effectiveness of the national intelligence effort, and has specific authorities to guide elements – most of whom reside in other government departments – in meeting this responsibility. For example, the DNI provides budget guidance to these elements. The DNI is also entitled by law to be consulted with on the appointment of heads of the intelligence elements, including those in these departments.

As the heads of the departments that contain IC elements, the Secretaries of Energy, Homeland Security, State, and Treasury have responsibility for ensuring that these elements support the overall effectiveness of their respective departmental missions.

Together, the Secretaries of Departments containing IC elements and the DNI must work together and closely coordinate.

Defense Intelligence Agency

QUESTION 50: The Defense Intelligence Agency (DIA) is the “Defense HUMINT Manager” under [DoD] directives, with the responsibility for managing human intelligence activities across [DoD], including those activities undertaken by the military intelligence agencies. Do you believe that DIA should, in both its Title 10 and Title 50 roles, have the authority and ability to manage, direct, and oversee all DoD human intelligence and counterintelligence activities?

I believe that current DIA authorities that allow the agency to manage the Defense HUMINT Enterprise, in both its Title 10 and Title 50 roles, are sufficient and support the ability of the military departments and combatant commands to continue to conduct activities under their respective authorities.

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Privacy and Civil Liberties

QUESTION 51: Section 102A(f)(4) of the National Security Act (50 U.S.C. § 403-1(f)(4)) provides that the DNI “shall ensure compliance with the Constitution and laws of the United States by the [CIA] and shall ensure such compliance by other elements of the [IC] through the host executive departments that manage the programs and activities that are part of the National Intelligence Program.”

A. What are the most important subjects concerning compliance with the Constitution and laws of the United States that the DNI should address in fulfilling this responsibility?

The Intelligence Community cannot perform its mission without the trust of the American people and their elected representatives. Compliance with the Constitution and the laws of the United States is not negotiable for the Intelligence Community and the DNI is expressly charged by the National Security Act to ensure that the IC complies with the Constitution and laws of the United States. More fundamentally, the IC can only engage in intelligence activities with legal authorization.

The IC must engage in its activities in a way that complies with the Constitution. Many statutes are also applicable to IC activities. Notable among them is the Foreign Intelligence Surveillance Act, which provides statutory authority to collect information that is vital to the IC’s national security mission subject to the civil liberties and privacy protections contained in the law. In particular, the ODNI has an important role working with the Department of Justice to oversee how IC elements implement section 702 of FISA.

If confirmed as DNI, I would work with the IC’s leaders to ensure that all U.S. intelligence activities comply with the law and respect the principles upon which the United States was founded. I would also ensure that my office continues to assess civil liberties and privacy compliance across the IC and that the IC has the tools, resources, and support it needs to provide effective oversight.

B. What do you understand to be the obligation of the DNI to keep the congressional intelligence committees fully and currently informed about matters relating to compliance with the Constitution and laws of the United States?

If confirmed, I would have an obligation under the National Security Act to ensure that elements of the Intelligence Community comply with the Constitution and the laws of the United States including keeping the intelligence committees fully and currently informed by notifying them about significant anticipated intelligence activities and significant intelligence failures, among other things. I would also ensure that the Intelligence Community adheres to directives related to the provision of information to Congress.

As someone who spent many years serving in Congress, I take seriously this obligation and recognize the importance of congressional oversight.

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QUESTION 52: The White House issued Presidential Policy Directive-28 (PPD-28), Signals Intelligence Activities, on January 17, 2014. On July 12, 2016, the European Commission determined that the U.S.-EU Privacy Shield Framework was adequate to enable data transfers under EU law.

A. How familiar are you with the relationship between PPD-28 and the U.S.-EU Privacy Shield agreement?

It is my understanding that the European Commission relied in significant part on the privacy protections of PPD-28 when it found that the US-EU Privacy Shield framework was adequate to enable data transfers under EU law. In particular, the European Commission was focused on the extent to which Privacy Shield addressed concerns about the impact of United States signals intelligence activities on personal data that companies transferred from the EU to the United States. The European Commission was reassured by the way that Privacy Shield described privacy protections applied by the U.S. government in its national security activities, including PPD-28's requirements that IC elements have procedures for safeguarding the personal information collected from signals intelligence activities of all persons, regardless of nationality.

B. Are you or anyone in the Administration considering changes to PPD-28?

At the beginning of every new Administration, it is customary for officials to review existing presidential directives in the interest of determining whether in their present form they still address national priorities or deserve to be revisited. I expect that the status of PPD-28 is no different.

Security Clearance Reform

QUESTION 53: What are your views on the interagency security clearance process? If confirmed, what changes, if any, would you seek to make to this process?

I believe that notable progress and efficiencies have been made in standardizing the security clearance process, but believe that there is still work to strengthen and secure the processes that enable talented and innovative personnel to join the IC workforce.

If confirmed, I will support process improvements to assure our security clearance process is aligned to the changing threat environment and application of security clearance reciprocity is accepted to the greatest extent possible.

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Community Management of the Analytic Enterprise

QUESTION 54: The IC has designated functional managers for Geospatial Intelligence, Open Source Intelligence, Measurement and Signature Intelligence, Signals Intelligence, and Human Intelligence. Do you think ODNI's administration of the IC's analytic enterprise would benefit from a Functional Manager for Analysis?

I do not currently believe there is a need for a Functional Manager for Analysis. The responsibility for the analytic enterprise is carried out corporately by the heads of analysis of all the IC agencies that meet as the National Intelligence Analysis Board (NIAB), chaired by the Assistant Deputy DNI for Intelligence Integration, a process that based on my understanding, works effectively.

QUESTION 55: In your assessment, how valuable is ODNI's Analytic Integrity and Standards Group, vis-à-vis the IC's adherence to the analytic standards set forth under Intelligence Community Directive Number 203?

I believe that there is value in the Analytic Integrity and Standards Group as a provider of independent, objective, and impartial evaluation of IC analytic products.

Since its inception as part of IRTPA, AIS has applied rigor in measuring the IC's application of tradecraft standards. Through the feedback that AIS provides to individual agencies, the IC has been able to move forward in improving the quality of its analytic products.

QUESTION 56: Are there additional analytic standards, to include analytic tradecraft standards, not presently contemplated under Intelligence Community Directive Number 203, that you feel should be added as measures for governing the production and evaluation of the Intelligence Community's analytic products?

While additional tradecraft standards on integration could improve the quality of IC analysis, it is too early for me to make that assertion. If confirmed, I will review analytic standards with the AIS team, along with the IC leadership, to ensure a common understanding of these key tenets.

QUESTION 57: Beyond the current system of reviews, evaluations, and surveys, are there further measures that you believe should be implemented by the Analytic Integrity and Standards Group to gauge the quality and accuracy of Intelligence Community analysis?

At this time, I believe the current system of reviews, evaluations, and surveys are adequate to gauge the quality and accuracy of Intelligence Community analysis. I understand the AIS group has taken steps to improve those reviews, evaluations, and surveys, and I look forward to learning more about them, if confirmed.

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If additional measures were applicable improve the quality and accuracy of IC analysis, I would consider them within available resources.