# SELECT COMMITTEE ON INTELLIGENCE

# UNITED STATES SENATE



Prehearing Questions for Joseph Kent upon his nomination to be the Director of the National Counterterrorism Center

# **Responsibilities of the Director of the National Counterterrorism Center**

The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) created the National Counterterrorism Center (NCTC) and the position of Director of the NCTC.

**QUESTION 1:** What is your understanding of the role of the NCTC within the Intelligence Community (IC)?

**ANSWER:** My understanding of NCTC's unique and critical role in U.S. national security stems from its statutory creation in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). IRTPA laid out NCTC's mission and role within the Intelligence Community in order to prevent another large-scale terrorist attack on the nation like we saw on September 11, 2001.

- NCTC serves as the primary U.S. Government organization for analyzing and integrating all intelligence possessed or acquired by the U.S. Government pertaining to terrorism and counterterrorism, excepting intelligence pertaining exclusively to domestic terrorists and domestic counterterrorism.
- NCTC is unique within the U.S. Government in that it is charged with analyzing and integrating all terrorism-related holdings of the U.S. Government. This includes maintaining the authoritative knowledge bank on all known and suspected terrorists, and their networks of contacts and support, and analyzing and integrating information regarding the plans and intentions of terrorist groups. NCTC maintains the definitive classified database, the Terrorist Identities Datamart Environment (TIDE), which supports the U.S. Government's efforts to secure our country via watchlisting.
- NCTC shares its analysis to ensure that federal departments and agencies have what they need to execute their counterterrorism plans.
- NCTC conducts strategic operational planning for U.S. Government counterterrorism activities across agency boundaries in support of the President through the National Security Council Staff.

**QUESTION 2:** What is your understanding of the specific statutory responsibilities of the Director of the NCTC?

**ANSWER:** The NCTC Director is the Director of National Intelligence's primary advisor on counterterrorism matters and reports to the President on counterterrorism planning. The NCTC Director ensures that NCTC integrates, analyzes, and shares information to drive whole-of-government action and achieve the President's national counterterrorism objectives. NCTC also plays a role in ensuring that federal, state, local, and tribal partners can access the information they need to keep their communities safe.

Additionally, the NCTC Director is responsible for ensuring the integrity of the TIDE database and that it is available to support the counterterrorism community, including terrorist watchlisting and screening and vetting by federal partners. In short, if confirmed, my job would be to ensure that NCTC is ingesting, analyzing, and appropriately sharing terrorism information to keep our nation safe and in support of the President's national security priorities.

**QUESTION 3:** Have you discussed with Director Gabbard her specific expectations of you, if confirmed as Director of the NCTC, and her expectations of the NCTC as a whole? If so, please describe these expectations.

**ANSWER:** Yes, if confirmed as the Director of NCTC, DNI Gabbard expects me to further synchronize our nation's counterterrorism intelligence dissemination to ensure the Intelligence Community is working together to keep our nation safe from terror attacks. DNI Gabbard also expects me to develop a strategy to keep constant collection on Islamic terrorists such as ISIS, al-Qaeda, and the Iranian threat network as well as taking the tactics, techniques, and procedures we developed over the past twenty-four years against Islamic terrorists and turn our collection on the international drug cartels and transnational gangs that have recently been designated as foreign terrorist organizations.

# NCTC Mission

**QUESTION 4:** What are NCTC's unique contributions to IC counterterrorism (CT) analysis as compared to CT analysis produced by other IC components such as the Central Intelligence Agency (CIA)?

**ANSWER:** NCTC's role is to work closely with other Intelligence Community elements such as the Central Intelligence Agency (CIA), but NCTC is solely responsible for integrating and analyzing all international terrorism information.

NCTC does not engage in clandestine collection of foreign intelligence or have an operational role. Therefore, it can focus on analyzing information independently from those other equities. NCTC's mandate also includes sharing this information with appropriate customers across the counterterrorism community and with key U.S. Government partners.

NCTC's role is collaborative in nature–it coordinates its intelligence assessments with partners across the community to ensure NCTC's products and analysis represent the authoritative voice on counterterrorism issues in support of the President's national security priorities. NCTC's unique analytic value stems from its authority to serve as the primary organization for analyzing and integrating all intelligence pertaining to counterterrorism. This allows NCTC to paint a comprehensive picture of the foreign terrorist threat, leveraging a broad range of datasets from the Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS), CIA, Department of State, Department of Defense, Department of the Treasury, and others, enabling comprehensive searches of all relevant U.S. Government counterterrorism holdings, a capability that sets NCTC apart from other agencies. NCTC used these unique authorities and capabilities last summer to provide unparalleled analysis and helped it lead Intelligence Community analysis on a significant ISIS-linked threat to the Homeland.

Furthermore, NCTC's data scientists have developed innovative techniques to identify potential threats at the border, generating actionable leads for its operational partners. Similarly, it played a crucial role in responding to the Iranian threat against former U.S. officials, effectively bridging the gap between domestic investigations and foreign intelligence gathering. By integrating these diverse streams of information, NCTC provides a holistic understanding of the terrorist threat landscape, informing decision-making and supporting the safety and security of the American people. The role that NCTC plays in strategic operational planning for the U.S. counterterrorism community in support of the President is unique to its authorities.

**QUESTION 5:** Do you believe NCTC is fulfilling its mission as outlined in IRTPA to serve as the primary organization in the U.S. Government for integrating and analyzing all intelligence pertaining to terrorism and CT?

**ANSWER:** Over the past 20 years, NCTC has matured as an organization and has been fulfilling the vision laid out in the IRTPA to address the intelligence failures

on 9/11. However, as the threat evolves, NCTC must not become complacent. If confirmed, I would work to ensure that NCTC is best postured to adapt to a rapidly changing terrorist threat environment, including threats at our borders.

In order to effectively tackle this more complex threat, it is imperative that NCTC's data management and analysis be cutting edge. NCTC's watchlisting, screening and vetting support, and all-source analytic efforts rely on modern, cutting-edge tools and clear, consistent data management policies to keep pace with the evolving terrorist threats of today.

If confirmed, I will ensure that NCTC is appropriately organized and that its partnerships remain robust in order to support the changing counterterrorism environment and keep the nation safe.

**QUESTION 6:** What is your assessment of the NCTC's current strengths and weaknesses? How do you plan to address those weaknesses, if confirmed?

