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S. HRG. 119–111

OPEN HEARING: PENDING NOMINATIONS OF JOHN DEVER, TO BE GENERAL COUNSEL OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; CHRISTOPHER FOX, TO BE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY; MATTHEW A. KOZMA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY; GEORGE WESLEY STREET, TO BE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER, OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE; AND PETER THOMSON, TO BE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY

HEARING

BEFORE THE

SELECT COMMITTEE ON INTELLIGENCE

OF THE

UNITED STATES SENATE

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

JUNE 25, 2025

Printed for the use of the Select Committee on Intelligence



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WEDNESDAY, JUNE 25, 2025

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Committee met, pursuant to notice, at 3:05 p.m., in Room SH–216, the Hart Senate Office Building, the Hon. Tom Cotton, Chairman of the Committee, presiding.

Present: Senators Warner, Cornyn, Lankford, Budd, Wyden, King, Ossoff, and Kelly.

STATEMENT OF HON. TOM COTTON, A U.S. SENATOR FROM ARKANSAS

CHAIRMAN COTTON. You may be seated. We will be starting momentarily.

Good afternoon. This hearing will come to order. I would like to welcome everyone to today's hearing to consider the following nominations: Mr. George Wes Street, to be Director of National Counterintelligence and Security Center; Mr. Christopher Fox, to be the Inspector General of the Intelligence Community; Mr. Peter Thomson, to be Inspector General of the Central Intelligence Agency; Mr. Matthew Kozma, to be the Under Secretary for Intelligence and Analysis at the Department of Homeland Security; and Dr. John Dever, to be the General Counsel of the Office of Director of National Intelligence.

First, I would like to thank the nominees for their willingness to answer the call to public service—most of them, once again, and for their many years of public service that have brought them here today. I would also like to recognize their families, many of whom are here with us today, for offering their support and encouragement throughout the process.

The nominees before the Committee are qualified, capable, and impressive professionals who are well suited for the roles to which they have been nominated.

The first is Mr. Wes Street, who is presently serving as the Department of Defense Deputy Director of the National Counterintelligence Task Force. In 1992, Mr. Street joined the United States Army which took him on overseas deployments to the Balkans and the Middle East. Mr. Street has served in numerous roles in the Army, including as Counterintelligence Special Agent in Europe; as Special Agent In Charge of the Army Counterintelligence Field Office in Monterey, California, and as the Army Counterintelligence Supervisory Special Agent LNO and task force officer to FBI headquarters.

Next we have Mr. Christopher Fox, who is now a senior adviser to the DNI and the Acting Chief of the ODNI Information Management Office. He has extensive experience as a business owner, a Judge Advocate specializing in national security for the Virginia Army National Guard, and as a Specialized Skills Officer with the CIA. Additionally, Mr. Fox served in the United States Air Force as a Special Warfare Airman and deployed to Iraq and Afghanistan in Tactical Air Control Party and Joint Terminal Attack Controller positions.

Next is Mr. Peter Thomson, a partner of Stone, Pigman, Walther and Wittman in New Orleans. As a co-chair of the firm's Criminal Law and Information Security Practices, Mr. Thomson is an expert in government investigations, corporate compliance, and white-collar criminal defense. Previously, Mr. Thomson spent more than two decades as an Assistant United States Attorney for the Eastern District of Louisiana and taught trial advocacy at the Tulane University School of Law for 20 years, as well as served as the Deputy Sheriff in his home parish.

Mr. Matthew Kozma, who is currently Global Account Manager at Intel Corporation, has a long career of public service. A graduate of the United States Air Force Academy, Mr. Kozma served as the Intelligence Community Chief Information Officer during President Trump's first term. Among his responsibilities in this role, Mr. Kozma worked to modernize IT infrastructure and investments within the Intelligence Community and streamline intelligence sharing capabilities.

Last, but not least, Dr. John Dever is currently Special Adviser for the Office of the Director of National Intelligence. He has wide-ranging experience protecting our national security in both the private and public sectors. This includes Dr. Dever's work as the anti-money laundering chief at UBS; his role as the head of Financial Crimes at Wells Fargo; his service as an Assistant U.S. Attorney at the Department of Justice, and his time as an Assistant General Counsel in the Counterterrorism Division at the FBI.

As you can see, all of these men before the Committee today are patriots and professionals.

Again, thank you all for your decades of service and thank you once again for continuing to want to serve your nation. With men like you working on behalf of the American people, I am confident the nation will continue to be strong, proud, and free for generations to come.

I will now recognize the Vice Chairman for his opening remarks.

OPENING STATEMENT OF HON. MARK R. WARNER, A U.S. SENATOR FROM VIRGINIA

Vice Chairman WARNER. Thank you, Mr. Chairman. And let me join the Chairman in, first of all, congratulating each of our witnesses on your nominations. Each of you has been nominated for positions of great public trust, many of which were actually created in response to significant intelligence failures in the past.

For example, the current construct of the CIA Inspector General was created by Congress in 1989 to create a more independent IG after Iran Contra. And the ODNI and DHS were created to ensure better coordination of foreign and domestic intelligence as we all know in the wake of 9/11.

As I have said to every IC nominee that has come before me, the most important test you will face is whether you can provide credible, objective, and unbiased intelligence to policymakers and be willing to speak truth to power. Unfortunately, over the last few months, we have seen disturbing examples of senior intelligence leaders failing this most basic task.

At ODNI, a top political appointee pressured career intelligence officers to alter an analytic assessment—not improve its accuracy, but to ensure that it wouldn't be, "used against the DNI or POTUS." And when those career officials refused to bend the truth, they were fired.

At FBI, some of our most experienced agents have been fired reportedly for their political affiliations or for being friends with individuals the President deems to be political enemies. What is sad is that many of these agents were not only doing their jobs, but they were doing a damn good job at it.

The now fired former head of FBI's Counterterrorism Division helped bring to justice the terrorist mastermind of the Abbey Gate bombing in Afghanistan that killed 13 U.S. servicemembers—a prosecution that the President himself praised in his State of the Union address.

The Director of National Security Agency, after serving 30 distinguished years in uniform, was fired reportedly at the behest of an online conspiracy theorist who among other things claimed that 9/11 was an inside job.

Those kinds of actions are not just inappropriate, they are direct attacks on the integrity of our Intelligence Community.

Finally, after Director Gabbard testified to this very committee that "Iran is not building a nuclear weapon. Supreme Leader Khamenei has not authorized the nuclear weapons program he suspended in 2003." We have then seen, after the DNI statement, senior administration officials later move to discredit those findings.

Did we get it wrong or is the Director right?

He claimed she was wrong, dismissed the intelligence, and then invoked the specter of Iran building a nuclear weapon to justify launching air strikes, all without briefing Congress, let alone seeking any kind of approval.

Just yesterday, we saw the public reporting that despite the administration's claims of total obliteration—and we are not going to comment on any of the intelligence, but the intelligence may not be as rosy.

Now, it is still in the early days and I am hoping all of us, all of the Senators that are coming to the briefing tomorrow will answer some of the questions that I know not just I have but a number about this discrepancy. But this repeated pattern of manipulating and shading intelligence to support a political narrative is deeply alarming, and we have all seen in our history where this road leads. Politicized intelligence doesn't just distort policy, it puts American lives at risk. We saw the tragic consequences of that when flawed and politicized assessments paved the way for a war in Iraq that I think most Americans in retrospect agree needed a second look.

Now, all of you here are not going to hold Cabinet titles, but in many ways your roles are even more critical, because the credibility and objectivity of the IC workforce rests on your shoulders.

Mr. Fox and Mr. Thomson, as IGs, it will be your job to protect whistleblowers, to identify areas of abuse in your agencies and to have the courage to defend your independence when it is challenged.

Mr. Dever, as the General Counsel for the DNI, it will be your job to provide clear, objective legal guidance and help advise Director Gabbard on what is and what is not permissible under law regardless of political pressure.

Mr. Kozma and Mr. Street, as leaders of large organizations, it will be your responsibility to ensure that you set a culture where speaking truth to power is actually celebrated and not punished, and where honest, objective analysis is valued.

I don't underestimate the difficulties of these responsibilities, but if you are each confirmed, the men and women you will lead and the American people demand nothing less than your absolute devotion to the truth. Today, in my questions, I am hoping to hear from each of you how you will clearly demonstrate your plan to uphold that commitment.

Thank you, Mr. Chairman.

Chairman COTTON. Thank you, Mr. Vice Chairman.

Gentlemen, before we move to your opening statements, we have a series of customary questions the Committee asks to all nominees. You may collectively answer yes or no. Please speak loudly. Head nods or shakes are not recorded for the record. And to give you a study guide, if you answer no, we will have to stop and you will have to explain yourself individually.

One: Do you agree to appear before the Committee here or in other venues when invited?

The PANEL. Yes.

Chairman COTTON. If confirmed, do you agree to send officials from your office to appear before the Committee and designated staff when invited?

The PANEL. Yes.

Chairman COTTON. Three: Do you agree to provide documents or any other materials requested by the Committee in order for it to carry out its oversight and legislative responsibilities?

The PANEL. Yes.

Chairman COTTON. Will you ensure that your office and your staff provide such materials to the Committee when requested?

The PANEL. Yes.

Chairman COTTON. Finally, do you agree to inform and fully brief to the fullest extent possible all Members of the Committee of intelligence activities and covert actions, rather than only the Chairman and Vice Chairman?

The PANEL. Yes.

Chairman COTTON. Thank you. You all passed.

After the hearing today, it is my intention to move to convene a committee business meeting promptly following our Fourth of July State work period to vote on these nominations and report them to the Senate for full consideration.

For the benefit of Members, I note that we have a vote scheduled at 4:15. My goal will be to push through and try to wrap up the hearing by 4:35, to allow Senators to reach the floor to vote.

We will now proceed to opening statements, after which I will recognize Members by seniority at the gavel for 5 minutes each.

Mr. Street, we will start with you, and then we will move to my right, your left, down the panel for opening statements.

STATEMENT OF GEORGE WESLEY STREET, NOMINEE FOR THE POSITION OF DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER

Mr. STREET. Mr. Chairman, Mr. Vice Chairman, Members of the Committee: I am humbled to present myself before you today for consideration as the nominee to be the Director of the National Counterintelligence and Security Center. I am grateful to President Trump for nominating me for this position, and thankful to Director Gabbard for her confidence in me.

I would not be here today without the support of my wife Stephanie and our three children. They have persevered through long deployments and my extended periods away from home. I am forever grateful for their unwavering love, sacrifice, and support. I'd be remiss if I didn't also recognize this storied institution that allowed me the opportunity to build 30 years of counterintelligence expertise across the globe, the United States Army, "This We'll Defend".

I am fortunate to have served my nation as a United States Army soldier, and as a civilian Counterintelligence Special Agent for a total of nearly 33 years. This has allowed me to build expertise in nearly all aspects of the counterintelligence and security enterprise. From overseas assignments, including multinational peacekeeping and combat deployments to leading complex interagency investigations here at home, I have executed or managed nearly every aspect of my discipline.

I have developed key relationships with international partners, who are similarly victimized by adversarial intelligence efforts. I fully understand the importance of collaboration with partner nations.

Our adversaries are consistently innovative in the avenues they use to exploit our nation to achieve intelligence, military, and economic advantages for their own dastardly purposes. Adversarial elements work with near impunity in the homeland. They penetrate our critical infrastructure, telecommunications, and cyber networks, exploit our academic communities, infiltrate our research efforts, and victimize our private industries. Our defense industrial base and non-title 50 U.S. Government organizations are targeted and often represent the soft underbelly of our protective security efforts.

Our adversaries do not limit themselves to traditional means, but have evolved non-traditional collection methods to exploit third country nationals, co-optees, business relationships, and unmanned systems. China utilizes a whole-of-society approach to exploiting the United States and our partners. China aggressively and unapologetically flew a spy balloon across the American heartland without remorse.

Chinese law mandates that all Chinese companies and citizens cooperate with the intelligence services of the Chinese government. This means that Chinese companies and students studying at U.S. universities, often working on U.S. Government funded research, are obligated to cooperate with the intelligence services of the Chinese Communist Party on demand. We must work to address this emerging form of exploitation by China, while simultaneously defending the civil liberties of the American people.

Unlike other the other intelligence disciplines, the nation lacks a "center of gravity" for the counterintelligence community—a nerve center that enables field elements to enact the National Counterintelligence Strategy and conduct synchronized interagency efforts against the insidious threat posed by foreign intelligence.

If confirmed, I will work to establish the NCSC as that center of gravity for the counterintelligence fight. I will strengthen the relationship between the NCSC and the National Counterintelligence Task Force. This will enhance linkage with field elements and improve information sharing to close the seam between the Intelligence Community and federal law enforcement organizations.

If I am fortunate enough to be confirmed by the Senate, I will work with the U.S. counterintelligence community to enable their efforts to identify, report, detect, deter, investigate, exploit, and neutralize adversarial threats to our nation and impose cost on the adversaries targeting the United States, partner nations, and our equities across the globe. I firmly believe that to achieve these objectives, the NCSC, under the direction of President Trump and DNI Gabbard, must consistently and transparently work with the Congress to remain agile in the counterintelligence fight.

Mr. Chairman, Mr. Vice Chairman, Members of the Committee, I thank you for your time and consideration of my nomination. I look forward to your questions.

[The prepared statement of the witness follows:]

Mr. George Wesley Street
Nominee for the Position of
Director of the National Counterintelligence and Security Center
Statement for the Record
Before the Senate Select Committee on Intelligence
June 25, 2025

Mr. Chairman, Mr. Vice Chairman, Members of the Committee, I am humbled to present myself before you today for consideration as the nominee to be the Director of the National Counterintelligence and Security Center. I am grateful to President Trump for nominating me for this position, and thankful to Director of National Intelligence Gabbard for recommending me to the President and for her confidence in me.

I would not be here today without the love and support of my wife Stephanie and our three children. They have persevered through long deployments and my extended periods away from home. I am forever grateful for their unwavering, love, support and sacrifice. I'd be remiss, if I didn't also recognize the storied institution that allowed me the opportunity to build 30 years of counterintelligence expertise across the globe, The United States Army, "This We'll Defend".

I am fortunate to have served my nation as a United States Army Soldier, and as a civilian Army Counterintelligence Special Agent for total of nearly 33 years. This allowed me to build unique expertise in nearly all aspects of the counterintelligence and security enterprise. From overseas assignments, including multinational peacekeeping and combat deployments to leading interagency efforts here at home, I have served as an agent, planner, coordinator and leader, through the execution of far-reaching investigations, operational and policy efforts. Throughout my career, I have developed key relationships with international partners, who are similarly victimized by adversarial intelligence collection efforts. I fully understand the importance of collaboration with partner nations.

Our adversaries are creative and innovative in the avenues they use to exploit our nation to achieve intelligence, military and economic advantages for their own dastardly purposes. Adversarial elements work with near impunity in the homeland. They penetrate our critical infrastructure, telecommunications and cyber networks, exploit our academic communities, infiltrate our research and development and victimize our private industries. Our defense industrial base and non-title 50 US government organizations are heavily targeted and represent the soft underbelly of our protective efforts.

Our adversaries do not limit themselves to traditional means, but have evolved non-traditional collection methods to exploit third country nationals, co-optees, business

relationships, unmanned aerial vehicles, and their own students attending US academic institutions. China utilizes a “whole of society” approach to exploiting the United States and our partners. China aggressively and unapologetically flew a spy balloon across the American heartland without remorse. Chinese law mandates that all Chinese companies and citizens cooperate with the intelligence services of the Chinese government. This means that Chinese companies and students studying at US Universities – often working on US Government funded research - are obligated to cooperate with the intelligence services of the CCP, on demand. We must work to address this emerging form of exploitation by China, while simultaneously defending the civil liberties of the American people.

Unlike other the other intelligence disciplines, the nation lacks a “center of gravity” for the counterintelligence community. A nerve center that enables operational field elements to enact the National Counterintelligence Strategy, be agile in the face of innovative adversaries and conduct synchronized interagency efforts against the insidious threat posed by foreign intelligence. If confirmed, I will work to establish the NCSC as that “center of gravity” for the “Counterintelligence Fight”. I will look to strengthen the relationship between the NCSC and the National Counterintelligence Task Force. This will enhance linkage with field elements and improve information sharing to close the seam between the Intelligence Community and federal law enforcement organizations.

If I am fortunate enough to be confirmed by the Senate, I will work with the US counterintelligence community to enable their efforts to identify, report, deter, detect, investigate, exploit, and neutralize adversarial threats to our nation and impose cost on adversaries targeting the United States, partner nations and our equities across the globe. I firmly believe that to achieve these objectives, the NCSC, under the direction of DNI Gabbard and President Trump, must consistently and transparently work with Congress to remain agile in the “Counterintelligence Fight”.

Mr. Chairman, Mr. Vice Chairman, members of the committee, I thank you for your time and consideration of my nomination. I look forward to your questions.

Chairman COTTON. Thank you. Mr. Fox.

STATEMENT OF CHRISTOPHER FOX, NOMINEE FOR THE POSITION OF INTELLIGENCE COMMUNITY INSPECTOR GENERAL

Mr. FOX. Chairman Cotton, Vice Chairman Warner, distinguished Members of this Committee: I am honored and humbled to appear before you as you consider my nomination to be the Inspector General of the Intelligence Community.

First, I want to thank President Trump and Director Gabbard for placing their trust and confidence in me. I am joined today by my wonderful mother Jessica and my stepfather Scott, and also behind me is Major Fox, an incredible Army nurse who happens to be my wife and the true north of my heart.

To my family and friends here and at home, thank you for your love and support. I am also grateful to the Air Force and the Army who sharpened me into the man I am today, to the warfighters with whom I served, and to those who shed their blood for our Nation and never made it home.

I also want to recognize the fact that Mr. Street and Mr. Dever, and I are combat veterans who were prior enlisted combat veterans and became commissioned officers. I am proud to be by their side today. Most importantly, I am grateful to my Lord and savior Jesus Christ, for His grace and blessings on this journey leading to this moment.

I have spent nearly 20 years on the front lines and behind the scenes of national security as a Special Warfare Airman, clandestine CIA officer, Army JAG officer, and in various other positions crafting and executing U.S. policy. Along the way, I built a technology startup and I led intelligence professionals in the private sector.

Since April of this year, I have served as a Senior Advisor to the Director of National Intelligence and as Acting Chief of ODNI's Information Management Office, where I oversee FOIA compliance, records management, and declassification efforts, including the provision of records to Congress.

I have worked within and alongside the Intelligence Community in many capacities, from operations to policy and analysis, and I understand the stakes. My approach to oversight is shaped by hard experience. I have made split-second decisions under fire, and I have developed strategic policies to keep Americans safe. I have witnessed intelligence operations succeed spectacularly; and fail because of fear, bureaucracy, and politics. I have challenged careerists who wanted to play it safe and avoid risk in their own self-interest. And I have fought to stop bad decisions, even when I risked my own career and reputation.

The mission of national security demands integrity and moral courage, and in my professional life, I have always sought the difficult right over the easy wrong. If confirmed, I will bring that same principle-driven leadership to the role of the IC IG.

My priorities will be straightforward: First, I will protect whistleblowers—not just in principle, but in practice. Whistleblowers are often the only ones willing to come forward when there is an issue that could have been resolved before it developed into a crisis. They deserve our respect, protection, and prompt action.

Second, I will align our investigative and oversight activities with the real threats faced by our Nation—from Chinese cyber operations, to nuclear brinksmanship by Russia and Iran, to transnational cartels pushing fentanyl across our borders. Oversight should ensure the IC is addressing these threats effectively and efficiently, not distract from the mission.

Third, I will bring the IC IG out of the shadows. Too many officers and contractors in our Intelligence Community do not know who the Inspectors General are, what we do, or how we can help. I plan to fix that. Our teams should be in the field, not just behind a firewall—known, trusted, and accessible.

And finally, I will modernize the IG's resources, especially with respect to technology and information systems. Oversight cannot be static. Today's IG needs state-of-the-art case management systems and robust coordination between all 18 IC elements. By improving workflow and optimizing human capital, the IC IG will be better positioned to provide clear and timely congressional reporting with more valuable context and an increased emphasis on calling out both misconduct and excellence.

I am not a political actor or a DC insider. I worked hard for everything I have. I have made mistakes and I know what it means to earn back trust. That same lesson grounds me today. Integrity is what you do when no one is watching. And oversight is that same ethic scaled up for the institutions that hold our Nation's secrets.

If confirmed, I will strive to ensure the IC's moral compass is properly calibrated. I will never throw someone under the bus for being honest and acting in good faith, but I will make sure people are held accountable for their actions, and that the IC learns from its mistakes, to improve efficiency and effectiveness, and to rebuild trust with the American people. I will be independent, impartial, and fair. I will listen to the workforce, not just the leadership. I will question previous assumptions and make pragmatic decisions to advance the mission.

The IC IG has an important role in handling significant issues across the IC. If confirmed, I am committed to keeping Congress fully and currently informed so you have the facts you need to conduct your important oversight role. I thank you for the opportunity to speak with you today and I look forward to your questions.

[The prepared statement of the witness follows:]

Mr. Christopher Fox
Nominee for the Position of
Intelligence Community Inspector General
Statement for the Record
Before the Senate Select Committee on Intelligence
June 25, 2025

Chairman Cotton, Vice Chairman Warner, and Distinguished Members of this Committee—

I am honored and humbled to appear before you as you consider my nomination to be the Inspector General of the Intelligence Community.

First, I want to thank President Trump and Director Gabbard for placing their trust and confidence in me. I am joined today by my wonderful mother, Jessica, and my stepfather, Scott. Also seated behind me is a Major Fox; an incredible Army nurse who happens to be my wife and the true north of my heart. To my family and friends who could not make it today, thank you for your love and support.

I am also grateful to the Air Force and the Army for sharpening me into the man I am today, to the warfighters with whom I served, and especially to those who spilled their blood for our Nation and never made it home. I also want to recognize the fact Mr. Street, Mr. Dever, and I are combat veterans who were prior enlisted service members and became commissioned officers. I am proud to be by their side.

Most importantly, I am grateful to my Lord and savior Jesus Christ, for His grace and blessings through the journey leading to this moment.

I have spent nearly 20 years on the front lines and behind the scenes of national security as a Special Warfare Airman, clandestine CIA officer, Army JAG officer, and in various other positions crafting and executing U.S. policy. Along the way, I built a technology startup and led intelligence professionals in the private sector. Since April of this year, I have served as a Senior Advisor to the Director of National Intelligence and Acting Chief of the ODNI's Information Management Office, where I oversee Freedom of Information Act compliance, records management, classification reviews, and declassification efforts, including facilitating the production of materials for Congress.

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And finally, I will modernize the IG's resources, especially with respect to technology and information sharing. Oversight cannot be static. Today's IG needs state-of-the-art case management systems and robust coordination between the 18 IC elements. By improving workflow and optimizing human capital, the IC IG will be better positioned to provide clear and timely congressional reporting, with more valuable context, and an increased emphasis on calling out both misconduct and excellence.

I am not a political actor or DC insider. I worked hard for everything I have. I earned four academic degrees while working full-time. I have made mistakes, and I know what it means to earn back trust. That same lesson grounds me today: integrity is what you do when no one is watching. And oversight is that same ethic—scaled up for the institutions that hold our Nation's secrets.

If confirmed, I will strive to ensure the IC's moral compass is properly calibrated. I will never throw someone under the bus for being honest and acting in good faith, but I will make sure people are held accountable for their actions, and that the IC learns from its mistakes, to improve efficiency and effectiveness, and to rebuild trust with the American people.

If confirmed, I will be independent, impartial, and fair. I will listen to the workforce, not just the leadership. I will question previous assumptions and make pragmatic decisions to advance the mission. The IC IG has an important role in handling significant issues across the IC. If confirmed, I will be committed to keeping Congress fully and currently formed, so with the facts you need to do conduct your important oversight role.

Thank you for the opportunity to speak with you today. I look forward to your questions.

Chairman COTTON. Thank you. Mr. Thomson.

STATEMENT OF PETER M. THOMSON, NOMINEE TO BE INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY

Mr. THOMSON. Chairman Cotton, Vice Chairman Warner and distinguished Members of the Committee: I am honored to appear before you today as the President's nominee to be Inspector General of the Central Intelligence Agency, and would like to thank President Trump and CIA Director John Ratcliffe for the confidence they have placed in me with regard to this very important position.

I also wish to thank my dear wife Patricia, my daughter Kaylin, for their unwavering patience, love and support throughout this process.

The CIA has a responsibility of collecting, analyzing, and disseminating timely and accurate foreign intelligence to the President, Congress, and other senior policymakers and consumers, and conducts covert actions when necessary. I firmly believe that CIA officers including those who serve in the Office of Inspector General, regardless of their background, political affiliation, or philosophical beliefs are united at their core by a deep love of our country and a strong desire and commitment to protect the American people.

The CIA's Office of Inspector General or OIG for short plays a crucial role in advancing the mission of the CIA through independent oversight. Although the CIA Inspector General reports to the CIA Director and is accountable to Congress, the OIG must independently plan and execute all of its oversight work with regard to the Agency. Independence means that the work of the Inspector General must be performed in an unbiased and impartial manner, free of undue or inappropriate influences. Should I be confirmed, I can say with absolute confidence that doing the work of the IG in an unbiased and impartial manner will be my absolute top priority.

One of the most important programs within any Inspector General's office is the whistleblower program. As Inspector General, if I am confirmed, I will work with Agency leadership and OIG staff to maintain and strengthen a culture of trust for Agency employees and contractors who have information exposing fraud, waste, or abuse, violations of law, or other deficiencies or problems that should be corrected within the Agency. I will also work to maintain and where appropriate, improve and strengthen all of the component programs and policies which define the CIA OIG whistleblower's program.

I give you my solemn promise that if confirmed, I will protect the independence of the CIA Inspector General's office and consistently seek to follow the law and approach all of its work with honesty, integrity, fairness, and impartiality.

If you entrust me with this critical role, I look forward to working with this Committee, Agency leadership, and OIG staff to fulfill the CIA oversight obligations of the Office of Inspector General.

Thank you for this opportunity, and I look forward to your questions.

[The prepared statement of the witness follows:]

Statement for the Record
Senate Select Committee on Intelligence

CIA Inspector General Nominee Peter M. Thomson

June 24, 2025

Chairman Cotton, Vice Chairman Warner, and Distinguished Members of the Committee: I am honored to appear before you today as the President's nominee to be the Inspector General (IG) of the Central Intelligence Agency. I want to thank President Trump and CIA Director John Ratcliffe for the confidence they have placed in me with regard to this important position. And last, but certainly not least, I wish to thank my dear wife Patricia, and my daughter Kaylin, for their patience and unwavering love and support throughout this process.

I have always held a deep respect and profound admiration for the men and women of CIA and the important work they do pre-empting threats to our nation. The CIA has the critical responsibility of collecting, analyzing, evaluating and disseminating accurate and timely foreign intelligence to the President, the National Security Council, the military, members of Congress, and other senior policymakers and consumers. And, as you know, the CIA has the responsibility of conducting covert actions, when necessary.

I believe officers who serve at the CIA, including those who serve in the Office of Inspector General, regardless of background, political affiliation or philosophical beliefs, are united at their core by a deep love of our country and a strong desire and commitment to protect the American people. So, for me, it is a deep honor, to be considered for such an important position within the CIA and to be given the opportunity, if confirmed, to lead the dedicated and patriotic officers of the Office of the Inspector General.

Growing up in New Orleans, I was blessed to have devoted and loving parents who taught me important values which are foundational requirements of an Inspector General. My mom grew up very poor, raised on a small farm on the banks of the Mississippi River. She had an exceptionally strong constitution, and was known to fiercely defend right in the face of wrong. She taught me the importance of family, and loyalty, and how to pick your friends, which had everything to do with character. And she taught me the importance of standing firm in one's righteous convictions. I didn't know it then,

but she was teaching me how to speak truth to power.

Now, my father also grew up poor, raised by his widowed mother in New Orleans. At age 21, following the attack on Pearl Harbor, he enlisted in the U.S. Army Air Corps and was trained to be a heavy bomber pilot. He flew 35 combat missions over Germany in a B-17 Flying Fortress, named "Ole Blood and Guts," fighting the malignant human evils of his generation. After being honorably discharged, he went to Tulane Law School with the help of the G.I. Bill, graduated Order of the Coif, a high honor, and became a successful attorney. My father taught me and modeled many of the same values as my mom. My father also kindled my interest in law, taught me about the rule of law, and why it must be respected. And without a doubt my strong sense of patriotism derives from my father's sacrifices during World War II.

I tell you this, to offer a glimpse into my roots, in order to give you and the American people insight as to how I will perform as CIA Inspector General. If I am confirmed, I feel the principles and values instilled in me by my parents—honesty, integrity, patriotism, speaking truth to power, the rule of law and standing firm in one's just convictions—together with my faith, will serve the CIA, the intelligence oversight committees and the American public well. It is my belief that those important principles, together with the dogged pursuit of the truth, must guide the work of the Inspector General's Office.

There is another central requirement, probably the most important requirement of an Inspector General's Office. It is independence. Although the CIA Inspector General reports to the CIA Director and is accountable to Congress, the IG must independently plan and execute all of its oversight work with regard to the Agency. The CIA IG enabling statute requires it.

Independence, in my view, means that the work of the Inspector General must be performed in an unbiased and impartial manner, free of undue or inappropriate influences. By law, no one can force the Inspector General to alter its work product. Should I be confirmed, I can say with absolute confidence that doing the work of the IG in an unbiased and impartial manner will be my top priority.

I believe that independence of the Inspector General's Office is crucial to its proper functioning, and is essential to the integrity of the Office. This, however, does not mean that the IG's Office may not consult with others outside the Office, or that it cannot work cooperatively with Agency leadership or this Committee. In my view, in addition to all of the IG's legal reporting requirements, a collaborative team approach within the Agency and with Congress is as important to the proper functioning of the

Inspector General as is the requirement of IG independence. Even so, the buck stops at the door of the IG.

Together with my character and values, my professional background and corresponding skill sets have prepared me for this position. During my 23 year career with the U.S. Department of Justice, I obtained broad investigative and prosecutorial experience handling a wide variety of cases, including investigations involving fraud, national security, violent crimes, drug trafficking, racketeering and political corruption. I held a top secret security clearance for approximately 15 years which allowed for me to work on very sensitive and high priority matters. I also worked with a myriad of federal, state and local agencies, including Offices of Inspectors General, and countless confidential informants and cooperating individuals, rooting out crime, fraud, and abuse in a wide variety of contexts.

While assigned to the Justice Department's Organized Crime Strike Force and the Federal Drug Enforcement Task Force, I supervised, coordinated and worked on many multi-agency and multi-state task force investigations, including investigations involving international narcotics and smuggling. In the immediate aftermath of Hurricane Katrina, I was detailed to the FBI where I worked on the Katrina Fraud Task Force, which targeted all kinds of Katrina related fraud and corruption.

After focusing largely on foreign and domestic criminal investigations and prosecutions, ten years ago I was given the opportunity to spend time working in the intelligence community after being selected for the Justice Department's Leadership Excellence Achievement Program, a one-year long program focused on developing executive core qualifications and leadership abilities. As part of this program, I had the opportunity to work on detail at the National Security Agency, where, as part of my duties, I provided legal guidance on certain signals intelligence and information assurance operations of the NSA. After retiring from the Justice Department, I entered private legal practice, where I continued to handle criminal matters, as well as civil matters and internal investigations involving fraud, including most recently a case involving a $1 billion dollar bank failure.

All of my experience as a federal prosecutor has a direct impact on how I will approach the job as CIA Inspector General but perhaps none more important than my extensive work with numerous confidential informants and cooperators. This experience has given me a deep understanding of the importance of protecting CIA employees and contractors who report wrongdoing to the Inspector General. I believe that one of the most important, if not the most important program within any

Inspector General's Office, is the whistleblower program. As Inspector General, if confirmed, I will work with Agency leadership to maintain and strengthen a culture of trust for Agency employees and contractors who have information exposing fraud, waste or abuse, violations of law, or other deficiencies or problems that should be corrected within the Agency. I will also work to maintain and, where appropriate, improve and strengthen all of the component programs and policies which define the CIA OIG's whistleblower program.

Finally, I'll conclude with a solemn promise before this Committee and the American public. If confirmed, I will protect the independence of the CIA Inspector General's Office, consistently seek to follow the law, and approach all of its work with honesty, integrity, fairness, and impartiality. If you entrust me with this critical role, I look forward to working with this Committee to fulfill its oversight obligations of the CIA.

Thank you for this opportunity, and I look forward to your questions.

Chairman COTTON. Thank you. Mr. Kozma.

STATEMENT OF MATTHEW KOZMA, NOMINEE TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY

Mr. KOZMA. Good afternoon. Chairman Cotton, Vice Chairman Warner, distinguished Members of this Committee: It is an honor to appear before you here today. Thank you.

I am truly grateful for and humbled by the distinct honor to be nominated by President Trump to be Under Secretary of Intelligence and Analysis at the Department of Homeland Security. Should I have the privilege of being confirmed for this position, I look forward to further serving our great country, the greatest country in the world, the United States of America. If I may, I would like to recognize those who encouraged me to be the Christian patriot I am today. I would be remiss if I didn't first thank our Heavenly Father for all of His blessings, not only for me and my family, but especially for America.

I would like to recognize and honor my parents Matthew and Barbara Kozma who are with me here today. Their selfless sacrifices provided me with the types of opportunities that they could only dream of as children. They instilled in me a strong faith in our lord, duty to our country, a strong work ethic, courage to press forward despite adversity, to be a lifelong learner, and to always seek the truth. Their example taught me to strive to put others first and to ensure their safety and security and prosperity. Because of their encouragement, hard work, support and continued prayers, I was blessed to attend and graduate from the United States Air Force Academy with a double major in both electrical engineering and applied physics and patriotically serve America in uniform for over 30 years.

I would like to recognize my siblings Lisa, Mark, and Laura, and their families, who unfortunately could not be here today. No matter the distance or circumstance, they, too, continue to be bastions of love, support, and encouragement.

I'd especially like to recognize my wife and our three children who are here with me today. I am eternally grateful to my beautiful, tenacious, and talented wife Bethany, for her love, support, and encouragement, and without whom I wouldn't be sitting here today. We were blessed by God with our three incredible and talented children Madeline, William, and Caroline. I am proud of each one of them and grateful to be their dad. It is for them and their futures and for all Americans that I've served in the security and defense of America in one manner or another for over 30 years and, should I be confirmed, I eagerly look forward to continuing that endeavor as Under Secretary for Intelligence and Analysis.

I recognize and am humbled by the awesome responsibilities entrusted to this position by the President and the Congress. If confirmed, I look forward to upholding the Constitution, continuing to serve my fellow Americans with integrity, and vigilantly helping to protect the sovereignty and safety of the American homeland.

Strong committed leadership is vital to best protect our borders and ensure the safety and security of all Americans. Sadly, America continues to face challenges and threats to our homeland. Yet,

I firmly believe that if we always seek God, we will prevail in defending America against all enemies, foreign and domestic.

If confirmed I will not enter into this endeavor lightly, as the safety and security of America is paramount. The purpose of government must always be to protect its citizens and promote their peace and prosperity. With this in mind, I fully anticipate challenges with this solemn undertaking. In doing so, I look forward to your candor, your confidence, and your counsel.

As I consider how best to execute the roles and responsibilities entrusted to this position, I reflect on four areas that have served me well over the years. From my earliest experiences as a cadet, through my military service experience and later as former Intelligence Community Chief Information Officer, and most recently in industry, I submit that technology, technique, team, and trust are all critical for achieving success.

Technology. Technological advantage has been the foundational pillar of America's prosperity. We must vigilantly leverage American ingenuity and innovation to always be strides ahead of our adversaries. America must continue to thrive and lead in all fields of science, technology, engineering, and mathematics and actively protect our critical infrastructure that propels those endeavors. If confirmed, I look forward to ensuring that our analysts and fellow DHS counterparts are equipped with and using state of the art technology to efficiently and effectively execute their mission each day.

Technique. Technology without technique is useless. It is imperative that I&A's analysts be informed, educated, and trained on the latest know-how and toolsets to optimally apply available knowledge, insights, and acumen for mission accomplishment. Our intelligence and analytical tradecraft requires a unique combination of skill, curiosity, dedication, vigilance, and trustworthiness to ensure the information and intelligence we extract and timely share is correct, comprehensive, and corroborated.

Team. When it comes to Homeland Security we are all one team as Americans, regardless of our backgrounds. Talented and dedicated people are our greatest assets and deterrence against those who wish and try to do us harm. It is critical to actively invest in, encourage, and recognize those individuals who strive daily to secure and safeguard our Nation's borders, our critical infrastructure, and all Americans from the threats and destruction of terrorism.

Trust. Underscores all roles, responsibilities, and facets of the Office of I&A is the trust of the American public, Congress, and this Committee is key to America. I look forward, if confirmed, to build and strengthen the transparency and trust vital to the checks and balances crafted by our Founding Fathers to ensure a free and vibrant society, securing "the Blessings of Liberty to ourselves and our posterity."

Thank you for your time and consideration. I look forward to answering your questions.

[The prepared statement of the witness follows:]

Good afternoon, Chairman Cotton, Vice Chairman Warner, distinguished Members of this Committee. It's an honor to appear before you here today. Thank you!

I am truly grateful for and humbled by the distinct honor to be nominated by President Trump for the position of Under Secretary for Intelligence and Analysis at the Department of Homeland Security. Should I have the privilege of being confirmed for this position, I look forward to further serving our great country, the greatest country in the world, the United States of America.

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talented wife, Bethany, for her love, support, and encouragement, and without whom, I wouldn't be sitting here today. We are blessed by God with three incredible and talented children, Madeline, William, and Caroline. I am so proud of each one of them and grateful to be their Dad. It is for them and their futures, for all Americans, that I have served in the defense and security of America in one manner or another for over 30 years and, should I be confirmed, I eagerly look forward to continuing that endeavor as Under Secretary for Intelligence and Analysis.

I recognize and am humbled by the awesome responsibilities entrusted to this position by the President and the Congress. If confirmed, I look forward to upholding the Constitution, continuing to serve my fellow Americans with integrity, and vigilantly helping to protect the sovereignty and safety of the American Homeland.

Strong, committed leadership is vital to best protect our borders and ensure the safety and security of all Americans. Sadly, America continues to face challenges and threats to our Homeland. Yet, I firmly believe that if we always seek God, we will prevail in defending America against all enemies, foreign and domestic.

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Trust. Trust underscores all roles, responsibilities, and facets of I&A. The trust of the American public, Congress and this Committee is key to protecting America. I look forward, if confirmed, to building and strengthening the transparency and trust vital to the checks and balances crafted by our Founding Fathers to ensure a free and vibrant society, securing "the Blessings of Liberty to ourselves and our posterity."

Thank you for your time and consideration.

I look forward to answering your questions.

Chairman COTTON. Thank you.
Mr. Dever.

STATEMENT OF JOHN DEVER, NOMINEE TO BE GENERAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Dr. DEVER. Chairman Cotton, Vice Chairman Warner, Members of the Committee: It is an honor to appear before you today as President Trump's nominee for General Counsel of the Office of Director of National Intelligence. I would like to thank President Trump and Director Gabbard for their trust and confidence in me.

Being here today feels like the culmination of the American dream. My mom is a first-generation American from Spain and my dad was a second-generation American from Ireland—only in America. Like most kids, I didn't know how fortunate I was to have the parents I did. Their focus on education as well as their ever-present kindness and love remains a constant blessing. Thank you for everything, Mom, and I know Dad is watching down and smiling.

Thank you to everybody who helped prepare me for today, especially my potential future colleagues at the Office of Director of National Intelligence, Office of the General Counsel, and the Office of Legislative Affairs, with special thanks to Tommy Bryan and Amber Keyser. Thank you to our family and friends who have traveled to be with us today. It means a lot to me and Bridget.

Most importantly, I would like to thank my wife Bridget and my son Johnny. Bridget, without your love and encouragement, none of this would be possible. Thank you so much for wholeheartedly supporting our most recent but certainly not our last adventure. Johnny, you mean the world to me. We are so proud of you, and I can't wait to suffer through some White Sox games together this summer.

As a former soldier, both enlisted and commissioned, I understand firsthand the repercussions of flawed intelligence. How it can be used to let slip the dogs of war and change the course of history on a global scale. How it could mean wasting our most precious national resource, and closer to home, how it means to my friend Tom Casey who will never see his family again.

I am very grateful to the Army for what it taught me as well as for the incredible soldiers with whom I served, including Alex Bustamante, Shawn Harkins, Gary Bilsky, Wes Street, Josh Eaton, Louis Dinatalli, and now Chris Fox.

I saw firsthand during multiple combat deployments that it is during the most dangerous and stressful times when under tremendous pressure when cool heads and reasoned judgment is most needed. How we comport ourselves at those critical moments is what truly differentiates us from our enemies. During those difficult times, and always, the Constitution of the United States must be our guiding light.

At the FBI I learned the tremendous array of tools and power of the Intelligence Community and how important it is to wield that power in a lawful way. I met many talented and dedicated public servants and will work hard in support of Director Gabbard's goal of earning back the trust of the American people. As a Federal

prosecutor, I worked on data exfiltration cases and began to fully understand the existential threat posed to the United States of America by the People's Republic of China.

As Global Crisis Management Leader at General Electric, I led large multinational teams, honing my risk management skills through every conceivable kind of disaster—natural, financial, reputational, and regulatory. That experience reinforced the importance of culture—critical when working with 18 different agencies, each with a unique culture of their own.

I spent a considerable amount of time as a compliance executive at large financial institutions. I learned to build, assess and govern compliance programs in highly regulated and complex environments. This skill is sorely needed in the IC to ensure we are conducting ourselves in accordance with our statutory requirements and the expectations of the American people. I worked for a wonderful and very gifted leader, Lourdes Paredes, together with an amazing team we de-risked very large banks of individuals abusing the U.S. financial system, to include Russian oligarchs. Such derisking was often very unpopular, but it was always the right thing to do and we did it. During this time I helped establish the Center for National Security and Human Rights Law in Chicago.

Most recently, my brother James and I started an enterprise risk management and cyber security company. We helped clients protect themselves against advanced persistent threats, nation-state actors, and transnational criminal organizations. I spent a considerable amount of time co-leading a nonprofit dedicated to help veterans obtain family-sustaining jobs in cybersecurity. Those experiences position me well to provide advice and thought leadership on technical issues where the law lags behind.

If confirmed, I look forward to leading the dedicated and talented lawyers and support staff in the General Counsel's Office in providing Director Gabbard and the ODNI with timely and accurate counsel on the many challenges and opportunities we face. I also look forward to collaborating with lawyers across the Intelligence Community to address novel legal issues and help ensure that the Community's equities are represented effectively.

Mr. Chairman, Mr. Vice Chairman, and Members of the Committee, I commit to you, if afforded the opportunity to serve again I will do my best and do everything in my power to carry out this mission to the best of my ability and earn the Nation's trust every single day. Thank you again for your consideration and I look forward to your questions.

[The prepared statement of the witness follows:]

Mr. John Dever
Nominee for the Position of
General Counsel to the Office of the Director of National Intelligence
Statement for the Record
Before the Senate Select Committee on Intelligence
June 25, 2025

Chairman Cotton, Vice Chairman Warner, and Members of the Committee, it is an honor to appear before you today as President Trump's nominee for General Counsel of the Office of the Director of National Intelligence. I would like to thank President Trump and Director Gabbard for their trust and confidence in me.

Being here today feels like the culmination of the American dream. My Mom is a first-generation American from Spain and my Dad was a second-generation American from Ireland- only in America.

Like most kids, I did not know how fortunate I was to have the parents I did. Their focus on education, as well as their ever-present kindness and love, remains a constant blessing. Thank you for everything Mom, and I know Dad is watching down and smiling.

Thank you to everyone who helped me prepare for today. Especially my potential future colleagues at the ODNI Office of the General Counsel and the Office of Legislative Affairs, with special thanks to Tommy Bryan and Amber Keyser. To Alex Bustamante, thank you for being prepared to introduce me today.

Most importantly, I would like to thank my wife, Bridget, and my son Johnny. Bridget, without your love and encouragement none of this would be possible. Thank you so much for wholeheartedly supporting our most recent- but certainly not our last- adventure. Johnny, you mean the world to me- we are so proud of you, and I can't wait to suffer through some White Sox games together this summer.

As a former Soldier, both enlisted and commissioned, I understand firsthand the repercussions of flawed intelligence. How it can be used to let slip the dogs of war and change the course of history on a global scale. How it can mean wasting our most precious national resource, and, closer to home, how it means that my friend Tom Casey will never see his family again.

I am very grateful to the Army for what it taught me as well as for the incredible Soldiers with whom I served, including Alex Bustamante, Shawn Harkins, Wes Street, Josh Eaton, and now, Chris Fox.

I saw firsthand, during multiple combat deployments, that it is during the most dangerous and stressful times, under tremendous pressure, when cool heads and reasoned judgement are most needed. How we comport ourselves at those critical moments is what truly differentiates us from our enemies. During those difficult times, and easier ones, the Constitution of the United States must be our guiding light.

Assigned to write the Counter-resistance and Interrogation Policy after the Abu Ghraib scandal, I know how enforcing the right thing is not always popular, but it must be done- and that is exactly what Director Gabbard expects of me if I am fortunate enough to be confirmed.

At the FBI I learned the tremendous array of tools and power of the Intelligence Community and how important it is to wield that power in a lawful way. I met many talented and dedicated public servants and will work hard in support of Director Gabbard's goal of earning back the trust of the American people.

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I spent a considerable amount of time as a compliance executive at multiple financial institutions. I learned to assess compliance programs, develop and govern them in highly regulated and complex environments. This skill is sorely needed in the IC to ensure we are conducting ourselves in accordance with our statutory requirements and the expectations of the American people. I worked for a wonderful and very gifted leader, Lourdes Paredes, and led many efforts in honing risk appetite.

We de-risked very large banks of individuals abusing the US financial system, to include Russian oligarchs. Such de-risking was often very unpopular, but it was always the right thing to do- and we did it. During this time, I helped establish the Center for National Security and Human Rights Law in Chicago.

Most recently, my brother James and I started an enterprise risk and cybersecurity company. We helped clients protect themselves against Advanced Persistent Threats- nation state actors and transnational criminal organizations. I spent a considerable amount of time co-leading a non-profit dedicated to helping Veterans who are transitioning out of the military and their families attain family-sustaining jobs in cybersecurity. These

experiences position me well to provide advice and thought leadership on technical issues where the law lags.

If confirmed, I look forward to leading the dedicated and talented lawyers and support staff in the General Counsel's Office in providing Director Gabbard and the ODNI with timely and accurate counsel on the many challenges and opportunities we face. To that end, I look forward to a very open and fruitful relationship with Congress. I also look forward to collaborating with lawyers across the Intelligence Community to address novel legal issues and to help ensure that the Community's equities are presented effectively.

Chairman, Mr. Vice Chairman, and Members of the Committee, I commit to you, if afforded the opportunity to serve once again, I will do everything in my power to carry out this important office to the best of my ability and earn the nation's trust every single day. Thank you again for your consideration, I look forward to your questions.

Chairman COTTON. Thank you.

Let me start with our two Inspector General nominees, Mr. Thomson and Mr. Fox. I suspect that some of my colleagues will speak at length about recent developments in of the Office of Inspector General at the ODNI. What I want to say up front is that many Members of this committee have had concerns for sometime predating this administration about partisanship and bias within the offices of the Inspector General.

Gentlemen, if confirmed, do you both commit to leading your respective offices in a nonpartisan, unbiased, and independent manner?

Mr. Fox.

Mr. FOX. Absolutely, Senator, yes.

Chairman COTTON. Mr. Thomson.

Mr. THOMSON. Yes.

Chairman COTTON. Mr. Kozma, let me turn to you, nominated to lead the office of Intelligence and Analysis at the Department of Homeland Security. I have long had concerns that I&A overtly connects information and intelligence on Americans that is purely domestic in nature and lacks any genuine connection to foreign intelligence or foreign terrorist groups. That is not at all to gainsay the threat posed by certain domestic threats, but I believe our Intelligence Community should be focused on foreign intelligence threats while leaving domestic threats to law enforcement agencies like the FBI.

Do you believe that the Office of Intelligence and Analysis, one of 18 elements of the Intelligence Community, should collect information or intelligence on Americans who lack a connection to foreign terrorism or foreign intelligence?

Mr. KOZMA. I do not, Senator.

Chairman COTTON. If confirmed, what will you do to ensure that the Office of Intelligence and Analysis concentrates on threats with a foreign connection?

Mr. KOZMA. Sir, I look forward to collaborating with components across DHS and the Intelligence Community elements to ensure that any activities that are unlawful or insidious are appropriately handled and if and when they are appropriately transferred over to the appropriate law enforcement entity, the FBI or others.

Chairman COTTON. Thank you.

Mr. Dever, you are nominated to be the General Counsel for the Office of Director of National Intelligence where you will be advising on a host of national security issues. One is the surveillance of foreign spies within the United States. What is your view of the constitutional rights that foreign spies enjoy inside of the U.S.?

Mr. DEVER. They don't enjoy any rights——

Chairman COTTON. Thank you.

Mr. DEVER [continuing]. Inside the U.S.

Chairman COTTON. I agree.

Should foreign spies have Fourth Amendment protections while on American soil?

Mr. DEVER. No, Senator.

Chairman COTTON. Thank you.

Mr. Thomson, I reviewed your background material. I understand you served as a reserve deputy sheriff in your home parish of Terrebonne?

Mr. THOMSON. (Inaudible.)

Chairman COTTON. Microphone, please?

Mr. THOMSON. Yes. Not entirely accurate, Mr. Chairman. Terrebonne is not my home parish, but I served in a legal capacity as a deputy, as legal counsel to the sheriff's office.

Chairman COTTON. And you were required to resign that position even though it was a pro bono position to take on the new role?

Mr. THOMSON. My understanding, the policy would be to resign, so, yes, sir. I have agreed to resign that.

Chairman COTTON. OK. We may have more conversation about that, if it is a reserve volunteer role. We have many Members of Congress and for that matter congressional aides, for that matter the Director of National Intelligence who serve in the Army National Guard or Army Reserve and I want to make sure we are not discouraging any member of the Executive Branch from serving in those capacities as well.

Mr. THOMSON. Thank you Mr. Chairman I would be happy to talk to you privately about that.

Chairman COTTON. Thank you.

Vice Chairman.

