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NOMINATION OF AMBASSADOR JOHN D. NEGROPONTE TO BE DIRECTOR OF NATIONAL INTELLIGENCE

HEARING

BEFORE THE

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NOMINATION OF AMBASSADOR JOHN D. NEGROPONTE TO BE DIRECTOR OF NATIONAL INTELLIGENCE

TUESDAY, APRIL 12, 2005

UNITED STATES SENATE,
SENATE SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Committee met, pursuant to notice, at 10:12 a.m., in room SH–216, Hart Senate Office Building, the Honorable Pat Roberts, Chairman of the Committee, presiding.

Committee Members Present: Senators Roberts, Hatch, DeWine, Bond, Lott, Snowe, Hagel, Chambliss, Warner, Rockefeller, Levin, Feinstein, Wyden, Bayh, Mikulski and Corzine.

OPENING STATEMENT OF HON. PAT ROBERTS, CHAIRMAN

Chairman ROBERTS. The Committee will come to order.

The distinguished Vice Chairman will be here momentarily.

The Committee meets today to receive testimony on the President's nomination for the newly-created position of Director of National Intelligence. Our distinguished witness today is the President's nominee, the Honorable John D. Negroponte. Ambassador, the Committee does welcome you and your guests.

The Committee also welcomes our distinguished colleague, who will introduce the nominee, the Senate's President Pro Tem and Senior Senator from Alaska, the Honorable Ted Stevens. The Junior Senator from New York, the Honorable Hillary Rodham Clinton was to be here, but apparently has a conflict.

The President has made an excellent choice, I believe, in nominating Ambassador Negroponte to serve as the Nation's first Director of National Intelligence. Ambassador Negroponte is a distinguished public servant, having dedicated 40 years and service to our country.

During his career, the Senate has confirmed him five times—five times for Ambassadorial positions in Honduras, Mexico, the Philippines, at the United Nations and, of course, most recently as our first Ambassador to the new Iraq.

Ambassador Negroponte also has held a number of key positions in the Executive Branch, including serving as Deputy National Security Adviser. He has worked on intelligence and national security issues all throughout his career, and in that respect I think brings a great deal of experience to this position. Most important, Ambassador Negroponte has a demonstrated record as an outstanding

manager and a leader. He is well suited for this position and I look forward to his confirmation.

Intelligence has long played an important role in the defense of the United States and its interests. We developed what is now known as the intelligence community to determine the capabilities and intentions of state actors and their respective militaries. The idea that a non-state actor could seriously threaten our national security was virtually inconceivable 50–plus years ago.

Given the grave dangers that our Nation now faces from threats such as terrorism and the expansion of weapons of mass destruction, what was inconceivable a half century ago has now become reality, and intelligence is now the key to our success.

In the past few decades, there have been many unsuccessful attempts to reform the intelligence community. Those attempts, quite frankly, resulted in little more than incremental and marginal changes. It took the very visible intelligence failures associated with 9/11 and the flawed assessments on Iraq's WMD programs to build the historic consensus required for substantial change.

And change is a very necessary process. If it ultimately results in fundamental and substantial change, as it appears that it might, it will have been for the good. Change will be good not only for the U.S. national security, but also for the men and women of the intelligence community.

In my years on the Senate Intelligence Committee, I have met many of these hardworking men and women who work day in and day out with one goal in mind—keeping this Nation secure and its people safe. They are held back, however, I think, by a flawed system that does not permit them as a community to do their very best work. We need to honor their commitment and their sacrifices by giving them an intelligence community worthy of their efforts and capable of meeting their aspirations and our expectations of them.

I understand that change can be hard and stressful, but we need change—and not just a month or a year of change, but sustained, fundamental change that becomes a continuing process of adaptation as new threats emerge.

Now, we all know that terrorism is a long-term threat to our national security, but I can assure you that it will not be the last threat that we face. There will be others which will require our intelligence community to continue to be adaptive and flexible.

Mr. Ambassador, the process of change begins with you. It is my foremost hope that, when confirmed, you will begin to provide the strong, independent leadership that has long been lacking in our intelligence community.

The position for which you have been nominated was created by the Intelligence Reform and Terrorism Prevention Act of 2004. It is no secret that this bill did not go as far as I would have liked in creating a Director of National Intelligence, or the DNI, with the very clear authorities and chain of command that the intelligence community, I think, requires. As I have said before, the Intelligence Reform Act is not the best possible bill, but rather the best bill possible under very difficult circumstances.

If we embrace the concept of change as a continuing process, however, this reform effort is a very solid first step in the right di-

rection of someday creating a clear chain of command and accountability within that chain.

For now, we must implement and oversee an Intelligence Reform Act that is somewhat ambiguous with respect to your authorities and responsibilities. Ambassador, this ambiguity has created justifiable concern about whether you, as the DNI, have the clear authorities you will need to meet your vast responsibilities. In other words, we have high expectations. But did we give you the tools you will need to meet them?

President Bush has made some very forceful statements about the strong authority that the DNI will have in his Administration. I am confident that, when confirmed, you will have the strong support of the President.

I am equally confident that you will have the same strong support from this Committee. In other words, if you need help, let us know. I'll be the stagecoach driver along with the rest of the Members of the Committee. You can be the shotgun rider. I think that's turned around. You be the stagecoach driver. We'll be the shotgun rider. But for now you have a blank slate and any ambiguities in your authority will be up to you to resolve. We need your advice.

This leads me to an important point. As the first DNI, you will establish historic precedents that will define all future DNIs as well as set the course for the future of the entire intelligence community. We can legislate powerful authorities all day long, but as the history of the position of the Director of Central Intelligence has shown, if the first DNI does not exercise his authorities, it will be difficult for any subsequent DNI to do so.

Exercising the authorities of the DNI will not be easy. Setting the precedent of a strong DNI will likely mean stepping on more than a few toes along the way. I am confident, however, that you are the right man for that job.

It is my hope that as the Director of National Intelligence you will be independent of the interests of any one intelligence agency, and that you will achieve a better flow of information in our Government. To me this means that intelligence information will be passed to decisionmakers not because it comes from a particular agency, but because it represents the best work from any agency.

This also means that we must reject the concept of information-sharing in favor of what the Vice Chairman and I call information access. I believe, as does the WMD Commission, that information sharing is a limited idea that falsely implies that the data collector is also the data owner. The concept of information-sharing relies on our collectors to push the information to these analysts who they deem really need it.

We need new thinking on this issue. While we must continue to protect sources and methods—we know all know that—cleared analysts with a need to know should be able to pull information by searching all intelligence databases without waiting for any one agency to deem them worthy.

Now, this is a very challenging proposition. I can assure you that the intelligence collection agencies will not greet such efforts with great enthusiasm. Even with the intelligence failures of 9/11 and Iraq WMD hanging over us and the staggering willful inability to

share information associated with those failures, achieving a free flow of intelligence information has still proved very, very elusive.

Mr. Ambassador, it is my hope that you'll be able to provide leadership and, quite frankly, a kick in the pants when necessary to get our collection agencies to finally perfect the concept of information access.

As you know, in Washington politics and turf is a zero-sum game. Just by showing up on your first day of work you will already have stepped on quite a few toes. I am confident, however, that you will perform your duties in a manner that will soon have us wondering how we ever got along without a Director of National Intelligence.

When we get to that point—and I hope it happens sooner than later—we can begin moving toward what I believe must be the ultimate goal: a more rationalized, organized intelligence community with a clear chain of command and accountability that comes with it.

With that said, I again welcome you to the Committee and look forward to your testimony.

I now recognize the distinguished Vice Chairman, Senator Rockefeller.

STATEMENT OF HON. JOHN D. ROCKEFELLER IV, VICE CHAIRMAN

Vice Chairman ROCKEFELLER. Thank you, Mr. Chairman.

Mr. Ambassador, welcome. It's my view that the President's confidence in you to lead the intelligence community as Director of National Intelligence at a time of enormous turbulence, 20 or 30 or 40 years of war on terrorism out in front of us and a lot of national introspection is a well-founded decision.

You have a 40–year career of public service in some of the most difficult places. People tend to forget how hard that can be—in Vietnam, the Paris Peace Talks, which most Americans probably don't know, South and Central America, the United Nations and obviously, most recently, Iraq. This breeds a tough and disciplined man with self-esteem and with the willingness to make decisions and to tell truth to power, which I think is key in all of this.

Since joining the Foreign Service as a young man out of college, you've ably served our country and if confirmed you will continue to do so. Your abilities as a manager, your skill as a negotiator, your understanding of the workings of Government are going to be applied to a much different, and certainly much more difficult, task than even those that you've had.

You've been asked to lead an intelligence community that is bruised, but fundamentally unbowed by the failures of 9/11 and Iraq prewar intelligence, a group of 15 agencies with their own respective cultures that are in the process of being reshaped and redefined into a cohesive entity that can more effectively blunt the murderous plots of the terrorists and stymie the global spread of weapons of mass destruction. This is happening to a certain extent in the intelligence community. There has been some of that thanks to the counterterrorism center.

This is a tall order for any well-seasoned professional, which is what you are. The position of Director of National Intelligence is

one of the toughest jobs in Washington—I would put it in the top three or four—frankly, in terms of the pressure that will be on you, the spotlight that will be on you, and the mandate for the country that will be placed squarely on your shoulders. You will need to call upon all of the skills that you have.

Now, let me take this opportunity to summarize what I see as five pressing challenges that you will have to deal with if you are confirmed, and hopefully we can discuss them further during the questioning period.

First, it is absolutely essential that our intelligence is timely, objective and independent of political considerations. As you know, this is what the law requires. This is not a simple judgment. This is the 1947 National Security Act, as amended by the Intelligence Reform Act. Timely, effective, independent, objective intelligence is the law.

You will need to speak truth to power, and that includes the President of the United States, obviously—that's very important; and I'll have a specific question for you on that—even if the truth is not well received by any policymaker or a group of, or inconsistent with stated policy goals.

The credibility of the intelligence community and, by extension the credibility of the United States, has suffered when key intelligence reports, such as the prewar intelligence on Iraq, failed the test of being timely, objective and independent, as required by law.

Second, the issue of accountability is to many of us a very important one. The WMD commission highlighted the issue very strongly. As far as I can determine, no one was held accountable for the numerous failures to share critical intelligence and act on the intelligence warnings in the year-and-a-half prior to the 9/11 attacks. In fact, the Committee is still waiting—now 3 years later—for the CIA Inspector General Report on Accountability after 9/11.

Government doesn't function without accountability. You, as DNI, if you're confirmed, will bear that very heavy responsibility to make it effective. It's not just negative accountability, it can also be positive accountability.

Likewise, there has been a lack of accountability over the misrepresentation of intelligence by analysts prior to the Iraq war. There was a great deal that went on between the time that the Senate voted to authorize the President, and then the Powell speech, and then, later in March, the decision to go to war. There was an enormous amount of statements that were made, what some of us would call hyping and misrepresenting what the intelligence actually said, particularly in the area of Iraq's nuclear and biological weapons programs.

If accountability is absent, workers are sent the wrong message—that there are no incentives for improving job performance. That is not a monetary matter I'm talking about; it's a question of firing, promoting, good words to them, something good in the record. I think it's an extremely important part of accountability and that does not disinclude firing.

Third, the intelligence reform bill passed by Congress last December is a blueprint for achieving a more focused and effectively-managed intelligence community. Making this vision a reality will

take time and require you and your deputies and your staff to flesh out, as they say, some of the details in the legislation.

I disagree with the statement of the Chairman only in this regard, and that is that I think it's very important—and we've talked about this when we met privately—that we not try to cram a whole bunch of new reforms into our authorization bill or do it into some vehicle on the floor of the Senate.

I think you and your team will need the time to look over the landscape, to make judgments about what's being done and what's not being done, and then make your decisions and your recommendations about what should be changed, if anything, from that point.

In fact, I would go further. I think the fact that we did not so perfectly delineate your responsibilities is a great advantage. It was important. Congress cannot do that; only you and your team can do that, and then go over that with us.

I'm concerned that while some progress has been made in the coordination of agency activities at places like the National Counterterrorism Center, which I've mentioned, much more needs to be done. Specifically, I'm concerned that the increase in the overseas collection of intelligence by the CIA, the Pentagon, the FBI, while laudatory is not being properly orchestrated in a cohesive fashion.

On the domestic front, I see the insular culture at the FBI changing, but much too slowly, and the counterterrorism efforts of the Bureau still hampered by outdated and dysfunctional information technologies systems.

Fourth, the collection of intelligence through the detention, interrogation and rendition of suspected terrorists and insurgents will be a responsibility of the intelligence community for as long as our Nation remains in a global war against terrorism, which I suspect will be decades yet to come.

I believe that we have lacked a comprehensive and consistent legal and operational policy on the detention and interrogation of prisoners since we began our operations in Afghanistan. This in turn, in my judgment, has led to confusion among officials in the field and numerous cases of documented abuses that appear several times every week.

I've been advocating for over 2 months now that our Committee undertake an investigation that would get to the heart of these legal and operational matters and propose corrective recommendations. The intelligence that we gain through these interrogations is too important—much too important—to allow shortcomings in this program to continue, for boundaries to be ill-defined.

I trust that you share my concern. And I hope you will assist our Committee in undertaking a constructive inquiry into detention, interrogation and rendition practices.

Finally, the President's intelligence budget for the fiscal year 2006 was formulated during the time last year when your position was being worked through in terms of legislation, not when you were in office. Obviously, the budget that was sent to Congress prior to your confirmation, by the time that you're in office, it may be relevant or lack some relevancy, either for this coming fiscal year or for the following one.

My point is that it's absolutely essential that this budget becomes your budget, as the Director of National Intelligence. If the intelligence spending priorities proposed in the national intelligence program do not match your own priorities, I urge that you prepare a budget amendment and forward it to us with alacrity. That would refer to 2006.

You will be the individual responsible for executing the new intelligence budget come October. The sooner it reflects your guidance the better. Ambassador, the support of the President will be a key factor in your ability to meet these and other challenges facing you as DNI. The reform act provides the director position with considerable authorities. But the most important authority of all is the backing of the President when you get to your first couple of tests. And it'll be those first couple of tests on which you will be judged. And who knows where that will come from, but I think reasonable people can make reasonable guesses on that.

So you will make a decision, and it will be very important for the President to back you up. If he does not, you will be weakened. If he does, you will be strengthened. And it does not take long in this city, as you know, for people to make up their minds about the aura and therefore the fact of power, of holding a powerful position.

I thank you again for appearing before us, for being willing to take on a job of this dimension, which I said I think is historic in its reach—global reach, national reach—and effect on the lives of all Americans.

I thank you.

Chairman ROBERTS. I thank the Vice Chairman. Just for the record, I don't know what chairman you're listening to, but it was not me that suggested that we cram the authorization bill with changes to the intelligence reform bill. I don't think it's possible to cram anything through the Senate, let alone any changes to the intelligence reform bill. And, as you have suggested, Mr. Vice Chairman, we do listen very carefully and ask the advice and counsel of the DNI before we move on any changes.

It is my privilege now to recognize the distinguished Senior Senator from Alaska, the Alaskan of the century, Senator Stevens.

I would only indicate to you, Mr. Ambassador, this is what some of us in Dodge City, Kansas, would call your friendly hometown intelligence community banker. So I think the closer you sit next to him, why, the more successful you might be.

Senator Stevens.

STATEMENT OF HON. TED STEVENS,
U.S. SENATOR FROM ALASKA

Senator STEVENS: Thank you very much, Mr. Chairman, Members of the Committee. I'm delighted to have the opportunity to come here today to recommend speedy reporting of this nomination to the Senate and a quick action on it.

Ambassador Negroponte and I have known each other now for almost 30 years and we have developed a great personal friendship.

Actually, John started out in the Deputy Assistant Secretary for Oceans and Fisheries Affairs with the rank of Ambassador. And in that connection he handled several matters that pertained to fisheries. This goes back into the early 1970s. And one of the things

he did was to not only visit our State frequently, but he also conducted the breakthrough agreement with the government of Japan that provided for crucial protection of the wild salmon for the United States on the open sea, in the oceans.

This high seas fishing agreement has led to the preservation of the largest fish found in the world, the Bristol Bay salmon, and he was directly associated with that. Those benefits continue to protect a series of small native communities in Alaska.

And I have had the pleasure of working with him in the assignments that all of you have mentioned so far—the two of you mentioned so far—Ambassador to Honduras, Assistant Secretary for Oceans, International Environment and Scientific Affairs, Ambassador to the Philippines, Ambassador to the United Nations and, of course, he is currently the Ambassador to Iraq.

I have witnessed his ability to work on very difficult assignments, to manage large and complex diplomatic and joint State and Defense missions. I have observed his effectiveness and sensitivity in dealing with foreign counterparts, which I think is going to be crucial to this job of his.

Educated at Yale, my friend speaks five languages fluently, and I consider that to be a really true asset for the job he's got ahead of him.

I believe President Bush, as you've said, has chosen extremely wisely and I welcome his selection to be our Nation's first Director of National Intelligence.

And as you've indicated, Senator Inouye and I currently have the responsibility of overseeing the funding for this new position. We certainly are going to do everything we can to work with Ambassador Negroponte—now Director Negroponte.

This is, as you said, a very crucial period of our history, and we need his vast experience to guide this new establishment and to fulfill the obligations and commitments we've made to the country in this new position. It requires finesse and skill.

I can tell you very seriously, I think this is one of the most distinguished public servants I've had the honor of knowing. In my 36 years here in the Senate, I don't think I've known anyone who's handled every single job he undertook in the way that John has completed his assignments. I am confident that the United States will be well served by his confirmation, and we look forward to working with this Committee to assure that he has the tools to complete this job and to really find new headquarters, to do a great many things.

And I wouldn't worry, Senator Rockefeller, about sending up a different budget. I can assure you that the two of us will listen to him and what his needs will be for the fiscal year 2006.

Thank you very much.

Chairman ROBERTS. Senator Stevens, on behalf of the Committee, we thank you for being here to introduce this fine nominee. I know, sir, that you have many important duties. We would love to have you for the full hearing, seeking your continued advice and counsel, but we know you have miles to go and things to do.

Senior STEVENS. Thank you very much.

Chairman ROBERTS. Mr. Ambassador, you may proceed. And may I suggest to you, sir, that you introduce your lovely wife Diana and

the rest of your family who is sitting directly behind your right shoulder?

STATEMENT OF HON. JOHN D. NEGROPONTE, DIRECTOR OF NATIONAL INTELLIGENCE-DESIGNATE

Ambassador NEGROPONTE. Thank you, Mr. Chairman.

I am pleased to introduce my wife Diana and two of my five children. Diana teaches history at Fordham University at the moment. My daughter Alejandra, who is a junior at Georgetown University, and my son John, who is a junior at St. Johnsbury Academy in St. Johnsbury, Vermont.

I also happen to have three other children who, for a variety of reasons, were not able to be here with us at this hearing.

Chairman ROBERTS. Well, we welcome you and your family and we thank you very much and you may certainly proceed with your statement.

Ambassador NEGROPONTE. Thank you so much.

Mr. Chairman, Senator Rockefeller, distinguished Members of the Committee, I am pleased to appear before you today as the President's nominee to be the first Director of National Intelligence.

I support the fine work this Committee has done to guide and inform United States intelligence policy. And, if confirmed, I look forward to our continued close consultation. I know that the Members of the Committee share my conviction that timely, accurate intelligence is a critical component of preserving our national security.

Without good intelligence, we will be unable to defeat the terrorists who began their assault us on long before September 11th, 2001; we will fall short in our efforts to counter the proliferation of weapons of mass destruction; we will lack the insight we need to deal with hostile regimes that practice artful schemes of denial and deception to conceal their dangerous intentions; and we will possess insufficient understanding of an array of global phenomena that could have consequences for our economy, our health and environment, our allies and our freedom.

The United States intelligence community, staffed by talented, patriotic Americans, forms what President Bush has rightly called our first line of defense. My job, if confirmed, will be to ensure that this community works as an integrated, unified, cost-effective enterprise, enabling me to provide the President, his Cabinet, the armed services and the Congress with the best possible intelligence product, both current and strategic, on a regular basis.

My qualifications for this post extend over a career in public service that began in October 1960. Since then, I have been nominated for posts subject to confirmation by the U.S. Senate eight times. On five occasions, I have served as Chief of Mission of United States Embassies and had the privilege of working with many fine representatives of the United States intelligence community, the armed services and the Cabinet departments.

I also have served as Deputy National Security Adviser to the President of the United States. Coordinating intelligence support for the National Security Council was one of my primary responsibilities under President Reagan.

During my most recent assignment as the United States Ambassador to Iraq, I saw firsthand the savage depredations of terrorists and insurgents who oppose the birth of a new democracy. These are violent, determined adversaries who cannot be thwarted, captured or killed without close coordination between all of our intelligence assets—military and civilian, technical and human.

The forces of freedom are making progress in this struggle, with the most notable accomplishment being Iraq's national election on January 30th. But much remains to be done. To prevail, Iraqis must keep to the political timetable established in United Nations Security Council Resolution 1546 and continue to train, equip and motivate effective military and police forces.

This is their struggle, but President Bush has made clear that they will have our support. With time, patience and tenacity, I believe that they will succeed. The formation of a transitional Iraqi government now underway is a major step forward.

The position for which I am now nominated is a new position, in a new era, and the specific recommendations I will make to the President will require careful study and engagement that is not possible prior to confirmation. That being the case, I am not now prepared to describe in detail exactly how I plan to carry out the job of Director for National Intelligence.

Nonetheless, there are clear requirements set forth in the Intelligence Reform and Terrorism Prevention Act of 2004, and I understand that the Congress and the American people expect more of the intelligence community today than perhaps ever before in our history.

In the past 4 years our homeland has been attacked and we have miscalculated the arsenal, if not the intent, of a dangerous adversary. Our intelligence effort has to generate better results. That is my mandate, plain and simple. I expect this will be the most challenging assignment I have undertaken in more than 40 years of Government service.

Just as my first requirement in Iraq was to start up a new embassy, my first requirement as Director of National Intelligence will be to start up a new organization. In this regard, I am grateful that the President has nominated Lieutenant General Mike Hayden as principal Deputy Director for National Intelligence. General Hayden's distinguished career in the field of military intelligence, capped by his tenure as Director of the National Security Agency, will enable him to complement my efforts with great insight, wisdom and experience.

In addition to General Hayden, I will have the support of other deputies and senior appointees.

I have never been able to accomplish anything in Government without the help of highly skilled, dedicated colleagues, nor have I ever taken an approach to leadership that is not built on the principle of teamwork. Teamwork will remain my North Star as Director of National Intelligence, not just for my immediate office, but for the entire intelligence community.

My objective will be to foster proactive cooperation among the 15 intelligence community elements and thereby optimize this Nation's extraordinary human and technical resources in collecting and analyzing intelligence.

We can only make the United States more secure if we approach intelligence reform as value-added, not zero-sum. The office of the Director of National Intelligence should be a catalyst for focusing on the hardest, most important questions and making it possible for very good people to outperform their individual talents by drawing on the Nation's investment in intelligence as a whole.

The President has made clear that the intelligence community needs fundamental change to successfully confront the threats of the 21st Century, and this is what I take fundamental change to mean—working and thinking together, trusting one another across the various disciplines of intelligence collection and analysis, jettisoning outmoded methods, questioning assumptions, breaking down bureaucratic barriers, establishing priorities, both short-term and strategic, and sticking to them.

When I have to make difficult decisions or recommendations to achieve that kind of change, I will do so. We cannot let another decade tick away without making intelligence reform a reality.

Mr. Chairman, I am not someone who believes that intelligence is a panacea. I suspect the Members of the Committee agree with me. Intelligence is an ingredient in national security and foreign policy, not the policy itself. It has limits encrypted in the illusions of dictators and the fantasies of fanatics. But even if we cannot know every fact or predict every threat, by working more closely and effective as a team we can be more specific about what we do not know. And this is critical. It's the only way we can pinpoint gaps in our knowledge and find ways to fill them.

As Director of National Intelligence, I will spare no effort to ensure that our intelligence community is forward-leaning, but objective, prudent, but not risk-averse, and yet always faithful to our values and our history as a Nation.

We must make sure that the information generated in one part of the community is accessible to other parts of the community. We must recognize that what we do is on behalf of the taxpayer and not on behalf of individual institutional interests. We must welcome new ideas, new approaches and new sources of intelligence.

In this information age, there are many open secrets to be discovered across the spectrum of government, private sector and academic enterprise. Our intelligence community is already alert to this fact, but now is the time to pick up the pace, mirroring the agility and adaptability of entrepreneurs across the globe.

A great deal has been said about intelligence fiefdoms within the United States Government. Some argue that there are three intelligence communities, not one—a military intelligence community centered on the Department of Defense; a foreign intelligence community centered on the CIA; and a domestic intelligence community centered on the Departments of Justice and Homeland Security and the FBI.

Where there's so much talk, there's always some truth. In times past, these arrangements have served the Nation well. But times present demand that we transcend any foreign-military-domestic divide that may historically have characterized our approach to intelligence.

This Committee and the American people know that. The 9/11 Commission knew that. The Commission on the Intelligence Capa-

bilities of the United States knew that. And having served as Ambassador to the United Nations, where a multitude of issues transcend national borders and overflow 20th Century categories of threat, I know that.

We do not confront a monolithic adversary or a state-based pact. Rather, we are dealing with an eclectic array of sometimes discreet, sometimes allied forces that are cunning in their efforts to define the battlefield to their advantage.

Terrorists, narco-traffickers, high-tech criminals and the leaders of anti-democratic states know that head-on assaults against any of our instruments of national security are not likely to succeed. It is in the cracks and the overlooked gaps where we are at risk, places where our organizational stance and, more importantly, our mindset has not caught up with the dynamics of globalization, which can be used to exacerbate the grievances and leverage the capacities of our enemies.

We live in an unpredictable world, subject to few of the old orthodoxies. That is why we must ensure genuine teamwork between our military, foreign and domestic intelligence agencies, cooperating with both imagination and diligence to build upon the core strength of democracy itself—Government service to the people, all the people, all the time.

I have made it a priority to meet with the Attorney General, the Secretary of the Department of Homeland Security, the Director of the FBI, and law enforcement officials at the local level the make sure that we all as a team take advantage of the Intelligence Reform and Terrorism Prevention Act, using it to bolster our ability to protect ourselves and our national interests here in the United States I also have met with the Secretary of Defense, the National Security Advisor, the Director of the Central Intelligence Agency, and other senior officials responsible for United States security interests overseas. I have not encountered hesitation on the part of anyone to begin reforming our intelligence community in ways that will ensure good overlap and good support, not wasteful redundancy among the domestic, foreign, and military components of our efforts.

Everyone knows this will be a tough job, but the things that have to be done differently will be done differently. We need a single intelligence community that operates seamlessly, that moves quickly, and that spends more time thinking about the future than the past. We need the right mix of human and technical resources, providing us with a new generation of capable intelligence officers, analysts and specialists, and innovative technologies.

Good intelligence is our first line of defense. It is difficult and often dangerous to produce. Many valiant Americans have given their lives in its service. But it is the best way for us to ensure that freedom, democracy and our national security are protected in the 21st Century.

Mr. Chairman, I want to thank you and the Committee for this opportunity to share these thoughts with you. And, of course, I welcome your comments and questions.

Chairman ROBERTS. Mr. Ambassador, thank you for a very comprehensive statement.

The Committee will now proceed to questions. Each Member will be recognized by the order of their arrival. Each Member will be granted 8 minutes so that we can explore fully any questions that Members have and, if necessary, we will have a second round.

Given the number of Members that we have—i.e., 14 and probably 15 in just a few moments, i.e., the Full Committee—I am going to insist in terms of lightly tapping on the gavel when each Member's 8 minutes is up with the knowledge that you would, obviously, have an opportunity in the second round.

Mr. Ambassador, do you agree to appear before the Committee here or in other venues when invited?

Ambassador NEGROPONTE. Yes, sir.

Chairman ROBERTS. Do you agree to send the intelligence community officials to appear before the Committee and designated staff when invited?

Ambassador NEGROPONTE. Yes, sir.

Chairman ROBERTS. Do you agree to provide documents or any material requested by the Committee in order to carry out its oversight and its legislative responsibilities?

Ambassador NEGROPONTE. I do, sir. Yes.

Chairman ROBERTS. Will you ensure that all intelligence community elements provide such material to the Committee when requested?

Ambassador NEGROPONTE. I do.

If I could just interject, Senator——

Chairman ROBERTS. Certainly.

Ambassador NEGROPONTE. [continuing.]——I've never reviewed in its entirety the procedures. Being a career diplomat, I'm familiar with the State Department procedures; I'm not entirely familiar with the procedures for the release of documents by the intelligence community to the Committee.

So there may be some limitations of which I am not aware. But in any event, you can be certain that I will do my utmost to be entirely cooperative with the Committee.

Chairman ROBERTS. There has been a great deal of discussion, Mr. Ambassador, about the U.S. Government's involvement in interrogation, rendition and detention of terrorists in the global war on terror.

I am not going to ask you to discuss in an open hearing the specifics of any ongoing intelligence operations or, for that matter, any investigations. But can you commit to us that as the DNI you will ensure the intelligence community's activities comply with the Constitution of the United States and all applicable laws and treaties, and that the elements of the intelligence community will cooperate with all relevant and possible investigations?

Ambassador NEGROPONTE. Yes, sir. And I am assured that our behavior—although I have not been briefed in detail—our comportment in regard to this question is in keeping and our policy is to comply with the Constitution and all applicable laws.

Chairman ROBERTS. In the Administration's supplemental funding request for fiscal year 2005 the President requested $250.3 million to support the initial establishment of the office of the DNI.

I understand the House Appropriations Committee fully funded the request, but placed some restrictions on the funds, and that the

Senate Appropriations Committee has not fully funded the request. The statement of Administration policy on the supplemental strongly urges the Senate to restore the funding.

What is the impact, sir, if you do not receive these funds?

Ambassador NEGROPONTE. Well, I believe the principal impact, Senator, may relate to our ability to find permanent quarters for the community. But I've also—just in a dialog I've had with Senator Stevens just this morning, he has assured me that he will be supportive of providing whatever funding is required to deal with that issue.

Chairman ROBERTS. We will await the action of the Senate and possible action in the conference in regards to that. Our concern is, without these funds, the establishment of the office of the DNI could be set back.

I'm going to yield back the balance of my time at this particular point and recognize the Vice Chairman.

Vice Chairman ROCKEFELLER. Thank you, Mr. Chairman. Your last question was my first question. I think you've answered it very correctly, because we've said you can't be inside the White House. So where you are going to land is important and that money is important for it. And I find it distressing that money was cut just as you are, in my view, being confirmed.

Ambassador Negroponte, as I indicated in my opening statement, the collection of intelligence through interrogation of prisoners is an enormously valuable tool in finding out important events that might be taking place. If prisoners are abused or tortured, the information produced may be unreliable and misleading. Over a year has passed since the first photos of the abuses of Abu Ghraib appeared.

As DNI, what role will you have in approving the legal and operational guidance pertaining to how intelligence is collected from detainees?

Ambassador NEGROPONTE. Senator, if confirmed, I will do all in my power to make sure that all practices of the intelligence community are in full compliance with the law.

And as you know, the legislation directs that the Director of the CIA report to the office for which I have been nominated. So given the DNI's authority over the CIA specifically and the intelligence community generally, I would expect that the DNI would oversee all such activities at the strategic level.

And coming back to your original point, not only is torture illegal and reprehensible, but even if it were not so, I don't think it's an effective way of producing useful information.

Vice Chairman ROCKEFELLER. Do you have any concerns—I mean, there are varieties of techniques, et cetera, leading up to the word torture, hopefully not including that word. But do you have any concerns about what you have read or come to understand about interrogations that have been carried out at Abu Ghraib or Guantanamo or Afghanistan?

Ambassador NEGROPONTE. Well, there were abuses, as we know—appalling abuses—that were carried out in Abu Ghraib. I'm not intimately familiar with all the practices either there or certainly not in the other countries that you've mentioned.

But I would come back to my main point. I think the guiding principle must be that the intelligence community must abide by all applicable laws and the Constitution of the United States.

I think, beyond that, there might be some questions that we could discuss in the closed session. But I have not been extensively briefed, I want to stress, Senator, on all the practices that have been undertaken here.

And I might, as a general point, just add, you know I just recently left Iraq and was Ambassador there until only recently and have just been back in the country 2 weeks. So this has been a process of really total immersion, but the learning curve has been extremely steep.

Vice Chairman ROCKEFELLER. Mr. Ambassador, this morning's paper indicated the State Department released hundreds of documents related to your time in Honduras. This question, as you know, was bound to come.

The Committee has not had a chance to review those documents. I'm not sure that there's anything new in those documents. But let me ask you a couple of questions about the report.

According to the article, immediately after the House voted to cut off funding to the Contra rebels, you sent a cable expressing continued support for this policy. Were you advocating continuing of some kind of aid to the Contras after the congressional cut off of funds? What was the purpose of this cable? I might go on to say *The Washington Post* describes back-channel messages. Can you describe what this back channel was as opposed to the normal State Department cable traffic method?

Ambassador NEGROPONTE. Senator, first and foremost, with respect to the question of support for the Contras, whatever activities I carried out, whatever courses of action I recommended in Honduras were always entirely consistent with applicable law at the time.

So if your question is whether I ever undertook any activity or made any recommendation that was inconsistent with legal prohibitions that existed at various times, known as the Boland Amendment, I made every effort to scrupulously to comply with that amendment.

Second, as far as the material is concerned, if I read the story correctly—and I haven't had an opportunity to look at the cables to which *The Washington Post* refers—but it sounds to me like the same set of cables that was my chronological file—my file of cables that I personally drafted which was declassified and made available to the Foreign Relations Committee prior to my hearings to be Ambassador to the United Nations in 2001.

The Committee also reviewed this very same matter in practically microscopic detail in 1989 when I was nominated to be Ambassador to Mexico. And I think in both instances have found that I had not carried out any improper behavior. And I certainly believe that I was—my comportment was always in an absolutely legal and entirely professional manner.

Vice Chairman ROCKEFELLER. I thank you, Mr. Ambassador.

Chairman ROBERTS. For the record, all Committee Members should know that the Foreign Relations Committee has supplied the Committee with approximately 100 documents that we recog-

nize as a chronological file, as the Ambassador has pointed out. And they will be available to all Members of this Committee should any Member with to go over those documents.

In my personal view, I don't think there is any mystery documents. I think this is the first time that—as a matter of fact, the timing of it as sort of—I guess it's interesting to me. But at any rate, all Members can have access to this file, which has been made available to us by the Foreign Relations Committee.

Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman.

Ambassador, I want to stay with this human rights issue in Honduras for a moment, because I've read all the reports and the letters and the testimony regarding the human rights practices there. And I will tell you when you compare what you wrote and what you testified to what the CIA said and what the Inter-American Court said and what the Honduras human rights commissioner said, there is a very big gap. It is almost as if you were an ambassador to a different country.

So let us, if we could, begin by having you reconcile what is on the record with respect to these human rights practices and what is so remarkably different about what the CIA said and all of these other bodies who have looked at the period as well.