**ANSWER:** NCTC's great strengths are its unique access to terrorism-related data and its strong relationships across the U.S. Government. As noted above, NCTC's role is inherently collaborative in nature, coordinating its intelligence assessments across the community to ensure that NCTC represents the authoritative voice on counterterrorism issues. Because NCTC does not direct operations as many of its counterterrorism community counterparts do, it is able to provide this neutral perspective.

NCTC's greatest weakness, like many government agencies, is striving to adapt to a changing threat environment and a rapidly evolving technology and data landscape. NCTC needs to ensure it has the right tools to analyze the large troves of data it has access to in order to maintain the necessary competitive edge over America's adversaries.

**QUESTION 7:** What do you believe are the greatest challenges facing the NCTC? How do you plan to conquer those challenges, if confirmed?

**ANSWER:** As mentioned above, NCTC's greatest challenge is in its ability to adapt to technological changes, as well as to changes in the threat environment. Terrorism is a no-fail mission, and NCTC must ensure it is on the cutting edge. If confirmed, I look forward to working closely with DNI Gabbard and with NCTC senior staff to

see to it that NCTC officers have the ability to fulfill their mission of protecting the American public from terrorist threats.

**QUESTION 8:** Please explain your vision for the NCTC, including your views on its current and future priorities and what the organization should look like five years from now.

**ANSWER:** My vision is simple, no attacks on our watch and stop the fentanyl from cartels that is killing our citizens.

If confirmed, I will focus counterterrorism collection, analysis and dissemination on our top priority, preventing terror attacks on our homeland. Within five years, I want NCTC to understand how Islamic terrorism is evolving and cover that threat effectively while staying agile enough to quickly adapt to new terror threats. It is my goal to have no attacks against our homeland, cover terrorism judiciously so we are vigilant but no longer consumed by it as we were in the decades following 9/11. I am also determined to provide the intelligence framework for taking down the cartels engaged in terrorism and stopping the scourge of the fentanyl that is killing our loved ones and neighbors.

**QUESTION 9:** What specific benchmarks should be used to assess the NCTC's performance?

**ANSWER:** Success in counterterrorism is measured in terrorist attacks thwarted and loss of life prevented. If confirmed, I will ensure that NCTC officers work every day toward this goal. Additionally, I commit to regularly assessing and refining NCTC's progress against high priority counterterrorism targets and ensuring that intelligence gaps are filled.

NCTC must remain the trusted, authoritative voice in the counterterrorism community and work in collaboration with a wide array of partners. One measurable benchmark is how much these partners are using and acting upon NCTC provided resources and analysis.

## State and Local Governments

**QUESTION 10:** What is the role of the NCTC in producing and disseminating intelligence for state, local, and tribal partners?

**ANSWER:** The IRTPA established NCTC to ensure that agencies receive all-source intelligence support needed to execute their counterterrorism plans and charged NCTC with supporting appropriate agencies to fulfill their responsibilities to disseminate terrorism information to state, local, tribal and territorial, and private sector partners.

One significant way through which NCTC executes this supporting function is the Joint Counterterrorism Assessment Team (JCAT), which is located at NCTC and staffed by NCTC, DHS, and FBI personnel as well as state, local, tribal, and territorial government public safety officers on one-year assignments. JCAT's mission is to enhance collaboration and improve public safety by bringing first responders and public safety officers into the Intelligence Community to work on behalf of the public safety community across the country to create unclassified products tailored to those communities.

**QUESTION 11:** How is that role different than that of the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS)?

**ANSWER:** NCTC's mission is to focus on the threat of international terrorism to U.S. persons and interests. DHS and the FBI have a broad counterterrorism mission, including by serving as the U.S. Government agencies for domestic terrorism. JCAT is unique because it both represents a longstanding partnership between NCTC, FBI, and DHS, and also allows those agencies and the state and local public safety officers access to the breadth and depth of terrorism information available to only NCTC. As a result, JCAT is able to produce value-added products by providing the "so what" and practical considerations for how to prepare for and counter evolving threats.

**QUESTION 12:** What is your understanding of the amount and nature of cooperation among NCTC, FBI, and DHS?

**ANSWER:** NCTC was designed to support the counterterrorism missions of other agencies such as DHS and FBI, and works with them on a daily basis to provide a comprehensive view of the threat to the U.S. Homeland, including by collaborating on strategic analytic products across from all three agencies that go to a wide range of customers.

NCTC, through its Regional Representatives program, complements and enhances

the missions of FBI and DHS, each of which has differing authorities, accesses, and information. The NCTC Regional Representatives help ensure that the resources of FBI and DHS are directed at the most critical international terrorism threats to the Homeland. The NCTC Representatives share relevant counterterrorism intelligence, as well as investigative case support from NCTC to the FBI, where its unique access to counterterrorism data informs actionable leads to field partners.

Also, DHS and FBI have senior representatives located at NCTC, ensuring close and regular coordination.

# Strategic Operational Planning

**QUESTION 13:** Please describe your assessment of the challenge presented by strategic operational planning and what should be done to improve NCTC's performance.

**ANSWER:** Strategic operational planning requires agile and adaptive approaches to rapidly bridge the gap between a President's policy priorities and the resources, requirements, and actions of operating departments and agencies. NCTC's execution of these duties require a skilled, dedicated workforce capable of working across core strategic planning functions including: convening mission partners to drive interagency action; facilitating transparent planning discussions; planning and advocating for resources and capabilities; assessing progress against objectives and offering mitigation options, and supporting policymaker deliberations. A strong partnership with the National Security Council and Homeland Security Council staff, and interagency partners, is key to ensure the counterterrorism enterprise continues to meet its strategic objectives.

**QUESTION 14:** What is the role of the Director of the NCTC in developing the National Intelligence Priorities Framework (NIPF) regarding CT?

**ANSWER:** The National Intelligence Priorities Framework (NIPF) ensures that U.S. Government counterterrorism activities are aligned with our highest priority national security objectives. NCTC provides critical intelligence context to the NIPF development process. If confirmed as the NCTC Director, I will ensure NCTC works across the Intelligence Community to accomplish a unified and coordinated approach to this process.

**QUESTION 15:** If confirmed, will you ensure that the Committee is kept fully and currently informed of the activities, reports, and other actions taken by the Directorate of Strategic Operational Planning (DSOP)?