Vice Chairman WARNER. Thank you, gentlemen, all, for your testimony, and obviously you all have impressive backgrounds of service to our country and I appreciate that.

Mr. Dever and Mr. Fox: Last month, the Acting Inspector General for the IC notified the Committee that the DNI installed a senior adviser in the IG's office who reports not to the IG, but reports to the DNI, but works in the IG's office spaces.

When the then-IG counsel questioned the legal basis for the appointment, the DNI had her fired within 48 hours.

In a notification to this Committee, the Acting Inspector General described the DNI's actions as "contrary to law" and "never sufficiently explained."

Mr. Dever and Mr. Fox, both of you currently work at the ODNI. Were either of you involved in the decision to appoint the senior adviser or fire the IG counsel?

Mr. DEVER. Thank you for the question, Senator. I was not involved in either one of those decisions.

Mr. FOX. Senator, thank you for the question. I was not involved at all in that.

Vice Chairman WARNER. Do you in light of the IG's comments of the DNI's actions as "contrary to law" and "never sufficiently explained," do you believe the DNI's actions were legal and appropriate?

Mr. DEVER. Yes, Senator, I do believe her actions were legal. As to the appropriateness, I don't know the factual underpinnings, but she certainly acted under her authority.

Mr. FOX. Senator, to respect the advice and consent role of the Senate, I have not been involved in any personnel decisions. I am generally aware of the press reporting and the letters, but I am not familiar enough with the content to properly opine at this time, but I am happy to look into it further if confirmed.

Vice Chairman WARNER. I would, because—and Mr. Dever, I went to law school. I am not claiming to be a legal expert by any means, but it just seems to me troubling.

And I appreciate everybody's comments and I will come to Mr. Thomson in a moment, especially about maintaining the independence of the IG and protection of whistleblowers. I just—it is so out of character to suddenly put somebody that is reporting directly to the DNI inside the IG space. And again, I am not going to weigh in on the legality, although I think the IG's comments that it was not legal raises some questions with me. I would like to get at a subsequent time your background and why you felt that was legal.

I would say, Mr. Thomson, we have not—thankfully we have not seen that kind of action out of Director Ratcliffe, any effort to try to undermine the office of the independence of the Inspector General. And I appreciated you reiterated those points a number of times in your statement.

Again, this is is a hypothetical but if confirmed, would you consider it appropriate for Director Ratcliffe to appoint personnel to work in your office without your approval or for that matter to fire your counsel if they asked hard questions?

Mr. THOMSON. Thank you, Mr. Vice Chairman.

As you said, you know, Director Ratcliffe, to my knowledge, has not sought to install or even terminate anyone in the Inspector General's office. Through my preparation I actually don't believe that has occurred——

Vice Chairman WARNER. I am not saying—I don't believe it has occurred.

Mr. THOMSON [continuing]. At all through the Agency.

I would say that Director Ratcliffe, in his nomination hearing before this Committee, committed to an independent Inspector General's office. He's also committed to a robust, strong Inspector General's office. He has committed to a very strong and robust whistleblower's office.

So, I do not anticipate——

Vice Chairman WARNER. Again, I just—I just would hope—and maybe we will follow up on this. I know you've got the appropriate background. You mentioned independence. I don't know how you maintain independence when you got somebody working inside the Inspector General's office that reports not to you but to some other entity, how that seems to go against the very notion of what an Inspector General should do.

Let me just get my last question in very quickly for Mr. Street and Mr. Kozma.

Echoing the Chairman, I may not agree on all the parameters, but we both think it is time for a fresh look at some of the roles post 9/11 at ODNI, DHS. You are both going to be responsible for large organizations. Do you think just at first glance—and I will start first with Mr. Street and then in Mr. Kozma—do you think your organizations will be in need of substantial reform? There has been conversation about those kind of reforms. Any opening, thoughts, both of you?

Mr. STREET. Thank you for the question, Senator. Grateful for the opportunity to clarify on that. So I do not know right now. Of course, if confirmed by the Senate I look forward to doing a com-

plete review. I frequently find with organizations that they don't necessarily have a resource problem but a resource management problem. I would welcome the opportunity to do a review and get back to you on that, Senator.

Mr. KOZMA. Thank you, Senator, for the question. With regards to I&A, I am not at DHS presently, however I look forward to getting into the seat if confirmed.

The unique roles and responsibilities entrusted to the I&A Office by Congress are very special in the fact that they support State, local, Tribal, and territorial and public/private partnerships and that unique conduit in addition to being an element of the IC provides the opportunity to work with NCTC and with NCSC and all the other elements to ensure——

Vice Chairman WARNER. I guess I didn't expect fulsome answers on either one of those but those are well coached responses. Thank you both, gentlemen.

Chairman COTTON. Senator Cornyn.

Senator CORNYN. Mr. Street, it is well known that the Russian Federation restricts the number of visas for American workers at the U.S. Embassy in Moscow. Conversely, the United States quite generously grants visas to Russians who go either to the United Nations to the mission there or to work at NASA in Houston, the Center for Human Space Flight at Johnson Space Center because of the International Space Station.

The FBI has told us that they simply don't have the personnel to monitor whether or not the Russians had come into each of these locations maintaining their travel restrictions, and they frankly don't really know what they are up to. Doesn't that strike you as a very serious counterintelligence problem?

Mr. STREET. Yes, Senator. Thank you. This is a problem across the board with many of these types of countries and activities. I would look as the Director of NCSC to collaborate across the whole of government and interagency to support our colleagues at the FBI with that; and obviously hope to work with the U.S. Department of State on vetting of potential visa entries to the United States, Senator.

Senator CORNYN. Well, part of the problem is Congress's problem and the State Department. I am hoping that Secretary Rubio will help us out there. I suspect he will.

But we seem to have lost the principle of reciprocity in terms of the way we treat Russians here in the United States and the way Americans are treated working at the Embassy there in Moscow, and it strikes me as a huge vulnerability. The FBI has basically said they don't have the people or the capacity to monitor those folks here which strikes me as a reason why we ought to limit the number of visas so they can adequately monitor the activities of Russians here in the United States.

Mr. Thomson, I had the honor of introducing you, I guess back during the time when we were all socially distancing back in 2020. You were reported out of the Committee favorably, and I don't know of any reason why you shouldn't be reported out favorably and confirmed now. But can you talk to us a little bit about your recent experience and how that will contribute to your ability to perform the work as a CIA Inspector General?

Mr. THOMSON. Thank you very much, Senator. Yes, I do feel that my recent experiences actually over many decades highly qualify me for the position. I very much appreciate the opportunity just to discuss that very briefly.

So I have, as you may know, two decades of experience investigating and prosecuting a wide variety of criminal matters, particularly complex cases, financial crimes, racketeering, murders, corruption, domestic and and international drug trafficking—cases spanning multiple jurisdictions and multiple agencies.

I have worked with many, many State and Federal, local agencies, too many probably to name—Inspectors General offices, forensic investigators, auditors and so forth.

I also have some experience governing collection of foreign signals intelligence, government cybersecurity missions. You know, at my fairly short stint at the National Security Agency, they had a lot of experience with Federal wiretap laws, surveillance laws. Importantly, I have worked for over two decades with confidential informants, particularly in Agency context, FBI, DIA, ATF, Customs, working to protect their safety and anonymity. I think that translates well with regard to whistleblowers. I will use the same values I use of commitment to protect them to the absolute fullest extent of the law. I will protect whistleblowers just as I worked to protect confidential informants.

Senator CORNYN. Thank you. I have just 30 seconds and I want to ask Mr. Fox and you to both comment on this. Do you view the job of Inspector General as the individual who brings down the hammer when somebody crosses lines they shouldn't cross or does it involve any sort of consultation function with the employees of the various agencies to help them make sure they walk that fine line between doing what they should be doing and what they should not be doing?

Mr. Fox.

Mr. FOX. I appreciate that question, Senator.

I believe the Inspector General's role is more dynamic than simply keeping people in fear of being hemmed up for misconduct. Instead it is also identifying areas for improvement and rewarding those officers and contractors who bring those to the IG's attention. I also look forward if confirmed with working closer with the Director in participating in leadership meetings as appropriate to have a place at the table in discussing some future opportunities to improve efficiency and effectiveness.

Chairman COTTON. Senator Wyden.

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

Mr. Kozma, I have a yes or no question that I think is pretty straight forward and we touched on it yesterday when you came to the office and I appreciated that.

Is it ever OK for Intelligence and Analysis to misrepresent themselves to get into private chat rooms and other private communications?

Mr. KOZMA. Thank you, Senator, for your question and concern. As we discussed yesterday, the focus of——

Senator WYDEN. I would like a yes or no answer. Excuse me.

Mr. KOZMA. Sir, as we discussed, the short answer is it should not be misrepresentation in any manner. There are certain excep-

tions to the cases we discussed in order to protect individuals who may be detailed to I&A that would be in a covered status.

Senator WYDEN. I will tell you, as we touched on yesterday, Intelligence and Analysis is supposed to be limited to collecting publicly available information, and going into people's private communications is spying and I think that is very troubling. I think I told you that yesterday.

Mr. Dever, where are you on the stand? We know from recent history military conflicts and other crises, real or imagined, are often used as pretext for expanded surveillance of Americans. Do you see anything in the President's claims—we talked about this as well—in the President's claims about the invasion of migrants and the domestic deployment of the Guard and the military in the conflict with Iran that would justify any expansion of surveillance authorities?

Mr. DEVER. Thank you for the question, Senator, and thank you for a little bit of time yesterday to speak with you. I appreciate it.

I am not aware of any such things afoot, but above all, the Intelligence Community must comply with the Constitution and all the laws of the United States, so if there were——

Senator WYDEN. I know you don't know of anything afoot, but do you see anything in your view that would justify an expansion of surveillance authorities?

Mr. DEVER. No, Senator, I don't.

Senator WYDEN. OK. Thank you.

Let me ask a question with respect to the Vice Chairman's concern on this whole question of IG's. I was on the Committee in 2009 when we passed the law that gave both the IC Inspector General and the CIA Inspector General authority over the hiring and firing of personnel. And I can just tell you all that the clear intent was to strengthen the independence of the Inspector General. It was not intended to create exceptions to the IG's authorities.

So this would be a question for Mr. Fox and Mr. Thomson. If confirmed, will you protect all your personnel from being fired by your Director in nonsecurity cases?

Mr. FOX. Thanks for the question, Senator. I am committed to an independently Acting IG, and I look forward to working with this Committee, including looking at potential legislative solutions if that is necessary to strengthen the law.

Senator WYDEN. Mr. Thomson.

Mr. THOMSON. Yes, Senator, I agree with Mr. Fox. Under the CIA IG statute, the Inspector General has final approval, I think as you know, of all personnel decisions absent security-related matters, which fall to the authority of the Director. If something like that were to happen, I would certainly want to talk to the Director. I don't anticipate that ever happening with Director Ratcliffe, but I would certainly speak with the Director about it, and try to resolve it, which I am sure we would.

Senator WYDEN. One last question for you, Mr. Kozma.

Among the many abuses that we looked at in this Committee and elsewhere committed by Intelligence and Analysis in Portland, my hometown, in 2020 was compiling dossiers on American citizens including their First Amendment protected speech. Do you think

Intelligence and Analysis ought to be putting together these dossiers?

Mr. KOZMA. No, sir.

Senator WYDEN. OK. Thank you, Mr. Chairman.

Chairman COTTON. Senator Lankford.

Mr. LANKFORD. Chairman, thank you.

Gentlemen, thanks. Many of you have had very long years of service to the country. I want you to know from us and from the folks in Oklahoma, we appreciate the work. Many of you worked behind the scenes for a very, very long time. So that is much appreciated and valued.

Let me bounce a few questions off of several of you. Mr. Street, you had mentioned about being the "center of gravity" on the counterintelligence fight. Part of that is being in coordination with multiple other agencies including the FBI. How do you plan to do that coordination to make sure it actually works across agencies?

Mr. STREET. Thank you for the question, Senator, and thank you for taking the opportunity to meet with me prior to the hearing.

Yes, sir, at the end of the day, probably the most effective way we are going to accomplish that is by close collaboration with the FBI-led National Counterintelligence Task Force which has approximately 50 U.S. Government agencies participating which will provide us that linkage. I also intend to have very regular collaboration with the Federal Bureau of Investigation on at least a weekly basis to ensure that we are synchronized and collaborating together as a whole of government to achieve effects against the adversary.

Mr. LANKFORD. OK. We will count on that.

Mr. Fox and Mr. Thomson, I want to ask you both this question: The role of IG is a very unique role as you both know extremely well. It was created by Congress with the idea of selected by the White House but approved by the Senate. This body counts on the Inspector General to be the eyes and ideas inside of those agencies. We are counting on you to be able to look for efficiencies and improvement of effectiveness. That is not only a benefit to the Agency but it is a benefit to this Committee as well. So we really need independence. It is a very unusual role. You are literally in the building but we are counting on you to be independent of the building to be able to make sure you are bringing fresh ideas and fresh insight and looking for areas of efficiency and sharing those frequently with us and with the Agency. So what I am asking for is what is your plan to be able to maintain independence in that role even though you are co-located in that Agency and your ability to communicate back to us?

Mr. Fox, do you want to go first?

Mr. FOX. Thanks for that question, Senator. Absolutely, the independence of the IG's activities are paramount when it comes to building trust with whistleblowers and so many other reasons—and for this Committee to trust the work that we provide. I am committed to that. I would like to think that the IG should be independent but not isolated. So I look forward to working closely with ODNI leadership while also ensuring that all of the decisions that we make and the way we conduct our activities are nonpartisan and done without fear or favor.

Mr. LANKFORD. So how do you maintain your independence in that role?

Mr. FOX. That involves oversight within the office and constant pulse checks and a review of our SOP's to ensure that the way we conduct our business is done properly and we are not skipping any steps and we adhere to all the standards set forth by CIGIE.

Mr. LANKFORD. Thank you.

Mr. Thomson.

Mr. THOMSON. I absolutely agree that independence is the foundation for the work of the Inspector General, the Inspector General's office.

If confirmed, I know currently the OIG has a very professional, well respected workforce, but I would, you know, push down the importance of the values of being impartial and unbiased and apolitical in everything the Inspector General does.

More than anything, I think my answer could be just summed up with one phrase. We will follow the facts wherever they lead and we will follow the law. So if we follow the law we will be absolutely independent. And if we follow those values, that will strengthen the independence.

Mr. LANKFORD. That is helpful, because we will all need that. Everybody needs that poke and accountability in that process. Thank you both for that.

Mr. Dever, I want to ask you about 702 authorities we deem as being essential. How are you going to support that or articulate the issues and be able to make sure everybody is following the law in 702?

Mr. DEVER. Thank you for the question, Senator. I agree with you, 702 is absolutely critical to keeping our Nation safe. As you know, upwards of 60 percent of the President's Daily Brief is made up of 702-related information, so it is absolutely critical.

I think there is a couple of things that are critically important in that. I think the partnership between the IC and Congress is essential to make sure we strike the right balance between national security and privacy and civil liberties and make sure that the reforms that were put in place previously, mainly in RISA, see how we are doing on those. Take a real good hard look and see whether or not those are working, those are not working, there is some additional improvements needed, or what the state of play actually is.

Senator LANKFORD. Thank you.

Mr. Kozma, thank you for the time we got a chance to spend in the office and to be able to pepper you with questions that we asked on that and I appreciate that time and thank you for your service on that.

Mr. Chairman, I yield back.

Chairman COTTON. Senator King.

Senator KING. Thank you, Mr. Chairman. And first of all, I want to thank all of you for your long years of service to this country and congratulations on your nominations.

Mr. Dever, I just want to follow up. I take it from your answer to Senator Lankford that you support the reauthorization of Section 702 which is coming up next April?

Mr. DEVER. I do.

Senator KING. There may be some modifications. Do you have any ideas on what that might be or are we talking about a clean reauthorization?

Mr. DEVER. I very much look forward to studying that if I am lucky enough to be confirmed, Senator. But I think my first stop shopping would be to look at exactly how we are doing with the RISA reforms and take it from there.

Senator KING. Thank you.

Mr. Fox, is it ever appropriate for the DNI to place a person appointed by the DNI in the Office of Inspector General and answerable to the DNI?

Mr. FOX. Thank you for that question, Senator. I look forward to, if confirmed, investigating this matter a little further.

Senator KING. I am not talking about history. I am talking about in the future.

Do you believe it is appropriate for the DNI to place someone in your office, if you are confirmed, who is answerable to the DNI and not to you?

Mr. FOX. I appreciate the question. And in most circumstances, I can imagine—again, this would be a hypothetical, but it would not be generally appropriate, say, for certain circumstances. And I am not aware of the facts and circumstances in the recent case, but there could be security matters or other specific provisions of law that authorized that type of move. I look forward to reviewing that with counsel.

Senator KING. You understand that maintaining your independence is the essence of this job?

Mr. FOX. Absolutely, Senator.

Senator KING. Thank you.

Mr. Kozma, Intelligence and Analysis, Department of Homeland Security. One of the things that I have talked to nominees in any of these positions and whatever the administration is, is your willingness to tell the truth to whoever is in power, whether it is an intelligence official, the President of the United States, this Committee, the Secretary of Defense, the Secretary of State. Are you willing—Let me put it this way. Dan Coats, who was the DNI 5 years ago, said the job of the Intelligence Community is to seek the truth and tell the truth.

Are you willing to tell the truth even though you know that it is not what the policymaker wants to hear?

Mr. KOZMA. Yes, sir, I am.

Senator KING. And that is an absolute.

Mr. KOZMA. Yes, sir.

Senator KING. Thank you. That is extremely important.

Mr. Dever, in April the DNI posted on X she had referred—this is is a quote, "referred two INTELLIGENCE COMMUNITY LEAKS to the Department of Justice for criminal referral with a third criminal referral on its way which includes the recent illegal leak to the Washington Post."

The law requires the DNI to initiate a damage assessment in the case of this kind of situation, notify the committee within seven days if she becomes aware of a "a significant unauthorized disclosure or compromise of classified national intelligence, and imme-

diately notify the Committee on making referral to the Department of Justice."

Well, it is a long time since April 23rd. This Committee has never been notified. I don't understand how the legal ramifications of this has not been attended to.

If confirmed, will you take the initiative to see that if there are leaks that they are referred to this Committee at the same time they are referred to the Department of Justice?

Mr. DEVER. Thank you, Senator. I firmly commit to keeping the Senate fully and currently informed.

Senator KING. I think it is important, and I don't understand this case where the ODNI tweeted it. Apparently went on the news programs and talked about it, but it was never reported. And if it was important enough to tweet, it would seem to me that it was important enough to notify this Committee. So I hope that you would take a hard look at that in the future.

Mr. DEVER. Yes, Senator.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Chairman COTTON. Senator Budd.

Senator BUDD. Thank you, Mr. Chairman, and congratulations to each and every one of you. I did not are expect to come here mid-afternoon and be inspired by opening statements but I was. So thank you for your years of service and what you are willing to accomplish if successful and confirmed.

Mr. Dever, again, thank you for being here.

So there were a lot of reforms in 702, the reauthorization, recently. Were those sufficient to protect every Americans' civil liberties and privacy?

Mr. DEVER. Thank you for the question, Senator.

To be quite honest, I think that remains to be seen. I think we have to see. We have to see the report card. There are several reports, I think, that are being produced now, and that will give us a better sense of how successful those reforms were.

Senator BUDD. What are those reports and when do you expect those to be delivered?

Mr. DEVER. I don't know precisely, Senator, when those will be, but I know they were being produced but I just don't know the actual dates.

The one thing I would say is there is certainly new reforms under RISA that are critically important that we produce those well or that we perform on those. But as you well know, there is a hierarchy of authorities from statutes all the way to executive orders to Intelligence Community directives that are built to ensure that we follow the law and that we obey the Constitution.

So it is not just the reforms within RISA and the various compliance components that we have around 702. There is an entire culture that is built to do that. And I think that is important for the American people to realize, that this is not some sort of extrajudicial program. We have a Foreign Intelligence Surveillance Court that looks very closely on a yearly basis to whether or not we permit this program to move forward, and I think that is important to note.

Senator BUDD. Thank you for that. Are the privacy and civil liberties protections that are set forth in CISA, are they strong enough to ensure that everyone's rights are protected?

Mr. DEVER. I believe that they are, but we have to maintain constant vigilance, because just having something on the books doesn't mean that we are doing it properly. We have to constantly check and make sure those are actually being done. And those are of course one of the significant responsibilities that Director Gabbard is charged by statute to ensure that the IC is conducting ourselves in accordance with Federal law and the Constitution.

Senator BUDD. Thank you very much.

Mr. Kozma, there have been concerns about the mission and scope of the organization for which you have been nominated to lead.

Can you describe for the American people the mission and responsibilities of the Under Secretary for Intelligence and Analysis at DHS and how that is unique as compared to the other elements of the Intelligence Community?

Mr. KOZMA. Yes, Senator. Thank you for the question.

The Under Secretary for Intelligence and Analysis has a unique set of roles and responsibilities codified in law. Predominantly one of the most unique ones is the ability and the charge to share intelligence with State, local, Tribal, territorial and public sector partners.

As a member of the Intelligence Community, it has a niche to bridge both up, down, left, right, in, out, across the entire whole of government, defense, intelligence, law enforcement, and of course the State and Federal and local entities.

Senator BUDD. Thank you very much.

Mr. Street, it is good to see you again.

How do we increase counterintelligence awareness particularly at academic institutions?

We have a lot of development in North Carolina and the UNC system, Duke University, and they are performing a lot of cutting-edge innovation research for our country. How do we get more of that type of engagement, not just for North Carolina but other States and their institutions as well?

Mr. STREET. Thank you for the question, Senator. And I greatly appreciate the time you took to meet with me and discuss some of these critical issues.

The NCSC is statutorily obligated to do outreach with private sector and academia. We need to do a better job at speaking academia. Frequently with don't speak academia. I will certainly look if confirmed to enhance our outreach to academic institutions not just in North Carolina but nationwide.

We have seen recent developments where the Chinese have have victimized our academia on a regular basis, using their own students and third country nationals to do so; and frankly, I view it as one of the most significant challenges we face today—exploitation of academia and our research and development enterprise.

Senator BUDD. Thank you. Thanks to all of you.

Chairman COTTON. Senator Kelly.

Senator KELLY. Thank you, Mr. Chairman.

Congratulations to all of you for your nominations.

Mr. Street, a couple weeks ago, I think it was earlier in the month, we spoke in my office about my No Work With Adversaries Act. This is legislation to counter China's efforts to target and recruit individuals with U.S. military training. So, please share for the record your views on the importance of countering this threat and how the National Security and Counterintelligence Center can be a partner in that work?

Mr. STREET. Thank you for the question, Senator, and also thank you for the time to meet with me. I was grateful for that.

So the No Working With Adversaries is critical to our national security. Many times we have skills throughout the Department of Defense, Intelligence Community, or other critical areas, and folks when they leave the service will go and work for foreign governments which provide the capabilities that those foreign governments need to enhance their own military infrastructure, economic infrastructure, and research and development infrastructure.

The NCSC outreach programs will be very effective in that, but I would submit to you that we need to take it a step further, in terms of, if there are folks who are looking to do that sort of activity, we need to ensure that they are pre-briefed and debriefed, not by NCSC directly but within organizations within the DOD, in partnership with the FBI, and other organizations here in the homeland to get a lid on that significant challenge, sir.

Senator KELLY. And currently which country do you think is the biggest threat with regards to being able to recruit former military members?

Mr. STREET. Great question, Senator. Without a doubt, China represents the most significant recruiter of our talent—not only ours but from allied partners as well, as they attempt to improve their own military capabilities, sir.

Senator KELLY. All right. Thank you, Mr. Street.

Mr. Kozma, DHS I&A supports fusion centers across the Nation including in Arizona that work with local authorities to promote public safety and security. So, in Arizona since 2004, the Arizona Counterterrorism Information Center in Phoenix has worked with the FBI and local authorities on terrorism prevention.

What value do you see that these fusion centers bring today, and what do you envision the future for centers like this?

Mr. KOZMA. Thank you, Senator, for your question and for your support. Although I am not currently in the seat or at DHS if confirmed I look forward to the opportunity to further leverage the current fusion centers that is are already in existence at the State and local level, and enhance and strengthen the ties to both for information sharing upward and in turn downward to best protect citizens at all levels across America.

Senator KELLY. And what do you think the top threats that DHS intelligence should be focused on right now?

Mr. KOZMA. Sir, we are charged with ensuring that counterterrorism, of course, is No. 1, looking at ensuring weapons of mass destruction—there are so many different things that can threaten the American populace. We are trying to make sure we are in accordance with the rules and responsibilities aligned and prescribed in law.

Senator KELLY. Do you think those threats have changed over the last couple of weeks?

Mr. KOZMA. Yes, sir. There are always threats, they are ebbing and flowing. Vigilance is required to ensure that no matter what the threat is we are constantly looking at all dimensions. Given the background that I have both in defense and in the Intelligence Community perspective, it is imperative that we are constantly assessing and reassessing and executing the mission as best we possibly can.

Senator KELLY. In my remaining time, what role does your organization have with regards to the protests that take place in U.S. cities?

Mr. KOZMA. Sir, from an I&A perspective, we are not a law enforcement entity. We are an enabler for the partners and missions of DHS as well as the partners at the State and local level. Our focus is always—must always be to execute the President's agenda, the Secretary's priorities in protecting the American homeland and also our focus would be if there was ties to foreigners who are instigating, we would help facilitate that and in turn transition those activities over to the FBI or local law enforcement.

Senator KELLY. As you work with the FBI, TSA, ICE, CBP, can I just get your assurance that you will fully respect the privacy and constitutional rights of U.S. persons in doing your work?

Mr. KOZMA. Absolutely. Yes, sir.

Senator KELLY. All right. Thank you.

Chairman COTTON. Senator Ossoff.

Senator OSSOFF. Thank you, Mr. Chairman.

Thank you to our witnesses. Congratulations on your nominations. Thank you for your service to the country and your willingness to serve.

First, Mr. Chairman, I just want to note that following last weekend's strikes on Iran, the administration has inexplicably postponed congressional briefings and is now reportedly seeking to prevent Intelligence Community leaders from attending them.

The overwhelming majority of Congress is united in our conviction that Iran must not build or acquire a nuclear weapon. An urgent unanswered question is whether the administration's use of force meaningfully advanced that longstanding objective of U.S. foreign policy.

Were these strikes effective?

These strikes having been taken, I certainly hope so. We need to know.

What is the status of Iran's stockpile of highly enriched uranium?

If the strikes were not effective, what diplomatic or military options does the administration contemplate?

These are bare minimum questions to which Congress needs immediate answers because these decisions directly impact the safety of military servicemembers we represent and the national security of the United States.

I am now turning to the nominees.

Mr. Kozma, in 2020, the Office of Intelligence and Analysis compiled intelligence reports about American journalists covering protest activity.

Yes or no, please. Should DHS I & A be able to collect intelligence targeting journalists in the United States performing journalistic functions?

Mr. KOZMA. No, sir.

Senator OSSOFF. Yes or no, please. Should I&A be permitted to conduct intelligence interviews with incarcerated people who have not yet been in consultation with counsel or consented to an interview.

Mr. KOZMA. No, sir.

Senator OSSOFF. In your written testimony you said, quote.

"I&A must be focused on detecting, preventing, preempting, and disrupting all sources of terrorism, foreign and domestic, against the United States of America by collecting, analyzing, and sharing information related to homeland security threats."

How do you define terrorism?

Mr. KOZMA. Sir, the easiest way to define terrorism is the incitement of fear or the actual action that enables destruction.

Senator OSSOFF. Is there any basis in the U.S. Code for designating domestic terrorist organizations?

Mr. KOZMA. Sir, there are different elements to my understanding that help quantify how different threats can be construed as terrorist—acts of terrorism or focused on terrorism.

Senator OSSOFF. Under what circumstances under your leadership, Mr. Kozma, will I&A collect intelligence on or related to U.S. persons?

Mr. KOZMA. Sir, that is outside the purview of I&A.

Senator OSSOFF. Ever?

Mr. KOZMA. If there is an activity where they may be engaged with a foreign national and identified, it would be referred over to the FBI.

Senator OSSOFF. So your testimony is that there are no circumstances under which I&A can or will under your leadership collect intelligence targeting U.S. persons and that any case where there is foreign nexus will be referred to the FBI?

Mr. KOZMA. Yes, sir, in conjunction with, NCTC, if there is any activity that is focused on any Americans that would be construed to be involved in any acts of terrorism, they would be identified and relayed to the FBI.

Senator OSSOFF. Characterize your present understanding of I&A's collection posture and techniques and how if at all you intend to change or evolve it?

Mr. KOZMA. Sir, thank you for the question.

Presently, I am not at DHS and I'm not in the seat. Should I be confirmed, I look forward to assessing that and consulting with you on the assessment. That is one of the first things I would like to do in the seat.

From a generic perspective, it is my understanding that there is always room for from improvement to ensure efficiency and effectiveness in any organization. I would anticipate that being one of the first things to accomplish, sir.

Senator OSSOFF. Will you promptly and reliably provide to this Committee information that we request?

Mr. KOZMA. Yes, sir.

Senator OSSOFF. There is substantial bipartisan concern about DHS I&A, particularly since unlike the Department of Justice, the Department of Homeland Security has not evolved and developed over a long period of time protocols and practices intended to protect Americans' civil liberties.

There is concern, and when there is Democratic administrations, Republicans express these concerns; when there is Republican administrations, Democratic Members of Congress express these concerns that DHS mission might creep into politicized domestic investigations, intelligence collection, or law enforcement. I would like to hear you rigorously and robustly state that you will not permit this Agency under your leadership to trend in that direction or to creep in that direction.

Mr. KOZMA. Yes, sir, that is my intent. I am an American and privacy is very important to me as well.

Senator OSSOFF. I would like you to say more.

Mr. KOZMA. Sir, with regards to the role and mission of I&A, it is not to target Americans. It is focused on combating terrorism and the impact to the American homeland. I&A has the unique opportunity as entrusted by law to help facilitate the intelligence sharing with State and local activities across and in conjunction with national security, defense, law enforcement, as well as the other elements in the IC.

It has the unique conduit and connecting tissue that is entrusted by you through law in order to help facilitate that. My intent is to help strengthen that to ensure trust and transparency, and to enable a much more robust, comprehensive, and collaborative capability to ensure that all intelligence information that is analyzed and assessed by I&A is appropriately shared. That is one of the biggest things that I saw before DHS was actually created. So, it is imperative that we are constantly looking at how we can assess and thwart terrorism in as many factions that we are constantly facing every day.

Senator OSSOFF. I will have additional questions on privacy and civil liberties for the record. Thank you for your answers today.

Vice Chairman WARNER. And no additional questions. I just want to make a point. We will be doing follow-up questions.

Mr. Dever, I am going to be anxious to see in the follow-up questions how you will defend the legal ability for the DNI to put someone that reports directly to her inside the Inspector General's office. I am glad you at least reserved judgment on the appropriateness of that, but I will—you have got much more legal background than me. I was concerned about that answer but I will give you the benefit of the doubt until I see the answer.

Mr. Thomson and Mr. Fox, I think at this moment in time there may be stresses on the IGs that are going to be enormous. There may be in every administration. There may be more now.

I hope when in my follow-up questions for the record, I will also try to get as much clarity about the fact of how you maintain the independence of that Inspector General office and not allow the directors in each of your offices to unduly interfere with that. So I appreciate that.

Chairman COTTON. Gentlemen, thank you again for your testimony. More importantly, thank you for your service to our Nation and your willingness to continue to serve.

As I mentioned earlier, it is my intent to hold a committee vote on these nominations as soon as possible. Most likely during the week of July 7.

Therefore, for planning purposes, any Senator who wishes to submit questions for the record after today's hearing please do so by noon on Friday. I know all of you want to have your nominations processed quickly, so I encourage each of you to respond as promptly as possible to those written questions for the record.

Thank you. This hearing is adjourned.

(Whereupon, the proceedings adjourned at 4:28 p.m.)

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

SELECT COMMITTEE ON INTELLIGENCE UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: GEORGE WESLEY STREET
   OTHER NAMES USED: WES STREET

2. DATE AND PLACE OF BIRTH:
   Marlborough, MA
   11 November 1970
   CITIZENSHIP: USA

3. MARITAL STATUS: **INFORMATION REDACTED**

4. SPOUSE'S NAME: **INFORMATION REDACTED**

5. SPOUSE'S MAIDEN NAME IF APPLICABLE: **INFORMATION REDACTED**

6. NAMES AND AGES OF CHILDREN:

NAME	AGE
INFORMATION REDACTED	

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
Excelsior College	Distance – Approximately 2002-2004	Bachelor of Science	November 2004

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
US Army, Active Duty Soldier	Carpentry Masonry/Air Traffic Control/ Counterintelligence	Fort Leonardwood MO; Fort Rucker, AL; Fort Hood, TX, Fort	November 1992 – May 2004

	Special Agent	Huachuca, AZ; Presidio of Monterey, CA; Heidelberg, Germany; Various deployments to Bosnia, Kosovo, Macedonia, Kuwait, Iraq	
US Army Civilian, Army Europe	Counterintelligence Special Agent (Army Europe Staff)	Heidelberg, Germany	March 2004 – May 2007
US Army Civilian, Army Europe	Supervisory Counterintelligence Special Agent (Army Europe G2X)	Heidelberg, Germany	May 2007 – July 2009
US Army Civilian, Intelligence and Security Command	Counterintelligence Special Agent in Charge	Monterey, CA	August 2009-October 2012
(Deployment) US Army Civilian, Intelligence and Security Command	Supervisory Counterintelligence Special Agent/J2X, ISAF Joint Command	Kabul, Afghanistan	October 2010-July 2011
US Army Civilian, Intelligence and Security Command	Supervisory Counterintelligence Special Agent, Director, Operations Support Division, Army/Intelligence Command G2X	Fort Belvoir, VA	June 2012-August 2019
(Deployment) US Army Civilian, Intelligence and Security Command	Supervisory Counterintelligence Special Agent, Director, Theater Intelligence Platform - Central	Camp Arifjan, Kuwait	January 2018-November 2018
US Army Civilian, Department of the Army, G2	Supervisory Special Agent, Senior Army Counterintelligence Liaison to FBI Headquarters and National Counterintelligence Task Force	Washington, DC	August 2019-December 2024
US Army/OUSD (I&S)	DoD Deputy Director, National Counterintelligence Task Force	College Park, MD	December 2024 to Present

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

I have extensive experience with the US Federal Law Enforcement and US Intelligence Communities, specifically derived from joint Counterintelligence investigations and operations. I coordinate with the Federal Bureau of

Investigation, Department of Homeland Security, DoD Law Enforcement/Counterintelligence organizations, US Secret Service, the National Science Foundation, Department of Health and Human Services, Federal Aviation Administration, US Department of Agriculture and numerous other interagency partners on a daily basis. These interactions are specifically in support of achieving counterintelligence and security related effects to address threats to the United States.

I also have an extensive history of official interactions with the law enforcement/counterintelligence/intelligence entities of numerous partner nations in unclassified and classified settings. These interactions have been both in bilateral and multilateral formal alliance setting in both multinational deployed operations and national level activities with partner nations.

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

Counterintelligence Investigations
Counterintelligence Collection
Counterintelligence Analysis
Counterintelligence Functional Services
Multinational Operations
International Liaison
US Intelligence Community Expertise
Damage Assessments
Classification Reviews

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

Army Meritorious Civilian Service Award
Army Superior Civilian Service Award
Army Civilian Special Act Award
US Department of State Meritorious Honor Award
LTC Aurthur D. Nicholson Award for Excellence in Intelligence
Letter of Appreciation from the Romanian Military Intelligence Directorate
Army Meritorious Service Medal
Joint Service Commendation Medal
Army Commendation Medal
Army Achievement Medial
National Defense Service Medal
Armed Forces Expeditionary Medal

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

ORGANIZATION	OFFICE HELD	DATES

INFORMATION REDACTED

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

Not applicable – No Publication

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER).

I have dedicated the 32 years working in support of US National Security, with nearly 30 years of full spectrum Counterintelligence experience. I have conducted, managed and coordinated all aspects of Counterintelligence from low level tactical military operations in forward deployed combat environments to the management of the complex interagency National Counterintelligence Task Force (NCITF). My understanding of the counterintelligence, cyber, security, technical and adversarial threats facing our nation is extensive and rarely matched in the US Counterintelligence community. I have a unique understanding that bridges both the Federal Law Enforcement and Intelligence Communities – and specifically how to effectively integrate these two disciplines to address the complex threats to our nation posed by innovative adversarial actors. My understanding of the unique authorities and capabilities of interagency partners has directly resulted in the neutralization and international disruption of adversarial non-traditional collection efforts over the last year alone. I am currently spearheading several classified initiatives to address complex emerging threats to the US by our adversaries, which requires leveraging interagency authorities and partnerships. I led the Army Information Review Task Force – CAUSE TROPIC to identify the impact to the Army of a significant compromise of classified information, directly resulting in mitigation measures, providing me a deep appreciation for the importance of damage assessments.

The exploitation of our academic communities, research and technology sector, defense industrial base, critical infrastructure, economic base, state and local governments require an interagency/whole of government approach. I have been coordinating the unique expertise and authorities of the interagency/whole of government enterprise through the NCITF with success. If confirmed by the Senate as the Director, National Counterintelligence and Security Center (NCSC), I will look to significantly expand these initiatives and impose cost on our adversaries for their insidious actions using every tool available.

I have led large, geographically and technically disparate activities in both the US and abroad, conducting Counterintelligence investigations and operations, security functions, multinational HUMINT operations, Research and Technology Protection, operational support analysis, Technical Surveillance Countermeasures, polygraph and interagency task forces (Counterintelligence/Counterterrorism) and support elements. I possess an excellent ability to build collaborative interagency relationships and coalitions to achieve outcomes that frustrate adversarial entities.

If I am fortunate enough to be confirmed by the Senate, I will work tirelessly to counter the insidious threats posed by China, Russia, Iran, other adversarial entities, and their co-optees.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL

CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS).

Not Applicable – No Political Contributions or Affiliations

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

Not Applicable – No Political Activities

17. FOREIGN AFFILIATIONS

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

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

Not Applicable – No Foreign Representation

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

Not Applicable – No Foreign Representation

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

Not Applicable – No Financial Transactions with Foreign Entities

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

Not Applicable – No Foreign Connections

18. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE

ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE, DEFEAT, OR MODIFICATION OF FEDERAL LEGISLATION, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF FEDERAL LAW OR PUBLIC POLICY.

Not Applicable – No Political Activities

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

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

Not Applicable – No Conflicts of Interest/Appearance of Conflict of Interest

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

Yes. If I am fortunate enough to be confirmed by the Senate, I would cease my current Federal Employment with the Department of Defense and transition to serve as the Director, NCSC.

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

I am a current Federal Employee. I am eligible to retire from federal civilian service in approximately 2 years and 8 months.

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

I have no plans for any outside employment. If confirmed by the Senate, I intend to be solely focused on strengthening the US National Counterintelligence and Security enterprise.

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

Retirement.

24. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR

EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE? IF YES, PLEASE PROVIDE DETAILS.

No.

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

INFORMATION REDACTED

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

NAME OF ENTITY	POSITION	DATES HELD	SELF OR SPOUSE

INFORMATION REDACTED

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

None.

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

DESCRIPTION OF PROPERTY	VALUE	METHOD OF VALUATION

INFORMATION REDACTED

INFORMATION REDACTED

Happy to provide copy of OGE 278e as needed.

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

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT

INFORMATION REDACTED

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

No.

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

Note: Data provided here is derived from filed Federal Income Tax Returns

	2020	2021	2022	2023	2024
SALARIES					
FEES			**INFORMATION REDACTED**		
ROYALTIES					

DIVIDENDS

INTEREST

GIFTS

RENTS

OTHER

INFORMATION REDACTED

TOTAL

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

Yes.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

Not Applicable.

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

No. I do not foresee any conflicts of interest based on the position for which I am being considered. If at any time there is any indication that a conflict of interest could arise, I will immediately consult with an ethics lawyer to ensure I maintain compliance with all ethical standards.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

I filed an OGE278e on 13 March 2025 to be considered for this position. I would be happy to provide a copy of this form, as directed.

PART E - ETHICAL MATTERS

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

No.

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

INFORMATION REDACTED

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

No.

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

No.

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

In my professional capacity as a US Army Civilian Counterintelligence Special Agent, I am regularly affiliated with/consulted with regarding National Security related offenses which are associated with potential prosecutions under the uniform Code of Military Justice or Federal statutes. As part of my normal duties, I regularly coordinate interagency investigative activity regarding National Security-related investigations.

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

No.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F - SECURITY INFORMATION

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

No.

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

INFORMATION REDACTED

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

No.

PART G - ADDITIONAL INFORMATION

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

I strongly believe in and support the oversight of US Intelligence Activities by the elected representatives of the American people to the Congress of the United States of America. The Director, NCSC is obligated to provide fully transparent, factual and timely responses to Congressional inquiries, updates and requests for information. I believe that the mission to defend the US from adversarial threats is a non-controversial issue, with the Executive Branch and Legislative Branch both fully committed to meeting this critical responsibility. I would welcome the opportunity to collaborate with both the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence, at any time, in any venue, to advance our collective interests in securing the future of the United States.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

The role of the Director, NCSC is to serve as the head of national counterintelligence for the United States Government as defined by statute (Title 50 USC, Chapter 45, Subchapter V, subsection 3382). The Director, NCSC, has the responsibility to lead, synchronize and coordinate the whole of government Counterintelligence enterprise in full collaboration with interagency partners. While statute prohibits the NCSC from conducting counterintelligence investigations and operations, the role of the NCSC should absolutely be focused on enabling the whole of government counterintelligence community to execute highly effective counterintelligence investigations and activities in line with their own organizational authorities. The Director, NCSC also serves as the National Intelligence Manager – Counterintelligence (NIM-CI), and is responsible to develop budget and resource allocation plans for the counterintelligence programs of government agencies. This includes the responsibility to ensure that these resources are used for their intended purpose and achieve counterintelligence results. The Director, NCSC must ensure that emerging threats to our critical infrastructure (including cyber infrastructure), private sector (economic, research and development, academia, state/local government entities and the general population), defense industrial base, and federal agencies are identified and countered. Other Statutory requirements include the production of the National Threat Identification and Prioritization Assessment and the National Counterintelligence Strategy, subject to the approval by the President, and provided to congressional intelligence committees. Private sector engagement is also a critical part of the NCSC mission set – ensuring that our private sector partners understand the insidious threats posed by adversarial actors, the impact of these actions on our economic and academic base, and partnering with the private sector to counter the threat. The NCSC should serve as the "Center of Gravity" for the whole of government "Counterintelligence Fight".

The Director, NCSC is responsible for continuously evolving the whole of government security enterprise. Given our adversaries' consistent approaches to penetrate and influence all aspects of our society, we must harden our assets and infrastructure (including personnel security) through innovative, full spectrum security programs. NCSC must enable "Insider Threat" programs for all government agencies through the management of the National Insider Threat Task Force as outlined in Executive Order 13587. Non-Title 50 US Government organizations represent key partners and sensors, for both security and Counterintelligence, and deserve special emphasis. Operations Security, Cyber Security, Physical Security, and mitigating threats to the supply chain are also critical roles provided by the NCSC. Damage Assessments also represent a critical function of the NCSC in order to enable mitigation measures and potentially, legal processes. The NCSC should be leading efforts to explore new technical approaches to enhance our security apparatus, continued evolution of our security clearance process, and continued standardization of systems/reciprocity of security protocols across the interagency.

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Director of the National Counterintelligence and Security Center, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

GEORGE STREET SIGNATURE REDACTED

Date: 28 MAR 2025

AFFIRMATION

I, **GEORGE WESLEY STREET**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

28MAR2025
(Date)

GEORGE STREET SIGNATURE REDACTED

NOTARY SIGNATURE REDACTED

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

Additional Questions for
George Wesley Street upon his nomination to be
Director of the National Counterintelligence and Security Center

Responsibilities of the Director of the National Counterintelligence and Security Center

QUESTION 1: What is your understanding of the unique role of the National Counterintelligence and Security Center (NCSC) within the Intelligence Community (IC)?

The NCSC mission is to lead and support U.S. Government (USG) counterintelligence and security activities critical to protecting the nation, providing outreach to the public sector, and issuing public warnings regarding intelligence threats to the U.S. Broader than just the Intelligence Community (IC), the NCSC can and should serve as the center of gravity for the whole of Government "Counterintelligence Fight" and a leader for the security community. The NCSC has the potential to serve as the nerve center to enable USG agencies with the authorities and mission to execute operational activities that achieve counterintelligence effects. The NCSC can act as a fusion point for the USG counterintelligence and security communities as well as a critical touch point for private industry, academia, state, local, tribal and territorial governments. The NCSC can also serve as a key bridge between the federal IC and law enforcement (LE) communities.

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

My understanding of the specific statutory requirements of the NCSC are as follows:

- Lead the NCSC, and serve as the head of national counterintelligence for the USG
- Chair of the Counterintelligence Policy Board
- Production of the National Threat Identification and Prioritization Assessment
- Production of the National Counterintelligence Strategy
- Evaluate on an ongoing basis the implementation of the National Counterintelligence Strategy
- Coordinate the development of budgets and resource allocation plans for counterintelligence programs (at the direction of the DNI)
- National Counterintelligence Collection and Targeting Coordination, including the development of priorities for counterintelligence investigations, operations, and collection
- National Counterintelligence outreach, watch and warning, including outreach to private/public sectors, research and development, development of

policies and standards for training and professional development for counterintelligence personnel
- Developing standards and criteria for Counterintelligence Risk Assessments and Vulnerability Surveys and identifying vulnerabilities from foreign commercial spyware
- The NCSC also supports the DNIs role as the Security Executive Agent, providing expertise to support DNI decision making and policy guidance

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

If confirmed, Director Gabbard expects me to provide a return on investment of the American taxpayer; achieve substantive results; optimize NCSC structure; impose cost on adversaries; and be transparent with the U.S. Congress. She also expects that I will lead the U.S. counterintelligence and security communities, protect classified information, the defense industrial base, critical infrastructure, academia, private industry, state/local governments from foreign exploitation.

NCSC Mission

QUESTION 4: What do you believe are the greatest challenges facing the NCSC?

In my view there are several challenges currently facing the NCSC. There is a perception in the field that the NCSC is a "think tank" type entity that doesn't provide significant value to field elements executing counterintelligence and security mission sets. This is likely due to a lack of understanding of the statutory mission of the NCSC. The NCSC is meeting key national security needs and has unique capabilities that support the entire IC and beyond. However, the NCSC lacks solid linkages to the field elements that are executing counterintelligence and security mission sets. The NCSC must enhance its partnership with field elements, provide value to its consumer base, and ensure DNI/Congressional awareness of its unique functions. It must also be responsive to DNI requirements and focus on the defined mission: "organizing and leading strategic planning for counterintelligence activities of the USG by integrating instruments of national power as needed to counter foreign intelligence activities."

The NCSC must be more representative of all elements of "national power," including partnership with the interagency, ideally through partnership with the National Counterintelligence Task Force (NCITF) to better implement the National

Counterintelligence Strategy across the interagency.

QUESTION 5: Please explain your vision for the NCSC, including your views on its current and future priorities and what the organization should look like five years from now.

If confirmed, I envision the NCSC as the central hub for U.S. counterintelligence and security, supporting the government, private and public sectors as an agile center of gravity for all counterintelligence and security topics related to nefarious foreign intelligence entity activities. The NCSC can provide the linkages between these U.S. partners and the appropriate USG entity that can take action against adversarial entities.

The NCSC doesn't have to lead or include all of these diverse entities in its structure, but should serve as the mechanism to connect the right provider with the right consumer. The NCSC should not replicate or compete with activities being executed by other entities in the IC, but enhance centers of excellence that provide results effectively.

The NCSC should be agile to emerging threats, shifting techniques, and economic environments. The NCSC should spearhead whole-of-government and whole-of-nation solutions to complex counterintelligence challenges. For example, if foreign students represent a potential non-traditional collection threat to U.S. research, development, and technological leadership – the NCSC should be working to address that challenge, in coordination with stakeholders, to find legal, ethical and effective solutions to minimize that risk.

The NCSC should tirelessly explore opportunities to strengthen our overall security posture to protect classified information and national equities. Interoperability, reciprocity, and common standards for access to classified information should continue to evolve to keep pace with emerging challenges.

The NCSC should counter the exploitation of U.S. society and counter foreign malign influence through effective outreach and enabling operational activities of field elements. We must be agile and adaptable to counter the innovative techniques of foreign intelligence and adversarial elements. We should identify areas of redundancy, streamline and optimize our structure.

The NCSC should be valued by the elements of the interagency conducting the

investigative and operational activities of counterintelligence and security – these are key customers for the NCSC.

Any proposed changes to statutory requirements to make the NCSC more effective should be addressed under the leadership of the DNI, through applicable OMB processes, and in partnership with Congress.

Five years from now, I would envision an optimized, agile NCSC, that is respected and valued throughout the counterintelligence and security communities, providing unparalleled value to the nation.

QUESTION 6: What specific benchmarks should be used to assess the NCSC's performance?

The NCSC should be assessed on multiple benchmarks:

- Meeting Statutory Requirements. The NCSC is responsible to meet statutory requirements. It must do so in accordance with the law and in order to maintain credibility with the Executive Branch, the DNI, and the U.S. Congress.
- Providing a Return on U.S. Taxpayer Investment in Counterintelligence. The NCSC must be valued by its consumer base. It must effectively inform the private/public sectors of foreign intelligence threats/exploitation, enhance counterintelligence awareness, enable and empower effective counterintelligence investigations and operations by operational elements which achieve results and impose cost on adversarial elements.
- Strengthen the Security Enterprise. The NCSC must further strengthen the security enterprise through increased standardization of security standards, personnel security, operational security, polygraph, technical security, physical security, and reciprocity.
- Expanded Support to Non-Title (NT)-50s. The NCSC, in partnership with the NCITF, must expand support to NT-50s, the often targeted and hard to protect entities of the USG which provide gateways for nefarious foreign intelligence efforts.
- Value. The NCSC must be valued by the DNI, interagency and public/private sectors. In order to be valued, we must meet the needs of our consumers.

Counterintelligence Threats

QUESTION 7: What in your view are the most critical counterintelligence threats that are currently confronting the United States?