Ambassador NEGROPONTE. Thank you for your question, Senator.

First of all, I don't think there is necessarily such a large gap, certainly not——

Senator WYDEN. Would you like me to review it, because I can go case-by-case.

Ambassador NEGROPONTE. [continuing.]——especially, with regard to the CIA.

But let me just put Honduras in context. Now, we're talking about history, really. It's something that, things had happened 24–25 years ago. But I think one has to understand that Honduras was a country surrounded by trouble. There were civil wars going on in Nicaragua, El Salvador and Guatemala.

The political freedom was relatively greater in Honduras than it was in the neighboring countries. In fact, there were refugees streaming to Honduras from those three countries. It wasn't the other way around. It wasn't that Hondurans were fleeing their country to their neighboring countries because of political repression.

When I got to Honduras shortly thereafter, there was a first democratic elections that had taken place in 9 years. And there have been six such elections in the years that have followed.

Honduras had a free labor movement. It had a free press.

Now, were there human rights abuses? Yes. And our human rights reports—I have the 1984 report here right in front of me—they talk about those things, about disappearances, about arbitrary arrests, about defects in the administration of justice in that country.

But I think if you look at it in the context of what was happening in Central America at the time, I think Honduras' record compared favorably with the neighboring countries.

And I would submit to you that improvements occurred during the time of my tenure there, including an administration of justice

program, a revision of the penal code, and other efforts to deal with human rights issues in that country.

Senator WYDEN. With all due respect, Mr. Ambassador, that's simply not responsive to my question. I mean, for example, in 1982 you wrote a letter to *The New York Times*: Honduras' increasingly professional armed forces are dedicated to defending the sovereignty and territorial integrity of the country; they're publicly committed to civilian constitutional rule.

The CIA, for example, said during that period the Honduran military committed hundreds of human rights abuses since 1980, many of which were politically motivated and officially sanctioned. The Inter-American Court said the same thing. The Honduran human rights commissioner said the same thing.

I mean, I see a pattern essentially of you ducking the facts. And what troubles me is not the idea of re-litigating what happened in Central America 20 years ago; nobody wants to do that, and I don't think that's constructive.

But we're making a call now about your judgment, and it looks to me like you saw things through an Administration-colored lens then. And what you need to do over the course of today is convince me that when you brief the President, you have this extraordinarily important duty that you're going to make sure the facts get out there. And when I look at what you said about human rights issues in the 1980s and I look at what the CIA said and all these other objective parties, there's just no way I can easily reconcile those differences.

So I want to give you another chance to be responsive to my question. For example, if you tell me, you know, I should have said more about these human rights issues in the early 1980s in those country reports, in those letters and interviews you gave, that's an indication—because I have certainly made loads of mistakes over the years—that's responsive to what I'm interested in seeing.

But I'm very troubled at this point and I want you to reconcile the differences between what you said and wrote and what these other parties have said.

Ambassador NEGROPONTE. Just to pick up on one of your examples there where you mentioned the CIA, I remember one of the principal allegations of the CIA Inspector General's Report was that I had suppressed or sought to suppress reporting on human rights. And I was able to establish to the satisfaction of the Senate Foreign Relations Committee that that was not the case. And in fact, my deputy station chief from that time, who was quoted as the source of that information, himself wrote the Committee and said that that was absolutely incorrect. He wrote to Senators Helms and Biden.

If I may, Senator, I think that sometimes when one tries to reconstruct these situations 15, 20, 25 years after the fact, some subjective judgments creep into these analyses that don't necessarily stand up to scrutiny. I can tell you that I, in good conscience, can sit here and tell you that I believe that I called to Washington's attention what was going on in Honduras. Within the first several months of my tenure there, I asked the embassy to conduct a review of the administration of justice system.

I had a meeting with the president of the country and the chief of staff of the armed forces within the first year that I was there and urged them to undertake urgent steps to review the administration of justice, particularly with the way that some of their police forces were treating terrorists. And we ended up establishing a strong administration of justice program in that country.

Senator WYDEN. I'm just looking again at what you testified—my time is up—but you said allegations of human rights-related abuses are fewer than in previous years. The Honduran government shows enhanced sensitivity to these complaints. That's what you said in 1984. And I will tell you—I'm going to explore this further on other rounds—but the point really is if you disagreed with the CIA, that's fine. But all of these other objective analysts said the same thing, Mr. Ambassador. And I hope in the course of today you can convince me that when you brief the President, the President's going to get all the facts. And I will tell you I am not convinced that that's the case as of now. Thank you, Mr. Chairman.

Chairman ROBERTS. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman. Welcome, Ambassador, to you and your family. Mr. Ambassador, we need a Director of National Intelligence who will tell a President what a President may not want to hear, but what he needs to hear. We've too often seen heads of the intelligence community exaggerate or misrepresent or misstate intelligence to support the policy preferences of the White House. We saw this with Bill Casey, who, a bipartisan Iran-Contra Report concluded had "misrepresented or selectively used available intelligence to support the policy that he"—Bill Casey—"was promoting."

Now, that was the finding of a very bipartisan and a very distinguished Iran-Contra Commission. Did you agree with the Iran-Contra Report's conclusion about Bill Casey's misrepresenting intelligence?

Ambassador NEGROPONTE. Sir, I'm not sure I was focused on that issue at the time.

Senator LEVIN. Were you involved in his thinking and conclusions relative to the Contras?

Ambassador NEGROPONTE. Well, of course, I knew Director Casey and met with him on numerous occasions, including when he visited Honduras. But, as you may know, by the time the Iran-Contra situation developed, I had already moved on from Honduras in May 1985 and taken on my new responsibilities as Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

So I was not in a position dealing with Central America at the time the Iran-Contra scandal developed.

Senator LEVIN. More recently, George Tenet also was engaged in exaggerations and misstatements when he said, for instance, publicly that Iraq had "provided training in poisons and gases to two al-Qa'ida associates," which was close to what the President was saying publicly about the same issue. But the underlying intelligence said that that reporting was contradictory and was from sources of varying reliability.

Judge Silberman explained recently in talking about his report that, "The intelligence community was resistant to notions that

there was an important connect between Saddam and al-Qa'ida or terrorism," and yet you had the Director, the DCI, talking about Iraq "providing training in poisons and gasses to al-Qa'ida associates."

My question is this: Are you troubled by that kind of a public statement of Director Tenet which differs or differed from the underlying intelligence relative to the connection between al-Qa'ida and Saddam Hussein?

Ambassador NEGROPONTE. Senator, let me try to answer you question this way. And I think it goes back to the question that Senator Wyden was putting to me earlier. I'm an experienced foreign policy professional. As a junior officer, I was a political reporting officer. I don't know how many hundreds——

Senator LEVIN. Given our time problem, I'm just wondering whether you could give a shorter answer.

Ambassador NEGROPONTE. Well, I'm just going to—OK. My punchline is, I believe in calling things the way I see them. And I believe that the President deserves from his Director of National Intelligence and from the intelligence community unvarnished truth as I best understand it.

Senator LEVIN. That's critically important because it's not been the case. When the DCI said that something was a slam dunk which was not a slam dunk, even given the underlying classified intelligence, that was not giving the President the unvarnished truth.

Now, you're not responsible for what Tenet said, but your assurance here that you will do that is important.

There's another aspect of unvarnished truth here, though, and that is that if you conclude that policymakers are making public statements that differ from the classified intelligence, what action will you take? And I want to just give you a couple recent examples.

Shortly after the 9/11 attacks, a single uncorroborated report alleged that the lead 9/11 hijacker, Mohammed Atta, had met in Prague in April 2001 with an Iraqi intelligence officer named al-Ani. On December 9, 2001, Vice President Cheney said that the Prague meeting had been "pretty well confirmed," although it had never been confirmed. On September 8, 2002, Vice President Cheney was asked if the CIA thought the report of the meeting was credible, and he said it was credible.

But in fact, as early as late spring of 2002, long before that statement, the intelligence community was skeptical that the meeting had taken place. In June of 2002, the CIA issued a then-classified report that said that the information about the meeting was contradictory.

It now turns out that in January 2003—now that's still before the war—that the CIA published a then-classified report that said the following: "Some information asserts that Atta met with al-Ani. But"—and these are the key words—"the most reliable reporting to date casts doubt on that possibility." Now, that language was just declassified at my request within the last week by the CIA.

So you have the CIA, in its classified assessment, saying that the most reliable reporting to date casts doubt on that possibility. But

yet you have the top policymakers saying that that meeting, we believe, took place.

My question to you is this: What would you do if you were DNI at the time that kind of a public statement were made, if you believed that it went beyond the classified intelligence?

Ambassador NEGROPONTE. I think you're raising a hypothetical.

Senator LEVIN. No, that's a real one.

Ambassador NEGROPONTE. But looking to the facts here, Senator, it seems to me that everything we've gone through in these last months—the 9/11 Report, the WMD Commission Report, the reports that you have done—are to look at ways in which we can correct and reform and improve the modus operandi of the intelligence community in order to avoid these kinds of situations being repeated.

I would, first of all, do my utmost to make sure that the right intelligence is presented to the President, the Vice President, the Cabinet members and our armed forces and the Congress.

Senator LEVIN. And if you believed an erroneous statement was made by a top policymaker to the public, what would you do?

Ambassador NEGROPONTE. Well, I think that, first of all, given an opportunity to comment beforehand on the correctness or not of the statement, and if I had information that contradicted what was in a draft Presidential speech, I would seek to ensure that that incorrect information did not find its way into a Presidential or——

Senator LEVIN. And if it did?

Ambassador NEGROPONTE. Well, you know, we have to cross that bridge, Senator. But I believe that we've got to work to establish objective intelligence. And the Intelligence Reform Act deals with a number of mechanisms designed to do that.

Senator LEVIN. Thank you.

Chairman ROBERTS. Senator Feinstein.

Senator FEINSTEIN. Thank you very much, and welcome, Ambassador.

I believe very firmly in the concept of the Director of National Intelligence. I first introduced legislation having to do with it in 2002.

So I'm at last pleased that we are there where we are today. Having said that, I'm concerned that the legislation is not strong enough. And so I'd like to ask you some questions.

The recent WMD Commission Report highlighted the dead-bang failures of the intelligence community that led up to the war in Iraq. We discussed some of these yesterday and I won't go into them in this setting. But the other major finding of the report is that in critical areas intelligence should be informing major decisions by senior policymakers—for example, Iran and North Korea.

Now, the intelligence just isn't there, according to this report. And I would add that, even if we had intelligence, I doubt that it would be believed by many of us or by the international community. I think the American public deserves some unclassified answers as to how you intend to develop the needed intelligence and the credibility to use it so that it will be believed.

Ambassador NEGROPONTE. Well, Senator, the law prescribes a number of approaches to this. And as I said earlier in my testimony, I'm not ready to give you a detailed blueprint. But there are,

obviously, guideposts with respect to analytical integrity, with respect to objectivity, with respect to the approach of creating a National Counterterrorism Center, which will be an all-source center that tries to integrate the work of the many different agencies involved in dealing with that issue. It also talks about the possibility of establishing a non-proliferation center.

And the WMD Commission also makes a number of detailed recommendations, some 75 in all. And those are now being studied carefully at the White House and the President has set a 90-day timetable for a response to those recommendations.

So I would expect that shortly after being confirmed, I'll be in a position to come to the Committee with some specific ideas for you as to how I propose to deal with these questions.

Senator FEINSTEIN. I must say, I'm a bit taken aback by the vagueness of your answer. I'm rather surprised by it, because it would seem to me that by now—and you said you've read these reports—you must have some concept of what needs to be done. And it's not just the setting up of a center, I believe. I don't think that is going to change much.

Ambassador NEGROPONTE. Well, here are some of the things we're talking about, Senator. Of course, one of them is developing a sense of community. Another is to make sure that we don't rely only on intelligence from one agency, but get the best possible benefit from all 15 different members of the intelligence community. We're talking about red cell analysis and alternative analysis.

I mean, these approaches are all laid out there. But what I'm saying is the specific mechanisms as to how we're going to carry out all these different ideas have yet to be fully developed.

Senator FEINSTEIN. OK, well, that takes care of two of my other questions. Let me quote from one of your answers in the pre-hearing questions.

"The Secretary of Defense has significant discretion over the JMIP and TIARA, whereas the DNI has control over the national intelligence program. This creates natural tensions. The DNI can participate in budget development of JMIP and TIARA and is to be consulted by the Secretary of Defense with respect to any funds transfer or reprogramming under JMIP." And then you go on to say, "I would expect to exercise these budget authorities."

So my question really is, how would you proceed? This morning, as I came in, I was listening to PBS. There was some discussion over the fact that the defense community may be realigning to try to prevent any loss of authority in this area.

And we know it's a very sensitive area. I hope that this—and my intention certainly is that this be a very powerful position, that you be able to use the budget authority and the statutory authority to its fullest strength. So could you comment more fully on that answer to the question, please?

Ambassador NEGROPONTE. Thank you, Senator. I mean, as you mention, according to the legislation, I do have enhanced powers relating to budgetary, to personnel and acquisition matters, among others. And, in addition, when the President announced my nomination he said he would fully back me and the new role of the DNI. And you may recall that he made specific reference to my role in determining the national intelligence budget.

So I will seek to make the fullest possible use of these authorities. And as regards some of the discussion that has been put forward about the Defense Department—and I think yesterday there was a reference to an effort to bring together the different intelligence components of the Pentagon and have them all report through Under Secretary Cambone with regard to dealing with the DNI, I see my authority under the law, given my responsibilities for determining the national intelligence budget, in no way will preclude my ability to deal directly with such agencies as the National Security Agency, the National Reconnaissance Office and so forth.

And also, as I think I mentioned to you when we met privately, I've met with Secretary Rumsfeld. We've agreed that we will meet on a regular basis to go over these issues. I've also seen Budget Director Bolten. And I'm confident I can count on his strong support in these matters.

Senator FEINSTEIN. Thank you. With respect to chapter 13 of the——

Chairman ROBERTS. Senator, the time has expired. We will go to a second round.

Senator FEINSTEIN. I beg your pardon. Thank you very much. Thank you.

Chairman ROBERTS. Senator Snowe.

Senator SNOWE. Thank you, Mr. Chairman. I would ask that my prepared statement be made a part of the Record.

[The prepared statement of Senator Snowe follows:]

PREPARED STATEMENT OF SENATOR OLYMPIA J. SNOWE,
U.S. SENATOR FROM MAINE

Thank you Mr. Chairman.

Ambassador Negroponte, it is indeed a privilege to have you here this morning and I want to thank you personally for once again stepping forward to serve the Nation and taking on the tremendously complex role of leading the reform of our intelligence community.

Truly, these are historic and perilous times for the Nation and your nomination comes with many questions about how you will address the challenges and opportunities the intelligence community faces. Indeed, I cannot recall a time when a nominee has come before the Senate with the entire community they have been nominated to lead in the midst of such sweeping transformation. As you well know, the transformation you will be charged with overseeing carries with it the future security of this Nation.

Because we still know very little about our Nation's most dangerous adversaries, you will be responsible for ensuring that the community has the collection and analytic expertise required to confront our greatest challenges no matter from which quarter they appear. While many are concerned about the re-emergence of a regional peer competitor in the Northern Pacific, we obviously still face the scourge of international terrorism, international criminal organizations and other transnational threats. And, of course, there remains the perplexing problem of gathering intelligence against closed societies such as Iran and North Korea—so called "hard" targets.

In the past three years, there have been four major investigations that have concluded that the time has come for significant reform in the intelligence community—two of them by this Committee. In December 2002, the primary recommendation of the Joint Inquiry into the Terrorist Attacks of September 11, 2001 was that Congress should amend the National Security Act of 1947 to create a statutory Director of National Intelligence to be the President's principal advisor on intelligence with the full range of management, budgetary, and personnel responsibilities needed to make the entire U.S. Intelligence Community operate as a coherent whole.

Last July, this Committee issued its Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq that found that although the Director of

Central Intelligence was supposed to act as head of both the CIA and the intelligence community, for the most part he acted only as the head of the CIA to the detriment of the intelligence product provided to national policymakers.

Later that month, the 9/11 Commission issued their report on the terrorist attacks and also recommended that the current position of Director of Central Intelligence should be replaced by a National Intelligence Director with two main areas of responsibility: to oversee national intelligence centers and to manage the national intelligence program and oversee the agencies that contribute to it.

Finally, just two weeks ago, the President's Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction found the Intelligence Community is "fragmented, loosely managed, and poorly coordinated; the 15 intelligence organizations are a 'community' in name only and rarely act with a unity of purpose." They also concluded that the Director of National Intelligence will make our intelligence efforts better coordinated, more efficient, and more effective.

Clearly, with this many investigations and Commissions arriving at the same conclusions time and again, for the sake and safety of the Nation we must begin the transformation of the fifteen agencies tasked with collecting and analyzing intelligence into a single, coordinated community with the agility to predict, respond to and overcome the threats our Nation will face. Your confirmation is the first step in executing this extremely complex undertaking and time is of the essence.

You have the distinct privilege and solemn obligations that come with being the first Director of National Intelligence. How you lead, how you manage the community, how you shape your role, the relationships you create with the various agencies and their leaders will not only determine how effective you are in reforming our intelligence community but very likely how each of your successors will approach the oversight of our intelligence community as well.

As we discussed last week, I believe that one of your primary tasks will be to energize the workforce and give them direction. We both agree that our intelligence community professionals are the best in the world and every day they toil tirelessly, often unrecognized, in the shadows to keep this country safe. I believe they are eagerly looking for strong leadership so they can move forward with the business of securing the country.

It has been said that "A leader takes people where they want to go. A great leader takes people where they don't necessarily want to go but ought to be." We need your great leadership skills as the first Director of National Intelligence to break down the old rice bowls and stove-pipes so that loyalty to an agency or an established bureaucracy is replaced by the understanding that every agency and every employee comprising the intelligence community is part of one team and that team's goal is to secure America.

All this points to significant reforms in current personnel policies—from recruitment and training to career progression and assignments. We must develop a workforce that is adequately agile and flexible to counter the myriad threats we face. The community must recognize that the growing diversity of the threat requires a commensurate growth in a diverse workforce. The mere act of recruiting a diverse workforce will offer the ability for an organization to see collection and analysis with fresh eyes as different "frames of reference" are added to the workforce.

Finally, and again as we discussed the other day, while many are ready to jump in and begin amending and changing the provisions of the Intelligence Reform Act, I believe we must mind the "law of unintended consequences." I believe that you will need some time to work with the law before you can tell what is working and what is not. Certainly, if you see areas that need immediate attention or further refinement, or that make your authorities unworkable, we would expect you to come back to us as quickly as possible so we can provide you the tools you need to quickly and effectively reform the community.

Ambassador Negroponte, I firmly believe that you possess the experience and leadership necessary to refocus our intelligence community, so the intelligence products provided to national policymakers are not only timely, but reflect the best judgment of the entire of the intelligence community. I look forward to working with you in the coming years as we shape our intelligence community into a cohesive whole and as you define the role of Director of National Intelligence. With a strong DNI and a focused intelligence team, our Nation will be safer. Thank you.

Senator SNOWE. Welcome, Ambassador Negroponte. And I am going to thank you for once again stepping forward to serve our Nation in this precedent-setting role that has responsibility for overseeing a transformation, a sweeping transformation of our in-

telligence community that carries with it the future security of our country.

As everybody's indicated, and you've acknowledged in your own statement, your leadership skills will be sorely tested as the first director of this newly created agency, particularly because you're going to have to break down the stovepipes and the barriers that exist between and among all of the intelligence agencies.

That was abundantly apparent in the more than four reports that have been done over the last few years, the two regarding 9/11 and then the weapons of mass destruction-related intelligence reports that were done by the Silberman-Robb Commission, and also our Committee.

You'll have to break down those barriers and the loyalties that each individual employee has to the agency or bureaucracy and to replace that with an understanding that they now, as part of their agencies, comprise an intelligence community team, and that team's goal is to secure the security of America.

So the real question is, in my mind, and many questions that have been raised in respect to that ultimate goal in creating that team that you've acknowledged in your statement as well, that it is building teamwork, because we have so many outstanding men and women who have put their lives on the front line and display enormous professionalism and courage.

But I think the question is how you see your authority in breaking down those barriers, solidifying your position. Even the Silberman-Robb Report indicated that headstrong agencies will try to run around and over the DNI, that these agencies have an almost perfect record of resisting external recommendations. So the key is, number one, how you intend to solidify your authority.

Some say that you're going to lack the command authority, as a result of the legislation we passed. Maybe the ambiguity and the gaps may be more positive than negative. On the other hand it could be a negative if you don't have the ability to do what you need to do—if we haven't given you the authority to succeed. And we, obviously, will need to know that sooner rather than later.

So first of all, how do you view your role in solidifying your position? And if you lack the command authority as directed under this legislation—obviously, I'd like to hear your response to that—how will you direct the agencies to do what you want them to do?

Ambassador NEGROPONTE. Well, I think the law does give me substantial authority. And even in areas where there might be ambiguities, I think I've been encouraged by many of the people that I've consulted with during these past 2 weeks to push the envelope and use what authorities I believe I have to the utmost.

And I think there's also been commentary to the effect that I will need the support of the President. And he has, in announcing my nomination, made public assurances of supporting me in these new functions.

But there are budgetary authorities that we talked about already. There are some personnel authorities, there are procurement authorities. And there's a whole range of instruments that I think are available or can be developed.

The other point I'd like to make, Senator, is I'm no stranger to operating within either the U.S. Government in general or within

the intelligence community in particular. As an Ambassador I have had five CIA stations under my authority, I've had Defense attachés, and most recently in Iraq I worked extremely closely with General George Casey, the MNFI Commander, in what I think was a real model of civilian-military cooperation even to the point where General Casey and I, the Embassy and MNFI, were issuing unprecedented joint mission statements.

So I think that by developing relationships, by establishing trust between the key players here, I think this issue can be moved forward.

Senator SNOWE. Well, I guess the question is, how long?

And I know you mentioned that we can't wait another decade to fix this community. And the breadth of failure, you know, frankly, was inconceivable, I think, to all of us. And, you know, we don't want to look in the rearview mirror.

But on the other hand, I think, knowing that and given what has also happened in this unprecedented failure, that we need to make sure that we get it right sooner rather than later.

So you know and understand we have to adopt a wait-and-see attitude for a while with respect to this legislation, with respect to the kind of authority you've been given or haven't been given depending on how broad it is. The question is, how long do you believe we have before we would have to go back and fix the legislation if it's necessary?

Ambassador NEGROPONTE. Well, I have a two-part answer to that.

First of all, how long in terms of starting to make some of these changes: My answer is right away. As soon as I'm confirmed, I want to set about setting up this office and start making some of the changes and adjustments and adoption of different approaches that have been recommended. So I'd like to move out quickly. I have no personal interest in prolonging that aspect of the job.

As far as if or when we might come up with some suggestions as to amendments, I think I'd have to reserve on that at the moment because I think it would be good to get a bit of a body of experience.

But I can assure you that we won't hesitate. If we think some kind of a legislative fix is required, technical or otherwise, we will be back to the Committee promptly on that.

Senator SNOWE. So you wouldn't hesitate to come back, you know, within the year?

Ambassador NEGROPONTE. Well, that certainly sounds like a reasonable period of time to me. But, again, I just wouldn't want to be held to a specific timetable.

Senator SNOWE. Thank you.

Chairman ROBERTS. Senator DeWine.

Senator DEWINE. Ambassador, we welcome you. We welcome your family.

Thanks for being here. I think the President's made a good choice. And we look forward to working with you in the years ahead.

As you and I discussed in my office a few days ago, I was one of the ones who felt that this bill did not give you enough authority. And I remain concerned about that.

But I think we all do realize that ultimately your success or failure is not only going to depend on what you do, but it's going to depend on how much authority the President of the United States gives you. And I think that no matter how we write the legislation, no matter what words were down on paper, ultimately it's going to be whether the President backs you up in these turf wars that are bound to occur.

Let me ask you to follow up on a question that you answered a moment ago in regard to this report that came out. It was a *Time Magazine* report in regard to Mr. Cambone.

This report says, "The Defense Department's Intelligence Chief, Stephen Cambone, is having aides draft a previously undisclosed charter for his office that would consolidate his power as the DNI's main point of contact for the Pentagon's myriad intelligence agencies, which consumes some 80 percent of the estimated. . ."—and then it tells about the intelligence budget.

Then it says: "'Cambone would be like a mini-DNI,' says a senior intelligence official."

You've answered that. I guess what you're saying is you would not feel constrained that you have to go through Mr. Cambone to deal with people in the Pentagon?

Ambassador NEGROPONTE. That's correct.

And specifically, when you talk about the NSA or the Geospatial Agency, I've got to learn a whole new alphabet soup here,

Senator DEWINE. There's a lot of them.

Ambassador NEGROPONTE. In any case, the various agencies that benefit from what is called the national intelligence program, and since that responsibility is assigned to the DNI, I think the language in the law is quite strong. It says "shall determine" that budget. Well, clearly I'm going to have to have a relationship with those agencies. I can't see any other way of doing it.

Senator DEWINE. Well, and I assume you mean this is a direct relationship. This is not a relationship that is going through someone. You need to have the ability to deal directly with them, and not through a conduit.

Ambassador NEGROPONTE. Right. Yes.

Senator DEWINE. I mean, you don't have to ask somebody to coordinate this. We're not looking at something here in the Defense Department, are we, where you have to clear something with somebody every time you do it, are we?

Ambassador NEGROPONTE. That would sound rather impractical to me. And that's not the way I would expect to proceed.

Senator DEWINE. Well, it's not only impractical, I think it's very dangerous.

Ambassador NEGROPONTE. Having said that, Senator, if—I certainly don't want to suggest——

Senator DEWINE. I'm not asking you to pick a fight today, Mr. Ambassador. You know, you've been in the diplomatic corps long enough; I'm not going to put you on the spot. But I just want to express this Member's opinion that that would be a problem. I'll let it go at that.

Let me ask you about the FBI. What do you envision, based on the statute and your reading of the statute that we have written

and your anticipation of your new job, what your relationship with the FBI will be?

Ambassador NEGROPONTE. Well, first, they have an intelligence component that is in part answerable to me. So I believe that's one point.

Second, I think that when we're talking about trying to integrate the foreign and domestic intelligence aspects of the situation, clearly we're going to have to work extremely closely with the Department of Justice, the FBI and the Department of Homeland Security.

Some of that effort is already ongoing in the form of the National Counterterrorism Center. But as to more specifics as to exactly how Director Mueller and I are going to work together, I think that's something that he and I are going to have to develop together.

Senator DEWINE. Have you had an opportunity to talk to Director Mueller about this in any detail yet?

Ambassador NEGROPONTE. Not in any detail, but we have met and I'm also pleased to say that he and I have worked together before when I was Ambassador to Mexico, as a matter of fact, and he was the Associate Attorney General for Criminal Matters.

Senator DEWINE. Let me ask you about your experience in Iraq and what you learned there that might be of relevance to your new position. I would even expand it beyond just your own personal experience in Iraq, but going back to the lead-up to the war and what we learned as far as some of the intelligence failures leading up to the war. Reflect on both. They are two separate issues.

Ambassador NEGROPONTE. Two points I would offer on that, Senator. First, with respect to the current situation in Iraq, my experience on the ground and to the extent that I've been able to follow it, the intelligence community is actually—their work comes together quite well in Iraq. I think there have been some examples of excellent cooperation between various elements of the intelligence community, which has resulted, for example, in the capture or killing of a number of the al-Qa'ida and Zarqawi associates. So I think that there have been some positive achievements there, although I think I a lot of work still remains to be done, especially on better understanding the nature of the other aspects of the insurgency other than al-Qa'ida, namely the former regime elements, the Saddamists and so forth.

On the intelligence prior to the war, I think I, like everybody else, was surprised at the virtual lack of any supporting information that was developed after the war took place and the Iraq Survey Group's Report. I certainly, when I was Ambassador to the United Nations and making whatever arguments or whatever case that I was instructed to make to the Security Council, I certainly believed most of the intelligence.

So I think I would agree with particularly the WMD Commission's Report that I think diagnoses that Iraq failure in great detail, and we've got to do our darndest to avoid a repetition of that kind of situation.

Senator DEWINE. Thank you very much.

Thank you, Mr. Chairman.

Chairman ROBERTS. Senator Hagel.

Senator HAGEL. Mr. Chairman, thank you.

Mr. Chairman, I would ask that a statement that I have be included for the record.

Chairman ROBERTS. Without objection it is so ordered.

[The prepared statement of Senator Hagel follows:]

PREPARED STATEMENT OF SENATOR CHUCK HAGEL,
U.S. SENATOR FROM NEBRASKA

America's first Director of National Intelligence faces an enormous challenge. He must re-energize the leaders of an intelligence community that have endured the intense scrutiny of numerous investigations. The DNI will need to harness the expertise, experience and commitment of the 15 different intelligence agencies to achieve the common goal of securing our Nation. And the Director must do all of this while the threat of terrorist attacks remains real. The President has nominated an extremely capable and experienced professional who will set the standard for all future Directors: Ambassador John Negroponte.

I have worked closely with Ambassador Negroponte over the years and know of his depth of knowledge and wide experience on international security issues. His distinguished service as our Ambassador to the United Nations will give him the credibility we need in the world arena. He further proved his immense ability as Ambassador to Iraq, where his efforts were critical to the successful Iraqi elections. He understands the challenges of the 21st century and the magnitude of threats to America and the world. He has the ability to lead an effective, integrated intelligence community.

I look forward to supporting Ambassador Negroponte in his efforts to build a strong and capable intelligence community for our country.

Senator HAGEL. Thank you.

Ambassador Negroponte, welcome. I think Senator Stevens had it right when he referred to you this morning as one of the most distinguished public servants of our time. You have been.

You continually avail yourself to impossible tasks. And we appreciate very much what you and your family have agreed to here to step into this critically important role, a role that will, in fact, define the intelligence community in this country for many years.

Your actions, your leadership, how you interpret and how you define this new law will, in fact, set a precedent for future intelligence community leaders. It is an important, big job which you understand and you are up to. So thank you for agreeing to do this.

You have had an opportunity to review the Silberman-Robb Report and it has been brought up here this morning. I would be interested in your thoughts about the challenge that you are going to have—and this was part of the report that they issued—in regard to information-sharing in the intelligence community.

Here you will be dealing with 15 agencies, all important, all with their own cultures, dynamics, responsibilities. How do we integrate that information and intelligence? Have you given some thought to that?

Ambassador NEGROPONTE. Senator, first of all, it is a crucial issue. And I think it goes to the question of creating a unified intelligence community. And I think that that's one of the principal purposes of this new legislation.

The Silberman-Robb Report has some 75 or so recommendations. And, as I mentioned earlier, they are being studied now by the White House, both by the National Security Council and the Homeland Security Council. And the President has given them 90 days to come up with a response to those recommendations.

But within them are a number of them that make sense to me and address the question you raise with respect to information

technologies, with respect to making more information about sources available across the intelligence community, so you don't have a situation sometimes when intelligence reports are being circulated, but the other receiving agencies don't have enough understanding or appreciation for the source and its reliability.

There are a number of different steps that are being proposed, and we're going to take a hard look at that. And I certainly expect to move on whatever recommendations are adopted fairly promptly.

Senator HAGEL. Thank you.

Also included in the Silberman Report was a reference, as was the case in other reports—and this Committee has dealt with this issue as well—the issue of alternative analysis—allowing policymakers outside the regular, mainstream intelligence community analysis process—which, obviously, you need to be aware of that and may well even instigate and initiate something within your organized intelligence community for alternative analysis.

Senator HAGEL. Have you given any thought to that issue?

Ambassador NEGROPONTE. Yes, sir. I think it's important. I think there are mechanisms that can be established both within the DNI and perhaps in some of the other agencies, as well, related to that. And there is quite emphasis on it in the Silberman-Robb Report about the importance of open-source analysis. Clandestine intelligence reporting isn't the only source of wisdom and I think a lot of attention ought to be paid to that.

But, yes, I think in terms of providing the best possible intelligence product to the President, one has to take a holistic look at this issue.

Senator HAGEL. Thank you.

In our previous conversations, Mr. Ambassador, we've talked about one of the challenges that you are going to have is to not just integrate 15 agencies, to a certain extent, but it's also—it's my word not yours—reenergize and strengthen what has happened to our intelligence agencies over the last couple of years—the studies, the reviews, the critiques, the failures.

And we understand—you certainly do—that structures are important, but it's relationships and people and culture that's most important.

And you're going to have a big job of putting all that back together. These agencies have been hollowed out. Their sense of themselves, their sense of purpose, their self-confidence—not all—but there has been, I think, some erosion of a sense of their mission and their purpose. And they're going to need some intensive work in the area of bolstering their own personal commitments, it seems to me, and as an agency.

And I'm not talking about cheerleading and pep rallies, but I'm talking about harnessing that vitality and bringing that vitality back to where any organization has to have it in order to get peak performance from its people.

And you've thought about that. Would you care to share with us your thoughts?

Ambassador NEGROPONTE. Thank you, Senator.

I have thought about it. And I couldn't agree with you more that it's extremely important, not only in and of itself, because we need to have a re-energized and positive and forward-looking intelligence

community, but also because I think there are many individuals in these different agencies who have done absolutely outstanding work for our Nation, and I think that work needs to be recognized and acknowledged and remembered.

As I mentioned earlier, I've worked very closely with the CIA, the Defense Intelligence Agency, the NSA in my recent positions. And they have done a lot of extremely valuable work, whatever some of the serious shortcomings that have been brought to our attention during the past couple of years.

So, yes, I want to work very hard on that. I think it's probably one of the most important aspects of the job that I'm about to undertake, if confirmed. And while we may not have pep rallies, I certainly do want to go out to visit these different agencies and have town hall meetings and talk to the people out there.

And to the extent that it's within the limits of my energy, we'll try to get to know as many of these fine individuals as possible.

Senator HAGEL. Thank you.

Mr. Chairman, thank you.

Chairman ROBERTS. Senator Chambliss.

Senator CHAMBLISS. Thank you very much, Mr. Chairman.

Ambassador Negroponte, on behalf of all Americans, I thank you for your great public service. You have been a stalwart from the standpoint of taking tough jobs and achieving great success at every level that you have been involved from a public service standpoint. And having had the opportunity to see you and work with you firsthand, both at the United Nations and also in Iraq, I'm just very thankful that the President has chosen wisely in selecting you to head this very difficult position.

As I indicated to you in a previous conversation, I think trying to find the right person with the right background was difficult on the part of the President. And you are one of the very, very few Americans, I think, that possessed the public service background, the intelligence background, as well as having the people skills necessary to carry out this very difficult position.

So we look forward to continuing to work with you.

I was pleased to hear in your comments that you don't see the intelligence game as a zero-sum game, and particularly this position, that will require the DNI to wrestle away the budget issue as well as the process issue from other agencies, particularly the CIA and DoD. And I think you're exactly right about that. This is not a zero-sum game.