**ANSWER:** Yes. If confirmed, I look forward to ensuring the Committee is kept fully and currently informed of the activities, reports, and other actions taken by the Directorate of Strategic Operational Planning (DSOP).

**QUESTION 16:** Do you believe DSOP is fulfilling its mission as outlined under IRTPA?

ANSWER: Yes. DSOP fulfills its mission to provide strategic operational plans for counterterrorism operations through its leadership of U.S. Government counterterrorism planning efforts, authoring of interagency implementation plans, and convening of intelligence and operational mission partners to facilitate transparency and operational deconfliction. DSOP monitors the implementation of strategic operational plans through its independent assessment processes and products, which collect progress information from counterterrorism elements across the U.S. Government. DSOP also fulfills NCTC's requirement to advise the DNI on the extent to which budget proposals conform to the priorities established by the President through its analysis of whole-of-U.S. Government counterterrorismaligned resources, convening of quarterly Counterterrorism Resource Boards, and support to interagency resource planning processes. Lastly, DSOP assists the DNI in establishing requirements for the Intelligence Community for the collection of terrorism information by drafting a Unifying Intelligence Strategy for the counterterrorism mission, issuing collection emphasis memoranda, and planning for future collection needs.

## National Intelligence Manager

**QUESTION 17:** What is your vision of the Director of the NCTC in the role of National Intelligence Manager for Counterterrorism?

**ANSWER:** As the National Intelligence Manager for counterterrorism, it will be my duty to have a deep understanding of terrorist organizations, their ideology, their strategy, their threats to U.S. persons and interests across relevant regions and countries, and the best ways to support the counterterrorism community's efforts to combat them.

**QUESTION 18:** What is the role of the Director of the NCTC in providing guidance regarding the allocation of CT resources among, and within elements of the IC? Please also describe how the Director of the NCTC should identify unnecessary or less critical programs and seek to reallocate funding, within resource constraints.

**ANSWER:** The NCTC Director supports the DNI through all phases of the intelligence planning, programming, budgeting, and evaluation process, including assisting with the review of Intelligence Community counterterrorism-aligned resources during annual budget builds and highlighting counterterrorism resource needs for inclusion in appropriate investment prioritization processes. NCTC informs the DNI and other principals of the degree to which counterterrorism-aligned resources across the U.S. Government are aligned to the President's priorities. This analysis also forms the basis for various forums convened to facilitate resource planning transparency, identify critical capability gaps, and advocate for funding.

**QUESTION 19:** What are the most important CT gaps or shortfalls across the IC?

**ANSWER:** If confirmed, I would work across the counterterrorism enterprise to fill any gaps or shortfalls that may arise. My initial focus would be on capabilities related to screening and vetting and counterterrorism warning.

- Screening and Vetting Capabilities: DHS, the Department of State, and Intelligence Community Vetting Support Agencies require adequate screening and vetting resources to address the most pressing threats to the homeland. NCTC is committed to countering the cartels and transnational gangs designated as foreign terrorist organization pursuant to the President's Executive Order, and applying the requisite counterterrorism capabilities, including screening and vetting, accordingly.
- Capability to Warn: In this energized and evolving threat environment, it is critical that NCTC and the Intelligence Community continue to focus on indications and warning of threats from terrorist groups overseas. The U.S. Government's response to most potential threats involves focused intelligence collection and information sharing with domestic and foreign partners. That effort involves persistently exploiting the wide range of incoming leads and examining new data points to identify connections, and evaluating those

details against the body of available information on terrorists' intent and capabilities.

**QUESTION 20:** The U.S. Government and the IC are refocusing on geopolitical threats like China and Russia. If confirmed, you would be the CT Mission Manager. As resources shift, what steps do you believe should be taken to minimize unnecessary analytic redundancy in the IC CT space?

**ANSWER:** As the United States shifts its focus to address broader strategic threats, NCTC is well-positioned to support its partner agencies by leveraging broad access to the U.S. Government's critical counterterrorism data holdings. NCTC provides comprehensive and insightful analysis, thereby enabling partners across the interagency and the globe to redirect resources to the most high-profile threats. This approach aligns with the IRTPA mandate, which assigns NCTC primary responsibility for analyzing terrorism and terrorist organizations from all sources of intelligence. Through close coordination with core Intelligence Community agencies, NCTC develops analysis that reflects a unified community perspective, including diverse opinions and viewpoints, ultimately providing customers with a more complete understanding of the terrorist threat.

#### Congressional Oversight

**QUESTION 21:** What do you understand to be the obligation of the Director of the NCTC, in support of the Director of National Intelligence, to keep the congressional intelligence committees fully and currently informed about matters relating to compliance with the Constitution and laws? If confirmed, will you fulfill that obligation?

**ANSWER:** If confirmed, I will support DNI Gabbard in keeping the congressional intelligence committees fully and currently informed of all NCTC intelligence activities, furnishing the congressional intelligence committees with any NCTC information or material concerning intelligence activities requested by the committees to carry out their responsibilities, and reporting significant anticipated NCTC intelligence activities or significant intelligence failures in accordance with Section 502 of the National Security Act of 1947. Yes, if confirmed, I will fulfill that obligation.

#### **Professional Experience**

**QUESTION 22:** Please describe specifically how your experiences will enable you to serve as the Director of the NCTC.

**ANSWER:** I have spent the vast majority of my adult life in the counterterrorism fight. From leading assaults against terrorists in Iraq, to recruiting human sources across remote corners of the world throughout our nation's longest war, to analyzing all source intelligence to locate the next terrorist target, counterterrorism has been my life's work. During my initial deployment to Iraq as a Green Beret, I gravitated towards intelligence work and became qualified to conduct HUMINT. After several deployments, I was selected to become a Special Forces intelligence Sergeant, which meant I was responsible for collecting intelligence and leveraging the full scope of the U.S. Intelligence Community to then analyze my Special Forces team's intelligence collection, generate target packages, and conduct area assessments. I was later selected for a Secret U.S. Army Special Missions unit that specializes in sensitive intelligence collection and special reconnaissance. In this capacity, I attended the CIA's Operations course and later became a Paramilitary Operations Officer at the CIA.