There are numerous emerging critical counterintelligence threats. Foreign entities are exploiting our critical infrastructure, targeting our economic base, infiltrating our academic/defense research and technology development, and targeting all aspects of our society. China uses a whole-of-society approach to exploit the U.S. with non-traditional collectors, third country national co-optees, and exploitation of our business communities with near impunity in the U.S. homeland. While traditional and technical collection is still a constant activity, non-traditional collection is frequently harder to detect, deter, and counter. Non-traditional collection is often not illegal or pursued for prosecution given the difficulty in proving a legal offense. Areas traditionally not associated with being counterintelligence risks, such as biotech and agriculture are also impacted. Foreign intelligence services relentlessly target emerging technologies such as artificial intelligence and quantum computing in the defense, academic, and private sector environments. Unmanned vehicles also pose new risks which we are not well postured to address. Numerous foreign nationals have been identified flying drones near critical U.S. infrastructure and defense facilities. Innovative approaches to collect agricultural data are underway by foreign companies using legitimate business models. While it is not necessarily illegal, they present a vulnerability and potential advantage to adversarial powers.

Most at risk for non-traditional collection and hardest to defend include:

- Academia (key hubs for research and development)
- Non-Title 50 USG elements
- Information management systems, including cyber systems
- Critical infrastructure
- Private sector businesses (economic exploitation)

QUESTION 8: What would be your top priorities for the NCSC, in terms of the counterintelligence threats facing the United States?

If confirmed by the Senate, my priorities for the NCSC would be:

- Establish the NCSC as the center of gravity for the whole-of-government /whole-of-nation "Counterintelligence Fight." I would look to ensure that the NCSC enables interagency collaboration and leverages agencies' respective authorities/mission areas to achieve counterintelligence effects.
- Enable interagency action by the whole-of-government, using agencies' unique expertise and authorities to achieve counterintelligence effects against adversarial activity. The intent is to impose cost on the adversary for insidious

exploitation of the United States.

- Bridge the federal law enforcement/IC gap. Frequently there is a gap in the information flow, operating systems, and shared understanding of the federal law enforcement community and the IC. Law enforcement elements frequently have information of value to the IC and vice versa. Enhanced collaboration between these elements will improve our national capabilities to fully identify and take action against emerging threats.
- Establish partnership with the National Counterintelligence Task Force (NCITF) in full coordination with the Federal Bureau of Investigation (FBI), Department of Defense (DoD) and interagency partners.
- Advocate for the establishment of a formal counterintelligence professional career field. There is currently no Office of Personnel Management (OPM) recognized job series for counterintelligence professionals. Organizations across the USG use varying job series to execute counterintelligence activities, including 1811 (Criminal Investigator); 0132 (Intelligence Specialist) and 0080 (Security Specialist). This leads to disparate training, execution and understanding of counterintelligence across the IC and whole-of-government.
- Advance security efforts, specifically continuous evaluation, Trusted Workforce 2.0, reciprocity, ensuring consistent polygraph use for access to sensitive compartmented information (SCI).
- Expand partnerships with state, local, tribal, territorial governments, as well as private industry and U.S. academia.
- Enhance reporting of counterintelligence incidents across the whole-of-government and ensure that actionable leads are appropriately passed to the USG entities who have the expertise and authority to action those leads.
- Solve hard counterintelligence and security issues challenges by utilizing a whole-of-government, interagency approach.

QUESTION 9: What actions would you plan to take to ensure that each of your identified priorities is satisfied?

If confirmed by the U.S. Senate, I would immediately conduct a review of the structure, personnel, and budget of the NCSC to ensure that it meets statutory obligations and priorities of the DNI to achieve results. I will identify areas where the NCSC can improve its performance to achieve substantive results. As needed, and under the direction of the DNI, I will optimize the structure, skill sets, and

manning of the NCSC to best meet its organizational mission.

I will collaborate with the FBI and DoD to immediately expand partnership with the NCITF to better link the NCSC with the whole-of-government counterintelligence effort and more effectively bridge the gap between the IC and federal law enforcement entities. This will also enhance the flow of counterintelligence leads and enable IC/LE elements to further their engagement/liaison with foreign partners regarding counterintelligence threats.

I will work with OPM and interagency partners to establish a formally recognized counterintelligence professional career field and designator.

NCSC will conduct a review regarding the health of the security enterprise and identify areas that require additional attention. As issues are identified, I will coordinate with the DNI (who serves as the Security Executive Agent) to address any issues or challenges.

I will explore opportunities to refocus NCSC's "engagement team" to enhance not only private/public sector engagements, but opportunities to increase awareness for the American public of the nefarious and sinister threats posed by adversarial intelligence/foreign malign influence.

QUESTION 10: In your opinion, what counterintelligence threats, if any, have been overlooked or underestimated?

There are numerous counterintelligence threats that have been underestimated by the U.S. counterintelligence community for too long. In many cases adversarial entities work with impunity in the U.S. homeland, exploiting the seams and varying definitions/understanding of "counterintelligence" across the USG. China uses a whole-of-society approach to exploit all aspects of U.S. society.

Non-traditional collectors exploit the U.S. academic community, research and development efforts, and economic entities of our nation. In many cases, these non-traditional collectors are not committing crimes associated with traditional counter-espionage activities and fall below the level of interest of federal law enforcement entities due to no "known affiliation" with foreign intelligence entities. Numerous examples include the operation of drones over military bases/critical infrastructure by Chinese nationals in the U.S. on student/tourist visas, and exploitation of

academic/defense research to the benefit of the People's Republic of China defense industrial base. This is particularly concerning in the areas of emerging disruptive technologies such as artificial intelligence, with both economic and national security implications. This situation is exacerbated by a lack of robust vetting of foreign nationals working/studying in Science, Technology, Engineering and Mathematics (STEM) fields at U.S. universities and private/public sectors. Foreign intelligence entities also exploit unexpected sectors such as biotech and agriculture, with the specific goal of undercutting the U.S. agricultural economic advantage. Foreign malign influence, executed through social media platforms to enflame social divisions in the U.S., downplay negative actions by adversarial elements, and encourage inaccurate favorable views of dictatorial regimes, represents an underappreciated threat to the U.S. population.

China takes a whole-of-government and whole-of-society approach to exploiting the United States. The NCSC must evolve and adapt to the non-traditional techniques used by China to effectively lead the U.S. whole-of-nation "Counterintelligence Fight."

QUESTION 11: What in your view is the appropriate role of the NCSC in conducting direct informational outreach to U.S. National Labs, universities, and private sector start-ups and other entities vis-à-vis their appeal as high-value targets for economic espionage?

The NCSC is statutorily directed to carry out and coordinate outreach efforts with elements of the USG and the private sector to provide awareness and warnings of counterintelligence threats (section 904 of the Counterintelligence Enhancement Act of 2002). Ideally, these outreach efforts would be conducted in partnership with local FBI Counterintelligence Task Force (CITF) elements, DoD, and Department of Energy counterintelligence elements, as appropriate. Doing combined outreach ensures relationships are established between action elements and consumers of the threat data. The NCSC should be coordinating across the IC to develop releasable products to support these outreach engagements and empower investigative and operational elements of interagency partners in support of the USG and private sector. The NCSC can also proactively work to identify the needs of the private sector and local governments to identity elements of information that will facilitate their ability to protect themselves and enhance reporting of suspicious counterintelligence or security issues to USG agencies that have the authority to take action.

QUESTION 12: If confirmed, how will you expand and institutionalize NCSC outreach to private sector entities whose technology and supply chains are of high interest to adversaries like the People's Republic of China?

If confirmed by the Senate, I would look to expand outreach to the private sector, not only on cyber, technology, and supply chains, but in all areas that are susceptible to foreign intelligence exploitation or foreign malign influence. I would pursue every opportunity to provide releasable data from the IC to "at risk" private/public entities in a timely, relevant manner and in conjunction with local FBI CITF, Department of Homeland Security (DHS), and DoD counterintelligence organizations, as appropriate. I will explore the opportunity to refocus NCSC's engagement team, to engage with private sector/state/local government entities with releasable data, in full coordination with local FBI CITFs and DHS partners, as soon as nefarious intentions are identified by the IC. While difficult to quantify, detecting, countering, and preventing adversarial exploitation before it happens is more effective than reacting.

QUESTION 13: Please describe the counterintelligence threat resulting from the presence of thousands of foreign nationals from adversary countries at our National Labs and the risks this threat poses to U.S. national security.

The presence of foreign nationals from adversarial nations at U.S. National Labs represent a long-standing threat to the long-term national security of the United States. This technique of foreign collection and exploitation of the U.S. is representative of the challenge of non-traditional foreign collection. In many cases, these personnel are participating in critical research then returning to adversarial nations to advance their defense industries and/or economic enterprises. In short, we are funding, training, and educating adversarial actors for the benefit of our adversaries and competitors. In many cases, these personnel are not committing any crime that can be prosecuted, but represent a vulnerability in our National Lab system. I do not view this as a linear China, Russia, Iran, North Korea problem set, but from a broader perspective. Frequently, the Talent Programs of the Chinese Communist Party fund the education of third country nationals and co-optees with an expectation of return for China. The USG should explore legally viable options to expand the vetting of foreign nationals working in U.S. National Labs to reduce the threats posed by this insidious exploitation of our nation.

Congressional Oversight

QUESTION 14: The National Security Act of 1947, Section 102A (50 U.S.C. § 3024) provides that the Director of National Intelligence (DNI) "shall be responsible for ensuring that national intelligence is provided . . . to the Senate and House of Representatives and the committees thereof," and to "develop and determine an annual consolidated National Intelligence Program [(NIP)] budget."

A. What do you understand to be the obligation of the DNI, and the Director of the NCSC in support of the DNI, to keep the congressional intelligence committees fully and currently informed about matters relating to compliance with the Constitution and laws?

B. What are the Director of the NCSC's specific obligations under Section 102A (50 U.S.C. § 3024), including as to the NIP budget?

My understanding of section 102A of the National Security Act is that the Director of the NCSC, in support of the DNI, is obligated to ensure that the congressional intelligence committees are informed of all matters relating to compliance with the Constitution and U.S. laws. As I understand it, the Director of the NCSC is also responsible to submit annual budget requests that meet the resourcing needs of NCSC for inclusion in the overall NIP Budget. Director, NCSC is also responsible to answer any additional requests from the DNI for the purpose of determining the annual consolidated NIP budget.

NCSC Authorities, Personnel, and Resources

QUESTION 15: Section 7305 of the *Intelligence Authorization Act for Fiscal Year 2024* (P.L. 118-31, Div. G) established that NCSC's mission "shall include organizing and leading strategic planning for counterintelligence activities of the United States Government by integrating instruments of national power as needed to counter foreign intelligence activities." If confirmed, how would you ensure that NCSC's mission is executed according to this statutory requirement?

While the NCSC is statutorily prohibited from conducting counterintelligence investigations or operations, the NCSC can play a key role in enabling effective counterintelligence investigations, operations, and activities. By identifying emerging threats to specific sectors, the NCSC can work directly with interagency partners who have the authority, mission and ability to take action on those threats. A significant part of this effort will be a strong partnership with the NCITF, which has participants from over 50 USG organizations. The NCITF represents the most effective bridge to

action elements available to the interagency. The NCSC is not able to direct action against specific target sets at the tactical level, vulnerabilities, or threats, but it does have the capability to synergize interagency efforts that result in action by individual agencies and partners. Counterintelligence threats and foreign influence challenges remain complex and ever-evolving. No single agency in the USG has the expertise or authorities to address adversarial efforts to exploit all aspects of U.S. society. Agile, whole-of-government interagency solutions are needed to address complicated counterintelligence problems. If confirmed, I intend for the NCSC to lead those efforts in a collaborative manner that achieves results and imposes cost on nefarious adversarial activity.

QUESTION 16: Please describe your authorities over the counterintelligence offices within the IC.

The NCSC does not exercise direct authority over the counterintelligence entities of the IC or other government entities that work in the counterintelligence space. However, the NCSC does have the statutory authority to evaluate the counterintelligence community's implementation of the National Counterintelligence Strategy. In addition, the National Intelligence Manager – Counterintelligence (NIM-CI) participates in the DNI National Intelligence Priorities Framework (NIPF) and the DNI Intelligence Planning Programming, Budgeting and Execution (IPBBE) process and strongly influences counterintelligence priorities, funding decisions, and counterintelligence results achieved by the counterintelligence elements of the IC.

QUESTION 17: Do you see any need for modifications to the statutory role or authorities of the Director of the NCSC? If so, please explain.

Not at this time. If confirmed, I will look to complete a holistic review of the NCSC (budget, personnel, mission function areas). This review will enable me to identify any updates needed to the statutory roles and authorities of the NCSC. If updates are needed, I will work with the Senate Select Committee on Intelligence and House Permanent Select Committee for Intelligence on any proposed changes, after consultation with DNI Gabbard, and through OMBs legislative proposal processes. Of note, the NCSC does not need the authority to execute investigations or operations; the NCSC should serve as the nerve center of the U.S. counterintelligence and security communities, synchronizing the unique expertise/authorities of the whole-of- government to achieve counterintelligence effects.

QUESTION 18: What is your view of the NCSC's size and function?

While I have not yet had the opportunity to execute a complete review of the NCSC structure and mission focus, I assess that the current size of the NCSC is adequate to satisfy current statutory and DNI requirements. However, I believe that that current structure must be optimized and the focus areas improved to ensure that the NCSC is not duplicating other activity being conducted in the USG. If confirmed by the Senate, one of my top priorities will be to conduct a line-by-line review (budget, personnel, and function) to identify areas of redundancy gaps in the national counterintelligence and security communities, and efficiencies.

QUESTION 19: Do you believe that the NCSC has sufficient personnel resources to carry out its statutory responsibilities effectively? If not, where does NCSC require additional personnel resources? If so, where should NCSC streamline its personnel?

As I am not currently in the role of Director, I look forward to having the opportunity to fully assess the NCSC and ensure alignment with statute, the National Counterintelligence Strategy, the President's priorities, DNI priorities, and Congressional priorities.

QUESTION 20: In your view, what are the competing values and interests at issue in determining to what degree there should be a permanent cadre of personnel at the NCSC, or at any of its components, and to what degree the NCSC should utilize detailees from the IC elements?

Detailees from across the IC are critical to refresh the currency of expertise and bring the most recent, relevant experience to the NCSC. The threats posed by our adversaries are constantly changing and require an agile, adaptable enterprise to counter them. While IC detailees are of significant value, the modern "Counterintelligence Fight" requires collaboration across the whole-of-government to leverage the unique perspectives, expertise, capabilities and authorities of the entire USG enterprise. This includes organizations that have not traditionally had many representatives at the NCSC, such as DHS, NT-50s, and federal law enforcement organizations. Both detailees, working under the authorities and management of NCSC, and assignees, collaborating with the NCSC but working on behalf of and under the authorities of their home organizations, are of value to a collaborative effort. Detailees should be of exceptional quality, in place for a set period of time, and work to advance the organizational mission of the NCSC vice influencing the NCSC on behalf of their home organization. Assignees can provide critical linkages to home agencies to forward the shared goals of the NCSC and partner organizations. Cadre positions ensure NCSC continuity and synchronization with the business practices of

the ODNI. If confirmed by the U.S. Senate, I will review the current structure to maximize the impact of cadre, detailee, assignee, and contractor manning of the NCSC, with the intent to maximize efficiency.

QUESTION 21: What are your views on the NCSC's intelligence budget in the short-, medium-, and long-term? In what areas should the intelligence budget be modified, and how?

If confirmed by the U.S. Senate, I am committed to initiating a line-by-line review of the NCSC budget to ensure that funding is achieving results for the American taxpayers as envisioned by the U.S. Congress. Upon review, I will look to address areas that require improvement under the direction of DNI Gabbard and in full collaboration with the U.S. Congress. If I identify budget shortfalls or areas that require additional investment due to evolving techniques of adversarial actors, I would first look to address these shortfalls internally, in accordance with specific Congressional allocations for NCSC, before highlighting the need for additional budget resources. Of note, a significant portion of the NCSC budget is apportioned towards the security portfolio, which reduces the risks posed by potential insider threats and secures classified information for the IC and greater government enterprise.

QUESTION 22: What reforms are required to ensure that NCSC's personnel and resources are in line with NCSC's value to the ODNI and the larger IC? Have you discussed these reforms with Director Gabbard?

If confirmed by the U.S. Senate, I will look to optimize the NCSC structure, manning, and budget to achieve results for the DNI, whole-of-government and nation writ large. I will establish the NCSC as the center of gravity for the whole-of-government "Counterintelligence Fight," I will expand NCSC partnership with the NCITF, which should serve as a key linkage for the NCSC to field elements. I will enable field elements to be more effective in conducting investigations and operations that achieve effects and impose cost on adversaries. I will review the current manning/expertise at the NCSC to ensure we have the right skill sets/expertise applied against the right problem sets. I will explore cost saving solutions for the management of the U.S. counterintelligence community. I will continue to strengthen security practices across the IC and whole-of-government (Trusted Workforce 2.0, polygraph, protection against technical collection, National Operations Security Program Office), identify and address supply chain threats, and secure U.S. innovation. If confirmed, DNI Gabbard expects me to provide a return on investment for the American taxpayer;

achieve substantive results; optimize NCSC structure; impose cost on adversaries; and be transparent with the U.S. Congress.

NCSC Analysis

QUESTION 23: What unique role does NCSC's strategic counterintelligence analysis play, as compared to the analysis produced by other IC components?

All source analysis of counterintelligence related information is generally done by the IC writ large, vice the NCSC directly.

As directed by the DNI, the NCSC conducts damage assessments of significant compromises of national security information and assessments of lessons learned from counterintelligence activities. Damage assessments provide key insights into foreign intelligence collection techniques, may provide additional leads for counterintelligence law enforcement investigation referral, identify mitigation measures, and identify potential avenues to prevent future compromises.

NCSC should also play a key role in federating the disparate counterintelligence analytical enterprise to cross-pollinate best practices, synergize analytical partnerships, track new developments, and ensure the community's analysis is focused on national counterintelligence priorities. Collaborative counterintelligence analysis across interagency/organizational boundaries can better enable holistic action by field elements.

The NCSC is also statutorily required to produce the National Threat Identification and Prioritization Assessment (NTIPA) and the National Counterintelligence Strategy (NCS) under the Counterintelligence Act of 2002 (section 904 of the Counterintelligence Enhancement Act of 2002). The NTIPA effectively fuses input regarding emerging threats identified across the IC into a consolidated assessment that identifies the most significant issues. The NTIPA enables the production of the NCS, which is used by the IC and interagency partners to focus their respective counterintelligence activities. Additionally, the NCS is published at the unclassified level for public release, allowing for sharing with private industry, academia and local elements to expand public awareness of counterintelligence issues. These documents represent interagency analysis.

QUESTION 24: What is the NCSC's role in coordinating and publishing the IC's counterintelligence assessments?

As directed by the DNI, and in consultation with the appropriate agencies and departments of the USG, NCSC oversees and coordinates the production of strategic counterintelligence analysis. The NCSC is directly responsible for the National Threat Identification and Prioritization Assessment (NTIPA). The NTIPA identifies the most current trends in adversarial collection against the U.S. and partner nations. It is produced in coordination with the IC and other federal partners. It reflects the most current concerns of the IC and U.S. decision makers regarding the full range of foreign intelligence threats to the U.S. and partner nations. Given that collaboration with foreign partners is critical to successful counterintelligence activities, the NCSC also produces releasable versions of the NTIPA for use by the appropriate LE and IC elements in counterintelligence liaison activities. The NCSC should also play a role in federating the whole-of-government counterintelligence analytical enterprise, specifically through hosting collaborative forums to enhance counterintelligence analysis, investigations, and operational activity from a broader perspective that includes the IC and other government elements impacted by or taking action against foreign collection efforts.

State and Local Governments

QUESTION 25: What is the NCSC's role in producing and disseminating intelligence for state, local, and tribal partners, including information as it relates to insider threats?

A. How is that role different than that of the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS)?

B. What is your understanding of the amount and nature of cooperation among NCSC, FBI, and DHS?

The NCSC does not have a role in directly producing or disseminating finished intelligence for distribution to state, local and tribal partners. However, the NCSC should play a role in identifying threats to these elements, coordinating releasable products to these organizations from within the IC, ensuring awareness by these entities of the threats, and empowering them to defend their own equities. The NCSC can accomplish this by sharing best practices that raise awareness and explain the

risk, in full partnership with FBI field Counterintelligence Task Forces and DHS field entities. NCSC should look to expand partnership and collaboration with both DHS and FBI field offices as the action elements closest to the problem set. While these linkages do exist, they are uneven and often based on personal relationships vice institutionalized relationships. FBI and DHS entities are frequently focused on law enforcement/counterterrorism activities vice vulnerabilities and awareness of broader counterintelligence threats. Effective, institutionalized collaboration between FBI, DHS, and NCSC will enhance the mission of all three organizations, expanding reported incidents and allowing for both criminal investigations and counterintelligence operational potential for field elements. Many of the vulnerabilities encountered by state, local, and tribal entities fall below the cut line for DHS/FBI action, but can be of interest to the greater counterintelligence community, interagency partners, and the IC. Exploring co-location of the National Counterintelligence Task Force with NCSC would assist in the ability to address complex challenges from an interagency perspective and bridge organizational culture and mission gaps. The NCSC also participates in the ODNI's Federal, State, Local, Tribal and Territorial (FSLTT) Partnerships Group in order to support the whole-of-nation effort.

National Intelligence Manager for Counterintelligence

QUESTION 26: What is your vision of the Director of the NCSC in the role of National Intelligence Manager for Counterintelligence?

As the National Intelligence Manager for Counterintelligence (NIM-CI), the Director of NCSC should set priorities for counterintelligence analysis, and collection requirements and integrate the community's activities to support counterintelligence priorities. These priorities should be based on our holistic understanding of current foreign intelligence entity activities, target areas, target technologies, and analysis from across the IC. The NCSC does this through the National Counterintelligence Strategy, the NTIPA, and supporting the DNI's budgeting process through the Intelligence Planning, Programing, Budgeting, and Evaluation (IPPBE) system as outlined in Intelligence Community Directive 116. As the NIM-CI, the IPPBE allows the NCSC to ensure resources are dedicated against the most current priorities.

QUESTION 27: What is the Director of the NCSC's role in developing the National Intelligence Priorities Framework with regard to counterintelligence?

In accordance with the DNI's statutory authorities and ICD 204, the National

Intelligence Priorities Framework (NIPF) serves as the primary mechanism to focus the IC on national intelligence priorities for collection and analysis. As the NIM-CI, the Director, NCSC, is responsible for supporting the DNI updates to the NIPF from a counterintelligence perspective.

QUESTION 28: What is the Director of the NCSC's role in providing guidance on resource allocation with regard to particular counterintelligence capabilities and platforms?

As the NIM-CI, the Director, NCSC, is responsible to support the DNI IPPBE process to ensure resource allocation through the National Intelligence Program budget (in accordance with ICD 104) and supports the DNI's participation in the development of the Military Intelligence Program (ICD 900) for specific areas of counterintelligence focused capabilities, platforms and focus areas.

QUESTION 29: What is the Director of the NCSC's role in providing guidance with regard to the allocation of resources among and within IC elements?

As noted in the responses to questions 26, 27 and 28, the Director, NCSC provides guidance to the allocation of resources regarding security and counterintelligence by acting as the NIM-CI, participating in the DNI IPPBE process, and the DNI NIPF process. The Director, NCSC, continuously assesses the performance of the counterintelligence and security efforts across the IC, identifies areas that need additional resources, and identifies areas that are not producing the expected results (as identified by the NIPF requirements). NCSC does not directly allocate resources to IC elements, but influences resourcing decisions of the DNI through the IPPBE.

QUESTION 30: Given resource constraints, how should the Director of the NCSC identify unnecessary or less critical programs and seek to reallocate funding?

The Director of the NCSC is responsible to identify unnecessary or low priority programs through evaluation of the counterintelligence and security executors, collaboration with IC partners, the NCSC-led National Counterintelligence Policy Board and National Counterintelligence Strategy and Resources Board, and direction from the DNI. Given the constantly evolving nature of the counterintelligence landscape and threats posed by adversarial entities, consistent evaluation of the current state of play is necessary. While the National Counterintelligence Strategy and the National Threat Identification and Prioritization Assessment are helpful tools,

we must be mindful of the agility and creativity of adversarial actors. Specifically, the Chinese Communist Party has shown their ability to react to ongoing events and capitalize on perceived vulnerabilities in the U.S. While security related efforts often have more continuity, we must ensure that our security efforts are keeping pace with emerging technical threats and cyber threats. The Director, NCSC does not directly allocate/reallocate funds, but participates in the DNI's Intelligence Planning, Programming, Budgeting and Execution (IPPBE) process to focus resources on higher priority requirements.

QUESTION 31: What are the most important counterintelligence gaps and shortfalls across the IC? If confirmed, how would you address these gaps and shortfalls?

The U.S. counterintelligence community lacks a defined center of gravity, a central touch point, and a shared understanding of exactly what constitutes counterintelligence. A patchwork of authorities and responsibilities in both counterintelligence and security across the U.S. government further complicates this challenge. In addition to these challenges, there is no formally designated job series for counterintelligence professionals recognized by the Office of Personnel Management in the U.S.G. There are no recognized standards for the conduct of sensitive counterintelligence activities, with each organization establishing varying standards for executing and classifying sensitive counterintelligence activities. Our adversaries are consistently innovative, and exploiting the seams between USG organizational responsibilities to exploit our research, development, academia, and private and public sectors to their advantage. In many cases this insidious exploitation of our nation is executed using non-traditional means which are not illegal or readily identifiable as traditional espionage activities. In many cases, our adversaries act with impunity in our homeland, exploiting our critical infrastructure (VOLT TYPHOON, SALT TYPHOON). China has even brazenly flown a spy balloon over the U.S. heartland. These actions will continue by adversarial elements until we impose a cost on the adversary for their nefarious activities.

If confirmed by the U.S. Senate, I will look to empower and enable the whole-of-government enterprise, using the unique authorities/expertise of each organization to impose cost on the adversary. I will pursue the establishment of a formal counterintelligence job series, explore avenues to better support NT-50 organizations and enhance partnerships with private industry, academia and local governments – all of which represent the most targeted, vulnerable areas to our adversaries. Closer partnership with the National Counterintelligence Task Force will provide a key avenue to bring the NCSC closer to the operational organizations which can take

action on emerging threats.

Insider Threats and Unauthorized Disclosures

QUESTION 32: What is the role of the NCSC in preventing insider threats and unauthorized disclosures?

The NCSC currently hosts the National Insider Threat Task Force (NITTF). Further, countering insider threats is the inherent mission set of both the counterintelligence and security communities within the USG. Adversarial elements seek to collect information, both classified and unclassified from the whole of the U.S. government, academia, private industry, state, local and tribal governments, the agriculture, and biomedical sectors. Insider threats pose a threat across the full spectrum of these sectors to the benefit of adversary intelligence services and economic competition. While the NITTF is a helpful tool within U.S. federal government structures, the outreach conducted by the NCSC is key to supporting the threats to the entire nation.

QUESTION 33: How does the NCSC work with the FBI's National Insider Threat Task Force to deter, detect, and mitigate insider threats?

In accordance with Executive Order 13587, the NITTF is co-chaired by the Attorney General and Director of National Intelligence (or their designees). The NITTF is currently hosted at the NCSC and staffed by NCSC personnel. The NITTF works to enhance and assess the Insider Threat programs of executive branch entities. The collaborative assistance of the NITTF is particularly important to NT-50 agencies, for which insider threat guidance frequently comes with limited (if any) resources to detect, deter and mitigate insider threats. The NCSC, under the leadership of the DNI, continues to support USG partners to solidify their current insider threat efforts.

QUESTION 34: What is your plan to ensure success in preventing insider threats and unauthorized disclosures?

Preventing insider threats and unauthorized disclosures fits squarely in the center of the NCSC mission set. The insider threat problem is inherent to both the security and counterintelligence enterprises. Current NCSC activities addressing this problem set include the National Operations Security Program, continued implementation of the security continuous evaluation program, and polygraph program. I would look to expand the polygraph requirement for personnel with access to sensitive compartmented information (SCI) information, close gaps between differing

information systems and classified information access requirements for IC organizations, and ensure the appropriate, written referrals to the Department of Justice and Federal Bureau of Investigation in support of DNI Gabbard's initiative to address unauthorized disclosures. While written referrals to the DOJ and FBI are important from a law enforcement perspective, written referrals regarding unauthorized disclosures to home organizations that fall below prosecutorial benchmarks can result in administrative actions and/or security clearance revocations for perpetrators. In regards to the threats in the cyber domain, expanding detection mechanisms to ensure the protection of classified information is a critical aspect that I would look to expand. Also of note are the damage assessments conducted by the NCSC in support of the DNI; these damage assessments can identify investigative leads for referral to law enforcement, enhance our awareness of foreign intelligence techniques, serve as a deterrent to potential insider threats, identify trends to inform the security/continuous evaluation process, and identify mitigation measures when compromises do occur.

Acquisition and Supply Chain Risk Management

QUESTION 35: What is the role of the NCSC in preventing and mitigating foreign state and nonstate actors from compromising the supply chains upon which the U.S. government relies for its products and services?

The NCSC should set priorities for counterintelligence collection against threats, analysis of threats, and advocacy for security of critical U.S. supply chains. This is particularly relevant in emerging and previously underappreciated areas of the supply chain such as rare earth minerals, which have the potential for national security and economic impacts. Through the DNI enterprise, the NCSC should be tracking all emerging counterintelligence threats to key U.S. supply chains, keeping the DNI, executive branch and U.S. Congress informed of emerging trends and vulnerabilities to current and future supply chain equities at both the classified and unclassified level. The NCSC can share unclassified information with private industry and academia to inform these entities of adversarial intentions vis-à-vis the supply chain. The NCSC can also serve as the connective tissue between supply chain centers of excellence in the IC, the acquisition community, the federal law enforcement community and consumers to enable real action by field elements to confound nefarious efforts to exploit the U.S. supply chain.

Question 36: What is your plan to increase the NCSC's success in preventing and

mitigating foreign state and nonstate actors from compromising the supply chains upon which the U.S. government relies for its products and services? How do you measure and define "success" in this context?

Preventing and mitigating threats to the U.S. supply chain starts with effective analysis to identify emerging counterintelligence threats and federating the USG Supply Chain Risk Management (SCRM). There are silos of excellence regarding SCRM across the IC, which are frequently disconnected from elements that can actually take action on identified threats. Adversarial actors are and will continue to be innovative in their approaches to compromise U.S. supply chains, particularly for foreign sourced products and services. Adversaries will use all available means (both legal and illegal) to obfuscate their nefarious activities. While the NCSC does not and should not conduct redundant SCRM activities, the NCSC can play a key role in establishing priorities for collection against counterintelligence threats to the supply chain, prioritize IC analysis on vulnerabilities in the supply chain and the provision of actionable information to the acquisition community, federal law enforcement elements, and IC elements. This will enable law enforcement actions, acquisition actions, and law enforcement/intelligence liaison with foreign partners to mitigate and disrupt emerging threats. If confirmed by the Senate, I will look to enhance the NCSC's role as a nerve center for SCRM prioritization/collaboration from a counterintelligence perspective, enabling action by field elements. I would define success in this regard as investigations by federal law enforcement, disruptions of adversarial efforts to exploit our supply chain, counterintelligence operations to exploit adversarial efforts, disruption of adversarial activities by partner nations, contract debarments, and stronger security of our supply chain from the research and development phase through acquisition.

QUESTION 37: How do you intend to use NCSC's resources and organizational mandate to fight against the licit and illicit acquisition of U.S. sensitive and advanced technology by foreign actors?

While the NCSC is statutorily prohibited from carrying out CI investigations or operations (section 904 of the Counterintelligence Enhancement Act of 2002), NCSC may leverage the analytical elements of the IC to provide actionable information to partners in the federal law enforcement/whole-of-government enterprise for further action. Establishing strong partnerships and collaboration with action elements such as the FBI, DHS (Customs and Border Protection, Homeland Security Investigations), Department of Commerce, DOD, NSF, HHS, and other USG partners enable measurable action. In addition to actual action on current threats by the entities with

the appropriate authorities, enhanced outreach with private industry, academia, partner nations (in full coordination with local federal partner organizations) at the unclassified/releasable level regarding emerging threats by adversarial actors provides an opportunity to enhance reporting, disrupt adversarial collection, and enable private entities to protect themselves to a greater extent.

Professional Experience

QUESTION 38: Please describe specifically how your experiences would enable you to serve as the Director of the NCSC.

I have nearly 30 years of full spectrum counterintelligence experience in nearly every aspect of the mission as both an active duty and U.S. Army Civilian Counterintelligence Special Agent. I have conducted, led, and managed the full spectrum of counterintelligence investigations and operations from the tactical level in peacekeeping and combat operations to the strategic level in partnership with interagency partners. I have conducted activities in both the United States and globally with the U.S. Intelligence Community, foreign partner nations, federal law enforcement partners, state and local partners, private industry, and NT-50 organizations. I have represented the DoD as the Deputy Director of the FBI-led interagency National Counterintelligence Task Force. I have led, managed, and coordinated counterintelligence/security technical services including technical security countermeasures, polygraph, cyber efforts, research and technology protection, and interagency task forces for cyber, counterintelligence, and counterterrorism. I have led large scale damage assessments regarding significant compromises of classified information. I have established new partnerships to evolve the understanding of, and action against, emerging counterintelligence/security threats including non-traditional collection and exploitation of U.S. research. I have conceived, coordinated, and implemented sensitive interagency activities to impose cost on and neutralize adversarial collection efforts. I have a unique understanding of the gap between the federal law enforcement community and the IC – I know how to bridge that gap in a collaborative manner that utilizes the unique authorities and expertise of interagency partners, which achieves substantive results. The breadth and depth of my unique experience is rare in the whole-of-government counterintelligence/security community.

FBI Background Investigations

QUESTION 39: Should the FBI conduct background investigations of all

Presidential nominees for positions within the executive branch of the federal government to ensure that those under consideration for positions of significant authority and responsibility will not misuse the power of their offices and do not have vulnerabilities that make them susceptible to coercion by our adversaries?

Yes, all Presidential nominees should undergo background investigations.

QUESTION 40: Have you undergone, or will you undergo, an FBI background investigation as part of the process associated with your nomination?

Yes, I have**.** I also most recently completed a polygraph examination on 10 April 2025. I have held a TS/SCI clearance for over 30 years, completed several polygraph investigations and undergone numerous background investigations in order to meet all security and special access requirements.

QUESTION 41: Do you agree to provide the results of your FBI background investigation to the Chairman and Vice Chairman of this Committee for review?

Yes.

Workforce Protection

QUESTION 42: 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 43: Do you commit to consider professional qualifications in personnel decisions exclusively, without consideration of partisan or political factors?

Yes.

QUESTION 44: 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?

If confirmed by the U.S. Senate, I fully commit to ensuring that all employees at

NCSC are treated with respect and without regard to their personal political preferences. Throughout my career I have always maintained apolitical leadership in the workplace. I have been and remain focused on the mission, authorities, organization, and technical expertise/performance of the workforce.

QUESTION 45: If confirmed, what assurances will you provide to the NCSC workforce that personnel decisions will be based exclusively on professional qualifications, performance, and needs and not on personal political preferences?

If confirmed by the U.S. Senate, I fully commit to ensuring that all employees at NCSC are treated with respect and without regard to their personal political preferences. Throughout my career I have always maintained apolitical leadership in the workplace. I have been and remain focused on the mission, authorities, organization, and technical expertise/performance of the workforce.

QUESTION 46: Will you impose a political litmus test for NCSC employees? Is a political litmus test ever appropriate in determining who can or should work in NCSC?

No. Employees in the U.S. Intelligence Community and NCSC should be selected based on their specific skills, work performance and needs of the organization. The work of the U.S. Intelligence Community must be apolitical. The personal political positions of employees are irrelevant to the mission of NCSC.

Questions from Senator Warner

Legal Compliance

QUESTION 47: If confirmed, will you commit to expend the funds authorized and appropriated by Congress for the NCSC and to formally notify Congress and obtain approval for any recessions or deferrals, in accordance with the law?

Yes.

QUESTION 48: If confirmed, will you commit to ensure that all personnel actions taken by the NCSC are carried out in strict accordance with the law?

Yes.

QUESTION 49: If confirmed, will you commit to comply with all duly issued court orders or other rulings, even if you disagree with the court's decision?

Yes.

Department of Government Efficiency

QUESTION 50: If confirmed, will you commit not to accept direction from the Department of Government Efficiency (DOGE) on any personnel or other matters relating to NCSC?

If confirmed as the Director of the NCSC, I will ensure that I, and NCSC personnel, follow all legal directives and guidance of the Director of National Intelligence.

QUESTION 51: If confirmed, will you commit to prevent DOGE from accessing NCSC systems?

I will follow all legal guidance and directives of the DNI. The NCSC space and systems are at the classified level and I will always maintain appropriate security protocols for any/all access to any NCSC systems.

Protecting Classified Information

QUESTION 52: Should any employee of the Intelligence Community be granted access to classified information if they have not been determined to be eligible for access under Executive Order 12968 based upon a favorable adjudication of an appropriate investigation of the employee's background?

Generally, no. EO 12968 requires employees of the U.S. Intelligence Community to undergo the appropriate background investigation and be favorably adjudicated prior to accessing classified information. However, EO 12968 does provide an accommodation for exceptional circumstances where official functions must be performed prior to the completion of the investigative and adjudicative process, allowing temporary access to classified information in such cases.

QUESTION 53: Do you agree that all personnel granted access to classified information have a lifetime obligation to protect that information, including after they leave government service?

Yes.

Ethics

QUESTION 54: Federal ethics laws, to include 10 U.S.C. §208, prohibit government employees from participating in matters where they, or certain family members or organizations with which they have certain relationships, have a financial interest. Do you agree, without qualification, if confirmed, to disclose any potential conflicts of interest, including investments, business ties, family relationships, or other connections that could be perceived as influencing your decision making?

Yes. If at any time there is ever any question or potential conflict of interest, I will immediately report it and consult with the appropriate ethics attorneys.

QUESTION 55: Do you agree, without qualification, if confirmed, that if a conflict of interest arises, you will recuse yourself from participating in any relevant decisions regarding that specific matter?

Yes. I completely agree with this standard. I am obligated, legally and morally, to follow all ethical standards.

QUESTION 56: Do you commit, without qualification, if confirmed, to decision-making on the merits and exclusively in the public interest, without regard to private gain or personal benefit?

Yes.

National Counterintelligence Strategy

QUESTION 57: On August 1, 2024, NCSC publicly released a new National Counterintelligence Strategy. Do you agree with the goals and plans laid out in the Strategy? What would you change? If confirmed, what immediate actions will you

take to implement the strategy?

Yes. I agree with the goals and plans laid out in the National Counterintelligence Strategy. I agree that China represents the most prolific threat to the national security and economic security of the United States, followed by other adversarial actors of Russia, Iran and North Korea. However, I do not see the threat as linear and only emanating from those nations. Foreign intelligence entities, including China, Russia and Iran are innovative in their approaches to exploit all aspects of U.S. society. We can expect that they will use all aspects of their enterprise, including non-traditional collection, unmanned systems, third country nationals and co-opted U.S. persons to achieve their collection, exploitation and influence objectives. The whole-of-government/whole-of-nation "counterintelligence fight" is in a constant state of evolution. We must be agile in our response. Addressing these challenges takes a whole-of-government and whole-of nation approach. Given that the NCSC is statutorily prohibited from conducting counterintelligence investigations and operations (as outlined in section 904 of the Counterintelligence Enhancement Act of 2002), enhanced collaboration across federal entities is critical to success. In addition to the commonly recognized partners associated with counterintelligence (DOJ, FBI, DoD, DHS), this collaboration must be expanded to NT-50 federal organizations, state, local, tribal entities, private industry, academia and the American public. If I am fortunate enough to be confirmed by the Senate, I will immediately look to expand and strengthen partnerships/engagement with all entities, in full partnership with the FBI, DoD, and DHS. My intent would be to achieve results and impose cost on adversarial actors exploiting the nation and report those results to Director of National Intelligence Gabbard and the U.S. Congress.

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE

Post-Hearing Questions for the Record for

George Wesley Street

Upon his nomination to be

Director of the National Counterintelligence and Security Center

Questions from Senator Wyden

QUESTION 1: A pillar of the National Counterintelligence Strategy for 2024 was: "Detect, attribute, expose, and disrupt [foreign intelligence entity] malign influence efforts and engage partners and policymakers to counter these operations and safeguard the integrity of and public trust in U.S. democratic institutions and processes, rule of law, and other democratic norms."

A. Which countries do you believe present the most serious malign influence threats, and how do those countries conduct their malign influence operations?

While numerous countries pose a malign influence threat for various purposes, China, Russia, Iran and North Korea present the most significant threats. These nations are innovative in their efforts to exploit cyber-based mediums, including social media, to stir social dissent in the United States and minimize information critical of their respective regimes. China also uses educational and partnership organizations to push pro-Chinese Communist Party messaging to U.S. citizens in academia, state, local, territorial and tribal governments and U.S.-based populations.

B. The Strategy states that: "in 2020 and again in 2022 the IC tracked a broader array of foreign actors taking steps to influence U.S. elections than in past election cycles." Which countries do you believe engaged in the most serious influence operations in these and previous U.S. elections and what were their goals?

Numerous countries frequently take actions to influence not only U.S. elections, but elections in partner nations as well. China and Russia remain the most prolific actors in this area, but have the ability to use proxies, third country nationals and co-optees (witting and unwitting) to expand their messaging. The intention of these efforts is to cause discord and social division in the United States.

QUESTION 2: Please describe which elements of the federal government should be engaged in countering foreign malign influence operations and what should their respective roles be?

Foreign malign influence is often portrayed as being focused primarily on elections, but the challenge is broader than a single topic. For example, the use of social media to stir civil unrest in the U.S., and trafficking of illicit drugs into the U.S. to damage our nation (and profit from victimizing our citizens) are two additional aspects of foreign malign influence. Countering this influence requires a whole of government approach, including the Intelligence Community (IC). The IC should identify foreign influence vectors, warn the

public sector, and work with other government agencies such as the U.S. Department of State and Department of Homeland Security to identify and counter these malign influences appropriately.

QUESTION 3: What do you believe is the impact on U.S. counterintelligence efforts of disbanding the FBI's Foreign Influence Task Force?

I have not personally seen any impact on the U.S. counterintelligence effort from this action. However, I cannot speak for the FBI and the FBI would be better positioned to answer this query.

QUESTION 4: The Department of Justice has announced that prosecutions under the Foreign Agents Registration Act "shall be limited to instances of alleged conduct similar to more traditional espionage by foreign government actors." What is the value of FARA investigations in revealing foreign malign influence operations, and what would be the impact of curtailing those investigations?

I am unaware of any curtailment of FARA-related investigations. In my experience, counterintelligence investigations have revealed both foreign malign influence and more traditional espionage activities – at times concurrently. I am not currently aware of the status of FARA-related investigations being conducted by the DOJ/FBI and DOJ would be best suited to answer this query.

QUESTION 5: What is the counterintelligence threat posed by the acquisition by adversaries of information on Americans through hacking or by purchasing on the data broker market? How would you propose to address these threats, through policy or support for legislation?

Foreign adversary exploitation of Americans' data presents significant risk from numerous perspectives. The amalgamation of data can enhance foreign adversary targeting and exploitation of Americans for insidious foreign espionage activities; it can enable socially engineered malign influence campaigns on social media to promote divisive themes in U.S. society or minimize themes contrary to adversarial narratives; and it can be used to fraudulently victimize Americans economically. Enhanced cyber security efforts can help (in both the private sector and government sector) in regards to illicitly hacked data, but legislation may be required to ensure that data brokers are not providing information regarding Americans to adversarial foreign nations. If confirmed by the Senate, I would welcome the opportunity to work with the DNI and Congress on this evolving issue.

QUESTION 6: Do you agree that a security clearance holder's LGBTQ status does not pose a counterintelligence risk?

As described in Executive Order 12968, the U.S. government does not discriminate against individuals on the basis of race, color, religion, sex, national origin, disability or sexual orientation when adjudicating access to classified information.

QUESTION 7: Please review the article "Here Are the Attack Plans That Trump's Advisors Shared on Signal" (The Atlantic, March 26, 2025) and the "Houthi PC small group" Signal chat messages included in the article.

A. Do you believe that any of the messages were or should have been classified? If yes, which messages?

The Secretary of Defense, who is the original classification authority of the information, has publicly confirmed the messages were not classified.

B. Do you believe that any of the messages included any national defense information, as codified pursuant to 18 U.S.C. §§ 793 - 798? If yes, which ones?

No.

C. Regardless of classification, do you believe that the information included in the messages was appropriate for an unclassified channel, particularly given the timing?

The original classification authority of the information confirmed the messages were not classified.

D. Do you agree that unclassified phones used by national security officials are likely targets of foreign adversaries and that, as such, should not be used to convey classified information?

Yes. Unclassified phones should not be used to convey classified information.

UNCLASSIFIED

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: Christopher Ryan Fox
   OTHER NAMES USED: **INFORMATION REDACTED**

2. DATE AND PLACE OF BIRTH: 15 April 1987, Los Angeles, CA, USA
   CITIZENSHIP: USA

3. MARITAL STATUS: Married

4. SPOUSE'S NAME: **INFORMATION REDACTED**

5. SPOUSE'S MAIDEN NAME IF APPLICABLE: **INFORMATION REDACTED**

6. NAMES AND AGES OF CHILDREN: N/A

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
Georgetown Univ. Law Center	08/2016 – 05/2019	JD	05/2019
Univ. of Southern California	08/2014 – 12/2015	MPA	12/2015
American Military Univ.	09/2008 – 08/2014	BA in Psychology	08/2014
Community College of the AF	02/2008 – 06/2010	AAS	06/2010

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Office of the Director of National Intelligence	Senior Advisor to the Director of National Intelligence; Acting Chief, Information Management Office	McLean, VA	04/2025 - Present
Vigilant	Chief Executive Officer	Alexandria, VA	01/2024 - 05/2025
Virginia Army National Guard 29th Infantry Division	Judge Advocate; National Security Attorney	Fort Belvoir, VA	11/2023 - Present
Two Six Technologies	Senior Operations Manager	Arlington, VA	03/2023 - 04/2025
Central Intelligence Agency	Specialized Skills Officer – Covert Action Officer	McLean, VA	05/2020 - 03/2023
INFORMATION REDACTED			
Department of Justice	Paralegal	Washington, DC	03/2017 - 03/2018
Veterans Education Success	Legal Intern	Washington, DC	11/2016 - 03/2017
Free the Slaves	Policy Intern	Washington, DC	08/2016 - 12/2016

Univ. of Southern Calif.	Project Coordinator	Los Angeles, CA	01/2016 - 08/2016
Texas Air National Guard 147th Air Support Operations Squadron (ASOS)	Special Warfare Airman; Tactical Air Control Party (TACP); Joint Terminal Attack Controller Instructor (JTAC-I)	Ellington Field, TX	09/2015 - 10/2016
Center for Risk and Economic Analysis of Threats and Emergencies (CREATE)	Research Fellow	Los Angeles, CA	10/2014 - 12/2015
United States Air Force Air Force Special Operations Command (AFSOC) 21st Special Tactics Squadron	Special Warfare Airman; TACP; JTAC-I	Pope Army Airfield, NC	09/2012 - 10/2014 03/2008 - 07/2008 11/2007 - 03/2008
United States Air Force Air Combat Command (ACC) 7th ASOS	Special Warfare Airman; TACP; JTAC	Biggs Army Airfield, TX	07/2008 - 09/2012
United States Air Force Air Education and Training Command (AETC)	TACP Candidate; Trainee	Hurlburt Field, FL Lackland AFB, TX	03/2008 - 07/2008 11/2007 - 03/2008

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

In addition to the explicit governmental roles listed in my answer to the previous question, I performed work for or with USG offices and personnel in a number of positions in the private and non-profit sectors. As a Senior Operations Manager at Two Six Technologies, I managed the Department of State's Rewards for Justice tip line, where I developed standard operating procedures for tip handling and reporting, instituted robust source-protection methods, and established formalized standards for the evaluation and dissemination of actionable information to the Intelligence Community (IC) and law enforcement agencies. As a Project Coordinator at the University of Southern California, I oversaw the Executive Program in Counterterrorism, delivering immersive training to senior leaders across federal, state, and local governments, as well as private sector stakeholders. As a Research Fellow at the CREATE Homeland Security Center, I conducted quantitative and qualitative analyses on individuals in the United States who had provided material support to foreign terrorist organizations, and contributed to two published papers and other analytical products for the Department of Homeland Security. As a policy intern at Free the Slaves, I advised key stakeholders at the Department of State on policy recommendations to strengthen the vetting process for grant recipients to prevent taxpayer funding from reaching individuals or entities involved in human trafficking.

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

- At ODNI, I have developed strategic expertise in intelligence oversight, Freedom of Information Act (FOIA) and Privacy Act compliance, records management, and declassification policy by serving as Senior Advisor to the DNI and Acting Chief of the Information Management Office, overseeing IC-wide transparency initiatives and statutory obligations.
- At CIA, I developed operational and field expertise in intelligence collection, covert influence, and covert action while serving as a Specialized Skills Officer – Covert Action Officer (SSO-CAO).
- In the Air Force, I integrated tactical and operational intelligence with airpower assets in high-threat environments as a Special Operations Forces (SOF) Joint Terminal Attack Controller (JTAC) during four combat deployments. Between deployments, I prepared my teams for deployment as a JTAC instructor.
- In the Virginia Army National Guard, I am a Judge Advocate supporting a Brigade Combat Team, where I advise the commander on matters of operational law including the law of armed conflict. I previously supported the Division Command as a National Security Attorney.
- **INFORMATION REDACTED**

- At DOJ's National Security Division, I developed expertise in national security law, intelligence sharing, and policy development as a paralegal in the Office of Law and Policy.
- At Two Six Technologies, I established intelligence reporting and tip-handling standards for the State Department's Rewards for Justice program as Senior Operations Manager over a team of senior analysts.
- At Free the Slaves, I advised State Department personnel on grant recipient vetting policies to safeguard taxpayer funding against exploitation by entities involved in human trafficking.
- At the University of Southern California, I coordinated counterterrorism education courses and experiences to senior federal, state, and local government officials through the Executive Program in Counterterrorism.