As you know, Senator Ben Nelson and I have been advocating a single DoD point of contact for the DNI through a four-star unified commander for intelligence that we're calling INTCOM. And I see now where Secretary Rumsfeld has picked up on this notion, as Senator DeWine mentioned, and has recently named Under Secretary Dr. Stephen Cambone to serve as your single point of contact, at least for the interim period of time, at the Department of Defense.

How do you foresee the DNI working with the Department of Defense? And what are your thoughts about working with a single INTCOM commander who could coordinate the vast intelligence capabilities within the DoD to support your efforts?

Ambassador NEGROPONTE. Well, first of all, Senator, Senator Rumsfeld and I have agreed that we will meet frequently to discuss intelligence issues, so I would expect cooperation at that level in the first place, and certainly will cooperate with Mr. Cambone.

And even though he's a focal point within the Defense Department, the way I read the statute, which gives me authorities to recommend or determine the budget with respect to the NRO, the NGA and the NSA, it seems to me that, in addition to working with the Secretary and Mr. Cambone, I will want to work directly with those agencies as well.

But coming back to Senator Hagel's point, I think these things come down to relationships, investing time and effort and understanding into each other's point of view. And I look forward to working with the Department of Defense in addition to all the other agencies in carrying out my job.

Senator CHAMBLISS. What about as far as the concept of an INTCOM commander there? Do you see any problems if that comes about, working with a single point of contact with the eight Defense Department agencies?

Ambassador NEGROPONTE. Well, I'd have to study that legislation more carefully and get back to you on that, Senator. I haven't had a chance to look at it carefully. Although if memory serves me correctly, I believe some in the Administration have raised concerns with the creation of such a position.

Senator CHAMBLISS. And actually some have raised concerns and some are supportive, so we're still in the negotiating process, Mr. Ambassador.

I'm very concerned about the rebuilding of our HUMINT capability, as well as protecting our morale of the CIA and our Defense Department case officers in the field as we continue to reform the intelligence community with the formation of the DNI.

What are your general views on the State of HUMINT, both overt collectors like our military attachés as well as our CIA covert capabilities? And what's been your relationship with both CIA case officers as well as DIA case officers over the years, relative to HUMINT collection?

Ambassador NEGROPONTE. I think to the extent that we can comment about this in public session, Senator, first of all, I've had extensive relationships with both the CIA and the DIA in the field, so I feel that I'm quite well acquainted with their work.

I was Ambassador to the Philippines from 1993 to 1996, which was a time during which the budgets were being cut for intelligence purposes, and I remember the station there being cut by about 50 percent when I was there. And it was an ironic situation, because it was just at the time that we captured some people who were connected with the World Trade Center bombing and who had developed a plot to assassinate the Pope and hijack 12 airliners in the Pacific. You may remember that case, the Ramzi Yousef case.

And there we were, with the Filipinos capturing those individuals just at the same time that we were reducing our HUMINT capabilities.

So I think it needs to be strengthened. I know there are plans afoot to do that. And I'm fully supportive of that effort. And it's one of the efforts that I certainly will be devoting a lot of attention to.

Senator CHAMBLISS. Mr. Ambassador, thank you. And we look forward to completing your confirmation process and to continuing to work with you in this very difficult, but exciting position that you're going to be assuming.

Chairman ROBERTS. Senator Hatch.

Senator HATCH. Welcome to the Committee, Mr. Ambassador, Madam Negroponte. We appreciate both of you. I've known you for a long time. I spent some time with you in Honduras way back when. And I agree with everything Senator Stevens had to say about you. There's no question you're one of the finest public servants we've had.

I believe you've been confirmed by the Senate eight times?

Ambassador NEGROPONTE. If you confirm me this time, sir, it will be eight.

Senator HATCH. It'll be eight.

Ambassador NEGROPONTE. Yes, sir.

Senator HATCH. Well, then, seven times. It seems to me we don't even need this hearing. But we do need it, because we need to discuss some of these matters, of course.

But I'm pleased, Mr. Chairman, that you moved as fast as possible to bring and schedule this confirmation hearing, following the actions we took last fall to establish the position of Director of National Intelligence. And so we've told the nominee now and in our own meetings his tenure will define the way we need to go to use our intelligence community to its fullest to address the various threats that still loom over us and around us.

So I welcome my old friend John Negroponte, who has served this country for more than 40 years in some of the most challenging international situations we have faced. And I'm grateful for that service. In my opinion, you've already met your missions admirably. And I want to thank you for choosing once again to assume a very, very large challenge.

And I'll make only two points. One is that this is the toughest job you're ever going to have. And I realize I'm saying this to someone who has just come back after serving as Ambassador to Baghdad.

The President wouldn't have chosen you if he didn't think you could do it. And if confirmed, I think you need—please work with this Committee, as you have said you will, and I assure you of my support.

Number two, Usama bin Ladin is not sitting wherever he is because Congress and the President have just created the position of Director of National Intelligence.

Too often, we delude ourselves in Washington by believing that bureaucratic realignment is the policy solution. The bureaucratic shift can only support the policy solution. And that's what you do with this position. What you do with this position is what will make bin Ladin sweat, and that will hopefully lead to his ultimate elimination from the world scene.

Now, you know from your years of being a top consumer of intelligence what the value of intelligence is and can be. You've handled, I think, at least five chiefs of station. And that's big-time stuff; there's no question about it.

You know from your last post about the complexities of the various threats that we face. And now you must use your position to raise the level of analytic and operational quality of our intelligence community to new levels. You will be leading thousands of superb professionals with experienced leaders like Porter Goss, and working with them all to achieve a level of security that the American public deserves and that our enemies should fear.

There's no question that we will support you, in my opinion, on this Committee. And I certainly support you strongly, knowing you as well as I do.

I found it kind of interesting, some of the questions about you might be ducking issues. I've never seen you duck an issue the whole time I've been around you. And, frankly, you've been in some of the hottest spots on earth, and especially with regard to your work in Honduras.

I think it's important to point out, if I recall it correctly, you and your wonderful wife have adopted five Honduran children. Is that correct?

Ambassador NEGROPONTE. Yes, sir.

Senator HATCH. That's during this time that others are saying that you should have stopped a human rights problem. I think that shows the compassion that you had for the Honduran people and for life in general, for families in general. And I commend you for it. And as far as I can see, you've done a really good job with them too.

I was on the Iran-Contra Committee and I have to say that was a very trying and difficult time in all of our lives. There were people on both sides, very sincere, very good people, very strong people, very educated people, very expert people, people who understood intelligence and I think people who had good points that they could make for both sides.

But you always went down the middle, as far as I was concerned. You always stood up for your positions, with which some disagreed, but you always were honest and straightforward about your positions.

Let me just ask you this. In your response to questions from the Committee, you indicated your familiarity with the tools provided under the Intelligence Reform and Terrorism Prevention Act of 2004 to provide for education and training for intelligence community personnel. Now, this was in response to a growing consensus that there is a need to develop community-wide education and training to instill modern doctrine to create so-called jointness across specializations.

I have, in the past, supported the need to institutionalize a formal education structure toward this end. Now, have you given any consideration, or have you had a chance to give any consideration, to how exactly you would address the need for proper training of intelligence community personnel across the various specializations?

And do you believe there's a need for the teaching and training under the new doctrines? And if so, how do you propose to institutionalize addressing these needs?

Ambassador NEGROPONTE. Thank you for your question, Senator.

Definitely there needs to be focus on education. And there are provisions in the law that mandate and require the DNI to address those issues. I think one of the questions that's going to arise is whether one looks at the creation of some separate, free-standing national intelligence university, as the Robb-Silberman Commission proposes, or is it a question of maybe having someone overseeing the training efforts that take place throughout the intelligence community and try to ensure that at the various institutes, whether it's in the military or in the CIA, that the training curriculum is standardized. But definitely, we've got to look at the training aspect—tradecraft, professionalism and so forth.

And the other point I would say, which, to me, as a career Foreign Service officer, is extremely important, is we've got to bolster the language and area training of our intelligence community. I've looked at some of the statistics. I can't remember them off the top of my head. But I do know that the language skills, for example, in the Central Intelligence Agency are substantially lower than those that you'd find in the State Department, for example.

And I think those kinds of skills, in this day and age, have got to be improved.

Senator HATCH. Thank you very much.

Thanks, Mr. Chairman.

Chairman ROBERTS. Senator Corzine.

Senator CORZINE. Thank you, Mr. Chairman. Let me request that my prepared statement be made a part of the record.

[The prepared statement of Senator Corzine follows:]

OPENING STATEMENT OF SENATOR JON CORZINE,
U.S. SENATOR FROM NEW JERSEY

Thank you, Mr. Chairman and Mr. Vice Chairman. Before I begin with questions, I think it's worth recalling how we got to this historic moment. The establishment of the Director of National Intelligence would not have happened had it not been for the patriotism and passion of some remarkable Americans.

Let me begin with the families of the victims of 9/11 who managed to turn their grief into real, effective action. The Family Steering Committee and, in particular, four 9/11 widows from my State who called themselves the "Jersey Girls" fought for real answers. They pushed for the creation of the 9/11 Commission, whose recommendations included the position for which Mr. Negroponte has been nominated. They also insisted that the Administration cooperate fully with the Commission as it sought a full accounting of the terrorist attack. They did all this for one reason: they wanted America to be safer than it was on the day they lost their loved ones.

Those of us responsible for our Nation's intelligence, including Members of Congress, owe them our deepest gratitude. Every step of the way, they have reminded us why we are here—to protect America, to safeguard American lives, to make sure 9/11 never happens again.

We also owe an enormous debt to the 9/11 Commission, led by Tom Kean and Lee Hamilton. Their hard work, persistence, intellectual honesty, and political neutrality brought about something truly incredible: a national consensus. The Commission's meticulous and thorough study of the events up to and including September 11 and its wise and succinct recommendations gave us an understanding of the past and a path forward. And, by involving the American people in their deliberations, they also helped generate public support for much needed reform. Without them, we would not be here today.

Senator CORZINE. Let me welcome Ambassador Negroponte. And let me also say that I think, for all of us, at least those people I represent, we want to express our gratitude for your long service to our Nation, particularly your most recent efforts, both in Iraq and in the United Nations.

Also, I would be remiss if I didn't say one of the reasons you're sitting here certainly flows from a lot of the activities of people who come from my home State, Governor Kean, in particular, with regard to the 9/11 Commission; but maybe even more importantly, the families, some of whom were—700 who lost their lives. And I commend them because I do think this is the proper step in the direction that we're taking. And I do believe that you have the experience and the opportunity to really lead here.

But all that said, let me express a reservation that really flows—my reservation—and I'm not going to change my view on this—but much of the analysis that we've seen from the 9/11 Commission, now the WMD, from the reports of this Committee itself, dealt with collection and analysis. It seems to me that there is a third leg to that stool and it's the use of intelligence and how that is presented.

I thought Senator Levin's recital of a series of issues and intelligence that backed up the intelligence community's view with regard to the Mohammad Atta meetings gets at the point.

Isn't the right answer—and I think you said crossing the bridge when we got there was the ultimate answer if there were public statements by senior public policymakers—isn't the right answer going to the senior policymakers when there is serious contradiction with the intelligence when we're making advocacy for policy? Some of that could be done behind closed doors, of course. Some can be done in Intelligence Committees so that we're not making policy decisions with erroneous decisions and we can avoid it.

But it seems to me that it is almost imperative that the Director of National Intelligence—what's the term?—speak truth to power or whatever the phrase is. It will be absolutely a requirement that those contradictions in analyses are presented in a way. Isn't that the response?

Ambassador NEGROPONTE. And in answering Senator Levin, I think in part at least, Senator, I was trying to go to that. I was trying to say, from everything we've learned, from the experience we've had in the past several years, we don't want a repetition of this kind of situation. We don't want to have the CURVEBALL situation again.

And one of the ways you're going to avoid it is to improve the quality of the analytical product, make sure it's comprehensive and lay the truth before the policymakers of our country, and try to avert the kind of hypothesis he described.

Senator CORZINE. Collection and analysis, the work and the organization, which is going to be an enormous task. And I more than believe you're up to that. But the fact is that even when we come through with that process, sometimes there will be strongly held opinions that are colored by selectivity, colored by interpretation potentially.

And isn't it the job of the independent arbiter of intelligence to make sure that the community that is most responsible for assessing those knows that those contradictions with what is said in public—and maybe we'll never ever have that again; maybe because our collection and analysis will be so good that no one will ever have preconceived or group-think ideas come to fruition, that it will take—but if they do, will it be the responsibility of the DNI to challenge that privately?

I'm not asking for political confrontation.

Ambassador NEGROPONTE. Yes, I have no problem whatsoever with that. And I also, I believe, said in my statement that intelligence is not a panacea, nor is it policy. But should the DNI place before the President and other decisionmakers the fullest and best possible analytical accounting that is available and identify the gaps in knowledge and talk about judgments as to reliability or unreliability and the various gradations and all of that? Yes. It has to be put before the decisionmakers.

Senator CORZINE. I'll end here because I think this whole issue of independent analysis, and making sure that the testing of hypotheses and knowing where holes are and contradictory perspectives on unknowables, leads to probabilistic analysis. And if that is not practiced, we get into certainty. And I hope that as time unfolds, this Committee and others will ask, within those probabilistic kinds of analyses, these most difficult questions. I think sometimes that has appeared to have been missing.

Chairman ROBERTS. The Senator from Maryland, Senator Mikulski.

Senator MIKULSKI. Thank you very much, Mr. Chairman.

And, Mr. Ambassador, welcome to you and to your wife and to your family.

We sure want whoever is going to be the head of the DNI to be a success. And if you're confirmed, we want you to be a success. And I think that's what the point of all the questions are. And that's why we're interested in really the focus on how will you get control of the intelligence agencies, do you have authority, what will it take to ensure coordination and cooperation, speak truth to power, and of course the background on Honduras, which goes to speak truth to power.

Let me just tell you why I'm on the Committee. I'm here to be a reformer and I'm here to be a transformer and to work with the Executive Branch. Because I view the purpose of intelligence is, number one, to prevent predatory attacks on the United States, on our assets abroad, like our embassies—and as a Foreign Service officer you know about how threatening it is to our Foreign Service—and, of course, to our troops and our allies, and then, of course, to support the warfighter.

We've had three different recommendations going back to your job as being recommended by the 9/11 Commission. And whatever conversations we have today and in the future, I'm taking some of my questions from the 9/11 Commission, and also our Senate report on the failure of finding weapons in Iraq.

So having said that, let me go first, though, to this question of truth to power. Other colleagues have raised this question, but I want to come at it from a different angle. Again, you've been a professional, the guy at the beginning, as the political person, to Ambassador. What would you see as your job as the DNI to ensure that your subordinates are speaking truth to power?

Because one of the problems we faced, for example, in the Iraq weapons analysis was the so-called group-think. The question was, number one, how would they speak truth to power? If they have yellow flashing lights—like when Secretary Powell was going before the U.N.—what mechanism or how would you, number one,

create the tone, the climate and actually administrative mechanisms so that you're getting truth so that you then can do the kind of job that needs to be done?

Ambassador NEGROPONTE. First of all, I couldn't agree with you more. I mean, truth to power is crucial. And we've got to assure the objectivity and integrity of our intelligence analyses. Senator, I see three key parts of my job. One is the budgetary part; I think there are some important authorities in the law on that. I see, second, the question of trying to mobilize and promote a sense of community rather than the different stovepipes. And third, and perhaps one that goes to my own background and skills the most, has to do with the analytical product.

So I guess the first thing I'd say to you there, in terms of how I would go about this, is I plan to devote quite a bit of attention to how our analytical efforts are organized and looking personally into ways by which we can assure that we get the best possible analytical product, whether it's from the regular analysts or from the red cells in the alternative analysis and so forth.

And, second—and I haven't had an opportunity to mention this this morning—I really want to focus on getting the best possible people as deputies to me in the new DNI. And one of the deputies I would expect to have would be somebody in charge of overseeing analysis by the intelligence community. And I'm going to look for the finest possible person to occupy that position.

Senator MIKULSKI. Well, I think that's a wonderful approach. But I'm going to go to another lesson learned from the State Department. As I understand at the State Department, there is something called the dissent channel, that can go right on up, even by, say, an intern or some beginning Foreign Service officer, all the way up to the Secretary of State, just so that he or she is aware that there's an alternative opinion, not only the alternative analysis, which we desperately need, which was not present back when we got the NIE on Iraq, but also that an individual could let the top dog, if you will, know that there is a possible yellow flashing light to the direction. Would you consider within the intel community, both at CIA, DoD and others, to have some type of dissent channel that would get to you and your top team?

Ambassador NEGROPONTE. I believe there are already provisions——

Senator MIKULSKI. And I'm not talking about the exact replica.

Ambassador NEGROPONTE. No, I understand. And I think it's a great idea.

Senator MIKULSKI. I'm just talking about ways that we're ensuring that we're making sure the views are known.

Ambassador NEGROPONTE. I think it's a very good idea. It's worked well in the State Department. There is a provision, I believe, for an ombudsman in the law, but maybe some variant of that. You also mentioned something earlier, as you asked the question, which I think is important also, which is some kind of lessons-learned mechanism within the intelligence community, to be sure that when we do have some problem with a product of ours that we can go back and really analyze and engage in self-criticism about how that arose and how it can be avoided in the future and what can be done to improve the product the next time around.

Senator MIKULSKI. The other goes to leadership, which is different than management. Leadership helps create a state of mind in an organization, whether it's a country or an Executive Branch agency or a corporation. As you go about building this sense of community—and by the way, I do think it needs to be done for our people who are risking their lives in the field, people who work a 36–hour day, either out at Langley or the FBI or out at NSA. So will you also create a tone where you will ensure that there will be no retaliation for people who attempt to speak the truth?

Ambassador NEGROPONTE. Yes. I think the short answer to you is a categorical yes.

Senator MIKULSKI. And I would hope that that would be part of it. Is my time up, Mr. Chairman?

Chairman ROBERTS. Well, basically, I would tell the Senator that your time is never up. But in terms of the 8 minutes that we have allotted, yes, it is, ma'am. But we can have a second round.

Senator MIKULSKI. Well, thank you. And then we'll talk about some of these other issues. But I think this was very important and I appreciate your forthrightness.

Chairman ROBERTS. Senator Bayh.

Senator BAYH. Ambassador, welcome. I thank you for your devotion to public service. Did I hear correctly this is your eighth Senate confirmation process?

Ambassador NEGROPONTE. Yes, sir. Five Ambassadorships—just to clarify, because the Chairman, at the beginning when he introduced me, mentioned five. I've had five Ambassadorships, but I've been an Assistant Secretary of State, which required confirmation, for Oceans and International, Environmental and Scientific Affairs. And when I was Deputy Assistant Secretary for Fisheries I also had the rank of Ambassador Senatorially confirmed.

Senator BAYH. Well, eight Senate confirmation processes, some people might say that's violative of the Constitution's prohibition against cruel and unusual punishment. But we're grateful to you for your willingness to come before us yet again. And I hope, before I get into my questions, that you won't hesitate to let us know what we can do in working with you to improve the quality of the product that you will be charged with putting out.

Recently, in a different setting, it was suggested that there were some legal changes, some things that could be done to actually improve the efficiency with which we're conducting particularly some aspects of the war on terror. So I hope you won't hesitate to let us know what you think we can do to uphold our part.

My first question is, as we now all regrettably know, our Nation suffered a colossal intelligence failure with regard to the assessment of weapons of mass destruction in Iraq. It's been 2 years now. This has been the subject of review by this Committee, by the Silberman Report. We've uncovered some shocking lapses in tradecraft, frankly, that if the consequences weren't so profound—you mentioned CURVEBALL—some of this would be almost comical if it wasn't so sad.

My question to you, Ambassador, is this. As you undertake these responsibilities, can we tell the American people today, after the passage of 2 years, that the quality and the reliability of our intel-

ligence product is materially better than it was 2 years ago in assessing weapons of mass destruction in Iraq?

Ambassador NEGROPONTE. In Iraq?

Senator BAYH. In Iraq.

Ambassador NEGROPONTE. Well, of course, we——

Senator BAYH. There was obviously a huge failure there. Is it better today? Have we improved with the passage of the last years?

Ambassador NEGROPONTE. I certainly think that Mr. Duelfer's Report was a very candid and forthcoming one. And I think that his report, while it contained a number of revelations about the inadequacy of our intelligence beforehand—but I think that it——

Senator BAYH. These entities that you're about to assume supervisory authority over, have they improved? Are things getting better or are we just where we were 2 years ago that led to this very unfortunate miscalculation?

Ambassador NEGROPONTE. Well, Senator, I'm not sure I have a holistic enough view at the moment. I think I'd probably have a better view once I take on this job. But certainly, speaking from the perspective of being Ambassador to Iraq, for example, I believe that I was a beneficiary of a lot of useful intelligence information. But I think when you talk about WMD, you're talking about one of the toughest nuts to crack because usually what we're trying to get is WMD information in these very closed societies. So maybe the beginning of truth here is to acknowledge to ourselves candidly what we don't know before we start talking about what we do know.

Senator BAYH. Let me put a little finer point on it. It is very difficult. And I want to second what you said. There's a lot of good intelligence work that's being done. This is a difficult area, but it is, as you know, profoundly important. So let me put a finer point on it.

There are troubling developments in North Korea and Iran. At least, we think there are troubling developments. So when we go to the American people or we go to the international community and we say, here's what we believe is happening in these two societies, should they have greater confidence in our assertions? Are things heading in a better direction with regard to our ability to assess these difficult targets and this difficult issue?

Because if we're going to get international cooperation in dealing with these troubling developments, credibility is the coin of the realm and we had a failure. We need to be able to point to some evidence that things are getting better so that we will be believed.

Ambassador NEGROPONTE. I think there are two questions in there. I think the first about the credibility of the assertions, I would suspect they're more credible, because I think all of us have learned the lesson of being careful about assertions with respect to WMD. So I think that whatever we do say, I think we're going to be more cautious in how we develop those pronouncements.

As to how much progress we're making, I'm not sure I'm able to comment, in actually unearthing the kind of information we want to find out. But what I can assure you is that that's just got to be one of the principal focuses of our intelligence effort—terrorism and WMD. And those are issues that I'm going to devote an awful lot of my time.

Senator BAYH. Let me, in part, tell you what I've been told by others in response to that question, and that is that our assessments are getting a lot better, but that's because we're admitting what we don't know. So the assessments are more accurate, but not more illuminating. And ultimately, more illuminating, and therefore more credible, is where we need to arrive.

I've also been told that the analytical part we're beginning to—with some of the questions my colleagues have touched upon—we're beginning to deal with the analytical part, but collection is still an area that really needs work.

If you had to list the two or three top priorities you would have in the area of collection, what would they be in terms of improving the quality of information, the volume and quality of information that we're collecting so that the analysts can do their job?

Ambassador NEGROPONTE. Well, maybe we can discuss some of this a bit more in closed session. But I certainly think the WMD issues with respect to Iran and North Korea would be high on that list. And I think there's some intelligence issues vis-a-vis Iraq, too, that I would rate very high.

Senator BAYH. You've already touched upon the HUMINT aspect of this, I believe. Let me ask you, finally, in terms of the priorities looking globally at our strategic priorities for intelligence collection and assessment and then use by the policymakers, where would you rank China in terms of our priorities? We have the war on terror. We have proliferation. We have assisting the warfighter. Where would you rank China?

Ambassador NEGROPONTE. think this raises a broader issue, doesn't it, Senator? And you're talking to somebody who spent about 15 years of his career in East Asia—Hong Kong, the Philippines, Vietnam—but always on the periphery of China and as a Deputy Assistant Secretary for East Asia. So I feel I know—and I went to Beijing with Dr. Kissinger in 1972. So I was in on the takeoff, if you will, of our relationship with the People's Republic of China.

That is a long-term issue. Our children and grandchildren are going to live in a world where China will be a very strong and powerful player on the world scene. So in terms of longer-term intelligence analysis, I think it's very important to follow countries such as China, analyze them well and carefully so that we understand the longer-term implications that a country like that has for our foreign policy.

Senator BAYH. I would encourage you in allocating scarce resources, and obviously you always have to set priorities—but let's not let the long-term—let's not lose sight of the longer term, where I think this is going to be a very important relationship that we understand. Again, thank you, Ambassador. Look forward to working with you.

Mr. Chairman, thank you for your indulgence.

Chairman ROBERTS. Senator Rockefeller.

Vice Chairman ROCKEFELLER. Thank you, Mr. Chairman.

Ambassador, I think it is amazing that you've been through all those investigations. And I know that I was very happy to vote for you on the Foreign Relations Committee when you came up for the United Nations.

There are some questions which are better discussed in the afternoon, but I just want to put this out because I don't think it violates anything. And, yet, if it draws a response which is interesting then I think that will of itself be interesting. The CIA is obviously the lead agency for the conduct of covert action programs. And the CIA Director manages, as of this day, the carrying out of those activities to whatever extent they exist.

Number one, do you believe that any agencies other than the CIA ought to carry out covert actions, because the war on terror is going to be with us for a very, very long time which we really haven't gotten into enough. And second, what do you see as the role of the DNI in your interaction with this traditional role of the CIA?

Ambassador NEGROPONTE. Senator, on the first question, I believe the answer is that there are already other agencies, I think, that can carry out certain kinds of clandestine——

Vice Chairman ROCKEFELLER. I didn't say clandestine; I said covert.

Ambassador NEGROPONTE. I'm just not sure how to characterize some of the activities that might take place, for example, in a war theater. But as a general rule, the concentration of covert action has been in the Central Intelligence Agency, which is as I think it should be.

What is the relationship of the DNI to the CIA on these issues? Well, of course, the Director of the CIA will report to me, as the law states and as the President also reaffirmed. But I think with respect to the operational aspects of covert actions, as distinct from sort of generally overseeing them, I think that that will be something that will have to be worked out, but I think more likely will be carried out by the Director of Central Intelligence under the direction of the President through the National Security Council.

I think it's a question of a command relationship. But my understanding of the legislation is that I will be responsible for reporting to the Committee on covert action. So, obviously, Mr. Goss and I are going to have to work very closely together and reach good understandings on the division of labor with respect to this question.

Vice Chairman ROCKEFELLER. Thank you, Mr. Ambassador. My final question is, you know, because it's sort of intriguing to talk about the future, China, how long is the war on terror, how are we going to react, how are we going to get language so it's not just 2 years in a classroom, but also 2 years on the street in the place where you're going, so you learn the street language and all of those things.

And it's much more interesting, somehow, to talk about overseas. It's the American nature. But the American imperative, frankly, for us is not only to stop the terrorism which is being planned or has been planned for what might go on in this country or American assets elsewhere in the world, but the whole question of homeland security.

And the Chairman and I have talked about this a good deal, and I think there's a great—I believe, on this Committee, and I believe generally in the Congress—there's a great sense of lack of confidence in the way that the Homeland Security 22 or 27 agencies are coming together—the fact that they've had several directors;

the fact that they have—I think the Chairman pointed out to me—as many different communications systems as there are agencies, virtually; and the fact that, you know, in a State like the one I come from, which doesn't have any cities over 45,000 people, we do have something called the Ohio River, which goes past some of the largest chemical plants in America outside of New Jersey, and that there's virtually no coverage to their backside.

We have power plants. There are 103 nuclear power plants in this country. Now, your job description is somewhat limited to intelligence that comes from that. But I would hope that, as the Director of National Intelligence—which people are going to look upon as kind of making the whole deal work, as much as intelligence—that you will stretch the envelope even further on the workings or the non-workings of the Department of Homeland Security.

I have grave reservations about what's going on there. I have grave reservations about the security of the American Nation, the American people. I worry about it every day.

Ambassador NEGROPONTE. Certainly, I think one of the challenges here is, as we discussed earlier, to integrate the foreign and the domestic intelligence. And it is, of course, not only the Department of Homeland Security, but dealing with all those local and State law enforcement officials that exist throughout the country.

And as you suggest, that is primarily the responsibility of the Department of Justice and the Department of Homeland Security. But I've been to meet with Secretary Chertoff and we've agreed that we're going to work very, very closely together on these issues. So I share your concern, Senator.

Vice Chairman ROCKEFELLER. Thank you.

Chairman ROBERTS. I believe it is Senator Wyden's turn next on the second round. Yes, that's correct.

Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman.

For the last 2½ hours, Ambassador, you have worn your diplomat's hat superbly, and I think what I'm interested in is seeing you put on the new hat as the head of the national intelligence program.

I, for example, am not convinced, after several questions now, that you would move aggressively when a top policymaker misused intelligence. I think your attempt to convince me that there wasn't a big gap between what you said with respect to Honduras' human rights practices and what seemingly everybody else said—the CIA, the Inter-American Court—I think that was very far-fetched.

And so I hope now on this round that we can get some sense that you are willing to push aggressively for change. And I'm going to ask you several questions in this regard. For example, do you feel that there is a serious problem with overclassification of documents in the national security area?

Ambassador NEGROPONTE. Senator, I don't know about classification or overclassification. But I do think what's important is ensuring proper access to information by those members of the intelligence and law enforcement community who need to have access to it. And one of my charges is going to be to work on this very

issue. So I think access is the important point—getting information around that has to be gotten around.

As to the specific question of classification or overclassification, certainly the trend in my lifetime has been to reduce levels of classification wherever possible. And I've seen that happen before my own eyes.

Senator WYDEN. Mr. Ambassador, it is hard to see how that could possibly be the case.

Governor Kean, for example, said that three-quarters of what he saw with respect to Iraq was an overclassification. There is a voluminous record. Senator Lott and I have led a bipartisan effort on this matter, with the support of Senator Roberts and Senator Rockefeller. And for you to tell us that you think we're actually moving in the other direction, the public record is simply all the other way.

And I'm going to come this afternoon to the session in our closed capacity. I'm going to be available to meet with you privately. But I will tell you, what I have seen over the last 2½ hours—and I haven't left the room—leaves me very troubled about the approach you're going to take as the head of national intelligence. I don't think we're going to get the independence that this country needs.

And let me, if I might—I gather I have a few more minutes—ask you about a couple of other policy questions to see the approach you would take.

You talked earlier about interrogation, detention and rendition and made the point that your desire is to make sure that they comply with the Constitution, and that's admirable.

Is it your view that the United States should continue the policy of rendering suspected terrorists to countries with a long record of torture and barbaric practices? Or is that a policy that you would take a fresh look at and try to bring a degree of independence to?

Ambassador NEGROPONTE. Senator, with regard to the question of rendering detainees, here's what I'm prepared to commit to you. First, that the law will be obeyed; second, doing everything in my power to ensure that the organizations under my purview are obeying the law; and pushing to have any and all violators prosecuted.

[A disruption in the audience.]

Chairman ROBERTS. Will the security please remove the individual from the hearing room? And the Committee will stand in recess for about 2 minutes.

[Recess.]

Chairman ROBERTS. OK, the Committee will resume again. And, Senator Wyden, you are recognized.

Senator WYDEN. Thank you again.

Ambassador, with no disrespect, I would just like some more specificity with respect to the policy. For example, what concerns me is your answer suggests that you would be willing to trust one of these governments, such as Syria, for example, that is known to practice torture on a routine basis, with current law with respect to rendition.

And I was just hoping, as I've tried to throughout the last 2½ hours, to see if you might be willing to take a fresh look at some of these policies and bring not just your consummate diplomatic skills, which are extraordinary and have certainly been manifest

this morning, but what I and others I think are hoping for in this national intelligence director position, which is an independence and a willingness to take a fresh look.

Ambassador NEGROPONTE. I'm not sure I can add——

Senator WYDEN. You're just going to go along with current law.

Well, let me ask about one other area, and that's the PATRIOT Act. Now, surveillance powers authorized by the PATRIOT Act are implemented, of course, by the FBI. Do you foresee your office involving itself in decisions relating to the implementation of the PATRIOT Act's surveillance powers? And if so, for example, what might those be—weighing in on whether the FBI might seek a FISA warrant, that kind of matter?

Ambassador NEGROPONTE. Senator, I'm not entirely certain what my authorities would be under FISA. When I was the Deputy National Security Adviser under President Reagan, one of my responsibilities was to authorize such warrants.

But one thing that I can assure you is that in my new position I will do everything that I can to ensure that the civil liberties of U.S. citizens are not being violated. There will be a privacy and civil liberties oversight board that's going to be created, and there's also going to be a civil liberties officer position established by law within the DNI. So I think that we're going to do our utmost to protect the civil rights of American citizens.

Senator WYDEN. Mr. Chairman, my time is up.

I would only say to colleagues, on this round the nominee has said that not only is there no problem with overclassification of documents, we're going in the other direction, in his judgment; he's not aware of what his powers are with respect to FISA; and he's going to simply comply with current law on rendition.

Each of those areas, I would hope that we could work on a bipartisan basis to initiate reforms. And I don't find the nominee's answers satisfactory on this points.

And I thank you for the second round, Mr. Chairman.

Chairman ROBERTS. Senator Corzine.

Senator CORZINE. Thank you, Mr. Chairman.

I have a question that is really off of the directions that we've been following. And it really goes at something that I think is truly important, certainly in a strategic sense, but in a moral sense.

I think most people would find tragic the lack of responsiveness of the global community to the Rwandan 800,000–person genocide. And I want to know, either now or in due course, are we, in our intelligence communities, responding and developing both collection and analysis with regard to what has become a repetitive reality in global affairs, whether it's Cambodia or Bosnia or Rwanda, and now continues in Darfur. At least that's what the Congress says and the Secretary of State.

Have you given any thought, and do you believe that we have sufficient resources to be able to help frame our policies appropriately on some what I would consider the highest moral issues that we have on our globe?

Ambassador NEGROPONTE. As you know, Senator, when I was the Ambassador to the United Nations, I worked a lot on these issues—peacekeeping questions in the Great Lakes region, Sierra

Leone, the issue of the Democratic Republic of the Congo and so forth.

I haven't been following those issues closely since I was Ambassador to Iraq. And I certainly, you said in due course, I would assume that we're getting some good intelligence on Darfur. But I would have to look into the level of intelligence effort that is being addressed to those situations.

But it goes to the issue of how one allocates and decides national intelligence priorities. And it's certainly one of the kinds of issues that I'm going to have to address in this new job.

Senator CORZINE. I must say that I would hope that I would hear that concern about this, representing the basic moral values and cultural values of our country, will be at the top of the priority list.

In fact, I think they're strategic, because when there is a breakdown, it creates the environment where, in fact, some of the things that are more obvious, terrorism, are bred. And this is a repetitive problem in our lifetime. And I think it is not adequately represented in any of our discussions; not that it is ignored, but human life is human life and we are not addressing these issues.

Thank you.

Chairman ROBERTS. Senator Levin is recognized and then the Chair will recognize the distinguished Chairman of the Armed Services Committee.

Senator LEVIN. Has he had his first round already?

Chairman ROBERTS. No.

Senator LEVIN. If you haven't had your first round, why don't you go ahead.

Chairman ROBERTS. The Senator from Michigan has very kindly demurred, and I will recognize the distinguished Senator from Virginia, the Chairman of the Armed Services Committee.

Senator WARNER. Thank you, Mr. Chairman.

Mr. Negroponte, I've had the privilege of knowing you for many, many, many years. And I wholeheartedly respect and am gratified, as are the citizens of this country, that you've taken on this responsibility, together with your family. And I think you'll do admirably well in pioneering this new and very, very important post.

