

**SELECT COMMITTEE ON  
INTELLIGENCE**

**UNITED STATES SENATE**



**Additional Prehearing Questions for**

**John L. Ratcliffe**

**Upon his nomination to be**

**Director of the Central Intelligence Agency**

## **Role and Performance of the D/CIA in Senior National Security Leadership**

**QUESTION 1:** Briefly describe how you see your role and responsibilities in relation to the Director of National Intelligence (DNI), the Secretary of State, and the President's National Security Advisor. What would you bring to these relationships, and how would you change your role, if at all, to improve the effectiveness of these relationships, if confirmed?

If confirmed as CIA Director, I would collaborate closely with other members of the Intelligence Community, and in coordination with the DNI, I would help align interagency intelligence efforts to prevent overlap and ensure cohesiveness. I would take my role as a member of the National Security Council's Principals Committee seriously and bring to the interagency process insights into foreign activities and threats to help inform policy decisions and craft strategy. In consultation with the President and National Security Advisor, I would direct CIA operations and analysis in support of White House goals.

## **Functions and Responsibilities of the Central Intelligence Agency**

**QUESTION 2:** What guidance has President-elect Trump provided you for the role of the Director of the Central Intelligence Agency (CIA)?

Having previously served as DNI during the first Trump Administration, I am confident that President-elect Trump expects me to lead the CIA with integrity and in accordance with the Constitution and laws of the United States, and I can state unequivocally that I intend to do so. I expect to provide President-elect Trump with the best possible analysis and insights to help inform his decisions, as I did when I was DNI.

**QUESTION 3:** What do you consider to be the most important missions of the CIA (e.g., collection of foreign intelligence information, all-source analysis, counterterrorism, counterintelligence, covert action, etc.)?

CIA's missions to collect foreign intelligence on our foreign adversaries, produce all-source analysis for the President and other senior customers, protect our security through robust counterintelligence, and conduct covert action at the President's direction and in accordance with federal law are all critically important

for US national security. Cumulatively, these missions are focused on allowing policymakers the timely understanding, context, and warning to make the most informed decisions, and to provide these decision makers with covert options in pursuit of national security objectives. CIA must also help rebuild public confidence in the Intelligence Community in the wake of prior abuses.

**A. How well do you think the CIA has performed recently in each of these missions?**

I want to be clear that I am only starting to get read into everything that CIA does to advance its mission. I have been very impressed by what I have learned so far, and I am grateful to those CIA personnel who have briefed me on their programs and operations. I have a lot to learn still, and it would be premature for me to assess any part of CIA's performance.

That said, it is essential for CIA to focus on the successful pursuit of its core mission, including the collection of foreign intelligence, the conduct of all-source analysis, carrying out covert action operations, and engaging in counterintelligence collection and operations. CIA must avoid distractions to its core mission and help rebuild confidence in the Intelligence Community. I also want to be sure that, when possible, key policymakers are not first hearing of critical national security developments via the news media, on social media, or from other sources. If confirmed, I look forward to reviewing how the Agency is doing business, and I am committed to supporting the men and women of the CIA in accomplishing that core mission.

**B. If confirmed, what missions do you expect to direct the CIA to prioritize over others?**

First, and as an initial matter, my role as CIA Director would be to oversee the conduct of operations and the pursuit of mission in accordance with the priorities set by the President of the United States. In addition, and as noted above, I am only beginning to get read into the CIA's operations and its pursuit of mission. It would be premature for me to define specific priorities for the organization at this stage.

That said, based on my time on HPSCI, as DNI, and my review of open-source reporting for the past several years, I think that CIA will have to focus resources on emerging technology, such as AI, on the People's Republic of China, and on rebuilding public confidence in the Intelligence Community. We also cannot ignore CIA's critical counternarcotics and counterterrorism missions in support of border security efforts. If confirmed, I look forward to reviewing the whole of CIA's mission, its collection of foreign intelligence, production of all-source analysis, pursuit of covert action, and counterintelligence efforts, to better understand how we can focus our efforts on core mission and supporting the priorities articulated by the President.

**C.** Has the President-elect indicated whether he expects you to focus on any particular functions or missions? If so, what functions or missions?

I cannot comment on the specific details of conversations I have had with the President-elect, but I can tell you that he expects me to lead the CIA with integrity and in accordance with the Constitution and laws of the United States. I can state unequivocally that I intend to do so.

**QUESTION 4:** What principles should govern the division of responsibilities between the CIA in the conduct of covert action under Title 50 and the Department of Defense in the conduct of any similar or related activities under Title 10?

Title 10 and Title 50 are complementary tools for the President to use in protecting our national security. As such, the President must determine, within the parameters of the law, which tool is better suited for a particular situation. In making such a determination, the President might consider which organization is capable of most effectively and efficiently accomplishing his directive, consistent with the statutory authorities and limitations that govern activities under Title 10 and Title 50. In some cases, it may be appropriate for complementary activities to be conducted under both Title 10 and Title 50. No matter which authorities are ultimately relied upon, communication, coordination, and deconfliction between CIA and the Department of Defense are essential, as is timely reporting to Congress regarding the use of such authorities.

**QUESTION 5:** In what ways can the Director achieve sufficient independence and distance from political considerations to serve the nation with objective and dispassionate intelligence collection and analysis?

I believe it is vital for the Director of the CIA to help rebuild public confidence in the Intelligence Community. To do so, it is essential for the Director of the CIA to set an example for the workforce of pursuing the collection, analysis, and dissemination of unvarnished, fact-centric intelligence that advances national security. That means intelligence that is independent, timely, and objective, and that is not weaponized against political opponents. I am also committed to reducing overclassification by increasing transparency when possible. I am committed to leading those efforts, unshaded by distractions from CIA's mission.

**Relationship with Congress and Congressional Oversight**

**QUESTION 6:** If confirmed, how will you seek to ensure that intelligence activities conducted by the CIA are notified to Congress?

The National Security Act of 1947 requires me to keep the Congressional intelligence committees fully and currently informed of intelligence activities, including covert action. Based on my time serving as a member of HPSCI, I have seen first-hand how fulfilling this obligation adheres to the benefit of the Intelligence Community and the American people. I take this requirement very seriously and if confirmed, I will commit to working with CIA's Office of Congressional Affairs and senior personnel, including the General Counsel, to ensure that CIA meets its obligations to keep Congressional oversight fully and currently informed of intelligence activities.

**QUESTION 7:** What is the appropriate relationship between the CIA and Congress in sharing information? What, if any, information collected or analyzed by the CIA, or about the CIA, do you believe should not be shared with the congressional intelligence committees?

As noted in Question 6, I take the obligations to keep Congress informed of intelligence activities seriously, in accordance with the law and Intelligence Community regulations. I will ensure that I am briefed early in my tenure on provisions in the current and past Intelligence Authorization Acts for specific notification requirements.

In doing so, and in accordance with the National Security Act, I will be thoughtful about also protecting our most sensitive sources and methods against unauthorized disclosure. If confirmed, I look forward to better understanding how the CIA has shared our most sensitive information with oversight—such as through Gang of 8 notifications on the most sensitive covert action matters or compartmented briefings—but can commit that I will ensure Congress has access to the information necessary to perform its essential oversight function.

**QUESTION 8:** Please describe your understanding of the obligation to provide to the intelligence committees any information or material concerning intelligence activities or covert actions, including their legal basis, which is requested by either of the intelligence committees.

The National Security Act of 1947 requires the CIA to provide to the Congressional intelligence committees any information or material concerning intelligence activities and covert action, including the legal basis under which the intelligence activity is being or was conducted. This obligation must be carried out consistent with due regard for the protection from unauthorized disclosure of certain national security information. Based on my experience as a member of HPSCI, in exceptional circumstances where the protection of national security information limited what information could be provided or how, committee leadership would often work with Executive Branch leadership to resolve the matter. If confirmed, I commit to ensuring that Congress has access to the information necessary to perform its essential oversight function.

**QUESTION 9:** In your opinion, should the White House have any role in determining whether, or to what extent, the Intelligence Community (IC) responds to Members of Congress? If so, please describe what you believe that role should be.

Section 501 of the National Security Act of 1947 establishes an obligation on the part of the President to ensure that the Congressional intelligence committees are kept fully and currently informed of the intelligence activities of the United States, including an obligation to ensure that any illegal intelligence activity is promptly reported along with any corrective action that has been taken or will be taken in connection with that activity. With respect to covert action in particular, Section

503 of the National Security Act specifically requires the President to meet certain notification requirements upon the establishment of a new covert action finding, a significant change to an existing covert action, or a significant undertaking pursuant to a previously approved finding. The law therefore contemplates a role for the President in ensuring that the Congressional intelligence committees are kept fully and currently informed. As noted above, however, the notification must be carried out “consistent with due regard for the protection from unauthorized disclosure” of certain national security information and allows for some flexibility in the manner of notification.

I am committed to ensuring that the Congressional intelligence committees are kept fully and currently informed in accordance with the law, and I understand the importance of the Congressional intelligence oversight function. I look forward to further discussing the role of the White House in this next administration further in consultation with the White House, the White House Counsel’s office, and CIA’s Office of General Counsel.

**QUESTION 10:** What is the responsibility of the CIA to correct the record if it identifies occasions when inaccurate information has been provided to the congressional intelligence committees?

I am committed to ensuring that CIA meets its obligation to keep the Congressional intelligence committees fully and currently informed, and that includes taking steps to ensure the accuracy of any information provided. If confirmed, I will commit to correcting the record on any occasion on which inaccurate information has been provided.

### ***Post-Modernization and the Future of the CIA***

**QUESTION 11:** The CIA underwent a major reorganization several years ago. Mission Centers were created to reinforce a “team approach” and put the focus on growing well-rounded Agency officers. Since then, how we collect intelligence has evolved. Do you believe that the CIA should remain focused on clandestine collection? Moreover, how will you maintain objective analysis as a central function of the CIA under this construct? How should the conduct of these activities be balanced and prioritized in the future at the CIA?



As I understand CIA's 2015 reorganization, the goal was to advance CIA's mission by co-locating and pulling together analytic, operational, and other directorates focused on a common mission to ensure better collaboration and efficiency across the many Agency units. As I understand it, the new Mission Centers were intended at least in part to emulate those centers that were already operating in an integrated environment, such as the Counterterrorism Center, or CIA Field Stations that bring together the many areas of tradecraft expertise across the Agency to achieve a common goal.