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

- Military:
  - Bronze Star Medal (2)
  - Air Force Commendation Medal with Valor
  - Air Force Commendation Medal (2)
  - Army Commendation Medal
  - Army Combat Action Badge
  - Air Force Combat Action Medal (2)
  - Air Force Achievement Medal
  - Army Achievement Medal
  - Air Force Meritorious Unit Award (3)
  - Air Force Outstanding Unit Award
  - Air Force Combat Readiness Medal
  - Air Force Good Conduct Medal
  - National Defense Service Medal
  - Afghanistan Campaign Medal (3)
  - Iraq Campaign Medal (2)
  - Global War on Terrorism Service Medal
  - Air Force Overseas Ribbon Short
  - Air Force Expeditionary Service Ribbon (2)
  - Air Force Longevity Service Ribbon
  - Air Force NCO PME Graduate Ribbon
  - Air Force Small Arms Expert Marksmanship Ribbon (2)
  - Air Force Training Ribbon
  - Army Service Ribbon
  - NATO Medal (Non-Article 5)
  - German Armed Forces Badge for Military Proficiency in Gold
  - Air Force NCO of the Month (2)
  - Air Force Airman of the Year
  - Air Force Airman of the Quarter
  - Joint Terminal Attack Controller (JTAC) Certification and JTAC-Instructor (JTAC-I) Qualification
- Civilian:
  - CIA Meritorious Unit Citation
  - CIA Exceptional Performance Award (3)
  - Research Fellowship, CREATE Homeland Security Center of Excellence
  - Presidential Management Fellowship Finalist
  - Dean's List, Judge Advocate Officer Basic Course
  - State Department Certificate of Appreciation

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

ORGANIZATION	OFFICE HELD	DATES
INFORMATION REDACTED		

INFORMATION REDACTED

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

- Guest Speaker, George Washington Leadership Lecture, Mount Vernon, Virginia (10/03/2016)
- Various Appearances in person, print, and digital media as a Patient Ambassador for Snow Companies on behalf of Vericel discussing my experience with knee cartilage repair (2018 – 2025)
- Demographic Insights of Violent Extremists in Minneapolis-St. Paul, *in* SECURITY DEBRIEF (03/2016)
- Swamp Murders, "Goth Girl, Gone", Season 3 Episode 8, as Officer Ryan (10/14/2015)
- Various speaking engagements on behalf of the University of Southern California's Sol Price School of Public Policy in support of opportunities for student veterans and the Yellow Ribbon program (2015- 2016)
- Foreign Fighters: Terrorist Recruitment and CVE Programs in Minneapolis-St. Paul, *prepared for* the Department of Homeland Security (04/2015)

Yes, I am willing to provide a copy of any of the preceding, if available.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY).

I believe I am uniquely qualified to serve as the Inspector General of the Intelligence Community based on a career that bridges intelligence operations, military service, law, oversight, and leadership, offering a rare combination of field experience and strategic perspective. I have operated on the front lines and in strategic policy roles, with a deep understanding of both mission execution and institutional accountability. My work within the IC as a clandestine officer at the CIA and a senior manager of intelligence professionals in the private sector has given me a practical and holistic perspective on what it takes to operate ethically with diverse partners in complex, high-risk environments.

I started my career as an Air Force Special Warfare operator and Joint Terminal Attack Controller (JTAC), deploying multiple times to Iraq and Afghanistan. In that role, I directed air and intelligence support to ground forces under dynamic and hostile conditions. My responsibilities required real-time interpretation of overlapping Rules of Engagement (ROE), Special Instructions (SPINS), national caveats, and theater-specific policies. Making lawful decisions under pressure taught me the importance of clear guidance, accountability, and discipline. I also learned how easily systems can break down when those safeguards are absent. That operational grounding continues to shape how I evaluate legal compliance and organizational risk.

At both CIA and DOJ, I gained firsthand insight into the operational pressures that can strain legal and ethical boundaries. I understand the tension that can exist between mission urgency and compliance, and how personnel in the field navigate those challenges. I have held a security clearance for nearly two decades and have worked in both military and civilian capacities on sensitive national security issues. These experiences have given me a nuanced understanding of the IC's mission and where it is most vulnerable to misjudgment, inefficiency, and abuse.

As an Army Judge Advocate, I have interpreted complex statutory frameworks, including the Uniform Code of Military Justice and the Law of Armed Conflict. I have also advised on matters involving investigations, ethics, due

process, and command accountability—core responsibilities of any Inspector General. In the private sector, I have led teams supporting federal customers, gaining insight into how government works in partnership with industry. I also co-founded a technology company focused on public safety, where I assembled a cross-functional team, led all legal and operational functions, and personally raised nearly $1 million in pre-seed funding. That experience strengthened my understanding of compliance, risk management, and ethical leadership in resource-constrained, high-accountability environments.

Above all, I believe in the mission of the Office of the Inspector General of the Intelligence Community: to uphold public trust and ensure the IC operates lawfully, efficiently, and in alignment with American values. I am prepared to ask difficult questions and deliver uncomfortable truths while maintaining credibility with the Congress, ODNI leadership, and frontline personnel. My career has been defined by integrity, service, and the moral courage to speak up when necessary. Because I have not spent my career embedded in a single agency, I am not shaped by any particular institutional culture, nor am I beholden to any internal constituency. I bring a level of independence, objectivity, and perspective that this role demands.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

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

INFORMATION REDACTED

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

N/A

17. FOREIGN AFFILIATIONS

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

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

No.

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

No.

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

No.

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

No.

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

N/A

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

***Note**: I have not yet submitted the Office of Government Ethics (OGE) Form 278 and have not received final guidance from the OGE. The following responses to Part D are provided in good faith based on my current understanding. After thorough review with ethics officials, the information disclosed may differ from my final Form 278 submission.*

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

I am the founder of Vigilant Inc., a provider of personal safety and mobile learning solutions, and I retain an equity interest. I also serve as a Judge Advocate in the Army National Guard and will recuse myself from any matters involving the Guard if necessary. I plan to abide with all Office of Government Ethics guidance related to these positions. I am not aware of any other relationships or activities that present a conflict, but I will consult with ethics officials and recuse myself from any matter that could create an actual or perceived conflict of interest.

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

Yes.

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

If confirmed, I will not receive any severance pay, pension benefits, deferred compensation, or other financial remuneration in connection with my resignation from my current position. I have no stock options, pension rights, or deferred income arrangements with Vigilant Inc. or any other employer.

I will retain only a passive, minority equity interest in Vigilant Inc., with no role in its management, operations, or decision-making. I will not receive any salary, consulting fees, or other compensation from the company during my federal service. These steps are being taken to ensure full compliance with applicable ethics rules and to eliminate any actual or perceived conflict of interest.

22. DO YOU HAVE ANY PLANS, COMMITMENTS, OR AGREEMENTS TO PURSUE OUTSIDE

EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

I have no plans for any outside employment. If confirmed by the Senate, I intend to be solely focused on strengthening oversight in the Intelligence Community.

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

I have not made, nor am I pursuing, any formal or informal employment arrangements, and I have not engaged in any discussions regarding post-government employment.

If confirmed, my full and exclusive focus will be on serving with integrity, independence, and impartiality as Inspector General of the Intelligence Community. I am fully committed to avoiding any actual or perceived conflicts of interest during and after my tenure in public service.

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

No.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

INFORMATION REDACTED

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

N/A

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

No.

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

***Note**: The figures for 2020–2022 reflect only my individual sources and amounts of income, as my wife and I filed separately during those years. The figures for 2023 and 2024 reflect combined income from both myself and my wife,*

as we began filing jointly in 2023.

INFORMATION REDACTED

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

Yes.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

I have not billed any clients in the past five years. I am licensed to practice law in the District of Columbia. I have also been certified under Article 27(b) of the Uniform Code of Military Justice to serve as counsel in military courts.

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

No. I do not anticipate any conflicts of interest arising from the position for which I am being considered. However, should any potential conflict or appearance of conflict arise, I will promptly consult with the appropriate ethics

officials and take all necessary steps to ensure full compliance with applicable ethical standards.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

INFORMATION REDACTED

PART E - ETHICAL MATTERS

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

No.

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

INFORMATION REDACTED

40. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO

CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PLEASE PROVIDE DETAILS.

INFORMATION REDACTED

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

No.

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

INFORMATION REDACTED

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

No.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F - SECURITY INFORMATION

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

No.

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

INFORMATION REDACTED

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

No.

PART G - ADDITIONAL INFORMATION

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

Congress plays a vital constitutional role in the oversight of the Intelligence Community (IC), ensuring that intelligence activities are conducted in accordance with U.S. law, are consistent with our values, and are accountable to the American people. Congressional oversight of U.S. intelligence activities is particularly critical given the classified nature of most IC activities and the broad authorities granted to intelligence agencies. The Office of the Inspector General of the Intelligence Community (IC IG) serves as a key mechanism in this process by independently identifying waste, fraud, abuse, and misconduct; protecting whistleblowers; and providing timely and objective reporting to both the Director of National Intelligence and the congressional intelligence committees. IC IG is statutorily required to keep the congressional intelligence committees fully and currently informed about problems and deficiencies relating to the administration of programs and activities within the responsibility and authority of the Director of National Intelligence, including the necessity for and progress of any corrective actions. Additionally, there are several automatic congressional notification requirements in IC IG's enacting statute that help ensure effective congressional oversight of U.S. intelligence activities. IC IG must operate without fear or favor, providing unvarnished findings to support informed oversight and corrective action when needed.

The congressional intelligence committees' oversight of U.S. intelligence activities ensures that intelligence programs are lawful, effective, and aligned with national priorities. Their role is essential in safeguarding civil liberties, preventing overreach, and ensuring that classified operations remain consistent with the public interest. If confirmed, I would view the oversight process not as an obstacle, but as a cornerstone of public trust in the Intelligence Community. I am committed to transparency, accountability, and full cooperation with congressional oversight, consistent with applicable law and the protection of classified information.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

IC IG serves as an independent oversight authority within the Intelligence Community, responsible for detecting and preventing fraud, waste, abuse, and misconduct, and ensuring that intelligence activities are conducted lawfully and ethically. IC IG plays a critical role in promoting accountability and transparency by conducting independent and objective audits, inspections, investigations, and reviews across the 18 elements of the Intelligence Community. As stated in IC IG's enacting statute (the Intelligence Authorization Act for FY 2010, 50 U.S.C. § 3033) and in the Inspector General Act of 1978, as amended, IC IG is responsible for carrying out congressionally directed actions, fulfilling statutorily mandated duties, exercising independent discretion in initiating oversight activities based on the office's judgment, tracking the implementation of corrective actions, receiving and investigating complaints or information from whistleblowers, and conducting independent reviews of IC whistleblower reprisal claims. IC IG's enacting statute enables the execution of these requirements by also establishing specific authorities related to personnel and budget to ensure adequate resourcing and appropriate independence and objectivity. IC IG's independent discretion should be guided by a risk-based approach aligned with national intelligence priorities, ensuring the IC remains both mission-effective and accountable.

IC IG's enacting statute also authorizes the Inspector General of the Intelligence Community to serve as the Chair of the IC IG Forum, which consists of all statutory or administrative inspectors general with oversight responsibility for an element of the intelligence community. The IC IG Forum enhances effective oversight into the IC by enabling coordination and collaboration among IC-element Offices of Inspector General regarding matters of common interest, questions of jurisdiction, and access to personnel and information.

Finally, IC IG plays a vital role in protecting whistleblowers, ensuring individuals can report wrongdoing without fear of reprisal, and making policy recommendations to improve the efficiency and effectiveness of the IC. In a classified environment where traditional oversight mechanisms are limited, IC IG serves as an honest broker, helping the IC maintain public confidence, safeguard civil liberties, and uphold the rule of law.

UNCLASSIFIED

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Inspector General of the Intelligence Community, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

CHRISTOPHER FOX SIGNATURE REDACTED

Date: 16 May 2025

NOTARY SIGNATURE REDACTED

UNCLASSIFIED

UNCLASSIFIED

AFFIRMATION

I, **CHRISTOPHER FOX**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

16 May 2025
(Date)

CHRISTOPHER FOX SIGNATURE REDACTED

NOTARY SIGNATURE REDACTED

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SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

Additional Pre-Hearing Questions for Mr. Christopher Fox upon his nomination to be Inspector General of the Intelligence Community

In these questions, all references to the statutory authorities relating to the Inspector General of the Intelligence Community (IC IG) are to Section103H of the National Security Act of 1947 (50 U.S.C. §3033), as amended.

Qualifications

QUESTION 1: Section 103H(c) provides that the nomination of an individual for appointment as Inspector General shall be made on the basis of qualifications that include "prior experience in the field of intelligence or national security," and "demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or investigations." What qualifies you to perform the duties of the IC IG generally with respect to the oversight of intelligence programs and activities and, specifically, with regard to audit and investigation tools?

I believe I am qualified to serve as Inspector General of the Intelligence Community based on a career spanning operational, legal, and policy roles across the Department of Defense, Department of Justice, the Intelligence Community, and the private sector, along with formal academic training in law and policy. Across these roles, I have worked within and alongside intelligence agencies, gaining direct experience with the frameworks that ensure accountability. At ODNI, I am currently a Senior Advisor to the DNI and Acting Chief of the Information Management Office (IMO). Within the IMO, I oversee classification management, declassification, Freedom of Information Act (FOIA) and Privacy Act compliance, and records governance.

Prior to joining ODNI, I co-founded Vigilant Inc., where I led strategic planning, contracting, implementation of core systems, business partnerships, and fundraising efforts as the Chief Executive Officer. As a Judge Advocate, I've advised commanders on investigations, administrative actions, and compliance with law and regulation. At Two Six Technologies, I led operations supporting the Department of State's Rewards for Justice Program, where I modernized its tip processing and internal reporting by establishing standard operating procedures and measures of effectiveness to ensure source protection and legal compliance. As a Covert Action Officer at CIA, I coordinated sensitive operations and worked closely with U.S. and foreign partners to advance national objectives. At Matrix International, I managed interagency teams and oversaw the global deployment of millions of dollars in specialized equipment.

At the Department of Justice's National Security Division, I supported national security litigation and policy development within the Office of Law and Policy, which often coordinated directly with Congress. At the University of Southern California, I managed the Executive Program in Counterterrorism, coordinated campus events, and engaged in fundraising efforts. In the Air Force, I deployed multiple times as a Special Warfare Joint Terminal Attack Controller, integrating real-time intelligence into combat operations.

I hold a J.D. from Georgetown University Law Center and an MPA from the University of Southern California, and in both programs the majority of my academic effort was focused on national security, intelligence oversight, and congressional investigations. My oversight experience spans both public and private sectors and includes governance, risk management, and compliance functions. I approach oversight with impartiality, legal rigor, and a clear understanding of operational realities. By virtue of my diverse experience, I have not been captured by any agency's culture and I bring no institutional bias. I have a proven record of advancing transparency, accountability, and the lawful use of authorities. If confirmed, I will prioritize the protection of whistleblowers and will keep the Congress fully and currently informed through specific oversight projects and appropriate congressional notifications.

Duties

QUESTION 2: Section 103(H)(b)(1) provides that the purpose of the IC IG is "to create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independent investigations, inspections, audits, and reviews on programs and activities within the responsibility and authority of the Director of National Intelligence."

a. Please describe your standards for "an objective and effective office" and how, if confirmed, you intend to establish an office that maintains those standards.

An objective and effective IC IG must embody the existing core values of integrity, independence, transparency, and accountability—not just in principle, but in practice. The IC IG must operate impartially, without fear or favor, and remain relentlessly focused on facts, fairness, and the law. If confirmed, I will ensure the office is grounded in the Council of

the Inspectors General on Integrity and Efficiency (CIGIE) Quality Standards for investigations, audits, inspections, and evaluations. These standards will inform our policies and internal controls.

Beyond compliance, I will foster a culture of professionalism, moral courage, and intellectual honesty. I will also prioritize hiring and retaining personnel with both technical competence and the character required for this sensitive mission. I will ensure the presence of strong internal safeguards to prevent conflicts of interest or undue influence, and I will promote an environment where dissent is respected, whistleblowers are protected, and oversight is principled. Above all, I will lead by example and do my best each day to exemplify our core values.

b. If confirmed, how do you expect to fulfill the statutory obligation to be "appropriately accountable to Congress"?

If confirmed, I am committed to fulfilling the statutory obligation to be "appropriately accountable to Congress" by meeting all statutory reporting requirements. Consistent with 50 U.S.C. § 3033, I will ensure the congressional intelligence committees are kept fully and currently informed of violations of law or executive orders, as well as any significant problems or deficiencies relating to programs and activities within the responsibility and authority of the DNI. This includes proactive engagement through reports, briefings, and other appropriate means, and prompt notification of any particularly serious or flagrant issues.

c. What is your understanding of the scope of the term "programs and activities within the responsibility and authority of the Director of National Intelligence"?

My understanding is that the term "programs and activities within the responsibility and authority of the Director of National Intelligence" refers broadly to all intelligence programs and activities overseen, directed, funded, or coordinated by the DNI under Title 50 and related authorities. This includes not only the DNI's own staff and offices within ODNI, but also National Intelligence Program (NIP) activities

conducted by all 18 elements of the Intelligence Community, insofar as they fall under the DNI's statutory responsibilities for resource allocation, strategic direction, oversight, and coordination.

QUESTION 3: If confirmed, what standards and procedures would you apply to ensure the appropriate timeliness and responsiveness of the IC IG's completion of inspections, audits, reviews, and investigations?

If confirmed, I will ensure that inspections, audits, reviews, and investigations are conducted in accordance with CIGIE Quality Standards. I will promote continuous training, strategic planning, operational efficiency, and a focus on actionable results. To have impact, our work should be relevant at the time of delivery, and aligned with the National Intelligence Priorities where possible. I also intend to leverage the Intelligence Community Inspectors General Forum to share best practices and adopt proven procedures from other OIGs where appropriate to improve timeliness and responsiveness of our activities.

Protection of Whistleblowers

Section 103H(g)(3)(A)(ii) provides that "no action constituting a reprisal, or threat of reprisal, for making such complaint or disclosing such information to the Inspector General may be taken by any employee in a position to take such actions, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity."

QUESTION 4: What is your understanding of the formal policies and processes in place to inform employees of their right to provide information to the IC IG, and to detect and protect against reprisal for making complaints or disclosing information to the IC IG?

In addition to the statutory protections indicated by Section 103H and other provisions of law, policies and processes are in place to inform IC employees and contractors of their right to provide information to IC IG, including Presidential Policy Directive (PPD)-19, "Protecting Whistleblowers with Access to Classified Information," Intelligence Community Directive (ICD) 120, "Intelligence Community Whistleblower Protections," ODNI Instruction 20.04, "Whistleblower Protections and Review of Allegations of Reprisal Against Whistleblowers," and ODNI Instruction 10.34, "Office of the Inspector General of the Intelligence

Community."

QUESTION 5: If confirmed, what additional policies and processes will you establish to ensure compliance with this provision, and any related provisions that are applicable to elements of the IC, such as the provisions of the IC Whistleblower Protection Act?

If confirmed, I intend to conduct a review of current policies and procedures established to comply with this provision and identify any deficiencies or gaps in the protection of whistleblowers. I will ensure that the IC IG remains committed to fairly reviewing and investigating all whistleblower reprisal allegations within ODNI and all whistleblower requests for an External Review Panel. I also intend to coordinate closely with other ODNI offices responsible for resolving workplace concerns, such as the Office of Civil Liberties, Privacy, and Transparency (CLPT) and the Employee Assistance Program (EAP), to improve workforce messaging and consider potential opportunities for combined outreach and intake efforts.

QUESTION 6: Please describe your view of the IC IG's role with regard to whistleblowers. Please address each of the following and provide specifics on actions you would take to improve performance, if confirmed as the IC IG.

IC IG maintains a robust whistleblower program within the Center for Protected Disclosures, which provides potential whistleblowers with several methods to disclose information in a confidential, secure, and lawful manner without fear of reprisal, while also protecting classified information.

a. Outreach and training across the Office of the Director of National Intelligence (ODNI) and the Intelligence Community (IC) enterprise with regard to whistleblower rights and access to whistleblower protections;

IC IG is involved in the onboarding process of all new ODNI personnel and frequently engages in outreach efforts to the broader ODNI community. IC IG has hosted webinars, participated in town halls, and maintained outreach materials throughout ODNI facilities to increase awareness. If confirmed, I will continue such efforts and seek new opportunities for improvement.

b. Timely and thorough investigations of whistleblower complaints;

Through IC IG's Center for Protected Disclosures and IC IG's Investigation Division, IC IG is committed to the timely and thorough receipt, triage, and investigation of all whistleblower complaints. IC IG's Intake Advisory Committee, which includes representatives from each of IC IG's five oversight Divisions (Audit, Inspections & Evaluations, Investigations, Counsel, and Center for Protected Disclosures) regularly convenes to review incoming whistleblower complaints and ensure each complaint is properly addressed. If confirmed, I will continue to leverage the Intake Advisory Committee and review the entire workflow to make sure every complaint receives the attention and discretion it deserves.

c. Management of whistleblower caseloads within the IC IG.

As reported in IC IG's semiannual and quarterly hotline reports, the volume of IC IG Hotline contacts has continued to increase. Management of the rising whistleblower caseload within IC IG requires sufficient resources and staffing to meet mission requirements. If confirmed, I will conduct a zero-based review of IC IG's resourcing and staffing to ensure IC IG has the necessary number of qualified personnel and technology solutions to effectively manage whistleblower caseloads, from initial receipt of whistleblower information to the completion of investigations and required reporting.

d. Notification to Congress regarding whistleblower complaints and acts of reprisal.

If confirmed, I will notify Congress regarding whistleblower complaints and any other matters where required by law and, at my discretion, where otherwise appropriate even if not required by law. I look forward to engaging with Congress to better understand any key areas of interest that may fall within IC IG's discretionary activities. Particularly with respect to alleged matters of "urgent concern," I will continue to operate in a way consistent with IC IG's core values to ensure Congress remains currently and fully informed.

QUESTION 7: Do you see any need for additional actions, policies, or processes to protect whistleblowers?

If confirmed, I intend to question any previous assumptions and thoroughly evaluate the need for additional actions, policies, or processes to protect whistleblowers. In addition to the legal requirements to protect whistleblowers against reprisal or threat of reprisal, protecting the identity of whistleblowers is essential to the willingness of whistleblowers to engage with IC IG. Building this trust will pay dividends in the long run by encouraging other potential whistleblowers to come forward with information that could improve the effectiveness or efficiency of the intelligence community.

QUESTION 8: What is your view of the role of the IC IG in managing and investigating whistleblower complaints made by employees of ODNI? What is your view of the role of the IC IG with regard to complaints made by IC employees outside ODNI?

IC IG has the statutory authority to receive complaints "from an employee of the Intelligence Community" (whether or not in ODNI) regarding activities within the authorities and responsibilities of the DNI. *See* Section 103H(g)(3).

IC IG endeavors to investigate allegations of wrongdoing reported by ODNI employees. As previously mentioned, IC IG's Intake Advisory Committee ensures that whistleblower information is appropriately assigned or referred to the correct oversight function, whether it is internal to IC IG or external to another OIG. IC IG works collaboratively with other partners in the IC when receiving complaints made by IC employees outside ODNI or relative to an issue outside ODNI. If confirmed, I will continue and improve upon these efforts.

QUESTION 9: What role do you believe the IC IG has in setting investigative standards and ensuring consistency in whistleblower investigations across the IC?

The Inspector General of the Intelligence Community serves as the Chair of the Intelligence Community Inspectors General Forum, which is established in Section 103H(h) and serves as "a mechanism for informing its members of the work of individual members of the Forum that may be of common interest," resolves issues about jurisdiction or access to employees, or access to other materials that may involve or be of assistance to more than one of its members. If confirmed, I intend on leveraging the Forum to enhance the effectiveness and efficiency of

investigative standards, while respecting the roles and responsibilities of those independent offices, and following applicable standards, such as CIGIE's *Quality Standards for Investigations*.

QUESTION 10: To your knowledge, have you ever been the subject of a whistleblower complaint? If yes, please provide dates and a brief summary of each complaint of which you are aware?

No.

QUESTION 11: What are your views of a whistleblower's ability to communicate with Congress?

Section 103H(k) provides a process for any member of the Intelligence Community to bring a matter of Urgent Concern to the congressional intelligence committees. IC IG plays an important role in this process. This process does not require an agency's consent for a matter of urgent concern to be provided to the congressional intelligence committees. If confirmed, I will ensure IC IG fully executes this important statutory responsibility.

Access to Information

Pursuant to Sections 103H(g)(2)(B) and (C), "[t]he Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community needed for the performance of the duties of the Inspector General" as well as "direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other materials that relate to the programs and activities[.]"

QUESTION 12: Please describe how, if confirmed, you would address a situation where an agency, U.S. official, or a government contractor refused to provide statutorily-required access, including what remedies you would pursue in addition to those described in Section 103H(g)(2)(E).

Ensuring IC IG has "direct access" to employees and information pursuant to Section 103H includes building and maintaining trust with those organizations providing such access. IC IG relies heavily on this authority to ensure it can provide efficient and effective oversight. In doing so, it is incumbent upon IC IG to also foster ongoing relationships with other governmental organizations inside

and outside of ODNI. If confirmed, I will ensure that IC IG continues to strengthen these relationships to ensure a situation such as this does not arise in the first place. I will make it clear to these organizations that IC IG will always act with transparency, accountability, and integrity regarding any information for which IC IG obtains direct access.

However, in the event this situation arises, I would first attempt to understand the basis for the refusal and attempt to reconcile the situation directly. If a direct resolution is unsuccessful, then I would work with ODNI General Counsel to identify potential solutions to address the basis of the refusal while also reinforcing IC IG's authority for direct access. If such efforts were unsuccessful, I would then elevate the matter to the appropriate component or agency head, including the DNI. If the matter remained unresolved, then I would consider one or more congressional reporting provisions in Section 103H(k) and begin coordination with committee staff members regarding this issue.

QUESTION 13: Section 103H(g)(5) provides authority for the authorization and enforcement of subpoenas for the production of information that is necessary in the performance of the duties and responsibilities of the Inspector General. What is your view of the appropriate use of this subpoena authority?

I believe subpoenas are an important tool available to IC IG. However, my understanding is that subpoenas are rarely used in the performance of the Inspector General's duties because information can typically be obtained by other means.

Sources of Complaints

Pursuant to Section 103H(g)(3)(A), "[t]he Inspector General is authorized to receive and investigate ... complaints or information from any person concerning the existence of an activity within the authorities and responsibilities of the Director of National Intelligence constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety."

QUESTION 14: If confirmed, what steps would you take to inform individuals, within or outside of the U.S. Government, including contractors, of their opportunity to provide such complaints or information to the IC IG?

As noted above, IC IG provides the ODNI workforce with information about the whistleblower process and whistleblower protections via new employee orientation, websites, posters, anonymous 'drop boxes,' and periodic outreach events. If confirmed, I will continue these initiatives and consider expanding these programs in conjunction with other offices within the ODNI and other IC elements that provide similar reporting channels. Additionally, IC IG provides information in the publicly-available Semiannual Reports.

Relationship to Other Inspectors General

Section 103H has several provisions on the relationship of the IC IG to other inspectors general with responsibilities in or for elements of the IC, including Sections 103H(h)(l)(A), 103H(j)(4)(C), and 103H(l). To facilitate resolution of questions between or among inspectors general, Section 103H(h)(2) establishes in statute the Intelligence Community Inspectors General Forum, for which the IC IG is to serve as chair.

QUESTION 15: What is your understanding of these provisions on potentially overlapping responsibilities of inspectors general? Please describe your priorities, if confirmed, for the work of the Office of the IC IG in relation to the work of other Inspectors General with responsibilities concerning intelligence programs and activities.

As noted in my answer to question 9, the Inspector General of the Intelligence Community serves as the Chair of the Intelligence Community Inspectors General Forum established by Section 103H. If confirmed, I intend to leverage the Forum to address interagency and cross-jurisdictional oversight issues within the Intelligence Community. I intend to use the Forum as a means to facilitate a whole-of-IC approach to sharing best practices and lessons learned, and to achieve gains in efficiency and effective allocation of limited resources.

QUESTION 16: Please describe your understanding of the IC IG's leadership role vis-a-vis other inspectors general within the IC? How will you engage this leadership role?

I understand Section 103H(h) to demonstrate Congressional intent that the Inspector General of the Intelligence Community lead the Forum. While the IC IG does not

have any "administrative authority" over other Forum IGs, and must respect their independence, the IC IG is expected to set the priorities of the forum and facilitate cooperation among the Forum to address the matters arising before it.

QUESTION 17: Please describe your goals, if confirmed, concerning the work of the IC IG General Forum and any measures you would recommend to improve its functions, if warranted.

If confirmed, I will evaluate the effectiveness of the Forum and seek input from other Forum IGs to improve its functions. The Forum, with its various committees and sub-committees, represents a tremendous opportunity to gain and maintain oversight efficiencies, such as developing potential legislative or policy solutions and identifying beneficial innovations in technology and process. If confirmed, I will leverage the Forum to the greatest extent possible to improve IG performance.

QUESTION 18: Section 103H(j)(4)(C) provides that "[t]he Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community and in coordination with that element's inspector general ... conduct, as authorized by this section, an investigation, inspection, audit, or review of such element[.]" What is your understanding of this provision, particularly pertaining to the "coordination with that element's inspector general"?

I understand this provision to be consistent with IC IG's broad statutory authority and jurisdiction to conduct investigations, inspections, audits, and reviews of programs and activities within the responsibility and authority of the DNI, while also recognizing the need to properly coordinate with the impacted element's IG. This coordination is necessary to avoid unnecessary duplication of effort across IGs and to provide an opportunity for the impacted element's IG to make the IC IG aware of any special equities.

Independence

QUESTION 19: Section 103H(c)(3) provides that "[t]he Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence." Please describe your understanding of both elements of this provision: "report directly to;" and "under the general supervision of the Director

of National Intelligence."

I understand the provision "report directly to" to be consistent with other requirements in Section 103H that IC IG keep the DNI fully and currently informed about problems and deficiencies relating to the administration and implementation of programs and activities within the DNI's responsibility and authority, and the necessity for, and the progress of, corrective actions. Section 103H(c)(3)'s requirement that IC IG be "under the general supervision" of the DNI describes the organizational relationship between the IC IG and ODNI consistent with other provisions of Section 103H, including those relating to the independence of the IC IG's activities: (1) the Inspector General of the Intelligence Community is nominated by the President without regard to political affiliation; (2) only the President may remove the IG; (3) the IC IG is required to prepare semi-annual reports to Congress; (4) the IC IG has specific authorities concerning budget and personnel management; (5) the IC IG is required to initiate and conduct "independent" investigations, inspections, audits, and reviews; (6) there are specific provisions in Section 103H(f) regarding any limitations the DNI may place on IC IG from initiating, carrying out, or completing any investigation, inspection, audit, or review; (7) the IG is required to appoint a Counsel to the Inspector General, who shall report to the IG, or otherwise obtain the services of a counsel appointed by and directly reporting to another inspector general; and (8) there are congressional reporting requirements if the IC IG is unable to resolve any differences with the Director affecting the execution of the duties or responsibilities of the IC IG.

Based on my understanding of the "general supervision" provision, when read in concert with other applicable provisions of Section 103H and related case law interpreting the Inspector General Act of 1978[1], the DNI does not have the authority to direct that the IC IG initiate, conduct, complete, or dictate the outcome of, any particular investigation, audit, review or other IG activity. However, the IC IG can and should maintain a close relationship with the DNI to ensure that IC IG discretionary actions are supportive of the DNI's priorities, where appropriate. If confirmed, I will be committed to enhancing the relationship with the DNI to ensure the IC IG's recommendations are actionable and likely to improve the efficiency and effectiveness of ODNI and the IC, while also protecting the independence of the IC IG's activities.

[1] See *United States Nuclear Regulatory Commission v. Federal Labor Relations Authority*, 25 F.3d 229 (4th Circ. 1994).

QUESTION 20: Section 103H(k)(3) provides that in the event that the IC IG is unable to resolve any differences with the DNI affecting execution of IC IG's duties or responsibilities, the IC IG shall immediately notify and submit a report to the congressional intelligence committees. If confirmed, in addition to this reporting responsibility, please describe what actions you would take if a senior official of the IC sought to prevent you from "initiating, carrying out, or completing" any audit or investigation within the jurisdiction of the Office of the IC IG.

If confirmed, and in such a situation as described, my actions would be based upon the unique facts and circumstances of the case. I general, I would first attempt to discuss, understand, and resolve the concern at the lowest possible level. If unsuccessful, I would attempt to engage with ODNI General Counsel. If this does not resolve the difference, I would attempt to engage at the component level. For interagency issues, I would also leverage the IC IG Forum to the extent practicable. If these efforts were still unsuccessful, I would attempt to resolve the issues directly with the DNI or agency head in good faith prior to making any determination that the difference is unable to be resolved, at which point the Section 103H(k)(3) reporting requirement would be triggered and I would notify Congress as required by law.

QUESTION 21: What is your view on the importance of independent hiring authority and contracting authority to ensure the independence of the IC IG?

This provision is important because it ensures that the IC IG is able to develop and maintain a cadre of oversight professionals who represent IC IG's core values and also have sufficient experience, training, and expertise to execute IC IG's oversight mission. This is necessary for the IC IG to be efficient and effective in its oversight mission, and to conduct its activities independently.

Inspector General Work Plan

Section 103H(g)(2)(A) provides that the IC IG shall make such investigations and reports relating to the administration of programs and activities within the DNI's authorities and responsibilities as are "in the judgment of the Inspector General, necessary, or desirable." This requirement is subject to certain limitations in Section 103H(f), which provides that, subject to congressional notification, the

DNI may prohibit the IC IG from carrying out, or completing any investigation, inspection, audit, or review that "is necessary to protect vital national security interests of the United States."

QUESTION 22: Please describe your understanding of these provisions, and, specifically, the IC IG's role vis-à-vis the DNI.

My understanding of these provisions is that, if confirmed, I will be authorized to exercise independent judgment to pursue a particular investigation, audit, or review. However, Section 103H(f) provides a limitation for such discretion if the DNI determines such limitation is necessary to protect vital national security interests of the United States.

QUESTION 23: If confirmed, how will you determine the investigations and reports that are "necessary or desirable" to complete each year?

If confirmed, I intend to leverage the IC IG's existing Annual Work Planning process to identify the oversight projects that are "necessary or desirable" to complete each year, when evaluating other statutory requirements, the Intelligence Community's Top Management and Performance Challenges, IC IG resources, and National Intelligence Priorities. If confirmed, I will ensure the Annual Work Planning process is effective and efficient, and I will continually seek ways to improve the process.

QUESTION 24: If confirmed, would you make it a practice to keep the congressional intelligence committees fully and currently informed of these activities? If so, how would you ensure that you execute this obligation to keep the congressional intelligence committees fully and currently informed?

Yes. IC IG must be appropriately accountable to Congress and keep the congressional intelligence committees fully and currently informed. If confirmed, I will also consider new ways to improve and enhance transparency and accountability with the congressional intelligence committees.

Referrals to the Department of Justice

QUESTION 25: Please describe your understanding of the authority and responsibility of the IC IG to report matters to the Department of Justice

concerning possible criminal conduct, including the conduct of current or former officials described in Section 103H(k)(3)(A)(iii).

Section 103H(k)(6) require IC IG "expeditiously report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of federal criminal law that involves a program or operation of an element of the intelligence community, or in the relationships between the elements of the intelligence community, consistent which such guidelines as may be issued by the Attorney General[.]" I also understand that IC IG must notify the DNI of any such reporting. If confirmed, I will ensure IC IG properly reports matters to DOJ, and notifies the DNI and Congress as required.

QUESTION 26: In your view, what should be the role, if any, of any other office or official, including the Office of General Counsel, in making referrals to the Department of Justice?

I understand that the roles of other offices or officials, including the Office of General Counsel, in referring matters to DOJ are prescribed by other statutory or policy provisions, or through other agreements with DOJ. If confirmed, I will work closely with the ODNI General Counsel, the IC IG counsel, and other responsible offices on these referrals.

Consultations about Reports

QUESTION 27: Under what circumstances, if any, do you believe it would be appropriate for the IC IG to consult with other ODNI officials, or other officials of an IC element outside an office of an Inspector General, before issuing a report, regarding the findings and recommendations in the report?

Consistent with CIGIE standards, it is common practice for OIGs to obtain the views of responsible officials of the entity subject to an oversight requirement. This practice ensures reports are fair, complete, and objective. It is within the IC IG's discretion to consider their input and make appropriate changes, if warranted, to ensure the accuracy of a report. If confirmed, I intend to continue this practice.

QUESTION 28: To the extent that you believe such consultation is appropriate, what steps, if any, do you believe the Inspector General should take to keep a

record of the consultation and record the results in the text of the report?

In accordance with CIGIE standards, the practice of IC IG is to request a formal written response from the component containing the comments on the draft report. The final report typically includes a copy or summary of the component's formal comments. If confirmed, I intend to continue this practice.

QUESTION 29: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the IC IG *not* investigate or review a particular matter?

Section 103H(f) provides a limitation on IC IG's authority to exercise independent judgment regarding a particular investigation, audit, or review if the DNI (but not any other senior official) determines such prohibition is necessary to protect vital national security interests of the United States.

QUESTION 30: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the IC IG *not* issue a report on a particular matter?

Section 103H(f) provides a limitation on IC IG's authority to exercise independent judgment regarding a particular investigation, audit, or review in the circumstance in which the DNI (but not any other senior official) determines such prohibition is necessary to protect vital national security interests of the United States. My understanding is that this limitation also includes the issuance of a report.

QUESTION 31: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the IC IG change findings, recommendations, or other pertinent material in a report on a particular matter?

Pursuant to CIGIE standards and the current practice of the IC IG, it is appropriate to provide responsible officials the opportunity to review and comment on draft report findings, conclusions, and recommendations. This process may not be used to attempt to unduly or improperly influence the content of the report, alter conclusions, or otherwise abdicate the IC IG's statutory responsibility to make independent findings and recommendations. However, comments may provide helpful or necessary context, and in some cases may be included in the final report.

Major Challenges, Problems, and Priorities

QUESTION 32: In your view, what are the major challenges facing the Office of the IC IG?
In my view, a major challenge facing IC IG is ensuring it has sufficient resources, including technology and personnel, to execute its mission, including the requirement for IC IG to conduct discretionary oversight work. If confirmed, I will conduct a zero-based review to determine whether resourcing is a major challenge, and if so, determine how to best resolve the issue.

QUESTION 33: If confirmed, how will you address these challenges and what priorities, including for the selection of subjects for audits, inspections, investigations, and reviews, would you establish to address these challenges?
I understand one of IC IG's strategic goals is currently to strengthen the foundation of the office by 'recruiting, developing, and retaining a premier workforce[.]' A zero-based review will determine whether this should continue to be a strategic goal, and if so, will reveal ways to address these challenges without disrupting existing activities.

Personnel and Budgetary Resources of the IC IG's Office

Section 103H(j)(2)(B) provides that the Inspector General shall ensure that personnel shall have the required training and experience to enable the IC IG to carry out the duties of the IC IG effectively. Section 103H(j)(2)(C) provides that the IC IG "shall create…a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General."

QUESTION 34: Please describe how, if confirmed, you would create the career cadre sufficient to satisfy these statutory obligations and what, in your view, is necessary to meet these obligations.

If confirmed, I intend to create a career cadre by prioritizing the recruitment, development, and retention of a highly-qualified and highly-motivated workforce. I will work closely with the Assistant Inspector General for Mission Support to identify ways to improve IC IG's recruitment, development, and retention of its premier workforce, and ensure new hires have a clear path to grow in their careers within IC IG.

QUESTION 35: If confirmed, what changes, if any, would you expect to consider or make in the present Office of the IC IG, with regard to organization, staff qualifications, training, budget, or other features relevant to the effective performance of the duties of the office?

If confirmed, I will evaluate what changes, if any, would need to be made with regard to organization, staff, qualifications, training, budget, or other features relevant to the effective performance of the duties of the office. I will conduct these evaluations in conjunction with each IC IG division so I can make informed, deliberate decisions.

QUESTION 36: Under what circumstances, if any, do you believe that the use of contractors to perform such functions is appropriate?

I believe the majority of IC IG's requirements are more appropriately performed by government personnel. However, if confirmed, I intend to leverage many of the dedicated and talented contractors working with IC IG to enable its critical oversight mission.

QUESTION 37: In your view, are there any barriers or disincentives, including any created by personnel policies, which impede the recruitment or retention of qualified IG personnel? If so, please describe them, as well as how, if confirmed, you would address these impediments.

My understanding is that a significant barrier to recruitment is the lengthy pre-employment security process. I intend to work with the IC IG leadership team and ODNI's Chief Operating Officer to find ways to address this barrier so that, if confirmed, I can sufficiently recruit, develop, and retain a career cadre of IC IG professionals in a timely manner.

Oversight of Acquisition Programs and Contracts

QUESTION 38: What role, if any, do you believe the IC IG should play in achieving acquisition reform?

IC IG has an important role in promoting economy, efficiency, and effectiveness, and preventing and detecting fraud and abuse in IC-related procurement and

acquisition activities. If confirmed, I will work with IC IG leadership and the IC IG Forum on IC-related acquisition matters that may be appropriate for further IC IG action.

QUESTION 39: What is your view of the role the IC IG should play in advising the IC and the Congress on the sufficiency of management controls in acquisition programs and the impact that legislative and regulatory proposals could have on such management controls?

IC IG should play a significant role in advising the IC and Congress on the sufficiency of management controls in acquisition programs and the impact that legislative and regulatory proposals could have on such management controls. I understand that IC IG already executes several oversight requirements regarding financial and budgetary controls within the IC. If confirmed, I intend to consider other ways to strengthen these oversight efforts.

QUESTION 40: What is your view of the role the IC IG should play in oversight, audit and investigation over contracts in the IC?

IC IG has an important role in these oversight requirements. If confirmed, I intend to work with IC IG leadership and the IC IG Forum to evaluate ways to strengthen and expand this role where appropriate.

Professional Experience

QUESTION 41: Please describe specifically how each of your professional experiences will enable you to serve effectively as the IC IG. Please include within each response a description of issues relating to the position that you can identify based on those experiences.

As noted in my answer to question 1, I have served in many different leadership roles across several departments and agencies. I have also held positions in the private and non-profit sectors. I have taken an oath to protect and defend the Constitution of the United States many times, in and out of uniform, and I have held a security clearance for nearly twenty years. I have led small teams in combat, crafted whole-of government policies, authored provisions of regulations, managed interagency teams of intelligence officers, provided legal advice to commanders, overseen information management at a department level, and led a successful

technology company.

In all of these professional experiences, I have relentlessly embraced new challenges and taken extreme ownership of my duties. I have been and will continue to be committed to the truth, and I have a proven track record of making decisions that "do good" regardless of whether they "feel good." If confirmed, I will take my responsibilities as IC IG very seriously. I will be committed to following the law, protecting the innocent, holding the IC and my own office accountable for our actions, and keeping America safe by supporting improvements to the efficiency and effectiveness of the IC.

Question from Senator Warner

QUESTION 42: Pursuant to 50 U.S.C. § 3033(j)(3), the IC IG has "final approval of . . . the selection of internal and external candidates for employment with the Office of the Inspector General; and . . . all other personnel decisions concerning personnel permanently assigned to the Office of Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head a component of the Office of the Director of National Intelligence." Under what circumstances, if any, do you believe it would be appropriate for the Director of National Intelligence to terminate the employment of personnel within the IC IG's Office other than pursuant to a security-based determination?

I believe that Section 103(j)(3) empowers the IC IG to have final approval of the selection of internal and external candidates for employment with IC IG and over all other personnel decisions concerning personnel permanently assigned to the IC IG office. The DNI maintains authority over security-based determinations. If confirmed, I will rely on IG counsel to ensure that IC IG Office can fully exercise this authority and maintain the Office's independence.

Questions from Senator Wyden

Whistleblowers

QUESTION 43: During her confirmation process, Director Gabbard wrote: "Whistleblowers are essential to ensuring accountability and oversight within the IC, and they must have clear, protected channels to report concerns, including the unauthorized transmittal of classified information to appropriate entities such as Members of Congress, Inspectors General (IGs), and other authorized recipients."

During her confirmation hearing, Director Gabbard was asked if she agreed "that IC whistleblowers must have a clear path to this committee and that they don't need permission from agencies to talk to [the committee]," to which Director Gabbard responded, "the answer is clearly yes." Do you agree?

I agree with the Director on this matter. Section 103H provides a process for any member of the Intelligence Community to bring a matter of urgent concern to the congressional intelligence committees. IC IG plays an important role in this process. This process does not require an agency's consent for a matter of urgent concern to be provided to the congressional intelligence committees. If confirmed, I will ensure IC IG fully executes this important statutory responsibility.

QUESTION 44: How would you protect the anonymity of whistleblowers and ensure that they are not identified to personnel who may reprise against them or identified publicly as whistleblowers?

Pursuant to Section 103H(g)(3)(A), the Inspector General shall not disclose the identity of individuals who provide information to the IG without the consent of that individual, unless the IG determines that the disclosure unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken. This statutory protection ensures the anonymity of whistleblowers. If confirmed, I will continue IC IG's efforts in protecting the identity of whistleblowers and ensure that the exceptions to this protection from disclosure are used only when absolutely necessary.

QUESTION 45: Do you agree that compromising the identity of a whistleblower is, or should be, prohibited? If yes, what criminal, administrative, or other sanctions should apply to individuals who compromise the identities of whistleblowers?

Yes. I agree that compromising the identity of a whistleblower is prohibited, with the specific exceptions I noted in my answer to the previous question. If confirmed, I will work with IC IG leadership and the IC IG Forum to identify ways to enhance whistleblower confidentiality.

Independence

QUESTION 46: 50 USC § 3033(i) establishes that the Inspector General of the Intelligence Community shall appoint a Counsel to the Inspector General who shall

report to the Inspector General or obtain the services of a counsel appointed by and directly reporting to another inspector general or the Council of the Inspectors General on Integrity and Efficiency on a reimbursable basis. Do you agree that the IC IG must be counseled and advised independently on OIG-related legal matters by attorneys who are answerable only to the IG?
Yes.

QUESTION 47: 50 USC § 3033 (j)(3) states that: "Consistent with budgetary and personnel resources allocated by the Director of National Intelligence, the Inspector General has final approval of the selection of internal and external candidates for employment with the Office of the Inspector General; and all other personnel decisions concerning personnel permanently assigned to the Office of the Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of a component of the Office of the Director of National Intelligence."

a. How would you ensure the independence of IG employment decisions?

My understanding is that the IC IG currently relies on outside offices for some onboarding and security processing, but most of the employment processes for IC IG personnel are handled exclusively by the IC IG's Mission Support Division. If confirmed, I will review existing processes to determine whether it would be appropriate for the IC IG to also handle those processes currently handled by outside offices. In general, I will leverage the personnel authorities in Section 103H(j) to ensure the independence of the IC IG's activities.

b. How would you protect OIG personnel from firing, transfer or involuntary administrative leave not approved by the Inspector General?

If confirmed, I will rely on the personnel authorities in Section 103H(j) to protect IC IG personnel from these actions.

Information Management

QUESTION 48: Please review the article "Here Are the Attack Plans That Trump's Advisors Shared on Signal" (The Atlantic, March 26, 2025) and the "Houthi PC small group" Signal chat messages included in the article. Since April,

you have served as Senior Advisor to the Director of National Intelligence and Acting Chief of the Information Management Office.

a. Do you believe that any of the messages were or should have been classified, based on your experience with classification and on the Security Classification Guides of the relevant agencies and departments? If yes, which messages?

The Secretary of Defense, who is the original classification authority of the information, has publicly confirmed the messages were not classified.

b. Do you believe that any of the messages included any national defense information, as codified pursuant to 18 U.S.C. §§ 793 - 798? If yes, which ones?

No.

c. Regardless of classification, do you believe that the information included in the messages was appropriate for an unclassified channel, particularly given the timing?

The original classification authority of the information confirmed the messages were not classified.

d. Do you agree that unclassified phones used by national security officials are likely targets of foreign adversaries and that, as such, should not be used to convey classified information?

Yes. Unclassified phones should not be used to convey classified information.

SELECT COMMITTEE ON

INTELLIGENCE

UNITED STATES SENATE

Post-Hearing Questions for the Record for

Christopher Fox

Upon his nomination to be

Inspector General of the Intelligence Community

Questions from Senator Wyden

QUESTION 1: The Intelligence Community Inspector General's authorities for "personnel decisions concerning personnel permanently assigned to the Office of Inspector General" (50 U.S.C. §3033(j)(3)(B)) were included in S. 1494, the Intelligence Authorization Act for Fiscal Year 2010 (P.L. 111-259). The report accompanying that bill (S. Rept. 111-55) noted that the Senate Intelligence Committee added that language following passage of the Inspector General Reform Act of 2008 (P.L. 110-409). As the Committee report stated: "In light of this recent determination by the Congress to protect and augment the authority of Inspectors General throughout the Government, the Committee has provided for conforming changes in the IG provision it is now reporting." The Inspector General Reform Act of 2008 established that "each Office of Inspector General shall be considered to be a separate agency" and "the Inspector General who is the head of an office… shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions." In light of this legislative history, do you agree that the IG's authorities related to "personnel permanently assigned to the Office of Inspector General" apply to all OIG personnel not detailed from another agency?

Yes. Consistent with the budgetary and personnel resources allocated by the Director of National Intelligence (DNI), and with the exception of all security-based determinations that are not within the authority of a head of a component of the Office of the Director of National Intelligence (ODNI), the Inspector General's final approval authority pertains to all personnel decisions concerning personnel permanently assigned to the Office of the Inspector General of the Intelligence Community (IC IG). This final approval authority applies to all IC IG permanent personnel not detailed from another agency.

QUESTION 2: Do you agree that any interpretation of 50 U.S.C. §3033(j)(3)(B) that would grant the IG authorities related to some OIG personnel but not others (i.e., non-probationary employees but not probationary employees) is illogical and unworkable from an administrative and management perspective?

If confirmed, I will undertake a comprehensive review of the IC IG's management and administration to ensure that every division functions efficiently and effectively, without any component operating in a manner that is illogical or unworkable.