And since we go back some 30–odd years, you know the effectiveness of government is not dependent totally on the Federal statute or regulation; it's on the ability of forming working and trusting relationships with your peer group and your superiors and the like. And you've had a good track record at doing that.

And when you've felt at odds, I know from personal experience you have stood your ground and stood on principle. And I commend you for that.

My comments go directly to the Department of Defense, where I share that responsibility, together with at least three Members of this panel who are presently here at this time. And I talked at some length with the Secretary of Defense this week, as well as Dr. Cambone, his deputy for intelligence. First, I think the record should show you met with him shortly. Am I not correct on that?

Ambassador NEGROPONTE. Yes, sir.

Senator WARNER. And reviewed with him your respective viewpoints with regard to the new law and the challenges of this posi-

tion and particularly the relationship that you hope to forge with Secretary Rumsfeld in fulfilling these responsibilities.

Ambassador NEGROPONTE. Yes, sir.

Senator WARNER. And I go to the fact that about 80 percent of the resources, and a similar amount of the manpower associated with a national intelligence program—that's the national part—is within the cognizance of the Department of Defense at this time. And therefore, cooperation between you and the Secretary is of paramount important. We all recognize that.

And you will determine the budgets of the national intelligence elements within the DoD, with input from the Secretary of Defense, but ultimately based upon his priorities and authorities, as the Director of National Intelligence.

Senator WARNER. And I correct in that?

Ambassador NEGROPONTE. Yes, sir.

Senator WARNER. Good.

And then we also have the funding of the Joint Military Intelligence Program and the Tactical Intelligence Program, which are under the direct cognizance of the Secretary of Defense. But there again you take an active participation in the budget. And also, you've established a reporting chain so that you know the activities of those organizations and their functions will be performed in consultation with you. Am I correct on that?

Ambassador NEGROPONTE. Yes, sir.

Senator WARNER. So again I find, based on your meeting which was reported to me, that you're working on as seamless as possible relationship that you can at the start-off of your new responsibilities subject to confirmation. Would that be correct?

Ambassador NEGROPONTE. Yes, sir.

Senator WARNER. Last, there's been some report in the press—and I actually have addressed this—about the organizational charter, a document that the Secretary of Defense asked Dr. Cambone to put together. And that's understandable—to draw on it all together, put it down on paper as to how the Secretary of Defense wishes to work within his structure over those responsibilities. Dr. Cambone basically will be his principal deputy for that.

And a draft of that charter was sent to the current acting DCI for comment. It's also before your transition staff. And I think, quite properly, you will await your comments on the draft of that charter, subject to the Senate's confirmation. Am I correct on that?

Ambassador NEGROPONTE. Yes. And I have not had an opportunity to read the proposal yet, sir.

Senator WARNER. I understand that. But that is another step that you will take such that I think the Senate can presume that eventually this charter will be adopted by the Secretary of Defense for the purpose of his organization and will incorporate such recommendations as you may wish to make, together with that of the head of the Central Intelligence Agency.

So, Mr. Chairman, I'm satisfied with those areas in which you and I, as a member of the Armed Services Committee, together with Senator Levin, have primary responsibilities. And I look forward to working with you. Thank you again and thank your family.

Chairman ROBERTS. I thank the Chairman for his comments. And I thank the ex officio Member's questions. And I think they were needed clarification.

Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

Ambassador Negroponte, the Senate Intelligence Committee Report of July 2004 contains over 500 pages detailing intelligence community mistakes, incompetence, misrepresentations, relative to its estimates of the Iraq WMD program. The recent Silberman-Robb Report contains about the same number of pages and similar detail about those failures of the intelligence community relative to that WMD program in Iraq. Then we had the 9/11 Commission Report on numerous failures within the intelligence community before the terrorist attacks of 9/11.

And prior to the 9/11 Commission Report, there was a House-Senate joint inquiry into the failures of the intelligence community before the 9/11 attacks, including failures of officials to pass critical information to other agencies, including failures of headquarters to heed field reports concerning efforts of people to learn how to fly, but not learn how to take off or land airplanes.

Now, despite all of the hundreds of pages of failures, mistakes, incompetence, misrepresentations, there's been no accountability within the intelligence community. Are you troubled by the lack of accountability?

Ambassador NEGROPONTE. I think there should be accountability, Senator. And I think that we've got to learn from our lessons. We've got to fix what we think needs to be fixed. And we've got to go forward. But I don't know enough about the specifics, about who might have been responsible for a specific intelligence lapse, one or another. And I know that there's work being done in that area. For example, I know that Mr. Goss is looking into the whole question of CURVEBALL. And he's asked his inspector general to look into that.

So I'm reluctant to discuss what specific types of measures of accountability might be taken. But yes, people should be held accountable.

Senator LEVIN. Have you read the Senate Intelligence Committee Report of July 2004, or a summary of it?

Ambassador NEGROPONTE. I've read the Executive Summary of it.

Senator LEVIN. Have you read the Silberman-Robb Report?

Ambassador NEGROPONTE. Yes I have. I've read a lot of it. And of course I've read all the recommendations.

Senator LEVIN. Because it lays out in detail the failures, the lapses, the oversights, the incompetence, and yet nothing—no action has been taken against anybody. What kind of a message does that send?

Ambassador NEGROPONTE. Well, Senator, I think the important thing is to deal with some of the systemic problems that might have existed, try to figure out how to improve the situation, and get on with the business of making these improvements.

I see that as my charge, to try to improve the quality of the analytical product through the various mechanisms that are envisaged in the law. And I think that's got to be the focus of the effort. Let's

get on with the business of improving the quality of the intelligence product that is given to our decisionmakers.

Senator LEVIN. Everybody wants to do that.

Ambassador NEGROPONTE. Yes.

Senator LEVIN. Unless people are held accountable for failures to do their job, it seems to me we're more likely to repeat these problems. You say you believe people should be held accountable for misstatements, failures to do their jobs. I hope you'll take that into your office, because it's not good enough to just simply say systemic problems, although obviously there are. And it's not good enough to simply say we should go forward, although we obviously must.

Part of trying to avoid a repeat of these problems is to hold folks accountable when they did things they should not have done. CURVEBALL is but one example—just one example—where you have got people who say they brought this to the attention—and this being the total incredibility of a source—of the leadership of the CIA, and the CIA leadership says, no, they didn't.

Someone's got to find out whether they did or didn't.

Ambassador NEGROPONTE. And that, I understand, is what Mr. Goss is looking to do.

Senator LEVIN. But there are dozens of examples like this in those reports. And we need you to carry out this commitment about accountability. We need you to be confident that you mean what you say when you say you believe that there should be accountability for individuals who fail in the performance of their duties.

Is that a yes? We should have that confidence because you will? I mean, I'm trying to figure out——

Ambassador NEGROPONTE. To be honest with you, Senator, I don't know who specifically is accountable and who is not.

Senator LEVIN. My last question, because the yellow light is on. According to the Silverman-Robb Report, the intelligence community ignored the findings and the conclusions of the UN people relative to WMD programs. They were specifically on the ground. Two agencies spent 3 months on the ground in Iraq inspecting every facility they could and interviewing Iraqi personnel.

Now Silverman-Robb pointed out that the intelligence community ignored that one source of real intelligence on Iraq at a time when it had no good intelligence of its own. Does that trouble you?

Ambassador NEGROPONTE. I think that's, in part, what they are referring to in terms of group-think, of carrying assumptions forward from previous behavior by the Saddam regime and therefore being dismissive of reports that somehow the Iraqi regime's behavior might have been different than what the preconceived notion was.

But let's not forget there was a lot of bias and prejudice built into the analysis. That's one of the things I think I take away from reading these various reports. There was a lot of prejudice built into these analyses based on the past performance of the regime and the fact that we were taken by surprise in the early 1990s at the degree to which the Iraqi regime had developed weapons of mass destruction.

So I think a lot of these assumptions were simply carried forward and considered to still be valid.

Senator LEVIN. Thank you, Mr. Chairman.

Chairman ROBERTS. In closing, we want to thank you for your time here this morning, Mr. Ambassador. I think it's been very helpful. We will have a closed session at 2:30. I have just a couple of questions or perhaps a comment and a question.

I noted with interest that not only have you been confirmed by the Senate seven times, but you have gone through nine background checks—nine of them. I would venture to say I don't know too many Senators that could go through nine background checks without at least a question or two being raised.

And you've had a distinguished career of public service, by my calculation, 40 years. I agree in total with the comments by Senator Stevens and others.

This position is new. There are a lot of questions in regard to your authority. Just this morning you have been asked a hypothetical: Will you stand up to your public policy officials, i.e., your bosses—or the boss—in regards to commenting publicly or at least very aggressively to them if in fact you think that the consensus of that analysis is wrong?

In a milder version—you ought to hear Senator Wyden when he really gets wound up—you know, of ducking an issue of 25 years ago that he thinks has pertinence to the current situation—and I'm not trying to perjure his comments in any way—that you're vague, you're not aggressive—the press expects you to have a public arm wrestling contest at RFK with Secretary Rumsfeld—you have to worry about attack on the homeland; you have to worry about a broken intelligence community.

If we go back in history to Khobar, the India nuclear test, the *USS Cole,* the embassy bombings, the Belgrade embassy, the Khartoum chemical plant—whoops, the wrong plant—then 9/11 has been alluded to by Senator Levin, the WMD studies.

We've got the Bremer Commission, the Gilmore Commission, the CIS study, the Hart-Rudman Commission and God knows how many other commissions. You have at least 1,000 armchair experts on television every night. You have authors writing books.

In the past, Mr. Tenet, Mr. Deutch, Mr. Woolsey, the Chairmen of this Committee—Senator Specter, Senator Shelby and Senator Graham—I don't think we took an activist approach on this to the extent that Senator Rockefeller and I want to have much more proactive or preemptive oversight.

And you can see by the questions here that we are very eagerly awaiting that opportunity to work with you to achieve that.

Then, obviously, you have to have better collection, better HUMINT, better analysis, better consensus, threat analysis, better information access as opposed to sharing.

You've got to take a look at the capabilities in regard to the hard targets that pose a very threat to us today. And the Silberman-Robb Commission has indicated that unfortunately that still exists in terms of some lack of capability.

My question to you is—and this is just the approach to the position—given all of that, why in the hell do you want this job?

[Laughter.]

Ambassador NEGROPONTE. Because it's important, Senator.

Chairman ROBERTS. And you think you can make that difference?

Ambassador NEGROPONTE. Well, I hope I can make a difference.

Chairman ROBERTS. You've made a difference in the past. I think you're an excellent appointee, but I just wanted to give you an opportunity, with all of that burden upon your shoulders, you know—our very best wishes to you.

Do you have any comments on why you yourself think that you can get this job done?

Ambassador NEGROPONTE. Well, as I said, I think it's important. I think one of the reasons I may be able to get something done in this job is because I do have long experience in the national security and the diplomatic area. And I think that it will be dealing with several of the most serious national security issues that our country is going to be facing for the foreseeable future, namely international terrorism and the proliferation of weapons of mass destruction, among others.

So as somebody who's devoted his life to dealing with these kinds of difficult national security and foreign policy issues, I was honored when President Bush offered me the opportunity to undertake this responsibility.

Chairman ROBERTS. So you willfully went into the briar patch and now we're at the crossroads. I can promise you, sir, that we will try to be of as much help as we possibly can.

There is one other comment I want to make.

Do you agree with this statement? We have heard over and over again during the debate on the intelligence reform bill and on other matters that 80 percent of the funding in regard to the intelligence community does go to the military or in regard to supporting the military.

And we have heard during the debate under whose jurisdiction the national foreign intelligence program should be. But the majority user of intelligence is obviously the warfighter. And you have just been through that with General Casey in your position over there as Ambassador in Baghdad.

And that is true, and so I think there is a bias, understandably, among those who serve on the Committees who have that jurisdiction in support of the warfighter and the military; count me in on that—also Senator Levin, others. But the principal user of intelligence is the President of the United States and the National Security Council and, with all due respect, the Congress of the United States.

And I don't think we should ever lose sight of that. Nobody in the Congress wants to deny or harm in any way that lash-up between the intelligence community and our warfighters, more especially when we're involved in any kind of a military mission.

But again, the principal user, and why Senator Levin is being so insistent, is that it is the President of the United States and the National Security Council and the Congress of the United States in the policymaking business that we must rely on credible intelligence. And unfortunately that has not been the case.

I should have phrased that better in a question. Are you in agreement with that comment?

Ambassador NEGROPONTE. I wouldn't change a word of what you said, Senator.

Chairman ROBERTS. Bless your heart.

Thank you for coming.

Senator WYDEN. Mr. Chairman, just a question with respect to scheduling. What is your plan with respect to how we proceed? We're going to have a session this afternoon, a closed session?

Chairman ROBERTS. Yes, sir. At 2:30. It's a closed session, and it's in the usual place.

Senator WYDEN. When would you expect the vote on the nominee?

Chairman ROBERTS. As soon as we possibly can. I haven't scheduled that with the floor. And I've talked with the Leader, and it's his intent that he would like to do it as soon as he can.

Senator WYDEN. But you wouldn't expect that the Committee would vote this afternoon on the nominee?

Chairman ROBERTS. No.

Senator WYDEN. I'm very appreciative of that, Mr. Chairman, because I'm anxious to hear from the nominee this afternoon behind closed doors.

Chairman ROBERTS. I know you have additional questions, sir.

Senator WYDEN. Great. Thank you very much.

Senator LEVIN. Mr. Chairman? As usual, the record will be kept open for how long, for additional questions?

Chairman ROBERTS. I think the remainder of the day should be sufficient, unless somebody wishes some additional time.

Senator LEVIN. That's fine. The remainder of the day, that's fine.

Chairman ROBERTS. Ambassador, thank you very much.

Ambassador NEGROPONTE. Thank you, Mr. Chairman.

Chairman ROBERTS. Go have lunch.

Ambassador NEGROPONTE. Thank you.

[Whereupon, at 1:11 p.m., the hearing adjourned.]

ADDITIONAL MATERIAL

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

Effective January 1998

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. NAME: John D. Negroponte
2. DATE AND PLACE OF BIRTH: 07/21/1939; London, England
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Diana V. Negroponte
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Diana Mary Villiers
6. NAMES AND AGES OF CHILDREN:

NAME	AGE
Marina Negroponte	22
Alejandra Negroponte	21
George Negroponte	15
John Negroponte	17
Sophia Negroponte	12

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
Yale College	09/1959-06/1960	BA	06/1960
Institut d'Etudes Politiques, Paris	08/1958-07-1959	Certificate	07/1959
Yale College	09/1956-06/1958		

8. EMPLOYMENT RECORD (LIST ALL POSITIONS HELD SINCE COLLEGE, INCLUDING MILITARY SERVICE. INDICATE NAME OF EMPLOYER, POSITION, TITLE OR DESCRIPTION, LOCATION AND DATES OF EMPLOYMENT.)

EMPLOYER	POSITION/TITLE	LOCATION	DATES

Please see Attachment A.

9. GOVERNMENT EXPERIENCE (INDICATE EXPERIENCE IN OR ASSOCIATION WITH FEDERAL, STATE OR LOCAL GOVERNMENTS, INCLUDING ADVISORY, CONSULTATIVE, HONORARY OR OTHER PART-TIME SERVICE OR POSITION. DO NOT REPEAT INFORMATION ALREADY PROVIDED IN QUESTION 8):

See Answer to Question #8

10. INDICATE ANY SPECIALIZED INTELLIGENCE OR NATIONAL SECURITY EXPERTISE YOU HAVE ACQUIRED HAVING SERVED IN THE POSITIONS DESCRIBED IN QUESTIONS 8 AND/OR 9.

My more than 40 years of Foreign Service has involved numerous national security and intelligence related assignments.

11. HONORS AND AWARDS (PROVIDE INFORMATION ON SCHOLARSHIPS, FELLOWSHIPS, HONORARY DEGREES, MILITARY DECORATIONS, CIVILIAN SERVICE CITATIONS, OR ANY OTHER SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE OR ACHIEVEMENT):

1. 2005 Secretary of State's Distinguished Service Award
2. Doctor Honoris Causa, Adamson University, Manila, Philippines, 1995
3. Department of State Senior Performance Pay: 1982, 1984, 1986, 1989
4. President's Meritorious Service Award: 1983, 1989
5. Homeric Award, Chian Federation, 2004
6. Leadership 100 Award for Excellence, Greek Orthodox Church, 2004

12. ORGANIZATIONAL AFFILIATIONS (LIST MEMBERSHIPS IN AND OFFICES HELD WITHIN THE LAST TEN YEARS IN ANY PROFESSIONAL, CIVIC, FRATERNAL, BUSINESS, SCHOLARLY, CULTURAL, CHARITABLE OR OTHER SIMILAR ORGANIZATIONS):

ORGANIZATION	OFFICE HELD	DATES
French American Foundation (NY, NY)	Chairman	1997-2001
US Council for Int'l Business (NY, NY)	Executive Board	1998-2001
Kenwood Golf and Country Club (Bethesda, MD)		1978-Present
University Club, (Washington, DC)		1997-Present
Council on Foreign Relations	Member	1980-Present
President's Council for Int'l Activities (Yale University)	Member	1999-Present
Council of the Americas	Member	1997-2001
Economic Club of New York	Member	1998-2001
US-Mexico Commission for Cultural And Educational Exchange	Co-President	1997-2001
Hellenic-American Chamber of Commerce		1998-2001
Cambridge Pacific Fund (Manila, Philippines)	Board Member	2001
The Copan Maya Foundation	Director	2001
McGraw-Hill Ryerson Co. (Toronto)	Director	1999-2001
Tata McGraw-Hill Co. (New Delhi)	Director	1999-2001

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT OR TRANSCRIPT. TO THE EXTENT POSSIBLE, PLEASE PROVIDE A COPY OF EACH SUCH PUBLICATION, TEXT OR TRANSCRIPT):

George Bush School Texas A&M, 1999- "The Role of Land Forces in Drug Interdiction: The Need for Caution in a Pragmatic Struggle."
Ibero Americana University, Mexico City, September 2000 - "US/MEXICO Relations"
Asia House Dinner, Hong Kong, October 18, 2000- "US Policy towards East Asia in the 21st Century"

Texts of the above are attached (Attachment B).

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE IN THE POSITION FOR WHICH YOU HAVE BEEN NOMINATED)

I have served in foreign policy and national security related positions for more than 40 years.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS):

$250, Matt Fong for Senate, 1998
$2000, George Bush for President, 1999
$4000, George Bush for President, 2004 (Self & Spouse)

16. CANDIDACY FOR PUBLIC OFFICE (FURNISH DETAILS OF ANY CANDIDACY FOR ELECTIVE PUBLIC OFFICE):

N/A

17. FOREIGN AFFILIATIONS

(NOTE: QUESTIONS 17A AND B ARE NOT LIMITED TO RELATIONSHIPS REQUIRING REGISTRATION UNDER THE FOREIGN AGENTS REGISTRATION ACT. QUESTIONS 17A, B, AND C DO NOT CALL FOR A POSITIVE RESPONSE IF THE REPRESENTATION OR TRANSACTION WAS AUTHORIZED BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH YOUR OR YOUR SPOUSE'S EMPLOYMENT IN GOVERNMENT SERVICE.)

A. HAVE YOU OR YOUR SPOUSE EVER REPRESENTED IN ANY CAPACITY (E.G. EMPLOYEE, ATTORNEY, OR POLITICAL/BUSINESS CONSULTANT), WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

See 17 D.

B. HAVE ANY OF YOUR OR YOUR SPOUSE'S ASSOCIATES REPRESENTED, IN ANY CAPACITY, WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

From 1986-1989, my spouse's law firm represented the Republic of Iraq and possibly other foreign countries. My spouse was never involved in such representation. During the 1987-1989 period, when I was the Deputy National Security Advisor, my spouse's billings were reviewed for any possible conflicts of interest by NSC Legal Counsel.

C. DURING THE PAST TEN YEARS, HAVE YOU OR YOUR SPOUSE RECEIVED ANY COMPENSATION FROM, OR BEEN INVOLVED IN ANY FINANCIAL OR BUSINESS TRANSACTIONS WITH, A FOREIGN GOVERNMENT OR ANY ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

No.

D. HAVE YOU OR YOUR SPOUSE EVER REGISTERED UNDER THE FOREIGN AGENTS REGISTRATION ACT? IF SO, PLEASE PROVIDE DETAILS.

In 1986, as a junior associate in her law firm, my wife was registered as an agent for the Philippine Sugar Board. Her activities were limited to the conduct of research and her registration was terminated in the same year.

18. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE, DEFEAT OR MODIFICATION OF FEDERAL LEGISLATION, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF FEDERAL LAW OR PUBLIC POLICY.

None.

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

19. DESCRIBE ANY EMPLOYMENT, BUSINESS RELATIONSHIP, FINANCIAL TRANSACTION, INVESTMENT, ASSOCIATION OR ACTIVITY (INCLUDING, BUT NOT LIMITED TO, DEALINGS WITH THE FEDERAL GOVERNMENT ON YOUR OWN BEHALF OR ON BEHALF OF A CLIENT), WHICH COULD CREATE, OR APPEAR TO CREATE, A CONFLICT OF INTEREST IN THE POSITION TO WHICH YOU HAVE BEEN NOMINATED.

None.

20. DO YOU INTEND TO SEVER ALL BUSINESS CONNECTIONS WITH YOUR PRESENT EMPLOYERS, FIRMS, BUSINESS ASSOCIATES AND/OR PARTNERSHIPS OR OTHER ORGANIZATIONS IN THE EVENT THAT YOU ARE CONFIRMED BY THE SENATE? IF NOT, PLEASE EXPLAIN.

N/A

21. DESCRIBE THE FINANCIAL ARRANGEMENTS YOU HAVE MADE OR PLAN TO MAKE, IF YOU ARE CONFIRMED, IN CONNECTION WITH SEVERANCE FROM YOUR CURRENT POSITION. PLEASE INCLUDE SEVERANCE PAY, PENSION RIGHTS, STOCK OPTIONS, DEFERRED INCOME ARRANGEMENTS AND ANY AND ALL COMPENSATION THAT WILL OR MIGHT BE RECEIVED IN THE FUTURE AS A RESULT OF YOUR CURRENT BUSINESS OR PROFESSIONAL RELATIONSHIPS.

I will receive the fifth and final installment of my deferred 1999 bonus from the McGraw Hill Companies in January 2006, in the amount of $104,000.00.

22. DO YOU HAVE ANY PLANS, COMMITMENTS OR AGREEMENTS TO PURSUE OUTSIDE EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

No.

23. AS FAR AS CAN BE FORESEEN, STATE YOUR PLANS AFTER COMPLETING GOVERNMENT SERVICE. PLEASE SPECIFICALLY DESCRIBE ANY AGREEMENTS OR UNDERSTANDINGS, WRITTEN OR UNWRITTEN, CONCERNING EMPLOYMENT AFTER LEAVING GOVERNMENT SERVICE. IN PARTICULAR, DESCRIBE ANY AGREEMENTS, UNDERSTANDINGS OR OPTIONS TO RETURN TO YOUR CURRENT POSITION.

None.

24. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE? IF YES, PLEASE PROVIDE DETAILS.

No.

25. IS YOUR SPOUSE EMPLOYED? IF YES AND THE NATURE OF THIS EMPLOYMENT IS RELATED IN ANY WAY TO THE POSITION FOR WHICH YOU ARE SEEKING CONFIRMATION, PLEASE INDICATE YOUR SPOUSE'S EMPLOYER, THE POSITION AND THE LENGTH OF TIME THE POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

My wife's employment is not related to the position for which I have been nominated.

26. LIST BELOW ALL CORPORATIONS, PARTNERSHIPS, FOUNDATIONS, TRUSTS, OR OTHER ENTITIES TOWARD WHICH YOU OR YOUR SPOUSE HAVE FIDUCIARY OBLIGATIONS OR IN WHICH YOU OR YOUR SPOUSE HAVE HELD DIRECTORSHIPS OR OTHER POSITIONS OF TRUST DURING THE PAST FIVE YEARS.

NAME OF ENTITY	POSITION	DATES HELD	SELF OR SPOUSE
French American Foundation	Chairman	1997-2001	Self
McGraw-Hill Ryerson Co. (Toronto)	Director	1999-2001	Self
Tata McGraw-Hill Co. (New Delhi)	Director	1999-2001	Self
US Council for Int'l Business	Exec Board	1998-2001	Self
Freedom House	Board Member	2002-Present	Spouse
Habitat for Humanity	Board Member	1996-2002	Spouse
Opportunity Int'l (Oak Ridge, IL)	Board Member	2002-Present	Spouse
World Opportunity (Hollywood, CA)	Board Member	1986-2001	Spouse
US-Mexico Commission for Cultural and Educational Exchange	Co-President	1997-2001	Self
Copan Maya Foundation	Board Member	2001	Self
Cambridge Pacific Fund	Board Member	2001	Self

27. LIST ALL GIFTS EXCEEDING $100 IN VALUE RECEIVED DURING THE PAST FIVE YEARS BY YOU, YOUR SPOUSE, OR YOUR DEPENDENTS. (NOTE: GIFTS RECEIVED FROM RELATIVES AND GIFTS GIVEN TO YOUR SPOUSE OR DEPENDENT NEED NOT BE INCLUDED UNLESS THE GIFT WAS GIVEN WITH YOUR KNOWLEDGE AND ACQUIESCENCE AND YOU HAD REASON TO BELIEVE THE GIFT WAS GIVEN BECAUSE OF YOUR OFFICIAL POSITION.)

None.

28. LIST ALL SECURITIES, REAL PROPERTY, PARTNERSHIP INTERESTS, OR OTHER INVESTMENTS OR RECEIVABLES WITH A CURRENT MARKET VALUE (OR, IF MARKET VALUE IS NOT ASCERTAINABLE, ESTIMATED CURRENT FAIR VALUE) IN EXCESS OF $1,000. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE A OF THE DISCLOSURE FORMS OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CURRENT VALUATIONS ARE USED.)

DESCRIPTION OF PROPERTY	VALUE	METHOD OF VALUATION

Please see Schedule A of form SF-278 (Attachment C).

29. LIST ALL LOANS OR OTHER INDEBTEDNESS (INCLUDING ANY CONTINGENT LIABILITIES) IN EXCESS OF $10,000. EXCLUDE A MORTGAGE ON YOUR PERSONAL RESIDENCE UNLESS IT IS RENTED OUT, AND LOANS SECURED BY AUTOMOBILES, HOUSEHOLD FURNITURE OR APPLIANCES. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE C OF THE DISCLOSURE FORM OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CONTINGENT LIABILITIES ARE ALSO INCLUDED.)

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT

None.

30. ARE YOU OR YOUR SPOUSE NOW IN DEFAULT ON ANY LOAN, DEBT OR OTHER FINANCIAL OBLIGATION? HAVE YOU OR YOUR SPOUSE BEEN IN DEFAULT ON ANY LOAN, DEBT OR OTHER FINANCIAL OBLIGATION IN THE PAST TEN YEARS? HAVE YOU OR YOUR SPOUSE EVER BEEN REFUSED CREDIT OR HAD A LOAN APPLICATION DENIED? IF THE ANSWER TO ANY OF THESE QUESTIONS IS YES, PLEASE PROVIDE DETAILS.

No.

31. LIST THE SPECIFIC SOURCES AND AMOUNTS OF ALL INCOME RECEIVED DURING THE LAST FIVE YEARS, INCLUDING ALL SALARIES, FEES, DIVIDENDS, INTEREST, GIFTS, RENTS, ROYALTIES, PATENTS, HONORARIA, AND OTHER ITEMS EXCEEDING $200. (COPIES OF U.S. INCOME TAX RETURNS FOR THESE YEARS MAY BE SUBSTITUTED HERE, BUT THEIR SUBMISSION IS NOT REQUIRED.)

	2000	2001	2002	2003	2004
SALARIES					
FEES					
ROYALTIES					
DIVIDENDS					
INTEREST	Will submit income tax returns for 2000-2004. (Attachment D)				
GIFTS					
RENTS					
OTHER					
TOTAL					

32. IF ASKED, WILL YOU PROVIDE THE COMMITTEE WITH COPIES OF YOUR AND YOUR SPOUSE'S FEDERAL INCOME TAX RETURNS FOR THE PAST THREE YEARS.

Please see Attachment D, pursuant to No. 31.

33. LIST ALL JURISDICTIONS IN WHICH YOU AND YOUR SPOUSE FILE ANNUAL INCOME TAX RETURNS.

New York

34. HAVE YOUR FEDERAL OR STATE TAX RETURNS BEEN THE SUBJECT OF AN AUDIT, INVESTIGATION OR INQUIRY AT ANY TIME? IF SO, PLEASE PROVIDE DETAILS, INCLUDING THE RESULT OF ANY SUCH PROCEEDING.

My New York State income tax returns for 2000 and 2001 were audited to determine whether my state taxes were correctly apportioned between New York State and Washington, D.C., where I was domiciled at the time. Both matters were satisfactorily adjudicated with an increase in my NY state taxes and a corresponding decrease in my DC taxes.

35. IF YOU ARE AN ATTORNEY, ACCOUNTANT, OR OTHER PROFESSIONAL, PLEASE LIST ALL CLIENTS AND CUSTOMERS WHOM YOU BILLED MORE THAN $200 WORTH OF SERVICES DURING THE PAST FIVE YEARS. ALSO, LIST ALL JURISDICTIONS IN WHICH YOU ARE LICENSED TO PRACTICE.

N/A

36. DO YOU INTEND TO PLACE YOUR FINANCIAL HOLDINGS AND THOSE OF YOUR SPOUSE AND DEPENDENT MEMBERS OF YOUR IMMEDIATE HOUSEHOLD IN A BLIND TRUST? IF YES, PLEASE FURNISH DETAILS. IF NO, DESCRIBE OTHER ARRANGEMENTS FOR AVOIDING ANY POTENTIAL CONFLICTS OF INTEREST.

I intend to sell my individual stock holdings and hold my monies in general index funds, US treasuries or Certificates of Deposit.

37. IF APPLICABLE, ATTACH THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE FORMS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT.

Please see Attachment E.

PART E - ETHICAL MATTERS

38. HAVE YOU EVER BEEN THE SUBJECT OF A DISCIPLINARY PROCEEDING OR CITED FOR A BREACH OF ETHICS OR UNPROFESSIONAL CONDUCT BY, OR BEEN THE SUBJECT OF A COMPLAINT TO, ANY COURT, ADMINISTRATIVE AGENCY, PROFESSIONAL ASSOCIATION, DISCIPLINARY COMMITTEE OR OTHER PROFESSIONAL GROUP? IF SO, PROVIDE DETAILS.

No.

39. HAVE YOU EVER BEEN INVESTIGATED, HELD, ARRESTED, OR CHARGED BY ANY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITY FOR VIOLATION OF ANY FEDERAL STATE, COUNTY, OR MUNICIPAL LAW, REGULATION, OR ORDINANCE, OTHER THAN A MINOR TRAFFIC OFFENSE, OR NAMED AS A DEFENDANT OR OTHERWISE IN ANY INDICTMENT OR INFORMATION RELATING TO SUCH VIOLATION? IF SO, PROVIDE DETAILS.

No.

40. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PROVIDE DETAILS.

No.

41. ARE YOU PRESENTLY OR HAVE YOU EVER BEEN A PARTY IN INTEREST IN ANY ADMINISTRATIVE AGENCY PROCEEDING OR CIVIL LITIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

42. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL OR STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PROVIDE DETAILS.

I have regularly testified before Congressional Committees as part of my official duties.

43. HAS ANY BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, DIRECTOR OR PARTNER BEEN A PARTY TO ANY ADMINISTRATIVE AGENCY PROCEEDING OR CRIMINAL OR CIVIL LITIGATION RELEVANT TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED? IF SO, PROVIDE DETAILS. (WITH RESPECT TO A BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, YOU NEED ONLY CONSIDER PROCEEDINGS AND LITIGATION THAT OCCURRED WHILE YOU WERE AN OFFICER OF THAT BUSINESS.)

No.

PART F - SECURITY INFORMATION

44. HAVE YOU EVER BEEN DENIED ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION FOR ANY REASON? IF YES, PLEASE EXPLAIN IN DETAIL.

No.

45. HAVE YOU BEEN REQUIRED TO TAKE A POLYGRAPH EXAMINATION FOR ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION? IF YES, PLEASE EXPLAIN.

No.

46. HAVE YOU EVER REFUSED TO SUBMIT TO A POLYGRAPH EXAMINATION? IF YES, PLEASE EXPLAIN.

No.

PART G - ADDITIONAL INFORMATION

47. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS IN THE OVERSIGHT PROCESS.

Oversight by the Congress is fundamental to ensuring accountability for intelligence activities. I believe that maintaining an ongoing dialog with the Oversight Committees regarding the requirements and demands on the Intelligence Community and ensuring that the Committees are kept fully and currently informed of intelligence activities are among the most significant responsibilities of the Director of National Intelligence.

AFFIRMATION

I, JOHN D. NEGROPONTE, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

(Date) (Name)

(Notary)
Public for the District of Columbia
Comm. expires 1/31/2008

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be DIRECTOR OF NATIONAL INTELLIGENCE I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

John Negroponte

Signature

Date: 4/05/05

Ambassador John D. Negroponte

EMPLOYER	POSITION	LOCATION	DATES
Department of State	Entering Foreign Service Officer	Washington, D.C.	10/1960-01/1961
Department of State	**Vice Consul**	**Hong Kong**	**01/1961-04/1963**
Department of State	Post Management Officer	Washington, D.C.	06/1963-08/1963
Department of State	**Vietnamese Language Trainee**	**Washington, D.C.**	**09/1963-05/1964**
Department of State	Political Officer	Saigon, Vietnam	05/1964-01/1968
Department of State	**Member of Delegation, Paris Peace Talks on Vietnam**	**Paris, France**	**04/1968-08/1969**
Department of State	Trainee, Hoover Institution	Stanford, CA	08/1969-05/1970
Department of State	**Political Officer, USDEL to Cmte on Disarmament**	**Geneva, Switzerland**	**05/1970-09/1970**
Department of State	Director for Indochina, National Security Council	Washington, D.C.	09/1970-02/1973
Department of State	**Spanish Language Trainee**	**Washington, D.C.**	**03/1973-08/1973**
Department of State	Political Counselor	Quito, Ecuador	08/1973-08/1975
Department of State	**Consul General**	**Thessaloniki, Greece**	**09/1975-06/1977**
Department of State	Deputy Assistant Secretary, w/rank of Ambassador	Washington, D.C.	07/1977-12/1979
Department of State	**Deputy Assistant Secretary for East Asian & Pacific Affairs**	**Washington, D.C.**	**01/1980-09/1981**
Department of State	Ambassador	Tegucigalpa, Honduras	11/1981-05/1985
Department of State	**Assistant Secretary for Oceans and Intl Environmental and Scientific Affairs**	**Washington, D.C.**	**06/1985-11/1987**
Department of State	Deputy National Security Advisor to the President	Washington, D.C.	11/1987-01/1989
Department of State	**Ambassador**	**Mexico City, Mexico**	**06/1989-09/1993**
Department of State	Ambassador	Manila, Philippines	10/1993-08/1996
Department of State	**Special Negotiator**	**Washington, D.C.**	**08/1996-09/1997**
The McGraw Hill Companies	Executive Vice President for Global Markets	New York, NY	09/1997-09/2001
Department of State	**Permanent Representative to the United Nations**	**New York, NY**	**09/2001-06/2004**
Department of State	Ambassador	Baghdad, Iraq	06/2004-Present

THE ROLE OF LAND FORCES IN DRUG INTERDICTION: THE NEED FOR CAUTION IN A PRAGMATIC STRUGGLE

John D. Negroponte

Good afternoon, everybody.

