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*1st Session* }

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R E P O R T  
OF THE  
SELECT COMMITTEE ON INTELLIGENCE  
UNITED STATES SENATE  
COVERING THE PERIOD  
JANUARY 3, 2017  
TO  
JANUARY 3, 2019



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During the period covered by this report, the composition of the Select Committee on Intelligence was as follows:

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## PREFACE

The Select Committee on Intelligence submits to the Senate this report on its activities from January 3, 2017, to January 3, 2019. This report also includes references to activities underway at the conclusion of the 115th Congress that the Committee expects to continue into the future.

Senate Resolution 400 of the 94th Congress charges the Committee with oversight responsibility for the programs and activities of the United States Intelligence Community (IC). The Committee conducts the preponderance of its oversight work in secret. Accordingly, much of this information cannot be discussed publicly in order to protect sensitive sources and methods. Nevertheless, the Select Committee on Intelligence has submitted activity reports on a biennial basis since 1977 to provide the American public with information about its intelligence oversight efforts. We submit this report to the Senate in furtherance of this practice.

We also take this opportunity to thank all of the Members of the Committee in the 115th Congress. In particular, we take special note to thank both Senator Lankford and Senator Manchin for their valuable contributions made during the 115th Congress. We also honor Senator McCain who served on the Committee in the capacity of an ex officio (non-voting) member from the 110th Congress until he passed away on August 25, 2018. His commitment to the Committee's important work helped to ensure an adaptive and capable IC, as well as a secure nation amidst a time of global instability.

We also express our sincerest gratitude for the work of the Committee's staff during the 115th Congress. In particular, we honor the life and work of Professional Staff Member Matthew Young Pollard who passed away suddenly on April 24, 2018. We also thank April Doss, Mark Egan, Michael Geffroy, Ryan Kaldahl, Hayden Milberg, Desiree Sayle, Kerry Suttin, and Ryan Tully for their service to this Committee. The professionalism and dedication of both the Members and Staff were essential to the Committee's fulfillment of its oversight mandate.

RICHARD BURR,  
*Chairman.*

MARK R. WARNER,  
*Vice Chairman.*



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## COMMITTEE ACTIVITIES

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MARCH 28, 2019.—Ordered to be printed  
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Mr. BURR, from the Select Committee on Intelligence,  
submitted the following

## R E P O R T

### I. INTRODUCTION

The Committee fulfilled its many oversight responsibilities by regularly interacting with Intelligence Community (IC) senior leaders, conducting numerous hearings and briefings, traveling abroad, and visiting domestic IC facilities. The Committee also considered numerous nominations to positions in the IC.

As described in Part II of this report, the Committee's paramount legislative priority and achievement in the 115th Congress was consideration and Senate passage of legislation to reauthorize critical intelligence authorities against foreign targets, as set forth in Title VII of the Foreign Intelligence Surveillance Act of 2008 (most notably against foreigners located abroad under Section 702) for six years, through December 31, 2023. Additionally, the Committee passed the Intelligence Authorization Act of 2017 (Public Law 115–31) signed by the President on May 5, 2017, which authorized funding for intelligence and intelligence-related activities of the U.S. Government and included a number of legislative provisions. The Committee also favorably reported out the Intelligence Authorization Acts for both 2018 and 2019.

Throughout the 115th Congress, the Committee routinely reviewed the IC's efforts to protect our national interests—at home and abroad—against the unpredictable and evolving terrorism threat, while safeguarding citizens' privacy and civil liberties. Similarly, the Committee made the IC's preparedness to warn of, and defend against, the cyber capabilities of adversary nations and non-state actors, a regular point of inquiry in hearings, briefings, and roundtable discussions with IC leadership. Finally, by means of hearings, staff briefings, site visits, and other interactions with the IC, the Committee exercised focused oversight of the IC's performance relative to Russia, China, North Korea, Iran, Syria, Iraq, Afghanistan, and Pakistan.

In addition, the Committee continued its bipartisan investigation into Russian interference in the 2016 U.S. elections that began in January 2017. As of the report, Committee staff had interviewed over 200 witnesses and reviewed more than 300,000 pages of documents from the IC and third parties. The Committee has held ten open hearings related to the investigation, covering topics ranging from election security to online disinformation efforts by foreign adversaries. The Chairman and Vice Chairman also released unclassified preliminary findings and recommendations on May 8, 2018, and July 3, 2018, that are available on the Committee website.

## II. LEGISLATION

During the 115th Congress, the Committee worked with the Senate Judiciary Committee and other Senate Committees to ensure IC perspectives were represented in development of the Clarifying Lawful Overseas Use of Data (CLOUD) Act to promote information sharing. This bill, which Chairman Burr and Vice-Chairman Warner co-sponsored, was enacted into law on March 23, 2018 (P.L. 115–141). In addition, the Committee worked with Senate and House Members on the successful passage of the FISA Amendments Reauthorization Act of 2017. The Committee also completed work on an Intelligence Authorization Act for Fiscal Year 2017 and Fiscal Year 2018.