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: Peter Michael Thomson
   OTHER NAMES USED: N/A

2. DATE AND PLACE OF BIRTH: 11/16/1956; New Orleans, Louisiana
   CITIZENSHIP: United States

3. MARITAL STATUS: Married

4. SPOUSE'S NAME: **INFORMATION REDACTED**

5. SPOUSE'S MAIDEN NAME IF APPLICABLE: **INFORMATION REDACTED**

6. NAMES AND AGES OF CHILDREN:

NAME	AGE
INFORMATION REDACTED	

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
Tulane Law School	1980-1983	Juris Doctor	06/1983
Tulane University	1974-1978	Bachelor of Arts	06/1978

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Federal Bureau of Investigation	Clerk	New Orleans, La.	08/1978-09/1979
United States Senate, Office of Senator J. Bennett Johnston (La.)	Intern	Washington, DC	06/1981-08/1981

Coleman, Dutrey & Thomson (law firm)	Attorney	New Orleans, La.	06/1983-10/1987
New Orleans District Attorney's Office	Asst. District Attorney (on detail from law firm)	New Orleans, La.	03/1986-10/1986
U.S. Department of Justice, United States Attorney's Office Eastern District of Louisiana	Asst. U.S. Attorney	New Orleans, La.	10/1987-04/2011
National Security Agency, Advanced Network Operations (Detailed from DOJ)	Special Advisor	Fort George Meade, Md.	03/2010-07/2010
Fowler Rodriguez, LLP	Partner	New Orleans, La.	04/2011-06/2014
Stone Pigman Walther Wittmann, LLC	Special Counsel	New Orleans, La.	07/2014-12/2017
Stone Pigman Walther Wittmann, LLC	Partner	New Orleans, La.	01/2018-Present
Tulane Law School	Adjunct Professor Trial Advocacy (Uncompensated)	New Orleans, La.	1989-2009
Terrebonne Parish Sheriff's Office	Legal Counsel	Terrebonne Parish, La.	2021-Present

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

Since March 2024, I have served as a member of the Louisiana State Public Defender Oversight Board (appointed by the Governor). Between 2021 and present, through my position at Stone Pigman Walther Wittmann, LLC, I have provided legal advice and counsel to the Terrebonne Parish Sheriff's Office and am commissioned as one of the Sheriff's Department "legal counsel" in that role. Between 1994 and 2012, I also was appointed as a reserve deputy sheriff with the St. Tammany Parish Sheriff's Office.

In 1989 and 1990, while serving as an Assistant U.S. Attorney for the U.S. Department of Justice (DOJ), I instructed Federal Bureau of Investigation (FBI) Special Agent trainees in trial testimony during moot court practice at the FBI Academy, Quantico, Virginia.

In 1985, at the request of and in cooperation with U.S. Senator J. Bennett Johnston's office in Washington, DC, and in conjunction with the U.S. Information Agency, I designed and coordinated a multi-day program for several dozen European Parliamentarians who visited New Orleans, which included educational, social and business events. The Parliamentarians, all from NATO countries, traveled to different regions of the United States for the purpose of assessing, in part, American cultural views with regard to the continued nuclear protection of Europe.

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

I obtained specialized intelligence and national security experience while detailed to the National Security Agency (NSA); while employed by the FBI between college and law school; while working as an Assistant United States Attorney with a wide variety of federal agencies, including the FBI, U.S. Customs Service, Drug Enforcement Administration (DEA), and Central Intelligence Agency (CIA); by representing clients in private practice on matters involving extradition and Red Notice removal; and by researching and publishing articles on Interpol Red Notice abuses and the Foreign Intelligence Surveillance Act (FISA).

More specifically, in 2010 the U.S. Department of Justice detailed me to the National Security Agency, Fort Meade, Maryland, where I worked as a Special Advisor to the Chief of NSA's Advanced Network Operations. My duties included researching, analyzing and briefing managers on unclassified and classified legal authorities, including but not limited to Executive Orders, federal statutes and Departmental directives governing the collection of foreign signals intelligence and information assurance activities. As part of my duties, I also assisted military and civilian staff with the establishment of a new network to support the war fighter, attended daily steering committee briefings at the National Threat Operations Center (NTOC), and attended classified NSA briefings of certain high-ranking military officers and intelligence advisors to then President Barack Obama.

Further, as an Assistant United States Attorney, I held a Top Secret security clearance for approximately 15 years. During that time, while assigned to the Organized Crime Strike Force, I gained national security experience by working with the FBI, and subsequently with the CIA's Office of General Counsel, on a sensitive investigation which involved potential graymail threats and issues related to the work of a then active U.S. intelligence asset. I also gained national security and intelligence experience as an Assistant U.S. Attorney by investigating and prosecuting emerging organized crime members, drug gangs, and supervising domestic and international narcotics trafficking investigations and cases. I worked on a regular basis and often closely with the DEA, FBI, U.S. Secret Service and the U.S. Customs Service, among other agencies, and their intelligence personnel. While serving with the Justice Department, I researched and published a white paper endorsing FISA roving surveillance authority for U.S. counterintelligence officers engaged in domestic foreign intelligence and counterterrorism investigations. Finally, while in private legal practice, I have worked on matters involving extradition, Interpol Red Notices, and the Foreign Corrupt Practices Act (FCPA).

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

U.S. Dept. of Justice (1987-2011)

Special Award from the U.S. Customs Service "in appreciation of exemplary dedication to duty" for the successful prosecution of a cocaine importation organization; *U.S. v. Richard Lynn, et al.* (1993);

Certificate of Appreciation from the U.S. Attorney & Organized Crime Drug Task Force for outstanding efforts in Glenn Metz violent gang prosecution (1994);

Certificate of Appreciation from the DEA for outstanding contributions to drug law enforcement (1995);

Special Award from the U.S. Customs Service in recognition of tactics and guidance leading to the dismantling of an international cocaine smuggling organization; *U.S. v. Luis Sensat, et al.* (1995);

Certificate of Appreciation from the DEA for outstanding contributions to drug law enforcement (1997);

Special Award from the U.S. Customs Service for prosecution of a Colombian cocaine importation and money laundering organization; *U.S. v. Maria Cordoba, et al.* (1999);

Certificate of Recognition from U.S. Attorney for superior performance (1999);

Certificate of Recognition from the U.S. Attorney (Eastern District of Louisiana) for outstanding performance and Special Achievement Award (2000);

Special Award from the New Orleans Police Department, Bureau of Alcohol, Tobacco, Firearms and Explosives, and U.S. Department of Justice in appreciation of outstanding contributions to "Project Exile" (2001);

Award by U.S. Postal Service in recognition for successful prosecution of corrupt Postal Service employee; *U.S. v. Monique Jason* (2005);

Written commendation by FBI Director for outstanding performance in successful prosecution of Councilman and Public Works Director on public corruption charges following Hurricane Katrina (2008);

Special Commendation Award by the U.S. Attorney General for successfully completing the Justice Department's Leadership Excellence and Achievement Program (2010).

Private Law Practice (2011-Present)

Chambers and Partners (2024-present);

New Orleans City Business "Leadership in the Law" Honoree (2013);

Top Attorneys in New Orleans, *St. Charles Avenue Magazine* (2013);

Louisiana *Super Lawyers*: White Collar Criminal Defense (2013-2021);

Martindale-Hubbell® AV Preeminent® Peer Review Rated (2013-present);

Selected by peers for inclusion in *The Best Lawyers in America* (2014-present);

New Orleans Magazine's "Top Lawyers", White-Collar Criminal Defense (2014-present).

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

ORGANIZATION	OFFICE HELD	DATES

INFORMATION REDACTED

INFORMATION REDACTED

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO).

IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

Yes, I would be happy to provide a copy of these materials if asked.

Published Writings

"Louisiana's 'Constitutional Carry' Law: Implications, Considerations for Businesses" published by *New Orleans City Business* Newspaper (October 2024)

"How Much Should Courts Defer to U.S. Sentencing Guidelines?" published on the "FedSoc Blog", The Federalist Society for Law and Public Policy Studies (August 2023)

"Simplifying Issues as to the Search at Mar-a-Lago" published by *Eye on Jacksonville* Newspaper, by Professor John Baker (August 2022) (I was a contributor to the article)

"Jacobson v. Massachusetts Lends Questionable Support to Covid-19 Executive Orders Imposing Penalties for Non-Compliance" published on the "FedSoc Blog", The Federalist Society for Law and Public Policy Studies (December 2021)

"Interpol's Transnational Policing By 'Red Notice' and 'Diffusions': Procedural Standards, Systemic Abuses, and Reforms Necessary to Assure Fairness and Integrity," *Engage* Volume 16, Issue 2, published by The Federalist Society (September 2015)

"A Comprehensive Strategy Targeting Recidivist Criminals with Continuous Real-Time GPS Monitoring: Is Reverse Engineering Crime Control Possible?" published by The Federalist Society for Law and Public Policy Studies (November 2011);

"Supreme Court Strikes Down Mandatory Provisions of Federal Sentencing Guidelines," published as white paper by The Federalist Society for Law and Public Policy Studies (2005);

"USA PATRIOT Act's Roving Electronic Surveillance Amendment to the Foreign Intelligence Surveillance Act," published by The Federalist Society for Law and Public Policy Studies (March 2004);

"Supreme Court Decision Spawns Swirl of Controversy Over Sentencing Guidelines," web-published by The Federalist Society for Law and Public Policy Studies, Criminal Law and Procedure Practice Group news page (July 2004).

Presentations & Speeches

Panel Member & Speaker, Annual White Collar Crime Symposium, Louisiana State Bar Association, New Orleans, La. (annually, 2015 - 2025);

"Hernandez v. Mesa," Post-Decision SCOTUScast for the Federalist Society (March 2020);

"Hernandez v. Mesa," Post-Argument SCOTUScast for the Federalist Society (November 2019);

"Weaver v. Massachusetts," SCOTUScast for The Federalist Society (May 2017);

"Taylor v. United States," The Federalist Society blog (February 2016);

Teleforum Speaker: *Insider Trading Litigation*, a Presentation of the Criminal Law and Procedure Practice Group of The Federalist Society (2015);

"The Smith General Store Data Breach Investigation Response," Data Security Compliance and Response & Internal Investigations; Association of Corporate Counsel Louisiana Chapter. (2015);

"The Federal Criminal Process," New Orleans Bar Association, Procrastinators CLE Program (2014);

"Robers v. United States," Post-Decision SCOTUScast for The Federalist Society (May 2014);

Teleforum Speaker: *GPS Surveillance and the Supreme Court: U.S. v. Jones*; a Presentation of the Criminal Law and Procedure Practice Group of The Federalist Society (2012);

"The Federal Criminal Process," presented to the New Orleans Consular Corps (2011);

"Criminal Defense Attorney Tactics," Louisiana Forgery and Fraud Investigators Assoc. (2011);

"Testifying in Federal Court" presented to over 300 deputies of the St. Tammany Parish Sheriff's Office, POST Academy, Pearl River, Louisiana (June-July, 2009);

Federal conspiracy law, "Federal Law Enforcement Analysis Training Seminar" held for federal and state Intelligence Analysts, sponsored by the DEA, New Orleans, Louisiana (January, 2004);

Using RICO to target violent drug organizations, "Violent Crime Conference" sponsored by Law Enforcement Coordinating Committee, in Covington, Louisiana (May, 1992);

Money laundering, "Federal Law Enforcement Training Conference," sponsored by U.S. Customs Service, Georgia (1993).

Public Remarks

In June 2020, after being nominated by President Trump to serve as the CIA Inspector General, I testified in a confirmation hearing held before this Honorable Committee.

On or about August 18, 2023, I was interviewed by a journalist with *The Ross Report* on Newstalk 98.8 (Lafayette, Louisiana) in regard to state racketeering charges brought against President Trump and others in the State of Georgia.

On August 16, 2022, I appeared in a brief televised interview on *Washington Watch*, hosted by the Family Research Council, in regard to the search warrant that had been executed at President Trump's Mar-a-Lago home in Florida.

On August 17, 2022, I appeared in another televised interview on *Washington Watch*, hosted by the Family Research Council, in regard to "the search warrant and supporting affidavit authorizing FBI's Mar-a-Lago raid" of President Trump's home.

In April 2016, former New Orleans Saints player Will Smith was shot and killed in New Orleans following a road rage incident. Following the fatal shooting, I provided legal representation to the decedent's spouse and family. On their behalf, I spoke at a press conference at University Medical Center held within days of the shooting. Shortly thereafter, the individual responsible for killing Smith was indicted on murder charges. Over the course of the next year or so, through the defendant's manslaughter conviction and sentencing, I made additional public remarks to the press on behalf of his surviving spouse and family.

In 2014, I appeared on a television commercial for the campaign of Warren Montgomery, then a candidate for St. Tammany Parish District Attorney.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY).

Under the CIA Inspector General Act, 50 U.S.C. § 3517, in addition to meeting the security standards of the agency, an Inspector General shall be appointed on the basis of 1) integrity, 2) demonstrated ability in the discipline of accounting, auditing, financial analysis, law, management analysis, public administration, or investigation, and 3) prior experience in the field of foreign intelligence. I am qualified for the position of CIA Inspector General because during my entire professional legal career as an Assistant United States Attorney and private law practitioner, I have consistently demonstrated cross-discipline abilities, a keen sense of right and wrong, and unbiased independence.

My forty years of experience practicing both criminal and civil law, in the government and in private practice, has prepared me to serve as the CIA's Inspector General. During the twenty-three years I served as a federal prosecutor, I honed broad investigative skills and legal expertise. Through my work, I rooted out waste, fraud, and abuse—the hallmarks of an Inspector General's job—by conducting and supervising numerous criminal investigations and prosecutions involving a wide variety of crimes, including public corruption, extortion, bribery, wire and mail fraud, tax fraud, health care fraud, bank fraud, counterfeiting, drug trafficking, murder, identity theft, embezzlement, money laundering and other white-collar crimes. Further, and very importantly, I worked with federal agents to help protect the identities and lives of many confidential informants during these criminal cases, including through the witness protection program. If confirmed as the CIA's Inspector General, I will continue with the same fervor and commitment to protect whistleblowers and other individuals who expose wrongdoing within the Agency.

During my lengthy career with the U.S. Department of Justice—in the General Crimes Section, Drug Task Force, and Organized Crime Strike Force Unit of the U.S. Attorney's Office in New Orleans—I worked routinely with public servants at federal, state and local investigative agencies, including their intelligence personnel, and many offices of the inspector general. Following Hurricane Katrina in 2005, I was detailed to the FBI's Katrina Fraud Task Force where I prosecuted fraud cases involving federal programs.

As a federal prosecutor, I also worked closely with forensic investigators, auditors, intelligence analysts and accountants in reviewing, auditing and analyzing voluminous amounts of financial records and other categories of bulk data and information, including telephone call histories, tax returns, emails and text records. As an attorney in private practice, I conducted internal investigations for corporate clients and helped them identify and root out corrupt and dishonest actors in their ranks. I also worked cases that specifically involved information security and responding to data breaches within private networks.

Finally, while serving as an Assistant U.S. Attorney, I was selected for and graduated from the U.S. Justice Department's Leadership Excellence and Achievement Program (LEAP), a one-year long program which develops senior executive core competencies (SES ECQs) for the purpose of teaching and improving leadership skills for senior management positions. During that time, I was detailed to the National Security Agency, where I gained specialized experience with legal authorities governing foreign signals intelligence collection and information assurance activities.

I proudly served the American people with integrity and an unwavering devotion to justice throughout my public service career. If confirmed as the CIA's Inspector General, I would bring the same professionalism, independence, and dedication to duty to this very important position.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

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

INFORMATION REDACTED

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

Not applicable.

17. FOREIGN AFFILIATIONS

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

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

I indirectly received nominal compensation through my law-firm distributions for earnings based on the representations described in my response to 17B above. Apart from that, no.

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

No.

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

Not applicable.

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

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

If confirmed I will not personally and substantially participate in any particular matter in which I know I have a financial interest, in which I know a former client of mine is a party or represents a party, or in which I know that Stone Pigman Walther Wittmann, LLC is or represents a party, for specified periods where applicable and absent waiver or authorization where applicable.

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

If confirmed, I intend to sever all business connections with Stone Pigman Walther Wittmann, LLC along with any other organizations in which I am advised to do so by Agency ethics officials or other Executive Branch officials.

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

None. If confirmed, in connection with severance from my firm under our modified partnership arrangement, I will not be entitled to any additional compensation, including severance pay, pro-rata profit interest, capital account shares, pension rights, stock options, deferred income, or any other form of compensation.

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

No.

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

None.

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

No. Not applicable.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

None to my knowledge.

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

Please see my nominee OGE Form 278e.

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

None.

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

No.

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

The following chart lists all taxable income during the last five years, as reported in the U.S. income tax returns filed jointly with my wife, and as further reflected in my nominee OGE Form 278e.

YEAR	2020	2021	2022	2023	2024

INFORMATION REDACTED

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

Yes.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

I am licensed to practice law in Louisiana. Please see my list of clients, attached as "Exhibit 2 (Question 35)".

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

I have no current plans to create a blind trust but will abide by any agreement negotiated with the Office of Government Ethics.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

INFORMATION REDACTED

PART E - ETHICAL MATTERS

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

No.

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

No.

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

No.

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

INFORMATION REDACTED

42. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL, OR

STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PLEASE PROVIDE DETAILS.

INFORMATION REDACTED

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

No, not to my knowledge.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F - SECURITY INFORMATION

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

No.

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

INFORMATION REDACTED

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

No.

PART G - ADDITIONAL INFORMATION

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

Congress is constitutionally and legally obligated to provide competent and vigorous oversight of the CIA and the entire intelligence community, and the CIA Inspector General is accountable to and an essential partner of Congress in that process. The National Security Act of 1947 requires that Congress be kept "fully and currently informed" of all intelligence activities of the United States, including all CIA-sponsored covert action.

The CIA Inspector General plays a critical role in the Congressional oversight process. Thus the Inspector General is legally obligated to keep both this Committee and the House Permanent Select Committee on Intelligence ("intelligence committees") informed of significant problems and deficiencies within the agency as well as the need for corrective actions. As part of its duties, the Inspector General must provide semi-annual reports to the Director and the intelligence committees. These reports summarize the audits, inspections and investigations undertaken by the Inspector General's Office over the preceding six months. The Inspector General also must report serious or flagrant problems, abuses or deficiencies relating to agency programs or operations to the Director, which also must be reported to the intelligence committees. Further, as part of the oversight process, there are certain other circumstances enumerated in the CIA Inspector General statute requiring immediate reporting to Congress; and, with regard to "urgent concerns" brought to light by agency personnel, the Inspector General must assist in the process of reporting those concerns to the intelligence committees, as more fully set forth in the enabling statute.

The Congressional oversight described above is essential to ensuring that CIA programs and operations are conducted lawfully, properly and ethically. Congressional oversight likewise serves to protect against abuses of power by the agency as well as to protect the civil liberties we all share as Americans. This is particularly important because intelligence work by its very nature must be concealed from public view. Also, importantly, through the oversight process, the CIA is able to demonstrate to the American people, through Congress, that it deserves their ongoing trust, as well as the trust of Congress and the President. Finally, an appropriately independent Inspector General, working cooperatively and transparently with the intelligence committees, helps ensure credibility to and strengthens the critical roles of both the Inspector General and Congress in oversight process, while ensuring that the CIA remains accountable to Congress and ultimately to the American people.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

The CIA Inspector General is tasked by law with preventing and detecting fraud, waste, abuse and other forms of misconduct within the CIA, thereby helping ensure that CIA activities are being conducted in compliance with all applicable laws and regulations. The Inspector General's Office accomplishes its mission by conducting independent and unbiased inspections, reviews, evaluations, audits and investigations of the agency's programs and operations; and by making policy recommendations to the Director in order to promote effectiveness, economy and efficiency within the agency. The Inspector General must also review and make recommendations to the Director, and Congress, regarding legislation and regulations involving or affecting agency operations. It is important that the Inspector General take a proactive approach in rooting out potential problems so that they can be corrected before causing harm to the agency, the nation, or others.

Additionally, the Inspector General must keep the Director and the intelligence committees fully informed of violations of law, fraud and other problems, abuses, and deficiencies it finds in agency programs and operations, as well as the necessity for and progress of corrective actions. As part of its reporting requirements to the Director, and to Congress, the Inspector General must submit semi-annual reports summarizing all of the audits, inspections, reviews, and investigations it has performed. The Inspector General is also obligated to

flag significant problems, as well as make recommendations for and report upon the status of corrective actions. Where the Inspector General's Office finds flagrant or particularly serious problems, or "urgent concerns" as the term is legally defined, it is obligated to report them to the Director, and ensure that the intelligence committees are notified as required by law. Consistent with federal whistleblower laws and regulations, the Inspector General also must maintain a robust and effective whistleblower program, so that agency personnel have a trusted means for bringing wrongdoing and other problems to light within the agency, and to Congress. The Inspector General's Office likewise must protect the identities of such personnel and whistleblowers, as required by law, and ensure that they are protected from reprisal. Finally, the Inspector General must report criminal violations to the Justice Department.

In fulfilling its responsibilities, the Inspector General should be respectful of the CIA's mission and unique culture, and take due regard for the protection of intelligence sources and methods. It is also very important that the Inspector General maintain strong and open lines of communications with the Director and with Congress, and to maintain trusted professional working relationships with both. However, the Inspector General also must perform its work in an objective and unbiased manner, free from personal and political agendas, and free from internal or external pressures or interference, regardless of source. Therefore, it is essential that the Inspector General strike an appropriate balance between independence on one hand, and forging a cooperative team approach on the other, not only with agency leadership, but with Congress as well.

In summary, the CIA's Office of Inspector General plays a critical role in making the agency better by helping protect and strengthen its programs, workforce, policies and operations; by helping protect, with the intelligence committees, the civil liberties of all Americans; and by helping ensure that the work of agency fully and properly serves the interests of the nation and the American people. Finally, consistent with the principles of Lady Justice, it is vital to the work of the Office of Inspector General that it always professionally and ethically follow the law, and the facts, wherever they might lead.

AFFIRMATION

I, **PETER M. THOMSON**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

May 16, 2025
(Date)

Peter Thomson Signature Redacted

Notary Signature Redacted

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the **Inspector General of the Central Intelligence Agency**, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

Peter Thomson Signature Redacted

EXHIBIT 1
(Question 17B)

INFORMATION REDACTED

EXHIBIT 2
(Question 18)

Placeholder for forthcoming OGE 278e form.

EXHIBIT 3
(Question 35)

INFORMATION REDACTED

Exhibit 3
Page 2

INFORMATION REDACTED

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

Additional Prehearing Questions for
Peter Thomson upon his nomination to be the
Inspector General of the Central Intelligence Agency

CIA IG Access to Information

QUESTION 1: By statute (50 U.S.C. § 3517(e)(2)), the Central Intelligence Agency (CIA) Inspector General (IG) "shall have access to any employee or any employee of a contractor of the Agency whose testimony is needed for the performance of his duties. In addition, he shall have direct access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to the programs and operations with respect to which the Inspector General has responsibilities under this section."

a. What is your understanding of the reach of this provision?

Pursuant to the above provision, set forth in 50 U.S.C. §3517(e), "Authorities of Inspector General", the CIA IG, while in the performance of his or her statutory responsibilities and duties, has the lawful authority to speak with, interview, depose and/or take testimony from any CIA ("Agency") employee or contractor, wherever located. Thus, my understanding is that intended reach of this provision broadly extends to all Agency employees, including any and all persons working directly or indirectly by contract for the Agency. Likewise, the provision confers on the IG the authority to read, review, analyze, document and/or copy any and all documents, records, reports and any other tangible materials or items needed in the performance of the IG's official duties and responsibilities.

To be clear, it is my understanding that the provision grants the CIA IG broad and unencumbered access to any and all CIA employees and contractors, as well as to any and all records, things or other Agency materials needed by the IG to perform and/or complete any of its statutory duties and responsibilities. Notably, the provision contains no limitations on the IG's authority to access those persons and materials, with the exception set forth in 50 U.S.C. §3517(b)(3), which grants the Director the authority to prohibit the IG from carrying out his or her duties when necessary to protect the vital national security interests of the United States.

b. Please describe how you would resolve, including what remedies you would pursue, a situation in which you were refused such access.

If a member of the IG's staff, in the performance of his or her official duties, were refused access to an Agency employee or Agency contractor, or was refused access to any relevant documents or materials, I would first seek to determine the reason for the refusal. I would ask the assigned IG staff member to advise the refusing party of the legal authorities granting the IG unrestricted access to the information

requested. If necessary, either I or a supervisory member of the IG's Office would speak directly with the refusing party's supervisor. In the event these interventions failed to resolve the problem, I would personally inform the Director of the CIA of the violation and request assistance in obtaining the access needed. In the unlikely event that the Director failed to provide help, and the IG's Office was still being refused access to the employee or relevant information, I would inform the intelligence committees of the disagreement and request their assistance. In fact, 50 U.S.C. § 3517(d)(2) and (3)(E) require that the IG inform the Director of a significant problem or abuse and that the IG notify the intelligence committees when unable to obtain significant documentary information in the course of an audit, inspection or investigation, respectively.

In order to avoid such issues in the first place, it is important for the OIG and the CIA leadership team to work collaboratively in educating employees, particularly mid-level and senior managers, throughout the extended Agency enterprise of the IG's legal authorities in this regard.

c. What is your view of the appropriate use of subpoena authority?

Under 50 U.S.C. § 3517(e)(5), the CIA OIG, in the performance of its official duties, has the lawful authority to issue subpoenas, enforceable in federal court, to persons and entities for the production of documents, records, reports or other tangible things needed in relation to an audit, inspection or investigation conducted pursuant to the IG's official duties and responsibilities. However, in the case of U.S. government agencies, which I understand to include the CIA, the IG must obtain the needed information not by subpoena, but through other procedures. Further, the IG is prohibited from using its subpoena power on behalf of any other CIA element or component.

d. What is your view of how the CIA Office of the Inspector General (OIG) balances independent confirmation of information, for example through document review, and accepting CIA representations to OIG personnel? To what extent should IG reports include caveats with regard to information the IG has not independently confirmed?

I understand that the work of the CIA OIG complies with the standards published by the Council of the Inspectors General on Integrity and Efficiency (CIGIE), of which I understand the CIA OIG is a member. I further understand that published CIGIE standards address the subject of independent verification and types of evidence gathered during the course of a project. If confirmed, I would continue to

be guided by CIGIE standards and best practices with regard to balancing independent verification of information against accepting CIA representations to OIG personnel and caveats regarding information not independently confirmed.

Sources of Complaints and Protection of Whistleblowers

QUESTION 2: By statute (50 U.S.C. § 3517(e)(3)(A)), the CIA IG "is authorized to receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety."

a. If confirmed, what steps would you take to inform individuals, within or outside of the U.S. Government, of their opportunity to provide such complaints or information to the CIA IG?

I have not had the opportunity to examine and evaluate the procedures and policies currently in place to inform CIA employees and others, within and outside government, of the avenues available to them for filing complaints or otherwise providing information to the CIA IG. However, it is my understanding that the CIA and the IG's Office currently employ a number of outreach methods and procedures to inform individuals of their opportunity to report information to the IG, including: OIG Hotline, speaking engagements, training sessions with all employees, and the posting and dissemination of informational materials.

If confirmed, I will continue the above-described outreach procedures and training programs; take appropriate steps, if any, to improve their efficiency and effectiveness; and work to determine whether there exist any other steps that could be taken by the CIA IG to inform individuals, within and outside the U.S. Government, of the opportunity to file a complaint or provide information to the IG. Further, if confirmed, I will review and evaluate the procedures used to inform and educate employees with regard to the laws and regulations protecting them from retaliation.

b. What formal policies and processes are in place to inform employees of their right to provide information to the CIA IG and to detect and protect against reprisal for making complaints or disclosing information to the CIA IG?

While I am aware of the procedures and policies listed in my answer to Question 2(a), I have not had the opportunity to fully review and evaluate all of the formal policies and procedures currently in place to inform CIA employees and contractors of their right to provide information to the CIA IG, and to detect and protect against reprisal for making complaints or disclosing information to the IG. However, I understand that Agency regulations designate the IG as the point of contact for employees to report allegations of reprisal for making lawful disclosures pursuant to whistleblower laws and regulations; and that the IG is tasked with reviewing and investigating such allegations pursuant to applicable law and regulations, including Presidential Policy Directive (PPD)-19 and Intelligence Community Directive (ICD)-120. Additionally, I understand that leadership in the Office of Congressional Affairs, along with the IG, serves as a channel through which employees and contractors of the Agency may communicate with members of Congress.

If confirmed, I will identify the other formal policies and processes currently in place to inform employees of their right to provide information to the IG and to detect and protect against reprisal in connection with the reporting of information to the IG.

c. Do you see any need for additional actions, policies, or processes to protect whistleblowers?

I have not had the opportunity to examine and evaluate the procedures, processes and policies currently in place at CIA to protect whistleblowers. Likewise, I have not had the opportunity to determine whether the existing procedures and policies are consistent with federal law, including but not limited to Presidential Policy and IC Directives (PPD-19 and ICD-120, respectively), and Agency regulations and policies.

If confirmed, however, I will review and evaluate all of the relevant policies, programs and processes within the Agency designed to protect whistleblowers and, if warranted, take appropriate and necessary steps to correct and/or improve procedures or policies determined to be deficient. Further, if confirmed, I also will work to determine what additional protections for whistleblowers should be considered and implemented.

QUESTION 3: What are your views of a whistleblower's ability to communicate with Congress?

I recognize the important function that whistleblowers have in identifying waste, fraud, and abuse, as well as the importance of ensuring that the Congressional intelligence committees are kept appropriately informed in accordance with applicable law. Specifically, pursuant to 50 U.S.C. § 3517(d)(5), a CIA employee or contractor, who intends to report to Congress a complaint or information with respect to an "urgent concern", may report such complaint or information to the CIA IG. The IG, if it determines that the matter fits the statutory definition of an "urgent concern" and the complaint or information appears credible, must inform the Director of the complaint or information, and ultimately the intelligence committees. The IG also has the responsibility of notifying the reporting employee or contractor of every action taken by the Agency with regard to the complaint or information received. I commit to ensuring that any complaint or information submitted to CIA OIG under 50 U.S.C. § 3517(d)(5) is handled in accordance with those statutorily prescribed procedures.

CIA IG Review of Covert Actions

QUESTION 4: Under an arrangement between the CIA IG and the congressional intelligence committees begun in 2001, the CIA IG conducts a detailed review on each authorized covert action program every three years, which has been extremely helpful for our congressional oversight.

a. Do you plan to continue this practice? If not, why not?

Yes, I intend to continue this practice. I believe regularly reviewing each covert action is important work which helps promote effective oversight and enhance accountability.

b. Are there other CIA programs or practices of which you are aware that should have the same kind of regular, periodic, oversight from the CIA IG's Office?

It is my understanding that, in addition to covert action reviews, CIA OIG also conducts the regular and periodic oversight work related to the Federal Information Security Modernization Act, the Payment Integrity Information Act, risk

assessments of purchase and travel card programs, and oversees the audit of the CIA's financial statements.

If confirmed, I look forward to reviewing the ongoing work associated with the above-described periodic oversight practices and reporting my findings and recommendations regarding same to the Director of the CIA and this Committee. Generally, I believe that any CIA activity which has a high potential for abuse should be considered for regular, periodic oversight from the OIG in the same way as covert action programs.

Personnel and Budgetary Resources

QUESTION 5: Pursuant to 50 U.S.C. § 3517(e)(7)(B), the CIA IG has "final approval of . . . the selection of internal and external candidates for employment with the Office of Inspector General; and . . . all other personnel decisions concerning personnel permanently assigned to the Office of Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of other Central Intelligence Agency offices." In addition, pursuant to 50 U.S.C. § 3517(f)(2), the CIA IG "shall transmit a budget estimate and request through the Director to the Director of National Intelligence" specifying certain amounts requested for each fiscal year.

a. If confirmed, what changes (if any) would you consider or make in the present CIA IG's Office, with respect to organization, staff qualifications, training, budget, or other features relevant to the effective performance of the Office?

I have not had the opportunity to review and evaluate the OIG's current organizational structure, staffing, training, budget, or other features relevant to the effective performance of the office. Thus, absent such sufficient experience with the relevant staffing and operations of the IG's Office, I am unable to identify what changes, if any, I would consider making within the OIG. However, if I am confirmed, I will certainly review and evaluate the organization and structure of the OIG, take any actions that I deem necessary to further the OIG's effectiveness and efficiency.

b. Under what circumstances, if any, do you believe that the use of contractors to perform such functions is appropriate?

I do not have sufficient information at this time to form an opinion regarding the use of contractors within the IG's Office. However, generally speaking, the use of contractors might be appropriate where specialized skills are needed to accomplish certain OIG tasks and missions, particularly in critical support related positions that are difficult to fill. Further, it is my understanding that OIGs use the services of contractors to conduct financial audits and to provide support functions related to IT and research.

Government Accountability Office (GAO)

QUESTION 6: Pursuant to Section 348 of the *Intelligence Authorization Act for Fiscal Year 2010* (P.L. 111-259), the Director of National Intelligence has issued a directive on the access of the Comptroller General to information in the possession of an element of the Intelligence Community.

a. Please describe your understanding of the role of GAO in assisting Congress in oversight that relates to such information.

On June 30, 2011, the ODNI issued ICD-114 relating to the access of intelligence community information by the Comptroller General, through the General Accountability Office (GAO). It is my understanding that pursuant to the policies and guidelines set forth in that Directive, together with relevant policies and guidelines issued by the CIA, predicated on a presumption of cooperation with the GAO, the CIA, to the fullest extent possible, provides the GAO access to intelligence information related to reviews, evaluations and audits conducted by the GAO on behalf of Congress. The process in which the CIA cooperates with and provides intelligence information to the GAO must be consistent with national security concerns and protect intelligence sources and methods.

Although I have not had the opportunity to participate in GAO reviews governed by the above Directive and CIA policies, it is my understanding that in conducting its reviews, the GAO interacts primarily and directly with non-OIG CIA management, which coordinates and facilitates GAO's requests with other CIA offices and components.

b. Please describe your views on what coordination between the CIA IG and GAO would be desirable to assure full coverage of oversight

requirements while avoiding conflict or duplication, and while assuring the protection of classified information from inappropriate disclosure.

When appropriate, the CIA IG should coordinate activities with the GAO to avoid conflicts and duplicative efforts. Otherwise please see my answer to Question 6.a.

c. Please describe any concerns you may have regarding the use of GAO to assist in the conduct of oversight of the IC.

Beyond any concerns related to the duplication of efforts, or to the protection of national security information and intelligence sources and methods, I do not have sufficient experience with the operations of the CIA IG or with GAO reviews related to intelligence information to have identified any additional concerns in this regard.

CIA IG Work Plan

QUESTION 7: If confirmed, how will you determine the investigations and reports that are necessary or desirable to complete each year?

If confirmed, I will take all necessary and appropriate steps to ensure that all statutorily required reports (i.e., necessary reports) be prepared and submitted timely to the intelligence committees. With regard to "desirable" investigations and reports, if confirmed I will review and evaluate the OIG's work plan and how new matters are selected and prioritized for IG attention. I also will consult with OIG staff, and possibly with IC Forum members, regarding the identification of new areas of interest, or common concern, respectively, for inclusion in the CIA OIG's work plan.

QUESTION 8: Will you develop an annual work plan for the CIA IG's Office?

Yes, I anticipate developing an OIG work plan. I also anticipate consulting with the intelligence committees in advance of finalizing the annual work plans.

a. If confirmed, would you review with the intent to revise the annual work plan already submitted?

If confirmed, I plan to review and consult with OIG staff regarding the current annual work plan. However, because it is reasonable to assume that some of the projects

listed in the work plan would already be in progress, I would not be reviewing the work plan with the specific intent to significantly revise it. Nevertheless, should the need arise, as a result of changing circumstances or priorities, or in response to emerging or unanticipated issues, I would consider whether it would be appropriate to add new projects or re-prioritize current projects and proceed accordingly.

b. Will you consult with the intelligence oversight committees in Congress in advance on your work plan? Why or why not?

It is my belief that a strong line of communication should be maintained between the OIG and Congress, and that a trusted professional working relationship is of critical importance to the OIG mission.

Consultations about Reports

QUESTION 9: Under what circumstances, if any, do you believe it would be appropriate for the CIA IG to consult with officials in the CIA, or other officials of an IC element (outside of an IG office), before issuing a report, regarding the findings and recommendations in the report?

It is my understanding that it is the practice of the CIA IG to provide copies of draft reports of audits, inspections and certain reviews to appropriate Agency personnel prior to formal issuance of those reports. I also understand that this practice, which is consistent with CIGIE standards, permits the OIG to review and, when appropriate, reflect and/or incorporate comments and factual corrections, provided by the appropriate CIA element, into the report.

In my view, this process does not undermine the independence of the OIG. To the contrary, it helps assure that reports issued by the OIG are accurate, truthful and complete. Moreover, the OIG is solely responsible for every final report's conclusions, findings and recommendations.

QUESTION 10: To the extent that you believe such consultation is appropriate, what steps, if any, do you believe the IG should take to keep a record of the consultation and record the results in the text of the report?

Any comments, edits or revisions made by non-IG personnel to draft IG reports should be documented and noted within the reports, as appropriate, following CIGIE's best practices and standards.

QUESTION 11: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the CIA IG not investigate or review a particular matter, as provided in 50 U.S.C. § 3517(b)(3)?

I do not have sufficient information or institutional knowledge of the OIG or Agency operations to have formed an opinion as to when such a request might be appropriate. However, if confirmed, I look forward to researching this issue and reviewing any OIG precedents in which such requests may have been made by CIA senior officials.

Although I need additional information to intelligently and properly assess and respond to the Committee's question, I nevertheless am aware of the legal provisions which relate directly to such an assessment. Hence, under 50 U.S.C. § 3517(b)(3), the CIA Director may prohibit the initiation, carrying out or completion of an OIG audit, inspection or investigation, if the Director determines that such prohibition is necessary to protect vital national security interests of the United States. Also, pursuant to the same statute, in the event this power is exercised, the statute also requires that the Director inform the congressional intelligence committees of the action. Accordingly, the lawful and just exercise of this power by the Director could be an appropriate circumstance in which a senior CIA official intervenes in an official OIG investigation or review.

QUESTION 12: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the CIA IG not issue a report on a particular matter, as provided in 50 U.S.C. § 3517(b)(3)?

Consistent with my answer to Question 11, I can imagine there might be circumstances where a senior CIA official believes it would be appropriate to request that the OIG not issue a report where the official believes doing so would threaten the national security interests of the United States. Certainly, such a request would be appropriate if it met the standards set forth in 50 U.S.C. § 3517(b)(3).

However, the OIG has legal obligations itself and, from my understanding, well established procedures, to protect classified information and intelligence sources and methods, including highly compartmented information. Hence, if confirmed as the CIA IG, I would consider any concerns raised by Agency officials with regard to the issuance and/or dissemination of a report, but I and the OIG staff alone would make the decision on an independent basis while taking all necessary and

appropriate steps, in the case of national security concerns, to protect the information as required by law and CIA regulations.

QUESTION 13: Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the CIA IG change findings, recommendations, or other pertinent material in a report on a particular matter?

As I explained in my answer to Question 9, it is my understanding that CIA IG, consistent with CIGIE standards, routinely provides copies of draft reports of audits, inspections and certain reviews to appropriate Agency personnel so that they have ample opportunity to review the report and provide comments, including recommendations and factual corrections, prior to the report becoming final. Allowing such input by the Agency is a positive and constructive process which does not undermine the integrity of the report or the independence of the OIG, which appropriately takes the Agency's comments into account before exercising its independent authority and issuing the report in final form. To be clear, the CIA IG retains the ultimate authority to independently determine a report's final conclusions, findings, and recommendations.

QUESTION 14: Do you commit to working directly with the congressional intelligence committees and providing information directly to the committees, rather than through the CIA's Office of Congressional Affairs?

It is my understanding that this has been the practice of the CIA IG. It is my intent to continue this practice as long as it complies with federal law and regulations.

QUESTION 15: Do you commit to notifying the congressional intelligence committees of any effort to obstruct or curtail an OIG investigation, delay the issuance of an OIG report, or otherwise interfere in the functioning of the OIG, irrespective of the source of that interference?

As explained below, and similar to the approach I described in response to Question 1.b., if such a circumstance were to arise, I would first attempt to resolve the problem by speaking with the obstructing, delaying, or interfering party's supervisor. In the event these interventions failed to resolve the problem, I would personally inform the Director of the CIA of the problem. In fact, 50 U.S.C. §3517(d)(2) requires that the IG inform the Director of a significant problem or abuse. In the unlikely event that consultations with the Director failed to resolve the matter, and the IG's Office was still being obstructed, delayed, or interfered with, I would inform the intelligence committees of the disagreement and request their assistance in

accordance with 50 U.S.C. §3517(d)(3)(A), which requires that the IG notify the intelligence committees when unable to resolve differences affecting the execution of the IG's duties or responsibilities.

QUESTION 16: What is your position on the role of the CIA IG to monitor CIA adherence to congressional intent and direction?

The CIA IG provides internal oversight of the Agency's compliance with federal laws and regulations. More specifically, the OIG conducts audits, reviews, inspections and investigations to prevent and detect fraud, waste, abuse and other forms of misconduct within the CIA. The OIG thereby helps ensure that CIA conduct itself in compliance with Congressional intent and direction as expressed in federal statutes and regulations governing the Agency's programs, operations, funding and administration.

QUESTION 17: Do you commit to consult with the congressional intelligence committees to help determine CIA adherence to congressional intent and direction? Why or why not?

Yes. The CIA IG is an essential partner of Congress in the oversight process, which Congress is constitutionally and legally obligated to provide.

QUESTION 18: If you do commit to consulting with the congressional intelligence committees, what would your approach be in making these congressional consultations, and how would these consultations inform or revise your annual work plan?

My understanding is that CIA IG's current practice is to regularly communicate directly with the congressional intelligence committees, to include consultation regarding CIA IG's annual work plan. It is my intent to continue this practice as long as it complies with federal law and regulations. I believe that CIA IG and the congressional intelligence committees should continue to be partners in the oversight process, consistent with our respective constitutional and legal responsibilities.

QUESTION 19: Please describe your views on the appropriate relationship between the CIA IG and the CIA Office of General Counsel with regard to legal issues. Do you commit to independently analyzing legal issues related to the role, responsibilities, and functions of the IG's Office?

Yes. Pursuant to 50 U.S.C. §3517(e)(8)(A), the CIA IG must appoint his or her own counsel who shall report directly to the IG; or, alternatively, the IG may obtain the services of a counsel appointed by and directly reporting to another IG. Although I can envision there might be circumstances in which the CIA IG and OGC have to consult with one another, the CIA IG must be counseled and advised independently on OIG-related legal matters by attorneys who are answerable only to the IG.

Major Challenges, Problems, and Priorities

QUESTION 20: In your view, what are the major challenges, problems, and priorities facing the CIA IG's Office?

I can envision that one of the most significant and relentless challenges facing the CIA IG's Office is the preservation of its independence in the performance of its mission critical work. In my view, the OIG must be committed to rigorously defending its independence from both internal and external pressures. In addition to that, I can envision major challenges related to accessing Agency information and efforts to improve Agency culture surrounding whistleblowers, together with the access of whistleblowers to the IG's Office. Beyond that, if confirmed I will work to identify the CIA OIG's mission specific major challenges and priorities; and, if requested, report my assessments to the Committee. If confirmed, I also would look forward to learning more about OIG's challenges from the Committee's perspective.

QUESTION 21: If confirmed, how do you plan to address those challenges, problems, and priorities?

As I explained in Question 20, once confirmed, after assessing the major challenges and problems facing the OIG, I look forward to working with the OIG leadership team to identify resolutions and action plans to properly address those challenges and problems.

Whistleblowers

QUESTION 22: To your knowledge, have you ever been the subject of a whistleblower complaint? If yes, please provide dates and content of each complaint of which you are aware.

No, not to my knowledge.

QUESTION 23: What is your view of the role of the CIA IG in managing and investigating whistleblower complaints? How much of a priority will you make managing and investigating whistleblower complaints if confirmed as the CIA IG?

The CIA OIG performs a significant and critical role with regard to whistleblowers. Consistent with federal whistleblower laws and regulations, the IG must maintain a robust and effective whistleblower program, so that agency employees and contractors have a trusted means for bringing wrongdoing and other problems to light within the Agency, and to Congress. Through the whistleblower program, the OIG receives and develops information which helps the IG root out waste, fraud and abuse within the Agency, as well as violations of law, including criminal violations, all affecting or potentially affecting CIA programs, operations, personnel and/or administration. The OIG must also protect whistleblowers to the fullest extent of the law. Drawing from my experience as a federal prosecutor, the OIG should strive to protect the identities of whistleblowers who seek such protection with the same vigor and commitment as federal prosecutors and agents who protect confidential informants.

In furtherance of its obligations in this regard, the OIG must provide outreach and training programs to CIA employees and contractors with regard to the whistleblower process, provide confidential access to individuals who want to file complaints or otherwise provide information, respond timely and competently to such complaints and information, and provide protection to and uphold the confidentiality of whistleblowers. The CIA IG also is tasked with the vitally important mission of protecting whistleblowers from retaliation in the workplace and beyond. Therefore, the whistleblower program is one of the most important missions, if not the most important mission, of the CIA IG.

In addition to the above, pursuant to 50 U.S.C. §3517(d)(5), where the OIG finds flagrant or particularly serious problems, or "urgent concerns" as the term is legally defined, it is obligated to report them to the Director, and assure that the intelligence committees are notified as required by law. Further, a CIA employee

or contractor, who intends to report to Congress a complaint or information with respect to an "urgent concern", may report such complaint or information to the CIA IG. The IG, if it determines that the information is credible, must inform the Director of the complaint or information, and ultimately the intelligence committees. The IG also has the responsibility of notifying the reporting employee or contractor of every action taken by the Agency with regard to the complaint or information received.

QUESTION 24: Will you seek to strengthen the CIA IG's role relative to whistleblower protections? If yes, how will you strengthen the whistleblower protection activities of the CIA IG?

If confirmed, I will review and evaluate the protections, response procedures and protocols currently in place at the OIG and look for ways to possibly improve the OIG's approach to whistleblower protection.

The CIA OIG is required to comply with applicable statutes, including 50 U.S.C. §3517, and PPD-19 and ICD-120 relating to IC whistleblower protection. Collectively, these require the OIG to protect the confidentiality of whistleblowers to the greatest extent permitted by law and, second, to enforce the protections afforded to whistleblowers under the law, including protections against reprisal actions (such as personnel or security clearance actions).

Independence

QUESTION 25: In general, what would be your approach to ensuring the IG's independence, if you are confirmed as the next CIA IG?

Independence is the cornerstone of any Inspector General. The CIA IG must conduct independent, impartial and unbiased audits, inspections, reviews, evaluations, and investigations of the agency's programs and operations; and provide policy recommendations to the Director based on that work in order to promote effectiveness, economy and efficiency within the Agency. Further, an appropriately independent IG helps assure credibility to and strengthens the critical roles of both the OIG and Congress in the oversight process, while assuring that the CIA remains accountable to Congress and ultimately to the American people.

Therefore, if confirmed, my approach to ensuring the independence of the CIA OIG would be to approach and conduct all work within the IG's Office in an

honest, impartial and unbiased manner, free of any individual or political agendas, influences or pressures, regardless of source or magnitude; and to always speak truth to power, whether that "power" be the Director, the White House, this Committee, or anyone else; and, consistent with the principles of Lady Justice, to always professionally and ethically follow the law and facts wherever they might lead.

Further, if confirmed, I would communicate the above values and principles and the need for independence to CIA OIG managers and employees, and take the necessary and appropriate steps to assure that new IG employees understand the above values and the importance of independence and impartiality in the performance of the IG's duties and responsibilities.

Professional Experience

QUESTION 26: Please describe specifically how each of your professional experiences will enable you to serve effectively as the IC IG. Please include within each response a description of issues relating to the position that you can identify based on those experiences.

As more fully discussed in response to Questions 10 and 14 of the Biographical Background Questionnaire, I have broad experience working as a federal prosecutor investigating fraud, waste, and abuse in a variety of contexts by conducting and supervising numerous criminal investigations and prosecutions in a wide variety of cases, to include corruption, theft, embezzlement, money-laundering, fraud, drug-trafficking, and other white-collar crimes. I also have extensive experience as a former prosecutor working closely with forensic investigators, auditors, analysts, and accountants in reviewing, auditing, and analyzing voluminous amounts of data and records related to criminal investigations. Additionally, I have substantial experience in criminal cases and investigations involving confidential informants, undercover operations, electronic surveillance, and other sensitive investigative techniques, as well as national security equities. Further, as a private law practitioner, I have conducted internal investigations on behalf of individual and business clients. Each of these experiences will inform how I follow the facts and faithfully apply the law in an independent, unbiased, and objective manner.

Question from Senator Warner

QUESTION 27: Under what circumstances, if any, do you believe it would be appropriate for the Director of the CIA to terminate the employment of personnel within the CIA IG's Office other than pursuant to a security-based determination?

My understanding is that 50 U.S.C. § 3036(e)(1) specifies that, notwithstanding other provisions of law, the Director of the CIA, may, in his discretion, terminate the employment of any officer or employee of the CIA whenever the Director deems the termination of employment of such officer or employee necessary or advisable in the interests of the United States.

I also understand that 50 U.S.C. § 3517(e)(7)(A) requires that the Inspector General select, appoint, and employ such officers and employees as may be necessary to carry out the IG's functions. The IG also is required to ensure that OIG officers and employees have sufficient training to perform effectively, and to create a career cadre of sufficient size to provide appropriate continuity and objectivity to perform the OIG's duties. Further, 50 U.S.C. § 3517(e)(7)(B) specifies that, consistent with the budgetary and personnel resources allocated by the Director, the Inspector General has final approval of the selection of internal and external candidates for employment with OIG, and all other personnel decisions concerning personnel permanently assigned to OIG, other than security-based determinations. These provisions are important to enabling OIG to perform its important oversight mission and help to maintain OIG's independence and objectivity, by insulating OIG personnel from improper pressure and undue influence from outside OIG.

Therefore, if a circumstance were to arise in which the Director was considering exercising his discretion under 50 U.S.C § 3036(e)(1) with respect to an OIG officer, I would expect to consult with the Director in an effort to ensure that OIG's independence and statutory authorities are maintained, as well as the IG's personnel authorities and responsibilities, in accordance with applicable law.