I thought, both in the interest of time and also I sensed this morning that there were a few occasions when we did not get to everybody's questions and did not have a chance to discuss some of the issues as thoroughly as we might have wanted to, that perhaps brevity is what is called for at the moment, and hopefully we can have a good discussion afterwards.

I thought Peter Hakim's discussion this morning of key trends was really important in setting the stage for our meeting today. Just to recapitulate some of the points he made, but also to add a thought of my own with respect to major global trends, let me mention a couple of the ideas that he discussed. One was, of course, the trend toward democratization, and that is not only a Latin American trend, it is a worldwide one. The globalization of the world's economies is obviously another key trend. I would put the empowerment of individuals as certainly an important global trend that's every bit as applicable to Latin America as it is to other parts of the world. The internet, modern technology, educational opportunities, all of these things, I think, are working to empower individual citizens around the world much more than they used to.

I think another important trend we have got to talk about in the context of our meetings here today is the significant reduction of defense budgets around the world.

We are not talking about the kind of defense budgets that existed during the Cold War. One of the most staggering set of numbers to look at is the information about the size of the current Russian economy, not the Russian defense budget, the Russian economy, which is something on the order of 400 or $500 billion. And when you think that at the height of our defense expenditures during the Reagan administration, we had a $300 billion defense budget. That was probably, in the terms of the dollars at that time, not that different than the size of the whole Russian economy today. So you have got to think about that and what the implications are in terms of reduced spending for military activities and operations around the world.

Another point I would like to make, just in terms of the political changes we were talking about in the second panel this morning, is crucial and that is that political change has come principally from within the various countries around the world which have experienced that trend towards democracy. It has not been because we were there as the agent for the change. Surely, we played a role in encouraging it, and we certainly applauded it when it happened. But let's not forget that the principal stimulus for the political change towards democratization, whether it was in Eastern Europe or in the former Soviet Union or in Latin America, came from within these countries themselves. And if you look at the dates when they occurred, these pressures for change and this movement towards democratization started before the end of the Cold War. Perhaps it was accelerated by the end of the Cold War, but it started earlier and was attributable to a whole number of factors.

Now, against this very hasty background and with the benefit of all the discussion that occurred this morning, what is the best role for the military in such matters as drug enforcement? I would like to submit, first of all, that there really are some philosophical problems with unduly involving the military in such matters as counternarcotics.

First of all, I would raise the issue of whether it really is or should be a core competence of the military, whether we're talking about the military in the United States or the military in other countries. I have in mind the questions of what is the mission of the military, and do counternarcotics activities really fit within that mandate?

The second issue I would raise on a philosophical plane is whether or not the involvement of the military in counternarcotics activity, however justified by the immediacy of a specific situation, runs the risk corrupting the military institution and, as a result, exacerbating the situation. I think there are a number of countries that we can cite as examples of this problem or at least where the question has arisen.

Panama, I think, would be a good one, where, in fact, ultimately the Panamanian Defense Force became basically a racketeering organization rather than an institution that was fighting narcotics trafficking.

Clearly, in Mexico, that's a philosophical issue that has been raised in the past and, I suspect, continues to be raised today. I certainly remember in my conversations with the Mexican Minister of Defense that he had grave apprehensions about involving the Mexican military in the counternarcotics struggle, other than the rather limited role of destroying marijuana crops.

You will remember that the Mexican Army had the mission of going out about 25,000 strong every year during the appropriate times to destroy the marijuana crops. But other than that, they had an extremely limited role. And that, of course, has changed since that time.

But perhaps the most important philosophical operation, to my way of thinking is, does entrusting the military with a counternarcotics role delay the development of a genuinely effective law enforcement institution? Say you involve the military in your counternarcotics activity. Does that become a pretext for the body politic of that

particular society to delay, postpone, and otherwise disregard what I think is the really difficult problem, which is to develop an effective law enforcement institution in a country concerned? So let's go back to the fundamental question: What is the most appropriate role?

I guess at the risk of seeming a little bit imprecise, I would just say the appropriate role for the military is to do the minimum necessary. On the other hand, one has to recognize the practicalities of certain situations. That brings us now from the philosophical to the pragmatic. And it seems to me that there are certain types of practical situations which call for the limited utilization of military forces in the counternarcotics struggle. Clearly, one of them is in situations where the traffickers are using blatantly military means. I mean, how can you argue that if the traffickers are basically a military force, that we cannot use military force to counter them? You have to fight fire with fire. I suppose in today's context, perhaps, the country of Colombia would perhaps be one of the best examples.

Another one would be to deal with specific issues that are beyond the capability of law enforcement agencies. I'm thinking particularly of air and sea detection and surveillance. When you are talking about a narcotics problem that extends well beyond the national borders of any given country, but which is nonetheless a vital component of the situation, such as illicit flights or illicit vessel traffic that are carrying drugs, it seems to me there is a very good case that can be made and has been made for using air and naval assets for detection and surveillance.

And certainly during my time in Mexico, from 1989-93, I think we saw some very successful applications of that model. We set up a so-called Northern Border Response mechanism within the country of Mexico, that depended heavily on intelligence information that came on a real-time basis from our air and naval assets that were working in and over international waters and air space.

But still, even under these circumstances, I think there must be constraints. I do not think that counternarcotics should be the core military mission. I think that such missions as are undertaken should be viewed as temporary or transitional.

Now, when we're talking about the use of our armed forces in the 21st century, you might ask, "Well, how long is temporary or transitional?" I don't know; several years; 10 years. But I don't see that kind of a mission necessarily being something that military forces should be undertaking well into the next century.

Another point I would make is that, to the extent possible, that interdiction should be as close to the source as possible.

I recall when these flights that we were tracking would come into Mexico, if you did not catch them where they landed, forget it. Once they had gotten onto the ground and were able to unload their cargo to trucks, taxis, whatever other conveyance they used to then move up north and get the narcotics across our land border, you were really looking for a needle in a haystack. I think whatever activities we undertake should be undertaken in the context of strong funding for the development of law enforcement agencies and building up their capabilities to the maximum extent possible.

Finally, let me suggest that, as we try to draw some conclusions in this discussion, we be careful not to forget the overall policy context in which we are operating. I do not think that we can talk in terms of our assisting the Latin American military, supporting or assisting them in the counternarcotics struggle in isolation from overall policies.

I think that President Bush, in mentioning the Free Trade Initiative that occurred during his administration, the overall effort to develop a sense of community in this hemisphere, these are the key policy initiatives, it seems to me, that need to be encouraged. And a counternarcotic

strategy in and of itself is not a substitute for this broader policy context. And I would submit that if all you have is assisting Latin American military in combating drugs, and you neglect these other aspects, such as the free trade arrangement for the Americas, sooner or later that policy is bound to founder.

US/MEXICO RELATIONS

The Importance of the Relationship

Testifying before congress in 1989, former secretary of State James A. Baker said there was no relationship more important for the United States than its bilateral ties to Mexico. Various American Statesmen before and since have paid eloquent tribute to the significance of our ties with our southern neighbor for reasons of geographic proximity, economic links and growing cultural and social interactions. Many different metrics are used to illustrate the importance of U.S/Mexico relations: The millions of daily border crossings, the extent of immigration, the volume of trade, the levels of investment, and so forth. The fact of the matter is that today priority for US/Mexico relations is a given in the foreign policy agendas of both of our countries.

Speaking from a United States perspective, I would like to cite the various most compelling reasons for this priority. First, Mexico has become our second largest trading partner and the second largest market for United States exports. Given your large and growing population, it is probably only a matter of years before you become our #1 trading partner for both imports and exports. So, clearly, the United States has a direct and substantial interest in the prosperity and economic well-being of Mexico. And this interest is certain to increase in the years ahead.

Second, Mexico is the largest single source of documented and undocumented immigrants to our country. When I was Ambassador, I used to point out that there were more Americans of Mexican descent living in the United States than there had been Mexicans in Mexico at the time of the revolution. And, of course, today the number of Mexicans living in the United States has even further increased. There are in fact close to 35 million Americans of Hispanic origin in our country, some 20 million of whom trace their origins to Mexico. This demographic trend has far-reaching implications for American cities and towns, in the workplace and in our markets and in our restaurants and concert halls. Every aspect of American life is being touched by the intensifying encounter between our cultures.

The Challenges

While recognizing that our bilateral relationship is important, this does not in any way remove the fact that our ties are replete with challenges and at times serious difficulties. Indeed, one could argue that it is in the nature of two such large societies, with essentially different languages, cultures and standards of living, that there will at times be problems, some even of a long-term nature. Migratory equilibrium, for example, is something not likely to be achieved in any near term horizon. The challenge is to arrive at policies which will accelerate rather than postpone the solution to these imbalances.

Another serious challenge is the problem of transborder criminality: Whether it is the movement of narcotics to the north or weapons and stolen cars to the south. As lamentable as these and other types of crimes may be, they must be analyzed, understood and recognized by both of our countries and then dealt with on a cooperative basis. Collaboration, not sanctions, should be the fundamental precept underlying the relationship.

Perhaps the greatest challenge we face at this juncture is to achieve the full implementation of the NAFTA entered into in 1993 and to devise further steps in the process of hemispheric economic integration.

NAFTA

This brings me to the NAFTA which I see as the cornerstone of the US/Mexico relationship. Already, the NAFTA has given a predictability and continuity to our economic relations. It has provided a framework for removal of the remaining barriers to free trade between us and perhaps most importantly, it has permitted North American companies, especially manufacturers, to develop region-wide investment strategies.

To be sure, there have been selected pockets of resistance to NAFTA's full implementation on both sides of the border. And while sometimes a case can be made for delaying implementation of this or that provision for a brief period of time to allow for a process of psychological and economic adjustment, it would be a serious mistake to allow NAFTA to become an agreement of exceptions. Because once a process of exceptions is allowed

to take hold, then it is difficult to know where to draw the line. We must carry NAFTA's provisions through completely.

Another argument in favor of completely routinizing NAFTA implementation is that we should not allow ourselves to be distracted from the equally or more important task of agreeing on next steps beyond the current NAFTA framework. There is, for example, the issue of free trade for the Americas by the year 2005 and whether we should give consideration to accelerating this timetable. There may be other initiatives that we want to consider in our bilateral or trilateral economic relationship. The important point is to not become so bogged down in current details of NAFTA implementation that we are unable to focus on new initiatives for the future.

Immigration

The president-elect has mentioned labor mobility as one of the issues he plans to raise with United States authorities. It might be worth recalling that the issue of including labor in the NAFTA was raised by President Salinas with President Bush when they met in 1990. At that time, President Bush responded that it would be politically impossible for the United States to allow free labor mobility under the NAFTA because of likely strong resistance from our labor movement. President Bush believed that such an agreement could not be ratified by our congress. So the judgement was that it was better to focus on the removal of barriers to trade in goods and services where the prospects for legislative approval were much better.

Now conditions have changed somewhat in our country since the early 1990's. There has been a labor shortage for several years and, therefore, attitudes towards easing restrictions on foreign workers may be changing. But so far restrictions have been eased on a case-by-case or category-by-category basis, as in the case of information technology workers. I have seen no indication that either our administration or our congress is prepared to simply remove restrictions on the entry of all foreign workers, or of all workers from one country such as Mexico. I think we are still many years, if ever, from such an open-ended approach.

But there are possibilities in the area of labor mobility short of a complete removal of existing restrictions. First, Mexicans can and should be able to take advantage of existing shortages of information technology workers in the United States and elsewhere, especially Europe, both by providing IT workers to those markets and by outsourcing IT services for those markets here in Mexico. Next, I think that more liberal use can be made of the temporary worker provisions in U.S. immigration legislation. With the exception of IT workers, our temporary worker provisions tend to be interpreted quite strictly. There may well be room for expansion here and even room for negotiation of a new, modern-day "Bracero" program between our two countries.

The irony of this entire subject is that by being so strict on temporary work matters, we have probably caused more rather than fewer Mexicans (and others) to immigrate to the United States. Why do I say this? Because when an undocumented Mexican crosses into the U.S. today with the intention of finding temporary work, he is less likely to return to Mexico because of the

difficulty of subsequently reentering the U.S. So the tendency of undocumented entrants is to stay in the US, whatever may have been the original intent, and then eventually to seek to also bring one's immediate family to the United States.

In my view, a more effective and extensive temporary worker program in the United States for Mexican nationals would reduce rather than increase the permanent levels of migration from Mexico to our country. But at the same time, I do not believe our country is ready to agree to the completely free movement of labor between NAFTA member countries.

Narcotics Trafficking

When I was Ambassador, the two issues which occupied the most of my time were promoting the NAFTA and dealing with the very difficult issue of combating narcotics trafficking between our two countries. The issue of narcotics trafficking was an extremely sensitive one. And there were two principal challenges from my point of view. First, was to promote a collaborative approach where possible. Since this is a problem we face in common, it is only through cooperative and collaborative efforts that we can be effective. Neither sanctions nor mutual recrimination have a place in the difficult and sensitive matter of combating illicit traffic in narcotic substances. The second challenge was to keep whatever controversy which arose in the counter-narcotics arena from adversely affecting other aspects of our bilateral relationship. Indeed, I argued that negotiation of a NAFTA, by increasing the legitimate economic opportunities between our countries,

would in time reduce the attractiveness and appeal of engaging in narcotrafficking.

Having said that, I think we must candidly recognize that thus far this hoped for change has not occurred and, if anything, the level of narcotics trafficking between our countries today is as high or higher than it was decade ago. To me this suggests that we must redouble our collaborative efforts. For the U.S. part, I think we should reconsider our annual certification procedure which seems to serve as an irritant to the bilateral relationship and, arguably, an obstacle to actual cooperation. And we should abandon any pretense we might have of dealing with these issues on a unilateral basis. For its part, I believe Mexico should consider a major initiative to professionalize and otherwise enhance the effectiveness of its law enforcement services. The United States should be prepared to assist, as appropriate, in the realization of any such initiative.

Certainly, the advent of new presidents in both of our countries presents an opportunity to renew our dedication and commitment to rapid progress on this subject. With concerted action, there is no reason why four to six years from now narcotics trafficking should be so high on our bilateral agenda. One day, sooner preferably than later, let us hope that this becomes a mere footnote in the history of our rich, diverse and important bilateral relationship.

Remarks by John D. Negroponte
At Asia House Dinner
Hong Kong
October 18, 2000

Good evening ladies and gentleman. First and foremost, I want to thank Asia House, and especially Victor Chu, for this opportunity to speak to you tonight. Victor has given me a very flattering introduction and I am very thankful for that; but I hope it doesn't lead to exaggerated expectations about my talk. While I spent some 16 of my 37 years in diplomacy dealing in one way or another with U.S. policy towards East Asia, it has been more than four years since I left the region and more than three since I retired from diplomacy entirely. Now in the private sector, my work brings me to Asia from time to time, but with a distinctly different focus from my earlier, governmental perspective.

Before entering into the substance of my remarks, I would also like to say that it is always a pleasure to return to Hong Kong, where I was assigned as a novice foreign service officer and vice consul in January, 1961. I spent two fascinating years here, years that were truly formative in my own thinking about Asia. Now Victor and I had agreed on a rather ambitious topic: "U.S. policy towards East Asia in the 21st Century." There is no way we can sit here today and forecast the next 100 years; but geography and

demographics, overlaid by an appreciation of what has gone before, can perhaps help us identify some of the possibilities. I want to say at the outset that I have been especially influenced in my comments by a 1999 article by Professor Robert S. Ross of Boston College entitled, "The Geography of Peace, East Asia in the 21st Century." I would like to boil these remarks down to three interrelated questions:

1. What will the United States posture be in Asia -- will we remain engaged, will we remain forward deployed along the lines of our maritime strategy of the previous century?

2. What are the likely power relationships in this part of the world -- and will the next hundred years be as conflictive as the last?

3. And, third, are there some basic policy prescriptions that one might realistically advocate by way of ensuring a more peaceful and prosperous region? In other words, what can we do?

First, what about the United States? Will we stay involved in Asia? You hear a lot of talk about how Americans are so preoccupied with their domestic problems, that the appetite for engagement with the rest of the world has diminished. There are terrible stories about how little American school children know about geography. And, of course, there has always been a school of political thought in our country, going all the way back to

George Washington, that sought to minimize our political involvement with other countries. But even though that line of thinking persists in various forms to this day, it is likely to continue to be a minority view.

There are a number of probable explanations for continued U.S. public support for our global commitments. One is that our cold war policies are generally viewed as having been successful. And, while most would ascribe the independence of Eastern Europe and the demise of the Soviet Union principally to internal factors, the soundness of our posture during the cold war is generally accepted by the U.S. public; and that in turn has provided a degree of positive support and momentum for our policy as we chart our way in these new global circumstances.

Another factor impinging favorably on an internationalist policy is that our recent prosperity makes global commitments more affordable. One hears little serious argument that we cannot afford our foreign or national security policy; if anything, the pressure now, especially in the defense area, is to spend more not less.

I also would note that both the demographic shift in our country from east to west and the growth of Asian minority populations tend towards a better understanding of Asia and its importance to United States interests in the region. These demographic developments help ensure the underpinnings

of support for U.S. involvement in Asia going forward. There may be fluctuations either because of economic preoccupations or specific political developments (e.g., the fall of Saigon in 1975); but basic conditions for strong continued US involvement appear to be there. I should also mention the strong constitutional role of the President in foreign policy and national security matters, as compared to his relatively weaker role on domestic issues. This too is an important factor in assuring continued Unites States international engagement.

My second question concerned the power relationships in East Asia and whether they could be conducted in the future in a way that avoided repetition of such a conflictive past. The collapse of the Soviet Union caused a perceptible shift in the Asian political landscape. Chinese influence now predominates in a number of areas where previously that influence was shared with, or subordinate to, Moscow's. One interesting question is whether Russian influence can make a comeback in Asia; but it appears more likely that Russia will be focused on its own internal problems and Europe for the foreseeable future.

So China, by force of its geography and population, is the key continental nation in East Asia. A regional bi-polarism has emerged, if you will, with Chinese influence prevailing over the continental regions of East

Asia and the United States, working with friendly island nations, serving as the other pole. There are exceptions to this sweeping design. South Korea, of course, is one. And surely one of the key questions for this century, even this decade, must be how the situation on the Korean peninsula will play out. Assuming for a moment that the two Koreas are unified, then what rationale would exist for continued United States military presence in Korea? On the other hand, could a unified Korea in the shadow of China and without any United States military presence, provoke Japan toward greater militarization? So, developments in Korea are certainly one of the more uncertain variables as we look ahead at Asia's landscape.

Another interesting question is the evolution of Japanese foreign and security policy. The Soviet demise and China's growing strength make one wonder whether Japan at some point may feel undue pressure to abandon the restraints imposed in the aftermath of WWII and seek to develop a full fledged military, including nuclear capability. Here my sense is that, unlike Korea, which could go either way in terms of a continued U.S. military presence, continued close U.S. military involvement with Japan will be crucial. Aligned together and with Japan under the U.S. military umbrella, the two countries can play an affirmative role in an East Asian equilibrium. Were the U.S. to disengage from Japan, whatever the reason, one would

have to be concerned about a resurgence of some of the uncontrolled rivalries of the past. Not that Japan, even with its economic and technological prowess, could ultimately rival China's power. It probably could not; but, without a U.S. security guarantee, the eventual pressure on Japan to compete militarily with rival China could escalate into a dangerous situation indeed.

Another unknown is the eventual resolution of the Taiwan issue. In the short term it is perhaps the most volatile issue in the region and I would hesitate to speculate on outcomes. It is hard to see how either side could benefit from a resort to force. Apart from doubts about the effectiveness of the use of force, one certain victim of any conflict over Taiwan would be the regional economy, to say the least, not to mention some of the potentially even graver consequences. So, I would say let cooler heads prevail and leave time for a Taiwan solution to ripen. No single issue would appear more important than that of Taiwan when considering the prospects for peace in East Asia.

Well, in the context of the foregoing situation, are there some policy prescriptions that might help ensure a prosperous and peaceful East Asia in the forthcoming century?

Le me put forward a few ideas. First, I think it is worth mentioning that one of the difficulties in East Asia is that we have few if any of the kinds of institutional arrangements that can foster prosperity and ensure peace, such as exists in the Atlantic region. No NATO, no EU, etc. This leaves nation states of the region with little recourse other than their own resilience in confronting local or regional challenges. European history is very instructive in this regard and the Europeans must be admired for the progress they have achieved in fostering strong regional institutions in the past 50 years.

Now, I don't mean to suggest that an exact replica of the EU or the CSCE is either feasible or desirable in Asia; but there is no question in my mind that regional fora for dialogue on economic, political or security issues can play a crucial role in building understanding and even a sense of community. So, I view the ASEAN dialogue and various fora that have developed around it as a very positive first step towards institutionalizing dialogue among countries in the East Asia region. Eventually, this may lead to more specific regional arrangements in the economic and security areas. We cannot force the pace here, but any progress in this area is to be welcomed and applauded.

A related issue is the encouragement of economic interdependence. The breaking down of barriers to trade and increased commerce and investment between the countries of East Asia can also be building blocks for an enduring peace. Trade is not a guarantee against conflict between countries, but it can be a big help. In this regard, China's forthcoming accession to the WTO is a major positive development, as was the granting of permanent normal trade relation status to China by the United States. I believe the landscape of U.S.-China relations could have looked quite bleak if, for some reason, our congress had defeated PNTR. Happily, PNTR received overwhelming congressional support, especially in the Senate, a good example of public support in the U.S. for important international engagements. As trade and investment issues take on an increasingly important and welcome role in relation between countries, China's membership in the WTO will be especially opportune.

My last point would relate to human rights and democracy. If I had to guess, I would say that this century will see continued rapid progress towards political empowerment and individual freedom within societies around the world. This will not be because of anything we in the United States advocate, but rather because of the accelerated spread of the natural human desire for political and economic freedom in the information age.

These forces have long since taken hold in East Asia and in recent years we have seen some dramatic examples at work, whether it has been the people power movement in the Philippines, the market-oriented reforms in China or the achievement of political democracy in Taiwan.

Is widespread democracy a precondition for peace in East Asia? Certainly the converse would appear to be true. Authoritarian or dictatorial governments have often been associated with war. One thing is certain, the United States will continue to be a strong advocate of human rights and democracy throughout the world and not only East Asia in the belief that political freedom is a crucial component of long term peace and stability around the globe.

So, wrapping this up, I return to one of my original questions. Will the East Asia and Pacific region be as conflictive in this century as in the past? Many conditions have changed for the better and tend towards peace. The end of colonialism; the end of the clash of ideologies; the spread of democracy and the process of globalization. China's envelopment within this process is also important. We have mentioned some of the neuralgic points and there is no guarantee that one of them might present us with an ugly surprise. But on balance, I think circumstances augur for a more peaceful and even more prosperous 21st century in this part of the world than the 20th century and I am sure we all look forward to playing our part in that hopeful prospect.

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual amount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples: Central Airlines Common				X												X						X										
Examples: Doe Jones & Smith, Hometown, State			X																												Law Partnership Income $190,000	
Examples: Keystone Equity Fund					X								X										X									
Examples: IRA: Heartland 500 Index Fund							X						X											X								
1 Federated Tax Free Obligations, Institutional Funds Shares									X				X											X								
2 McGraw-Hill Companies					X																										deferred installs on 1999 bonus- $208,558 total	
3 Abbott Labs Common			X													X					X											
4 Alcoa Common			X													X					X											
5 Altria Group Common				X												X							X									
6 AmSouth Bancorporation Common			X													X			X			X										

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Anheuser Bush Co. Common			X													X					X											
2	Automatic Data Processing Common				X												X						X										
3	Bank of America Corp Common				X												X			X			X										
4	Conagra Food Common				X												X							X									
5	Family Dollar Stores Common			X													X				X												
6	Genuine Parts Common				X												X			X					X								
7	Henry Jack & Associates Common			X													X					X											
8	Hewlett Packard Common			X													X					X											
9	Home Depot Common			X													X			X			X										

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5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Masco Corp Common	X															X			X			X										
2	McDonalds Common				X												X			X			X										
3	Mercury General Corp New Common				X												X						X										
4	Popular Common		X														X			X		X											
5	SBC Communications Common			X													X						X										
6	Southern Co. Common			X													X						X										
7	St. Paul Travelers Co. Common		X														X				X												
8	Synovus Financial Corp Common				X												X			X				X									
9	UST Inc. Common				X												X						X										

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Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Page Number: 4 of 6

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Walmart Stores Common			X													X				X												
2	Washington Mutual Common				X												X						X										
3	Diamonds Trust Series 1					X								X										X									
4	Nasdaq 100 Shares					X								X									X										
5	UBS Bank Deposit Acct. (Money Market)		X											X								X											
6	Harris County Tax Municipal					X													X				X										
7	Missouri State HFA Health Municipal			X															X			X											
8	Rhode Island HEBC AUX RV Municipal					X													X				X										
9	Pimco Commodity Real Return Mutual Fund			X										X									X										

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U.S. Office of Government Ethics

Reporting Individual's Name

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Ford Motor Credit Senior Note				X												X							X									
2	National Westminster Preferred			X															X					X									
3	FHLMC MTN Government Coupon			X															X				X										
4	Omnicom Common	X															X			X				X									
5	Service Master Common	X															X			X					X								
6	Teleflex Common	X															X			X					X								
7	Kaydon	X															X			X				X									
8	Citigroup	X															X							X									
9	Avery Dennison	X															X			X				X									

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5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	DePere Wisconsin Bond	X																	X	X				X									
2	General Electric Common	X															X			X			X										
3	Suntrust Common	X															X			X		X											
4	McKinney Texas Bonds	X																	X	X					X								
5	Standard & Poors Deposit Receipts						X							X											X								
6	Kimco Common	X															X			X				X									
7	GE Notes Preferred	X																	X			X											
8	Alliance Bernstein College-Bound Risk Based Fund-529c						X							X																		income unavail	
9																																	

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6 (Rev. 03/2000)
.F.R. Part 2634
.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

3478

Form Approved:
OMB No. 3209 - 0001

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year)	Reporting Status (Check Appropriate Boxes)	Incumbent [X]	Calendar Year Covered by Report: 2003	New Entrant, Nominee, or Candidate [ ]	Termination Filer [ ]	Termination Date (If Applicable)(Month, Day, Year)

Reporting Individual's Name	Last Name: NEGROPONTE	First Name and Middle Initial: John D.
Position for Which Filing	Title of Position: US Permanent Representative to the United Nations	Department or Agency (If Applicable): Department of State
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code): 799 United Nations Plaza, New York, New York 10017	Telephone No. (Include Area Code): (212) 415-4404
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held:	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination:	Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [ ] No

Certification	Signature of Reporting Individual	Date (Month, Day, Year)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	John Negroponte	April 14, 2004
Other Review (If desired by agency)	Signature of Other Reviewer: David Lindsey	Date (Month, Day, Year): 04/14/2004
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]	Date (Month, Day, Year): 8/1/04
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if filing extension granted & indicate number of days _____) [ ]

1) Info provided by Financial Rep. Ms. Teresa Jacobsen
1) The Two Entries on page 7a, line items 4 & 6 were sold.

Recusal Attached 4-23-04

(Check box if comments are continued on the reverse side) [X]

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only

Supersedes Prior Editions, Which Cannot Be Used.

USAPA V1.01

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	CITIGROUP			X													X				X												
2	Hewlett Packard			X													X				X												
3	Home Depot			X													X				X												
4	NASDAQ 100 Shares				X												X				X												
5	NATWEST 7.87 %					X											X							X									
6	UBS PFD 7 1/4%	X															X						X										
7	Royal Bank of Scotland Preferred 9%	X															X						X										
8	Suntrust Bank Inc.			X													X				X												
9	State Street Corp.	X															X				X												

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SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Travelers		X														X				X												
2	Teleflex Inc			X													X				X												
3	Standard & Poors Depository Receipts	X															X						X										
4	Servicemaster Co.			X													X					X											
5	Family Dollar				X												X				X												
6	Henry Jack Associates			X													X				X												
7	Kaydon Corp.			X													X				X												
8	Kimco Realty Corp.			X													X				X												
9	Omnicom			X													X				X												

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Prior Editions Cannot Be Used.

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D

SCHEDULE A

Page Number: Page 7A of 13

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual amount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x												x						x										
	Doe Jones & Smith, Hometown, State			x																												Law Partnership Income $1,210.00	
	Kempstone Equity Fund					x								x										x									
	IRA: Heartland 500 Index Fund							x						x											x								
1	Wal Mart Stores			X													X				X												
2	Washington Mutual Inc.			X													X				X												
3	DePere Wisconsin School District Bond			X															X		X												
4	McKinney Texas Municipal Bond				X														X		X												
5																																	
6																																	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

either that of the filer or jointly held

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Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
D 1	Glacier Bancorp Sold	X															X				X												
D 2	Shreveport La Go Bonds	X																		X					X								
D 3	U.S. Treasury Note 2.5 20	X																	X	X					X								
D 4	Unit Series Spider Trust	X															X				X												
5	Professor, Fordham University, N.Y.																															Salary	
6	(No Benefits)																																
D 7	Alliance Bernstein College Bond Fund - Risk-Based				X									X																		INCOME UNAVAILABLE	Amounts
8	Portfolio Balanced Portfolio					X								X																		Income unavailable	amounts
D 9	Alliance Bernstein College Bond Fund Risk-Based Portfolio					X								X																		Income unavailable	amounts

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name: Negroponte, John D.

SCHEDULE B

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange*	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example	Central Airlines Common	X			2/1/99			X									
1	950 Amsouth Bancorporation	X			12/17/03		X										
2	400 Anheuser Busch	X			10/7/03		X										
3	1000 ADP	X			9/03/03		X										
4	450 AVY	X			6/03/03		X										
5	300 Bank of America Corp.	X			12/02/03		X										

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260, and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided.

Exclude anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☒

	Source *(Name and Address)*	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name: Negroponte, John D.

SCHEDULE B continued
(Use only if needed)

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	850 Citigroup Inc	X			10/7/03 and 11/04/03		X										
2	1500 Diamonds Trust Series	X			12/17/03 and 12/23/03				X								
3	1800 Family Dollar	X			12/02/03 and 12/04/03			X									
4	3100 GE	X			9/23/03 thru 12/2/02			X									
5	1945 Henry Jack Associates	X			12/08/03 and 12/10/03		X										
6	1000 Hewlett Packard	X			12/02/03		X										
7	1200 Home Depot	X			9/3/03		X										
8	875 Kaydon Corp	X			12/08/03		X										
9	425 KIMCO Realty Corp.	X			10/07/03		X										
10	275 OMNICOM	X			10/07/03		X										
11	3750 NASDAQ 100 Shares	X			4/03/03 thru 9/03/03				X								
12	300 Suntrust Banks Inc.	X			10/07/03			X									
13	4000 Servicemaster Co.	X			5/20/03 thru 9/03/03		X										
14	900 Teleflex Inc.	X			10/22/03 and 11/4/03		X										
15	350 Wal Mart Stores Inc	X			10/07/03		X										
16	575 Washington Mutual Inc	X			12/17/03		X										

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B continued (Use only if needed)	Page Number
Negroponte, John D.		10 of 13

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange*	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	100,000 FHLB Callable 2-4	X			7/15/03			X								
2	400 AIG	X			2/28/03		X									
3	1000 First Tennessee	X			8/28/03		X									
4	2370 Freddie Mac	X			~~4/25/03 and~~ 6/27/03 9/10/03				X							
5	850 Glacier Bancorp	X			6/2/03		X									
6	1200 Hewlet Packard	X			7/25/03		X									
7	1000 NASDAQ 100 shares	X			5/1/03		X									
8	600 State Street Corp.	X			6/18//03		X									
9	100,000 FHLB 4.05%	X			1/24/03			X								
10	2000 Morgan Stanley Capit	X			2/24/03			X								
11	Shreveport La GO Bonds 5%		X		2/20/03				X							
12	U. S. Treasury Note 3.5% 2006		X		7/7/03				X							
13	FHLB 4.05% 2008		X		5/13/03				X							
14	ABN Amro Capital Funding Trust		X		9/30/03			X								
15	AIG		X		3/28/03		X									
16	UBS PFD		X		8/6/03			X								

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B continued (Use only if needed)	Page Number
Negroponte, John D.		11 of 13

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	Abbey National 7.375 %		X		3/27/03		X										
2	Abbey National 7.375%		X		8/6/03	X											
3	Abbey National 7.375%		X		8/6/03		X										
4	First Tennessee National		X		11/6/03		X										
5	Freddie Mac		X		4/25/03		X										
6	Freddie Mac		X		9/10/03				X								
7	GE Capital Notes 6.25%		X		3/27/03		X										
8	Glacier Bancorp		X		7/31/03		X										
9	Hewlett Packard		X		7/25/03		X										
10	NASDAQ 100		X		8/8/03		X										
11	Unit Series Spider Trust		X		6/17/03				X								
12	Unit Series Spider Trust		X		6/02/03				X								
13	Unit Series Spider Trust		X		5/19/03				X								
14	Unit Series Spider Trust		X		1/21/03			X									
15	State Street		X		9/26/03		X										
16	The McGraw-Hill Companies		X		9/03				X								

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name: Negroponte, John D.

SCHEDULE C

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [x]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10%	on demand					x						
1																
2																
3																
4																
5																

*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Year 1999 Bonus deferred, being paid in 5 yearly transfers	The McGraw-Hill Companies	11/98
2	beginning in 2002		
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None [X]

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
2					
3					
4					
5					
6					

Part II: Compensation in Excess of $5,000 Paid by One Source

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

None [X]

	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

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THE REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS

April 23,2004

Mr. James H. Thessin
Deputy Legal Adviser and
Designated Agency Ethics Official
U.S. Department of State
Washington, D.C. 20520-6310

Re: Ethics Undertakings

Dear Mr. Thessin:

I am committed to the highest standards of ethical conduct for government officials. If confirmed as United States Ambassador to the Republic of Iraq, I will not participate personally and substantially in any particular matter that, in violation of applicable rules, would have a direct and predictable effect on my financial interests or those imputed to me, unless I first obtain a written waiver or qualify for a regulatory exemption.

I understand that a heightened prospect of a conflict of interest could exist as to companies that maintain a presence in the Republic of Iraq, because they may be more likely than other companies to seek official assistance from or make other contact with the Embassy. I will remain alert to the possible need for recusal where appropriate.