From my meetings with Agency officers, the after-effects of the reorganization are still felt in some corners of the Agency, but I am careful not to draw conclusions on the impact of the reorganization at this point – such significant changes to a workforce can take a full generation to take hold. I will review the Agency's structure to ensure that CIA remains focused on its core mission sets, in particular on clandestine collection, and avoids distractions from its core mission. I will also work to ensure that the Agency's analysts and its analytic workflow are structured so as to minimize any bias from concurrently supporting operational efforts. If needed, I will not hesitate to make changes to the structure to ensure the CIA is most effectively accomplishing its mission.

**QUESTION 12:** Since the modernization and reorganization effort in 2015, there have been numerous efforts to improve the CIA's management of the workforce. There have also been efforts to address training and care for officers and their families to improve the readiness of the organization. What areas of an officer's preparedness and readiness would you focus on as Director of the CIA?

In terms of readiness, I will focus on ensuring that all CIA officers are fully trained and maintain their respective tradecraft skills while upholding the culture of objectivity and speaking truth to power. We ask a lot of CIA's workforce and the mission demands on the officers and their families can take a heavy toll. I will seek to continue and bolster the efforts to support families overseas and domestically and build on the efforts to improve all aspects of readiness, whether that be physical, mental, financial, behavioral, or spiritual.

**QUESTION 13:** The CIA is operating in a growing number of environments subject to foreign adversary ubiquitous technical surveillance measures. These



measures threaten – and may jeopardize – the clandestine nature of CIA operations. Please explain how you would address this pressing challenge.

CIA must continue to evolve tradecraft to ensure the safety of our officers and assets without losing the ability to conduct high-impact clandestine operations in challenging environments. Rather than hide from ubiquitous technical surveillance (UTS), we must develop new and creative tradecraft to mitigate this threat while using UTS to our operational advantage against our adversaries. Tradecraft should be tailored to specific threats to operations, measuring calculated risk appropriately. CIA's multi-directorate effort to research, develop, and validate new technologies, techniques, and training will help evolve this tradecraft. The Agency has also coordinated with partners from across the IC to infuse innovation into CIA's approach to tradecraft challenges. The Committee has my commitment to further support and invest in these initiatives while also increasing public-private partnerships.

### **HUMINT Role of the CIA**

**QUESTION 14:** What is the appropriate division of responsibilities for human intelligence (HUMINT) between the CIA and the various components of the Department of Defense (DOD), the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS)? As the National HUMINT Manager, how would you improve sharing of HUMINT between elements within the IC, and how would you seek to improve the collection of HUMINT within the IC?

As the Director of CIA and National HUMINT Manager, I will ensure a clear division of responsibility as established through respective authorities and focused against foreign or domestic collection. Pursuit of HUMINT must abide by these established authorities, with CIA focused against foreign plans, intentions, and capabilities; DOD focused on the warfighting mission; and DHS and FBI maintaining a domestic nexus. In instances where HUMINT pursuit has dual domestic and foreign elements, I would reinforce participation in the collaboration practiced in multi-agency forums for deconfliction and coordination.

As National HUMINT Manager, I will ensure each IC element is accountable to report appropriate information at the lowest possible level while still protecting sources, methods, and future collection. I will look into existing mechanisms for reporting HUMINT and determine what improvements can be made to ensure our distribution of intelligence is optimally aligned for those with a need to know.

I will promote Community HUMINT as the interface for the National HUMINT Enterprise to guide and align broad HUMINT collection requirements against the President's highest intelligence priorities. Through Community HUMINT I will propose strategic synchronization, deconfliction, and collaboration among IC collectors so that our resources are appropriately aligned, pursuing what each organization should based on training, authorities, and capability. I will streamline IC collection efforts to ensure effective allocation of resources to achieve what Congress, the President, and the American public expect. We cannot afford duplication of effort, unevaluated risks, nor unintended negative consequences to our actions.

**QUESTION 15:** As a former DNI, what are your views on the working relationships of the FBI, DHS, National Security Agency, Office of the Director of National Intelligence (ODNI), and other elements of the IC and the CIA? How could these relationships be improved at the working level, and how would you make this work as Director of the CIA?

Based on my time as DNI, I have seen first-hand the value in the Intelligence Community's collaborative approach, integrating collection across intelligence disciplines and relying on each agency to execute its core mission in order to ensure that policymakers have access to the best, most timely, and most accurate information. If confirmed as Director, I look forward to being briefed on the current state of CIA's relationships across the IC and how CIA currently fulfills its role in the collaborative environment of the US Intelligence Community.

**QUESTION 16:** What role do you see for the CIA in paramilitary actions? How do you distinguish between the appropriate roles of the CIA and the United States Special Operations Forces in paramilitary actions?

Based on my time at HPSCI and as the DNI, I am aware that CIA is charged with the conduct of covert action as authorized by the President, except for under certain circumstances. I am not yet fully read into CIA's current programs, but I

look forward to learning more about the role CIA's paramilitary officers play in conducting covert action operations at the direction of the President.

In terms of distinguishing between the appropriate roles of the CIA and DOD, including the Special Operations Forces, I have not yet had a detailed briefing on how CIA and DOD coordinate and deconflict their operations, but I am aware that CIA and DOD have developed a close partnership and work cooperatively in many areas of the world, and I look forward to continuing that partnership.

### **The CIA and Cybersecurity Posture**

**QUESTION 17:** How would you improve the cybersecurity posture of CIA systems? What are your top priorities for cybersecurity and technical counter-cyber espionage protections at the CIA in the near term?

I have not yet had an opportunity to be briefed on CIA's cybersecurity posture, but I have significant experience related to cybersecurity based on my time as a member of Congress, including four years as Chairman of the House Homeland Security Committee's Cybersecurity Subcommittee. While in Congress, I authored several bipartisan national security and cybersecurity bills that were enacted into law, and I believe the CIA cannot continue to be the preeminent intelligence apparatus in the world if it is unable to secure its networks and communications.

If confirmed, I will be focused on understanding how CIA is positioned defensively from a cybersecurity standpoint and how we can meet the rapidly evolving threats posed by cyber operations and cyber espionage. I also believe that recruitment and retention of a highly skilled cyber workforce will be essential to continuing to stay ahead of our adversaries, as will a robust exchange of information with private-sector and academic cybersecurity experts, as well as our foreign liaison partners. We must leverage the expertise of the private sector and share actionable threat information to support network defense and resilience.

### **Analytic Integrity**

**QUESTION 18:** How would you protect and improve the quality of CIA analytic products?

The demand for quality CIA analysis has never been higher as the challenges we face as a nation have never been more globally complex. If confirmed, I will work closely with CIA's Directorate of Analysis (DA) leaders to make sure that CIA's analysis is objective, thorough, relevant, accurate, and rigorous. CIA analysts will need to avoid distractions from their core mission and help rebuild confidence in the Intelligence Community.

**QUESTION 19:** How do you view the importance of intelligence analysts' freedom to present their assessments objectively to decision makers in both the executive and legislative branches, regardless of what a particular policy might be, even if their assessments may be unwelcome or inconvenient?

Objectivity in all that the Agency does, from how it collects information to how it assesses and disseminates it, is a core value of CIA. It is foundational to CIA's tradecraft, regardless of mission function. As a top consumer of intelligence analysis when I was the DNI and a member of Congress, I fully understand that policymakers in the executive and legislative branches need a clear-eyed picture of the short and long-term threats facing our nation. The Committee has my promise to support the Agency's value of maintaining objectivity.

**QUESTION 20:** What is your view of the place and importance of challenging existing assessments, especially when new intelligence reporting is inconsistent with such assessments?

It takes courage and humility for analysts to acknowledge any biases, challenge firmly held assessments, and change their judgements when there are compelling, objective reasons to do so. As DNI, I had many conversations with IC experts to understand the reporting underpinning assessments and to hear directly from them on how they came to their analytic conclusions, especially when I saw issues differently. I also respectfully discussed any concerns I had with the analysis when I believed an assessment didn't take on new or relevant intelligence reporting.

The questions CIA faces on a daily basis are complex and the information that its analysts have at their fingertips is often overwhelming in volume yet incomplete. It is my understanding that the DA has taken positive steps to reinforce the importance of challenging existing assessments in its tradecraft. I believe that more can be done in this space, especially to ensure analysts do not engage in the

politicization of intelligence, and I look forward to working with Agency leaders on this priority if confirmed.

**QUESTION 21:** How do you propose enhancing the CIA's objectivity and independence to maintain its insulation from political influence? How would you ensure that bias among the analytic cadre does not impair their analysis?

If confirmed, I would work closely with Agency leaders to maintain an apolitical, objective approach to all that the CIA does. On a day-to-day basis, I would reinforce my expectation to CIA officers that they avoid the politicization of intelligence by providing their best assessments and ideas without consideration of political leanings and policy preferences. I would represent their views faithfully to the White House and other senior officials.

**QUESTION 22:** If confirmed, would you ever request, encourage, or support an intelligence professional's adjusting his/her assessment to avoid criticism from the White House or political appointees? Would you ever change or remove content in an intelligence assessment for political reasons, or at the behest of political leadership? Would you ever condone such actions by anyone on your staff?

If confirmed, I will ensure that CIA does everything possible to ensure that its analytic products reflect the highest tradecraft standards and are grounded in facts. I would not change or remove content for political purposes nor tolerate politicization or weaponization of analysis.

**QUESTION 23:** If intelligence agencies or analysts are discouraged from providing objective foreign intelligence reporting or analytic assessments, how would this harm national security?

As a top consumer of intelligence reporting and analysis as the former DNI and a member of Congress, I have seen firsthand how analysis that does not follow the highest tradecraft standards can lead to poor decisions or inaction with dramatic ramifications. This was a notable finding in both the 9/11 Commission and in the aftermath of CIA's analysis of WMD in Iraq. Flawed or biased reporting and analysis and the weaponization of intelligence erodes policymaker and public trust in the CIA and undermines CIA's integrity.

**QUESTION 24:** What recourse should intelligence analysts have if they believe their objective assessments have been downplayed, diminished, or overruled? How would you ensure that career CIA professionals have protected channels to address their concerns that objective assessments may have been downplayed, diminished, or overruled?

The Committee has my promise that I will work closely with CIA's Deputy Director for Analysis to ensure clear communication, transparency, and training for CIA's analytic workforce, including emphasizing the paramount importance of objectivity and depoliticization in the Agency's assessments.

**QUESTION 25:** Do you believe the Director of the CIA has an obligation to address analysts' concerns that objective assessments may have been downplayed, diminished, or overruled, because a peer or a policy maker may disagree with the analysis or conclusions being presented? Please provide examples from your career of times when you have told the truth, even when that position was uncomfortable or unpopular.