### A. FISA AMENDMENTS REAUTHORIZATION ACT OF 2017

The FISA Amendments Reauthorization Act of 2017 (S. 139, P.L. 115–118) (hereinafter, “FISA Act”) was enacted on January 19, 2018. The House of Representatives passed the FISA Act on January 11, 2018, and the Senate passed the FISA Act on January 18, 2018. The FISA Act reauthorized critical intelligence authorities against foreign targets, as set forth in Title VII of the Foreign Intelligence Surveillance Act of 2008, while providing enhanced transparency and privacy protections for Americans and individuals in the United States. The FISA Act’s provisions include:

- A requirement for the IC to provide specific querying procedures to the Foreign Intelligence Surveillance Court (FISC) and to Congress, which the FISC must certify as compliant with the Fourth Amendment;
- A requirement for the Federal Bureau of Investigation (FBI) to obtain a court order for specific U.S. Person queries;
- A requirement for the Department of Justice Inspector General to conduct a review and issue a report on the FBI’s querying procedures and practices;
- A limitation on the use of foreign intelligence collected under FISA Section 702 as evidence against U.S. Persons, except as authorized by either a court order or if the Attorney General determines there is a threat to national security or to individuals under certain circumstances, such as death or serious bodily harm;
- A limitation on the IC’s collection of communications that reference a non-U.S. person targeted for collection under FISA Section 702, but are not “to” or “from” that target (also known as “Abouts” collection);

- A requirement for *amicus* representation before the FISC, should the government request further FISC review of Abouts collection;
- Permission for the FISC to compensate legal and technical experts that serve as *amici*;
- A requirement that the DNI, in consultation with the Attorney General, review and declassify (to the extent possible) the IC's minimization procedures relevant to FISA Section 702;
- Permission for the Privacy and Civil Liberties Oversight Board (PCLOB) to operate in a manner consistent with classified-based meetings, as well as to hire staff if the PCLOB Chair position is vacant;
- A requirement that certain IC elements maintain privacy and civil liberties officers;
- Protections for IC contractors who report fraud, waste, and abuse;
- Increases the penalty for unauthorized removal and retention of classified documents or material from one year to five years; and
- A sunset of December 31, 2023, thereby ensuring that Congress will revisit the Title VII authorities within six years.

#### B. INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

In the 115th Congress, the Committee continued to view enactment of annual intelligence authorization acts as a primary means of its oversight of the IC. The Committee worked with the House Permanent Select Committee on Intelligence (HPSCI) to secure passage of a joint Intelligence Authorization Act for Fiscal Year 2017. The Committee's budget monitors also evaluated the Fiscal Years 2018 and 2019 National Intelligence Program and Military Intelligence Program.

The intelligence entities covered by the annual budget reviews included: the Office of the Director of National Intelligence (ODNI), the Central Intelligence Agency (CIA), the Defense Intelligence Agency (DIA), the National Security Agency (NSA), the National Geospatial-Intelligence Agency (NGA), the National Reconnaissance Office (NRO), the intelligence capabilities of the military services and the U.S. Coast Guard, and, the intelligence-related components of the Federal Bureau of Intelligence (FBI), as well as the Departments of State, Treasury, Energy, and Homeland Security, and the Drug Enforcement Administration.

As part of its budget review, the Committee received testimony from senior IC officials in closed hearings. Additionally, Committee budget monitors evaluated classified budget justifications submitted by the Executive Branch. Based on those reviews, the Committee prepared a classified annex to its annual authorization bill and report. This annex contained a classified schedule of authorizations and classified direction to IC elements.

The Committee also reviewed the Administration's legislative proposals for the public part of the fiscal year 2017 bill, which included new or amended legislative authority for the IC. In addition to the consideration and inclusion of a number of these proposals, the Committee also considered and approved other measures based upon the information it gathered while performing its oversight duties.

The Committee favorably reported out the Intelligence Authorization Act for Fiscal Year 2017 (S. 3017) on June 6, 2016, and an accompanying report (S. Rpt. 114–277) on June 15, 2016. The House of Representatives passed an Intelligence Authorization Act for Fiscal Year 2017 (H.R. 5077) on May 24, 2016, by a roll call vote of 371–35. The Committee proceeded to work with the HPSCI and other congressional committees on a final version of the legislation. The House of Representatives passed two amended versions of the Intelligence Authorization Act for Fiscal Year 2017: H.R. 6393 on November 20, 2016, by a roll call vote of 390–30; and H.R. 6480 on December 8, 2016, under suspension of the House Rules.

The full Senate did not consider S. 3017 for passage before the 114th Congress concluded. At the beginning of the 115th Congress, the Committee reintroduced the Intelligence Authorization Act for Fiscal Year 2017, which reflected the earlier joint work with the House Permanent Select Committee on Intelligence. The committee reported the bill (S. 133) and accompanying report on January 20, 2017. It was included as Division N of the Consolidated Appropriations Act, 2017 (H.R. 244). The House passed H.R. 244 on May 3, 2017, by a roll call vote of 309–118. The Senate passed H.R. 244 on May 4, 2017, by a roll call vote of 79–18. The President signed H.R. 244 into law on May 5, 2017 (Public Law 115–31).