In order to minimize the number of matters that may come before me that may have a direct and predictable effect on my financial interests or those of my spouse, we will divest of our financial interests held in Citigroup, General Electric and GE Capital, in accordance with the timetables set forth in 5 CFR 2634.802(b). It is my understanding that we are eligible to request, and we intend to seek prior to divestiture, a Certificate of Divestiture from the Office of Government Ethics for our interests in Citigroup, General Electric and GE Capital. Until we have divested these interests, I will not participate personally and substantially in any particular

matter that would have a direct and predictable effect upon any of these entities. We will invest the proceeds in non-conflicting assets.

As reported on Schedule C, Part II of my current financial disclosure form, I will continue to receive annual installments of deferred compensation through 2006 arising from my previous employment with The McGraw Hill Companies, from which I resigned in 2001. If confirmed as Ambassador, I will not participate personally and substantially in any particular matter that would have a direct and predictable effect on the ability or willingness of The McGraw Hill Companies to make these payments to me, unless I first obtain a written waiver or qualify for regulatory exemption.

Finally, I will provide the appropriate officials with a list of those interests I have retained or may acquire in order to support my efforts to avoid conflicts of interest. In addition, I will recuse myself from participation on a case-by-case basis in any particular matter in which, in my judgment, it is desirable for me to do so in order to avoid the possible appearance of impropriety, despite the lack of any actual conflicts.

Sincerely,

John Negroponte

John D. Negroponte

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U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209 - 0001

Date of Appointment, Candidacy, Election, or Nomination *(Month, Day, Year)* 09/18/01	Reporting Status *(Check Appropriate Boxes)*	Incumbent [X]	Calendar Year Covered by Report 2002	New Entrant, Nominee, or Candidate [ ]	Termination Filer [ ] Termination Date *(If Applicable)(Month, Day, Year)*
Reporting Individual's Name	Last Name: NEGROPONTE			First Name and Middle Initial: John D.	
Position for Which Filing	Title of Position: US Representative to the United Nations			Department or Agency *(If Applicable)*: Department of State	
Location of Present Office (for forwarding address)	Address *(Number, Street, City, State, and ZIP Code)*: 799 United Nations Plaza, New York, NY 10017			Telephone No. *(Include Area Code)*: 212-415-4404	
Position(s) Held with the Federal Government During the Preceding 12 Months *(If Not Same as Above)*	Title of Position(s) and Date(s) Held				
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination			Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [ ] No	
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: John Negroponte			Date *(Month, Day, Year)*: April 8, 2003	
Other Review (If desired by agency)	Signature of Other Reviewer: David de Rouen			Date *(Month, Day, Year)*: April 8, 2003	
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]			Date *(Month, Day, Year)*: 6/29/05	
Office of Government Ethics Use Only	Signature			Date *(Month, Day, Year)*	

Comments of Reviewing Officials *(If additional space is required, use the reverse side of this sheet)*

1 Per info provided by filer. JM *(Check box if filing extension granted & indicate number of days _____)* [ ]

Recusal attached. *(Check box if comments are continued on the reverse side)* [ ]

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only

Supersedes Prior Editions, Which Cannot Be Used.

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Reporting Individual's Name: NEGROPONTE, John D.

SCHEDULE A

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual amount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common			X													X						X										
	Doe Jones & Smith, Hometown, State		X																													Law Partnership Income $130,000	09-22-1985
	Kempstone Equity Fund				X									X										X									
	IRA: Heartland 500 Index Fund						X							X											X								
1	The McGraw- Hill Companies																															installment on deferred 1999 bonus $104,278.80	
2	The McGraw-Hill Companies (stock)				X												X							X									
3	UBSRM Money Market Portfolio							X									X									X							
4	Royal Bank Scotland Group (preferred)			X													X						X										
5	SPDR				X												X							X									
6	Abbey National PLC ADS (preferred)					X													X					X									

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gain	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	ABN Amro Capital Funding Trust (preferred)				X														X					X									
2	Ford Motor Credit Corp (Senior notes)			X															X				X										
3	General Electric Capital Public Income Notes				X														X				X										
4	National Westminster Bank (preferred)				X														X				X										
5	UBS Preferred Funding Trust				X														X					X									
6	Wells Fargo Capital Trust (preferred)				X														X					X									
7	US Treasury (5 year note)					X													X					X									
8	DePere Wisconsin School District (Municipal Bond)			X															X				X										
9	McKinney Texas Waterworks (Municipal Bond)					X													X						X								

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Sheveport Louisiana (Municipal bonds)					X													X						X								
2	Sioux Falls Sales Tax (Municipal)					X													X				X										
3	Citibank (CD)					X													X					X									
4	Laredo National Bank (checking)		X																		X												
5	Laredo National Bank (Money Market Municipal Obligations)								X										X						X								
6	Travelers Property Casualty		X																		X												
7	Corp, Class A																																
8																																	
9																																	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name
NEGROPONTE, John D.

SCHEDULE B

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (X)										
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example	Central Airlines Common	X			2/1/99			X									
1	Ford Motor Credit Corp 7.65 (Senior notes)	X			8/6/02			X									
2	General Electric Capital 6.625% (Public Income Notes)	X			8/6/02			X									
3	National Westminster Bank 7.875% preferred	X			8/13/02		X										
4	Royal Bank of Scotland 9% preferred	X			3/18/02		X										
5	Royal Bank of Scotland 9% preferred	X			3/20/02	X											

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260, and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided.

Exclude anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☒

	Source *(Name and Address)*	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

Prior Editions Cannot Be Used.

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U.S. Office of Government Ethics

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B continued (Use only if needed)	Page Number
NEGROPONTE, John D.		6 of 8

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	Standard and Poors Depository Receipts (SPDR's) *	X			6/25/02			X									
2	Standard and Poors Depository Receipts	X			7/5/02			X									
3	Standard and Poors Depository Receipts	X			7/9/02		X										
4	Standard and Poors Depository Receipts	X			7/25/02		X										
5	Standard and Poors Depository Receipts	X			7/25/02		X										
6	Standard and Poors Depository Receipts	X			7/26/02		X										
7	Standard and Poors Depository Receipts	X			7/30/02		X										
8	Standard and Poors Depository Receipts	X			10/21/02			X									
9	Travelers Property Casualty Corp New Class A	X			3/21/02	X											
10	Sioux Falls South Dakota Sales Tax (Municipal)		X		4/23/02				X								
11	United Parcel Service	X			1/18/02	X											
12	United Parcel Service		X		1/29/02	X											
13	Laredo National Bank (Money Market municipal obligations)	X			6/3/02								X				
14																	
15																	
16																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name
NEGROPONTE, John D.

SCHEDULE C

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors *(Name and Address)*	Type of Liability	Date Incurred	Interest Rate	Term If Applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X							
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10%	on demand					X					
1															
2															
3															
4															
5															

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Year 1999 Bonus deferred, being paid in 5 yearly transfers beginning in 2002	The Mc-Graw Hill Companies	11/98
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
NEGROPONTE, John D.		8 of 8

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None [X]

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
2					
3					
4					
5					
6					

Part II: Compensation in Excess of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None [ ]

	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

Prior Editions Cannot Be Used

USAPA V1.00

MAY 9 2001

Mr. James H. Thessin
Deputy Legal Adviser and
Designated Agency Ethics Official
U.S. Department of State
Washington, D.C. 20520-6310

Re: Ethics Undertakings

Dear Mr. Thessin:

I am committed to the highest standards of ethical conduct for government officials. If confirmed as the United States Representative to the United Nations, I will not participate in violation of applicable rules in any particular matter that would have a direct and predictable effect on my financial interests or those imputed to me.

In order to minimize the number of matters that may come before me that may have a direct and predictable effect on my financial interests or those of my spouse, we will divest the financial interests described in Attachment A, in accordance with the timetables set forth in 5 CFR 2634.802(b). It is my understanding that we are eligible to request, and we intend to seek prior to divestiture, Certificates of Divestiture from the Office of Government Ethics. Until we have divested these interests, I will not participate personally and substantially in any particular matter that would have a direct and predictable effect upon these entities. We will invest the proceeds in non-conflicting assets.

I have identified on my current financial disclosure form at Schedule D, Part I those positions I currently hold in organizations outside the U.S. Government. If confirmed, I will resign prior to appointment from my position as Executive Vice President with the McGraw-Hill Companies. In accordance with the timetables set forth in 5 CFR 2634.802(b), I will also resign from all other positions I hold in organizations outside the U.S. Government, with the exception of my uncompensated position as executor of my mother's estate.

I intend to retain my interest in the McGraw-Hill 401(k) plan, but neither I nor the company will make any further contributions to the plan. I will also receive a lump sum separation payment upon resignation of $1,000,000 for past service to McGraw-Hill, and will receive a total of $400,000 (plus interest) in deferred compensation in five annual installments after my resignation. In addition, McGraw-Hill will accelerate the vesting of my unvested stock options upon my separation date from the company and prior to confirmation. I intend to retain my McGraw-Hill stock options, which I am entitled to exercise until six months following my resignation.

As long as I retain a financial interest in McGraw-Hill, I will not participate personally and substantially in any particular matter that would have a direct and predictable effect on the financial interests of McGraw-Hill, and, in any event, I will not participate personally and substantially in any particular matter in which McGraw-Hill is or represents a party for two years following receipt of my separation payment from the company.

Pending my resignations from the other outside positions listed on Schedule D, I will not participate personally and substantially in any particular matter that would have a direct and predictable effect on the financial interests of those entities from which I am resigning. In order to avoid any appearance of a conflict of interest, I will recuse myself, for one year after resigning, from any particular matters involving specific parties in which to my knowledge one of those entities is or represents a party, where it is determined that the circumstances would cause a reasonable person with knowledge of the relevant facts to question my impartiality in the matter, unless I have been authorized to participate under the provisions of 5 CFR Part 2635, Subpart E.

Finally, I will provide the appropriate officials with a list of those interests I have retained (or may acquire) in order to support my efforts to avoid conflicts of interest. In addition, I will recuse myself from participation on a case-by-case basis in any particular matter in which, in my judgment, it is desirable for me to do so in order to avoid the possible appearance of impropriety, despite the lack of any actual conflicts.

Sincerely,

John D. Negroponte

Attachment A

Assets to be divested if confirmed:

Royal Dutch Petroleum
El Paso Corporation
Nestle
Aventis
Pfizer, Inc.
Biotech Holders Trust

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Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209 - 0001

Date of Appointment, Candidacy, Election, or Nomination *(Month, Day, Year)* 9/18/01	Reporting Status *(Check Appropriate Boxes)*	Incumbent ☐	Calendar Year Covered by Report 2001	New Entrant, Nominee, or Candidate ☐	Termination Filer ☐ Termination Date *(If Applicable)(Month, Day, Year)*
Reporting Individual's Name	Last Name: NEGROPONTE			First Name and Middle Initial: John D.	
Position for Which Filing	Title of Position: US Representative to the United Nations			Department or Agency *(If Applicable)*: Department of State	
Location of Present Office (or forwarding address)	Address *(Number, Street, City, State, and ZIP Code)*: 799 United Nations Plaza, New York, NY 10017			Telephone No. *(Include Area Code)*: 212-415-4404	
Position(s) Held with the Federal Government During the Preceding 12 Months *(If Not Same as Above)*	Title of Position(s) and Date(s) Held				
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination			Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☐ No	
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: [signature]			Date *(Month, Day, Year)*: 4/19/02	
Other Review (If desired by agency)	Signature of Other Reviewer: [signature]			Date *(Month, Day, Year)*: 4/23/02	
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: Kathleen Hoke			Date *(Month, Day, Year)*: 8/28/02	
Office of Government Ethics Use Only	Signature			Date *(Month, Day, Year)*	

Comments of Reviewing Officials *(If additional space is required, use the reverse side of this sheet)*

[illegible] (p. 3) [illegible] 8/7/02 *(Check box if filing extension granted & indicate number of days _____)* ☐

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only

Supersedes Prior Editions, Which Cannot Be Used.

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
NEGROPONTE, John D.		2 of 10

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	The McGraw-Hill Companies																															compensation & serverance 2,092,682.42	
2	The McGraw-Hill Companie (stock)				X												X							X									
3	UBSRMA Money Market Portfolio									X							X							X									
4	CITIGROUP (stock) sold 9/26	X		X													X					X											
5	PFIZER (stock) sold 9/26	X		X													X					X											
6	Home Depot (stock) sold 9/26	X		X													X				X	X											
7	El Paso Corp (stock) sold 9/26	X		X													X					X											
8	Philip Morris (stock) sold 9/26	X		X													X					X											
9	JP Morgan Chase (stock) sold 9/26	X		X													X					X											

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Anheuser Bush (stock) 9/26	X		X													X					X											
2	Tyco International (stock) 9/26	X		X													X				X												
3	Nortel (stock) sold 9/26	X	X														X				X												
4	Nestle (stock) 9/27			X													X					X											
5	Barclays Bank (stock) sold 9/27	X		X													X					X											
6	Royal Dutch (stock) sold 9/26	X		X													X					X											
7	Aventis (stock) sold 9/26	X		X													X					X											
8	Vodafone (stock) sold 9/26	X		X													X				X												
9	BNP Paris Bas (stock) sold 9/27	X		X													X						X										

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Sioux Falls, South Dakota Sales Tax Revenue Bonds				X														X						X								
2	McKinney Texas Waterworks and Sewer Revenue Bonds				X														X						X								
3	CITIBANK (CD)				X														X					X									
4	Laredo National Bank (checking)			X															X				X										
5	ABM AMRO Capital Funding Trust				X														X				X										
6	UBS Preferred Funding Trust				X														X				X										
7	Abbey National PLC (preferred stock) ✓				X														X		X												
8	National Westiminster Bank (Preferred Stock)			X															X		X												
9	Wells Fargo Capital (preferred)				X														X		X												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name: NEGROPONTE, John D.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	DePere Wisconsin School District (municipal bonds)			X															X		X												
2	Shreveport Louisiana GO FGIC (municipal bonds)					X													X		X												
3	US Treasury (5 year note)				X														X		X												
4																																	
5																																	
6																																	
7																																	
8																																	
9																																	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name
NEGROPONTE, John

SCHEDULE B

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (X)											
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example	Central Airlines Common	X			2/1/99			X									
1	VODAFONE GROUP PLC ADR		X		9/26/01		X										
2	TYCO International Limited		X		9/26/01		X										
3	Royal Dutch Petroleum NY Reg		X		9/26/01		X										
4	Philip Morris COS Inc., Common		X		9/26/01		X										
5	PFIZER Inc.		X		9/26/01		X										

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260, and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided.

Exclude anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☒

	Source *(Name and Address)*	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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Reporting Individual's Name	SCHEDULE B continued (Use only if needed)	Page Number
NEGROPONTE, John D.		7 of 10

Part I: Transactions

	Identification of Assets	Transaction Type (x) Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X) $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	NORTEL Networks Corp		X		09/26/2001	X											
2	Microsoft Corporation		X		09/26/2001		X										
3	JP Morgan Corporation & Company		X		09/26/2001		X										
4	INTUIT		X		09/26/2001		X	X									
5	Home Depot Inc.		X		09/26/2001		X										
6	El Paso Corporation		X		09/26/2001		X	*									
7	EMC Corp		X		09/26/2001	X											
8	CITIGROUP Inc.		X		09/26/2001		X										
9	Biotech Holders Trust		X		09/26/2001		X										
10	Aventis ADR		X		09/26/2001		X										
11	Anheuser Busch COS Inc.		X		09/26/2001		X										
12	AMR Corp		X		09/26/2001		X										
13	BNP PARIS BAS		X		09/27/2001		X										
14	Barclays Bank PLC ORD. Shares		X		09/27/2001		X										
15	Nestle Registered Shares		X		09/27/2001		X										
16	US Treasury 5 year note	X			11/27/2001			X									

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name: NEGROPONTE, John D.

SCHEDULE B continued
(Use only if needed)

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (X): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
1	ABBEY National PLC. 7.375% preferred	X			11/27/2001			X									
2	National Westminister Bank 7.875% preferred	X			11/27/2001		X										
3	ABN AMRO Capital Funding Trust	X			11/29/2001		X										
4	UBS Preferred Funding Trust 7.25%	X			11/29/2001			X									
5	Wells Fargo Capital 7% Trust Preferred	X			11/29/2001			X									
6	De Pere Wisconsin University School District	X			12/13/2001		X										
7	Shreveport Louisana GO. FGIC	X			12/21/2001				X								
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	
16																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name
NEGROPONTE, John

SCHEDULE C

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors *(Name and Address)*	Type of Liability	Date Incurred	Interest Rate	Term If Applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10%	on demand					X						
1																
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Year 1999 Bonus deferred, will be paid in 5 yearly transfers beginning in 2002	The McGraw-Hill Companies	11/98
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None [X]

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
2					
3					
4					
5					
6					

Part II: Compensation in Excess of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None [ ]

	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

ANSWERS TO PRE-HEARING QUESTIONS SUBMITTED TO AMBASSADOR JOHN NEGROPONTE FROM THE COMMITTEE

RESPONSIBILITIES OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Question 1.: Explain your understanding of the obligations of the Director of National Intelligence (DNI) under Section 502 and Section 503 of the National Security Act of 1947, including the responsibility to ensure that all departments, agencies, and other entities of the United States Government involved in intelligence activities comply with the reporting requirements in those sections.

Answer: If confirmed as DNI, I will be committed to implementing the statutory responsibility to keep Congress fully and currently informed of intelligence activities and covert actions. I will ensure that all members of the Intelligence Community understand and fulfill their commitment to do the same.

Question 2.: Describe your understanding of the role of the Joint Intelligence Community Council (JICC) in assisting the Director of National Intelligence (DNI) in his responsibility to lead the Intelligence Community (IC). Explain the types of issues on which you would seek JICC assistance, should you be confirmed as DNI.

Answer: The JICC was established to assist the DNI in creating a more unified and effective IC. The IRTPA calls for the DNI to seek the advice of the JICC on establishing requirements, developing budgets, financial management, monitoring and evaluating the performance of the IC, and ensuring timely execution of the programs, policies and direction of the DNI. I would expect that the JICC may prove to be a useful source of advice on other issues as well.

Question 3.: Should you be confirmed, do you intend to exercise the authority to appoint individuals to serve as Deputy Directors of National Intelligence? If so, how many Deputy Director positions (from one to four) will you create? What responsibilities will you assign to the Deputy Directors that you appoint?

Answer: Yes, if confirmed I will exercise the authority to appoint Deputy Directors to assist in carrying out the DNI's authorities and responsibilities. One of my first tasks, if I am confirmed, will be to consult with my Principal Deputy and my staff on the organization of the Office of the DNI (ODNI).

Question 4.a.b.c.: Explain your understanding of the responsibilities of the following officers:

a. the individual assigned responsibilities for analytic integrity under Section 1019 of the National Security Intelligence Reform Act of 2004.

b. the individual assigned responsibilities for safeguarding the objectivity of intelligence analysis under Section 1020 of the National Security Intelligence Reform Act of 2004.

c. the General Counsel of the Office of the DNI.

Answer: The officer or entity assigned responsibility for analytic integrity is charged with ensuring that finished intelligence products produced by any element or elements of the IC are timely, objective, independent of political considerations, based upon all sources of available intelligence, and employ the standards of proper analytic tradecraft. Specific responsibilities are set out in Section 1019.

The officer assigned within the Office of the DNI to safeguard objectivity in analysis shall be available to analysts within the O/DNI to counsel, conduct arbitration, offer recommendations, and, as appropriate, initiate inquiries into real or perceived problems of analytic tradecraft or politicization, biased reporting, or lack of objectivity in intelligence analysis.

The statutory General Counsel is the chief legal advisor of the O/DNI and shall perform such functions as the DNI may prescribe.

PERSONNEL

Question 5.a.b.: Explain the DNI's authority to direct the transfer or detail of particular personnel from one element of the IC to another.

a. If the head of an IC element or the head of the concerned department or agency objects to the transfer of particular personnel from one element of the IC to another, explain what authority the DNI has to direct the transfer or detail notwithstanding the objection.

b. Explain the principles governing personnel transfers that a DNI should consider when drafting personnel transfer procedures with the heads of concerned departments and agencies.

Answer: The personnel transfer authorities of the DNI provide a strong mechanism to direct resources to address evolving national security needs. Personnel transfer procedures are governed by the principle that transfers be to a higher priority intelligence activity and that the transfer supports an emergent need, improves program effectiveness, or increases efficiency.

Question 6.: Explain the DNI's authority to ensure that IC personnel are diverse, skilled, and properly trained and that those personnel are assigned or detailed to national intelligence centers or other IC elements during the course of their careers.

Answer: The IRTPA provides several tools to facilitate the development and flow of personnel across the IC, including the authority to provide for education and training, the ability to create financial and other incentives, and the establishment of occupational standards. If confirmed, I would use these authorities to address the personnel requirements of the Intelligence Community. I will attach great importance to cultivating the effectiveness and morale of our intelligence workforce.

Question 7.a.b.c.d.: Explain the DNI's authority to terminate the employment of any officer or employee of the IC outside the Office of the DNI.

a. If the DNI has this authority, what effect, if any, would the objection of the head of the concerned IC element or the head of the concerned department or agency have on the exercise of this authority?

b. Explain the DNI's authority to terminate the employment of the head of an IC element (other than a Presidential-appointee), or otherwise hold the IC element head accountable, based on an action by that individual that disregards a DNI decision or position on any given matter.

c: What, if any, authorities does the DNI have to hold particular officers or employees of the IC accountable for poor performance or reward or promote a particular officer or employee for outstanding performance?

d. What actions, if any, should be taken to strengthen accountability for all officers and employees of the IC?

Answer: My understanding is that the National Security Act does not give the Director of National Intelligence (DNI) direct authority to discipline or terminate the employment of an employee of another department or agency of the United States Government. If a matter arises concerning the performance of an employee of the IC outside of the office of the DNI which I believe requires attention, I would pursue the matter with the relevant agency head. The DNI is authorized to establish personnel standards across the Intelligence Community (IC) that may include standards of conduct and accountability.

INFORMATION ACCESS

Question 8.a.b.c.d.: Explain the DNI's authority to formulate, implement, and enforce IC-wide information access policies.

a. What actions will you take, should you be confirmed as DNI, to enhance information access by ensuring that all IC analysts—with a valid security clearance and a need-to-know—have access to pertinent information contained in human intelligence operations cables, raw signals intelligence, or other such information not currently made available to analysts?

b. Some statutory barriers to information access have been removed by the USA PATRIOT Act and Intelligence Authorization legislation. Explain whether additional modifications to Executive Order 12333 or other applicable authorities or statutes will be required before the IC can operate like a true "information enterprise"—where information is accessible by all IC elements.

c. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments or agencies, to direct the head of an IC element to comply with DNI policies and directives on information access. If the DNI lacks this authority, explain what authority, if any, the DNI has to ensure that the head of an IC element complies with DNI policies and directives on information access.

d. Explain the information technology challenges facing the IC and the DNI's authority, through the Chief Information Officer for the IC or otherwise, to ensure that the IC develops an enterprise architecture and maintains information technology systems in a manner that enables and promotes DNI policies and directives on information access.

Answer: The DNI has been given a variety of authorities to determine access to intelligence information, including the authority to "manage and direct" the dissemination of national intelligence, to set uniform security and information technology standards, and to approve procurements authority over all enterprise architecture-related information technology items funded in the NIP. In addition the DNI will have a statutory CIO. If confirmed, I will utilize the DNI's authorities to the fullest extent to review any barriers that exist and to ensure maximum availability of and access to intelligence information.

BUDGET

Question 9.a.b.c.: Describe your understanding of the authority of the DNI concerning the National Intelligence Program (NIP), specifically:

a. how a DNI should apply independent judgment to the NIP budget submissions from the heads of agencies or organizations within the IC and the heads of their respective departments;

b. how a DNI should resolve NIP budget disputes, including disputes involving budget priorities, between himself and the heads of IC elements or the heads of concerned departments and agencies; and

c. the importance of the DNI authority to ensure the effective execution of the annual budget for intelligence and intelligence-related activities of the U.S. Government.

Answer: The Director of National Intelligence (DNI) is responsible for developing and determining the NIP budget and, if confirmed, I will make the final decisions on the budget that is submitted to the President.

The DNI should assess the current budget resolution practices and develop an appropriate resolution process in accordance with the DNI's budget authorities. The DNI's authority to ensure effective execution of the annual budget for intelligence and intelligence related activities is important because it is part of the mechanism for creating a unified Intelligence Community. In enacting intelligence reform, Congress and the President were clear that the DNI have full budget authority to manage the IC as a unified enterprise and if confirmed I look forward to exercising these authorities to best effect a more unified IC.

Question 10.a.b.: Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to terminate or reduce funding for a program in the NIP.

a. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to prevent a major system acquisition funded wholly from the NIP from proceeding through a milestone decision. If the DNI lacks this authority, explain under what circumstances, and explain the DNI's options for preventing the program from proceeding.

b. If the DNI terminates a program by refusing to fund it in the NIP, but the Secretary of Defense still supports the program and provides funding for the program in the Joint Military Intelligence Program (JMIP), the Tactical Intelligence and Related Activities (TIARA), or another budget account, what authority does the DNI have to prevent the Secretary of Defense from taking such action?

Answer: The IRTPA provides that the DNI has exclusive milestone decision authority (MDA) for intelligence programs within the NIP, except that with respect to Department of Defense programs, the DNI has MDA jointly with the Secretary of Defense. If the DNI and the Secretary of Defense cannot reach agreement where a joint milestone decision is required, the President shall resolve the difference. The DNI has the authority to participate in the development of the Department of Defense's JMIP and TIARA budgets. If confirmed, I would exercise the budget authority conferred on me by the IRTPA to the fullest.

Question 11.a.b.c.: Explain the research and development challenges facing the IC and the DNI's authority, through the Director of Science and Technology in the Office of the DNI or otherwise, to ensure that the research and development activities of the IC are consistent with DNI priorities, regardless of how the activities are funded (NIP or otherwise).

a. Explain the DNI's authority to ensure funding for such activities in the NIP.

b. Explain the DNI's authority to prevent IC elements from circumventing DNI research and development decisions and priorities by using separate budget accounts (e.g., JMIP, TIARA, or otherwise) to fund activities the DNI has previously rejected for inclusion in the NIP,

c. Should you be confirmed as DNI, will you ensure that the research and development activities of the IC:

i. address system requirements from the tasking of collection to final dissemination of collected and analyzed intelligence (also known as "end-to-end architecture);

ii. are prioritized in a manner that addresses not only deficiencies in collection, but also deficiencies in analysis and dissemination of collected intelligence information; and

iii. ensure interoperability of national intelligence, tactical military intelligence, and military systems?

Answer: The DNI has the authority to develop and determine and to ensure the effective execution of the annual budget for intelligence and intelligence related activities. In addition, the Office of the DNI will have a Director of Science and Technology. If confirmed, I will assess and prioritize the research and development chal-

lenges facing the Intelligence Community, including those outlined in your questions, and I will utilize the Director of Science and Technology to oversee Intelligence Community research and development activities to ensure the efficient and effective use of resources. As part of that process I would ensure that the Office of the DNI participate in the development of DoD's budgets for JMIP and TIARA to coordinate interoperability between national and tactical systems.

Question 12.a.b.: With respect to acquisitions of major systems that are "split-funded" (i.e., a portion of the NIP and a portion in the JMIP, TIARA, or other budget account), explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to terminate such programs.

a. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to prevent such acquisitions from proceeding through a milestone decision. If the DNI lacks this authority, what are the DNI's options for preventing such programs from proceeding?

b. If the DNI terminates funding for such a program in the NIP, but the Secretary of Defense still supports the program and provides funding for the program in the JMIP or TIARA, what authority does the DNI have to prevent the Secretary of Defense from funding the program?

Answer: The DNI has the authority and responsibility to develop and determine the National Intelligence Program budget, a process that will require the DNI to make NIP funding decisions. In addition, the DNI has the authority to participate in the development of the Department of Defense's JMIP and TIARA budgets. If confirmed, I intend to have the Office of the DNI participate in DoD's development of the JMIP and TIARA budgets. The IRTPA provides that the DNI has exclusive milestone decision authority (MDA) for major systems acquisitions funded solely within the NIP, except that with respect to Department of Defense programs, the DNI has MDA jointly with the Secretary of Defense. If the DNI and the Secretary of Defense cannot reach agreement when a joint milestone decision is required, the President shall resolve the difference.

Question 13.a.b.: During his confirmation hearing, Mr. Porter Goss informed the Committee that he shared the Committee's frustration that the estimated cost of procuring major systems, such as satellites, routinely fall far below the actual cost of procuring those systems. Mr. Goss assured the Committee that he would comply with the legal requirements of Section 506A of the National Security Act of 1947, including preparing independent cost estimates for each major system to be acquired by the IC, budgeting to those estimates, and, if necessary, explaining why budgets depart from such estimates.

a. Will you make the same assurance to the Committee?

b. Should you be confirmed, how will you address budgetary shortfalls caused by funding to levels identified in independent cost estimates, especially in the National Reconnaissance Program?

Answer: If confirmed, I will comply with the legal requirements for independent cost estimates that are applicable to National Intelligence Program acquisitions. If confirmed, I will assess budgetary shortfalls by analyzing the program's capabilities against the President's intelligence priorities.

RELATIONSHIP WITH THE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

Question 14.a.b.: Explain the DNI's authority to supervise, direct, or control the manner in which the Director of the Central Intelligence Agency (D/CIA) exercises his statutory responsibility to provide overall direction for and coordination of the collection of national intelligence outside the United States through human sources (i.e., the D/CIA's "national human intelligence (HUMINT) manager" responsibilities).

a. Does the DNI have the authority to mandate that the D/CIA permit another IC element (e.g., the Defense Intelligence Agency (DIA) or the Federal Bureau of Investigation (FBI)) to proceed with a human intelligence operational activity that was originally rejected by the D/CIA, a Chief of Station, or other D/CIA designee?

b. Does the DNI have the authority, notwithstanding the decision and continued objection of the D/CIA, a Chief of Station, or other D/CIA designee, to authorize an IC element to conduct a human intelligence operational activity that was originally rejected by the D/CIA, a Chief of Station, or other D/CIA designee?

Answer: The Director of National Intelligence (DNI) has broad tasking authority over the Intelligence Community (IC) to "manage and direct" the tasking of collection of national intelligence, which includes approving collection requirements and resolving conflicts in the tasking of national assets. The Director of CIA (D/CIA) has statutory responsibility for running the day-to-day operations of the CIA and for

providing the direction and coordination of HUMINT activities outside the United States for the elements of the U.S. Government authorized to undertake such activities. In this regard, the D/CIA reports to the DNI regarding the activities of the CIA. If an instance were to arise in which an element of the IC disagreed with the decision of the D/CIA, the DNI would resolve the difference and determine the best course of action.

Question 15.: Explain the DNI's authority to supervise, direct, or control the manner in which covert actions are conducted by the Central Intelligence Agency.

Answer: The Director of CIA (DICIA) reports to the Director of National Intelligence (DNI) regarding the activities of the CIA, including covert action. The DNI is responsible for fulfilling Congressional notification requirements and for ensuring that the CIA and other IC elements comply with the Constitution and laws of the United States.

Question 16.a.b.: With respect to foreign liaison activities of the IC:

a. Explain the DNI's authority to supervise, direct, or control the manner in which the D/CIA exercises his statutory responsibility to coordinate the relationships between IC elements and the intelligence and security services of foreign governments or international organizations.

b. Explain the DNI's authority to mandate that the D/CIA permit another IC element (e.g., DIA or FBI) to conduct a liaison relationship with an intelligence or security services of a foreign government or international organization.

Answer: Under the IRTPA, the Director of CIA's (D/CIA's) authority to coordinate foreign intelligence relationships is exercised "under the direction of the DNI " If confirmed, I will work closely with the D/CIA to implement this authority to ensure activities across the IC are appropriately considered and coordinated.

RELATIONSHIP WITH THE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER

Question 17.a.b.c.d.: Explain the DNI's authority to supervise, direct, or control the manner in which the Director of the National Counterterrorism Center (D/NCTC) exercises his statutory responsibility to plan, and track the progress of, joint counterterrorism operations.

a. Explain the DNI's authority to direct the D/NCTC to modify a strategic operational plan for joint counterterrorism operations.

b. Explain the DNI's authority to prevent an IC element from participating in, or complying with, a D/NCTC-approved strategic operational plan.

c. Explain the authority of the DNI to modify the role or responsibility assigned to an IC element under a D/NCTC-approved strategic operational plan.

d. Explain the authority of the DNI, notwithstanding the objections of the DINCTC, to terminate funding in the NIP for a D/NCTC-approved strategic operational plan for a joint counterterrorism operation.

Answer: As the principal intelligence advisor to the President and manager of the National Intelligence Program (NIP), the DNI is responsible for the effective use and performance of intelligence assets against all national security missions. Under the IRTPA, the DNI is responsible for overseeing the National Counterterrorism Center (NCTC). The Director of the NCTC (D/NCTC) reports to the DNI with respect to the NCTC budget and programs, counterterrorism analysis, and the conduct of intelligence operations implemented by other elements of the Intelligence Community (IC). The DNI has the authority to direct the D/NCTC to modify a strategic operational plan for joint counterterrorism intelligence operations.

The DNI has the authority to terminate NIP-funded programs in accordance with the requirements for Office of Management and Budget approval and consultation with affected entities, subject to the limitations specified in the transfer and reprogramming provisions of the IRTPA, including notification of Congress.

COLLECTION TASKING

Question 18.: Explain the DNI's authority to direct an IC element to collect national intelligence, including foreign intelligence or counterintelligence, concerning:

a. a particular subject or topic; and

b. a particular individual, including a U.S. person.

c. with respect to both a. and b. explain the DNI's authority to direct the national intelligence, including foreign intelligence or counterintelligence, collection activities of the FBI.

Answer: The IRTPA gives the DNI broad authority to "manage and direct" the tasking of collection, analysis, production, and dissemination of national intelligence by IC elements, including those of the Federal Bureau of Investigation. This tasking authority includes approving requirements on specific areas of interest, as well as the collection of foreign intelligence or counterintelligence against specific individ-

uals, in compliance with all U.S. laws and policy related to the collection of U.S. person information.

USA PATRIOT ACT

Question 19.: On December 31, 2005, several provisions in the USA PATRIOT Act, and some provisions from other Acts, will "sunset" (cease to have effect). Do you support the reauthorization of the provisions subject to the USA PATRIOT Act "sunset" provision?

Answer: Decisions regarding the sunset provisions and the reauthorization of specific elements of the USA PATRIOT Act are matters best addressed by the Congress and the President. If confirmed, I will abide by all laws, including any changes the Congress and the President make to the USA PATRIOT Act.

NATIONAL SECURITY THREATS

Question 20.: What are the principal threats to national security with which the IC must concern itself in the coming years?

Answer: Terrorism and WMD proliferation are the two principal threats to national security. Nevertheless, the Intelligence Community must remain vigilant to the emergence of new threats to national security.

Question 21.: In your opinion, has the IC done an adequate job in adjusting its policies, planning, training, and programs to address current and future threats?