Yes. I take seriously the responsibility to ensure objectivity in CIA analysis and avoid the politicization and weaponization of intelligence.

There were many occasions as a prosecutor where I was asked or even pressed to exercise prosecutorial discretion with favor to political positions or personal relationships, and I never did. As a legislator, there were many times on record in proceedings of the House where I have spoken on a range of issues that were unpopular with my colleagues or when the situation was uncomfortable, including on intelligence matters. As the DNI, I represented the IC's analysis to policymakers faithfully, including dissenting views, even when the full analytic picture was unpopular.

**QUESTION 26:** How would you approach communicating CIA analytic conclusions to the public if the analysis and conclusions did not align with the President's views and political objectives?

As the DNI and the head of the Intelligence Community, it was a distinct responsibility to ensure that the IC was accountable to the public and to declassify analysis and information accordingly, in accordance with the protection of sources and methods. This ranged from declassifying and publicizing standardized ODNI

analytic products, such as National Intelligence Estimates, to presenting the public with insights into issues of national security concern, such as election security. It is generally not the role of the CIA Director to initiate what analysis is communicated to the public—a distinction from my previous role as the DNI.

**QUESTION 27:** If confirmed, do you intend to provide, and do you intend for the CIA to provide, timely and objective analysis that is independent of political considerations, based on all available sources of intelligence and implemented in accordance with analytic tradecraft standards?

Yes, as stated in previous questions, CIA should provide timely and objective, apolitical, all-source analysis in accordance with tradecraft standards.

**QUESTION 28:** Is it ever appropriate for the Director of the CIA, or senior leaders, to substitute their own analytic assessments for those of career analysts in the CIA? Why or why not?

The CIA Director or senior Agency leaders should draw clear distinctions when there are areas of disagreement so that the President is receiving the full range of views to make the best decision.

My record as the DNI shows that I understand how to approach these situations. In the fall of 2020, career intelligence analysts produced a work product regarding PRC election interference with which I disagreed, and which I believed downplayed the threat of PRC election interference. The IC's Analytic Ombudsperson to the IC later wrote in a letter to the Committee that "these analysts appeared hesitant to have their analysis on China brought forward because they tended to disagree with the [then Trump] Administration's policies." I did not believe it was appropriate to alter the career analysts' work product, but I chose to attach my disagreement as a distinct addendum based on my view of the entirety of the IC's reporting on China.



**QUESTION 29:** Do you commit, if confirmed, to notifying the congressional intelligence committees if you, or senior leaders outside the Directorate of Analysis, substitute their own analytic assessments for those of career analysts in the CIA?

If confirmed, I will support the Agency's Ombudsperson for Objectivity's work to fulfill the mandatory reporting requirements to the intelligence committees as required by law.

**QUESTION 30:** Do you commit, if confirmed, to providing this committee with the results of the annual objectivity survey, as required under the law?

If confirmed, I will continue to provide SSCI and HPSCI with the results of the annual objectivity survey as required by law.

### **Classification & Declassification**

**QUESTION 31:** In a May 2020 report the Public Interest Declassification Board (PIDB) found that “[t]here is widespread, bipartisan recognition that the Government classifies too much information for too long, at great and unnecessary cost to taxpayers. This problem is getting worse, as the volume of classified information grows at an increasing rate. Current policies, practices, and technologies for managing classified information must be modernized for the digital age.” Do you agree with the PIDB’s findings? If confirmed, what steps will you take to reform the classification system?

I recognize that the overclassification of US Government information is a serious concern, and if confirmed, I would explore potential reforms that could modernize classification and declassification processes, while ensuring appropriate protections for intelligence sources and methods.

### **Detention, Interrogation and Rendition**

**QUESTION 32:** Will you commit, if confirmed, not to permit the CIA to use any interrogation technique or approach or treatment related to interrogation that is not authorized by the Army Field Manual?

Yes. CIA activities concerning any detention, interrogation, and transfer practices should comply with the law in all respects. Federal law provides that no individual in U.S. custody may be subjected to any interrogation technique or approach that is not authorized by and listed in the Army Field Manual. Executive Order 13491 contains a similar requirement. Both of those requirements apply to CIA. I commit to following the law.

### **Accountability**

**QUESTION 33:** If confirmed, will you review the accountability review process at the CIA to ensure that it addresses systemic problems and holds accountable the officers responsible for those problems?

I believe that accountability must be encouraged at both the organizational and individual level. If confirmed, I would be eager to familiarize myself with the accountability review process and consider any improvements or changes to the process that could further foster a culture of accountability at the Agency.

### **Foreign Intelligence Surveillance Act**

Section 702 of the Foreign Intelligence Surveillance Act (FISA) permits the government to conduct targeted surveillance of terrorists and other foreign adversaries who are located outside the United States. Unless Congress acts, Title VII of FISA, including Section 702, will expire on April 20, 2026.

**QUESTION 34:** Please describe your understanding of the value of Section 702, including to the President's Daily Brief.

As the DNI, I was responsible for briefing the President on the most important intelligence matters. Each day, I had the opportunity to see first-hand the immense value of Section 702. It is an indispensable tool for deconflicting intelligence, filling gaps in intelligence, informing analysis, and identifying opportunities to disrupt adversaries' actions that threaten our country and our interests. I understand that information derived from Section 702 was included in about 60 percent of President's Daily Brief (PDB) articles, and supported about 70 percent of CIA's successful weapons and counterproliferation disruptions from 2018 to 2022.

**QUESTION 35:** Do you support the reauthorization of Section 702?

As noted in my public statements in the leadup to the 2024 reauthorization, I see Section 702 as one of the most critical tools the Intelligence Community has at its disposal and continue to support reauthorization. In 2024, Congress implemented several critical reforms designed to enhance compliance and oversight mechanisms, including limitations on FBI, as well as enhanced congressional oversight of FISA Court proceedings. I remain open to additional oversight mechanisms that preserve the core national security value of the program.

**QUESTION 36:** What amendments, if any, to Section 702 or other provisions of FISA do you believe are necessary?

As a congressman and a member of the House Judiciary and Intelligence Committees, I supported past efforts to reauthorize FISA authorities that are critical to our national security and the IC while also ensuring civil liberties are protected and proper protocols and accountability are established throughout FISA. In the leadup to the 2024 reauthorization, I joined with other members of the first Trump Administration to support concrete improvements designed to enhance compliance and correct prior abuses. I look forward to working with Congress, the Attorney General, and the IC to identify additional reforms that ensure FISA's operational effectiveness while strengthening U.S. personal privacy protections.

**QUESTION 37:** The *Reforming Intelligence and Securing America Act* (RISAA) amended FISA to enhance the collection of foreign intelligence concerning the “international production, distribution, or financing of illicit synthetic drugs, opioids, cocaine, or other drugs driving overdose deaths, or precursors of any aforementioned.”. Do you support this amendment? What are your views on how this amendment will support IC's counternarcotics mission?

I support the amendment, which officially recognizes illicit drug trafficking as the national security threat Congress has known it to be for decades. In establishing the “international production, distribution, or financing of illicit synthetic drugs, opioids, cocaine, or other drugs driving overdose deaths, or precursors” as “foreign intelligence information” under FISA, RISAA paved the way for the US Government to seek, and for the Foreign Intelligence Surveillance Court to approve, a certification focused on countering this national security threat outside

US borders, enhancing foreign based and foreign focused operations, and ensuring deadly shipments of fentanyl and other illicit drugs never reach our borders.

**QUESTION 38:** The FBI's use of U.S Person queries was the subject of debate during RISAA's drafting and reauthorization. As a result, RISAA enacted many reforms on query procedures and requirements. What is your position on whether warrants should be required before an agency undertakes a U.S. Person query?

As noted in my public statements leading up to the 2024 reauthorization, I support more concrete mechanisms designed to counter prior abuses of the authority and enhance protections, but I believe a warrant requirement may not achieve its intended objectives and could hinder current national security efforts. I understand that requiring a warrant to query lawfully collected information would cause unreasonable delays in what are often extremely time-sensitive and complex national security matters.

**QUESTION 39:** If a U.S. Person's selector is queried against FISA Section 702 information, and it reveals terrorist connections, what additional steps do the IC and Department of Justice need to take before they can target the U.S. Person's communications?

A US Person cannot be targeted under Section 702 – period. Furthermore, targeting a non-U.S. Person to obtain information about a U.S. Person, also known as “reverse targeting,” is not permitted. Therefore, any efforts to target a US person must be accomplished using a lawful collection authority other than Section 702. Such decisions would be fact-specific and require substantial evidence, and in most instances, those decisions will be made by the Department of Justice. The Intelligence Community would need to obtain a probable cause-based order from the Foreign Intelligence Surveillance Court to collect intelligence on an individual with the objective of thwarting a terrorist attack or dismantling a terrorist organization, demonstrating that the individual was an agent of the terrorist organization. Such legal barriers and procedures are designed to ensure any decisions to target US persons in connection with national security matters are consistent with the US Constitution.

**QUESTION 40:** There is a lot of misinformation about incidental collection as it pertains to FISA Section 702. Please clarify this term and discuss its importance to national security.

Section 702 targets must be non-US persons reasonably believed to be located outside the United States and must be expected to possess, communicate, or receive foreign intelligence information. Section 702 collects communications by Section 702 targets with other Section 702 targets, but it also collects communications between Section 702 targets and individuals who are not targeted under Section 702. The communications of individuals who are not Section 702 targets, are referred to as “incidental collection.”

Incidental collection may involve innocuous contact with family or friends, or it may, for example, constitute foreign intelligence information that must be acted upon to prevent harm. In the latter case, the incidental collection might be with a witting participant, an unwitting participant, or a potential victim. Identifying these incidental contacts assists the IC in determining which operational acts are necessary to protect national security, warn, or protect an individual from further harm.

The IC mitigates the privacy impacts of incidental collection through the application of FISA Court-approved Section 702 minimization and querying procedures. These procedures contain detailed rules regarding who can access Section 702 collection, the length of time collection can be kept by the government, and when information about US persons can be shared and with whom.

**QUESTION 41:** Please describe the extent of oversight mandated to ensure that the IC is compliant with FISA procedures and requirements.

Implementation of the statutory provisions and the procedures of FISA is subject to extensive oversight by Congress, the courts, the Department of Justice, and the agencies themselves.