As enacted, the Intelligence Authorization Act for Fiscal Year 2017 authorizes funding for intelligence and intelligence-related activities across the U.S. Government and includes a classified schedule of authorizations and a classified annex. The Act contained a number of legislative provisions, including:

- Requiring the DNI to submit a five-year strategy for outreach and recruiting efforts in the fields of science, technology, engineering, and mathematics (STEM);
- Authorizing a higher pay scale for IC employees with STEM experience;
- Requiring the DNI to develop and implement a uniform policy for each identified Inspector General (IG) office in the IC to better ensure their independence;
- Directing the DNI to submit analytic assessments of a review or an investigation of proposed investments into the United States, including national security threat assessments provided to the Committee on Foreign Investment in the United States (CFIUS);
- Requiring the President to establish an interagency committee to counter active measures by the Russian Federation that constitute Russian actions to exert covert influence over peoples and governments;
- Requiring the Secretary of State, in coordination with the Director of the FBI and the DNI, to establish an advance notification regime governing all Russian Federation accredited diplomatic and consular personnel in the United States;
- Requiring the DNI to determine the feasibility of an intelligence sharing arrangement and database among parties to the Open Skies Treaty (OST) with higher frequency, quality, and efficiency and provide an intelligence assessment on Russian Federation warfighting doctrine and the extent to which Russian Federation flights under the OST contribute to its warfighting doctrine;

- Requiring the DNI, in consultation with the Secretary of Defense, to submit a plan to functionally integrate the IC's governance, operations, analysis, collection, policy, and acquisition activities related to space and counterspace;
- Requiring the DNI to review and report on the Government's system for classifying and declassifying national security information to improve the protection of such information, enable information sharing with allies and partners, and support appropriate declassification;
- Requiring the DNI to develop and brief the congressional intelligence committees on a plan, with milestones and benchmarks, to implement a R&D Reserve Corps, as recommended in 2013 by the bipartisan National Commission for the Review of the R&D Programs of the IC;
- Directing the DNI to submit to the congressional intelligence committees a report on foreign fighter flows to and from terrorist safe havens abroad; and
- Directing the Under Secretary of Homeland Security for Intelligence and Analysis (I&A) to submit to the congressional intelligence committees a report on the cybersecurity threats to seaports of the United States and maritime shipping.

#### C. INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018

In early 2017, the Committee began its consideration of the President's request for funding levels and legislative authority for Fiscal Year 2018. The Committee's budget monitors evaluated the budget requests submitted by the Executive Branch. Committee staff received a number of briefings, and the Committee conducted classified budget hearings.

The Committee reported the Intelligence Authorization Act for Fiscal Year 2018 (S. 1761) on August 18, 2017, and an accompanying report (S. Rpt. 115–151) on September 7, 2017. The House of Representatives passed an Intelligence Authorization Act for Fiscal Year 2018 (H.R. 3180) on July 28, 2017, by a roll call vote of 380–35. The Committee proceeded to work with the House Permanent Select Committee on Intelligence and other congressional committees on a final version of the legislation. The full Senate did not bring S. 1761 to the Floor for passage.

The Committee's Intelligence Authorization Act for Fiscal Year 2018 authorized funding for intelligence and intelligence-related activities across the U.S. Government and included a classified schedule of authorizations and a classified annex. The Act contained a number of legislative provisions, including:

- Providing an increased yearly cap for STEM employee positions in the IC who perform critical cyber missions;
- Requiring the DNI to establish a task force to standardize information sharing between the IC and the United States Government acquisition community with respect to supply chain and counterintelligence risks;
- Requiring each designated Inspector General (IG) to report on the application of classification and handling markings, to include compartments, including an analysis of compliance with declassification procedures;

- Requiring the DNI to share information related to threats to election systems and to the integrity of the election process with relevant cleared officials;
- Establishing a pilot program with the National Labs and energy sector to protect against security vulnerabilities and a working group to develop a national cyber-informed engineering strategy to defend covered entities;
- Establishing an interagency council to govern processes for security clearances, suitability and fitness for employment, and credentialing;
- Codifying the DNI as the government's Security Executive Agent and the Director of the Officer of Personnel Management as the government's Suitability Executive Agent and the Credentialing Executive Agent, specifying roles and responsibilities for each;
- Directing the DNI to establish a policy on the issuance of interim security clearances and to establish a policy for consistent treatment in the security clearance process for government and contractor personnel;
- Requiring the IC to report on agencies' vulnerabilities equities policies and processes, as well as a strategic plan to implement bug bounty programs at appropriate agencies and departments;
- Directing the IC to assess and report on cyber attacks against U.S. election infrastructure, Russian efforts to interfere with the 2016 presidential election, and security vulnerabilities of state election systems;
- Prohibiting the Government from expending funds to establish or support a cybersecurity unit or other cyber agreement between the U.S. and Russia, unless the DNI provides notice;
- Requiring the DNI to report on the threat of Russian money laundering to the United States;
- Requiring notifications on active measures campaigns, as well as Russian diplomatic or consular travel;
- Requiring an IC working group on foreign investment risks, with biennial reporting;
- Requiring the Director of the National Geospatial-Intelligence Agency (NGA) to report on the authorities necessary to engage in commercial activities to engage in specified basic and applied research, data transfers, and development projects; and
- Providing a Sense of Congress that WikiLeaks and its senior leadership resemble a non-state hostile intelligence service, often abetted by state actors, and should be treated as such.