I view the fight against terrorism as my, and my generation's, legacy. It is our solemn duty to our children to ensure that we do not let terrorists destroy any more American lives and that future generations are not consumed by this fight like ours has been. I understand how to ensure that the ground truth that the brave men and women of the Intelligence Community risk their lives to collect actually makes it to policy makers. I understand this because of my background. Our intelligence officers live and serve every day in the world's most hostile and austere environments. I shared this reality for over two decades, and am thus equipped with the understanding, experience, and expertise to lead our counterterror professionals to accomplish the task of defeating our nation's enemies and keeping our nation safe.

## Staffing

**QUESTION 23:** NCTC operates a joint manning model with detailees from across the IC. Do you believe this model is still the best way to staff the Center, and what do you see as the advantages and challenges associated with this model?

ANSWER: I firmly believe that NCTC's joint manning model is essential to the

success of the counterterrorism mission. It allows NCTC to leverage a wide variety of skills and expertise while optimally fusing the varied perspectives of detailees from across the Intelligence Community with the continuity provided by NCTC's Office of the Director of National Intelligence (ODNI) cadre. I understand that other critical national security issues, however, have challenged Intelligence Community partner agencies' ability to support external rotations to NCTC. If confirmed, I commit to re-evaluating NCTC's manning model and working with interagency partners to ensure NCTC is adequately postured to execute the counterterrorism mission in balance with other national security priorities.

**QUESTION 24:** Do you believe that NCTC is appropriately organized and staffed to counter the current and emerging terrorist threats? If not, what do you think needs to be changed to better address the threats?

**ANSWER:** I believe that NCTC is appropriately staffed and organized at this time. However, as NCTC's efforts against the foreign terrorist organization cartels and transnational gangs ramp up, it is possible that NCTC will require more personnel and resources to cover the cartels while maintaining coverage on Islamic terrorists.

# Terrorist Identities Datamart Environment (TIDE)

IRTPA includes among NCTC's primary missions, "[t]o serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups, as well as their goals, strategies, capabilities, and networks of contacts and support."

**QUESTION 25:** As CT data becomes more voluminous, what new policies and technological approaches may be necessary to manage TIDE? What new privacy policies may be necessary to keep up with the expansion of TIDE?

**ANSWER:** The protection of privacy and civil liberties interests of Americans is of utmost importance to me. The policy regime for TIDE and for the watchlisting community must take such concerns into account and should not be dependent on the volume of data involved. Appropriate resources and improved technology will likely be necessary to support TIDE. If confirmed, I will review these issues and am committed to ensuring that NCTC maintains TIDE and effectively performs its counterterrorism mission.

**QUESTION 26:** Should U.S. persons or persons in the United States who are not known or suspected terrorists be included in TIDE? If so, what standards and guidelines should apply?

**ANSWER:** I understand the IRTPA provides NCTC with the primary mission of serving as the central and shared knowledge bank on known and suspected terrorists and international terror groups, including their goals, strategies, capabilities, and networks of contacts and support. Consistent with appropriate guidelines, policies, and procedures, TIDE should include U.S. persons who have a nexus to international terrorism, including those within international terrorists' networks of contacts and support. If confirmed, I commit to reviewing these efforts and ensuring such guidelines, policies, and procedures are followed.

# Foreign Intelligence Surveillance Act

Section 702 of the Foreign Intelligence Surveillance Act (FISA) permits the government to conduct targeted surveillance of non-U.S. person agents of a foreign power (including terrorists) who are located outside the United States. Unless Congress acts, Title VII of FISA, including Section 702, will expire on April 20, 2026.

**QUESTION 27:** Please describe your understanding of the value of Section 702 as it relates to NCTC's mission.

**ANSWER:** FISA Section 702 has been invaluable in the fight against terrorism. From the perspective of the counterterrorism community, it is a vital intelligence collection tool, providing critical insight on foreign terrorists and their networks overseas. For NCTC specifically, Section 702 information enables NCTC to review known or suspected terrorist communications, conduct international terrorist network development, and garner insight into terrorist operations. This intelligence, which is collected on targets who are all foreign and located abroad, supports NCTC's counterterrorism mission and its ability to identify international terrorist threats to the Homeland and U.S. interests. Through its Section 702 program, NCTC is able to provide its federal partners with intelligence leads to advance their counterterrorism efforts, drive foreign intelligence collection, and inform strategic analysis for policymakers.

**QUESTION 28:** Do you support the reauthorization of Title VII of FISA (including Section 702)?

**ANSWER:** Yes, I support reauthorization of these important FISA intelligence tools and, if confirmed, would work with DNI Gabbard, the Administration, and Congress on that process.

**QUESTION 29:** What amendments, if any, to Section 702 or other provisions of FISA do you believe are necessary?

**ANSWER:** I understand FISA and Section 702 were amended last year through the Reforming Intelligence and Securing America Act (RISAA). The RISAA ensured that Section 702 as well as other provisions of Title VII can be maintained while implementing needed reforms to improve FISA compliance and, most important, protect the privacy and civil liberties interests of Americans. In my view, ensuring the successful implementation of the RISAA requirements is a priority, and I do not have proposed further changes for Congress's consideration.

**QUESTION 30:** Last year, Congress amended FISA to enhance the collection of foreign intelligence concerning the "international production, distribution, or financing of illicit synthetic drugs, opioids, cocaine, or other drugs driving overdose deaths, or precursors of any aforementioned." Do you support this amendment? What are your views on how this amendment will impact NCTC's mission?

**ANSWER:** I commend Congress for enhancing foreign intelligence collection authorities against international trafficking in illicit drugs, such as fentanyl, which are without a doubt a scourge facing our nation and killing Americans. Improving intelligence insights on these international activities are critical for the U.S. Government's counternarcotics and counterterrorism communities, including NCTC's efforts to combat the cartels and transnational gangs designated as foreign terrorist organizations pursuant to President Trump's Executive Order.

**QUESTION 31:** The FBI's use of U.S. Person queries was the subject of debate during the previous reauthorization. As a result, Congress enacted many reforms on query procedures and requirements. What is your position on whether warrants should be required before an agency undertakes a U.S. Person query?