Questions from Senator Wyden

Whistleblowers

QUESTION 28: During her confirmation process, Director Gabbard wrote: "Whistleblowers are essential to ensuring accountability and oversight within the IC, and they must have clear, protected channels to report concerns, including the

unauthorized transmittal of classified information to appropriate entities such as Members of Congress, Inspectors General (IGs), and other authorized recipients." During her confirmation hearing, Director Gabbard was asked if she agreed "that IC whistleblowers must have a clear path to this committee and that they don't need permission from agencies to talk to [the committee]," to which Director Gabbard responded, "the answer is clearly yes." Do you agree?

I certainly agree with the DNI's description of the importance of providing clear protected channels so that IC employees can report concerns to authorized recipients, including the Congressional Intelligence Committees. I have not had the opportunity to examine and evaluate all of the procedures and policies currently in place for CIA officers and contractors applicable to whistleblower reporting. However, my understanding is 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. Additionally, as noted in my responses to Questions 2, 3, 23, and 24, there are other statutes and policy documents that provide further protection for engaging in lawful whistleblowing activity.

QUESTION 29: During your previous confirmation process, you wrote: "Drawing from my experience as a federal prosecutor, the OIG should strive to protect the identities of whistleblowers who seek such protection with the same vigor and commitment as federal prosecutors and agents who protect confidential informants." What criminal, administrative, or other sanctions or punishments should apply to individuals who compromise the identities of whistleblowers?

Although I have not had the opportunity to examine and evaluate all of the procedures and policies currently in place that might be applicable, I would consider the improper disclosure of whistleblower identities to be a serious matter and there should be appropriate penalties or sanctions for such misconduct. Based on my experience as a federal prosecutor, however, the type of sanction or punishment applicable in a particular case must be based upon the facts and circumstances of that case. Further, the unauthorized disclosure of a whistleblower's identity is such a serious matter, in part, because of the potential for reprisal against the whistleblower, and because such disclosures can discourage others with information concerning fraud, waste, abuse, or misconduct from coming forward. Ultimately, the unauthorized disclosure of whistleblower identities can be disruptive to CIA OIG's ability to maintain a trusted means for bringing wrongdoing and other problems to light within the Agency, and to Congress. For these reasons, I am fully committed to protecting whistleblower confidentiality and will vigorously investigate alleged

unauthorized disclosures of a whistleblower's identity. In conducting such investigations, I will follow the facts and apply the law, and if the investigation results in a finding of misconduct, I will seek the appropriate sanction under the circumstances and in accordance with applicable law, rule, regulation, or other policy directive.

Independence

QUESTION 30: During your previous confirmation process to be CIA Inspector General, you wrote: "Pursuant to 50 U.S.C. §3517(e)(8)(A), the CIA IG must appoint his or her own counsel who shall report directly to the IG; or, alternatively, the IG may obtain the services of a counsel appointed by and directly reporting to another IG. Although I can envision there might be circumstances in which the CIA IG and OGC have to consult with one another, the CIA IG must be counseled and advised independently on OIG-related legal matters by attorneys who are answerable only to the IG." Is that still your position?

Yes. Please see my response to Question 19.

QUESTION 31: 50 USC § 3517(e)(7)(B) states: "Consistent with budgetary and personnel resources allocated by the Director, the Inspector General has final approval of the selection of internal and external candidates for employment with the Office of Inspector General; and all other personnel decisions concerning personnel permanently assigned to the Office of Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of other Central Intelligence Agency offices."

a. How would you ensure the independence of IG employment decisions?

If confirmed, I would ensure the independence of IG employment decisions by exercising the IG's authority in the manner specified in 50 U.S.C. § 3517(e)(7)(A) and (e)(7)(B). I have not had the opportunity to review and evaluate the specific mechanisms, policies, and procedures used by the IG's to ensure that IG employment decisions are made in accordance with the statute. However, if I am confirmed, I will certainly review and evaluate whether the current processes and procedures are sufficient to ensure that IG employment decisions are being made in accordance with 50 USC § 3517(e)(7), and take any appropriate actions to ensure compliance with the statute.

b. How would you protect OIG personnel from firing, transfer or involuntary administrative leave not approved by the Inspector General?

Similar to my response Question 31.a., I have not had the opportunity to review and evaluate the specific mechanisms, policies, and procedures that might be applicable to a circumstance in which an official seeks to take an adverse personnel action against an OIG officer without the IG's approval. However, generally speaking, if such a circumstance were to arise, I would first attempt to ascertain the basis for such an action and attempt to resolve the problem by speaking with the official seeking to take the adverse personnel action without my approval. In the event this effort failed to resolve the problem, I would personally inform the CIA Director of the problem pursuant to 50 U.S.C. § 3517(d)(2), which requires that the IG inform the Director of a significant problem or abuse. In the unlikely event that consultations with the Director failed to resolve the matter, and the adverse personnel action was still being pursued without my approval, I would inform the intelligence committees of the disagreement and request their assistance in accordance with 50 U.S.C. §3517(d)(3)(A), which requires that the IG notify the intelligence committees when unable to resolve differences affecting the execution of the IG's duties or responsibilities.

Additionally, as I indicated in response to Question 27, if a circumstance were to arise in which the Director was considering exercising his discretion under 50 U.S.C. § 3036(e)(1) with respect to an OIG officer, I would expect to consult with the Director in an effort to ensure that OIG's independence and statutory authorities are maintained, as well as the IG's personnel authorities and responsibilities, in accordance with applicable law.

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: **Matthew Alvin Kozma**
   OTHER NAMES USED: **None**

2. DATE AND PLACE OF BIRTH: **July 19, 1973 Neptune City, NJ USA**
   CITIZENSHIP: **USA**

3. MARITAL STATUS: **INFORMATION REDACTED**

4. SPOUSE'S NAME: **INFORMATION REDACTED**

5. SPOUSE'S MAIDEN NAME IF APPLICABLE: **INFORMATION REDACTED**

6. NAMES AND AGES OF CHILDREN:

NAME	AGE
INFORMATION REDACTED	

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
The Program on Negotiation at Harvard Law School Executive Education	2011	None - Course Program on Negotiation for Senior Executives	N/A
Massachusetts Institute of Technology Sloan Executive Education	2008 - 2010	Executive Certificate in Technology, Operations, and Value Chain Management	2010
American University Kogod School of Business	2001 - 2005	Master of Business Administration	2005
University of Colorado, Colorado Springs	1996 - 1998	Master of Science, Electrical Engineering	1998
United States Air Force Academy	1991 - 1995	Bachelor of Science, Electrical Engineering	1995
United States Air Force Academy	1991 - 1995	Bachelor of Science, Applied Physics	1995
Air University	2010 - 2012	Diploma	2012

Air War College (by correspondence)			
Air University Air Command and Staff College (by correspondence)	2004 - 2007	Diploma	2007
Air University Squadron Officer School (by correspondence)	Est 2002 - 2003	Diploma	2003

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Intel Federal LLC dba Intel Government Technologies	Business Development Manager, R&D	Fairfax, VA	2025 - Present
Intel Federal LLC dba Intel Government Technologies	Global Account Manager	Fairfax, VA	2025
Intel Corporation	Global Account Manager	Fairfax, VA	2022 - 2025
Navisink Partners LLC	Founder & Managing Partner	Great Falls, VA	2021 - Present
Kyri LLC	Founder & Managing Partner	Great Falls, VA	2021 - Present
Office of the Director of National Intelligence	Intelligence Community Chief Information Officer (IC CIO)	Bethesda, MD McLean, VA	2020 - 2021
United States Air Force Air Force Life Cycle Management Center Business and Enterprise Systems Directorate AFLCMC/GB	Individual Mobilization Augmentee (IMA) to the Director (Status: IMA)	Maxwell AFB Gunter Annex, AL	2022 - Present
United States Air Force Deputy Chief of Staff for Intelligence, Surveillance, Reconnaissance, and Cyber Effects Operations (AF/A2/6)	Executive Agent (Status: Mobilized) Special Advisor (Status: IMA)	Pentagon, DC	2016 - 2022

Office of Information Dominance and Chief Information Officer (SAF/CIO A6)			
United States Air Force Deputy Chief of Staff for Intelligence, Surveillance, and Reconnaissance (AF/A2/6)	Deputy Director, International Partner Engagement (Status: Mobilized)	Pentagon, DC	2015 - 2016
United States Air Force Air Combat Command Directorate of Operations (ACC/A3)	Chief of Staff International Partner Representative (Status: Mobilized)	Bolling AFB, DC	2014 - 2015
United States Air Force Office of Information Dominance and Chief Information Officer Office of Warfighting Integration and Chief Information Officer (SAF/CIO A6)	Warfighting and Command and Control (C2) Staff Officer (Status: IMA)	Pentagon, DC	2008 - 2014
National Reconnaissance Office (NRO)	Deputy Chief Technical Advisor (Status: IMA)	Chantilly, VA	2001 - 2008
Scitor Corporation with duty at National Geospatial-Intelligence Agency (NGA)	Deputy Chief Engineer, International Program Office Senior Technical Advisor	Reston, VA Ft Belvoir, VA Bethesda, MD	2001 - 2014
United States Air Force with duty at National Imagery and Mapping Agency (NIMA)	Deputy Program Manager Technical Lead (Status: Active Duty)	Reston, VA Chantilly, VA	1998 - 2001
United States Air Force 4th Space Operations Squadron (4SOPS)	Senior Spacecraft Engineer Liaison to Massachusetts Institute of Technology/Lincoln Laboratory (MIT/LL) (Status: Active Duty)	Schriever AFB, CO Bedford, MA	1995 - 1998

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

As a Service Academy graduate, I've volunteered to assist the Virginia 10th District Service Academy Advisory Board with evaluating cadet candidate packages submitted for congressional appointment consideration.

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

Having served the United States in multiple capacities as an USAF Active Duty and Reserve officer, a defense contractor, and a senior federal executive, I have been blessed with acquiring specialized intelligence and national security expertise in space, acquisition, research and development, intelligence, cyber, command and control, and international partnership/security cooperation for nearly 30 years. Reporting to the Director of National Intelligence as Intelligence Community Chief Information Officer (IC CIO), I had the unique privilege of working with and across all 18 Intelligence Community (IC) elements, directing policy, and enabling and protecting critical National Security assets and capabilities. I was responsible for the IC's information technology infrastructure and enterprise architecture investments. As delegated Executive Agent for Unified Platform and Joint Cyber Command and Control, two Congressionally-directed cyber activities, I led the development and deployment of those next-generation Joint cyber programs supporting all Armed Services and US Cyber Command. Earlier in my career, I had the opportunity to collaborate with and shape intelligence engagements, sharing, acquisitions, and operations with 19 partner nations, including the United Kingdom, Canada, Australia, and New Zealand. I have directed mission-unique application and capability development, initial deployment, and transition to full operations. I was a key lead for software design, development, interoperability, testing, fielding, and operations of imagery intelligence systems and provided direct support for Operations Enduring Freedom and Iraqi Freedom (OEF/OIF), National Special Security Events (NSSE) and Special Event Assessment Rating (SEAR) events including Super Bowls, Olympic Games, and State of the Union addresses, and humanitarian and crisis relief efforts including Hurricane Katrina, the Southeast Asian tsunami, and 9/11, among others.

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

	Awards and Decorations	Devices
1.	Defense Meritorious Service Medal	
2.	Meritorious Service Medal	1 Oak Leaf Cluster
3.	Joint Service Commendation Medal	
4.	Air and Space Achievement Medal	
5.	Joint Meritorious Unit Award	1 Oak Leaf Cluster
6.	Air and Space Outstanding Unit Award	
7.	Air and Space Organizational Excellence Award	
8.	National Defense Service Medal	1 Service Star
9.	Global War on Terrorism Service Medal	
10.	Air and Space Longevity Service Award	1 Oak Leaf Cluster
11.	Armed Forces Reserve Medal	2 Hourglass Devices
12.	Air and Space Training Ribbon	

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

ORGANIZATION	OFFICE HELD	DATES

INFORMATION REDACTED

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

1. **Technical report, author, "A Brief History of Laser Guided Lightning Discharge Models and Experiments." Phillips Lab, Hanscom AFB, MA, PL-TR-94-2193 ERP, No. 1153, July 5, 1994 https://apps.dtic.mil/sti/citations/ADA289448**
2. **Song lyrics, songwriter, Copyright registration PAu001901648, September 15, 1994** https://cocatalog.loc.gov/cgi-bin/Pwebrecon.cgi?v1=1&ti=1,1&Search%5FArg=kozma%20matthew&Search%5FCode=NALL&CNT=25&PID=drxtlp07rx9EntvoU74OI-JMXcmrC&SEQ=20250315122830&SID=4

Yes

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS OF THE DEPARTMENT OF HOMELAND SECURITY).

I am honored to have been nominated by the President to serve as Under Secretary for Intelligence and Analysis of the Department of Homeland Security, and, should I be confirmed by the Senate, I look forward to executing his policies focused on securing America's borders and helping Make America Great Again. Since age seventeen when I first donned a uniform upon entering the United States Air Force Academy, I have endeavored to serve and protect the United States of America and our fellow American citizens with honor and distinction. For over thirty years, in various capacities, I have actively applied knowledge, experience, and fervor to patriotically help protect and propel America, particularly from an intelligence perspective. From my first day at the Academy, June 27, 1991, to present as a Reserve Colonel, I have prepared for and supported a myriad of intelligence agencies, partners, and their missions. At the Academy, I served on both Group and Wing Staff focusing on cadet safety and security. After graduation as a new officer, I supported the Military Strategic and Tactical Relay (MILSTAR) satellite program ensuring critical global national security and military command and control communications. Afterwards, with extensive service at the National Geospatial-Intelligence Agency (NGA), including its predecessor the National Imagery and Mapping Agency (NIMA), the National Reconnaissance Office (NRO), with all Armed Services, and later as Intelligence Community Chief Information Officer (IC CIO) reporting to then Director of National Intelligence, John Ratcliffe, closely working with all 18 Intelligence Community (IC) departments and agencies, and many international partners, I assert that I have both a broad and deep working knowledge of the United States' intelligence apparatus in direct support of America's national security. Having supported numerous National Security Special Events (NSSE) and Special Event Assessment Rating (SEAR) events including Super Bowls, Olympic Games, and State of the Union addresses,, catastrophic natural disasters, including Hurricane Katrina, the Southeast Asian Tsunami, and wildfires, and countering and recovering from terrorist attacks, most notably 9/11, I have closely worked with all echelons from the White House down to young enlisted members in the field to ensure domain awareness, foster intelligence sharing, mitigate tangible threats, and promote synchronized recovery.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

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

Contributions

INFORMATION REDACTED

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

None

17. FOREIGN AFFILIATIONS

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

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

No

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

No

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

No

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

No

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

During my tenure as an employee of Intel Corporation, less than three percent (3%) of my time was spent toward direct and indirect engagement with or presentation preparation for federal senior executives and Congressional staffers regarding Intel Corporation's technology offerings and domestic manufacturing. Pursuant to Intel Corporation guidance, these efforts were logged quarterly and reported as lobbying activity regardless of threshold.

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

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

As part of this nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an Ethics Agreement that I will sign and transmit to the Department's Designated Agency Ethics Official, which in turn will be provided to this Committee. I am unaware of any other potential conflicts of interest.

For my involvement in any representations before the federal government that are not already curtailed prior to confirmation, my involvement in them will cease immediately should I be confirmed and leave my current position for this position that I am being considered to ensure that none of them is of a nature that would create any appearance of a continuing conflict of interest. Pursuant to my Ethics Agreement, I will consult with DHS Ethics officials with respect to participating in any matters involving any of my former positions.

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

Yes, I will do so consistent with the terms of my Ethics Agreement.

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

The terms of my separation from Intel Corporation and related payments are described in my OGE Form 278 and my Ethics Agreement.

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

No

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

None at present

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

While coincidently serving as a United States Air Force Reserve officer, I was extended and accepted an offer of employment with Intel Corporation in 2022 under which I am currently employed. This offer and acceptance was independent of my on-going military service.

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

INFORMATION REDACTED

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

NAME OF ENTITY	POSITION	DATES HELD	SELF OR SPOUSE

INFORMATION REDACTED

INFORMATION REDACTED

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

N/A

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

DESCRIPTION OF PROPERTY	VALUE	METHOD OF VALUATION

INFORMATION REDACTED

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

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT

INFORMATION REDACTED

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

No

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

INFORMATION REDACTED

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

Yes

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

INFORMATION REDACTED

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

No

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

N/A

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

I don't intend to put our financial holdings in a blind trust. To address any current conflict of interest concerns arising from my financial holdings, I will adhere to the Ethics Agreement entered into pursuant to this position and will follow the advice of government ethics officials to avoid any potential conflicts of interest that may arise in the future.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

I have not been required to file any annual financial disclosure reports during the last three years.

One may exist from in-processing to my prior federal service at the Office of the Director of National Intelligence (2020) that I'd be happy to provide, if still on file at ODNI.

PART E - ETHICAL MATTERS

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

No

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

No

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

No

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

INFORMATION REDACTED

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

No

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

No

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No

PART F - SECURITY INFORMATION

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

No

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

INFORMATION REDACTED

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

No

PART G - ADDITIONAL INFORMATION

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS OF THE DEPARTMENT OF HOMELAND SECURITY AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

From the onset, our Founding Fathers recognized that checks and balances of power are critical to ensure a free and vibrant society. As such, the Congress has a mandate and responsibility to ensure accountability, effectiveness, and efficiency of the Federal government. To this end, it is the responsibility and duty of the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to ensure transparency and collaboration with the Intelligence Committees of the Congress, and the Congress writ large, as we endeavor together to defend the United States of America against all enemies, foreign and domestic.

Given the grave nature of the dangers and malicious actors threatening America every day and the critical role the Intelligence Community serves to thwart and counter those threats, it is imperative to have and maintain trust and transparency through routine questions and answers to ensure that the Intelligence Committees are informed and equipped with the insights necessary to provide guidance and oversight. To ensure those necessary insights, it is imperative that the Under Secretary for Intelligence and Analysis, as with all Intelligence Community officials, fully cooperates with Congressional investigations in a timely manner and fully supports and protects the rights of employees to raise their concerns, through lawful channels, without fear of retaliation.

I look forward to routine, robust, and resourceful exchanges with the Intelligence Committees, should I be confirmed as the Under Secretary for Intelligence and Analysis of the Department of Homeland Security, so that together we can protect, preserve, and propel the United States of America and the sacred freedoms enshrined in our Constitution.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS OF THE DEPARTMENT OF HOMELAND SECURITY.

The duties and responsibilities entrusted to the Under Secretary for Intelligence and Analysis of the Department of Homeland Security must always be taken with an attitude and approach that underscores the severity, intensity, and responsiveness ascribed to this special position of public trust in law. First and foremost, the Under Secretary must lead, equip, and enable the men and women of the Office of Intelligence and Analysis so they can successfully execute the office's mission every day. In part, the Under Secretary must orchestrate

information and intelligence collection, analysis, and use to advance the mission of the Department of Homeland Security, implement the President's policies, and endeavor to vigilantly protect the United States of America from terrorism and other threats.

As a duly nominated appointee by the President of the United States, with the advice and consent of the Senate, the Under Secretary must optimally discharge the authorities and responsibilities prescribed in and vested by law to identify, assess, and counter terrorism and threats against the United States of America and our citizenry. These responsibilities include, but are not limited to, ensuring timely, relevant, accurate, and actionable intelligence; actively promoting information and intelligence sharing across all echelons of the Intelligence Community, law enforcement, and other civilian entities, including Federal, State, local, and tribal government, as necessary, to vigilantly protect against terrorism and thwart catastrophe; and mitigating actual and potential vulnerabilities to protect critical infrastructure necessary for American prosperity.

The Under Secretary must ensure that those public servant patriots entrusted to his or her leadership are well educated, equipped, enabled, and informed with the tools, training, information, intelligence, and other capabilities necessary to execute mission success. In line with the President's National Security Strategy and intelligence priorities, the Under Secretary is charged with consulting the Secretary of Homeland Security, the Director of National Intelligence, and other key stakeholders to establish and communicate collection priorities and strategies to optimally interdict and counter threats, vulnerabilities, and attacks to strengthen the preparedness, posture, response, and resilience of our American homeland. At the same time, the Under Secretary must balance intelligence collection, analysis, dissemination, and use within the office, across the Department, and with relevant partners, by simultaneously protecting and promoting Constitutional freedoms vigilantly while ensuring equal treatment and protection under the law.

The United States necessarily relies on rich, robust, and reliable intelligence that is shared and communicated in a timely, clear, concise, consistent, and corroborated manner to ensure American advantage at all times. To that end, the Under Secretary for Intelligence and Analysis, as Chief Intelligence Officer for the Department, must lead DHS's intelligence enterprise efforts and work with and across the Intelligence Community and other key security and law enforcement stakeholders at the Federal, State, local, and tribal levels to protect, preserve, and propel the United States of America.

AFFIRMATION

I, **MATTHEW KOZMA**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

20250428 MATTHEW KOZMA SIGNATURE REDACTED

(Date) MATTHEW KOZMA

NOTARY SIGNATURE REDACTED

(Notary)

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Under Secretary for Intelligence and Analysis of the Department of Homeland Security, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

Signature: MATTHEW KOZMA SIGNATURE REDACTED

Date: 20250428

NOTARY SIGNATURE REDACTED

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SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

Additional Prehearing Questions for
Matthew Kozma
upon his nomination to be the
Under Secretary for Intelligence and Analysis,
Department of Homeland Security

Role and Responsibilities of the Under Secretary for Intelligence and Analysis

QUESTION 1: The Department of Homeland Security's (DHS) Office of Intelligence & Analysis (I&A) was established by the Homeland Security Act of 2002, which mandated I&A's responsibility for critical infrastructure analysis, terrorism, and the other missions of DHS more broadly. What is your understanding of the history and purpose, as established by Congress, of the office of the Under Secretary for I&A in DHS?

1. In the aftermath of the national tragedy of September 11th, Congress enacted the Homeland Security Act of 2002 establishing the Department of Homeland Security and what is now the Office of Intelligence and Analysis (I&A) to protect America from further terrorist attacks. Primary functions established for the Office of Intelligence and Analysis include the collection, integration, assessment, and timely sharing of relevant information and other intelligence necessary to detect and analyze threats, mitigate vulnerabilities, and deter, prevent, preempt or otherwise thwart and respond to terrorist attacks against the United States of America. I&A serves a critical role in coordinating with partners and helping to prevent catastrophic harm against the American Homeland as a nexus between federal, state, local, tribal, and territorial Governments and Private Sector entities by engaging intelligence community, homeland security, defense, cyber, and law enforcement capabilities. In concert with both the Secretary of Homeland Security and the Director of National Intelligence, I&A's vigilance for analytical acumen and active information and intelligence sharing has been vital to ensure critical infrastructure protection, coordinated anti-terrorism action, and emergency preparedness and response assistance.

QUESTION 2: What do you understand I&A's current mission to be?

2. As the primary intelligence and analytical arm of the Department of Homeland Security, I&A's mission centers on enabling robust, relevant, timely, and corroborated intelligence and information sharing to the Department and its partner stakeholders, spanning from the President and Secretary down to local law enforcement officials, which is vital to keep our Homeland safe, secure, and resilient.

QUESTION 3: In your opinion, does I&A have a focused and well-defined mission consistent with the purpose Congress originally intended?

3. Although I am not fully privy to I&A's current mission scope and execution, should I be confirmed, I will endeavor to ensure alignment with the focused mission roles and responsibilities originally intended and entrusted by Congress for the protection of the American Homeland.

QUESTION 4: What should I&A's mission be in the present and into the future?

4. I&A's mission, now and in the future, must remain centered on preventing terrorism and catastrophic harm to the American citizenry and Homeland. Armed with analytical acumen, I&A's vital vigilance against those who would do us harm necessitates an agile ability to adapt to their malicious intent, methods, and actions regardless of tactic, technique, or technology.

QUESTION 5: Please describe the relative prioritization of I&A's national intelligence mission and its mission to support DHS? How should resource allocations, administrative structures, and long-term planning reflect that prioritization?

5. Uniquely positioned, charged, and empowered to enable both Department and national intelligence missions and to span across federal, state, local, tribal, and territorial governments and private sector entities, I&A must ensure a balanced approach constantly assessing and optimizing available resources to maximize impact and effectiveness, particularly given the severity of impacts to mission failure. Should I be confirmed, resource allocation, management, and planning will be important areas to quickly assess and execute to ensure optimal application of assigned resources to meet both DHS and IC mission priorities.

QUESTION 6: How should I&A's role be distinct from the analytic role played by other members of the Intelligence Community (IC), such as the Federal Bureau of Investigation (FBI) or the National Counterterrorism Center (NCTC)?

6. While I&A complements others' analytic capabilities and missions, I&A's distinct responsibilities to assess and actively thwart terrorist threats against the Homeland, protect critical infrastructure, and ensure information sharing particularly with state, local, tribal, and territorial governments and private sector entities uniquely differentiate the office from other IC elements including the FBI and NCTC which are empowered with law enforcement and non-domestic counterterrorism analysis, assessment, tracking, coordination, and planning.

QUESTION 7: How will you measure and define the success of I&A analytic production? Is I&A currently meeting those standards?

7. Although not always publicly acknowledged or appreciated, I&A's mission success must be measured on the value of the analytic insights transformed into actionable information and intelligence applied to mission success, namely when terrorist plots are foiled and the American Homeland is protected. Should I be confirmed, I look forward to assessing to what analytic standards and production level I&A is currently executing against as we seek to further raise proficiency, timeliness, and effectiveness for Homeland Security.

QUESTION 8: Please describe areas in which you believe I&A's authorities are insufficient, unclear or exceed what is necessary or proper for I&A's mission.

8. From the onset, Congress has clearly defined the roles and responsibilities and authorities for I&A. Should I be confirmed, once in the position and equipped with direct insights, and should I identify any authorities that may appear unclear or insufficient, I look forward to seeking your guidance and, if necessary, requesting your assistance to enact a remedy suitable and necessary to lawfully execute I&A's mission.

QUESTION 9: If confirmed, one of the responsibilities you will have as DHS's Chief Intelligence Officer (CINT) is to exercise leadership and authority over intelligence policy throughout the Department. This means you will have a role in the activities of other, non-NIP, DHS operational components such as Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA), Coast Guard, and Secret Service, all of which have their own non-NIP intelligence functions.

A. Does the Under Secretary for I&A have the authority to integrate intelligence activities and analysis effectively from these various components?

B. What is your assessment of efforts to date to improve integration between I&A and the other components?

C. Should the positions of Under Secretary for I&A and CINT be separated?

9.

9a) Consistent policy led by the Department of Homeland Security's Chief Intelligence Officer (CINT) is imperative to ensure synchronized operations and complementary implementation regardless of the source of each specific intelligence component's functions and funding. Presently, given my limited external insights, it appears that the CINT is entrusted with the requisite authority to develop and implement policy across the department under the direction of the President and the Secretary. Should I be confirmed, once in the seat and having had a closer look at the myriad of activities across the department and the resulting analysis effectiveness, I look forward to being able to report back to this Committee and Congress my assessment and any recommendations for your consideration.

9b) Presently, I can only submit my currently limited external perspective. My initial perspective is that there is always room for improvement and that continued efforts are always needed to further refine and strengthen effectiveness between and across all components. Given the severity of the threats against America, we must be vigilant always constantly adapting, adopting, and amplifying our approaches to enhance the Department's missions and protect Americans. Should I be confirmed, I look forward to assessing current efforts and inviting candid feedback on how to improve integration between I&A and the other components.

9c) No

Priorities and Performance

QUESTION 10: Have you discussed with the Secretary of Homeland Security her specific expectations of you, if confirmed as Under Secretary for I&A, and her expectations of I&A as a whole? If yes, please describe those expectations.

10. I have not yet discussed with the Secretary her specific expectations of me, should I be confirmed, or of I&A as a whole. Should I be confirmed, I look forward to discussing and exceeding her expectations of me and I&A to discharge the responsibilities entrusted by law and delegation to the position and organization in the defense and security of our American Homeland.

QUESTION 11: Have you discussed with the Director of National Intelligence her expectations of the relationship between I&A and the Office of the Director of National Intelligence and other elements of the IC? If yes, please describe those expectations.

11. I have not yet discussed with the DNI her expectations of the relationship between I&A and ODNI and other IC elements.

QUESTION 12: What do you believe are the most critical analytic priorities for I&A today?

12. Should I be confirmed, I would be better informed to specifically address the current critical analytic priorities for I&A. Nevertheless, intelligence collection, exploitation, and analysis pertinent to counter terrorism against the American Homeland and other related malicious activities from any threat, foreign or domestic, that seek to incur destruction or devastation on critical infrastructure, as codified in law, must be top priorities for I&A just as are executing the President's agenda and Secretary's directives.

QUESTION 13: I&A has many customers competing for analytic capacity. Who are I&A's top five customers?

13. I would like to satisfy and exceed the expectations of every I&A customer and partner, not just the "top five." Should I be confirmed, I will work with the Secretary to optimally support and implement the President's agenda with analytic capacity as he is the #1 customer. Regarding all others, I will work with the Secretary to appropriately prioritize support for the Department's statutory missions, interagency activities, and other lawful policies and actions as directed by the Secretary.

Workforce

QUESTION 14: Do you have a human capital strategy to recruit and retain the "best and brightest" to I&A?

14. Having had the privilege of serving in and working across the Intelligence Community, mission execution always is a key factor to attracting and retaining talent. America benefits from analytic talent in a myriad of forms and is needed to dissect and solve often complex, time-sensitive, and threatening challenges. I feel that a successful human capital recipe includes identifying, training and equipping, and empowering talent at all stages – from new, young hires, through new team leaders and managers, and ultimately seasoned trainers, executives, and mentors who can help instruct, guide, and encourage the next generations of analytic talent when leading by example. We need a strong pipeline of talent with diverse analytic competency and networks that can access, integrate, correlate, and craft valuable, actionable intelligence. The underlying mission and approach to protect the American Homeland must be strong enticements to join DHS and, in particular, I&A.

QUESTION 15: Are there any reforms you plan to take to improve the skill set and experience profile of the I&A workforce?

15. As a life-long learner, I have a passion for knowledge and excellence. I feel it is imperative to always seek to advance and better oneself in every way possible. Continued education and training coupled with an openness to new ideas, approaches, perspectives, methods, and tools can only help advance and better oneself and mentor those around. One of my favorite examples is when I trained some newly minted 2 and 3 stripers in the Fast East. Their curiosity to learn, explore and then train others, simply with a bit of encouragement and openness to questions highlight the power that can be unleashed.

QUESTION 16: A significant portion of I&A's budget has been used for contractor support. What are the appropriate roles for contractor staff within I&A and what, in your view, is the appropriate contractor-to-employee ratio?

16. When appropriate to augment civilian and military staff, contractors can be an amplifying workforce enabler contributing needed expertise, talent, or capacity to meet mission requirements. Presently, given my limited external insights that preclude specific day-to-day I&A operations imperatives satisfaction, I would suggest, reflecting back on prior experience, that contractors may be utilized to augment mission accomplishment as domain experts to further I&A analytical workflows. Should I be confirmed, I look forward to assessing the mix and value of contractors augmenting I&A's total force team, and in consultation with the Secretary, making adjustments as necessary.

QUESTION 17: Do you believe that contractor staff should serve as intelligence analysts? If yes, under what conditions?

17. Yes, when appropriate to augment civilian and military staff, contractors can be an amplifying workforce enabler contributing needed expertise, talent, or capacity to meet mission requirements including serving as intelligence analysts. Since they support under time-bound, delineated duties per a contract's Statement of Work, their work capacity and obligations are limited and must always be performed per the contract terms and conditions with appropriate government oversight.

QUESTION 18: If confirmed, how will you manage the analysts' career paths to ensure that they have opportunities to serve in DHS or elsewhere in the IC at the senior-most levels?

18. Opportunity for employee career progression is a vital ingredient to attracting and retaining workforce talent. Should I be confirmed, I look forward to the responsibility to encourage, educate, and escalate talented analysts, and other I&A employees, at all levels to higher positions with greater responsibility and accountability for further service at DHS, in the IC or elsewhere across the federal government.

QUESTION 19: If confirmed, do you plan to provide additional opportunities for I&A analysts to work directly with I&A customer groups to improve the level of collaboration between I&A analysts and the customers they serve?

19. Adequate I&A analyst manning and talent are critical to ensuring the Department's mission success. Should I be confirmed, I look forward to working with the Secretary to ensure I&A manning is rightly sized and aligned to accomplish I&A mission requirements while optimizing customer engagement and collaboration. Although I presently don't foresee, given my current external vantage, any issue with promoting opportunities for I&A analysts to directly work and collaborate with I&A customer groups, I would suggest that ensuring I&A mission accomplishment first must be prioritized.

QUESTION 20: I&A has undergone frequent realignments since it was established. Are you satisfied with the current organization of I&A, or do you intend to reorganize the office? If the latter, how would you organize I&A, if confirmed as Under Secretary for I&A?

20. Understandably, organizational realignments may be implemented to meet changing mission requirements, employment conditions, or other factors necessary to optimize human capital contributions. Should I be confirmed, I look forward to working with the Secretary to ensure the I&A's team is structured, equipped, and aligned to optimally execute her guidance for the department and adequately satisfy directives for I&A mission success.

QUESTION 21: 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?

21. I will recruit, attract, and retain a workforce in compliance with the Secretary's guidance and federal labor law.

QUESTION 22: Do you commit to consider professional qualifications in personnel decisions exclusively, without consideration of partisan or political factors?

22. I will ensure personnel decisions are made in compliance with the Secretary's guidance and federal labor law.

QUESTION 23: 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?

23. I will ensure personnel decisions are made in compliance with the Secretary's guidance and federal labor law.

QUESTION 24: If confirmed, what assurances will you provide to the I&A workforce that personnel decisions will be based exclusively on professional qualifications, performance, and needs and not on personal political preferences?

24. Should I be confirmed, I look forward to leading an office free of discrimination in accordance with federal labor law.

QUESTION 25: Will you impose a political litmus test for I&A employees? Is a political litmus test ever appropriate in determining who can or should work in I&A?

25. I will ensure personnel decisions are made in compliance with the Secretary's guidance and federal labor law.

Fusion Centers and Information Sharing

QUESTION 26: I&A provides support to state and local Fusion Centers, including with I&A representatives to the Centers.

A. Do you believe the current level of Fusion Center staffing by I&A is sufficient? How would you improve the current Fusion Center model?

B. How can Congress measure the effectiveness of Fusion Centers? How do you hold them accountable when each one is uniquely structured and operated by a particular state?

26.

26a) Given dynamic mission needs and priorities, it is highly likely that at any time there is at least one Fusion Center that would benefit from additional staffing and resourcing. Given my limited external perspective, at present, I look forward to the opportunity, should I be confirmed, to assess current Fusion Center staffing, collaboration strategies, and engagement models to realign, reinforce, or remove, as necessary I&A-supplemented resources. Given I&A's mission, and the Department's writ large, robust, reliable, and resilient resource support and engagement is critical to best support state, local, tribal, and territorial governments at and through these geographically aligned Fusion Centers.

26b) Fusion Center measures of effectiveness largely center on the fundamental premise of ensuring public safety and security. Since each Fusion Center is led by a state or municipality that has unique geographic, demographic, psychographic, and topographic characteristics, a one-size-fits-all approach for Congress to assess effectiveness will likely be challenging. However, common threads that promote synchronized command, control and communication, efficient operations, optimized human capital allocation and resource management, and, ultimately, public safety and security are all likely quality key performance and accountability indicators.

I&A's Management, Functions, and Resources

QUESTION 27: What do you believe are the most important management-related challenges facing I&A today?

27. As with any sizable and complex organization, the most important management-related challenges usually include human resource allocation, resource management, operational efficiency, and clear command, control, and communication. Should I be confirmed, I look forward to assessing and addressing all challenges facing I&A today; I anticipate that they will include challenges related to personnel, budgetary, and operational matters.

QUESTION 28: Does I&A tie budgets and financial planning to requirements through a defined and stable long-term budgeting, planning, and programming process? If so, do you have confidence that the process effectively serves its purpose?

28. I don't yet have any specific insights on the Department's, or more specifically I&A's contribution to the financial planning, programming, budgeting, and execution processes. Given Congress's authorization, appropriation, and oversight responsibilities, it is imperative that I&A's requests for funding to address mission requirements and enable mission

execution are adequately documented and communicated. Should I be confirmed, I look forward to working with the Secretary, this Committee, and Congress to ensure appropriate resources are secured to efficiently and effectively execute I&A's mission requirements.

QUESTION 29: Do you believe DHS I&A should have outcome measures for antiterrorism and intelligence-related programs consistent with those measures established by other government agencies? Please explain.

29. While similarities and overlaps in missions routinely occur across the federal government, a one-size-fits-all approach to metrics often results in misperception or misrepresentation of outcome. Given I&A's unique positioning and statutory responsibilities, as compared to other antiterrorism and intelligence-related programs, mandating exactly the same, or even similar outcome measures, may unfairly place I&A at a disadvantage. Necessarily metrics are important to gauge success, however, some tailoring may be warranted to best ensure alignment with the specific roles and responsibilities entrusted to I&A and the Department of Homeland Security, writ large.

QUESTION 30: How do you intend to measure financial and human capital processes as a part of I&A's performance measures?

30. Should I be confirmed, I look forward to working with the Office of Management and Budget, the Secretary, and the Under Secretary of Homeland Security for Management to ensure that I&A's financial and human capital processes align with and successfully accomplish the President's direction and the Secretary's guidance.

QUESTION 31: What is your view of DHS I&A's size and functions?

31. I&A is entrusted with an awesome responsibility to timely identify and mitigate threats to our American Homeland by ensuring that available information and intelligence is appropriately analyzed, shared, and actionable by all partners, particularly state, local, tribal and territorial, as statutorily authorized. Efficient allocation and application of human and capital resources is critical to optimize I&A contribution to both the Intelligence Community and, more specifically, the Department's mandate to thwart terrorist and other catastrophic threats to the United States.

QUESTION 32: Do you believe that DHS I&A has sufficient personnel resources to carry out its statutory responsibilities effectively? If not, where does I&A require additional personnel resources? If so, where should I&A streamline its personnel?

32. Should I be confirmed, I look forward to the opportunity to assess the current allocation and application of human and capital resources to determine what changes, if any, are needed to most appropriately execute the President's agenda, the Secretary's guidance, and statutorily-mandated missions.

QUESTION 33: What are your views on DHS I&A's intelligence budget in the short-, medium-, and long-term? In what areas should the intelligence budget be modified, and how?

33. I&A's budget must align to efficiently and effectively execute statutory and delegated missions. Should I be confirmed, I look forward to working with the Secretary and the Under Secretary for Management and quickly assessing the current and proposed financial status to ensure that I&A is adequately resourced to execute the President's agenda and the Secretary's guidance.

QUESTION 34: What reforms are required to ensure that DHS I&A's personnel and resources are in line with I&A's value to the larger IC? Have you discussed these reforms with current IC Leadership?

34. As I am not yet confirmed, I have not yet spoken with the DNI or other IC leaders about any needs or proposals for any reforms relating to I&A.

I&A's Relationship with the Intelligence Community

QUESTION 35: I&A has responsibilities for disseminating information from within DHS to the broader IC.

A. What role should I&A play in disseminating information obtained from other elements of DHS to the IC?

B. What kinds of information should be so disseminated, and from what elements of the DHS?

C. What limitations should apply to such disseminations, if any?

35.

35a) As DHS's representative to the IC, I&A should be the conduit for all exchanges between DHS and other IC elements.

35b) A lack of information sharing across the IC catastrophically led to the vicious terrorist attack on America on September 11th. All salient information concerning threats to the American homeland and critical infrastructure ought to be made available and shared to ensure completeness, correctness, and corroboration in order to detect, prevent, preempt, and disrupt terrorist threats and activities. Regardless of source, I&A should be the nexus for all DHS exchanges with other IC elements, and state, local, tribal, and territorial governments, and private sector entities.

35c) Information concerning US persons must be relayed to the FBI and/or state and local law enforcement.

QUESTION 36: Please describe areas in which I&A requires assistance from other IC elements.

36. From prior experience, I anticipate that I&A would likely benefit from all available information and intelligence regardless of IC element source to ensure completeness, correctness, and corroboration focused on protecting the homeland and critical infrastructure from terrorism and other catastrophic and malicious activity. I would assume information and intelligence ranging from GEOINT, SIGINT, MASINT, HUMINT, LEO, and Open Sources are needed to optimally execute missions.

QUESTION 37: If confirmed, will you commit to reviewing I&A programs to ensure that they are not redundant or duplicative of any other Federal, state, local, or private efforts?

37. Should I be confirmed, to maximize efficiency and effectiveness, I look forward to ensuring that there are no I&A programs contributing to unnecessary redundancy or duplication of effort.

QUESTION 38: How do you envision the relationship between DHS and FBI in providing intelligence support for law enforcement personnel?

38. Should I be confirmed, I look forward to strengthening I&A's operational partnership with the FBI. I&A must be a vital enabler supporting FBI's law enforcement activities; in turn, the FBI must be an enabler for relaying interdicted information and intelligence garnered through their investigations vital to thwarting terrorism and protecting the homeland and critical infrastructure. In short, the working collaboration must be two-way fostered by candor, trust, and sharing.

I&A's Relationship with State, Local, Tribal, Territorial, and Private Partners

QUESTION 39: What role should I&A play in disseminating information obtained from other IC elements to state, local, tribal, territorial, and private partners?

39. Pursuant to law, I&A should be the focal point for all information and intelligence exchanges between DHS and state, local, tribal, and territorial governments, and private sector entities.

QUESTION 40: What is the proper role of I&A in framing requests for information from state and local law enforcement officials, as well as retaining such information and disseminating it to the IC?

40. Although I am not yet confirmed to have specific insights on the policies and procedures regarding Requests For Information (RFI) from state and local partners, I would anticipate that I&A be a systematic clearing house that can readily accept RFIs in a timely and responsive manner, when needed, to broker and amplify background or current intelligence necessary to amplify state and local operations. I would anticipate that, to the maximum extent possible, RFIs would originate through the nearest Fusion Center and, where possible, leverage on-site I&A personnel to triage and reachback to I&A and other IC Intelligence Community capabilities to amplify and further support as needed.

QUESTION 41: If confirmed, what measures would you take to improve the effectiveness of efforts to share information in both directions?

41. Should I be confirmed, I would actively engage with state, local, tribal, and territorial governments, particularly through fusion centers, to enhance both professional engagements and IT systems and connectivity. From my vantage, one of the most significant challenges continues to be a lack of reliable, robust, and resilient communication channels to ensure timely, correct, and corroborated information flow, in both directions, that will benefit from both clear procedures for information sharing and the technical infrastructure to enable timely exchange.

QUESTION 42: What types of information (e.g. threat information, infrastructure vulnerability, etc.) are appropriate for sharing?

42. Information salient to countering threats and vulnerabilities should be shared to the maximum extent practicable. When appropriate, for selected individuals who have been granted clearances, and have the requisite need to know and ability to receive the classified information, select classified information may also be approved to be shared. At all times, sources and methods must be protected. Information pertinent to law enforcement operations must also be appropriately controlled and handled.

QUESTION 43: If you are confirmed, what steps will you implement to ensure that I&A private sector customers are provided with timely and relevant intelligence reports?

43. Should I be confirmed, I welcome the opportunity to strengthen the protective posture of America's critical infrastructure in partnership with our private sector partners. I look forward to accessing what is currently working, what could be improved, and then implementing information sharing procedures, communication channels, and safeguards to enhance the timeliness and relevance of intelligence reports. Private sector partners play key roles across a myriad of sectors necessitating vigilance and insights to prevent disruption, denial, degradation, and destruction.

QUESTION 44: Do you intend to work with I&A customers to determine training needs and requests?

44. If confirmed, I look forward to working with I&A customers to determine training needs and requests.

QUESTION 45: If confirmed, what assistance would you expect from state, local, tribal, territorial, and private partners?

45. If confirmed, I look forward to directly collaborating with state, local, tribal, and territorial partners drawing upon their unique field insights, direct engagements, and jurisdiction to help identify, alert, prioritize, and corroborate threats and vulnerabilities back to I&A and, in turn, serve as the primary conduit for promulgating forward critical information and intelligence to local law enforcement and other resources that wouldn't otherwise have awareness or access to thwart, and if necessary, recover from terrorist attacks and other catastrophic events.

I&A's Relationship within DHS Intelligence Enterprise and DHS

QUESTION 46: If confirmed, what assistance would you expect from the rest of DHS, and the other components of the DHS Intelligence Enterprise?

46. As with any team, it is important to benefit from the skill and expertise of others who have specific domain knowledge or competency that collectively add greater value to the sum of the parts. Should I be confirmed, I would expect that I&A be the beneficiary of assistance, when needed, from the rest of DHS and other components of the DHS Intelligence Enterprise, just as I would expect I&A to support them. Collaboration benefiting from, but not limited to, technical acumen, human resource amplification, domain experience and other strengths is needed to ensure that DHS as a whole is optimally prepared and equipped to protect the American Homeland from terrorism and other catastrophic threats.

QUESTION 47: What do you believe are the key barriers to enhanced coordination and integration? If confirmed, what steps would you take to overcome these barriers?

47. Too often, I find that organizational success is limited by a lack of clear and concise guidance, a dearth of employee recognition, and antiquated procedures that unnecessarily stifle or inhibit action. Should I be confirmed, I look forward to removing barriers that inhibit coordination and collaboration, instead identifying and realizing workplace efficiencies and setting and promoting a mission-focused atmosphere necessary to vigilantly stay ahead of our adversaries.

QUESTION 48: Do you believe that each DHS component should retain its own law enforcement information gathering and analysis function, or would all DHS components be better suited by having I&A assume these efforts, given its role in facilitating the sharing of law enforcement and intelligence information?

48. Different organizational constructs are purposefully crafted and utilized to optimize operations at a given time to best address prioritized objectives. At times, one construct or another may be preferable. Should I be confirmed, I look forward to working with the Secretary, with input from this Committee, to ensure that the most appropriate organizational model is implemented to successfully implement the President's agenda and the Secretary's priorities.

QUESTION 49: Some DHS components have their own individual, non-NIP, intelligence support units that provide operational support to their field elements. How does I&A uniquely augment these efforts?

49. Given my current limited external insights, I understand that I&A provides operational support, as requested and when needed, to augment field elements with specialized insights, expertise, reachback, and authorities to bolster the value, corroboration, and sharing of critical information and intelligence.

QUESTION 50: What process is in place to ensure that I&A does not duplicate the efforts of these intelligence support units?

50. Since I am not yet confirmed, I cannot remark on what process, if any, exists to minimize unnecessary duplication of efforts. Nevertheless, as a proponent of efficiency, I look forward to verifying, should I be confirmed, that roles and responsibilities are clearly delineated for all stakeholders to maximize operational effectiveness, minimize unnecessary duplication and resource expenditure, and enhance total contributions to mission success.

Protection of U.S. Person Privacy

QUESTION 51: Please describe any and all intelligence roles I&A and other, non-NIP, DHS components perform, other than analysis.

51. I&A and other DHS components are responsible for a myriad of activities besides analysis. Of note, I&A is charged with establishing collection priorities and strategies, consulting and engaging with state, local, tribal, and territorial governments, including law enforcement entities, and private sector entities, enabling and participating in information sharing with the proviso of ensuring protection from unauthorized disclosure and that material is handled and used only for the performance of official duties, coordinating with the Chief Information Office to ensure secure reliable and interoperable information technology infrastructure, communications, and tools, and

protecting and preparing critical infrastructure from attacks. Other responsibilities across DHS include but are not limited to supporting border protection, immigration and customs enforcement, enabling preparedness and response, and promoting prosperity and economic security.

QUESTION 52: What policies should govern I&A's use, retention, and dissemination of U.S. person information? How should these policies differ, if at all, from other IC elements?

52. I&A must be guided by and in line with US law, EO12333 and subsequent revisions including EO 13470, and NARA standards. Acknowledging select exceptions for circumstances including lawful retainment pursuant to court order, Congressional inquiry, or other exceptions approved by the DNI, retainment should align with NARA standards. As a unique IC member, I&A's mission is to detect, prevent, preempt, and disrupt terrorist threats and activities and serve as the statutory interface with state, local, tribal, and territorial governments. The policies for use and sharing are guided by the Secretary of the Department of Homeland Security and in consultation with the Director of National Intelligence and the Attorney General, as appropriate.

QUESTION 53: What limitations exist with regard to the collection, retention, and analysis of information related to First Amendment-protected freedoms of speech, association, and religion?

53. In conjunction with US law, the courts, particularly the US Supreme Court, have ruled on exclusions and limitations to protected First-Amendment protected freedoms. EO 12333 and subsequent revisions including EO 13470, DNI, and department policies frame collection, retention, and analysis of information, regardless of source, particularly applicable to DHS's charge to detect, prevent, preempt, and disrupt terrorist threats and activities.

QUESTION 54: Under what circumstances, if any, do you believe it is appropriate for I&A to conduct custodial debriefings of U.S. persons?

54. Since I&A is not empowered as a law enforcement authority, it would be improper for I&A to conduct custodial debriefings of US persons. In rare circumstances, I&A specific domain knowledge or expertise could be made available to a law enforcement authority conducting and leading a custodial debriefing that must be requested by that law enforcement authority, appropriately coordinated, and approved prior to I&A providing support, if any.

QUESTION 55: Under what circumstances, if any, do you believe it is appropriate for I&A to collect (overtly or through publicly available sources), analyze, produce, and disseminate information or intelligence on U.S. persons, where such information or intelligence does not constitute "foreign intelligence"?

55. Given the lawful mandate by Congress to I&A "to identify and mitigate threats to homeland security," particularly to collect, analyze, and share information related to domestic security threats, including terrorism, it may be appropriate for I&A to collect overtly or through publicly available sources, analyze, produce, and disseminate information or intelligence on malicious actors and terrorists, including those actors and terrorists that are US persons, to ensure that we protect "against all enemies, foreign and domestic." In those cases, I expect that I&A would collaborate with and hand-off to the FBI or other law enforcement authority to handle and prosecute as necessary.

QUESTION 56: What is the role of I&A in producing analysis on "domestic violent extremists" who have no foreign affiliations but who are looking to engage in potentially criminal behavior in the name of a political ideology?

56. Political ideology is sadly but one catalyst for terrorism. Given the lawful mandate by Congress to I&A "to identify and mitigate threats to homeland security," particularly to collect, analyze, and share information related to domestic security threats, including terrorism, it may be appropriate for I&A to collect overtly or through publicly available sources, analyze, produce, and disseminate information or intelligence on malicious actors and terrorists, including those actors and terrorists that are US persons, regardless of catalyst, to ensure that we protect "against all enemies, foreign and domestic." In those cases, I expect that I&A would collaborate with and hand-off to the FBI or other law enforcement authority to handle and prosecute as necessary.