#### D. DAMON PAUL NELSON AND MATTHEW YOUNG POLLARD INTEL- LIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018 AND 2019

In early 2018, while still pursuing the joint bill for Fiscal Year 2018, the Committee considered the President's requests for funding levels and legislative authority for Fiscal Year 2019. Again, the Committee's budget monitors evaluated the budget requests submitted by the Executive Branch. Committee staff received a number of briefings, and the Committee conducted classified budget hearings.

The Committee reported the Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019 (S. 3153) on June 28, 2018, and subsequently reported an accompanying report (S. Rpt. 115–298) on July 11, 2018. The House of Representatives passed the Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2019 (H.R. 6237) on July 12, 2018, by a roll call vote of 363–54. The Committee proceeded to work with the House Permanent Select Committee on Intelligence and other congressional committees on a final version of the legislation. The full Senate did not consider S. 3153 for passage.

The Committee’s Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019 authorized funding for intelligence and intelligence-related activities across the U.S. Government and included a classified schedule of authorizations and a classified annex. The Act contained a number of legislative provisions, including:

- Providing an increased pay scale for STEM and cyber mission-specific IC employees;
- Requiring the DNI to establish a task force to standardize information sharing between the IC and the Government acquisition community with respect to supply chain and counter-intelligence risks;
- Requiring the IC, when entering into foreign intelligence sharing agreements, to consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by United States adversaries or entities thereof;
- Permitting the DNI to provide cyber protection support for the personal technology devices and personal accounts of certain IC personnel;
- Extending certain IC procurement authorities to manage and protect against supply chain risks;
- Prohibiting an IC officer who is nominated to a Senate-confirmed position from making certain classification determinations posing potential conflicts of interest regarding that nominee;
- Requiring the DNI to submit a plan for each IC element’s efforts in recruitment from rural and underrepresented regions;
- Authorizing the Director of the CIA to support personnel assigned to an austere overseas location, and to provide enhanced injury benefits to a covered employee or qualifying dependents who suffer an injury overseas due to war, insurgency, hostile act, or terrorist activities;
- Requiring the Secretary of Defense and the DNI to jointly develop a framework for the roles, missions, and functions of the Defense Intelligence Agency as an intelligence community element and combat support agency;
- Requiring the DNI to submit a report on the Director’s review of the IC’s posture to collect against and analyze Russian efforts to interfere with the 2016 United States presidential election;
- Requiring the DNI to begin assessments of security vulnerabilities of State election systems one year before regularly scheduled Federal elections;

- Requiring the DNI to develop a whole-of-government strategy for countering Russian cyber threats against United States electoral systems and processes, and to provide an assessment of past and ongoing Russian influence campaigns against foreign elections and referenda;
- Requiring the DNI to publish regular public advisory reports on foreign counterintelligence and cybersecurity threats to federal election campaigns before those elections take place;
- Requiring the DNI to sponsor security clearances for each eligible chief election official of a State, territory, or the District of Columbia (and additional eligible designees), up to the Top Secret level;
- Requiring the DNI to designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate election security-related counterintelligence matters;
- Holding the executive branch accountable for transforming a security clearance process that has largely not changed in 70 years;
- Taking steps necessary to reduce the background investigation backlog, ensuring SECRET clearances are processed within 30 days and TOP SECRET clearances within 90 days;
- Requiring policies to ensure government and contract employees are treated the same; clearances are recognized across agencies more readily; and interim clearances are granted in a consistent manner;
- Strengthening oversight by codifying the DNI as the government's Security Executive Agent and requiring transparent reporting of the costs of clearances;
- Requiring greater use of automation, publicly available data, and innovative practices in the clearance process;
- Prohibiting the Government from expending funds to establish or support a cybersecurity unit or other cyber agreement by the U.S. and Russia, unless the DNI provides notice;
- Requiring the IC to submit reports on the intelligence risks of returning the diplomatic compounds taken from Russia as a reprisal for Russian meddling in the 2016 United States presidential election;
- Requiring the DNI to submit an assessment of Russian threat finance activities to include global nodes and entry points for Russian money laundering and resulting counterintelligence threats;
- Requiring the DNI to provide notice each time the DNI has determined there is credible information that a foreign power has attempted, is attempting, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense;
- Requiring the Secretary of State, in coordination with the Director of the FBI and the DNI, to establish an advance notification regime governing all Russian Federation accredited diplomatic and consular personnel in the United States;
- Requiring the DNI to submit a report on known attempts by foreign governments to exploit cybersecurity vulnerabilities in U.S. telecommunications networks to surveil U.S. persons,

and actions that the IC has taken to protect U.S. agencies and personnel from such surveillance;

- Requiring the DNI to establish an IC working group and submit a biennial report on foreign investment risks;
- Requiring the DNI, within 72 hours after a covered foreign intelligence officer is designated as persona non grata, to submit a notification of that designation and justification for the expulsion;
- Requiring the DNI to submit a report every five years on the implications of global water insecurity on the United States' national security interests;
- Expanding IC reporting requirements on the diversity of IC personnel;
- Reauthorizing the Public Interest Declassification Board through 2028;
- Providing a Sense of Congress that WikiLeaks and its senior leadership resemble a non-state hostile intelligence service, often abetted by state actors, and should be treated as such.