Congress must be kept fully informed on the implementation of Section 702 through Semiannual Reports and Joint Assessments provided to the congressional intelligence and judiciary committees by DOJ and ODNI. Every year, the Attorney

General and Director of National Intelligence submit to the Foreign Intelligence Surveillance Court certifications that specify categories of foreign intelligence that the IC can use Section 702 to collect. Targeting, minimization, and querying procedures are also submitted. Every year, the FISC reviews these certifications and procedures in conjunction with the record of compliance history to ensure they comply, both on their face and as implemented, with FISA and the Fourth Amendment.

The IC dedicates significant resources to the court-approved Section 702 program, using training, technology, policy controls, and internal oversight to protect privacy and civil liberties and ensure the program is implemented in compliance with governing law and policy. DOJ reviews IC compliance with Section 702 targeting, minimization, and querying procedures. DOJ also reviews 100 percent of all Section 702 tasking sheets. DOJ reports all identified compliance incidents to the Foreign Intelligence Surveillance Court (FISC) and Congress. In addition to declassified and publicly released statements and FISC opinions, the IC publishes an annual report with statistics on how national security authorities, such as Section 702, are used.

### **Whistleblowers & The CIA Inspector General**

**QUESTION 42:** Do you support a strong Inspector General of the CIA to provide independent oversight for the CIA? Will you ensure that the Office of Inspector General is resourced and staffed in accordance with the CIA IG's requests?

I fully support a strong Inspector General of the CIA and its mission to promote the economy, efficiency, and effectiveness of the Central Intelligence Agency by providing timely, independent, and objective oversight, and by detecting and deterring fraud, waste, and abuse.

As a former Member of Congress and the DNI, I know from experience that the integrity and independence of the Inspector General is invaluable both for Congressional oversight and for agency leadership. Should I be confirmed as CIA Director, I look forward to supporting a strong Inspector General and I will ensure that its resource request is sent to OMB as presented to me.

**QUESTION 43:** Do you support the statutory rights of whistleblowers and intend to honor the anonymity of whistleblowers who come forward? Are there aspects of the CIA whistleblower statute with which you disagree?

I fully support the rights of whistleblowers under the law. I commit to ensuring that any whistleblower complaint is handled in accordance with all legal requirements and Agency regulations, and that whistleblowers are afforded all legal protections. I recognize the function that whistleblowers play in identifying waste, fraud, and abuse.

**QUESTION 44:** If a whistleblower follows the law in seeking to report a matter to Congress under the IC Whistleblower Protection Act, will you commit to ensuring his or her submission is delivered to Congress within seven days, as the law requires?

Yes, as CIA Director I will follow the law.

**QUESTION 45:** Will you commit, if confirmed, to protect the identity of CIA whistleblowers who seek to remain anonymous?

Yes. I fully support the rights of whistleblowers under the law. I commit to ensuring that any whistleblower complaint is handled in accordance with all legal requirements and that whistleblowers are afforded all legal protections.

**QUESTION 46:** CIA whistleblowers have a statutory right to provide their complaints directly to Congress. The law states that whistleblowers must obtain from the Director of the CIA, through the CIA IG, “direction on how to contact the congressional intelligence committees in accordance with appropriate security practices.” Do you agree that this provision does not permit the Director of the CIA to deny that direct access to Congress altogether?

I believe that whistleblowers should receive all rights and protections to which they are entitled under the law. I don’t know how that provision has been interpreted as a matter of law—and if confirmed I would consult with CIA’s Office of General Counsel to understand how it is applied in practice—but I commit to following the law.



**QUESTION 47:** Do you believe Edward Snowden is a lawful whistleblower whose disclosures were in the public interest?

I believe whistleblowers need to follow the law and the authorized, established processes. Based on my time as DNI, I am aware that the Intelligence Community Whistleblower Protection Act establishes a means by which IC employees may report to Congress complaints or information pertaining to urgent concerns, including classified information. With respect to Mr. Snowden, I defer to the Department of Justice and policymakers regarding whether or not he was a whistleblower and the extent to which the disclosure of the information at issue was in the public interest.

**QUESTION 48:** Do you support dropping all charges against Edward Snowden? Please explain.

Whether or not the charges against Mr. Snowden should be dropped is a decision for the Department of Justice.

**QUESTION 49:** Do you support IC employees disclosing classified information outside the process established by the IC Whistleblower Protection Act or other authorized means?

I believe whistleblowers need to follow the law and the authorized, established processes. Based on my time as the DNI, I am aware that the Intelligence Community Whistleblower Protection Act establishes a means by which IC employees may report to Congress complaints or information pertaining to urgent concerns, including classified information, without concern for reprisal. Layered on top of that statute are subsequent legislative provisions and policy documents that provide further protection from retaliation such as adverse employment actions.

### **Allegations of Sexual Assault and Harassment Among the Workforce**

**QUESTION 50:** In 2023, the Committee requested the CIA Inspector General to examine the Agency's policies and practices for responding to allegations of sexual assault and harassment among the workforce. In addition, we worked with our

counterparts on the House Permanent Select Committee on Intelligence to enact legislation, as part of the Fiscal Year 2024 Intelligence Authorization Act, to reform CIA's handling of such allegations, including through the establishment and implementation of easily comprehensible CIA policies. In particular, that legislation required that CIA establish and implement policies for "appropriate mitigation and protection measures for individuals who make allegations of a sexual assault or sexual harassment to be put in place while an investigation proceeds" and "appropriate employee consequences to be imposed based on the findings of an inquiry or investigation into a substantiated allegation of sexual assault or sexual harassment." Many of these concerns were specifically identified in the Inspector General's report, issued in May of 2024, which also contained recommendations for corrective measures. Do you commit to take immediate action to establish, implement, and clearly communicate to the workforce the policies required by the Fiscal Year 2024 Intelligence Authorization Act and to ensure the corrective measures recommended by the CIA Inspector General are fully implemented?

I am grateful for the efforts of the intelligence committees and the Inspector General on this critical issue. I understand that many of the required reforms are underway but that there is more work to do. Should I be confirmed, I look forward to working with Committee members to implement the IAA, address the Inspector General's recommendations, and communicate clearly to the workforce. I will take whatever steps are necessary to eliminate sexual assault and harassment, discipline bad actors, and build trust and confidence with our workforce. As Director, I will make clear that that I will not tolerate sexual assault or harassment in our workforce, and I will hold perpetrators accountable.

### **Anomalous Health Incidents**

**QUESTION 51:** Do you commit to taking a fresh look and an objective approach to the question of whether anomalous health incidents (AHIs) can be attributed to a foreign actor and deliberate external mechanism?

Should I be confirmed as CIA Director, I will review all existing information and analysis and pursue all leads that provide insight into the cause and origin of AHIs and all medical incidents with a CI nexus. I will ensure that, under my leadership, CIA will pursue this issue aggressively, objectively, and with total analytic

integrity. I will also ensure that all Agency personnel are provided the care necessary to address health issues which result from any condition while in the performance of their duties.

**QUESTION 52:** Do you commit to providing the congressional intelligence committees with ongoing and timely written and verbal updates on the AHI investigation as well as any SSCI inquiries on the topic?

If confirmed, I commit to providing the committees with timely updates on relevant insights and information related to AHIs.

**QUESTION 53:** The Committee has issued a report on CIA's efforts to provide medical care and compensation to employees, dependents, and contractors who had reported an AHI. This report found that, while CIA had taken steps to establish facilitated medical care and benefit programs, many AHI reporters struggled to access these programs.

A. Do you commit to ensuring that CIA retains facilitated medical care programs and benefit programs for AHI reporters?

Should I be confirmed as CIA Director, I look forward to learning more about the specific programs and authorities that are available to meet the medical needs of CIA's workforce. Under my leadership, CIA will be laser-focused on ensuring that our workforce gets the care and benefits they need, deserve, and are entitled to under the law.

B. Do you commit to ensuring that these programs remain reasonably accessible to AHI reporters, including through the establishment of clear policies and criteria to govern such access?

I commit to ensuring that our workforce continues to get the care and benefits afforded to them through these programs and that policies and criteria are clear to the workforce.

### **FBI Background Investigations**

**QUESTION 54:** Should the Federal Bureau of Investigation (FBI) conduct background investigations of all Presidential nominees for positions within the executive branch of the federal government to ensure that those under

consideration for positions of significant authority and responsibility will not misuse the power of their offices and do not have vulnerabilities that make them susceptible to coercion by our adversaries?

I believe there should be appropriate vetting of cabinet nominees but am not in a position to comment on the necessity of background investigations for all presidential nominees across the executive branch.

**QUESTION 55:** Have you undergone, or will you undergo, an FBI background investigation as part of the process associated with your nomination?

Yes, I have undergone an FBI background investigation as part of my nomination process.

**QUESTION 56:** Do you agree to provide the results of your FBI background investigation to the Chair and Vice Chairman of this Committee for review?

I will adhere to historical practice.

### **National Security Threats and Challenges Facing the CIA**

**QUESTION 57:** What in your view are the principal threats to national security with which the CIA must concern itself in the next five years? In the next twenty years?

The Chinese Communist Party is the greatest threat to America today, and the greatest threat to democracy and freedom worldwide since World War II. Beijing intends to dominate the US and the rest of the world economically, militarily, and technologically. I believe this is a multi-generational competition and must remain CIA's principal focus now and in the coming decades.

Relatedly, the revolution in technology, while carrying significant benefits to society, also presents tremendous threats to our national security from adversaries who intend to weaponize everyday and breakthrough technology against us.

**QUESTION 58:** What are the highest priority questions that the CIA should address in its collection activities and assessments?

CIA's main collection and analysis effort must be focused on the capabilities, plans, and intentions of the Chinese Communist Party. Specifically, CIA should prioritize intelligence collection and analytic capabilities to uncover and track China's programs in emergent technology, which is likely to be decisive in determining the global balance of power. At the same time, CIA must leverage foreign partners and new collection and analytic techniques to remain vigilant against other global threats, to include other hard targets and the enduring threat of terrorism.

**QUESTION 59:** In your opinion, how has the CIA performed in adjusting its policies, resource allocations, planning, training, and programs to address these threats? How will you further adjust?

From my initial briefings, I have been impressed by CIA's agility in realigning its resources and strategic focus toward countering Beijing, most notably by standing up the China Mission Center. If confirmed, under my leadership, CIA will move forward on refocusing its main strategic efforts to combating the multifaceted threats to US interests and US national security posed by the CCP. This will include the following:

- Shifting more of the CIA's workforce to the PRC target, including building broad and deep expertise on the target and growing the number of officers with language capability in analytic and operational roles.
- Integrating cutting-edge technologies such as AI, machine translation, and data analytics that will enable the workforce to tackle the PRC challenge much more efficiently.
- Increasing collection and placing more emphasis on understanding and countering the PRC's efforts in the cyber and advanced technology domains, with an emphasis on blunting the PRC's efforts to gain advantages through illicit acquisition of US intellectual property and cutting-edge research.
- Working with partners to identify and counter the PRC's global covert influence efforts.