ANSWER: The privacy and civil liberties of our fellow Americans is of utmost

importance to me. The Government and the FBI in particular can and will do better under its new leadership to protect Americans' constitutional rights. As mentioned, I support the reforms Congress made through the RISAA and will work to ensure a culture of compliance with U.S. person protections and querying standards, particularly around FISA. While I understand calls to require a warrant before the Government searches a FISA database looking for information about an American, I do not see that as the only way to ensure that Americans' privacy and civil liberties interests are protected. In my experience with counterterrorism, speed is essential to identify and prevent an international terrorist attack. In my view, in light of the recent reforms, a warrant requirement is ultimately unnecessary and could undermine agencies' work in quickly identifying and sharing critically important foreign intelligence, including on foreign terrorists who may seek to include U.S. persons in their terrorist plots.

#### Workforce Protection

**QUESTION 32:** Will you commit that, if confirmed, you will seek to recruit, attract, and retain a workforce based on principles of fairness and merit, and without consideration of personal political preferences?

#### ANSWER: Yes.

**QUESTION 33:** Do you commit to consider professional qualifications in personnel decisions exclusively, without consideration of partisan or political factors?

#### ANSWER: Yes.

**QUESTION 34:** Would you ever consider an individual's personal political preferences (to include "loyalty" to the President) in making personnel decisions, such as to hire, fire, or promote an individual?

#### ANSWER: No.

**QUESTION 35:** If confirmed, what assurances will you provide to the NCTC workforce that personnel decisions will be based exclusively on professional qualifications, performance, and agency needs, and not on personal political preferences?

**ANSWER:** The intelligence professionals of NCTC have my word that the only thing I care about is their ability to keep our nation safe. In this fight only professional competence and a sense of duty to our nation matter.

**QUESTION 36:** Will you impose a political litmus test for NCTC employees? Is a political litmus test ever appropriate in determining who can or should work in the IC?

## ANSWER: No.

## FBI Background Investigations

**QUESTION 37:** Should the FBI conduct background investigations of all Presidential nominees for positions within the executive branch of the federal government to ensure that those under consideration for positions of significant authority and responsibility will not misuse the power of their offices and do not have vulnerabilities that make them susceptible to coercion by our adversaries?

## ANSWER: Yes.

**QUESTION 38:** Have you undergone, or will you undergo, an FBI background investigation as part of the process associated with your nomination?

## ANSWER: Yes.

**QUESTION 39:** Do you agree to provide the results of your FBI background investigation to the Chairman and Vice Chairman of this Committee for review?

## ANSWER: Yes.

## Foreign Terrorist Organization Designations

**QUESTION 40:** What is your understanding of how President Trump's designation of cartels and other organizations as foreign terrorist organizations and specially designated global terrorists will alter the mission of the NCTC?

**ANSWER:** NCTC is uniquely positioned to apply proven counterterrorism capabilities and authorities in partnership with our mission partners to disrupt and

defeat foreign terrorist organization-designated cartels and transnational gangs. NCTC's 20 years of experience bridging the foreign-domestic intelligence divide allows NCTC to collaborate with and support U.S. Government partners using counterterrorism authorities and tools. NCTC leads the counterterrorism community to analyze the terrorism threat using all available data, share terrorism information with partners across the counterterrorism enterprise, maintain the single authoritative database of known or suspected terrorists, and unify the national counterterrorism mission through effective planning and strategy development.

#### **Questions from Senator Warner**

#### **Domestic Terrorism**

**QUESTION 41:** The National Security Act, in describing the primary missions of NCTC, excludes "intelligence pertaining exclusively to domestic terrorists and domestic counterterrorism." The Act goes on to provide that NCTC may "receive intelligence pertaining exclusively to domestic counterterrorism from any Federal, State, or local government or other source necessary to fulfill its responsibilities and retain and disseminate such intelligence." How should NCTC interpret these provisions? What indicia of a transnational nexus should be sufficient for NCTC to deem a terrorist threat as part of its primary mission?

**ANSWER:** NCTC was established in the wake of the 9/11 attacks on the Homeland, and its mandate as envisioned by the IRTPA is rightly focused on the threat from foreign terrorists, such as al-Qaeda and ISIS, who remain intent on attacking our country. Of course, the terrorism threat is a dynamic one and cannot always be broken down along clear foreign and domestic lines, or understood during the immediate aftermath of an attack of unknown origin. I understand those statutory provisions to ensure that NCTC would have the accesses and authorities needed to fulfill its responsibilities and conduct its primary missions, which Congress clearly signaled are focused on terrorist threats with a foreign or transnational nexus. Other parts of the U.S. Government, namely the FBI and DHS, have law enforcement missions and are postured to focus on wholly domestic terrorist threats.

As for what type of a transnational or foreign nexus is sufficient, foreign terrorists who are directing or plotting with individuals inside the United States should be sufficient for such a nexus. When foreign terrorists are indirectly reaching into the United States to inspire attackers and incite volent extremist attacks here in the Homeland, I also understand the intelligence value in gaining insight into those foreign terrorist activities and intentions. However, it is important to ensure all of this work is prioritized to the threat and conducted consistent with the First Amendment and other constitutional rights of Americans. I appreciate these issues are important to the Committee and they are to me as well. If confirmed, I will review how these distinctions are made and ensure NCTC's work is appropriately focused on its core mission.

**QUESTION 42:** In the absence of intelligence indicating a transnational nexus, what role should NCTC play in supporting law enforcement investigations into domestic terrorist threats?

**ANSWER:** I understand that NCTC does not, and I agree it should not, identify in the first instance whether an individual poses a domestic terrorist threat or is labeled as a domestic terrorist or domestic violent extremist. That law enforcement work should be performed by the FBI or DHS. As a part of its international counterterrorism mission, I understand that NCTC provides case support to the FBI or DHS to identify any international terrorism connections, including, upon request, in connection with domestic terrorism investigations that may present a foreign or transnational nexus. In my view, so long as it is appropriately scoped and guardrails are in place, NCTC should support federal law enforcement, as needed, to identify such a foreign or transnational nexus. If no such nexus is identified, domestic terrorist threats are outside NCTC's purview.

**QUESTION 43:** What is your understanding of the differences, if any, between the terms "domestic terrorism," "domestic violent extremism," and "homegrown violent extremism"?

**ANSWER:** I do not understand there to be a distinction between domestic terrorism and domestic violent extremism. I understand domestic terrorism to be as it is defined under Title 18, Section 2331—i.e., activities that (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State; (B) appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and (C) occur primarily within the territorial jurisdiction of the United States.