### III. OVERSIGHT ACTIVITIES

#### A. HEARINGS

##### 1. *Worldwide Threat Hearings*

The Committee has held annual open hearings to review the IC's assessment of the current and projected national security threats to the United States since 1994. These "Worldwide Threat" hearings cover national security concerns in all geographic regions, as well as transnational threats such as terrorism and the malicious cyber activity of non-state actors.

On May 11, 2017, the Committee held an open Worldwide Threat hearing on the current and projected threats the United States faces around the world. The Director of National Intelligence, Daniel Coats, was the principal witness and was joined by Mike Pompeo, Director of the CIA; Admiral Michael Rogers, Director of the NSA; Lieutenant General Vincent Stewart, Director of the Defense Intelligence Agency; Robert Cardillo, Director the National Geospatial-Intelligence Agency; and Andrew McCabe, Acting Director of the FBI. Director Coats's unclassified prepared statement for the record is available in the Hearings section of the Committee's website, along with a video recording of the full open hearing.

At the hearing, Director Coats characterized the threat environment as "ever expanding," and noted that the complexity of the threat landscape "has challenged the IC to stay ahead of the adversary." Director Coats offered IC topline assessments concerning several adversary nations, remarking that Russia was likely to be "more aggressive in foreign and global affairs, more unpredictable in its approach to the United States, and more authoritarian in its approach to domestic policies and politics," adding that China would "pursue efforts aimed at fulfilling its ambitious 'One Belt, One Road' initiative to expand their strategic influence and economic role across Asia through infrastructure projects." On cyber threats, Director Coats noted that U.S. adversaries are becoming "bolder, more capable, and more adept at using cyber space to threaten our interests and shape real-world outcomes."

On February 13, 2018, in the second session of the 115th Congress, the Committee again held an open Worldwide Threat hearing. Director Coats presented an opening statement on behalf of the IC, and was joined at the witness table by Mike Pompeo, Director of the CIA; Admiral Michael Rogers, Director of the NSA; Lieutenant General Robert Ashley, Director of the DIA; Robert Cardillo, Director of the NGA; and Christopher Wray, Director of the FBI. Director Coats's unclassified prepared statement for the record is available in the Hearings section of the Committee's website, along with a video recording of the full open hearing, and submitted responses to Questions for the Record.

Speaking to a threat environment that was characterized as "complex, volatile, and challenging," Director Coats noted that the risk of inter-state conflict was "higher than at any time since the end of the Cold War." Director Coats also noted that U.S. adversaries as well as other malign actors are "using cyber and other instruments of power to shape societies and markets, international rules and institutions, and international hot spots to their advantage." Director Coats continued the assessment by describing the U.S. as having "entered a period that can best be described as a race for technological superiority against our adversaries, who seek to sow division in the United States and weaken U.S. leadership."

Concerning East Asia, Director Coats indicated that North Korea "continues to pose an ever more increasing threat to the United States and its interests," adding that "Pyongyang has repeatedly stated that it does not intend to negotiate its nuclear weapons and missiles away, because the regime views nuclear weapons as critical to its security. North Korean Chairman Kim also probably sees nuclear ICBMs as leverage to achieve his long-term strategic ambition to end Seoul's alliance with Washington and to eventually dominate the peninsula."

## *2. USA FREEDOM Act*

Committee staff have continued to monitor implementation of the USA FREEDOM Act (H.R. 2048, P.L. 114-23), as enacted on June 2, 2015 and, particularly, the modifications to the "business records" program authorized under Section 215, to assess its utility as a counterterrorism tool. Committee staff also began the preliminary consideration of the Committee's response to the upcoming sunset of these authorities in 2019.

## *3. Security Clearance Reform*

The Committee addressed the security clearance process during the 115th Congress to assess its effectiveness, timeliness, and cost. The process has remained largely unchanged since 1947 and suffers from an increase in the background investigation inventory with timelines for processing clearance requests that far exceed timeliness targets set in the Intelligence Reform and Terrorism Prevention Act of 2004. The Committee held an open hearing on the topic on March 7, 2018 featuring Mr. Charles Phalen, Director of the National Background Investigation Bureau; Mr. Daniel Payne, Director of the Department of Defense's Defense Security Service; Mr. Brian Dunbar, Deputy Director of the National Counterintelligence and Security Center; Mr. Garry Reid of the Office of the Under Secretary of Defense for Intelligence; Ms. Brenda Farrell

of the Government Accountability Office; Mr. Kevin Phillips of the ManTech International Corporation; Mr. David Berteau of the Professional Services Council, and Ms. Jane Chappell of the Raytheon Corporation. Witness testimony and the hearing transcript are available on the Committee's website. The Committee also held a closed hearing on this topic in 2017 with representatives from the Intelligence Community.