Answer: As recognized by Congress in passing the IRTPA, much more needs to be done—and can be done—to address current and future threats.

As the President has said, "we will work to give our intelligence professionals the tools they need. Our collection and analysis of intelligence will never be perfect, but in an age where our margin for error is getting smaller, in an age in which we are at war, the consequences of underestimating a threat could be tens of thousands of innocent lives. And my administration will continue to make intelligence reforms that will allow us to identify threats before they fully emerge so we can take effective action to protect the American people."

If confirmed, I am committed to addressing these questions as a matter of utmost priority.

FUTURE OF THE INTELLIGENCE COMMUNITY

Question 22.: What do you consider to be the highest priority challenges facing the IC? As DNI, what would you do, specifically, to address these challenges?

Answer: Aside from specific national security threats, the highest priority challenge for the IC is strengthening its sense of community through such practices as improved information sharing and improved personnel policies. If confirmed, I will work closely with senior IC officials to ensure that the IC works together effectively to address these threats.

Question 23.: Explain whether the collection requirements and priorities of the IC are appropriate to address current and future threats. If not, explain what actions you will take as DNI, should you be confirmed, to realign collection requirements and priorities.

Answer: Collection requirements and priorities must be reviewed, vetted, and revalidated on a continuous basis. If confirmed, I will review current processes and make adjustments as necessary to ensure that this is done.

Question 24.: Explain your views concerning the quality of intelligence analysis conducted by the IC. What steps, if any, do you believe are necessary to improve the quality of intelligence analysis within the IC, including the use of alternative analysis, competitive analysis, and "red teaming"?

Answer: The quality of analysis can always be improved. The IRTPA gives the DNI the responsibility and mechanisms to facilitate improvement. Techniques such as alternative analysis can play an important role. If confirmed, I am committed to achieving the highest possible standard of analysis by the IC.

Question 25.: As DNI, how would you ensure that intelligence consumers receive national intelligence that is timely, objective, independent of political considerations, and based upon all sources available to the IC?

Answer: If confirmed, I would use all the tools available to the DNI and the IC to seek to fulfill this obligation.

PRIVACY AND CIVIL LIBERTIES

Question 26.: Describe the efforts of the IC to protect privacy and civil liberties and what, if any, challenges face the IC in these areas. Explain the role of the Civil Liberties Protection Officer, of privacy and civil liberties officers, and of the Privacy

and Civil Liberties Board in ensuring that the IC complies with the United States Constitution and applicable laws, regulations, and implementing guidelines governing intelligence activities.

Answer: Historically, IC components have operated under Attorney General guidelines for the collection, retention, and dissemination of U.S. person information. The IRTPA creates additional safeguards through the Civil Liberties Protection Officer and the Privacy and Civil Liberties Board, who have the specific responsibility to ensure the protection of civil liberties and privacy.

Question 4.a.b.c.: Explain your understanding of the responsibilities of the following officers:

a. the individual assigned responsibilities for analytic integrity under Section 1019 of the National Security Intelligence Reform Act of 2004.

b. the individual assigned responsibilities for safeguarding the objectivity of intelligence analysis under Section 1020 of the National Security Intelligence Reform Act of 2004.

c. the General Counsel of the Office of the DNI.

Answer: The officer or entity assigned responsibility for analytic integrity is charged with ensuring that finished intelligence products produced by any element or elements of the IC are timely, objective, independent of political considerations, based upon all sources of available intelligence, and employ the standards of proper analytic tradecraft. This function can make an important contribution to the credibility and value of the intelligence community's work. If confirmed, I would expect and rely upon this officer or entity to carry out the specified functions vigorously. The regular and annual audits will reinforce the imperative for high standards throughout the community both by deterring biased, politicized, or incomplete analysis and by identifying areas for improvement through lessons learned and recommendations. I feel very strongly that providing objective national intelligence to the President, the Congress, and the departments and agencies is a critical national task and I look forward to working with Congress to ensure we meet the highest standards of analytic integrity.

The officer assigned within the Office of the DNI to safeguard objectivity in analysis will be available to analysts within the O/DNI to counsel, conduct arbitration, offer recommendations, and, as appropriate, initiate inquiries into real or perceived problems of analytic tradecraft or politicization, biased reporting, or lack of objectivity in intelligence analysis. I view this function as important to meeting the high expectations our Nation's policymakers place on the integrity of the IC's analytical product. The existence of this officer should be well-advertised within the Office, and the officer selected should perform his or her functions much the way an ombudsman would, with discretion, neutrality, and a commitment to determining whether O/DNI analysts are performing their jobs with proper tradecraft and objectivity. This officer will also have direct access to me and my senior subordinates to raise any issue related to the objectivity of analysis produced in O/DNI.

The statutory General Counsel is the chief legal advisor of the O/DNI and shall perform such functions as the DNI may prescribe. I view the GC and the Office he or she will manage, as playing a critical role in ensuring all employees or contractors assigned to the O/DNI comply with U.S. law and any applicable regulations and directives. I would expect the GC will be a key member of my senior advisory team, provide legal and ethical counsel to O/DNI managers and staff members alike, and participate in all significant decisions taken in the Office.

Question 5.a.b.: Explain the DNI's authority to direct the transfer or detail of particular personnel from one element of the IC to another.

a. If the head of an IC element or the head of the concerned department or agency objects to the transfer of particular personnel from one element of the IC to another, explain what authority the DNI has to direct the transfer or detail notwithstanding the objection.

b. Explain the principles governing personnel transfers that a DNI should consider when drafting personnel transfer procedures with the heads of concerned departments and agencies.

Answer: The personnel transfer authorities of the DNI provide a strong mechanism to direct resources to address evolving national security needs. While these authorities permit the DNI to move personnel around the community with a large degree of discretion, if confirmed I would plan to engage with the heads of affected departments and agencies and take full account of their unique mission needs. In addition to the statutory conditions governing personnel transfers, I will adhere to procedures developed in coordination with the relevant heads of departments and agencies to ensure that, to the extent practicable, such transfers are effected smoothly and with minimal disruption to other activities underway in the Community. The extent to which I am authorized to direct a transfer over the objection of

a department or agency head will depend, at least in part, on the procedures developed. In developing such procedures, I would expect to consider, among other factors, the likely impact of a proposed transfer on the affected organizations or units, programs or operations, and individuals, as well as the perceived benefits organizationally and operationally by virtue of that transfer.

Certainly the Congress has laid down guidance on the principles that should govern transfer of personnel: transfers should be to a higher priority intelligence activity and support an emergent need; they should also improve effectiveness and increase efficiency. If confirmed, one of my early undertakings will be to give further definition, perhaps through the Joint Intelligence Community Council, to these terms. However, as head of the Intelligence Community and empowered to manage it as a single unified enterprise, I intend to exercise my authority to the fullest for the benefit of the country.

Question 8.a.b.c.d.: Explain the DNI's authority to formulate, implement, and enforce IC-wide information access policies.

a. What actions will you take, should you be confirmed as DNI, to enhance information access by ensuring that all IC analysts—with a valid security clearance and a need-to-know—have access to pertinent information contained in human intelligence operations cables, raw signals intelligence, or other such information not currently made available to analysts?

b. Some statutory barriers to information access have been removed by the USA PATRIOT Act and Intelligence Authorization legislation. Explain whether additional modifications to Executive Order 12333 or other applicable authorities or statutes will be required before the IC can operate like a true "information enterprise"—where information is accessible by all IC elements.

c. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments or agencies, to direct the head of an IC element to comply with DNI policies and directives on information access. If the DNI lacks this authority, explain what authority, if any, the DNI has to ensure that the head of an IC element complies with DNI policies and directives on information access.

d. Explain the information technology challenges facing the IC and the DNI's authority, through the Chief Information Officer for the IC or otherwise, to ensure that the IC develops an enterprise architecture and maintains information technology systems in a manner that enables and promotes DNI policies and directives on information access.

Answer: The DNI has been granted a host of authorities to foster greater access to intelligence information, including the authority to "manage and direct" the dissemination of national intelligence by intelligence community (IC) elements, to set uniform security and information technology standards within the IC, and to approve procurements over all enterprise architecture-related information technology items funded in the NIP. In addition there will be a statutory CIO for the IC. If confirmed, I will utilize the DNI's authorities to the fullest extent to review any barriers that exist and, consistent with national security requirements, ensure maximum availability of and access to intelligence information within the IC. This is also an issue to which I expect to devote considerable attention at the outset of my tenure.

If confirmed, I expect to build upon the inter-agency work that has been done under Executive Order 13356 by way of developing common standards for the sharing of terrorism information. Such standards might include ways of protecting information so that it can be distributed at the lowest classification level possible and minimizing the use of classification compartments. I believe it is important for analysts to have the tools necessary to do their jobs.

I am not aware at this time of any legislative or regulatory impediments to information sharing within the IC. The DNI authorities in this regard appear on their face to be sufficient to meet the statutory objectives. To the extent that the ODNI CIO or I identify any such barriers as we implement our program within the IC, I would so report next February as required by statute.

Likewise, I will need more time to understand the nature and extent of technological challenges we face in ensuring greater intelligence access throughout the IC. I expect the Departments and agencies to be cooperative and I am confident we could work constructively together. I do not foresee inadequate DNI authorities as a stumbling block, with respect to meeting our stated objectives, although if necessary I will seek the requisite additional authorities.

Question 10.a.b.: Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to terminate or reduce funding for a program in the NIP.

a. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to prevent a major system acquisition funded wholly from the NIP from proceeding through a milestone decision. If the DNI lacks this authority, explain under what circumstances, and explain the DNI's options for preventing the program from proceeding.

b. If the DNI terminates a program by refusing to fund it in the NIP, but the Secretary of Defense still supports the program and provides funding for the program in the Joint Military Intelligence Program (JMIP), the Tactical Intelligence and Related Activities (TIARA), or another budget account, what authority does the DNI have to prevent the Secretary of Defense from taking such action?

Answer: The DNI is authorized to develop and determine the NIP budget and to effect with broad discretion funds transfers and reprogramming within the NIP. Both of these authorities would enable the DNI, subject to various conditions and/or restrictions, to effectively terminate or reduce funding for a program in the NIP. I hasten to add, however, that no such decision would be made lightly, particularly if a department or agency head expressed concerns about that program's status. Ultimately, however, the law vests in the DNI great authority over the NIP and, if confirmed, I would intend to exercise that authority to effect a more unified Intelligence Community.

The DNI has exclusive milestone decision authority (MDA) for intelligence programs funded wholly within the NIP with respect to acquisitions of non-Department of Defense (DoD) major systems. That authority, in principle, would allow the DNI alone to prevent such a program from proceeding through a milestone decision. With respect to the acquisition of a DoD major system, however, the DNI and Secretary of Defense have joint milestone decision authority for intelligence programs. By law, any inability by the DNI and Secretary of Defense to resolve differences under this joint MDA arrangement would be taken to the President.

The Secretary of Defense has significant discretion over the JMIP and TIARA programs while the DNI has substantial control over the NIP. This creates a natural tension but also encourages the two principals to work cooperatively and constructively together and to forge compromise. For his part, the DNI is authorized to participate in the budget development of the JMIP and TIARA and is to be consulted by the Secretary of Defense with respect to any funds transfer or reprogramming under the JMIP. If confirmed, I would fully expect to exercise these budget authorities. The Secretary of Defense and I have agreed to work closely on these and other issues.

Question 12.a.b.: With respect to acquisitions of major systems that are "split-funded" (i.e., a portion of the NIP and a portion in the JMIP, TIARA, or other budget account), explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to terminate such programs.

a. Explain the DNI's authority, notwithstanding the objections of the heads of IC elements or the heads of concerned departments and agencies, to prevent such acquisitions from proceeding through a milestone decision. If the DNI lacks this authority, what are the DNI's options for preventing such programs from proceeding?

b. If the DNI terminates funding for such a program in the NIP, but the Secretary of Defense still supports the program and provides funding for the program in the JMIP or TIARA, what authority does the DNI have to prevent the Secretary of Defense from funding the program?

Answer: The law provides the DNI with MDA only for acquisitions funded solely within the NIP. Where DoD programs are concerned, the DNI has MDA jointly with the Secretary of Defense. Thus, the DNI does not have the authority to unilaterally terminate or otherwise affect programs partially funded in the JMIP or TIARA. If the DNI and the Secretary of Defense cannot agree regarding DoD programs funded in the NIP, the President decides. Because the law directs the DNI and the Secretary of Defense to work, together in many budget areas, if confirmed, I expect to build procedures to facilitate resolution of disputes. However, the President and Congress vested in the DNI new and expanded budgetary and acquisition authorities and I would exercise them to the fullest to achieve a more unified Intelligence Community.

USA PATRIOT ACT

Question 19.: On December 31, 2005, several provisions in the USA PATRIOT Act, and some provisions from other Acts, will "sunset" (cease to have effect). Do you support the reauthorization of the provisions subject to the USA PATRIOT Act "sunset" provision?

Answer: Yes, I support renewal of the PATRIOT Act. The President has called on Congress to reauthorize the Patriot Act and I support its extension also. I especially embrace those provisions that now allow for the robust exchange of information between the intelligence and law enforcement communities, and believe that the Act's FISA enhancements, based on FBI Director Mueller's testimony and other public evidence, justify continued effect.

Congress passed the PATRIOT Act with overwhelming bipartisan support after September 11th. As Attorney General Gonzales testified recently, "this law has been integral to the government's prosecution of the war on terrorism. We have dismantled terrorist cells, disrupted terrorist plots and captured terrorists before they could strike." I look forward to further studying the Patriot Act if confirmed and considering whether additional improvements in the area of intelligence collection are needed to better prosecute the war on terrorism.

SSCI# 2005 1312

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 25, 2005

The Honorable Pat Roberts
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510-6475

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by John D. Negroponte, who has been nominated by President Bush for the position of Director, National Intelligence.

We have reviewed the report and have also obtained advice from the Central Intelligence Agency concerning any possible conflict in light of its functions and the nominee's proposed duties.1 Also enclosed is a letter dated March 22, 2005, from Mr. Negroponte to the agency ethics official, outlining the steps that Mr. Negroponte will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with the actions he agreed to take in his ethics agreement.

Based thereon, we believe that Mr. Negroponte is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Marilyn L. Glynn
Acting Director

Enclosures

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1 Because no Designated Agency Ethics Official (DAEO) has been appointed at the Office of the Director of National Security as of the date of this letter, the DAEO of the Central Intelligence Agency will serve as the ethics official for purposes of this review.

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209-0001

Date of Appointment, Candidacy, Election, Confirmation Hearing, Day, Year)	Reporting Status (Check Appropriate Boxes)	Incumbent ☐	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate ☒ / Termination Filer ☐ / Termination Date (If Applicable) (Month, Day, Year)
Reporting Individual's Name	Last Name: Negroponte		First Name and Middle Initial: John D.	
Position for Which Filing	Title of Position: Director		Department or Agency (If Applicable): National Intelligence	
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code): U.S. Embassy Baghdad, APO AE 09316		Telephone No. (Include Area Code): 914-360-6833	
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: United States Ambassador to the Republic of Iraq			
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Select Committee on Intelligence		Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No	
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: John Negroponte		Date (Month, Day, Year): March 23, 2005	
Other Review (if desired by agency)	Signature of Other Reviewer		Date (Month, Day, Year)	
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [illegible]		Date (Month, Day, Year): 3/22/05	
Office of Government Ethics Use Only	Signature: Marilyn L. Glynn		Date (Month, Day, Year): 3/24/05	

Comments of Reviewing Official (If additional space is required, use the reverse side of this sheet)

(Check box if filing extension granted & indicate number of days _____) ☐

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a $200 fee.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B—Not applicable.

Schedule C, Part I (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)—Show any agreements or arrangements as of the date of filing.

Schedule D—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

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Supersedes Prior Editions, Which Cannot Be Used.

278-112

(SN) 940-01-070-6444
OGE/Adobe Acrobat version 1.01 (3/99)

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Negroponte, John D.

SCHEDULE A

Page Number ___ of ___

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual amount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples: Central Airlines Common				x												x						x										
Examples: Doe Jones & Smith, Hometown, State			x																												Tax Partnership Income $150,000	
Examples: Kempstone Equity Fund					x								x										x									
Examples: IRA: Heartland 500 Index Fund							x						x											x								
1 Federated Tax Free Obligations, Institutional Funds Shares									X				X											X								
2 McGraw-Hill Companies					X																										deferred installments on 1999 bonus $208, 558 total	
3 Abbott Labs Common			X													X					X											
4 Alcoa Common			X													X					X											
5 Altria Group Common				X												X							X									
6 AmSouth Bancorporation Common			X													X			X			X										

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot Be Used

OGE Adobe Acrobat version 1.0 (1) 29.01

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Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Page Number: of

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Anheuser Bush Co. Common			X													X					X											
2	Automatic Data Processing Common				X												X						X										
3	Bank of America Corp Common				X												X			X			X										
4	Conagra Food Common				X												X							X									
5	Family Dollar Stores Common			X													X				X												
6	Genuine Parts Common				X												X			X					X								
7	Henry Jack & Associates Common			X													X					X											
8	Hewlett Packard Common			X													X					X											
9	Home Depot Common			X													X			X			X										

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name: Negroponte, John D.

SCHEDULE A continued
(Use only if needed)

Page Number ___ of ___

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Masco Corp Common	X															X			X			X										
2	McDonalds Common				X												X			X			X										
3	Mercury General Corp New Common				X												X						X										
4	Popular Common		X														X			X		X											
5	SBC Communications Common			X													X						X										
6	Southern Co. Common			X													X						X										
7	St. Paul Travelers Co. Common		X														X				X												
8	Synovus Financial Corp Common				X												X			X				X									
9	UST Inc. Common				X												X						X										

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SCHEDULE A continued
(Use only if needed)

Page Number ___ of ___

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Walmart Stores Common			X													X				X												
2	Washington Mutual Common				X												X						X										
3	Diamonds Trust Series 1					X								X											X								
4	Nasdaq 100 Shares					X								X									X										
5	UBS Bank Deposit Acct. (Money Market)		X											X								X											
6	Harris County Tax Municipal					X													X				X										
7	Missouri State HFA Health Municipal			X															X			X											
8	Rhode Island HEBC AUX RV Municipal					X													X				X										
9	Pimco Commodity Real Return Mutual Fund			X										X									X										

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SCHEDULE A continued
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Page Number
of

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

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1	Ford Motor Credit Senior Note				X												X							X									
2	National Westminster Preferred			X															X					X									
3	FHLMC MTN Government Coupon			X															X				X										
4	Omnicom Common	X															X			X				X									
5	Service Master Common	X															X			X					X								
6	Teleflex Common	X															X			X					X								
7	Kaydon	X															X			X				X									
8	Citigroup	X															X							X									
9	Avery Dennison	X															X			X				X									

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Reporting Individual's Name

SCHEDULE A continued
(Use only if needed)

Page Number
of

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	Valuation of Assets (BLOCK B): None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Rent and Royalties	Interest	Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	DePere Wisconsin Bond	X																	X	X				X									
2	General Electric Common	X															X			X			X										
3	Suntrust Common	X															X			X		X											
4	McKinney Texas Bonds	X																	X	X					X								
5	Standard & Poors Deposit Receipts						X							X											X								
6	Kimco Common	X															X			X				X									
7	GE Notes Preferred	X																	X			X											
8 D	Alliance Bernstein College-Bound Risk Based Fund-529c						X							X																		income unavail.	
9																																	

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

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SCHEDULE B

Page Number ___ of ___

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

	Identification of Assets	Transaction Type (X): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example	Central Airlines Common	X			2/1/99			X									
1																	
2																	
3																	
4																	
5																	

*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260, and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source (Name and Address)	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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SCHEDULE C

Page Number ___ of ___

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☒

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Example	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
Example	John Jones, 123 St., Washington, DC	Promissory note	1999	10%	on demand					x						
1																
2																
3																
4																
5																

*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Deferred payment of 1999 bonus in five equal installments 2002-2006	McGraw-Hill Companies, New York	11/98
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
Negroponte, John D.		of

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☒

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	2/85	1/00
1					
2					
3					
4					
5					
6					

Part II: Compensation in Excess of $5,000 Paid by One Source

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

None ☒

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

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QUESTIONS FOR THE RECORD SUBMITTED BY MEMBERS OF THE COMMITTEE TO AMBASSADOR JOHN NEGROPONTE, NOMINEE TO BE DIRECTOR OF NATIONAL INTELLIGENCE

QUESTIONS OF SENATOR BOND

INFORMATION ACCESS

Question 1. In one of your responses to our committee's questions-for-the-record you state that you will utilize the DNI's authorities to the fullest extent to ensure maximum availability of, and access to, intelligence information within the intelligence community. You state that you intend to build on work done under the auspices of Executive Order 13356 to develop common standards for the sharing of terrorism information. I was pleased, though, to also hear you express the reality that we have valid needs to protect our sources. So it seems to me that the trick is getting the right information to the right people, but ONLY the right people. In other words, enforce the need-to-know policy within the community.

Do you feel there should be an instance in which a CIA Directorate of Intelligence analyst working a specific issue is privy to information that a State INR or DIA analyst working the exact same issue is not? If not, do you have the authorities to prevent this type of information hoarding?

Answer. If confirmed, I would use the DNI's statutory authorities to ensure maximum availability of and access to intelligence information within the IC, consistent with national security requirements including the legitimate need to protect sources and methods.

Because I have not yet begun a thorough review of current practices and concerns, I would need more time to determine the exact contours of an improved information-sharing system. However, I am confident that we can work constructively together within the IC to resolve current concerns and meet our shared objectives. I believe that I have ample authority both to prevent inappropriate hoarding of information and to enforce the need-to-know principle as appropriate, but would not hesitate to seek additional authorities should that prove necessary. I understand the importance of the need-to-know policy and you correctly describe the challenge of balancing this with the need to make sure that information gets to all the analysts who need it. As to your hypothetical, it is difficult to answer without additional information. Information access would likely be influenced by many factors. My goal is to ensure that all possible information is available to the analytical community in order to achieve the best possible analytical product.

Question 2. In light of the recently released report of the WMD Commission, do you feel that these information-sharing standards should be limited to terrorism-related information?

Answer. In general, I believe there should be common standards for sharing all intelligence information, including terrorism-related information. However such common standards should enhance and not hamper access to intelligence information. As I said above, however, if confirmed, I would need to more thoroughly review and assess the current situation and proposals before determining any final system.

Question 3. Frequently, the need-to-know policy is often used as an excuse by collectors to zealously hoard "their" information at the expense of others who need it to do their job. This gets to ownership of information and who makes the call as whether a person has a need-to-know. Who, in your mind, "owns" information collected by the intelligence community? Who should make the call as to who gets access to that information?

Answer. I have agreed with the Committee that we need to move away from information "sharing" and more toward information "access" as "sharing" implies ownership. Any information collected is owned by the American people not any particular agency, and it must be productively used by all relevant agencies to protect their interests and those of our allies. If confirmed, I intend to use the authorities given to me to establish policies and procedures to ensure that any conflict between the need-to-share intelligence information and the need-to-protect sources and methods is appropriately balanced. In order to address the specific issues raised, I would review the current policies and procedures in place to ensure that any unnecessary barriers are removed. The principal authority with respect to access to intelligence information resides with the DNI

FIXING THE FBI

Question 4. The WMD Commission stated that "[the FBI] is on its way to becoming an effective intelligence agency, but will never arrive if it insists on using only its own map." I've met with Director Mueller who—while acknowledging many

bumps along the way, such as the recent Virtual Case File fiasco—has assured me of the progress he is making toward turning the bureau into a valued member of the intelligence community.

Do you have a "map" for the FBI's transition to an effective intelligence agency?

Answer. As the WMD Commission noted, the FBI has made some progress in building an intelligence capacity since September 11, 2001, but more needs to be done. I have read with interest the WMD Commission's recent recommendations for the restructuring of the FBI. I have met with Director Mueller and look forward to working closely with him if confirmed. I know that Director Mueller is keeping an open mind on this issue and I would intend to participate in the review of the WMD Commission's recommendations to ensure that the concerns raised are adequately and effectively addressed.

QUESTIONS OF SENATOR LEVIN

RESPONSIVENESS TO CONGRESS

Question 1. Ambassador Negroponte, Many of us have been very frustrated by the lack of responsiveness of parts of the Intelligence Community and other federal agencies to Congress, and to requests for documents and for declassification. There have been recent problems getting documents on subjects ranging from intelligence assessments on Iraq to detainee abuse. In one instance, the Armed Services Committee waited more than a year to get answers to Questions for the Record from the former DCI. In other instances, the CIA promised to provide documents and then failed to do so for six to nine months. This is simply unacceptable.

If confirmed, will you commit to ensuring timely and responsive information to members of the Committee, and will you make every effort to respond to requests for existing documents within 15 days?

Answer. Working with this Committee and being responsive to its information needs would be a high priority for me if I am confirmed. If we are unable to make a substantive response within 15 days, we would at a minimum provide the Committee with an interim response indicating that we are working on the request and explaining what is involved in developing a substantive response.

IC LEADERSHIP KEEPING INFORMED

Question 2. Ambassador Negroponte: The most famous 16 words concerning exaggerated intelligence about Iraq were the words of President Bush in his January 2003 State of the Union speech concerning the allegation that Iraq had tried to acquire uranium from Africa: "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."

It is incredible that these words were inserted into the President's speech, given that the CIA had successfully requested that similar words be removed from a draft of the President's October 7, 2002 speech in Cincinnati. That effort included a personal call from DCI Tenet to the Deputy National Security Advisor to ask that the language be eliminated.

Remarkably, DCI Tenet did not even hear or read the State of the Union contemporaneously, so he was unaware that the offending words had been put back in that speech until several months later.

Also remarkable, according to news reports, former DCI Tenet and former Deputy DCI McLaughlin were not even aware that a foreign intelligence service and CIA officials doubted the veracity of Curveball until the Silberman-Robb Commission told them.

Do you agree that there should be a formal review process for major statements by senior policymakers about intelligence matters, and that the head of the U.S. Intelligence Community should be aware of such public statements about intelligence and aware of Intelligence Community concerns that a major source may be a fabricator?

Answer. I certainly agree that the Intelligence Community should be aware of concerns about the reliability of sources, regardless of whether it relates to a speech. I am not aware of what procedures are currently in place for reviewing the intelligence aspects of major speeches. If confirmed, I would certainly look into this issue and assure myself that the Intelligence Community is providing the best possible support to policymakers in this area. Specifically, I would work with the President's staff to ensure that any portions of his speeches referring to intelligence information would be double-checked with the Intelligence Community beforehand.

DETAINEE ABUSE DOCUMENTS

Question 3. Ambassador Negroponte: There are a couple of memos related to detainee interrogation that are of great interest to this Committee and to Congress. They are:

1. A memo, signed by Associate Attorney General Jay Bybee in the Justice Department's Office of Legal Counsel, evaluating the legality of specific interrogation techniques. This memo was reportedly produced around the time of the August 1, 2002 memo, also signed by Mr. Bybee, which concerned the interpretation of laws relating to torture and interrogation.

2. A March 14, 2003 memo prepared by Deputy Assistant Attorney General Yoo entitled "Military Interrogation of Alien Unlawful Combatants Held Outside the United States." This memo was referred to in the report of Vice Admiral Church on interrogation techniques and operations.

These two memos are highly relevant to the Intelligence Community in its practice of interrogation techniques, including the Defense Intelligence Agency.

Would you check to see if either of these two memos have been provided to the Intelligence Community and report back on your findings by April 19?

If either, or both, of the memos has been provided to the Intelligence Community, would you provide them to the Committee?

Answer. I understand that the Executive Branch has a strong confidentiality interest regarding Office of Legal Counsel opinions. I do not know the answers to your specific questions, but if I am confirmed, I would look into the matter.

CIA IG REVIEW OF ABUSE ALLEGATIONS

Question 4. Ambassador Negroponte: The CIA Inspector General (IG) is looking into allegations of detainee abuses by CIA personnel.

Do you know or could you find out and let us know whether, as part of its inspection of detainee abuse allegations, the CIA IG is also conducting a comprehensive review of the policies and legal authorities governing CIA detention and interrogation activities to see whether these policies contributed to the alleged abuses of detainees in U.S. custody?

Answer. If confirmed I would be pleased to look into this matter.

CHURCH REPORT ON "GHOST DETAINEES"

Question 5. Ambassador Negroponte: Vice Admiral Church, in his report on DoD interrogation techniques, found evidence of approximately 30 "ghost detainees" held unregistered at DoD facilities in Iraq at the request of the CIA. The Church Report also states that the Defense Department has ceased the practice of holding "ghost detainees" at DoD facilities.

Are you able to confirm that the United States ceased the practice of holding "ghost detainees" at U.S. facilities? Do you agree with the assessment that this practice violates international law?

Answer. It would not have been appropriate for me to be fully briefed on this before confirmation, and so I have not had yet an opportunity to gather all the information that would be required to develop a view on the matter. If confirmed, I would certainly be getting briefed on these issues and would look into this matter.

RENDITION POLICY

Question 6. Ambassador Negroponte: Numerous recent press reports describe the CIA's policy of "extraordinary rendition," under which terrorist suspects are sent to be interrogated in foreign countries, some with a known track record of using torture.

Recently, Attorney General Alberto Gonzales and White House Counsel Dan Bartlett have reportedly defended this policy of extraordinary rendition. Yet they have not articulated a legal basis for it, while admitting that the Administration "can't fully control" what other countries do—including countries that are known to engage in torture. This policy directly contradicts President Bush's statement on January 27th, 2005, that "torture is never acceptable, nor do we hand over people to countries that do torture."

Does the United States have a policy of extraordinary rendition which permits the transfer of suspected terrorists to foreign countries, including ones with a track record of human rights abuses, for interrogation? Do you support such a policy?

Do you know whether there has there been a legal determination that extraordinary rendition is legal under U.S. domestic law and our treaty obligations?

Answer. It would not have been appropriate for me to be fully briefed on this before confirmation, so I do not yet have all the information required to respond to

this question. As a condition to its advice and consent to the ratification of the Convention Against Torture, the Senate required an understanding pursuant to which the United States may transfer persons to other countries unless it is more likely than not that they will be tortured. My understanding is that the longstanding legal position of the U.S. Government is, consistent with the Senate's understanding, that it is legal to send a person to another country unless we believe it is more likely than not that he will be tortured.

DISAPPEARANCE OF FATHER JAMES CARNEY IN HONDURAS IN 1983

Question 7. Ambassador Negroponte: The disappearance and apparent death of Father James Carney, an American citizen in Honduras, occurred while you were Ambassador in Tegucigalpa. You met with family members at the time in search of clues into Father Carney's disappearance, and I know you were well aware of concerns the Carney family had that he had been targeted by Honduran death squads.

In your opinion, what happened to Father Carney, and did the United States do all it could to locate him and determine his fate?

Answer. As you know, Father Carney was accompanying a group of guerrillas who had infiltrated into Honduras from Nicaragua, with the purpose of overthrowing the government. I believe Father Carney died because he was left behind in the jungle by his companions after suffering a knee injury. I believe we did everything possible to locate Father Canvey. In that connection I attach two letters dated 23 May 2001, written by Sarah Horsey, who was Consul General in Honduras at the time of Father Carney's disappearance. These letters explain the priority I attached to the search for Father Carney. (see attachment 1)

PRESS REPORT ON CABLE FROM HONDURAS

Question 8. Ambassador Negroponte: *The Washington Post* of April 12, 2005 reported that, in relation to concerns about possible "death squad" activity in Honduras, you prepared a cable in October 1983 in which you spoke positively of General Gustavo Alvarez's "dedication to democracy."

Is the report concerning the cable accurate? If so, do you stand by your characterization about Gen. Alvarez's "dedication to democracy?"

Answer. I do not recall the particular conversation reported in the October 1983 telegram, which is entitled, "General Alvarez on the Democratic Process." The point of my message, I believe, was to show that Alvarez was committed to the constitutional process unfolding at the time. I believe it was important to have Alvarez on the record as being committed to constitutional rule. I believe, my characterization of Alvarez "dedication to democracy" was overstated and with the benefit of hindsight, including Alvarez' removal from his position by his own fellow officers in March of 1984, would not have used that phrase if I had the opportunity to write that message again. I do not believe, however, that Alvarez himself aspired to political office and, in that sense, he supported the constitutional process.

The full text of the cable is attached to give context to the quotation. (see attachment 2).

QUESTIONS OF SENATOR SNOWE

DNI AUTHORITIES—SECRETARY OF DEFENSE

Lead-In: Mr. Ambassador, many, such as former CIA and FBI Director William Webster, are concerned that the gaps and ambiguities left in the legislation may adversely impact your ability to do your job. Webster says that he had problems with then-Secretary of Defense Cheney because of "blurred authority in the budget field." (*WP, 3/01/05*).

Last August in an appearance in front of the House Armed Services Committee, former Senator and 9/11 Commissioner Kerrey expressed his frustrations that while it is always the intelligence community director that gets called up here to explain failures, it is the Department of Defense that has the true budget and personnel authorities that often precipitated such failures.

The Robb-Silberman Report cautioned that "headstrong agencies" will "try to run around or over the DNI."

Two weeks ago, the Secretary of Defense signed a memo that some see as a roadblock to information flow between DoD and DNI. (*WP, 4/18/05*). Clearly, it places an Under Secretary in the path of communication.

Question 1. How will you ensure that the office on the DNI is on an equal footing with DoD and that when you set national intelligence strategy, that strategy is carried out without fail within the defense agencies?

Answer. If confirmed, I intend to fully utilize the authorities that have been provided with respect to overseeing and directing the implementation of the National Intelligence Program. As I have mentioned, the Secretary and I have agreed to maintain close coordination and cooperation on all such matters.

Question 2. How do you intend to track and ensure taskings to the intelligence agencies from combatant commanders who can do so outside of the DM organization are consistent with national intelligence strategies?

Answer. I recognize that it is the DNI's responsibility to ensure that the NIP budgets within DoD are adequate to satisfy the national intelligence needs of DoD. If confirmed I intend to work cooperatively and constructively with all of the IC elements within the DoD to do so. I have not yet looked into the question of monitoring taskings from combatant commanders but, if confirmed, I look forward to working on this issue.

DNI AUTHORITIES—TURF BATTLES

Lead-in: In each report that has been issued over the past several years outlining the intelligence failures of 9/11 and the Intelligence Community's assessments of Iraq's Weapons of Mass Destruction Programs, one major theme that consistently emerges is that chronic turf wars among government agencies impede our Nation's ability to effectively assess and counter its most dangerous adversaries.

The Committee's report on Iraq's WMD program is replete with information-sharing lapses that resulted in flawed analysis, and was a direct result of the turf wars between agencies. More recently, the Robb-Silberman Report notes, with respect to counter-terrorism, analysis and threat warning must be properly aligned, supported and integrated to defeat the terrorist target. In sum, the President's Commission found that redundancies exist in the roles, missions, and authorities of counter-terrorism organizations, and that the ambiguous roles and authorities of the National Counter-terrorism Center (NCTC) and the DCIs Counterterrorist Center (CTC) have sparked turf battles and produced unnecessary duplication of effort and unproductive competition.