- Expanding work with partners in the Indo-Pacific region to blunt the PRC's regional ambitions and discourage aggressive military actions toward Taiwan.

## **China**

**QUESTION 60:** What do you believe U.S. policy priorities should be toward the People's Republic of China (PRC)?

I believe the PRC is and will remain the greatest national security threat to the United States, and the CIA must develop a suite of capabilities to better understand and counter this threat. However, my role as Director of CIA would be to present the President the best possible intelligence to make policy determinations and to ensure the CIA is well positioned to execute his desired approach.

**QUESTION 61:** On April 24, 2024 the President signed the Protecting Americans from Foreign Adversary Controlled Applications Act into law. The Act prohibits the distribution or maintenance of "foreign adversary controlled applications" and effectively requires Chinese divestment from TikTok. The law was recently upheld by the United States Court of Appeals for the District of Columbia. In connection with that litigation, the ODNI assessed that "TikTok pose[s] a potential threat to U.S. national security." Do you agree with ODNI's assessment? Why or why not?

I would need to review ODNI's assessment in detail and review any classified intelligence to provide an informed view on the national security risks.

**QUESTION 62:** Do you agree with the assertion that China's Confucius Institutes are an instrumentality for propagating Chinese Communist Party (CCP) influence on the campuses of America's educational institutions?

Yes.

**QUESTION 63:** Do you agree with the assertion that Beijing uses nominally private civic organizations like the China-U.S. Exchange Foundation to sway public opinion and build influence in the United States?

Yes.

**QUESTION 64:** Do you agree with the assertion that China's using nominally independent third-party organizations to act as the primary agents for funding and managing lobbying efforts on behalf of the CCP represents a deceptive and dangerous form of influence laundering?

Yes.

### **Russia-Ukraine Conflict**

**QUESTION 65:** Should the U.S. continue to provide weapons and other lethal and non-lethal support to Ukraine?

I defer to the President on U.S. policy toward Ukraine. As Director of CIA, it will be my responsibility to provide timely insight on the Russia-Ukraine conflict so that the President can make the best decision.

**QUESTION 66:** What do you believe U.S. policy priorities should be toward Russia?

I defer to the President on U.S. policy toward Russia.

During my time as DNI, I flagged the increasing threat of great power competition with Russia and China and that threat has only grown in the intervening years. Russia is increasingly cooperating with other adversaries to continue the war in Ukraine and amplify threats to American interests, for example signing a defensive treaty with North Korea. As Director of CIA, I will make sure that we are using our authorities to the fullest extent to degrade these efforts.

At the same time, I believe we cannot let our adversarial relationships boil over into unintended wars. As Director of CIA, I will alert the President when the Russians are seeking to harm U.S. interests, but I will also advise the President when there are opportunities to work toward mutually beneficial outcomes with Russia.

### **Syria**



**QUESTION 67:** Following the ouster of Bashar al-Assad, a number of factions are vying for control of Syria. What do you believe U.S. policy priorities should be toward Syria?

At this point, just weeks after the fall of Bashar al-Assad, it is not clear to me if the conflict will descend into a sectarian morass or if the rebels who seized power have forsworn terrorism and moderated their views to create an inclusive governing coalition. The United States maintains enduring interests in stability and preventing Syria from becoming a terrorist safe haven. However, my role as Director of CIA will be to present the President with the best possible intelligence to set the course for US policy toward Syria and to ensure that CIA maintains the capabilities to execute his desired approach.

**QUESTION 68:** Do you continue to support the presence of U.S. forces in Syria?

The situation in Syria is extremely fluid and the incoming President will need to evaluate the threat to U.S. troops in what, for now, is a factionalized Syria. However, my role as Director of CIA will not be to recommend specific policies to the President, but I will ensure the Agency presents the President with the best possible intelligence to make a policy determination whether to maintain U.S. forces there.

**QUESTION 69:** In 2018 the Trump Administration put out a statement that “The United States assesses with confidence that the Syrian regime used chemical weapons in the eastern Damascus suburb of Duma on April 7, 2018, killing dozens of men, women, and children, and severely injuring hundreds more.” As recently as 2024, the IC continued to assess that Syria, under Bashar al-Assad, used chemical weapons. Do you believe these assessments? Why or why not?

I agree with the then-Trump Administration’s assessment that the Assad regime used chemical weapons based on my understanding of the clear intelligence underpinning that assessment.

**Iran**

**QUESTION 70:** What do you believe U.S. policy priorities should be toward Iran?

The Islamic Republic of Iran is the world's largest state sponsor of terror and principal source of instability in the Middle East. During my time as the DNI, I warned about the dangers that Iran and its proxies posed to our allies in the Middle East and U.S. forces across the region and particularly in Iraq and Syria. While Israel has taken steps to expose, disrupt, and degrade the dangers that only grew since I left office, it is concerning that Iran continues to take steps toward potentially developing a nuclear weapon and that the regime's proxy groups continue to operate freely. However, my role as Director of CIA will not be to recommend specific policy to the President, but I will ensure the Agency presents the President with the best possible intelligence to make those policy determinations and develops the right capabilities to implement his desired approach.

**Israel, HAMAS, and Hezbollah**

**QUESTION 71:** What do you believe U.S. policy priorities should be with respect to the conflicts between Israel and HAMAS and Israel and Hezbollah?

If confirmed, I will ensure that the CIA presents the Administration and Congress with insights and intelligence on the ongoing conflicts in the Middle East. The President-elect has made it clear the U.S. will seek to neutralize HAMAS and Hezbollah and bring the hostages home, and if confirmed, I would direct the CIA to support those efforts at his direction.

**North Korea**

**QUESTION 72:** What do you believe U.S. policy priorities should be toward North Korea?

Since my time as DNI, North Korea has grown its capacity to threaten U.S. interests. Pyongyang has advanced its military and strategic nuclear weapons programs, bankrolling these efforts in part through its support for ransomware attacks. I am particularly alarmed by North Korea's growing ties to Russia. However, my role as Director of CIA will not be to recommend specific policy to

the President, but I will ensure the Agency presents him with the best possible intelligence to make those policy determinations and develops the right capabilities to implement his desired approach.

### **Venezuela**

**QUESTION 73:** What do you believe U.S. policy priorities should be toward Venezuela?

Broadly, I believe the illegitimate Maduro regime in Venezuela has fueled the world's largest migrant crisis and has provided a beachhead for malign Iranian, Russian, and PRC influence in the Western Hemisphere. My role as Director of CIA will be to present the President with the best possible intelligence to make policy determinations, and to develop the right capabilities to implement his desired approach.

### **Election Security**

**QUESTION 74:** Do you commit to maintain detecting and preventing foreign interference in U.S. elections as a top priority for the CIA?

CIA will continue to support partner federal agencies on election security—including ODNI, DHS, and FBI. CIA's primary roles on this topic are to collect intelligence and conduct analysis on foreign efforts to interfere in our country's ability to hold elections or influence our elections' outcome. I will ensure that CIA continues to follow the intelligence priorities set by the President.

**QUESTION 75:** How would you ensure efforts to detect and prevent foreign interference in U.S. elections are appropriately resourced?

I anticipate foreign adversaries will continue their attempts to undermine U.S. democratic processes, as I warned about when I was the DNI. In that role, I worked closely with IC leaders and the IC Chief Financial Officer to ensure that the IC had the appropriate resources to address these threats.

I understand that the CIA maintains a mission manager responsible for ensuring that the Agency speaks with one voice and marshals all relevant resources on foreign malign influence and interference efforts related to election security. The

mission manager coordinates efforts across CIA Directorates and Mission Centers and serves as CIA's primary interlocutor with other federal agencies and components on this topic. If confirmed, I will review the role of CIA's mission manager to ensure the role can effectively contribute to the IC effort to track and prevent foreign malign influence and interference in U.S. elections. More broadly, I will ensure that our Mission Centers are equipped to collect on our adversaries' malign influence efforts globally, including partnering with FBI and other agencies to ensure domestic threats are appropriately handled.

**QUESTION 76:** How would you ensure our intelligence efforts on election security remain apolitical, and avoid the perception or reality of political influence?

As mentioned in my responses to other questions from the Committee, objectivity in all that the Agency does is a core value at CIA, one that will continue to be held in high regard during my tenure if confirmed. I will treat malign influence issues as I would any other key intelligence challenge and ensure that our tradecraft is consistent and that we analyze threats to our election security in an apolitical, objective way. Analytic integrity is critical to the organization.

**QUESTION 77:** Do you commit to provide the congressional intelligence committees with complete and timely information regarding foreign threats to U.S. elections?

CIA's role in regard to foreign malign influence is to provide timely, accurate, and actionable intelligence to the White House, Congress, and our interagency partners—in particular ODNI, FBI, DHS, CISA, and other departments and agencies that are in charge of securing our elections. We will continue to partner with these organizations and follow ODNI's lead in keeping the intelligence committees informed while safeguarding against the unauthorized disclosure of classified intelligence, sources, and methods.

**QUESTION 78:** Do you believe Russia, China, or other foreign adversaries interfered, or attempted to interfere, in the 2016, 2020, or 2024 U.S. presidential elections in any way? If so, how?

I believe that foreign adversaries attempted to influence our U.S. elections, but the IC saw no indications that any foreign actor successfully interfered in the conduct of U.S. elections in 2016, 2020, and 2024.

I believe Russia has used foreign malign influence techniques, including covert social media campaigns, in the last three U.S. presidential elections to try to shape public perceptions of the candidates, amplify societal divisions, and undermine the democratic process. Russia's goal remains to create and exacerbate divisions among Americans.

My views on Chinese interference are also clear. Based on my experience on HPSCI and as the DNI, I believe that the CCP is interested in and attempting to influence U.S. elections. The IC's declassified assessment in October 2024 said that China seeks to denigrate American democracy and may be more willing to meddle in certain Congressional races. Even if the IC concluded that the PRC did not intend to change the outcome of the U.S. Presidential elections in 2020 or 2024, we cannot take our eye off of China when it comes to election interference.