The Committee hosted quarterly briefings with principals from the Office of Management and Budget-led interagency Performance Accountability Council from the OMB, Office of the DNI, Under Secretary of Defense for Intelligence, and Office of Personnel Management. Staff from the House and Senate intelligence, armed services, and appropriations committees, as well as the House Oversight and Government Reform Committee, and the Senate Homeland Security and Government Affairs Committee attended these briefings. The Committee hosted these briefings to monitor the executive branch's efforts to reform the clearance process. Committee staff also hosted more than 20 briefings on security clearance reform with representatives from the IC, including the DNI, other IC elements, DHS, the Office of Personnel Management, DoD, and industry. The Intelligence Authorization Acts for Fiscal Year 2018 and 2019 provided a framework for holding the executive branch accountable for reducing the number of background investigations, consolidating the National Background Investigation Bureau within in the Department of Defense, maintaining transparency in costs, and ensuring prompt reciprocity in recognizing clearances among agencies.

The Act also implemented a number of practical reforms. It set goals for timelines to process applications for SECRET clearances within 30 days and TOP SECRET clearances within 90 days. It also strengthened oversight by codifying the role of the Director of National Intelligence as the government's Security Executive Agent. Finally, it spawned innovation by calling for a reduction in the clearance system's complexity and examination of a "clearance in person" concept.

Committee staff also held many meetings with the executive branch regarding the potential creation of a new agency in the Defense Department to handle counterintelligence and security matters, as well as a DNI-led interagency initiative called Trusted Workforce 2.0, which endeavors to reform the personnel security vetting enterprise. These efforts will continue into the 116th Congress.

#### *4. Asia Pacific Region*

The Asia Pacific Region was a focus of considerable Committee time and attention which included travel to the region, numerous briefings to staff, and twelve Committee hearings and briefings on topics such as military modernization efforts, nuclear weapons capability, and the leadership intentions of regional actors. These activities were central to the fulfillment of the Committee's oversight mandate vis-à-vis the IC's role in informing the national-level policymaking process, with particular focus on North Korea's development of new intercontinental ballistic missiles, conventional, and nuclear capabilities, the advanced and critical technology transfer

campaign that China continues to conduct at the expense of the U.S., and other national security concerns in the region.

#### *5. Fifth-generation (5G) Wireless Telecommunications Technology*

The Committee collected expert insights from an array of private sector, allied nation, and U.S. Government actors, including representatives from the IC, the Government Accountability Office, the telecommunications industry, and the component supply side of 5G network deployment to closely study the policies and national security risks associated with the advent of a domestic 5G network. Committee staff will continue to examine the security risks related to 5G and work with public and private stakeholders to mitigate potential vulnerabilities.

#### *6. Social Media*

The Committee vigorously examined the exploitation of social media platforms by foreign actors to enable influence operations against the United States. The Committee held four separate open hearings on an array of subjects ranging from the ability of state and state-sponsored actors to manipulate public discourse using social media platforms, to the corporate response to the use of social media platforms by agents linked to Russia to conduct information operations in the United States during the 2016 U.S. elections. The Committee worked closely with industry partners to conduct this work, and benefitted significantly from the insights, expertise, and advanced analytic capabilities of digital media researchers and technical experts who provided assistance to the Committee.

#### *7. Syria / Iraq*

The Committee held multiple hearings and briefings on the continued fighting in Syria and Iraq. As operations to defeat terrorist groups such as ISIL and al-Qa'ida continue, the Committee focused on the outlook for regional stability and reviewed the activities of Turkish, Iranian, Russian, and Kurdish forces in the region. The Committee also considered the Assad regime's brutal tactics in Syria, including the reported use of chemical weapons and the U.S. response. Finally, the Committee examined the political and security situation in Iraq.

#### *8. Counterproliferation*

The Committee held multiple hearings and briefings to discuss the IC's counterproliferation efforts, illicit transfer of Weapons of Mass Destruction (WMD) and missile technology by nation states, and the threat of terrorist use of WMD with a renewed emphasis on chemical and biological threats. In particular, the Committee assessed the IC's ability to detect and rapidly share intelligence to facilitate the interdiction of dangerous materials. The Committee also challenged the IC to enhance collaboration across the U.S. Government on chemical and biological threats, recognizing the unusual and extraordinary threat they pose to U.S. national security. These efforts were central to the fulfillment of the IC's role in the National Strategy to Combat Weapons of Mass Destruction. The Committee also engaged the IC and the cleared scientific research community in order to assess the next generation of biological threats—particularly where the deliberate misuse of biotech-

nologies in the private sector may result in emerging national security challenges.