I understand the term homegrown violent extremist to refer to a person of any

citizenship who has lived and or operated primarily in the United States or its territories and who advocates, is engaged in, or is preparing to engage in ideologically motivated terrorist activities (including providing support to terrorism) in furtherance of political or social objectives promoted by a foreign terrorist organization, but is acting independently of direction by a foreign terrorist organization.

**QUESTION 44:** For purposes of U.S. counterterrorism efforts, should the U.S. government make a distinction between a person acting primarily in the U.S. who is inspired to engage in unlawful acts of violence to intimidate civilian populations by Nazi ideology and a person in the U.S. inspired to do the same by al-Qaeda ideology?

**ANSWER:** For purposes of counterterrorism efforts from a law enforcement perspective, I would defer to the Department of Justice and law enforcement agencies regarding distinctions among such persons and the importance of identifying their intentions and sources of inspiration. From a foreign intelligence perspective, the latter is likely to present a foreign nexus. The latter is also more likely to present a direct threat to the United States and U.S. interests. If there is a foreign nexus and a prioritized threat, there is intelligence value in understanding when and how foreign terrorists reach into the United States to inspire persons to conduct terrorist attacks here in the Homeland.

**QUESTION 45:** What agency or agencies of the federal government should be engaged in countering the threat posed by domestic terrorists?

**ANSWER:** DHS and the FBI are and should be the federal agencies engaged in countering domestic terrorism threats.

## Racially or Ethnically Motivated Violent Extremism (RMVE)

**QUESTION 46:** What is your view of the international and transnational threat posed by Racially or Ethnically Motivated Violent Extremism (RMVE)?

**ANSWER:** The ideology is disgusting but transnational RMVE is not a significant direct threat to our nation based on all the intelligence that I have seen.

**QUESTION 47:** What is your view of the appropriate level of NCTC resource allocation toward the international and transnational RMVE threat?

**ANSWER:** Resource allocation must be based on the threat, and the transnational RMVE threat lacks the reporting to justify its prioritization in my view. If this changes due to new and credible intelligence reporting, I would support NCTC allocating more resources toward RMVE.

**QUESTION 48:** The IC's 2024 Annual Threat Assessment stated: "The transnational racially or ethnically motivated violent extremists (RMVE) movement, in particular motivated by white supremacy, will continue to foment violence across Europe, South America, Australia, Canada, and New Zealand inspiring the lone actor or small-cell attacks that pose a significant threat to U.S. persons." How should the IC engage in bilateral and multilateral counterterrorism cooperation against the RMVE threat?

**ANSWER:** I believe the Intelligence Community should continue to monitor and exchange intelligence with allies but only allocate significant resources if the threat increases.

## Impoundment

**QUESTION 49:** If confirmed, will you commit to expend the funds authorized and appropriated by Congress for the NCTC and to formally notify Congress and obtain approval for any recessions or deferrals, in accordance with the law?

**ANSWER:** Yes; I am committed to following the law.

**QUESTION 50:** What is your understanding of the effect President Trump's funding freeze has had on anti-terrorism assistance programs, including those intended to counter al-Shabab, contain the spread of al-Qaeda across West Africa, and secure Islamic State prisoners in the Middle East?

**ANSWER:** I understand NCTC has not observed impacts to anti-terrorism assistance programs.

## **Department of Government Efficiency**

**QUESTION 51:** The Director of the NCTC does not report to the Department of Government Efficiency (DOGE). If confirmed, will you commit not to accept

direction from DOGE on any personnel or other matters relating to NCTC?

**ANSWER:** I will follow the legal orders given to me by DNI Gabbard and President Trump.

**QUESTION 52:** If confirmed, will you commit to prevent DOGE from accessing NCTC systems?

**ANSWER:** I will ensure that NCTC and its systems are only accessed by individuals with the proper clearances.

## **Protecting Classified Information**

**QUESTION 53:** Should any employee of the Intelligence Community be granted access to classified information if they have not been determined to be eligible for access under Executive Order 12968 based upon a favorable adjudication of an appropriate investigation of the employee's background?

**ANSWER:** Generally, no. Executive Order 12968 does not permit access to classified information prior to a completed background investigation and adjudication. However, the President has broad authority to grant individuals access to classified information, and under the Executive Order certain policy exceptions exist to account for exigent circumstances.

**QUESTION 54:** Do you agree that all personnel granted access to classified information have a lifetime obligation to protect that information after they leave government service?

ANSWER: Yes.

## **Ethics**

**QUESTION 55:** Federal ethics laws, to include 10 U.S.C. §208, prohibit government employees from participating in matters where they, or certain family members or organizations with which they have certain relationships, have a financial interest. Do you agree, without qualification, if confirmed, to disclose any potential conflicts of interest, including investments, business ties, family relationships, or other connections that could be perceived as influencing your

decision making?

#### ANSWER: Yes.

**QUESTION 56:** Do you agree, without qualification, if confirmed, that if a conflict of interest arises, you will recuse yourself from participating in any relevant decisions regarding that specific matter?

ANSWER: Yes.

**QUESTION 57:** Do you commit, without qualification, if confirmed, to decisionmaking on the merits and exclusively in the public interest, without regard to private gain or personal benefit?

ANSWER: Yes.

#### Legal Compliance

**QUESTION 58:** If confirmed, will you commit to ensure that all personnel actions taken by the NCTC are carried out in strict accordance with the law.

#### ANSWER: Yes.

**QUESTION 59:** If confirmed, will you commit to comply with all duly issued court orders or other rulings, even if you disagree with the court's decision?

#### ANSWER: Yes.

#### **Questions from Senator Wyden**

#### Strategic Counterterrorism

In October 2018, President Trump issued the National Strategy for Counterterrorism. It read:

"SUPPORT COUNTERTERRORISM CAPABILITIES OF KEY FOREIGN PARTNERS: We will continue to augment the capabilities of key foreign partners to conduct critical counterterrorism activities. We will help to professionalize the military, law enforcement, judicial, intelligence, and security services, as well as financial authorities, of key partners so that they are able to conduct counterterrorism operations effectively and justly. We will also work to ensure that partners meet their responsibilities in holding their citizens accountable for any acts of terrorism committed abroad. In addition, we will enhance the capabilities of key foreign partners to investigate and prosecute terrorism across borders through law enforcement cooperation, mutual legal assistance, and extradition."