This finding is particularly troubling considering that when the President proposed the creation of the Terrorist Threat Integration Center (TTIC) (now the National Counter-terrorism Center (NCTC)), in his State of the Union Address in 2003, the goal was to end duplication and confusion among agencies' counter-terrorist activities. Yet over 2 years later, the ambiguous roles, missions, and authorities of counter-terrorism organizations have hindered effective threat warnings.

Question 3. As the WMD Commission notes, the persistence of agency coordination problems and unclear definitions of responsibility with regard to counter-terrorism activities, suggest a lack of Intelligence Community leadership. How will you use your authorities to define clear roles, mission, and responsibilities among IC agencies to stop the turf wars that result in duplication of effort, inefficient use of limited resources and unproductive competition that hinder effective intelligence collection and analysis?

Answer. Eliminating overlap, duplication and inefficiency will be a key challenge for the DNI. If confirmed, I intend to use the budgetary and personnel authorities provided to the DNI under the IRTPA to effectively manage the IC and to removed overlap and duplication of effort. I would have to study carefully the relevant organizational structures to determine how best to ensure a unified approach. The work of this Committee and the WMD Commission provide useful guidance and, if confirmed, I look forward to working with this Committee in this critical area.

Question 4. The Robb-Silberman Report also addresses the difficulties the TTIC or NCTC has had in getting personnel detailed to support its mission. This issue brings to light the criticism that although the Intelligence Community reform legislation is a good start, the DNI lacks "command authority", or the ability to tell agencies what to do—or in this case, perhaps the ability to direct IC agencies to support a priority IC mission. How will you use your authorities to direct personnel and resources to ensure that the Intelligence Community agencies are supporting the intelligence priorities of our Nation?

Answer. If confirmed, I intend to fully utilize, if necessary, all of the personnel authorities given to the DNI, including the authority to detail up to 150 personnel to the ODNI within the first year, and 100 personnel upon the establishment of any new center. I intend to develop procedures to coordinate with the relevant heads of departments and agencies to ensure that, to the extent practicable, such transfers are effected smoothly and with minimal disruption to other activities underway in the Community. While I believe the DNI has sufficient authorities in this area, if experience shows that adjustments are necessary I would not hesitate to seek additional authority. As for ability to direct resources, Congress wisely vested in the

DNI reprogramming and transfer authorities that I would not hesitate to invoke should it become necessary to dedicate resources to emerging intelligence priorities.

INSPECTOR GENERAL

Lead-in: Mr. Ambassador, all of the major post-9/11 reviews of the intelligence community, including those carried out by this Committee and those emanating from Commissions appointed by the President, have been replete with information-sharing failures, analytic failures, and collection failures that contributed to the Community's inability to forewarn this Nation's policymakers about 9/11 and the largely erroneous assessments regarding Iraq's WMD programs.

To help ensure that such failures are not repeated and that there is more accountability injected into the intelligence community, I introduced the Intelligence Community Accountability Act last Fall to institute widespread accountability within the intelligence community by creating an Inspector General for the entire Community. This Community-wide IG would have had the ability to investigate current issues in any of the Community's 15 agencies, not just conduct "lessons learned" studies. I believe an IG with such broad powers can help identify problem areas and identify the most efficient and effective business practices required to ensure that critical deficiencies are addressed before it's too late, before we have another intelligence failure, before lives are lost.

However, the Intelligence Reform bill passed last year merely authorizes the DNI to create an Inspector General in the Office of the DNI, without the explicit, broader powers that would enable that IG to conduct investigations throughout the intelligence community and inject the additional accountability that I believe is sorely lacking. This concerns me.

I believe some of the agencies impacted feared the loss of control or powers to conduct such reviews themselves. However, I believe there is broad support for the establishment of an IG within the office of the DNI who could examine issues within the DNI staff, the NCTC, and the National Proliferation Center (NPC) that, under the current law, will lack an internal oversight mechanism although they will be the center of our intelligence community information gathering and sharing efforts. Additionally, there must be a mechanism to transcend barriers in the event that one agency IG is conducting an investigation that extends into another agency, especially as operations are becoming more "joint" in nature.

Question 5. What are your thoughts about a DNI-level Inspector General—do you intend to establish an IG that can investigate across agencies and not just within the office of the DNI? Will you require additional legislative authority in order to accomplish this?

Answer. I understand the importance of an Inspector General and, if confirmed, I expect to establish an IG within the ODNI. However, I would address the specific details upon taking office.

Question 6. The Robb-Silberman Report recommended that the DNI IG should have responsibility for protecting intelligence collection sources and methods from leaks and inadvertent disclosures as well as determining the releasability of intelligence information to foreign governments in diplomatic demarches. What are your thoughts about those suggestions?

Answer. While I have not had an opportunity to consider that recommendation in detail, I recognize my authorities and responsibilities for ensuring the protection of sources and methods, and I intend to carefully consider the best way to implement those authorities.

Question 7. In your experience, what is the best way to perform the constant "lessons learned" approach to improving the intelligence product provided to national policy-makers? Are agency-based internal reviews unbiased enough or does this require periodic external reviews that a DNI-level IG might be better placed to conduct?

Answer. As I mentioned in my testimony, I believe that a "lessons learned" mechanism is invaluable to improving intelligence products. While the DNI IG may be one avenue for such review, the statute provides for other such mechanisms within the DNI, including the establishment of an alternative analysis ombudsman and an entity to review the objectivity of finished intelligence. If confirmed, I would expect to use a variety of mechanisms to ensure that the intelligence community learns from its experience—institutionalizing and building on those things that work well and correcting those things that do not.

ANALYSIS

Lead-in: Ambassador Negroponte, as you know this Committee found in its report that the "group-think" dynamic was so strong that IC collectors, analysts and man-

agers did not use established mechanisms to challenge assumptions that led to the conclusion that Hussein possessed vast stockpiles of WMD. Furthermore, we concluded that while the Director of Central Intelligence was supposed to act as head of both the CIA and the intelligence community, for the most part he acted only as the head of the CIA to the detriment of the intelligence product provided to national policymakers—the infamous aluminum tubes being the most egregious example.

We also heard from Dr. David Kay, head of the Iraq Survey Group that a complete lack of competitive analysis led to stale data and findings being passed completely unchallenged to policy-makers. In response to a question I asked about competitive analysis, he agreed that the present system does not encourage diversity of analysis or competitive analysis but that he thought a DNI would encourage it because you would represent the whole. That is why I worked to get provisions for "red-teaming" (as a synonym for alternative analysis) put into the legislation and I would like to explore with you your thoughts about the effectiveness and role of alternative analysis.

Question 8. How, as DNI, will you ensure that the President gets the benefit of all pertinent viewpoints from the entire community on major intelligence issues/debates?

Answer. As you mention, the legislation provides for an alternative analysis review of all intelligence products. I recognize that it is critically important that all relevant viewpoints within the community are identified and explored at the appropriate level, and that they are presented to the President in an appropriate manner. If confirmed, I intend to work hard to avoid phenomena such as group-think and look forward to working with those in the intelligence community, the Congress, and outside experts to insure that the intelligence community is at the forefront in using creative means of ensuring the best possible competitive analysis.

Follow-up: Besides setting up a strictly bureaucratic reporting function, how will you inculcate into the culture a desire to include all aspects of an argument regardless of agency viewpoints?

Answer. Your concern reflects my belief that an integrated and unified community culture is imperative. I have worked in many different organizations and understand the importance of organizational culture and the challenges in changing it. If confirmed, one of my first priorities would be to review the current mechanisms in place with respect to how intelligence is currently provided and to consider what changes would address the concerns that have been raised. Specifically with reference to organizational culture, I would expect to consult with those inside and outside government, as well as with the Congress, for ideas on how to inculcate an organizational culture that would produce the best and most robust possible intelligence.

Question 9. Beyond the requirement in the law to appoint a special officer to ensure intelligence analysis is objective and free from political interference, how will you drive the establishment of alternative analysis cells into the differing agencies?

Answer. As provided for in the legislation, if confirmed, I would designate an entity to ensure objective analysis, and would empower that entity to manage this process for the ODNI and across the IC. I fully expect that all of the 15 IC elements would address this issue with that entity. Reinforcing a culture that insists upon the best possible, objective intelligence absolutely free from any political or other agenda is a critical part of this effort.

Question 10. The Robb-Silberman Report recommended establishment of a National Intelligence University in part to improve the training of analysts—how could an NIU change the culture of analysts so that each analyst understands and applies the techniques of alternative analysis as a matter of course?

Answer. The IRTPA provides the DNI with broad authorities to require cross-disciplinary education and training. If confirmed, I intend to pursue a training curriculum that would provide all IC analysts with the necessary tools to appropriately analyze the vast amounts of intelligence received on a daily basis. That kind of educational experience is one of the tools that can help build and reinforce the appropriate organizational culture in the intelligence community.

MISSION CENTERS

Lead-in: Mr. Ambassador, the Robb-Silberman Report recommended that the DNI create a management structure centered around "mission managers" responsible for designing and implementing a coordinated collection and analytical effort against targets. This raises questions about the role of mission managers and also the utility of Intelligence Community Centers, such as the National Counterterrorism Center and the Nonproliferation Center which were established by the Intelligence Community reform legislation.

Dr. Amy Zegart, author of *Flawed by Design: The Evolution of the CIA and the JCS and the NSC* told this Committee last summer that "organizational culture is the silent killer of innovation. Building new organizational arrangements with more people and more power will not make us safer if intelligence officials still view the world through old lenses and hoard information in old stove pipes." (*SSCI Hearing, 8/18/04*) So I am concerned that while we work to align 15 already disparate groups into a coherent whole that setting up additional organizations may exacerbate the problem if not approached correctly.

Question 11. In your experience, particularly in embassies overseas and in the State Department, where work is distributed both into substantive "cones," and in cross-cutting geographic bureaus, do you believe reorganizing the IC around mission areas is effective and efficient? By doing so, will we reduce or simply perpetuate the stove pipes or other interagency barriers that exist in the Intelligence Community?

Answer. If confirmed, my priority would be to create a unified IC that is agile and responsive to the intelligence needs of the United States. While I believe that the center and mission manager concepts are useful, I believe the establishment of such mechanisms must be carefully reviewed with respect to each particular intelligence problem in order to determine whether it is an appropriate solution for that problem. I would carefully evaluate the best possible approach in each instance and look forward to seeking the view of those in the intelligence community, outside experts and the Congress.

Question 12. Will consolidating the collection and analytic efforts of the Intelligence Community within such task-specific centers or with mission managers prevent or exacerbate the type of "group-think" we saw in the assessments on Iraq's WMD programs?

Answer. You have identified a tension inherent in the efforts to restructure the Intelligence Community. If confirmed, we must work to ensure that efforts to foster complete, all-source analysis are not tainted by what the Committee has termed group-think. I would review this issue closely, paying particular attention to the lessons learned in the establishment of the NCTC. However, even with the creation of centers like the NCTC, IRTPA provides new tools to safeguard against group-think—like alternative analysis mechanisms. Our goal must be to ensure that whatever structure is used contributes to the best possible result.

DNI AUTHORITIES—"MISSION" AGENCIES

Lead-in: As you know, Mr. Ambassador, the Intelligence Reform Act established the National Counterterrorism Center (or NCTC). The Director of the NCTC has broad authority for analyzing and integrating all terrorism and counterterrorism intelligence and conducting strategic operational planning for counterterrorism activities. And while the Director of the NCTC is to report to you on budgetary and programmatic matters, the law requires him to report directly to the President on the planning and progress of joint counterterrorism operations.

This country can never again accept organizational and bureaucratic maneuvering that results in the President and national policy-makers receiving an intelligence product that does not take into account inputs from every agency. But the law names you as principal advisor to the President on intelligence matters so I am curious how you will act to de-conflict that and other conflicts in Presidential reporting because clearly although agency chiefs will retain control of their operations, you will be held accountable for their mistakes.

Question 13. What are your concerns about these dual reporting chains that have been set up in the legislation?

Answer. The NCTC falls organizationally within the Office of the DNI. To that end, I would expect that my close working relationship with both the President and the Director of the NCTC would provide ample opportunity to ensure de-confliction of issues of common concern, and coordination and cooperation in our mutual goal of ensuring accurate and timely intelligence for the President. I believe that the current mechanisms are adequate, but should that prove not to be the case, if confirmed, I would not hesitate to ask for additional authorities. One of the early actions of my tenure would be to recommend to the President a candidate for nomination to be the Director of the NCTC, which is a position requiring Senate confirmation.

Question 14. Who will be responsible for preparing the Presidential Daily Brief? Will it still be prepared by the CIA and you just present it?

Answer. The issue of the President's Daily Brief is one that is very personal to the President and must be tailored specifically to meet his needs. If confirmed, I would work closely with the President to ensure that the preparation and presen-

tation of the PDB is consistent with his needs and provides the best possible intelligence.

Follow-up: If your office takes responsibility for writing the PDB, do you risk spending half of your time collating information and writing the PDB?

Answer. The DNI has many responsibilities under the IRTPA, one of which is the PDB. If confirmed, I would carefully consider the amount of time required to carry out each function of the position. I am acutely aware of the concerns regarding the amount of staff time necessary to prepare the PDB and would take seriously those concerns in determining the best possible use of my own personal time. I can assure you that I would not let my activities on any one task be the cause of failing to appropriately address others. I do not believe that the time I would personally devote to the PDB would encroach on my other important responsibilities. On the other hand, working on the PDB and attending the daily briefings of the President would be an important element of keeping the President well informed and assuring the quality of our analytical product.

Question 15. How will you maintain control of the "mission" agencies and ensure you fully understand both the source and context of the Intelligence provided to the President?

Answer. As you know, both the IRTPA and the WMD Report contemplate the idea of centralizing work on certain issues in order to ensure better consistency and control. If confirmed, I would actively consider those recommendations and, specifically, the need for "centers" and "mission managers" in the most important intelligence matters in order to ensure that I would always be current on all IC missions and have a level of understanding that would allow me to provide the necessary information to the President.

Follow-up: What role do you see for the DNI in the drafting and presentation of "mission" agency briefs to the President?

Answer. With respect to the 15 IC elements, I would ensure that all presentations to the President regarding national intelligence matters reflect the best possible intelligence and analysis, including and a full consideration of any limitations and divergent, viewpoints.

PERSONNEL

Lead-in: As we discussed last week, I believe that one of your primary tasks will be to energize the IC workforce and give them direction. We both agree that our intelligence community professionals are the best in the world and every day they work tirelessly in the shadows to keep this country safe but I believe they are eagerly looking for strong leadership so they can move forward with the business of securing the country.

We must develop a workforce that is adequately agile and flexible to counter the myriad threats we face. The IC must recognize that the growing diversity of the threat requires a commensurate growth in a diverse workforce. In February, DO Goss, while submitting his plan to recruit the additional analysts and case officers directed by the President, said his plan will focus on recruiting more officers and analysts who "look, sound and talk like" the groups being spied on, so that they "can have close access and learn plans and intentions." (*WP, 2/16/05*)

It's been said that a great leader takes people where they don't necessarily want to go, but ought to be. Your leadership as the first Director of National Intelligence will be required to break down the old rice bowls and stove-pipes so that loyalty to an agency or an established bureaucracy is replaced by the understanding that every agency and every employee comprising the intelligence community is part of one team and that team's goal is to secure America.

Question 16. What role will the DNI play in the definition of the personnel and training standards to ensure that we are getting the right people with the right skills to match the IC priorities that understand they work for America and not just an agency?

Answer. I believe that fostering a true sense of community within the IC is one of the most important goals that the DNI must pursue. Personnel across the IC must be more closely integrated, and we must seek to achieve a shared culture through harmonized personnel, training and leadership practices. I also believe that we must work hard to recruit a diverse workforce of the best possible personnel for the intelligence community with the appropriate range of skills, experiences and backgrounds.

The IRTPA has provided the DNI with broad personnel authorities and educational and training requirements. If confirmed, I would actively seek to foster that sense of community by unifying standards across the community, encouraging cross-disciplinary education and training, and encouraging the engagement of all IC ele-

ments and personnel to come up with mutually supportive solutions. I believe this is an area in which we could improve, and such improvement would dramatically affect the productivity, dependability and cohesiveness of the IC.

Follow-up: How will the DNI ensure that CIA or any other agency training of their recruits is consistent with current intelligence priorities and not just an indoctrination into the CIA bureaucracy of old?

Answer. If confirmed, I would need to further consider what specific mechanisms would best unify and harmonize the education and training processes of IC elements. One of my preliminary thoughts is to identify a person who could oversee the harmonization process and link the existing educational institutions.

Follow-up: How do you plan to use the large increase in personnel mandated by the President with regard to the mix between analysis and information collection?

Answer. I have not had an opportunity to consider this issue in depth. However, I understand the importance of ensuring that there be a thorough review of the placement of personnel and that such placement reflects an appropriate mix in critical disciplines.

ATTACHMENTS:

Attachment 1: Two Letters from Sarah Horsey, U.S. Consul General—Honduras, 1981-1984:

—Letter to Editor of the *Los Angeles Times*

—Letter to Ombudsman of the *Los Angles Times*

Attachment 2: State Department Cable, Tegucigalpa 11124, 13 October 1983

—Text of State Department Cable

—Original declassified State Department Cable

MAR 2 2 2005

John A. Rizzo
Senior Deputy General Counsel
Designated Agency Ethics Official
Office of General Counsel
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Rizzo:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Director of National Intelligence.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to Section 208 (b)(1), or qualify for a regulatory exemption, pursuant to Section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as an officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In order to avoid potential conflicts of interest under Section 208, my spouse and I will divest our holdings in the companies listed on the attached pages within 90 days of my confirmation. It is my understanding that we are eligible to request, and we intend to seek prior to divestiture, a Certificate of Divestiture from the Office of Government Ethics for these interests. Until these divestitures have been completed, I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on those entities, unless I first obtain a written waiver or qualify for a regulatory exemption.

Moreover, I pledge to promptly inform you, as the Designated Agency Ethics Official (DAEO) of the Central Intelligence Agency or, following the appointment of such official, the DAEO of the Office of the Director of National Intelligence (ODNI), of any acquisitions or sales of securities or other interests by my wife, my minor children or me after the

filing of my nominee financial disclosure statement. I understand that in the event of a conflict of interest, I will disqualify myself, in writing, from taking any official action that would have a direct and predictable effect on the financial interests of that company or other entity. In addition, if you, or the ODNI DAEO, determine that recusal and screening is not a viable option to preclude a conflict of interest under applicable Office of Government Ethics regulations, I will take the further steps deemed necessary to eliminate the conflicting interest, including divestiture if necessary and possible.

As reported on Schedule C, Part II of my nominee financial disclosure form, I will continue to receive annual installments of deferred compensation through 2006 arising from my previous employment with The McGraw Hill Companies, from which I resigned in 2001. If confirmed as the Director of National Intelligence, I will not participate personally and substantially in any particular matter that would have a direct and predictable effect on the ability or willingness of the McGraw Hill Companies to make these payments to me, unless I first obtain a written waiver or qualify for a regulatory exemption.

Sincerely,

John D. Negroponte

Attachment
John D. Negroponte Equity Holdings

Abbott Labs
Alcoa
Altria Group
AmSouth Bancorporation
Anheuser Bush Co.
Automatic Data Processing
Bank of America Corp.
Barclay Bank
ConAgra Food
Family Dollar Stores
Ford Motor Credit Company
Genuine Parts
Henry Jack & Associates
Hewlett Packard
Home Depot
Masco Corp.
McDonalds
Mercury General Corp.
National Westminster Bank
Popular Inc.
SBC Communications
Southern Co.
St. Paul Travelers Co.
Synovus Financial Corp.
UST Inc.
Walmart Stores
Washington Mutual

AMBASSADOR
JOHN D. NEGROPONTE

April 11, 2005

The Honorable John D. Rockefeller, IV
Vice Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Senator Rockefeller:

Thank you for your letter, dated March 10, 2005. Please see the attached for my answers.

I look forward to working closely with you and the Committee in the future.

Sincerely,

John Negroponte

John D. Negroponte

Attachment

cc: Senator Pat Roberts

RESPONSES TO SEN. ROCKEFELLER'S QUESTIONS

1. Inspector General

Question: Section 1078 of the National Security Intelligence Reform Act authorizes the Director of National Intelligence to establish an Office of Inspector General in the Director's Office. Please describe your intention, if confirmed, regarding the establishment of a DNI Inspector General and the duties, responsibilities, and authorities that you would assign to that official.

Response: If confirmed, I would expect to establish an Office of Inspector General. I appreciate the important role and functions such offices serve in ensuring individual, programmatic, and institutional accountability and as such I would want to have the ability to call upon an IG for support and assistance.

2. National Counter Proliferation Center

Question: Section 1022 of the National Security Intelligence Reform Act requires establishment, no later than 18 months after enactment, of a National Counter Proliferation Center. Among other responsibilities, the Center is to (a) be the U.S. Government's primary organization for analyzing and integrating all intelligence on proliferation, (b) coordinate U.S. counter proliferation plans and activities, and (c) conduct strategic operational counter proliferation planning. The Act gives the President statutory power to waive all or parts of Section 1022. the President has asked the President's Commission on Weapons of Mass Destruction (which is scheduled to report no later than March 31, 2005) for its views.

Based on your assessment of counter proliferation issues as well as your review of the report of the President's Commission, please describe your views on the counter proliferation challenges facing the Intelligence Community and your views on the establishment (including the timing for establishment) and authorities of a National Counter Proliferation Center.

Response: Preventing the proliferation of weapons of mass destruction (WMD), their delivery systems, and related materials and technologies is one of the top two intelligence priorities. If confirmed, I will carefully consider whether to recommend that the President create an National Counter Proliferation Center (NCPC). I noted that the WMD Commission recommended creation of an NCPC but one much smaller and with different functions than the NCTC created in the Intelligence Reform Act. I need to study more closely the impact an NCPC would have on the Intelligence Community while also carefully considering a related concept favored by the Commission, the mission manager. Whether by center or by a different means, unifying the IC to most effectively counter the proliferation of weapons of mass destruction will be one of my highest priorities.

 Per G Jameson 7/21/2005

3. Other Centers

Question: Section 1023 of the National Security Intelligence Reform Act provides that the DNI may establish one or more additional national intelligence centers to address intelligence priorities including but not limited to regional issues. These centers would be in addition to the National Counterterrorism Center and the National Counter Proliferation Center.

Please describe the standards or principles you would use to decide, if confirmed, whether to establish such additional centers. Please describe your views on the subjects you would assign to additional centers and how you would define their responsibilities regarding those subjects.

An area about which I am particularly concerned is Africa. I would appreciate learning your views about what policymakers need to know regarding circumstances and developments there and about your objectives for collection and analysis relating to African issues, including through the use of a national intelligence center.

Response: Whether I would recommend the establishment of one or more national intelligence centers and, if so, which intelligence issues any such centers would address will require thoughtful analysis and insights drawn from direct experience. As I indicated in my response to question 2, I need to carefully study whether a National Intelligence Center is the best response to every intelligence issue. I will examine the question of the need for a center on a case by case basis, weighing carefully whether the needs of the whole IC would be met by its creation. It may be the case that centers are not well suited to address every intelligence challenge. The mission manager concept also has the potential of being an alternate approach in certain cases.

With respect to whether to create a center for Africa, I will consider the factors I discussed above. Africa is a very important continent, economically, politically, and strategically and I look forward to further discussing with you your views on what the U.S. intelligence posture should be with regard to Africa.

4. Declassification of Aggregate Intelligence Budget

Question: Section 201 of the Reform Bill, as it originally passed the Senate, provided that the President and Congress should disclose to the public for each fiscal year after 2005 the aggregate amounts requested, authorized, and appropriated for the National Intelligence Program. It also would have directed the DNI to conduct a study to assess the advisability of disclosing the aggregate amounts for elements of the Intelligence Community, including whether that disclosure would harm U.S. national security. The Reform Act, as finally passed, is silent on the question of disclosure of aggregate amounts.

Please state whether you would commit to undertake a study, if confirmed, to (a) assess as empirically as possible whether there is a realistic danger that U.S. national security would be harmed by disclosure of the aggregate amounts requested, authorized, and appropriated for the

National Intelligence Program and (b) work with the Congress to determine how together we can achieve the reform that the Senate has believed to be so important.

Response: I understand that this issue has been the subject of considerable debate. During consideration of the Intelligence Reform bill in the Congress, the President made clear his opposition to declassification of the aggregate intelligence budget. If confirmed, I would always be willing to study any issues of concern to the Congress and discuss the results of my efforts with the President.

5. Keeping Ambassadors Fully and Currently Informed

Question: Please describe your understanding of the requirement (including the importance of the requirement) for all components of the Intelligence Community and the Department of Defense, whether or not the DoD components are denominated elements of the Intelligence Community, to keep the U.S. Ambassador to a foreign country fully and currently informed about United States intelligence activities in that country.

Response: As a long-time member of the Foreign Service and former Ambassador, I am thoroughly familiar with the statutory obligation that the Chief of Mission (COM) be kept fully and currently informed with respect to all activities and operations of U.S. Government employees in that country (22 U.S.C. section 3927(a)(2)), and fully appreciate the benefit of its application to U.S. intelligence activities. During my tenure as Ambassador to four different countries, I have found the country team approach to managing our activities overseas to be a sound one.

6. Human Rights Collection and Reporting

Question: Please describe your views on the importance of collection and analysis by the Intelligence Community of human rights problems, ranging from genocide to abuse by foreign military, police or intelligence authorities, and the importance of keeping U.S. Ambassadors and others in the U.S. Government fully informed about those matters.

Response:

I believe that human rights is a significant foreign policy matter that can and should be informed by intelligence; it is very important that intelligence bearing upon human rights issues be brought to the attention of appropriate USG officials. I have always insisted that intelligence on human rights matters be incorporated into the work of our Embassies. Most recently in Iraq, the human rights performance of the Iraqi armed forces and police was a matter of mission-wide concern.

Attachment 1

Letter to the Editor of the Los Angeles Times (fax: 213-237-7679)

Amb. Negroponte's Nomination

Joseph Mulligan's article "What Did Negroponte Hide and When Did He Hide It?" carries a lot of innuendo, but few facts and little logic. In his comments on the death of Father Carney, the innuendo comes from a distortion of the facts. Father Carney did not merely "come to Honduras as a chaplain to a revolutionary group." Rather, Father Carney clandestinely infiltrated Honduras from Sandinista Nicaragua with a column of about one hundred armed guerrillas who had had training in Cuba. Their mission was to bring armed revolution to Honduras. The group was not captured and "disappeared" by the Honduran army, as Mulligan writes. Rather, about 50 of the group, probably including Father Carney, died of hunger and exposure in the jungle. Those who died from exposure were younger than Carney (almost 60) and physically fit Honduran peasants. In fact, the existence of the guerrilla column was made known to the Hondurans only when a couple of the starving guerrillas turned themselves in at an army outpost. Another 25 of the group died in firefights with the Honduran army, and at least 20 were captured and later released.

As Consul General in the Embassy at that time, I was instructed by Amb. Negroponte to assist the Carney family in finding out what had happened to Father Carney, and if possible, to recover his body. The Honduran army cooperated with the family and even made a helicopter available to the family for a search of the jungle in a remote area of Honduras. We were never able to find anything that would have constituted concrete evidence that the Hondurans had captured or killed Carney. And what would have been the point? Why would the Hondurans have killed an American priest who would have been captured while hobbling around in the jungle on a bad knee? About 20 of the young guerrillas who surrendered to the Honduran army survived their capture, why not Carney? To this day I am convinced that Father Carney perished in the jungle. The Ambassador and his Embassy did all it could to find out what Carney's fate had been. The Hondurans cooperated, despite Carney's demonstrated hostility to their government. Father Carney likely died in the jungle with dozens of others because he thought he was advancing the cause of social justice. That legacy should be sufficient. It does not honor that legacy by using innuendo now to smear an Ambassador who aided Carney's family in their search for his body and the facts surrounding his death.

Sarah R. Horsey
May 23, 2001
Foreign Service Officer (ret.)
US Consul General – Honduras, 1981-1984
4510 Davenport St. N.W., Washington, D.C. 20016 (Tel: 202-364-2737)
cc L.A. Times – Maggie Farley

Letter to the Ombudsman – Los Angeles Times (fax: 213-237-3535)

Subject: Ambassador Negroponte's nomination

The Los Angeles Times recent articles about John Negroponte's role as US Ambassador to Honduras in the early 1980's and his role in the death and subsequent investigation thereof of American citizen James Carney seem intent on provoking controversy for its own sake rather than informing the public. As the US Consul General in Honduras at that time I was responsible for welfare and whereabouts issues involving Americans and therefore the Father Carney case. Having personally led the US government effort to establish what had become of him at Ambassador Negroponte's direction, I am dismayed at the smearing of the Ambassador's reputation and by inference my own.

The Embassy heard about the participation of an American citizen in a column of guerillas infiltrating Honduras from Nicaragua in late September 1983. Ambassador Negroponte immediately instructed me to look into the matter and find out everything I could about what had happened to Father Carney. I spent virtually all my time on this matter for weeks thereafter and intermittently until I left Honduras in the summer of 1984. I tried to track down all leads from whatever source – the surviving guerillas, Honduran officials, private persons – even arranging for a trip by an Honduran Army helicopter to escort family members to the remote triple canopy jungle region in which he presumably perished. This gave me a firsthand appreciation of how even more physically fit and younger men than Carney (almost 60 at that time) died in the face of such difficult terrain and lack of food.

In 1983 The L.A. Times publisher commended the effectiveness of the Embassy resources brought to bear in the expeditious and professional handling of the investigation of the death in Honduras and the return of the remains to the USA of one of its own journalists, Dial Torgeson, in May 1983. It is ironic that, in 2001, The L.A. Times chose not to mention the far more time consuming effort applied to the Carney case, just months later, by the same officers, including Ambassador Negroponte and myself, and despite an extended interview I had with a L.A.Times reporter regarding our efforts on the Carney case. The L.A.Times' reputation for objective reporting would have been better served by some acknowledgement of the facts as we in the US Embassy understood them and of the fact that participation in a war, whether as an observer (Torgeson) or as a participant (Carney) is dangerous. It is even more disturbing to ponder whether the L.A. Times' new editor, John Carroll, recently transferred from his position as editor at The Baltimore Sun, is continuing the Sun's penchant for taking liberties with reporting the facts surrounding US actions in Honduras in the early 1980's.

Sarah R. Horsey
May 23, 2001
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cc: L.A. Times Maggie Farley

Attachment 2

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RUEHGT / AMEMBASSY GUATEMALA 1180
PUESMG / AMEMBASSY MANAGUA 5431
RUEHML / AMEMBASSY MANILA 0066
RUEHME / AMEMBASSY MEXICO 1899
RUEHZP / AMEMBASSY SAN JOSE 8981
RUEHSN / AMEMBASSY SAN SALVADOR 9659
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RUEKJCS / JCS WASHDC
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RUEHDT / USMISSION USUN NEW YORK 1391
BT

TEGUCIGALPA 11124

E.O. 12356: DECL: OADR
TAGS: HO
SUBJECT: GENERAL ALVAREZ ON THE DEMOCRATIC PROCESS

1. ENTIRE TEXT.

2. I HAD THE OCCASION TO TRAVEL WITH HONDURAN ARMED FORCES COMMANDER GENERAL ALVAREZ FROM TEGUCIGALPA TO CEIBA ON HIS AIRCRAFT OCTOBER EIGHT EN ROUTE TO MEET WITH GENERAL WICKHAM.

3. THE SUBJECT OF EVENTS IN THE PHILIPPINES CAME UP DURING OUR FLIGHT AND ALVAREZ REVEALED WHAT TO ME WAS A SURPRISINGLY DETAILED AWARENESS OF EVENTS THERE AND MARCOS' BACKGROUND. ALVAREZ SAID MARCOS' BIG MISTAKE WAS IN EXTENDING HIS MANDATE BACK IN 1972 IN THE FIRST PLACE; AND HE DEPLORED THE SENTIMENTS OF AMBITION WHICH HE PRESUMED CAUSED MARCOS AND HIS WIFE TO HANG ON SO FIERCELY NOW. THESE REMARKS WERE FOLLOWED BY A SHORT SOLILOQUY ON THE VIRTUES OF THE DEMOCRATIC PRINCIPLE OF ALTERNATION OF POWER. COLONEL ROSALES ABELLA, THE INSPECTOR GENERAL OF THE ARMED FORCES, WAS ALSO ALONG THE INTERJECTED SOME COMMENTS ABOUT SIMILARITIES BETWEEN THE PHILIPPINES AND CHILE. ALVAREZ REACTED THAT PINOCHET IS "HEADED THAT WAY TOO".

4. I REPORT THESE REMARKS BY ALVAREZ BECAUSE THEY WERE MADE IN SUCH A RELAXED AND SPONTANEOUS CONTEXT. HE HAD NO IDEA I WOULD REPORT THEM AND HE FEELS NO NEED TO IMPRESS ME. THEY WERE, I BELIEVE, REFLECTIVE OF HIS COMMITMENT TO CONSTITUTIONAL GOVERNMENT. ALVAREZ' DEDICATION TO DEMOCRACY IS FREQUENTLY QUESTIONED BY CRITICS OF OUR POLICIES HERE. THE CRITICISM IF MOTIVATED EITHER BY A STEREOTYPE OF POLITICAL LIFE IN HONDURAS AS UNDULY INFLUENCED BY THE MILITARY, IN DISREGARD OF THE FACTS, OR OUT OF SHEER IGNORANCE OF THE FACT THAT ALVAREZ ON REPEATED PUBLIC OCCASIONS HAS PLEDGED HIS COMPLETE LOYALTY TO CONSTITUTIONAL RULE. MORE OFTEN THAN NOT THESE STATEMENTS ARE COMPLETELY IGNORED BY ALVAREZ' DETRACTORS.

5. THE MOST RECENT OF THESE PUBLIC REMARKS CAME DURING AN INTERVIEW LATER IN THE SAME DAY WHEN WE WERE IN LA PAZ VISITING DOCTOR SUAZO. T+E FULL ACCDUNT IS IN FBIS CHIVA CHIVA PA101657. THE EXCHANGE WHICH CAUGHT MY EYE IS RIGHT UP FROM IN THE INTERVIEW AND GOES AS FOLLOWS.

QUOTE INTERVIEWER: WHAT ABOUT REPORTS THAT YOUR ARE THE ONE WHO RULES THE COUNTRY?

- ALVAREZ: I GET TIRED OF REPEATING THIS. I WILL REPEAT IT AGAIN. THERE ARE THREE BRANCHES OF GOVERNMENT. THE ARMED FORCES ARE SUBORDINATE TO THE EXECUTIVE BRANCH, WHICH IS HEADED BY THE PRESIDENT OF THE REPUBLIC, WHO IS COMMANDER-IN-CHIEF OF THE ARMED FORCES. HE GIVES ME THE ORDERS. END QUOTE.
NEGROPONTE
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RUEHME / AMEMBASSY MEXICO 1399
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Dept of State, RPS/IPS, Margaret P. Grafeld, Dir.
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