#### *9. Russia*

In addition to the Committee's extensive activities examining Russia's interference in the 2016 U.S. elections, the Committee continued to focus on the threat posed by Russia's malign activities. The Committee held open and closed hearings addressing the threat from Russia and provided oversight of the IC's analysis and reporting on this threat. Hearings focused on, among other topics, Russian cyber-, asymmetric-, and counterintelligence threats; Russia's national security calculus and decision-making processes; Russian "active measures," to include disinformation and misinformation, as well as threats to election systems and processes. Additionally, Committee Members and staff engaged with allied nations to exchange best practices about countering these threats.

#### *10. Western Hemisphere*

The Committee focused on the transition of power and elections in several key Latin American countries; continued to monitor illicit narcotics trafficking; the threat posed by violent transnational criminal organizations to the United States and the stability of the region; the military and intelligence activities of U.S. adversaries in Latin America; and focused considerable time on mystery illnesses contracted by U.S. Government Embassy personnel in Havana, Cuba. Oversight activities included three hearings, numerous staff briefings, and multiple visits to the region.

#### *11. Counter-Narcotics*

The Committee focused on oversight of the worldwide counter-narcotics effort, devoting time during the worldwide threats open and closed hearings to discuss the disruptive effect the illegal narcotics industry has on stability in the Western Hemisphere and the rising number of drug related deaths within the United States. Members and staff visited the Joint Interagency Task Force-South in Key West, Florida and staff visited locations around the world to assess IC efforts to combat the illegal drug trade. The Committee has highlighted the increase in trafficking of fentanyl and synthetic opioids and will continue to pursue specific measures to counter the flow of those drugs into the U.S.

#### *12. Transnational Organized Crime*

Transnational organized crime (TOC) is a serious threat to U.S. national security and was the focus of a significant amount of the Committee's time. The Committee placed particular attention on the IC's ability to track TOC engaged in activities including trafficking-in-persons, financial crimes, and illicit drug trade; concluding their trafficking networks are commodity agnostic. The Committee held six briefings that covered such topics as state-sponsorship and support to TOC and terrorist groups' reliance on TOC for finances, weapons, or other forms of assistance.

#### *13. Middle East Region*

The Middle East remained a critical priority for the Committee. Developments throughout the region that most likely will prove

historic continue to shift security dynamics for the United States and have required considerable, ongoing member attention and focus. Committee members have traveled throughout the region, have engaged in at least monthly briefings and discussions, and have pressed the IC to remain vigilant and creative in collecting against and assessing this challenging target set. Committee priority issues have included the persistent and evolving threat posed by Iran to U.S. national security interests throughout the region; the war in Yemen and the subsequent humanitarian crisis; Saudi Arabia's role in the region and its new leadership; the implications of the gradual roll back of ISIS-held territory; and the ongoing violence in Syria and Iran's role there.

#### *14. Africa*

Committee activities related to the African continent included travel to the region, numerous staff level briefings on a range of issues and multiple hearings. The engagement has primarily focused on the areas of counterterrorism, counterintelligence, and regional stability. The Committee placed particular emphasis on foreign investment and development on the continent and its impact on the region.

### B. INTELLIGENCE COMMUNITY ISSUES

#### *1. Intelligence Community Counterterrorism Efforts*

During the 115th Congress, the Committee continued its oversight of the IC's role in U.S. counterterrorism efforts, in part, by continuing its practice of conducting regularly scheduled hearings, roundtables, and meetings with IC personnel related to counterterrorism. The Committee also devoted significant time and attention to the IC's role in tracking terrorist travel and, specifically, cross-border movement. Committee staff held numerous in-depth oversight meetings with government officials to review counterterrorism processes, procedures, and technological capabilities. The Committee also reviewed the IC's integration of data sets related to screening and vetting foreign travelers. The Committee conducted multiple oversight meetings with IC personnel to assess the evolving nature of homegrown violent extremism inspired by foreign terrorist organizations. Finally, Committee staff traveled to multiple field locations to assess the effectiveness of the IC's counterterrorism efforts as well as counterterrorism cooperation between the IC and foreign liaison partners.

#### *2. Foreign Investment and National Security*

The Committee held one hearing during the 115th Congress on foreign investments and national security risks, including studying the processes and jurisdiction of the Committee on Foreign Investment in the United States (CFIUS), as well as several hearings on closely related topics. These hearings directly informed the drafting and consideration of the Foreign Investment Risk Review Modernization Act (FIRRMA). FIRMMA was enacted into law in August 2018, as part of the National Defense Authorization Act and included a provision that will improve the IC's ability to monitor threats in this space.

### *3. Space Oversight*

During the 115th Congress, the Committee continued its oversight of the space domain. The Committee's efforts focused on ensuring reliable and resilient access to—and operation in—space for intelligence purposes. The Committee held hearings on IC space management and worked to ensure effective collaboration with the Department of Defense. Hearings and roundtables also examined key budget issues, cross-cutting technology developments, analytic challenges, and space system acquisitions. In addition to hearings, the Committee and its staff engaged frequently on overhead architecture topics with the National Reconnaissance Office (NRO), NGA, and other IC and government officials, and conducted site visits to government facilities and commercial companies to meet with government officials and industry leaders.