**QUESTION 60:** Do you agree that a national counterterrorism strategy requires supporting the capabilities of key partners? If yes, which countries do you see as the most important?

**ANSWER:** Working with partners who have demonstrated presence, access, and capabilities allows the U.S. counterterrorism enterprise to augment its own reach into areas where terrorist groups operate, recruit, and plot external operations. Working with partners enables the U.S. Government to exert maximum pressure on terrorist networks globally, helping to defeat these groups and to defend the Homeland and U.S. interests abroad from attacks.

**QUESTION 61:** Which of these areas of U.S. assistance (military, law enforcement, judicial, intelligence, security services, and financial authorities) do you believe should be part of a national counterterrorism strategy? Please indicate for each which U.S. departments and agencies should participate in that assistance.

**ANSWER:** All areas of U.S. counterterrorism assistance can support the execution of an effective national counterterrorism strategy. Applying counterterrorism assistance based on the context and local conditions allows for a tailored approach to address terrorism drivers. The type of counterterrorism assistance will determine the U.S. departments and agencies that participate in that assistance. NCTC is positioned to support its federal partners in all of their counterterrorism assistance efforts, and it regularly convenes them to drive actions to meet the President's counterterrorism priorities.

**QUESTION 62:** What role should the FBI play in working with U.S. allies' and partners' law enforcement agencies to combat foreign and transnational terrorism? What FBI programs and capabilities do you believe should be prioritized?

**ANSWER:** The FBI is a critical partner in the counterterrorism mission space. The Bureau's investigative insights, including those gleaned from FBI's collaboration with foreign partner law enforcement services, are an essential component of NCTC's ability to "connect the dots" through the integration and analysis of all available terrorism information. If confirmed, I look forward to working with all my interagency counterparts, including FBI Director Patel, to align counterterrorism enterprise resources efficiently and commensurate with the threat to U.S. interests.

The October 2018 National Strategy for Counterterrorism read:

"We will work with local stakeholders and civil society to mitigate the grievances that terrorists exploit. Internationally, where United States interests are at stake, we will seek and encourage locally driven solutions that target specific causes of terrorist radicalization and mobilization to violence. We will work with partners to encourage positive narratives that promote tolerance and security."

**QUESTION 63:** Do you agree with this component of a national counterterrorism strategy? If yes, please describe the kinds of U.S. programs that you believe advance these goals and which U.S. departments and agencies you believe should carry them out.

**ANSWER:** Working with local stakeholders informs the counterterrorism community's understanding of the threat and helps identify tailored options to counter the threat. The relevant U.S. departments and agencies executing programs will vary depending on the national security objectives, foreign partnerships, and our adversaries' capabilities.

**QUESTION 64:** USAID conducts both counterterrorism programs and development programs that address the causes of radicalization, undermine terrorist recruitment and promote the U.S. Government in regions prone to radicalization. Do you agree that USAID plays a role in strategic counterterrorism?

**ANSWER:** In my 21 years in counterterrorism and eleven combat deployments in the Middle East, I have no personal knowledge of a USAID program that effectively played a role in counterterrorism.

#### NATO and alliances

**QUESTION 65:** Immediately after the terrorist attacks of September 11, 2001, the North Atlantic Council invoked Article 5 of the North Atlantic Treaty in defense of the United States. This action remains the only invocation of Article 5 in NATO's history. NATO assets were subsequently deployed to the United States as well as overseas in support of the Global War on Terror. In your view, how important is NATO in defending the United States and U.S. interests overseas from the threat of terrorism?

ANSWER: Our NATO alliances are important in the counterterror fight.

**QUESTION 66:** What are the most important alliances as well as bilateral and multilateral partnerships in protecting the United States and U.S. interests overseas from the threat of terrorism? How should they be strengthened?

**ANSWER:** The United States' most important multilateral partnership in the CT mission space is the Five Eyes (FVEYs) intelligence alliance, composed of Australia, Canada, the United Kingdom, and New Zealand. The United States maintains a strong and reliable partnership with the FVEY allies, and we regularly share vital terrorism-related intelligence. The United States also can strengthen its bilateral partnerships with nations in the Western Hemisphere, including Colombia, El Salvador, and Mexico, to better combat the cartels and transnational gangs recently designated as foreign terrorist organizations.

## Watchlisting

During her confirmation process, DNI Gabbard said:

"Ensuring fairness and protecting civil liberties in watchlisting programs is critical to maintaining public trust while safeguarding national security. To prevent misuse, I would advocate for clear, evidence-based criteria for watchlisting American citizens, robust oversight mechanisms, and regular audits to ensure no one is listed based on First Amendment-protected activities like free speech or political affiliation. Additionally, I would work to enhance the redress process by 98 improving the Traveler Redress Inquiry Program (TRIP) to ensure timely and transparent resolution of complaints and exploring independent review panels to provide impartial oversight and due process."

**QUESTION 67:** Do you agree with Director Gabbard's views? If yes, please describe how you would promote oversight and audits of watchlisting programs, as well as how you would improve the redress process.

**ANSWER:** I agree with DNI Gabbard. If confirmed, I will work with the DNI, NCTC, and the counterterrorism watchlisting community to ensure clear criteria for placing American citizens on the watchlist with robust oversight from the ODNI Civil Liberties, Privacy, and Transparency Office and related offices. I also support frequent audits of the list to ensure the standards are met to protect Americans' First Amendment rights. I also support DNI Gabbard's efforts to enhance prompt, effective redress, including through the DHS Traveler Redress Inquiry Program.

#### **Counternarcotics**

**QUESTION 68:** Do you believe Terrorist Identities Data Environment (TIDE) should be expanded in light of the designation of cartels as Foreign Terrorist Organizations? (FTOs) If yes, do you believe all members of the designated cartels should be included in TIDE and, if so, how would you establish membership? Do you believe people suspected of one-time cooperation or people coerced into cooperation should be included?

**ANSWER:** The designated cartels constitute a national security threat and members of these cartels, as members of designated foreign terrorist organizations, must be included in TIDE to combat this threat. Federal partners with information about members or associates of these groups have a duty to share this information with NCTC for inclusion in TIDE, as appropriate. Nominators must include an objective factual basis for each nomination, including the consideration of any substantive mitigating information, such as coercion, so NCTC may evaluate the totality of information consistent with the applicable interagency standards and TIDE policies.