Open Source Reporting

QUESTION 57: What do you believe are the appropriate metrics for determining the value of I&A's Open Source Intelligence Reports?

57. Any reporting, including Open Source Intelligence Reporting, should be measured by the operational value it brings to bear, in a timely manner, to identify and interdict perceived, potential, or actual threats, and if necessary, aid with recovery to minimize damage and impact. Should I be confirmed, I look forward to the opportunity to work with I&A stakeholders to further increase the value of I&A reporting ensuring continued improvement through enhanced timeliness, comprehensiveness, and corroboration, candid customer feedback, correlation to mission success, and consistency for report crafting and appropriate sharing.

QUESTION 58: What specific substantive expertise should I&A's open source collectors have?

58. In addition to having an ability to recognize and extract valuable nuggets of information vital to assembling coherent evidence, finding pieces of a trove of seemingly unrelated puzzles and assembling them together, open source collectors and analysts must possess and demonstrate two important abilities. They must both exercise discretion regarding how to properly handle and

share the collected information and also be able to clearly, concisely, and expeditiously package, protect, and communicate the information and intelligence to optimize value to mission success.

Analytic Quality

QUESTION 59: How would you assess I&A's analytical tradecraft, analyst training, editing, quality control measures, approval procedures, and independence from political considerations?

59. Facts are facts. I&A production must be able to succinctly answer the W5H - Who? What? When? Why? Where? and How? Clear, concise, and timely information and intelligence analysis and dissemination is critical to combating threats and ensuring protection of the American Homeland. The goal must always be to reduce and eliminate bias and noise to ensure that signal transmitted for receipt is clear, crisp, and communicated.

QUESTION 60: How does I&A ensure that all I&A analytic reports meet welldefined IC analytic tradecraft standards prior to production of intelligence that is disseminated to the IC?

60. As I am not yet confirmed and don't have specific insights to I&A procedures for quality assurance, I would presume that there is tiered managerial oversight and checks for product quality assurance to ensure standards conformance, including security review, prior to release and dissemination. Should I be confirmed, I look forward to reviewing, and if necessary, correcting or implementing any procedures requisite to ensure analytical excellence and meet product standards.

QUESTION 61: Should I&A be an intelligence aggregator or a value-added provider of analysis? If confirmed, how will you ensure that I&A reflects your vision?

61. I&A should be both an aggregator of all available information and intelligence and be a valued-added analytical force. Given I&A's unique insights and capabilities, nexus across partners - including homeland security, IC, law enforcement, defense, state, local, tribal, territorial and private sector partners, and other key domestic and international partners - and critical mission responsibilities, I&A must always be an active producer of clear, correct, comprehensive, and corroborated intelligence. Should I be confirmed, I look forward to further challenging our I&A team to consistently be the recognized analytic leader not only for the IC, but for our Nation.

Congressional Oversight

QUESTION 62: Under what circumstances, if any, is it appropriate to brief the Chairman and Vice Chairman and not the full Committee membership?

62. Congressional oversight is critical to ensure appropriate checks and balances. Although the preference is always to communicate with the full Committee membership, there may be times where security warrants communication directly with the Chairman and Vice Chairman only.

QUESTION 63: If confirmed, do you pledge to provide all of I&A's unclassified and classified intelligence products to this Committee?

63. Should I be confirmed, I look forward to working with the Committee and providing all salient products.

Unauthorized Disclosures of Classified Information

QUESTION 64: Please describe the actions you will take, if confirmed, to prevent, detect, and report unauthorized disclosures of classified information.

64. Protection of classified information from unauthorized disclosure is vital to ensure national security. Active prevention through regular and routine training, spot checks, and visual reminders can help foster a security-conscious workplace environment. Despite best intentions, training, and reminders, unauthorized disclosure occurs. To detect and remedy unauthorized disclosure as quickly as possible in order to isolate the distribution and limit potential or actual harm from the unauthorized disclosure, I expect that I&A will not only implement office-specific precautions, tools, training, and assessments, but I also anticipate that I&A will, if not already, partner with other entities, including but not limited to, CISA, the IG, the DNI/NCTC, and other security-focused entities to candidly check and report back to me any perceived or actual anomalies for immediate correction. Should unauthorized disclosure occur, the Committee will be notified as soon as practicable.

Executive Order 12333

QUESTION 65: Executive Order 12333 provides the leader of I&A with the authority to "collect (overtly or through publicly available sources), analyze, produce, and disseminate information, intelligence, and counterintelligence to support national and departmental missions." Do you believe I&A should use this authority to collect information, intelligence, and counterintelligence on Americans, where such information, intelligence, or counterintelligence does not constitute "foreign intelligence"?

65. Pursuant to EO 12333 and subsequent revisions including EO 13470, DNI, and department policies, I&A should be free to use granted authority to collect information, intelligence, and counterintelligence on any individual seeking to incite or conduct terrorism in line with its charge to detect, prevent, preempt, and disrupt terrorist threats and activities.

Counterterrorism Mission

QUESTION 66: How does I&A's counterterrorism mission differ from the counterterrorism mission of the National Counterterrorism Center?

66. I&A and NCTC are complementary to counter terrorist threats to the United States. Per EO 13354 and later IRTPA, NCTC is responsible for integrating analysis, maintaining the authoritative database of known and suspected terrorists, information sharing, and strategic operational planning in direct support of the President. I&A, as a contributor, recipient, and partner with NCTC, is responsible for identifying priorities for and mitigating threats and vulnerabilities regarding terrorist and other threats to America's homeland security and DHS missions. I&A is a key source to enable operational and tactical planning and protection and mission execution, particularly across DHS missions and in support of state, local, tribal, and territorial governments, and public sector partners.

FBI Background Investigations

QUESTION 67: Should the FBI conduct background investigations of all Presidential nominees for positions within the executive branch of the federal government to ensure that those under consideration for positions of significant authority and responsibility will not misuse the power of their offices and do not have vulnerabilities that make them susceptible to coercion by our adversaries?

67. Background investigations are an important part to help ensure the reliability and trustworthiness of any individual under consideration for being granted a security clearance. The FBI is only one of several entities entrusted with the responsibility to conduct background investigations.

QUESTION 68: Have you undergone, or will you undergo, an FBI background investigation as part of the process associated with your nomination?

68. Having previously undergone a series of reinvestigations and maintained a clearance for many years, this most recent reinvestigation to support my nomination by the President was conducted by the FBI; I understand that the Senate should already have been informed of this latest FBI reinvestigation.

QUESTION 69: Do you agree to provide the results of your FBI background investigation to the Chairman and Vice Chairman of this Committee for review?

69. Yes, I understand that the Senate should already have been informed of this latest FBI reinvestigation.

Questions from Senator Warner

Legal Compliance

QUESTION 70: If confirmed, will you commit to expend the funds authorized and appropriated by Congress for I&A and to formally notify Congress and obtain approval for any recessions or deferrals, in accordance with the law?

70. Should I be confirmed, I look forward to working with the Secretary, the Under Secretary for Management, and the DHS Management to ensure that funding and resources are available and expended to meet mission requirements.

QUESTION 71: If confirmed, will you commit to ensure that all personnel actions taken by I&A are carried out in strict accordance with the law?

71. If confirmed, I will work with the Secretary, the Under Secretary for Management, and the DHS Management Directorate to ensure that I&A personnel actions conform to law.

QUESTION 72: If confirmed, will you commit to comply with all duly issued court orders or other rulings, even if you disagree with the court's decision?

72. If confirmed, I will comply with all lawful court orders.

Department of Government Efficiency

QUESTION 73: If confirmed, will you commit not to accept direction from the Department of Government Efficiency (DOGE) on any personnel or other matters relating to I&A?

73. For personnel and other administrative matters, should I be confirmed, I will work with the Secretary and the Under Secretary for Management and seek their guidance.

QUESTION 74: If confirmed, will you commit to prevent DOGE from accessing I&A systems?

74. As with any IT system, I will ensure that only those with the proper clearance and need to know can access I&A systems.

Protecting Classified Information

QUESTION 75: Should any employee of the Intelligence Community be granted access to classified information if they have not been determined to be eligible for access under Executive Order 12968 based upon a favorable adjudication of an appropriate investigation of the employee's background?

75. No individual should have access to classified information without having been granted a security clearance and need-to-know.

QUESTION 76: Do you agree that all personnel granted access to classified information have a lifetime obligation to protect that information, including after they leave government service?

76. Yes, those entrusted with a security clearance have a lifetime commitment to protect.

Ethics

QUESTION 77: Federal ethics laws, to include 10 U.S.C. §208, prohibit government employees from participating in matters where they, or certain family members or organizations with which they have certain relationships, have a financial interest. Do you agree, without qualification, if confirmed, to disclose any potential conflicts of interest, including investments, business ties, family relationships, or other connections that could be perceived as influencing your decision making?

77. Pursuant to law, if confirmed, I will adhere to my Ethics Agreement and ensure any potential conflicts of interest are immediately addressed in coordination with the Office of the General Counsel guidance.

QUESTION 78: Do you agree, without qualification, if confirmed, that if a conflict of interest arises, you will recuse yourself from participating in any relevant decisions regarding that specific matter?

78. Pursuant to law, if confirmed, if a conflict of interest arises, I will recuse myself for that specific matter.

QUESTION 79: Do you commit, without qualification, if confirmed, to decisionmaking on the merits and exclusively in the public interest, without regard to private gain or personal benefit?

79. As a public servant entrusted with special authority and responsibilities, if confirmed, I will ensure decision-making is in the public interest and security, not for personal benefit.

Domestic Activities

QUESTION 80: What unique role should I&A be performing, if any, with regard to countering violent extremism in the United States?

80. I&A must be focused on detecting, preventing, preempting, and disrupting all sources of terrorism, foreign and domestic, against the United States of America by collecting, analyzing, and sharing information related to homeland security threats.

QUESTION 81: What is your understanding of the differences, if any, between the terms "domestic terrorism," "domestic violent extremism," and "homegrown violent extremism"?

81. Terrorists seek to incite fear, exploit vulnerabilities, and inflict damage and harm. Regardless of how they may be nuanced, characterized, or otherwise differentiated, terrorists are evil people and must be stopped. We vow to protect the Constitution of the United States "against all enemies, foreign and domestic," and in doing so, pledge to "form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promoted the general welfare, and secure the blessings of liberty to ourselves and our posterity."

QUESTION 82 What is your view of the threat posed by Racially or Ethnically Motivated Violent Extremism (RMVE)?

82. America at times can be unnecessarily strained due a myriad of factors. Our First Amendment protects American citizens' rights to the "free exercise" of religion, "freedom of speech," and "peaceably to assemble." Regardless of impetus or ideology, even ones for which I may not

agree, those rights ought to be protected; however, those freedoms can't be used as an excuse or abused when actively threatening, intimidating, or harming others.

QUESTION 83: What is your view of the appropriate level of I&A resource allocation toward the RMVE threat?

83. I&A resources should be utilized to assess all credible threats to ensure homeland security and in support of the President's agenda and Secretary's guidance.

QUESTION 84: On December 24, 2024, the Under Secretary for Intelligence and Analysis issued updated, comprehensive guidance on I&A's Field Intelligence Program, formerly known as the Overt Human Intelligence Collection Program. Have you reviewed this guidance? Do you agree with it? Do you have any intention to modify or rescind it?

84. I am unfamiliar with the document referenced issued at the very end of the last administration. Should I be confirmed, at the very least, I will need to review the document and anticipate that I will likely have to revise or rescind the document to ensure compliance with this Administration's policies and Presidential Executive Orders.

Questions from Senator Wyden

Open Source Collection

QUESTION 85: On June 26, 2024, Under Secretary Ken Wainstein testified that I&A "can only collect publicly available information and cannot misrepresent themselves to access certain chatrooms or types of communications." Do you agree?

85. Regardless of a remark made by a prior administration official, to ensure compliance with this Administration's policies and Presidential Executive Orders, there may be scenarios that necessitate alternative representations for I&A assigned or detailed personnel in order to access information critical to thwarting terrorism or other attacks against America.

QUESTION 86: With regard to any open source information, but in particular with regard to social media, how should I&A guard against the collection, use and dissemination of misinformation or otherwise inaccurate content? Please be specific about fact checking policies.

86. Foundational digital ontology, chain of custody, and corroboration are critical to help ensure factual discovery and promulgation. Facts are facts. All reporting is unfortunately biased in some manner or another. The goal must always be to reduce and eliminate bias and noise to ensure that signal transmitted for receipt is clear, crisp, and communicated.

U.S. Person Dossiers

On January 6, 2021, DHS's Office of the General Counsel released its "Report on DHS Administrative Review into I&A Open Source Collection and Dissemination Activities During Civil Unrest; Portland, Oregon, June through July 2020." The review documented how I&A prepared "operational background reports" (OBRs), which "essentially amounted to dossiers" on U.S. persons.

QUESTION 87: Under what circumstances, if any, is it appropriate for I&A to compile OBRs on U.S. persons? Should OBRs on U.S. persons be compiled based on First Amendment protected speech?

87. Given the lawful mandate by Congress to I&A "to identify and mitigate threats to homeland security," particularly to collect, analyze, and share information related to domestic security threats, including terrorism, it may be appropriate for I&A to collect overtly or through publicly available sources, analyze, produce, and disseminate information or intelligence on malicious actors and terrorists, including those actors and terrorists that are US persons, to ensure that we protect "against all enemies, foreign and domestic." I&A must be vigilantly focused on detecting, preventing, preempting, and disrupting all sources of terrorism and other threats to homeland security by collecting, analyzing, and sharing information relevant regardless of source or content.

QUESTION 88: Regardless of why an OBR is compiled on a U.S. person, do you believe it is appropriate for it to include First Amendment protected social media activity and other speech?

88. I&A must be vigilantly focused on detecting, preventing, preempting, and disrupting all sources of terrorism and other threats to homeland security by collecting, analyzing, and sharing information relevant regardless of source or content.

QUESTION 89: Do you believe it is appropriate for I&A to compile and disseminate OBRs that include the subjects' social media friends and followers?

89. I&A must be vigilantly focused on detecting, preventing, preempting, and disrupting all sources of terrorism and other threats to homeland security by collecting, analyzing, and sharing information relevant regardless of source or content.

QUESTION 90: Under what circumstances, if any, is it appropriate for I&A to compile OBRs on U.S. persons that include non-public information from other elements of DHS, the Intelligence Community or other parts of the U.S. Government? Do you believe the Privacy Act or other statutes establish guardrails around such efforts? If yes, please elaborate.

90. I&A must be vigilantly focused on detecting, preventing, preempting, and disrupting all sources of terrorism and other threats to homeland security by collecting, analyzing, and sharing information relevant regardless of source or content.

Data Purchases

QUESTION 91: In September 2023, CBP announced that it would no longer use commercially sourced smartphone location data. As Chief Intelligence Officer, do you agree with this limitation, based on either policy or constitutional considerations?

91. The policies of and the decision by the prior administration in September 2023 to not utilize commercially sourced smartphone data should not unnecessarily limit President Trump's Administration from lawfully prosecuting illegal activities and threats to our national sovereignty and the safety and security of United States citizenry.

QUESTION 92: If an element of the Homeland Security Intelligence Enterprise were to purchase U.S. location data, would you promptly inform Congress?

92. I commit to informing Congress, as required, of relevant intelligence activities.

QUESTION 93: Do you agree that the sale by data brokers of location data collected from the phones of U.S. government employees can threaten U.S. national security, particularly if such data is sold to foreign adversaries?

93. Sale of location data, particularly to foreign adversaries, of any phones, not just ones used by US government employees, is a threat to privacy and national security.

QUESTION 94: Intelligence Community Policy Memorandum 504 (01) promulgates the Intelligence Community Policy Framework for Commercially Available Information. Do you support the Policy Framework, or are there aspects with which you disagree?

94. Without access to Intelligence Community Policy Memorandum 504 (01), I am unable to offer any opinion at this time.

QUESTION 95: As Chief Intelligence Officer, would you promote policies and reporting requirements among elements of the DHS Intelligence Enterprise in line with the Policy Framework for Commercially Available Information?

95. Without access to Intelligence Community Policy Framework for Commercially Available Information, I am unable to offer any opinion at this time.

Priorities

QUESTION 96: Do you agree to provide the Committee with the Intelligence Enterprise Intelligence Priorities Framework, and updates thereto?

96. I will provide all intelligence information relevant to the Committee.

January 6

QUESTION 97: Please familiarize yourself with the December 12, 2024, Department of Justice Inspector General review, which concluded that none of the FBI's confidential human sources (CHSs) who were in Washington, D.C. on January 6, 2021, "was authorized by the FBI to enter the Capitol or restricted area or to otherwise break the law on January 6, nor was any CHS directed by the FBI to encourage others to commit illegal acts on January 6." Do you have any reason to doubt that conclusion?

97. Inspectors General are entrusted with unique responsibilities among which include conducting independent audits, investigations, and inspections and directly informing Congress of any deficiencies or potential problems identified from their oversight work. While I am currently not, nor have I ever been, either an IG or privy to the "materials [they] reviewed or the testimony [they] received," based on the heavily redacted and declassified Confidential Human Source Policy Guide 1018PG Part 01 (Final), Effective Date 2019-05-21, Review Date 2022-05-21, [https://vault.fbi.gov/confidential-human-source-policy-guide-1018pg/Confidential%20Human%20Source%20Policy%20Guide%201018PG%20Part%2001%20%28Final%29/view] under Section 2.3, FBI personnel are prohibited from "Authoriz[ing] a CHS to participate in an act of violence." (p 9). As such, the statement in the December 12, 2024, Department of Justice Inspector General review seems reasonable to conclude that the remark aligns with that documented policy guidance. Nevertheless, the report's note that at least "three of those CHSs had been tasked by FBI field offices" introduces a potential complexity with the prior remark that "none of these FBI CHSs was authorized by the FBI to enter the Capitol or a restricted area" given a lack of specification or clarity as to whether or not "tasking" also constitutes "authorization," at least in this case.

Information Security

QUESTION 98: Please review the article "Here Are the Attack Plans that Trump's Advisors Shared on Signal" (*The Atlantic*, March 26, 2025) and the "Houthi PC small group" Signal chat messages included in the article. You served as Intelligence Community Chief Information Officer (IC-CIO). Based on that experience, do you believe that any of the messages were or should have been classified?

98. I am not, nor previously was, an original classification authority nor am I privy to any plans, discussions, proposals, or other actions or inactions reported or referenced. As such, any comment or remark would be sheer personal conjecture and unwarranted without additional context, findings, and insights.

QUESTION 99: In December 2024, in the wake of the 2024 Salt Typhoon hack of U.S. telecommunications companies, CISA issued public guidance recommending that highly targeted individuals, including senior government officials, "use only end-to-end encrypted communications" tools for their unclassified communications. As the former IC-CIO, do you agree with this CISA guidance?

99. Encrypted communications continue to be a foundational and evolutionary art and science to help ensure American security. Since Revolutionary times with then General George Washington and the Culper Spy Ring, to now with the National Security Agency and other partners, use of encrypted communications should always be preferred. At times, mission imperatives and risk assessment necessitate defaulting to less-than optimal communication channels or methods; but even in those cases, precautions to minimize interception, manipulation, and decryption ought to be taken, as best possible, to maintain confidentiality, integrity, and availability. No cipher is 100% secure; the goal of encryption is to make it untenable and unprofitable to seek to intercept a channel and decrypt transmitted information. Attacking and exploiting global telecommunications channels strikes at the foundational trust and security of nearly all data transfers.

QUESTION 100: Do you agree that both government-issued and personal devices and accounts belonging to senior U.S. Government officials are prime targets for exploitation?

100. Unfortunately, all Americans, not just senior officials, and their communications and data are targets of malicious actors ranging from national state-sponsored exploiters to cyber criminal syndicates to illicit hackers utilizing a myriad of cyber criminal activity and theft.

QUESTION 101: In 2021, your successor at the IC-CIO confirmed that, consistent with the recommendations of CISA and NSA, the IC had implemented enterprisewide ad blocking, to protect unclassified IC computers from cyber threats delivered through advertising. Do you agree that internet-based ads can be used as a vector for cyber threats, and that it is prudent for organizations to block ads to protect their employees' computers from spyware and other malicious content?

101. Malicious cyber activity threatening our networks and the confidentiality, integrity, and availability of critical data and communications takes many forms, not just internet-based advertisement vectors. Given that unclassified IC computers are only a very small portion of the vast quantity of compute devices utilized across the US Government, any recommendations, guidance, or directives by my predecessors or successors ought to be issued with regard to optimally mitigating current or known threats and applying all reasonable countermeasures to optimally secure information technology infrastructure and hosted data. Not only across the IC, but across the Whole of Government, it is imperative to continually strive to secure, access, and counter the ever-changing threat matrix, including malicious code purposefully introduced through deceptive internet advertisement links or content.

QUESTION 102: In response to press reports that the United Kingdom has sought to force Apple to add backdoors to its iCloud backup service, Director of National Intelligence Gabbard has stated that such a backdoor "would be a clear and egregious violation of Americans' privacy and civil liberties, and open up a serious vulnerability for cyber exploitation by adversarial actors." Based on your experience as IC-CIO, do you agree with Director Gabbard's assessment?

102. By default, from my experience, "back doors" introduce additional, unnecessary threat vectors that can be exploited. Apple is a US-based company subject to the laws and regulations of the United States. Attempts by the United Kingdom, or any foreign country for that matter, that seek relief that would otherwise impose upon Americans' lawful privacy should not be entertained or allowed.

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE

Post-Hearing Questions for the Record for

Matthew Kozma

Upon his nomination to be

Under Secretary for Intelligence and Analysis,
Department of Homeland Security

Questions from Senator Ossoff
QUESTION 1: When asked whether there is a statutory basis for designating domestic terrorist organizations, you testified during your nomination hearing that "there are different elements . . . that help quantify how different threats can be construed as . . . acts of terrorism or focused on terrorism." Please identify what elements you referred to, if and how they permit designation of domestic terrorist organizations, and where they are located in the U.S. Code.

Terrorism is terrorism regardless of the source, foreign or domestic; terrorists seek to inflict harm or fear of harm, for any reason, but often ideological reasons. Domestic terrorist organizations are ones that are based in or operate within the USA and seek to "intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or affect the conduct of a government by mass destruction, assassination, or kidnapping…"

Title 18 U.S.C. Chapter 113B Section 2331 (https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title18-section2331&num=0&edition=prelim)
"

(5) the term "domestic terrorism" means activities that-
(A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
(B) appear to be intended-
(i) to intimidate or coerce a civilian population;
(ii) to influence the policy of a government by intimidation or coercion; or
(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(C) occur primarily within the territorial jurisdiction of the United States; and…"

Additional references: 18 U.S.C. Chapter 97 Section 1992; 28 C.F.R. Chapter 1 Part 0 Subpart P Section 0.85

QUESTION 2: In response to questioning during your nomination hearing, you testified that it is "outside the purview of I&A" to collect intelligence on or related to U.S. persons. You affirmed that "there are no circumstances under which I&A can or will, under your leadership, collect intelligence targeting U.S. persons and that any case where there is a foreign nexus will be referred to the FBI." I&A's Attorney General-approved guidelines under Executive Order 12333 state that "I&A personnel may intentionally collect [United States Person Information]," subject to certain limitations set forth in those guidelines. Is it your testimony that, if confirmed, I&A will no longer conduct such collection?

I intend to comply with all US law, EOs, and policy. Pursuant to the limited exceptions in 12333 allowing for select I&A actions, my remark was centered on I&A not specifically

targeting US persons as had been done under the Biden administration. My intention is to refer cases to the FBI or other Law Enforcement when appropriate.

QUESTION 3: Pursuant to 6 USC 121(d)(17), the role of the Under Secretary includes: "To establish the intelligence collection, processing, analysis, and dissemination priorities, policies, processes, standards, guidelines, and procedures for the intelligence components of the Department, consistent with any directions from the President and, as applicable, the Director of National Intelligence" You testified that I&A will not collect intelligence targeting U.S. persons. What specific U.S. person protections will you include in the priorities, policies, processes, standards, guidelines and procedures you establish for other DHS intelligence entities?

If confirmed, I look forward to reviewing existing priorities, policies, processes, standards, guidelines and procedures and, if necessary, making adjustments.

QUESTION 4: Per the aforementioned guidelines, the Under Secretary for Intelligence and Analysis is responsible for "ensur[ing] that I&A personnel conduct their activities in a manner that protects privacy, civil rights, and civil liberties[.]" In 2023, the Government Accountability Office (GAO) issued a report concluding that the Office of Intelligence and Analysis (I&A) "should improve privacy oversight and assessment of its effectiveness."1 Based on that review, GAO recommended, "The Under Secretary for Intelligence and Analysis should ensure that I&A's intelligence oversight branch documents the reviews it conducts to verify I&A personnel's compliance with I&A's guidelines for protecting privacy, civil rights, and civil liberties."2 GAO noted that it was not able to confirm that I&A completed periodic compliance reviews between January 2017 and September 2022 because I&A officials did not document all the compliance reviews they said they completed. GAO's 2023 recommendation is still open. As of February 2025, I&A reported to GAO that it was "in the process of coordinating the review for" a draft Compliance Review Standard Operating Procedure.

A. If a Compliance Review Standard Operating Procedure has not already been finalized if or when you take office, do you commit to finalizing that procedure within 30 days?

If confirmed, I look forward to assessing the current status of all in-process reviews and aim to complete them in a reasonable timeframe.

B. Do you commit to sharing the finalized Compliance Review Standard Operating Procedure with this Committee and GAO?

I look forward to sharing findings with the appropriate stakeholders.

C. Do you commit to ensuring the finalized procedure is consistently implemented throughout your time in office?

My preference and intention is always for consistency.

D. Do you commit to ensuring I&A's intelligence oversight branch consistently and thoroughly documents the reviews it conducts to verify compliance with I&A guidelines for protecting privacy, civil rights, and civil liberties, including any shortcomings or privacy, civil rights, and civil liberties violations those reviews reveal?

Yes, in accordance with Secretary and General Counsel guidance.

E. Do you commit to providing this Committee the results of these reviews?

Yes, in accordance with Secretary and General Counsel guidance.

[Please note: List of questions received did not include a #5. Numbering skipped from #4 above to #6 below.]

QUESTION 6: Based on GAO's recommendations, I&A officials advised GAO in 2023 that it "planned to establish a goal for the number of compliance reviews to be completed in a given period" by and "assess the intelligence oversight branch's performance against this goal." I&A has not yet fulfilled either commitment.

A. If a goal for the number of compliance reviews to be completed in a given period has not already been finalized if or when you take office, do you commit to finalizing that goal within 30 days?

As I am not yet confirmed nor have any insight regarding the referenced recommendations, I have no basis to yet evaluate what actions ought or ought not take place based on commitments by or findings regarding the prior administration.

B. Do you commit to sharing the finalized goal with this Committee and GAO?

If confirmed, I look forward to routinely sharing relevant insights and updates with the Committee.

C. Do you commit to providing this Committee with updates on whether I&A has met that goal and, if not, why not?

If confirmed, I look forward to routinely sharing relevant insights and updates with the Committee.

QUESTION 7: GAO's review further found in 2023 that "I&A had not conducted two monitoring activities called for in its Intelligence Oversight Guidelines: audits of information systems and audits of bulk data." As of February 2025, I&A reported to GAO that it anticipating completing bulk data audits by April 2025 and "was still assessing time frames for completing audits of information systems." Neither set of audits has yet been completed.

A. If the required audits of bulk data have not already been completed if or when you take office, do you commit to completing those audits within 30 days?

As I am not yet confirmed nor have any insight regarding the referenced recommendations, I have no basis to yet evaluate what actions ought or ought not take place based on commitments by or findings regarding the prior administration.

B. If the required audits of information systems have not already been completed if or when you take office, do you commit to completing those audits within 90 days?

As I am not yet confirmed nor have any insight regarding the referenced recommendations, I have no basis to yet evaluate what actions ought or ought not take place based on commitments by or findings regarding the prior administration.

C. Do you commit to ensuring I&A completes future required audits of information and audits of bulk data throughout your time in office?

Yes, I will comply with any lawfully required audit.

D. Do you commit to providing this Committee the results of those audits, upon request?

Yes, in accordance with Secretary and General Counsel guidance.

QUESTION 8: You have a background as the Intelligence Community's chief information officer. DHS is an aggressive adopter of artificial intelligence thanks to its potential promise. But that work must come with sensible safeguards, thorough testing, and oversight and transparency. I&A develops technology for intelligence programs around DHS and has announced new methods of automating intelligence activities or reliance on AI.

A. What do you understand that I&A has already developed in this space?

As I am not yet confirmed, I don't yet have any insights on what artificial intelligence tools or capabilities I&A may have developed, access to, or may be using. If confirmed, I look forward to assessing and determining what commercial and government capabilities may propel I&A's and the Department's missions and potentially be adoptable for use by I&A with sensible safeguards.

B. What is your plan to build out these developments?

If confirmed, I look forward to potentially leveraging and synchronizing I&A artificial intelligence capabilities with others across the federal government, as appropriate, particularly across the IC.

C. How will you ensure these efforts do not infringe upon the civil rights, civil liberties, or privacy of Americans?

As with any new tool or process, it's important to have a systematic approach and checks and balances to ensure that Americans' privacy and civil rights are protected.

D. Will you commit to making more information about I&A's technological developments public?

Yes, in accordance with Secretary and General Counsel guidance.

QUESTION 9: Observers across the ideological spectrum, including Project 2025, to which you were a contributor, worry about how I&A's mandate can be politicized. You committed yesterday that I&A will not conduct intelligence activities targeting Americans. I appreciate that commitment. Could you please expand on it? And can you explain how you will withstand the pressures of using this office to go after people who disagree with the administration?

I&A must be focused on implementing the President's agenda, the Secretary's priorities, and its core missions focused on protecting the American Homeland from threats of terrorism, weapons of mass destruction, and damage to critical infrastructure, not social media monitoring.

QUESTION 10: What do you believe is the correct approach to conducting intelligence activities that target protests? What is the right way to protect our freedom of speech?

Our Constitution's First Amendment protects American citizens' rights "peaceably to assemble, and to petition the government for a refresh of grievances." However, when an assembly crosses the line into unlawful activity that introduces the threat of or actual acts of violence, destruction, or terrorism, then it's imperative to support law enforcement with curtailing or thwarting those activities and help enable them to apprehend malicious actors for prosecution.

QUESTION 11: Will I&A have a domestic terrorism branch under your leadership? Will I&A's collection officers—either overtly or from publicly available information—collect information about domestic terrorism?

As I am not yet confirmed, I don't have specific insights on the Secretary's guidance regarding her priorities or personnel requirements. I anticipate that I&A will continue to have a focus on thwarting terrorism against the American Homeland regardless of source, foreign or domestic.

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: John Patrick Dever Jr.
   OTHER NAMES USED: Jack

2. DATE AND PLACE OF BIRTH: 31 JAN 69, Danbury CT
   CITIZENSHIP: U.S.

3. MARITAL STATUS: **INFORMATION REDACTED**

4. SPOUSE'S NAME: **INFORMATION REDACTED**

5. SPOUSE'S MAIDEN NAME IF APPLICABLE: **INFORMATION REDACTED**

6. NAMES AND AGES OF CHILDREN:

NAME	AGE
INFORMATION REDACTED	

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
University of Notre Dame	87-91	B.A.	91
Hofstra University Law	93-96	J.D.	96
Georgetown University Law Center	11-12	LL.M.	12
Chicago-Kent College of Law	18-22	S.J.D.	22

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Bethel Park and Rec	Tennis Instructor (Summers)	Bethel, CT	91-92
Rosy Tomorrow's	Bartender	Danbury, CT	91-92

United States Army	Korean Linguist/ Specialist (E-4)	Defense Language Institute, CA	97-98
United States Army	Judge Advocate / 02-04	Charlottesville Schofield Barracks Bosnia Iraq Horn of Africa Washington D.C.	98-04
FBI	Assistant General Counsel	Washington D.C. Guantanamo Bay, Cuba	04-06
DoJ	Assistant United States Attorney	Chicago, IL	06-08
General Electric	Global Crisis Management Leader	Norwalk, CT	08-12
General Electric Capital	Head of Financial Crimes	Chicago, IL	12-16
Wells Fargo	Head of Financial Crimes	Chicago, IL	16-19
UBS	Chief, Anti-money Laundering	Chicago, IL	19-22
Lockhaven Solutions	Chief Executive Officer	Barrington, IL	22-25

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

N/A

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

In my first three roles (Army, FBI, and DoJ), I advised daily on matters of national security. In my subsequent roles (General Electric, Wells Fargo, UBS), I advised on matters impacting security of the private sector, to include protecting our financial system against terrorism financing and financial crimes. In my last roles (Lockhaven Solutions), I advised large organizations on protecting themselves against cyber criminals, to include threats posed by nation-state actors.

Army- this experience included being the primary operational law attorney at a FORSCOM unit (25 ID) where I advised on the lawful conduct of combat / peacekeeping / domestic operations. This included providing legal advice directly to a military intelligence unit.

FBI- I was Assistant General Counsel assigned to the Counterterrorism Division. In this role I advised daily on the lawful conduct of global operations against Al Qaeda and affiliate organizations. I also advised on intelligence law, including National Security Letters and FISA applications.

DoJ- as a federal prosecutor I worked on a wide array of matters, to include data exfiltration to foreign nations.

General Electric- I was the Global Crisis Management Leader for a company with a presence in 60+ countries. In this role I advised on a wide array of issues, to include natural disasters, physical security, international crime, and crisis communications. I was designated as the liaison with the Federal Government for crisis management. In this role I managed a very large global team which required understanding of different legal and compliance regimes, as well as different cultures and priorities.

General Electric Capital- I was the Financial Crimes Advisory Leader for GE Capital. I led the transformation of the financial crimes compliance function when GE Capital was named a Systemically Important Financial Institution by the Federal Government. I developed a compliance department which met regulatory scrutiny and denied the U.S. criminal and enemy nation states the use of our financial system.

Wells Fargo- I led the Financial Crimes Advisory Team for Wholesale Banking, the largest part of Wells Fargo. I developed and maintained a compliance program, to include counter-terrorism financing, which met regulatory scrutiny and denied criminals and enemy nation-state actors the use of the U.S. financial system.

UBS- I was the Chief, Anti-money Laundering Officer for the wealth management platform and broker-dealer, the largest part of UBS. I developed risk appetite program and committees as well as compliance programs to support financial crimes and counter-terrorism financing programs.

Lockhaven Solutions- I was co-founder and CEO of this Enterprise Risk Management and Cybersecurity consulting firm. As part of this role, I advised organizations, to include large institutions of higher education, on how to best protect their valuable data, to include intellectual property and research data, against cyber criminals and advanced persistent threats.

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

University of Notre Dame Father Corby Distinguished Military Graduate Award- 2025 (To be awarded at halftime of the Notre Dame/ Navy game this Fall)

Bronze Star Medal

Purple Heart Medal

Meritorious Service Medal

Joint Service Commendation Medal

Army Commendation Medal

Army Achievement Medal

Good Conduct Medal

GE President's Award

I also received multiple management awards during my time at GE, Wells Fargo, and UBS.

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

ORGANIZATION	OFFICE HELD	DATES

INFORMATION REDACTED

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

Yes, if asked I will provide a copy of each.

Lockhaven Chronicles, Cyber Risk Management: A Tale of Two Companies, EDRM *JDSupra*, 2023

Lockhaven Chronicles, Cyber Risk Management: You Can't Spell "Cybersecurity" Without "IG", EDRM *JDSupra*, 2023

Lockhaven Chronicles, Cyber Risk Management: Ready or Not, Here it Comes!, EDRM *JDSupra*, 2023

Lockhaven Chronicles, Cyber Risk Management: The New Cybersecurity Triad, EDRM *JDSupra*, 2023

Lockhaven Chronicles, Cyber Risk Management: Tabletop Exercises, EDRM *JDSupra*, 2022

Lockhaven Chronicles, Cyber Risk Management: Role of Top Management, EDRM *JDSupra*, 2022

Lockhaven Chronicles, Cyber Risk Management: Cybersecurity as Part of Risk Management, EDRM *JDSupra*, 2022

Lockhaven Chronicles, Cyber Risk Management: Risk-based Cybersecurity, EDRM *JDSupra*, 2022

Lockhaven Chronicles, Cyber Risk Management: Benefits of the NIST CSF, EDRM *JDSupra*, 2022

EDRM Podcast: Flash: Deleted Text Messages from Secret Service, DoD, DHS (with Jason Nara, Former NARA Dir. Of Litigation)

Information Age Imperialism: China, 'Race,' and Neo-colonialism in Africa and Latin America, University of Miami Inter-American Law Review, 2021 (with lead author James Dever)

Cyber Realpolitik, Boston University Journal of Science and Technology Law, 2019 (with lead author James Dever)

A Democracy of Users, Journal of Law and Cyber Warfare, 2017 (with lead author James Dever)

PART B-QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE GENERAL COUNSEL FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE).

I have a wide array of experience, gained both within the government as well as in the private sector, which, if confirmed, I will bring to bear on issues facing our nation.

While in government service I provided advice in time constrained environments on national security law, intelligence law, law of armed conflict, law enforcement investigations, and federal prosecution. In all of these roles I have seen the importance of, and enforced, the rule of law, both domestically and abroad. I have worked with non-governmental organizations as well, to include being the primary liaison to the International Committee of the Red Cross in Iraq after the Abi Ghraib scandal, as well as being the primary liaison to the United Nations High Commissioner for Refugees while in Bosnia.

I have multiple combat deployments where I have seen first-hand the results of intelligence failures. I have lost friends and have been wounded in combat. As a result of these experiences, I personally understand the importance of providing timely and accurate legal advice in support of the ODNI's critical mission of keeping our nation safe.

In the private sector I have significant experience leading large, complex global organizations in highly regulated environments. This has prepared me to improve compliance and oversight for critical issues such as FISA 702 compliance and re-authorization. As a senior compliance executive, I bring extensive risk management and leadership experience. In these roles it was very common for me to have to deliver difficult news to senior individuals and board members in multiple organizations. I always did so in a timely and straightforward manner.

I also have experience as an entrepreneur, founding and leading an enterprise risk management and cybersecurity consultancy firm. This will help me address some of the pressing concerns surrounding law and the rapid advancement of technology.

PART C-POLITICAL AND FOREIGN AFFILIATIONS

15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL

CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS).

N/A

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

N/A

17. FOREIGN AFFILIATIONS

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

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

No.

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

No.

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

No.

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

No.

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

N/A

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

Note: I have not yet submitted the Office of Government Ethics (OGE) Form 278 and have not received final guidance from the OGE. The following responses to Part D are provided in good faith based on my current understanding. After thorough review with ethics officials, the information disclosed may differ from my final Form 278 submission.

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

N/A

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

Yes.

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

I have severed ties with my former firm and there is no tail relative to financial matters or responsibility.

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

No.

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

I have not considered what I will do after government service. I do not have any agreements, formal or otherwise, to work in any capacity, to include returning to my most recent position.

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

No.

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

INFORMATION REDACTED

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

NAME OF ENTITY	POSITION	DATES HELD	SELF OR SPOUSE

INFORMATION REDACTED

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

I do not recall receiving any gifts valued at more than $100 in the past five years. There have been instances where friends have taken my spouse and I out to dinner where the bill was likely more than $100; however, that was solely related to our personal relationship and well before I was aware of this nomination.

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

DESCRIPTION OF PROPERTY	VALUE	METHOD OF VALUATION

INFORMATION REDACTED

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

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT

INFORMATION REDACTED

30. ARE YOU OR YOUR SPOUSE NOW IN DEFAULT ON ANY LOAN, DEBT, OR OTHER FINANCIAL OBLIGATION? HAVE YOU OR YOUR SPOUSE BEEN IN DEFAULT ON ANY LOAN, DEBT, OR

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

No.

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

	2020	2021	2022	2023	2024
SALARIES					
FEES					
ROYALTIES					
DIVIDENDS					
INTEREST					
GIFTS					
RENTS					
OTHER(VA)					
TOTAL					

INFORMATION REDACTED

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

Yes.

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

INFORMATION REDACTED

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

INFORMATION REDACTED

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

I am an attorney, licensed in CT, however, I have not practiced law in the past 5 years.

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

No, I do not anticipate any ethics issues given the simplicity of my financial holdings. However, I will always follow the advice of government ethics officials to address any potential, actual, or perceived conflicts of interest.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

N/A

PART E - ETHICAL MATTERS

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

No.

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

No.

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

No.

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

No.

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

No.

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

No.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F-SECURITY INFORMATION

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

No.

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

INFORMATION REDACTED

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

No.

PART G - ADDITIONAL INFORMATION

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

Ultimately, all of government is accountable to the American people. By dint of its oversight responsibility, Congress plays a critical role in ensuring this accountability on behalf of the people. This role is especially important in matters that directly impact the national security of the nation. As a result of the often-secretive nature of this work, Congress, and by extension, the Intelligence Committees, play an indispensable role in monitoring the activities in this area on behalf of the American people.

In order for this oversight to be effective, the Intelligence Committees rely on information provided by various entities, to include the Office of the Director of National Intelligence (ODNI). ODNI has statutory responsibility to keep the Intelligence Committees "fully and currently informed" of intelligence activities. The General Counsel plays a key role in ensuring that ODNI adheres to both the letter and the spirit of this responsibility. The GC performs that duty by actively assisting the DNI to ensure that activities undertaken by the ODNI are lawful. Furthermore, the GC provides statutory interpretation and compliance advice to the DNI to help ensure relevant information is provided to Congress in a timely fashion. The GC must assist in the ongoing maintenance of an effective, fulsome, and statutorily compliant relationship with Congress.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE GENERAL COUNSEL FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

The principal responsibility of the General Counsel (GC) is to provide legal counsel to the Director of National Intelligence (DNI) and to other officials within the Office of the Director of National Intelligence. Given the DNI's role as the head of the Intelligence Community (IC) and adviser to the President on intelligence matters, the GC collaborates closely with attorneys across the IC as well as the broader government, as appropriate. Through that collaboration, the GC to supports the DNI's responsibility to ensure that IC elements comply with the Constitution and laws of the United States.

A critical part of this mission includes fostering relationships across the IC to ensure varied perspectives and potential solutions to novel legal issues are heard and taken into consideration as appropriate. This responsibility extends beyond the IC as well, in order to ensure the IC's legal equities are put forth in an effective and consistent manner.

If confirmed, while my primary duty will be to advise the DNI to assist her in executing her responsibilities in a lawful manner, I anticipate part of this role will include support of the senior leadership of ODNI to assist them in conducting their mandates in a lawful and ethical manner.

AFFIRMATION

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

JOHN DEVER SIGNATURE REDACTED

5/19/25
(Date)

NOTARY SIGNATURE REDACTED

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the General Counsel of the Office of the Director of National Intelligence, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

JOHN DEVER SIGNATURE REDACTED

Date: 5/19/25

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

Additional Prehearing Questions for
John Dever upon his nomination to be
General Counsel of the Office of the Director of National Intelligence

Keeping the Intelligence Committee Fully and Currently Informed

QUESTION 1: Section 502 of the National Security Act of 1947 provides that the obligation to keep the congressional intelligence committees fully and currently informed of all intelligence activities applies to the Director of National Intelligence (DNI) and to the heads of all departments, agencies, and other entities of the U.S. Government involved in intelligence activities. What is your understanding of the standard for meaningful compliance with this obligation by the Office of the Director of National Intelligence (ODNI) and the heads of all departments, agencies and other entities of the U.S. Government involved in intelligence activities to keep the congressional intelligence committees, including all their Members, fully and currently informed of intelligence activities? Under what circumstances do you believe it is appropriate to brief the Chairman and Vice Chairman and not the full committee membership?

Section 502 of the National Security Act charges the DNI with a responsibility to keep the congressional intelligence committees fully and currently informed of all intelligence activities other than covert actions, to furnish the congressional intelligence committees with any information or material concerning intelligence activities other than covert actions requested by the committees to carry out their responsibilities, and to report significant anticipated intelligence activities or significant intelligence failures other than covert action.

Notification should be limited to the Chairman and Vice Chairman or Ranking Member of the congressional intelligence committees in circumstances where the President determines that it is essential to limit access to a covert action finding to meet extraordinary circumstances affecting vital interests of the United States, as authorized by Section 503 of the National Security Act.

Priorities of the Director of National Intelligence

QUESTION 2: Have you discussed with the DNI her specific expectations of you, if confirmed as General Counsel, and her expectations of the Office of the General Counsel as a whole? If so, please describe those expectations.

The DNI has expressed to me her expectations, should I be confirmed, that I lead the OGC in providing accurate and timely legal advice in support of her responsibilities to ensure that the IC's activities comply with the Constitution and laws of the United States.

The Office of the General Counsel

QUESTION 3: The Office of the General Counsel of the ODNI has many roles and responsibilities. What are your expectations for the Office?

a. Do you have any preliminary observations on its responsibilities, performance, and effectiveness?

The responsibilities of the Office of General Counsel flow from language in the National Security Act whereby, "the General Counsel is the Chief legal officer of the Office of the Director of National Intelligence" and "shall perform such functions as the Director of National Intelligence may prescribe." As such, if confirmed, the Office of General Counsel attorneys and support staff will assist me in providing accurate and timely legal advice to ODNI. In addition, ODNI OGC will work closely with OGCs from other IC elements, as appropriate, to ensure compliance with the Constitution and laws of the United States.

I have had an opportunity to work with ODNI OGC for several weeks as a Special Advisor and have been very impressed with both the performance and effectiveness of the office.

b. If confirmed, will you seek to make changes in the numbers or qualifications of attorneys in the office, or the operations of the office?

If confirmed, one of my first priorities will be to assess the whether we have adequate staffing and qualifications to address the responsibilities of the office. In addition, I will assess how the office operates and, in consultation with current leadership, make prudent adjustments as necessary.

QUESTION 4: Please describe who or what you understand to be your client or clients in the position of General Counsel of the Office of the Director of National Intelligence (ODNI/GC). As part of your answer, please address how that will guide your relationship with and obligations to the ODNI, the DNI, the Intelligence Community (IC) as a whole, and the President.

Pursuant to section 103C of the National Security Act, the ODNI/GC is the chief legal officer of the Office of the Director of National Intelligence and its

components, including the National Counterterrorism Center, National Counterintelligence and Security Center, and other ODNI Directorates, Components and Offices. The ODNI/GC does not serve as the General Counsel of any other department, agency, or element of the United States Government. The General Counsel's principal clients are thus the DNI and other senior ODNI officials and employees. Of course, while providing advice directly to the DNI, the ODNI/GC works in conjunction with other attorneys across the Intelligence Community (IC) as well as the broader government, as appropriate, to support the DNI's responsibility to ensure compliance with the Constitution and laws of the United States by members of the IC. I expect to engage cooperatively with my counterparts in the IC, other departments and agencies, and the Executive Office of the President.

QUESTION 5: Describe your understanding of the responsibilities of the DNI and the GC/ODNI in reviewing, and providing legal advice on, the work of the Central Intelligence Agency (CIA), including covert action undertaken by the CIA.

Pursuant to the National Security Act, the DNI is the head of the IC. In this role the DNI is charged with many responsibilities, including ensuring "compliance with the Constitution and laws of the United States by the Central Intelligence Agency."

Therefore, as appropriate, the GC/ODNI is responsible for assisting in ensuring this compliance, and works very closely with the GC of the CIA to achieve this on all matters, including covert action.

QUESTION 6: What are your plans to recruit and retain top talent in the Office of General Counsel of ODNI? Do you plan to offer additional detailee options at all career levels so that attorneys from other agencies can bring their expertise to ODNI and, in turn, bring ODNI experience back to their home agency?

Top legal talent is essential for the OGC/ODNI to successfully complete its mission. To that end, should I be confirmed, a priority will be to assess our current approaches to recruitment and retention. A critical component to our personnel strategy will be to encourage a robust detailee program at all levels to bring critical knowledge to ODNI and vice versa.

QUESTION 7: Explain your understanding of the role of the ODNI/GC in resolving conflicting legal interpretations within the IC.

By statute, the DNI is both the head of the IC and is responsible for ensuring IC compliance with the Constitution and laws of the United States. The DNI executes this second roles in conjunction with the host executive departments of those elements. ODNI's Office of General Counsel is well positioned to identify cross-cutting legal issues or conflicting legal interpretations within the IC, and, where appropriate, to coordinate efforts to resolve those issues. If confirmed, I expect to work with lawyers from the Office of General Counsel and counterparts across other IC elements and the Executive Branch to undertake these efforts at resolving interpretive conflicts. If these conflicts cannot be resolved then we would coordinate with the Office of Legal Counsel at the Department of Justice as appropriate.

Intelligence Collection

QUESTION 8: As defined in Title 50, "the term 'intelligence' includes 'foreign intelligence' and 'counterintelligence.'" Title 50 defines "national intelligence" as referring "to all intelligence, regardless of the source from which derived and including information gathered within or outside the United States that – (A) pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and (B) that involves (i) threats to the United States, its people, property, or interests; (ii) the development, proliferation, or use of weapons of mass destruction; or (iii) any other matter bearing on United States national or homeland security."

a. Do you interpret the term "intelligence" to include anything beyond "foreign intelligence" or "counterintelligence?" If so, what other kinds of intelligence do you believe falls under the term "intelligence?"

Yes. The definition of "intelligence" contained in the National Security Act, as noted, provides that "[t]he term 'intelligence' *includes* foreign intelligence and counterintelligence" (emphasis added). I therefore understand foreign intelligence and counterintelligence to be illustrative and not exclusive. I understand such intelligence could include a wide range of information that may be relevant to the statutorily authorized missions of IC elements but that does not qualify as foreign intelligence or counterintelligence.

The specific application and interpretation of these terms must be evaluated on a case-by-case basis, taking into account the specific authorities associated with the underlying activity. If confirmed, I

would work closely with counterparts at other IC elements, the Department of Justice, and other relevant agencies to ensure careful legal analysis of those terms and ensure compliance with statutory requirements and policy.

b. What are the differences between "intelligence" and "national intelligence?" Please provide examples of something you would consider to be "intelligence" that is not "national intelligence," and something that is "national intelligence" but not "intelligence." Your examples can be included in a classified annex.