Similarly, the threat from Iran has grown during the preceding years since I was the DNI. The IC assessed that Iran carried out a multi-pronged covert influence campaign in 2020 and 2024, tried to undermine public confidence in the electoral process and U.S. institutions, and wants to exacerbate societal tension in the U.S. The IC's declassified assessment notes that Islamic Revolutionary Guard Corps actors were aware of unspecified information on U.S. voters in 27 unnamed states available for download on a website, which, if acquired, could be used to target voters with disinformation.

**QUESTION 79: Do you believe Russia, China, or other foreign adversaries presents a continuing interference threat with respect to the U.S. political system?**

I believe these actors' aspirations to interfere in the U.S. political system will remain a persistent threat, and I agree with the IC's declassified assessment that China, Iran, and Russia are better prepared to exploit opportunities to exert influence in the U.S. general election after the polls closed on Election Day due to lessons drawn from the 2020 and now the 2024 election cycle.

**QUESTION 80: Do you commit to immediately notifying policymakers and the public of foreign attempts to meddle in U.S. democratic processes, to include our elections?**

Under my leadership, the CIA will continue to provide finished intelligence to policymakers on foreign actors' attempts to undermine U.S. democratic processes.

The CIA will follow the ODNI-led process for notification to the public and others regarding foreign malign influence and interference operations targeting U.S. elections. This process ensures that notification decisions are consistent, well-informed, unbiased, and appropriately coordinated across the Executive Branch.

### **Workforce Protection**

**QUESTION 81:** Will you commit that, if confirmed, you will seek to recruit, attract, and retain a workforce based on principles of fairness and merit, and without consideration of personal political preferences?

Yes.

**QUESTION 82:** Do you commit to consider professional qualifications in CIA personnel decisions exclusively, without consideration of partisan or political factors?

Yes, personnel decisions should be made exclusively on professional qualifications. I believe that the CIA needs to be staffed with the best and most capable officers, and each officer's unique skills, job performance, and mission accomplishments will determine his or her success in the organization. We should advance officers based on their ability to achieve the CIA's mission.

**QUESTION 83:** Would you ever consider an individual's personal political preferences, to include "loyalty" to the President, in making personnel decisions, such as to hire, fire, or promote an individual?

No, I would not make personnel decisions based on personal political preferences.

**QUESTION 84:** If confirmed, what assurances will you provide to the CIA workforce that personnel decisions will be based exclusively on professional qualifications, performance, and needs and not on personal political preferences?

I will communicate clearly to the workforce that personnel decisions are based on merit and that politics has no place in the Agency.

**QUESTION 85:** If you receive credible allegations that CIA employees or others in the executive branch are seeking to fire or force out CIA employees because of their perceived political views or loyalty to the President, will you commit to informing the congressional intelligence committees and immediately stopping such efforts?

In such a case, I would stop any such effort in CIA to fire or force out employees based on their perceived political views and work with the General Counsel and the Inspector General to ensure that any such effort is addressed appropriately.

**QUESTION 86:** Will you impose a political litmus test for CIA employees? Is a political litmus test ever appropriate in determining who can or should work in the CIA?

No, a political litmus test would be highly inappropriate at the CIA for any reason.

### **Security Clearance Reform**

**QUESTION 87:** If confirmed, what steps will you take to reduce the time it takes to process security clearances for new hires?

I commend Director Burns for working to expedite security processing and sharply reduce the time to onboard new officers. If confirmed, I commit to working with my team to further review the hiring process to recruit the best talent and compete with the private sector.

**QUESTION 88:** If confirmed, what steps will you take to improve security clearance reciprocity between CIA and other IC elements?

I am not familiar with current policies regarding security clearance reciprocity among IC elements. If confirmed, I commit to reviewing CIA's security processing procedures while bearing in mind the unique sensitivities of CIA sources and methods.

**QUESTION 89:** On Sep. 29, 2020, you sent a letter to the Chairman of the Senate Judiciary Committee declassifying information obtained by the IC about internal Russian intelligence analysis relating to Hillary Clinton's 2016 presidential



campaign. As you acknowledge in the letter, “the IC does not know the accuracy of this allegation or the extent to which the Russian intelligence analysis may reflect exaggeration or fabrication.”

**A.** Why do you believe the public interest in disclosing this information outweighed the need to protect it?

The IC’s responsibility to keep the public informed of foreign efforts to influence and interfere in our democratic processes and institutions was not only a key tenant guiding my time as DNI but continues to this day with regular ODNI-led public releases of information around our elections, much of which is statutorily required. This brings public awareness to adversary efforts and helps render these malign operations less effective. Consistent with that duty, I used my authority to declassify more intelligence about what the IC knew about Russia’s efforts related to the 2016 election, which resulted in more information making it to the American public. I also made sure that I provided Congress with the more sensitive insights from our reporting and analysis, as I promised I would do in my 2020 DNI confirmation hearing.

**B.** Why did you choose to declassify this information 35 days prior to the 2020 U.S. presidential election, as opposed to after the election?

Election security updates to the public should be provided with some regularity. For example, in this recent election, I understand that the ODNI pushed out election security updates to the public up to its final update just 15 days before the election.

**C.** Did anyone in the IC advise you that you should, or should not, declassify this information? If so, what did they advise?

To ensure that I appropriately protected sources and methods in any declassification, I always consulted with experts across the IC, including the CIA Director, which resulted in some modifications to proposed declassifications including the use of summaries, redactions, or holding back reports where appropriate. To my knowledge, no source, method, or reporting stream was compromised.

I can provide additional details in the classified portion of my confirmation hearing.

**D.** Are you aware of whether declassifying this information harmed intelligence sources and methods, impaired our ability to collect against Russian intelligence, or otherwise damaged national security?

No, I am not aware that any harm was caused by this declassification.

**E.** Why was the letter addressed to the Chairman of the Senate Judiciary Committee rather than the Senate Select Committee on Intelligence?

SSCI's Chair and Vice Chair were provided the letter at the same time. The letter was addressed to the Senate Judiciary Chairman because he made the request. If confirmed, I intend to be appropriately responsive to other Senate committees with oversight of national security issues.

### *Questions from Senator Wyden*

#### **Russia**

**QUESTION 90:** The January 2017 Intelligence Community Assessment (ICA) judged that Russian President Vladimir Putin's goals in influencing the 2016 U.S. presidential election included "denigrat[ing] Secretary Clinton, and harm[ing] her electability and potential presidency." The ICA further assessed that "Putin and the Russian Government developed a clear preference for President-elect Trump." The IC had high confidence in these judgments. After a thorough review of the underlying intelligence, the Committee unanimously supported these judgments.

During your confirmation to be DNI, you were asked whether you agreed with the Committee's conclusion. You responded that you "have not seen the underlying intelligence to render an informed opinion on that specific issue" and that, "if confirmed, I will study this issue and will provide my feedback to the Committee as expeditiously as possible." Having had the opportunity to review the underlying

intelligence, do you agree with the Committee’s conclusion and the ICA’s judgments? If not, why not?

I agree with the Committee and the ICA’s judgment that Russia's goal was to undermine confidence in U.S. democratic institutions and sow division among the American people. I also agree there is no evidence that any votes were changed or that any voting machines were manipulated. In reviewing the assessments, I would note that Russian social media campaigns included efforts to both support and criticize candidate Trump as well as candidate Clinton, further suggesting an overarching goal of promoting discord. Moscow has long used active measures—including disinformation, propaganda, cyberattacks, and covert influence operations—not only against the United States but also against other Western democracies.

### **Competitive advantage**

**QUESTION 91:** According to the CIA’s policies and procedures related to signals intelligence:

*“The collection of foreign private commercial information or trade secrets is authorized only to protect the national security of the United States or its partners and allies. It is not an authorized foreign intelligence or counterintelligence purpose to collect such information to afford a competitive advantage to U.S. companies and U.S. business sectors commercially. Certain economic purposes, such as identifying trade or sanctions violations or government influence or direction, shall not constitute competitive advantage.”*

**A.** Do you agree that these limitations should also apply to CIA’s nonSIGINT activities?

The national security imperative encompassed within the limitations generally outlined in the above language reflect broader Executive Branch norms on intelligence collection that have been in existence for several decades. If confirmed, I will review CIA’s policies on this topic and evaluate if they should be modified or updated.

**B.** What would you do if requested by the administration to modify this policy?

If the Administration requested that CIA modify this policy, I would request that the Administration consult with the Office of the Director of National Intelligence and other elements of the Intelligence Community to reach a uniform policy and then I would update CIA's policy accordingly.

**C.** Since this is a public policy, will you commit to informing the public of any modifications?

Yes, to the extent consistent with the protection of intelligence sources and methods.

**D.** How would you guard against the use of the CIA's collection or analytic capabilities to afford a competitive advantage to particular companies or business sectors?

In the first instance, I would expect CIA personnel to follow, and CIA managers to enforce, the policy outlined above. I also would expect CIA components with legal, compliance, and oversight responsibilities, such as the Office of General Counsel, the Office of Privacy and Civil Liberties, and the Office of the Inspector General, to provide training and guidance on, and to monitor compliance with, such policies.

**E.** What would you do if the CIA received an explicit or implicit request from a member or political ally of the administration to direct CIA capabilities against commercial competitors? Will you inform the Committee of any such request?

I would consult with the Office of General Counsel on the legality of any such request and always follow the law. I commit to keeping the Committee fully informed of CIA's intelligence activities as required by law.

**F.** How will you ensure that authorized economic intelligence activities (e.g., identifying trade or sanctions violations or government influence or

direction) are not undertaken in such a way as to advantage certain companies over others?

If confirmed as Director, I am committed to maintaining CIA's focus on its core mission and will insist that CIA conducts intelligence activities only for legitimate objectives.

## **Transparency**

**QUESTION 92:** Will you support the declassification and public release of any interpretation of law that provides a basis for intelligence activities, but is inconsistent with the public's understanding of the law?

If I were to identify a substantial disconnect between the public's understanding of a law and the Agency's interpretation of that law, I would support additional transparency to bridge that gap, consistent with my statutory duty to protect intelligence sources and methods. Should the need to protect sources and methods limit the extent to which information can be released publicly, I would nonetheless ensure that the congressional intelligence committees are aware of the CIA's interpretation of law, as required by the National Security Act, which requires CIA's General Counsel to notify the congressional intelligence committees of any significant legal interpretations.

**QUESTION 93:** On July 21, 2020, you sent a letter to the Committee stating that, while you agreed to appear at the Committee's open worldwide threat hearing as Director of National Intelligence, you would not take any questions in open session.