**QUESTION 69:** Do you believe people who are neither members of nor have an operational connection to the cartels, but are associates of those people should be included in TIDE? Should that include U.S. persons?

**ANSWER:** As noted above, TIDE serves as the central and shared knowledge bank on known and suspected terrorists and international terror groups, as well as their

goals, capabilities, and networks of contacts and support. Individuals who make up these designated foreign terrorist organization networks should be included in TIDE, as appropriate, to disrupt terrorist support structures as well as to combat the groups themselves.

**QUESTION 70:** What level of membership, operational connection, or indirect association with a cartel do you believe warrants watchlisting, secondary screening, or no-fly status?

**ANSWER:** With respect to TIDE, which NCTC maintains, membership, operational connections, or associations for individuals connected with the designated foreign terrorist organization cartels should be the same as those for individuals connected to other foreign terrorist organizations. The counterterrorism watchlisting community and those agencies responsible for the watchlist, secondary screening, and the No Fly List will need to review and consider any appropriate adjustments to those criteria in light of the recent designations and the ways in which individuals connect with cartels.

**QUESTION 71:** Do you believe NCTC needs more resources in response to the designation of cartels as FTOs? If not, what terrorist threats would you deprioritize as you shift resources to this new mission?

**ANSWER:** I support DNI Gabbard's decision to integrate the ODNI's counternarcotics executive into NCTC, which allows NCTC to gain valuable expertise and manning while not having to hire outside ODNI. If confirmed I will monitor our ability to cover Islamic terrorism and the cartels and report to the DNI and Congress if we require more resources to effectively cover all of the threats.

## Whistleblowers

During her confirmation process, DNI Gabbard said:

"Whistleblowers are essential to ensuring accountability and oversight within the IC, and thev must have clear, protected channels to report concerns, including the unauthorized transmittal of classified information, to appropriate entities such as Members of Congress, Inspectors General (IGs), and other authorized recipients."

## QUESTION 72: Do you agree?

ANSWER: I agree with DNI Gabbard.

**QUESTION 73:** Do you agree that Intelligence Community whistleblowers, particularly those whose complaints involve classified matters, should have access to attorneys with security clearances?

ANSWER: Yes.

# FBI

**QUESTION 74:** On September 15, 2022, you posted on Twitter/X: "Let's save the tax payers some money, defund the FBI, fund constitutional sheriffs who are accountable to the people & see how fast things change." Is this still your position? If so, how would you go about defunding the FBI and funding "constitutional sheriffs"? If not, please explain why your position changed.

**ANSWER:** I believe that the FBI should be focused on protecting Americans from terrorists and criminals, I have the utmost confidence that FBI Director Patel is making that happen as you read this. Unfortunately, under the previous administration, when I posted this, the FBI was focused on surveilling parents at school board meetings, Catholics at traditional masses and prosecuting Biden's political rivals all while criminals and terrorists streamed into our nation. Under the circumstances of the previous administration, I stand by my comments.

## January 6

**QUESTION 75:** Do you believe any elements of the U.S. Government orchestrated, encouraged or participated in the January 6, 2021, attack on the U.S. Capitol?

**ANSWER:** According to the DOJ Inspector General report, the FBI had over 26 Confidential Human Sources (CHSs) on the ground at the U.S. Capitol on January 6th. It is very possible that these CHSs enhanced the criminal acuity of many of the rioters that day. The American people deserve to see the unredacted reporting from the FBI that explains what their CHSs were tasked to do and what the CHSs reported to their FBI handlers.

**QUESTION 76:** During an October 14, 2024, debate, you were asked about the pardoning of people convicted of crimes associated with the January 6, 2021, attack on the U.S. Capitol. You stated "If somebody did anything violent against a police officer, I don't support that." Is that still your position? If not, why did your position change?

**ANSWER:** I do not support or condone violence against police officers.

# **Domestic Terrorism**

In a 2021 podcast, you stated:

"We need to treat antifa and BLM like terrorist organizations. We need to use the tools of the federal government, the FBI, the US Marshals—go after them like organized criminals and terrorists... So, when we start arresting these guys and charging them with federal terrorism charges, that's going to take away a lot of the incentive to go out and riot."

**QUESTION 77:** Is this still your position? If not, what part of this statement do you now disagree with?

**ANSWER:** Yes, the FBI and federal law enforcement should have targeted and dismantled antifa and BLM networks that were rioting, assaulting, and murdering people, burning and looting multiple American cities in the summer of 2020.

**QUESTION 78:** Do you agree that there is no basis in law for designating domestic terrorist organizations?

## ANSWER: Yes.

**QUESTION 79:** On August 9, 2022, you stated that "We are at war" with "the left," adding "So what we have to do when we take back power … we have to play smashmouth… We have to go after these people." What does this language indicate about how you would treat U.S. persons should you be confirmed as NCTC Director?

**ANSWER:** The weaponization of our intelligence and federal law enforcement agencies is well documented. The American people recognized this and overwhelmingly elected President Trump. If confirmed, I will serve just like I did in

the military and CIA. I will follow the law and hold those who break the law accountable.

## Gaza

**QUESTION 80:** You said at an October 14, 2024, debate regarding the conflict in the Middle East and deployment to Israel: "Potentially, we could get sucked into this conflict if an American is killed manning those systems, if a ballistic missile from Iran hits them, and no one has voted on this expansion of the war. So we have to have a limitation and not have U.S. boots on the ground unless that is voted on in Congress as dictated by the Constitution." Do you believe Congressional approval is required before U.S military personnel deploy to Gaza as part of President Trump's plan to "take over" and "own" Gaza?

**ANSWER:** Yes. The Constitution vests power in the Congress to declare war, and the President with the Commander-in-Chief power. If confirmed as Director of NCTC, I commit to ensuring that NCTC delivers counterterrorism-related intelligence that is collected, analyzed, and reported without bias, prejudice, or political influence to support U.S. national security and our warfighters regardless of how policymakers adjudicate the right balance between the above authorities.

**QUESTION 81:** Do you believe that U.S. control of Gaza would increase or decrease the terrorist threat to the United States?

ANSWER: I am not aware of any plans to deploy American troops to Gaza.