Under section 3(5) of the National Security Act, the term "national intelligence" (and "intelligence related to national security") refers to "all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that—(A) pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and (B) that involves—(i) threats to the United States, its people, property, or interests; (ii) the development, proliferation, or use of weapons of mass destruction; or (iii) any other matter bearing on United States national or homeland security." It is my understanding that "national intelligence," as a subset of "intelligence," must pertain to more than one agency and must also meet one of the criteria identified in subsection (B).

The specific application and interpretation of these terms must be evaluated on a case-by-case basis, taking into account the specific authorities associated with the underlying activity. If confirmed, I would work closely with counterparts at other IC elements, the Department of Justice, and other relevant agencies to ensure careful legal analysis of those terms and ensure compliance with statutory requirements and policy.

Foreign Intelligence Surveillance Act

QUESTION 9: Congress recently passed the Reforming Intelligence and Securing America Act (RISAA), which extended Title VII of the Foreign Intelligence Surveillance Act (FISA) until April 2026 and enacted other reforms.

a. Do you support reauthorization for a period of years or making these provisions permanent? Please provide the principal reasons for your support.

Section 702 provides us with absolutely critical foreign intelligence. Losing this authority would have a significant impact on our ability to collect on non-US persons. If confirmed, I would not enter this position with an inelastic predisposition as to whether reauthorization should be for a period of years or permanent. I would assess all data available to me, weigh benefit versus risk, taking into account relevant controls and past compliance performance in order to render my best advice to the DNI.

b. What RISAA reforms do you view as most critical to our national security? What additional reforms, if any, do you believe are necessary to either RISAA or to FISA as a whole?

The reforms in RISAA as a whole are critical to our national security because they preserve the operational efficacy of a vital foreign intelligence authority – Section 702 of FISA – while also improving compliance and protecting privacy and civil liberties of all Americans. Amendments to Section 702 or other provisions of FISA should focus on enhancing transparency, oversight, and accountability while maintaining the IC's ability to protect national security effectively. If confirmed, I look forward to working with the DNI and this Committee to support implementation and reforms that balance operational effectiveness with accountability, civil liberties protection, and public trust.

QUESTION 10: What responsibilities does the ODNI/GC have with regard to FISA, and specifically regarding the implementation of RISAA?

Under Section 702 of FISA, the Attorney General and the DNI make annual certifications that authorize IC elements to target non-U.S. persons reasonably believed to be located outside the United States to acquire specific categories of foreign intelligence information. As part of those annual certifications, by statute, the Attorney General and the DNI must make certain representations regarding the legal sufficiency of the

procedures and guidelines required under the statute, including that the procedures and guidelines are consistent with the requirements of the Fourth Amendment to the Constitution of the United States. In making these representations, it is my understanding that the Attorney General and the DNI rely on the information they have learned over the course of the year in their roles as overseers of the program. This information includes the regular and extensive oversight performed by the Department of Justice and ODNI, including attorneys within ODNI's Office of General Counsel, of targeting decisions, querying activities, and minimization practices of the IC elements that participate in the program. Since the passage of RISAA, it is my understanding that ODNI has worked with the Department of Justice to ensure the timely and effective implementation of RISAA's reforms. If confirmed, I will ensure that ODNI's Office of General Counsel remains closely involved in these oversight activities.

QUESTION 11: During RISAA's floor action, there was much debate about whether to require a warrant for a query of U.S. person information within lawfully collected Section 702 data. What is your position on whether to include a warrant requirement for U.S. person queries of Section 702 data?

I currently do not believe there is a warrant requirement for a query of U.S. person information within lawfully collected Section 702 data. However, until very recently there had not been any court cases implicating the Fourth Amendment in this area. If confirmed, a priority of mine will be to become fully cognizant of exactly how this program works, assess the current state of the law, and assess the efficacy of the controls in place to protect civil liberties, in order to provide the DNI with my best advice on this issue.

QUESTION 12: In addition to the Foreign Intelligence Surveillance Court, the legislative and executive branches have oversight of FISA's Title VII authorities. Please describe your understanding of ODNI's and the IC's oversight to ensure FISA's authorities – and specifically, Section 702 – are constitutional and ensure U.S. persons' legal rights are protected. Are there adequate oversight protocols in place? If not, what additional protocols would you recommend, if confirmed?

As I referenced in my previous responses, it is my understanding that the Department of Justice and ODNI conduct regular and extensive independent oversight of IC

elements' implementation of Section 702 authorities to ensure compliance with the FISA statute, the Fourth Amendment, and other applicable procedures and guidelines. Each agency's Section 702 targeting (when applicable), minimization, and querying procedures are approved by the Attorney General and reviewed by the Foreign Intelligence Surveillance Court (FISC). These procedures provide robust privacy and civil liberties protections for United States persons. The Department of Justice and ODNI conduct regular reviews of agencies' compliance with these procedures, which include the reforms mandated by RISAA. These reviews include, for example, independent examination of targeting decisions, disseminations of U.S. person information, and U.S. person queries. The Department of Justice reports all compliance incidents to the FISC and, in coordination with ODNI, works with agencies to thoroughly investigate and remediate compliance incidents. ODNI provides critical support to the Department of Justice's oversight efforts, and also focuses on larger trends and facilitating multiagency conversations concerning remediation efforts. Compliance officers, lawyers, civil liberties and privacy officers, and inspectors general at each IC element provide additional oversight.

If confirmed, I will work with the Department of Justice to consider whether any additional oversight protocols are warranted and appropriate.

Classification and Declassification

QUESTION 13: The government systematically overclassifies too much information. At the same time, the government often fails to protect the nation's most important secrets. Executive Order 13526 (December 29, 2009), which prescribes the system for classifying, safeguarding, and declassifying national security information, has not been updated in 15 years. What changes, if any, do you think are necessary to improve the classification system?

Like the DNI, I believe that over classification undermines transparency, burdens taxpayers, and complicates information sharing within the government and with important national security partners. If confirmed, I look forward to learning more about the classification process, and with that understanding, provide legal counsel that helps modernize classification policies, practices, and technologies.

Evaluation of Office of the Director of National Intelligence

QUESTION 14: Members of the Committee have expressed concern that the ODNI does not have all of the legal authorities necessary to fulfill congressional expectations for the office. Do you have any preliminary observations on strengths

or weaknesses of the authorities of the Office with respect to a successful mission of the ODNI? If so, please describe.

Given my brief tenure at ODNI, I have not yet formed an opinion as to whether the ODNI has the legal authorities to fulfill congressional expectations. If I am fortunate enough to be confirmed, I will assess this and raise any issues as appropriate.

QUESTION 15: Members also have expressed concerns that the ODNI's bureaucracy has resulted in inefficiencies. Do you have any preliminary observations on strengths or weaknesses of the authorities of the Office with respect to the ability of the General Counsel's office to function within the ODNI bureaucracy? If so, please describe.

Given my brief tenure at ODNI, I have not yet formed an opinion as to the GC /ODNI's ability to function with the ODNI bureaucracy. If I am fortunate enough to be confirmed, I will assess this and raise any issues as appropriate.

Intelligence Community Whistleblowers

QUESTION 16: Do you believe that IC whistleblowers currently have all the protections they need to interact directly with the congressional intelligence committees?

a. If not, what legal authorities are required to ensure these protections?

b. If so, what legal authorities provide the basis for those protections?

Whistleblowers serve a vital role within the IC by promoting government accountability, maintaining the integrity of the workforce, and addressing allegations of wrongdoing without improperly disclosing classified information. If confirmed, I will have an opportunity to study the implementation of the Intelligence Community Whistleblower Protection Act and other issuances to determine whether existing authorities provide sufficient protections to whistleblowers.

QUESTION 17: What is your view of the ODNI/GC's role relative to advancing an IC "whistleblower" complaint to Congress, pursuant to the Intelligence Community Whistleblower Protection Act?

As the ODNI's chief legal officer, the ODNI/GC counsels and supports the DNI as

she exercises her responsibilities under the Intelligence Community Whistleblower Protection Act. That Act provides whistleblowers the means to report to Congress complaints or information relating to "urgent concerns" after an initial report to the IC IG. If confirmed, I will support the DNI's pledge to commit ODNI to the highest standards of moral, ethical, and legal conduct in all aspects and will ensure whistleblowers are afforded all legal protections to which they are entitled, including access to Congress.

QUESTION 18: How would you address a situation in which you disagree with the IC Inspector General's determination that a whistleblower complaint qualifies as an "urgent concern," for the purposes of advancing a complaint to Congress?

Pursuant to Section 103H(k)(5)(G)(ii) of the National Security Act the IC IG has "sole authority to determine whether any complaint or information reported to the Inspector General is a matter of urgent concern." Therefore, the ODNI/GC has no role in determining whether the matter is advanced to Congress. If confirmed, I commit to ensuring that every complaint is handled in compliance with all legal requirements.

Executive Branch Oversight of Intelligence Activities

QUESTION 19: Are there improvements, in terms of resources, methodology, and objectives that you believe should be considered for Executive Branch oversight of the intelligence activities of the United States Government?

All three branches of government play an important role in conducting this oversight, with many entities within the Executive Branch doing their part. This includes the general counsel's offices, civil liberties and privacy officials, and inspectors general of IC elements, and other entities like the Privacy and Civil Liberties Oversight Board (PCLOB). The Department of Justice also plays a key role, including by conducting oversight of activities under FISA.

If confirmed, I anticipate that oversight would be a particularly important part of my role. The DNI has a specific obligation in the National Security Act to ensure compliance with the Constitution and laws of the United States by elements of the IC, and it is my understanding that the ODNI General Counsel plays a significant role in helping the Director to carry out this obligation.

If confirmed, I thus believe I will have an opportunity to better assess whether improvements to the existing oversight structure are warranted, and I pledge to

work closely with the Committee should I identify a need for additional authorities, organizational changes, or other reforms.

Relationship with Other Officials

QUESTION 20: What should be the relationship of the ODNI/GC with respect to the following officers of the IC:

a. General Counsel, CIA;

The National Security Act specifically charges the DNI with many responsibilities relating to the CIA, including ensuring CIA compliance with the Constitution and laws of the United States. The statute thus clearly contemplates a very close working relationship between the two agencies and, by extension, their General Counsels. I thus expect to have a close and collaborative relationship with the CIA General Counsel.

b. Assistant Attorney General for National Security, Department of Justice;

Although the National Security Division of the Department of Justice is not part of the IC, there are a number of areas where the DNI and Attorney General share responsibilities. For example, activities under Section 702 of FISA must be jointly authorized and overseen by the Attorney General and the Director and many of the procedures required by Executive Order 12333 must be approved by the Attorney General in consultation with the DNI. Given this, it is my understanding that the ODNI General Counsel and the Assistant Attorney General for National Security, and their respective offices, have traditionally maintained a close working relationship. If confirmed, I expect to maintain this strong relationship

c. Inspector General, ODNI; and

The IC IG oversees the activities of the ODNI and other IC elements, and by statute reports directly to the DNI. As a result, I believe the ODNI General Counsel must have a strong working relationship with the IC IG. I have already developed a close collaboration with the IC IG nominee and will seek to maintain that collaboration if confirmed.

d. Civil Liberties and Privacy Officer, ODNI.

The ODNI's Civil Liberties Protection Officer heads the ODNI Office of Civil Liberties, Privacy, and Transparency, reports directly to the DNI, serves as the Chief Transparency Officer for the ODNI, and is among the core group of ODNI officials—alongside the General Counsel and the IC IG—responsible for overseeing the activities of the ODNI and other IC elements. This range of duties clearly implicates a number of issues with legal equities. Therefore, I expect to work closely with ODNI's Civil Liberties Protection Officer in ensuring that ODNI always upholds the civil liberties and privacy rights of the American people.

QUESTION 21: What is your understanding of the relationship between the ODNI/GC and the White House Counsel's Office (WHCO)? When do you believe it is appropriate to include WHCO in your legal deliberations?

The DNI is the President's principal advisor for intelligence matters related to the national security. In support of that role, the ODNI/GC plays a pivotal role in, among other things, making sure that IC equities are represented during the interagency legal process and coordinating and presenting the consensus views of the IC legal community to the broader Federal Government. Therefore, if confirmed, would endeavor to maintain close collaboration between the offices.

QUESTION 22: What do you believe the relationship is between the Office of General Counsel of ODNI and the Office of Legal Counsel (OLC) at the Department of Justice? Do you consider OLC opinions to be binding on the ODNI/GC? Please describe the circumstances under which you believe soliciting an opinion from OLC is appropriate.

By delegation from the Attorney General, OLC provides legal advice to the President and all Executive Branch agencies, and its opinions are generally understood to be binding on Executive Branch agencies. I thus believe it is essential for the ODNI General Counsel and OLC to have a strong working relationship and that collaboration between the offices is critical to supporting the DNI fulfill her statutory responsibility to ensure the IC complied with the Constitution and laws of the United States. Generally, I would consult OLC on complex legal issues where two or more agencies or IC elements cannot come to a common understanding on their legal obligations.

QUESTION 23: What, if any, conflicts might arise from your private practice if you are confirmed as General Counsel, and how would you address these conflicts?

I do not anticipate any conflicts arising from my previous role as I was providing enterprise risk management and cybersecurity advice. I did not establish attorney / client relationships during that time. If, however, there is ever a potential conflict of interest I will immediately seek the advice of an ethics officer and comply with all required and recommended actions.

QUESTION 24: Please provide copies of the publications listed in your responses to the Committee's Questionnaire for Completion by Presidential Nominees.

I will provide these copies expeditiously.

Questions from Senator Wyden

FISA

QUESTION 25: During her confirmation process, Director Gabbard wrote: "Warrants should generally be required before an agency undertakes a U.S. Person query of FISA Section 702 data, except in exigent circumstances, such as imminent threats to life or national security." Do you agree?

I currently do not believe there is a warrant requirement for a query of U.S. person information within lawfully collected Section 702 data. However, I also understand the criticality of protecting civil liberties, as well as the fact that there have been recent developments in this area, to include a case which may implicate Fourth Amendment concerns. Until that recent case, there had not been any court cases implicating the Fourth Amendment in this area.

If confirmed, a priority of mine will be to become fully cognizant of exactly how this program works, assess the current state of the law, and assess the efficacy of the controls in place to protect civil liberties, in order to provide the DNI with my best advice on this issue.

QUESTION 26: 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 a Section 702 target, that might be an indication that reverse targeting may have occurred." How would you ensure that this fact specific analysis is applied to the nomination of Section 702 targets?

I am not familiar with how this approach is specifically applied to the nomination process of IC elements, but if confirmed I will familiarize myself with this process.

My general understanding is that regular oversight conducted by DOJ and ODNI of activities conducted under Section 702 of FISA includes fact-specific examinations of whether reverse-targeting may have occurred, and that if and when any reverse targeting is identified, it is reported to the FISC and Congress consistent with applicable law. If confirmed, I will ensure that ODNI's Office of General Counsel remains closely involved in these oversight activities, to include reporting potential violations. If I encounter such issues, I will work the appropriate departments to identify root causes and implement effective solutions.

QUESTION 27: During her confirmation process, Director Gabbard wrote that she would oppose any effort to re-codify Section 215 of the USA PATRIOT Act. Do you agree?

I have not had the occasion to consider Section 215 in depth during my time in government and private practice, and therefore, if confirmed, would welcome conversations with colleagues across the government about its mission implications. However, I share the DNI's concerns about Section 215 authorities and their implications on the privacy and civil liberties of Americans.

QUESTION 28: Do you agree with Director Gabbard that Section 215 "raised significant concerns"?

Yes.

QUESTION 29: If you do not oppose the re-codification of Section 215 of the USA PATRIOT Act or similar business records authorities, please respond to the following questions:

a. Do you believe the government's authority to collect business records should be limited to "tangible things" that pertain to: (1) a foreign power

or an agent of a foreign power; (2) the activities of a suspected agent of a foreign power who is the subject of an authorized investigation; or (3) an individual in contact with, or known to, a suspected agent of a foreign power who is the subject of an authorized investigation?

b. Under what circumstances, if any, do you believe an application for business records should be based on the "relevance" standard without satisfying any of the above three requirements for presumptive relevance?

I neither oppose nor support the re-codification of Section 215, but share the DNI's concerns about its implications on the privacy and civil liberties of Americans. If confirmed, I will consider the above questions in depth.

QUESTION 30: In a November 6, 2020, letter, then-DNI John Ratcliffe wrote that, "with respect to the use of Title V [of FISA] to obtain records from ISPs, the FBI does not request and obtain pursuant to Title V the content of any communication, to include search terms submitted to an online search engine." Do you agree that internet search information constitutes content of communications and thus can only be obtained with a probable cause warrant?

Title V of the FISA authorized the government to seek a court order to acquire "tangible things" for foreign intelligence purposes. However, that provision expired in March 2020. If confirmed, I may have an opportunity to better understand how these authorities were used and, if there is an effort to reauthorize this provision, ensure that the reauthorized authority conforms with the Constitution.

QUESTION 31: In November 2019, the government acknowledged that it was not collecting cell-site or GPS information pursuant to Section 215 of the USA PATRIOT Act, which does not require a warrant. In 2020, both houses of Congress passed legislation reauthorizing Section 215 that prohibited such collection, although the legislation was not passed into law. Do you agree that any recodification of warrantless business records collection should not authorize the collection of cell-site or GPS information?

The collection of U.S. person cell-site or GPS information raises important legal and policy questions. If confirmed, I will have an opportunity to better understand how Title V authorities are exercised in practice, and I pledge to work with my counterparts across the Executive Branch, including at the other IC elements and at the Department of Justice, to ensure that all IC activities involving U.S. Persons are carried out in accordance with the Constitution and federal law.

QUESTION 32: The 2018 legislation reauthorizing Section 702 of FISA codified limitations on the use of U.S. person information in criminal proceedings. Do you believe these limitations should be extended to other provisions of FISA?

If confirmed I commit to assessing whether the extension of these limitations is appropriate, and, if so, will take appropriate steps.

QUESTION 33: Under Section 702 of FISA, the government can direct an electronic communications service provider to provide "assistance necessary to accomplish the acquisition." Under Section 702(h)(5), if the provider does not comply with a directive, the government may seek an order from the FISA Court to compel compliance.

a. Do you believe that the government should inform the FISA Court should it issue a directive to a provider to alter the encryption afforded by a service or a product, regardless of whether the government files a motion to compel compliance?

As stated by the DNI, encryption is a critical component of protecting civil liberties and should be treated with appropriate caution. Should I be confirmed, I will make it a priority to assess this issue and make any recommendations and notifications as appropriate.

b. Will you commit to notifying Congress of any such directive?

If confirmed, and upon detailed review of this issue, I commit to notifying Congress as appropriate.

QUESTION 34: Section 704 of FISA requires a warrant for the targeting of a U.S. person overseas "under circumstances in which the targeted United States person has a reasonable expectation of privacy and a warrant would be required **if** the acquisition were conducted inside the United States for law enforcement purposes." During his confirmation process to be ODNI General Counsel, then-Principal Deputy Assistant Attorney General Brad Wiegmann wrote that he was "not aware of any operational contexts in which the government has concluded that a warrant would be required if an acquisition were conducted inside the United States for law enforcement purposes but nonetheless that the targeted U.S. person abroad would not have a reasonable expectation of privacy, such that 704 does not apply." Do you agree?

If confirmed, I look forward to delving into this specific question of interpretation and operations, but as a matter of initial impression, I agree.

QUESTION 35: Do Sections 703, 704 or 705 of FISA limit the targeted collection of geo-location information, communications metadata, or business records of a U.S. person who is overseas?

Section 704 of FISA prohibits the IC from "intentionally target[ing], for the purpose of obtaining foreign intelligence information, a U.S. person reasonably believed to be located outside the United States under circumstances in which the targeted U.S. person has a reasonable expectation of privacy and a warrant would be required if the acquisition were conducted inside the United States for law enforcement purposes," without first obtaining an order from the FISC. This prohibition could apply to an IC element targeting a U.S. person to obtain any type of information, provided that the person has a reasonable expectation of privacy in the information under the circumstances and a warrant would be required if there were a law enforcement investigation seeking to obtain that same information in similar circumstances in the United States. Whether the government would be required to use a warrant to obtain a particular type of data in the United States depends on all the facts. For example, under the Electronic Communications Privacy Act, the government can obtain basic subscriber and session information from a service provider in a criminal investigation using a subpoena; because no warrant is required, the prohibition in section 704 would not apply if, theoretically, there were any foreign intelligence collection from providers targeting U.S. persons outside the United States seeking only such data. In contrast, the government's practice under the Fourth Amendment in law enforcement investigations in the United States has been to use a warrant to obtain GPS information from a wireless carrier on a prospective basis that allows ongoing geolocation of a person. Therefore, similar efforts targeting U.S. persons abroad for foreign intelligence purposes would trigger section 704. Exceptions to the warrant requirement, such as consent, could be available depending on the facts and therefore could affect whether section 704 would be triggered. Similar analysis would apply to sections 703 and 705.

Even if FISA does not apply, Attorney General-approved guidelines issued under E.O. 12333 may apply. For example, Attorney General-approved guidelines governing NSA's signals intelligence activities expressly provide that the U.S. SIGINT System (USSS) may intentionally target a U.S. person, whether inside or outside the United States, only if the collection is not governed by FISA and one of the following circumstances exist: the U.S. person or his or her legally-authorized representative has provided consent; the Attorney General has found probable

cause to believe the person is an agent of a foreign power or an officer or employee of a foreign power and the purpose of the collection is to collect significant foreign intelligence or counterintelligence; or exigent circumstances exist and appropriate approvals for such collection have been obtained. Those guidelines also state that "the USSS will not intentionally collect foreign communications for the purpose of targeting a specific U.S. person or person in the United States unless such U.S. person or person in the United States has been separately authorized for targeting under this Annex or FISA."

QUESTION 36: 50 U.S.C. § 1812, establishes the exclusive means by which electronic surveillance and interception of certain communications may be conducted. Is this provision absolutely binding on all U.S. departments and agencies and on the President?

During my time in government and private practice, I have not had the occasion to consider this question in depth. However, as set forth in Section 112 of FISA, with limited exceptions, FISA constitutes the exclusive statutory means by which electronic surveillance, as defined in FISA, and the interception of domestic wire, oral, or electronic communications for foreign intelligence purposes may be conducted. If confirmed, I would work with the Department of Justice and the General Counsels throughout the IC to ensure that IC activities are carried out in accordance with the Constitution and applicable federal law.

The question on authority over "all" departments and agencies, as well as the President, is broad in nature and may engender the Department of Justice and the White House.

QUESTION 37: Is the exclusive means provision in 50 U.S.C. § 1812 binding, regardless of whether Section 702 of FISA is reauthorized?

During my time in government and private practice, I have not had the occasion to consider this question in depth. However, as set forth in Section 112 of FISA, with limited exceptions, FISA constitutes the exclusive statutory means by which electronic surveillance, as defined in FISA, and the interception of domestic wire, oral, or electronic communications for foreign intelligence purposes may be conducted.

If confirmed, I would work with the Department of Justice and the General Counsels throughout the IC to ensure that IC activities are carried out in accordance with the Constitution and applicable federal law.

Other Surveillance

QUESTION 38: During her confirmation process, Director Gabbard wrote that Section 213 of the USA PATRIOT Act, which permits delayed notice of search warrants, "raised significant constitutional concerns." Do you agree?

Yes.

QUESTION 39: Do you believe the Intelligence Community can or should collect U.S. location information pursuant to EO 12333 authorities? If no, how should the IC ensure that it is not collecting the information through incidental collection? If yes, should there be any limitations on the Intelligence Community's use, retention, or dissemination of the information?

The IC must comply with all applicable U.S. law and policies regarding the collection, retention, dissemination, and use of information about U.S. persons. If confirmed, I look forward to learning more about the current laws and policies regarding location information and what limitations are necessary to protect the privacy of U.S. person while enabling the national security mission.

QUESTION 40: Do you agree that the Intelligence Community cannot request that a foreign entity conduct any activity that it is not authorized to undertake itself? If yes, do you agree that this prohibition also applies to requests from Executive Branch officials outside the Intelligence Community?

As provided in EO 12333, IC elements may not request any person, to include foreign entities and Executive Branch officials outside the Intelligence Community, to undertake activities that the IC elements themselves are prohibited from undertaking.

QUESTION 41: What limitations do you believe should apply to the receipt, use or dissemination of communications of U.S. persons collected by a foreign partner or source? How should those limitations address instances in which the foreign partner or source specifically targeted U.S. persons or instances in which the foreign partner or source has collected bulk communications known to include those of U.S. persons?

IC elements may not request that any person, including a foreign partner, undertake activities forbidden by the Constitution, federal law, or Executive Order, including Executive Order 12333, forbid the IC elements themselves to take. If foreign partners or sources collect and share information concerning U.S. persons, IC elements are only authorized to collect, retain, or disseminate such information in

accordance with the procedures Executive Order 12333 approved by the Attorney General.

QUESTION 42: Former NSA Director Paul 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."

a. Is there any reason this requirement should not apply to other IC entities, particularly with regard to U.S. person queries of data collected in bulk?

b. How, if at all, should evidence of probable cause presented to the Attorney General by NSA differ than that required under FISA?

Under Executive Order 12333, IC elements must operate in accordance with Attorney General-approved procedures that set forth the circumstances and limits under which elements may lawfully collect, retain, and disseminate information concerning U.S. persons. It is my understanding that, among other things, these guidelines were drafted in order to ensure that lawful intelligence activities are carried out in a manner that provides protection for the privacy and civil liberties of Americans while also accounting for the individual mission sets and authorities of each of the 18 IC elements. If confirmed, I would work with Department of Justice and other IC elements' General Counsels, to ensure that IC elements comply with these Attorney General approved procedures. In doing so, I will have the opportunity to consider how NSA's SIGINT-focused procedures work in practice, whether any additional requirements or other changes would be appropriate, and whether similar requirements should be placed on other intelligence disciplines.

QUESTION 43: Please describe the constitutional and statutory restrictions on targeting U.S. persons who are inside the United States when the collection occurs outside the United States. How does the finding in *United States v. Katz* that "the Fourth Amendment protects people, not places" protect U.S. persons, regardless of where the collection occurs?

The IC must collect, retain, disseminate, and use U.S. Person information in accordance with the Constitution and applicable federal law, including FISA and Executive Order 12333. Generally, and in line with the Court's holding in *Katz*, these issuances do not distinguish between U.S. Persons based on whether those persons are

located inside or outside the United States.

QUESTION 44: Do you believe that communications and communications data collected in transit are or should be treated differently than communications and communications data at rest? Please address any distinctions as they may apply to FISA, EO 12333, PPD-28 and the October 7, 2022, Executive Order on Enhancing Safeguards for United States Signals Intelligence Activities, and USSID 18.

All IC activities involving communications data must be carried out in accordance with the Constitution and applicable federal law, including FISA, as well as Presidential directives,such as Executive Orders 12333 and 14086 and their applicable implementing procedures.

QUESTION 45: In December 2020, the Department of Justice Office of the Inspector General released its Audit of the Federal Bureau of Investigation's Strategy and Efforts to Disrupt Illegal Dark Web Activities. The audit described Network Investigative Techniques (NITs) which "require computer exploits that the FBI is increasingly developing for national security purposes but not for criminal investigations." If confirmed, will you agree to make public annual statistics on the number of times these computer exploits have been used in national security cases and how often they have been used against Americans?

If confirmed, I commit to pursuing appropriate vehicles for increased transparency about the use of these computer exploits in national security cases with ODNI and FBI leadership, including the DNI, ODNI Civil Liberties and Protection Officer, and our FBI counterparts.

QUESTION 46: In June 2018, in the case of *Carpenter v. U.S.*, the U.S. Supreme Court found that the government's collection of cell-site locational records was a Fourth Amendment search. Do you support transparency with regard to whether, and under what circumstances, *Carpenter* applies to the Intelligence Community?

Chief Justice Robert's opinion in *Carpenter* noted that the Court did not consider collection techniques involving foreign affairs or national security. Therefore, it remains unclear whether the IC's potential collection of cell-site locational records, such as purchase through a third-party data broker, constitutes a Fourth Amendment search. However, I support all appropriate transparency efforts that reassure the American public that the IC consistently abides by the Constitution, including the Fourth Amendment, and takes all efforts to protect the privacy and civil liberties of U.S. Persons.

Commercially Available Information

QUESTION 47: Do you support the Intelligence Community's May 2024 Policy Framework for Commercially Available Information, as formalized in the February 6, 2025, Intelligence Community Policy Memorandum 504 (01)? Please elaborate on any aspects you do or do not support.

If confirmed, I look forward to reviewing the implementation of the IC's Policy Framework for Commercially Available Information. However, the framework's goal of enhancing existing privacy and civil liberties regimes in light of the ever-increasing availability of sensitive personal data via commercial sources strikes me as a worthy objective.

QUESTION 48: Do you commit, as Director Gabbard did, to keeping the Committee fully and currently informed of the Intelligence Community's procurement of, access to, and collection of Sensitive Commercially Available Information?

Yes.

QUESTION 49: Section G(2) of the Framework (and section g(3) of the Memorandum) requires the ODNI, in coordination with relevant Intelligence Community elements, to provide a report to the public every two years regarding the Intelligence Community's access to and collection, processing, and safeguarding of Sensitive Commercially Available Information. During her confirmation process, Director Gabbard wrote that she supported this requirement and committed to implementing it. Is that also your position?

Yes.

Cybersecurity

QUESTION 50: During her confirmation process, Director Gabbard wrote that she would use her position as DNI to advocate for policies, practices or legislation to strengthen cyber protections in the telecommunications sector. If confirmed as General Counsel, would you undertake the same advocacy?

Yes.

QUESTION 51: During her confirmation process, Director Gabbard wrote that: "Any cybersecurity legislation should ensure that data sharing between the private

sector and government or other entities is done in a way that respects privacy and avoids unnecessary exposure of personal information." Do you agree with this view and, if so, how would you go about ensuring those privacy protections?

Yes. If confirmed, I will have the opportunity to consider how current procedures work in practice and whether any additional requirements or other changes would be appropriate.

Transparency

QUESTION 52: Attorney General-approved procedures and guidelines for Executive Order 12333 are current posted online. Do you commit to continuing to post those procedures and to make public any modifications, superseding policies and procedures, or significant interpretations?

Yes.

QUESTION 53: Will you support the declassification and public release of any interpretations of law that provides a basis for intelligence activities, but are inconsistent with the public's understanding of the law?

Declassification and public release of legal interpretations underpinning intelligence activities should be considered carefully to balance transparency with the need to protect national security. Where feasible and consistent with safeguarding classified information and sensitive intelligence methods or operations, I would support the release of such interpretations to enhance public trust and understanding while ensuring the IC operates within the bounds of law.

QUESTION 54: What would you do if an employee of the Intelligence Community or any other Executive Branch official made a misrepresentation to Congress or to the public related to the legal basis for Intelligence Community activities? If that person refused to correct the public record, would you do so personally?

As ODNI/GC, I intend that any public statements from the ODNI Office of General Counsel be accurate and to counsel ODNI leadership on the importance of maintaining the congressional intelligence committees fully, currently, and accurately informed of all intelligence activities. Should I inadvertently make an inaccurate statement, I commit to publicly correct the statement, consistent with the requirement to protect classified information. If a public statement is not possible due to classified

equities, I will inform the intelligence committees of the inaccuracy in a classified setting.

Chief of Mission Authorities.

QUESTION 55: 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 Intelligence Community 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?

As outlined in 22 U.S.C. § 3927, intelligence activities conducted in a foreign country are subject to the Chief of Mission's oversight, except where specific exceptions are authorized by the President or National Security Council. If confirmed, I would support the DNI's efforts to ensure that the IC adheres to these frameworks and, if appropriate, to seek necessary exceptions.

Encryption

QUESTION 56: During her confirmation process, Director Gabbard wrote: "From a civil liberties perspective, there are serious constitutional concerns about the government being granted unrestricted access to America's private digital property. Mandating mechanisms to bypass encryption or privacy technologies undermines user security, privacy, and trust, and poses significant risks of exploitation by malicious actors." She reiterated that position during her confirmation hearing, saying, "these back doors lead down a dangerous path that can undermine Americans' Fourth Amendment rights and civil liberties." Do you agree?

I agree that government access to digital property raises significant constitutional implications, including the Fourth Amendment. If confirmed, I look forward to supporting the DNI and working with the ODNI Civil Liberties Protection Officer to ensure that the IC's activities comply with the Constitution and appropriately safeguard privacy and civil liberties.

QUESTION 57: On February 25, 2025, Director Gabbard wrote in a letter to me that she was "aware of press reporting that the UK Home Secretary served Apple with a secret order directing the company to create a 'back door' capability in its

iCloud encryption to facilitate UK government access to any Apple iCloud users' uploaded data anywhere in the world." She further wrote that: "I share your grave concern about the serious implications of the United Kingdom, or any foreign country, requiring Apple or any company to create a 'backdoor' that would allow access to Americans' personal encrypted data. This would be a clear and egregious violation of Americans' privacy and civil liberties, and open up a serious vulnerability for cyber exploitation by adversarial actors." Do you agree?

As the DNI stated in her letter, any information sharing between a government—any government—and private companies must be done in a manner that strikes an appropriate balance between national security and the privacy and civil liberties of Americans. If confirmed, I look forward to supporting the DNI with those efforts.

Whistleblowers

QUESTION 58: During her confirmation process, Director Gabbard wrote: "Whistleblowers are essential to ensuring accountability and oversight within the IC, and they must have clear, protected channels to report concerns, including the unauthorized transmittal of classified information to appropriate entities such as Members of Congress, Inspectors General (IGs), and other authorized recipients." During her confirmation hearing, Director Gabbard was asked if she agreed "that IC whistleblowers must have a clear path to this committee and that they don't need permission from agencies to talk to [the committee]," to which Director Gabbard responded, "the answer is clearly yes." Do you agree?

Yes; I understand that Section 103H of the National Security Act provides such a path after notification through the IC IG.

Security Clearances

QUESTION 59: Private attorneys with security clearances represent providers who are issued FISA orders and directives, serve as FISA Court amicus curiae, represent criminal defendants in Classified Information Procedures (CIPA) cases, and represent whistleblowers in matters involving classified information. The Director of National Intelligence serves as the Security Executive Agent responsible for security clearances. If confirmed as General Counsel, would you support policies and practices to ensure that private attorneys are granted and maintain clearances to serve in these capacities?

As an attorney, I appreciate the importance that private counsel plays in ensuring the rule of law and will support policies that, consistent with the President's constitutional authority over access to classified information as head of the Executive Branch and Commander in Chief, ensure that private attorneys can serve in these capacities.

Watchlisting

QUESTION 60: During her confirmation process, Director Gabbard wrote:

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

Do you support Director Gabbard's views?

Yes.

Classification and Declassification

QUESTION 61: Executive Order 13526 provides that: "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." Do you commit to fulfilling both the letter and spirit of these prohibitions, as did Director Gabbard?

Yes.

QUESTION 62: What process do you believe should accompany the declassification of information? For example, do you believe there should be a written record of declassifications? When should the Committee be notified?

If confirmed, I will have the opportunity to consider how current declassification procedures work in practice and consider whether any additional requirements or other changes, to include creation of written records of declassification, would be appropriate.

Espionage Act and Journalists

QUESTION 63: During her confirmation process, Director Gabbard wrote:

> *"In my book, I expressed concerns about aspects of the Espionage Act that could be interpreted as overly broad or vague, potentially infringing on First Amendment rights and due process protections under the Constitution. These concerns primarily relate to its application in cases involving whistleblowers and journalists, where the Act may criminalize the dissemination of information in ways that could suppress legitimate public discourse or accountability. The Espionage Act also does not allow for due process and the right of an American to defend themselves against such charges in a court of law."*

Do you agree with Director Gabbard's concerns?

Yes.

QUESTION 64: During her confirmation process, Director Gabbard wrote that she supports the October 2022 Department of Justice policy restricting use of compulsory process to obtain reporter information, calling the policy "essential to protecting press freedoms and maintaining the critical balance between national security and upholding the First Amendment." Do you agree?

Yes.

Interrogation, Detention and Rendition

QUESTION 65: You served as FBI Assistant General Counsel in Washington, D.C., and Guantanamo Bay, Cuba, between 2004 and 2006. Please describe the issues you worked on, including with regard to DOD and CIA detainees at Guantanamo.

I worked on legal reviews of detainee risk assessments as well as the provision of legal advice during the transfer of detainees from CIA to FBI custody.

QUESTION 66: 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 absolutely binding on the Intelligence Community and the President?

Yes.

QUESTION 67: 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.

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

The terms "effective control" and "owned, operated, or controlled" involve legal and operational considerations that are evaluated on a case-by-case basis, taking into account factors such as the degree of authority or influence exercised by U.S. personnel and the nature of the facility's management. These determinations require careful legal analysis to ensure compliance with statutory requirements and international obligations. If confirmed, I would work closely with other legal experts at relevant agencies to ensure any actions involving detainees align with U.S. laws, policies, and ethical standards.

QUESTION 68: Section 1045 states that: "The 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 Intelligence Community and the President?

I believe you refer to section 2000dd-2(b)(1) of Title 42. If so, yes that provision is binding on the Intelligence Community and the President.

QUESTION 69: Executive Order 13491 prohibits the CIA from operating any detention facility except to hold people "on a short-term, transitory basis." Do you support this provision? How would you define "short-term" and "transitory"?

The specific definitions of "short-term" and "transitory" require careful consultation with legal and policy experts to ensure compliance with the Executive Order and alignment with national security objectives as well as the United States' commitment to lawful and ethical detention practices.

QUESTION 70: Do you agree that Intelligence Community 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.

QUESTION 71: 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?

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

c. What responsibility does the Intelligence Community have not to provide support to operations conducted by other elements of the United States Government that violate this obligation?

I understand that the necessity and reliability of written "diplomatic assurances" must be carefully evaluated on a case-by-case basis, particularly when dealing with countries with records of torture. If accepted, such assurances should be subject to rigorous verification and monitoring mechanisms to ensure compliance with U.S. obligations under the Convention Against Torture. The United States Government as a whole, not just the IC, has a shared obligation under the Convention Against Torture. The IC will support our federal counterparts in line with that obligation.

Lethal Operations

QUESTION 72: 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?

Even if rare, targeting or knowingly killing a U.S. person in a U.S. Government lethal operation is a grave action that raises serious constitutional, legal, and policy implications. In partnership with my IC colleagues and lawyers from across the U.S. Government, I will support the DNI's efforts to ensure that such actions adhere to Constitutional due process guarantees. Consistent with the need to protect classified or otherwise sensitive information, I would advocate for maximum public transparency about such operations to both build public trust about such actions and safeguard national security.

Competitive Advantage

QUESTION 73: The October 7, 2022, Executive Order 14086 on Enhancing Safeguards for United States Signals Intelligence Activities states: "It is not a legitimate objective to collect foreign private commercial information or trade secrets to afford a competitive advantage to United States companies and United States business sectors commercially. The collection of such information is authorized only to protect the national security of the United States."

a. Do you agree with these limitations and should they apply to non-SIGINT activities?

Yes, I support the general principle of focusing intelligence collection on national security objectives.

b. Will you commit to informing the public of any modifications to the policy?

I understand that any amendments to the Executive Order would be inherently public. Otherwise, if warranted, modifications to IC element implementing policies should be communicated to Congress and, when consistent with national security interests, the public.

QUESTION 74: How would you guard against the use of the Intelligence Community's collection or analytical capabilities to afford a competitive advantage to particular companies or business sectors?

If confirmed, I would support the DNI's efforts to enforce strict adherence to legal frameworks, such as Executive Order 12333 and Executive Order 14086, which limit collection and dissemination of intelligence to national security objectives. I will also have the opportunity to consider whether current oversight mechanisms, including audits and regular reviews by Inspectors General, work in practice and consider whether any additional requirements are necessary. Finally, I would ensure that the Office of General Counsel plays an active role in supporting and maintaining clear internal policies, rigorous training, and conducting legal reviews that would reinforce the IC's unbiased intelligence mission, preventing any activities that could unfairly benefit specific companies or sectors.

QUESTION 75: How will you ensure that authorized economic intelligence activities (e.g. to identify trade or sanctions violations or government influence or direction) are not undertaken in such a way as to advantage certain companies over others?

The IC operates within a strict legal and ethical framework designed to ensure its intelligence activities are conducted in alignment with national security priorities and free from improper influence. If confirmed, I will review whether that framework is sufficient and work with this Committee and other oversight bodies to maximize its effectiveness.

Congress

QUESTION 76: In December 2024, the Department of Justice Office of the Inspector General released "A Review of the Department of Justice's Issuance of Compulsory Process to Obtain Records of Members of Congress, Congressional

staffers, and Members of the News Media." During her confirmation process, Director Gabbard wrote the following with regard to the OIG review:

> *"The collection of communications records of congressional Members and staff, particularly when based solely on their constitutionally authorized oversight duties, is a significant breach of the constitution and separation of powers. Such actions risk chilling legitimate oversight and creating the appearance of executive branch interference in legislative activities. Safeguards must ensure that intelligence and investigative activities respect the independence of co-equal branches of government.*
>
> *I support the policy changes outlined in the OIG Review that aim to address these concerns and ensure appropriate checks are in place. Further policy adjustments, such as heightened internal review and oversight, may be necessary to strengthen protections for congressional communications.*
>
> *Any effort to collect such records should undergo the most rigorous scrutiny, including notifying Congress when appropriate, balancing security and transparency concerns, and informing the issuing judge that the targets are congressional Members or staff so constitutional implications can be fully considered. If confirmed, I would work to uphold these principles while safeguarding national security and civil liberties."*

a. Do you agree with Director Gabbard's concerns and would you likewise work to uphold these principles?

Yes.

b. Do you support the policy changes described in the OIG Review? Do you believe further policy changes should be made?

Yes. If confirmed, I will study this matter more closely and assess whether additional policy changes are warranted.

c. Do you agree that Congress should be notified prior to any collection of communications or communications records of Members or staff? If yes, who in Congress should be notified?

Any effort to collect such records should undergo the most rigorous scrutiny so that such actions do not risk chilling legitimate oversight or creating the appearance of executive branch interference in legislative activities. That scrutiny includes including notifying Congress, when appropriate, and balancing security and transparency concerns.

d. Do you agree that the government should inform the judge issuing an order for compulsory process or a non-disclosure order that the targets are congressional Members or staff so that the judge can consider the constitutional implications?

Yes, the government should inform the issuing judge for an order for compulsory process when targets are congressional Members or staff so that the Court can fully consider constitutional implications.

Intelligence Community Inspector General

QUESTION 77: 50 USC § 3033(i) establishes that the Inspector General of the Intelligence Community shall appoint a Counsel to the Inspector General who shall report to the Inspector General or obtain the services of a counsel appointed by and directly reporting to another inspector general or the Council of the Inspectors General on Integrity and Efficiency on a reimbursable basis. Do you agree that the IC IG shall be counseled and advised independently on OIG-related legal matters by attorneys who are answerable only to the IG?

Yes. Like the DNI, I believe that the IC IG's independence is essential to ensure oversight and accountability in the IC.

QUESTION 78: 50 USC § 3033(j)(3) states that: "Consistent with budgetary and personnel resources allocated by the Director of National Intelligence, the Inspector General has final approval of the selection of internal and external candidates for employment with the Office of the Inspector General; and all other personnel decisions concerning personnel permanently assigned to the Office of the Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of a component of the Office of the Director of National Intelligence." Do you agree that the Inspector General has final approval overall employment decisions related to the OIG, including hiring, assignments, firings, transfers, and involuntary administrative leaves?

Pursuant to Section 103H(j)(3), the IC IG has final approval of the selection of internal and external candidates for employment with IC IG and over all other personnel decisions concerning personnel permanently assigned to the IC IG office. I have not had the occasion to consider Inspector General authorities in depth. If confirmed, however, I would partner with the counsel to IC IG and other IC elements' General Counsels to ensure that IC IG can properly exercise the authorities needed to ensure independent oversight and accountability of the IC.

Reprogramming

QUESTION 79: Section 102A(d) of the National Security Act of 1947 sets forth the role of the Director or National Intelligence in the transfer or reprogramming of funds made available under the National Intelligence Program (NIP). Section 102A(d) also provides that a transfer or reprogramming of NIP funds is permissible "only if . . . the funds are being transferred to an activity that is a higher priority intelligence activity." Do you agree that funds authorized and appropriated for the NIP may only be transferred or reprogrammed as authorized by Section 102A(d) of the National Security Act?

Section 102A(d) provides the DNI with transfer and reprogramming authorities with respect to funds appropriated for a program within the NIP. To use that authority, the statutory conditions need to be satisfied, including that the funds be transferred to an activity that is a higher priority intelligence activity.

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE

Post-Hearing Questions for the Record for

John Dever

Upon his nomination to be

General Counsel of the Office of the Director of National Intelligence

Questions from Vice Chairman Warner

QUESTION 1: You testified that you believed the Director of National Intelligence (DNI)'s actions were legal, when she installed a "Senior Advisor" in the Intelligence Community Inspector General (IC IG)'s office without the IC IG's consent, who reports to the DNI but works in the IG's office spaces, and when she fired the IC IG's counsel. Please provide your understanding of the legal basis for these actions.

I have not advised the DNI on this matter and thus am not privy to all of the facts related to the appointment of a Senior Advisor to the IC IG's office. However, my understanding is that the Senior Advisor serves as a liaison between the DNI and the IC IG. Such a role seems consistent with the DNI's employment authorities under the National Security Act. Based on that construct, the Senior Advisor remains under DNI's authority and control, coordinates matters between ODNI and the IC IG, but is not involved in matters that require the exercise of IC IG authorities, such as investigations of fraud and misuse of government resources.

QUESTION 2: In response to a question from the Chairman, you testified that foreign spies do not enjoy any Constitutional rights while inside the United States, to include Fourth Amendment protections. However, the Federal Courts have consistently held that certain Constitutional rights apply to "all persons" inside the United States, including rights guaranteed by the Fifth and Sixth Amendments. For example, in *Zadvydas v. Davis,* 533 U.S. 678, 693 (2001), the Supreme Court held that "[T]he Due Process Clause applies to all persons within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent."

In addition, Titles I and III of Foreign Intelligence Surveillance Act of 1978 (FISA) are premised, in significant part, on the assumption that persons in the United States generally possess Fourth Amendment rights that protect them from unreasonable searches and seizures, regardless of nationality. Among other things, enforcing such rights ensures that government assertions that an individual is a "foreign spy" are tested by the courts.

According to the Office of the Director of National Intelligence's Annual Statistical Transparency Report, in 2024 the government obtained court orders pursuant to Titles I and III of FISA to conduct electronic surveillance or physical searches within the United States targeting an estimated 543 non-U.S. persons, to include agents of foreign powers engaged in clandestine intelligence activities in the Unites States.

A. Please describe the circumstances in which you believe the government

may deprive persons inside the United States of Constitutional rights that the Supreme Court or other Federal Courts have determined apply to "all persons".

B. Under what circumstances should the government be permitted to conduct searches and seizures targeting persons in the United States without court authorization or probable cause?

Thank you for the opportunity to clarify my testimony during the hearing.

Both Title I and Title III of FISA allow the Attorney General to authorize electronic surveillance or physical searches without a court order against foreign powers, to include *property under the exclusive control or use of a foreign power*, for foreign intelligence purposes within the United States. This is contrary to the general requirement under the Fourth Amendment for a court order, in recognition that *such* property is immune from U.S. jurisdiction and therefore not subject to the Fourth Amendment protections. Similarly, in *Verdugo-Urquidez*, the Supreme Court held that individuals must have sufficient connection with the United States in order to enjoy Fourth Amendment protections. Thus, the specific rights to which an individual is entitled can be fact-specific.

Because the question referred to the individual in the hypothetical as a foreign spy, my understanding of the question was that the individual in question would have already undergone trial and have been convicted of espionage by a jury of their peers. Of course, as noted, all individuals in the United States are entitled to due process and the criminal procedure protections afforded by Fifth and Sixth Amendments. Moreover, FISA extends many Fourth Amendment protections from criminal procedure into the national security space. Individuals in the United States, including those accused of espionage, thus have both Constitutional and statutory protections.

Questions from Senator Wyden

QUESTION 3: The Intelligence Community Inspector General's authorities for "personnel decisions concerning personnel permanently assigned to the Office of Inspector General" (50 U.S.C. §3033(j)(3)(B)) were included in S. 1494, the Intelligence Authorization Act for Fiscal Year 2010 (P.L. 111-259). The report accompanying that bill (S. Rept. 111-55) noted that the Senate Intelligence Committee added that language following passage of the Inspector General Reform

Act of 2008 (P.L. 110-409). As the Committee report stated: "In light of this recent determination by the Congress to protect and augment the authority of Inspectors General throughout the Government, the Committee has provided for conforming changes in the IG provision it is now reporting." The Inspector General Reform Act of 2008 established that "each Office of Inspector General shall be considered to be a separate agency" and "the Inspector General who is the head of an office… shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions." In light of this legislative history, do you agree that the IG's authorities related to "personnel permanently assigned to the Office of Inspector General" apply to all OIG personnel not detailed from another agency?

The ODNI Office of General Counsel would principally rely on the statutory language in the National Security Act when advising on IC IG authorities. If confirmed, I look forward to reviewing ODNI OGC's current interpretation of these provisions and to collaborate with IC IG counsel and this committee, as appropriate, to maximize those authorities and identify in necessary changes.

QUESTION 4: Do you agree that any interpretation of 50 U.S.C. §3033(j)(3)(B) that would grant the IG authorities related to some OIG personnel but not others (i.e., non-probationary employees but not probationary employees) is illogical and unworkable from an administrative and management perspective?

My understanding is that this interpretation relies upon ODNI Instruction 75.03 (2006-1), which establishes that all ODNI employees, including those assigned to the IC IG Office, must successfully complete a two-year trial period prior to certification as permanent career employees. Pursuant to that policy, an ODNI employee is not considered a permanent employee until the employee is certified out of the trial period. ODNI issued the instruction in 2006 pursuant to the DNI's authorities, as codified in 50 U.S.C. §§ 3024(m) and 3036(e), which authorize the DNI to establish ODNI personnel policies.

50 U.S.C. §3033(j)(3)(B) states that the IC IG has final approval authority over "all other personnel decisions concerning personnel permanently assigned" to the IC IG Office other than security-based determinations. Thus, while the interpretation adds a level of complexity to the personnel management responsibilities of the IC IG with regards to probationary employees, it is consistent with the current statutory language that extends IC IG authorities only to permanently assigned personnel.

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