**A.** What was the justification for your refusal to answer questions in public?

I am committed to keeping the committee fully and currently informed of intelligence activities as required and appropriate. I recognize that at times meeting this responsibility can be completed through unclassified briefings, while other times it will require a classified setting. My interest as DNI, which continues now, was to remain cognizant of protecting our sources and methods by delivering information in the most secure and appropriate setting to preserve our foreign intelligence collection. I will continue to work with the Committee to find the right balance of transparency and discretion to

protect our intelligence while providing appropriate visibility to those who have entrusted us with preserving U.S. national security.

**B.** How do you square this refusal with your commitment at your confirmation hearing to appear and testify at the hearing?

As DNI, I conducted both unclassified and classified briefings on intelligence matters, consistent with statutory requirements. I will continue to testify in front of the committee whenever asked or when the intelligence demands enhanced awareness, as I did proactively as the DNI.

**C.** Under what circumstances would you again refuse to answer questions from the Committee in open session?

My chief consideration is to ensure I am delivering the most relevant and transparent information necessary to enable Members to exercise their critical oversight role. Answering some questions in an open session, at times, creates restrictions to that ability and creates risks to the intelligence itself; however, I am committed to meeting Committee requests to brief in open sessions whenever possible.

**D.** Do you believe that unclassified questions and unclassified responses should be hidden from the public?

As DNI, I collaborated extensively with my colleagues across the IC to make intelligence information and assessments available at the lowest classification as appropriate and to keep the public apprised as possible. As an example, I participated in a public-facing briefing with the FBI Director and the Director of the Cybersecurity and Infrastructure Security Agency to promote awareness of foreign malign influence in our democratic processes. I look forward to working with the Committee to ensure you receive the information you need to do your important work while protecting intelligence and enhancing public awareness.

## **Whistleblowers**

**QUESTION 94:** 50 U.S.C. 3517(d)(5)(D)(ii) states that a whistleblower who wishes to contact the intelligence committees directly shall furnish to the Director,

through the Inspector General, the complaint and follow, through the Inspector General, direction on how to contact the committees directly. How will you ensure that this process: (1) does not compromise the anonymity of the whistleblower; (2) result in reprisal; (3) result in the complaint being delivered to a subject of the complaint; or (4) delay the whistleblower's provision of the complaint to the committees by more than 7 days?

If I am confirmed, I look forward to working closely with the Inspector General to review the Agency's policies and procedures implementing this statute in more detail, and to make any necessary improvements. I intend to rigorously protect whistleblowers from reprisal in accordance with the law.

**QUESTION 95:** Do you agree that any monitoring of CIA personnel for purposes of detecting insider threats must protect the confidentiality of protected whistleblower communications? If so, how should that protection be assured?

Ensuring the confidentiality of protected disclosures by whistleblowers should be a priority for the Agency. Again, if I am confirmed, I look forward to reviewing how the Agency currently manages whistleblower procedures and protections, in order to determine whether any changes are necessary or appropriate.

**QUESTION 96:** Do you believe that appropriately cleared attorneys representing Intelligence Community whistleblowers should have access to classified information related to the complaint and that, as a general matter, whistleblowers should have access to cleared attorneys?

I agree that whistleblowers should have access to cleared attorneys where appropriate and consistent with applicable law and regulations. The extent to which cleared counsel may receive classified information related to their complaints will be fact-specific.

## **Inspector General**

**QUESTION 97:** Will you ensure that the CIA's Office of Inspector General (OIG) has full access to the activities, programs and operations of the Agency? Will you ensure that the OIG is notified of new programs and policies or significant changes in existing programs and policies?



Yes, if confirmed, I will ensure that CIA's Inspector General has access to all of the information required by law.

## **Saudi Arabia**

**QUESTION 98:** In 2019, Congress passed legislation requiring the ODNI to submit an unclassified report identifying those who carried out, participated in, ordered or were otherwise complicit in or responsible for the death of Jamal Khashoggi.

**A.** Why did you not comply with that law while you served as DNI?

The report required by the NDAA included highly sensitive assessments derived from classified sources. To comply with the law while ensuring that we protect sources and methods, a meticulous review was necessary to identify which portions of the intelligence could be safely declassified and released in an unclassified report. This review was not completed until after I left office.

**B.** When asked about the legislation during your confirmation hearing, you stated that, if confirmed, you “want to look myself at the information to make sure that that information has been classified properly.” Do you believe the DNI or CIA Director can override an act of Congress to require a public report?

The DNI and CIA Director have obligations to protect intelligence sources and methods when complying with public reporting requirements. Failure to make these determination risks inadvertently harming ongoing operations and endangering the lives of our officers and assets. Additional care must also be taken to ensure declassification does not undermine US foreign policy objectives.

**C.** The report was released to the public in February 2021 by a new DNI. Do you believe that any of the information in that unclassified public report was released inappropriately?

I do not know. I was not serving as DNI to oversee the final declassification review.

**QUESTION 99:** A declassified August 2019 FBI Intelligence Bulletin concluded that “Saudi Officials Almost Certainly Assist Saudi Citizens Flee the United States to Avoid Legal Issues, Undermining the US Judicial Process.” If confirmed, will you make Saudi efforts to undermine the U.S. judicial process a collection and analytic priority?

Uncovering any and all evidence of foreign meddling in U.S. institutions, including our judicial process, should be an intelligence priority.

### **Workforce protections**

**QUESTION 100:** If confirmed, will you commit to submitting to the Committee all CIA guidelines and regulations relating to employment status and protections and any modifications thereto?

Yes. I will commit to providing all relevant Agency regulations and Agency guidance issuances to the Committee.

**QUESTION 101:** In 2023, now President-elect Donald Trump stated: “We will clean out all of the corrupt actors in our National Security and Intelligence apparatus, and there are plenty of them... The departments and agencies that have been weaponized will be completely overhauled so that faceless bureaucrats will never again be able to target and persecute conservatives, Christians, or the left’s political enemies.”

**A.** Do you believe there are individuals in the CIA or elsewhere in the Intelligence Community who have “target[ed] and persecute[d] conservatives, Christians, or the left’s political enemies”?

**B.** Do you believe there are “corrupt actors” in the CIA or elsewhere in the Intelligence Community? If yes, do you believe there are “plenty of them”?

**C.** Do you believe the CIA or the Intelligence Community has been “weaponized”? If yes, please elaborate.

**D.** Do you believe there are “corrupt actors” in the CIA or elsewhere in the Intelligence Community who should be “clean[ed] out.” If yes, please elaborate on how you believe that would be done.

**E.** Do you believe the CIA or the Intelligence Community should be “completely overhauled”? If yes, please explain how you believe that would be done.

Answer for A-E:

While serving on HPSCI and as the DNI, I had regular interaction with CIA officers and found them to be skilled professionals who were driven by mission—not by political or ideological bias. Since my nomination, my interactions with CIA officers so far have left me with the impression that little has changed—that the CIA workforce remains committed to its mission.

As the nominee for CIA Director, I do not believe I am in a position to respond to quotations that have been attributed to President-elect Trump and for which context may be lacking. That said, CIA must continue to cultivate an environment that is apolitical and objective. Biases, prejudices, and partisanship cannot be tolerated, as they erode public trust and impair CIA’s ability to provide unvarnished intelligence to the President and senior government officials. As Director, I will do everything in my power to ensure that intelligence is never used as a tool that is weaponized, but rather a product that reflects the informed assessments of a professional, objective workforce.

**QUESTION 102:** 50 U.S.C. 3036(e) grants the CIA Director the authority to terminate an employee when the Director deems it “necessary or advisable in the interests of the United States.”

A. Under what circumstances do you believe the CIA Director should exercise these authorities?

B. Under what circumstances do you believe the CIA Director should exercise these authorities without regard to existing internal regulations related to notice, appeals or other due process protections?

Answers to A and B:

It is my understanding that for the most part, all Agency employee termination actions – whether based on organizational reasons, as in the case of a workforce restructuring, or on reasons specific to the individual, such as misconduct, performance, or national security – are accomplished pursuant to 50 U.S.C. 3036(e). I understand the Agency implements this termination authority with an internal regulation, which includes robust and detailed procedures generally granting employees due process and the option to appeal depending on the circumstance of the action.

I further understand that the regulation preserves the Director’s authority granted by 50 U.S.C. 3036(e) to summarily terminate an employee, and that such actions have been rare in the past. I believe it is appropriate for the Director to continue to maintain this authority and execute it when needed.

C. Do you commit to notifying the Committee whenever these authorities are exercised and providing an explanation to the Committee as to why the termination was “necessary or advisable in the interests of the United States”?

I commit to keeping the Committee informed of CIA’s intelligence activities as required by law.

## **FISA**

**QUESTION 103:** During his confirmation process, Assistant Attorney General for National Security John Demers was asked about the prohibition on reverse targeting in Section 702 of FISA. He responded: “As I understand it, determining whether a particular known U.S. person has been reverse targeted through the targeting of a Section 702 target necessitates a fact specific inquiry that would involve consideration of a variety of factors. For example, as the Privacy and Civil Liberties Oversight Board noted in its 2014 report, if a Section 702 tasking resulted in substantial reporting by the Intelligence Community regarding a U.S. person,

but little reporting about the Section 702 target, that might be an indication that reverse targeting may have occurred.” If confirmed, how will you ensure that this fact specific analysis is applied to the CIA’s nomination of Section 702 targets?

My understanding of how the Intelligence Community makes reverse-targeting determinations is consistent with the response that Assistant Attorney General Demers provided during his confirmation process. I understand that determinations as to whether a particular known U.S. person has been reverse-targeted are fact-specific and require the evaluation of a variety of factors. Although I am not aware of how this determination is specifically made at CIA, I understand that both internal and external oversight mechanisms evaluate whether Section 702 nominations, queries, and disseminations comply with the law and Court-approved procedures that require that Section 702 only be used to target non-U.S. persons located overseas.

If confirmed, I will review the matter and, if I become aware of instances of reverse targeting, I will ensure they are reported to Congress and the FISC and that the individuals responsible are disciplined appropriately.

### **Executive Order 12333**

**QUESTION 104:** “Central Intelligence Agency intelligence Activities: Procedures Approved by the Attorney General Pursuant to Executive Order 12333” is currently posted online. Do you commit to continuing to post these procedures and to making public any modifications, superseding policies and procedures, or significant interpretations?

Consistent with the Principles of Intelligence Transparency for the IC, I commit to ensuring that the IC provides appropriate transparency that enhances the public’s understanding about the IC’s mission; the laws, directives, authorities, and policies that govern the IC’s activities; and, the framework that ensures intelligence activities are conducted in accordance with applicable law.

**QUESTION 105:** Former NSA Director Nakasone has stated that, absent consent of the U.S. person or certain emergency situations, U.S. person queries of communications collected under Executive Order 12333 “normally must be approved by the Attorney General on a case-by-case basis after a finding of probable cause.” Should the same requirement apply to the CIA’s queries of its holdings collected pursuant to the Executive Order? If not, why not?

No. Based on my time as DNI, I am aware that elements of the IC are authorized to collect, retain, or disseminate information concerning U.S. persons only in accordance with procedures approved by the Attorney General. Each element of the IC has its own Attorney General-approved procedures, consistent with the unique responsibilities and mission of each element, and I am aware that the Attorney General has recognized that the CIA's collection responsibilities and mission are different than NSA's.

**QUESTION 106:** At the Committee's open hearing on March 8, 2023, then-CIA Director Burns testified that the CIA would require written, auditable justifications for U.S. person queries across all of the CIA. Do you make the same commitment?

If confirmed, I look forward to learning more about CIA's documentation requirements for conducting U.S. person queries.

**QUESTION 107:** Do you believe that the CIA can or should collect U.S. location information pursuant to EO 12333 authorities? If no, how should the CIA ensure that it is not collecting the information through incidental collection? If yes, should there be any limitations on the CIA's use, retention, or dissemination of the information?

The CIA must comply with all applicable U.S. laws and policies regarding the collection, retention, dissemination, and use of information concerning U.S. persons. I understand that the CIA's authorities are more limited within the United States. If confirmed, I look forward to learning more about the current laws and policies concerning location information.

**QUESTION 108:** Section 6.2.1(b) of the CIA's Attorney General-approved EO 12333 guidelines requires exceptional handling requirements (related to storage, access, queries, and destruction) for unevaluated information that is anticipated to contain US person information that is "significant in volume, proportion, or sensitivity." How would you define, quantity, or otherwise characterize each of these three considerations?

The CIA Attorney General Guidelines call for a designated official to determine whether a data set is anticipated to contain U.S. person identifying information that is significant in volume, proportion, or sensitivity. I imagine such officials would consider all of the facts and circumstances in light of their professional judgment

and experience. They might consider, for example, whether a data set is anticipated to contain such an unusually high volume or proportion of U.S. person identifying information, or U.S. person identifying information of such a sensitive nature in light of privacy and other considerations, that it should be subject to the same handling requirements as nonpublic telephone or electronic communications.

**QUESTION 109:** Do you agree that the CIA cannot request that a foreign entity conduct any activity that the CIA is not authorized to undertake itself? If yes, do you agree that this prohibition applies to requests from administration officials outside the CIA as well as implicit or indirect (including via public statement) requests?

Yes, I agree that the CIA cannot request that a foreign entity conduct an activity that the CIA is prohibited to conduct itself by U.S. law, executive order, and the Constitution.

### **Data purchases**

**QUESTION 110:** Do you support the Intelligence Community's May 2024 Policy Framework for Commercially Available Information? Please elaborate on any aspects you do or not support.

I have not reviewed the IC's Policy Framework for Commercially Available Information, but if confirmed, I look forward to learning more about the framework.

**QUESTION 111:** Section G(1) of the Framework requires IC elements to report to the ODNI on the procurement of, access to, or collection of Sensitive Commercially Available Information on an annual basis. Will you commit to fulfilling this requirement?

Yes, I commit to reporting to ODNI on the CIA's procurement of, access to, and collection of Sensitive Commercially Available Information on an annual basis, in accordance with Section II.G.1. of the Policy Framework.

**QUESTION 112:** Do you commit to providing the Committee fully and currently informed of the CIA's procurement of, access to, or collection of Sensitive Commercially Available Information?

Yes.



**QUESTION 113:** Section G(2) of the Framework requires the ODNI, in coordination with relevant IC elements, to provide a report to the public every two years regarding the IC's access to and collection, processing, and safeguarding of Sensitive Commercially Available Information. Do you support this requirement? Will you commit to cooperating with the ODNI in providing information related to CIA activities for public release to the greatest extent possible?

Yes, I am supportive of this requirement and commit to cooperating with ODNI, in accordance with Section II.G.2. of the Policy Framework.

### **Chief of Mission authorities**

**QUESTION 114:** 22 U.S.C. 3927 states that “Under the direction of the President, the chief of mission to a foreign country ... shall have full responsibility for the direction, coordination, and supervision of all Government executive branch employees in that country....” Absent direct intervention from the President or the National Security Council, is the CIA obligated to cease intelligence activities (including, but not limited to collection activities, covert action and liaison relationships) that do not have the approval of the chief of mission?

It is my understanding that Chiefs of Station are required to keep Chiefs of Mission fully and currently informed about any and all CIA programs and activities carried out in their countries of accreditation, with very limited exceptions. This engagement is a vital aspect of CIA's relationship with the Department of State. I further understand that should an intelligence activity not have the approval of the Chief of Mission, but continue to be supported by the Chief of Station, that activity is referred back to CIA and the Department of State for resolution.

### **Classification and declassification**

**QUESTION 115:** Executive Order 13526 states, “In no case shall information be classified, continue to be maintained as classified, or fail to be declassified in order to: (1) conceal violations of law, inefficiency, or administrative error; (2) prevent embarrassment to a person, organization, or agency; (3) restrain competition; or (4) prevent or delay the release of information that does not require protection in the interest of national security”

A. Do you commit to fulfilling both the letter and spirit of these prohibitions?

Yes.

C. What role do you believe IC Inspectors General should play in investigating possible violations of these prohibitions?

As with any law or Executive Order, suspected violations of the prohibitions in Executive Order 13526 should be promptly referred to the Inspector General and/or the Department of Justice, as appropriate, for review. The Central Intelligence Agency Act of 1949 directs the CIA Inspector General to conduct investigations of the Agency's programs and operations to ensure that they are being conducted in accordance with applicable law and regulations, and to keep the Director fully and currently informed of any identified violations of such law and regulations.

D. What accountability do you believe is appropriate for violations of these prohibitions?

Executive Order 13526 sets forth appropriate sanctions for knowing, willful, or negligent violations of the order, which may include reprimand, suspension without pay, removal, termination of classification authority, loss or denial of access to classified information, or other sanctions in accordance with applicable law and agency regulation.

### **Interrogation, Detention and Rendition**

**QUESTION 116:** Section 1045 of the National Defense Authorization Act for Fiscal Year 2016 prohibits the use of any interrogation technique or approach or any treatment related to interrogation that is not authorized by and listed in the Army Field Manual. Is this provision of law absolutely binding on the CIA and the President?

Yes, this provision of law is binding on the United States Government, including the CIA.

**QUESTION 117:** The statutory prohibition on interrogations not consistent with the Army Field Manual applies to any individual “in the custody or under the effective control of an officer, employee, or other agent of the United States Government; or detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.”

**A.** Please describe the factors that would indicate whether a detainee is in the “effective control” of any officer, employee, or other agent of the United States Government.

As is the case with interpreting any statutory language or standard, I would review the specific facts and relevant statutory language with the General Counsel. My team and I, in consultation with the General Counsel, would look at a number of factors, which in most cases would include whether the U.S. controls access to the detention facility in question, owns the land on which the facility is located, manages the operations of the facility, controls the disposition of detainees, and/or has the authority to discipline or fire the personnel running the facility.

**B.** Please describe how you would define whether a detainee is “detained within a facility owned, operated, or controlled by a department of agency of the United States.”

As is the case with interpreting any statutory language or standard, I would review the specific facts and relevant statutory language with the General Counsel. My team and I, in consultation with the General Counsel, would look at a number of factors, which in most cases would include whether the U.S. controls access to the detention facility in question, owns the land on which the facility is located, manages the operations of the facility, controls the disposition of detainees, and/or has the authority to discipline or fire the personnel running the facility.

**QUESTION 118:** Section 1045 states that “[t]he head of any department or agency of the United States Government shall provide the International Committee of the Red Cross with notification of, and prompt access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, contractor, subcontractor, or other agent of the United States

Government or detained within a facility owned, operated, or effectively controlled by a department, agency, contractor, or subcontractor of the United States Government, consistent with Department of Defense regulations and policies.” Is this provision of law absolutely binding on the CIA and the President?

Yes, this provision of law is binding on the United States Government, including the CIA.

**QUESTION 119:** Executive Order 13491 prohibits the CIA from operating any detention facility except to hold people “on a short-term, transitory basis.” Do you commit to adhering to this prohibition? If yes, how would you define “short-term” and “transitory”?

Yes, I would adhere to this prohibition. I would define the terms “short-term” and “transitory” consistent with their plain meaning.

**QUESTION 120:** Do you agree that CIA officers should not participate in interrogations of detainees in liaison custody when those officers witness, know of, or otherwise suspect the torture or mistreatment of detainees?

Yes, I agree that CIA officers should not participate in a liaison service’s debriefings of detainees if CIA officers have witnessed the liaison service torture or mistreat a detainee, or if the CIA receives credible information that detainees in custody of that service are subjected to torture or mistreatment.

**QUESTION 121:** The United States recognizes its obligations under the Convention Against Torture, not to “expel, return (‘refouler’) or extradite a person to another state where there are substantial grounds for believing that he [or she] would be in danger of being subjected to torture.”

**A.** To what extent should written “diplomatic assurances” be required for extraditions and renditions?

Diplomatic assurances, and consulting with the Department of State or Chief of Mission of the relevant Embassy in assessing the reliability and credibility of assurances obtained in connection with an extradition or rendition, are important considerations in determining whether the legal standards for an extradition or rendition have been met and that detainees will be treated humanely.

**B.** Should such assurances be accepted from countries with established records of committing torture?

My team and I would need to assess the reliability and credibility of any assurances offered by a country on a case-by-case basis, in light of all relevant factors and information known to CIA at the time. This assessment would include not only the practices and record of compliance of the country that provides the assurances, but also the reliability and credibility of the individuals and organizations that would be responsible for ensuring the safety of any individual.

## **Lethal Operations**

**QUESTION 122:** Please describe your view of the legal and policy implications of targeting or otherwise knowingly killing a U.S. person in a U.S. Government lethal operation. What additional public transparency do you believe would be warranted in that situation?

The US Government takes matters of use of force very seriously, particularly in the exceptionally rare instance when a US person has taken up arms against the United States. If confirmed, I will work in partnership with the National Security Council, Department of Justice, Department of Defense, and Intelligence Community colleagues to ensure that the use of force by the U.S. Government against a U.S. person is contemplated only in the most narrow of circumstances and is within legal authorities. I will work with U.S. Government partners to provide as much transparency to the U.S. public as appropriate.