### *4. Financial Intelligence*

The Committee conducted a series of briefings with relevant IC components to understand the U.S. Government's approach to threat finance analysis and assess any gaps in the current collection authorities. With the rise of sophisticated cyber and financial attacks and increasing demand for accurate and actionable threat finance analysis, the Committee explored how the IC might increase its threat finance capacity and bolster information sharing. The Committee also met with a range of industry stakeholders to examine information sharing best practices.

### *5. Federal Bureau of Investigation*

The Committee continued its ongoing oversight of the FBI through briefings, hearings, and site visits. It also offered legislation on topics of oversight focus, including: counterterrorism, counterintelligence, and cyber investigations. Of particular interest to the Committee was ensuring that the FBI is well positioned to investigate and defend against foreign intelligence services' activities in the United States—including election tampering, influence operations on social media, and theft of sensitive intellectual property from U.S. companies.

### *6. Technical Advisory Group*

In the 115th Congress, the Committee continued to engage and leverage its Technical Advisory Group (TAG). The TAG is comprised of consultants, prominent scientists, technical experts, and former Intelligence Community officials who engage in specialized work on behalf of the committee. Teams of TAG consultants at Data for Democracy, Graphika, and the Oxford Internet Institute leveraged specialized expertise in digital data and social media intelligence, as well as data analytic capabilities otherwise unavailable to the Committee, to analyze millions of individual pieces of information provided to the Committee by U.S. social media companies Facebook, Twitter, and Google. The resulting analysis yielded two published reports, titled "The Tactics and Tropes of the Internet Research Agency" and "The IRA and Political Polarization in the United States, 2015–2017," which were released on December 17, 2018. They provided essential information on the role social media platforms play in the execution of foreign influence and disinformation campaigns.

#### IV. NOMINATIONS

During the 115th Congress, the Committee received and considered sixteen nominations from President Trump.

Section 17 of S. Res. 400 of the 94th Congress (as amended) and a 2009 Senate unanimous consent agreement govern referrals of nominations to the Committee. S. Res. 445, which amended S. Res. 400 in 2004, required all nominations to positions in the IC requiring the Senate's advice and consent be reported by the Select Committee on Intelligence, even when they are positions within departments that are primarily under the jurisdiction of other Senate committees, though the committee overseeing the given department or agency may hold hearings and interviews on the nomination. Notwithstanding that general guidance, the resolution directed the Assistant Attorney General for National Security be reported by the Judiciary Committee and referred to the Select Intelligence Committee. The Intelligence Authorization Act for Fiscal Year 2014 made the directors and inspectors general of the NRO and National Security Agency (NSA) Senate-confirmed positions. The Senate subsequently adopted S. Res. 470 on July 7, 2014 which directed that, if the nominee were a civilian, the Intelligence Committee would report the nomination and refer it to the Armed Services Committee and, if the nominee were a member of the Armed Forces on active duty, the reverse.

A unanimous consent agreement of January 7, 2009, refers all nominations for inspectors general to the committees of primary jurisdiction and then sequentially to the Senate Committee on Homeland Security and Governmental Affairs. The exception to this consent agreement is the inspector general for the CIA, which is handled exclusively by the Senate Select Committee on Intelligence. Under this consent agreement, the nominations for the NRO and NSA inspectors general are thus also referred to the Homeland Security and Governmental Affairs Committee.

The following nominations were referred to the Committee during the 115th Congress:

##### A. MIKE POMPEO, DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

On January 20, 2017, President Trump nominated Mike Pompeo to be Director of the Central Intelligence Agency. At that time, Mr. Pompeo was serving as a United States Representative from Kansas.

After receiving Mr. Pompeo's responses to the Committee's standard questionnaire, as well as his responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on January 12, 2017. The Committee reported the nomination favorably on January 20, 2017. Mr. Pompeo's hearing materials are posted on the Committee's website. The Senate approved the nomination on January 23, 2017 by a vote of 66–32.

##### B. DANIEL COATS, DIRECTOR OF NATIONAL INTELLIGENCE

On January 20, 2017, President Trump nominated former Senator and Select Intelligence Committee member Daniel Coats to be the Director of National Intelligence. At that time, Mr. Coats was

a private citizen, having concluded his Senate term at the end of the 114th Congress.

After receiving Mr. Coats's responses to the Committee's standard questionnaire, as well as his responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on February 28, 2017. Mr. Coats's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on March 9, 2017. The Senate approved the nomination by a vote of 85–12 on March 15, 2017.

C. COURTNEY ELWOOD, GENERAL COUNSEL OF THE CENTRAL  
INTELLIGENCE AGENCY

On March 21, 2017, President Trump nominated Courtney Elwood to be the General Counsel of the Central Intelligence Agency. At that time, Ms. Elwood was serving as a partner at the law firm of Kellogg, Hansen, Todd, Figel & Frederick, PLLC.

After receiving Ms. Elwood's responses to the Committee's standard questionnaire, as well as her responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on April 26, 2017. Ms. Elwood's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on May 4, 2017. The Senate moved to proceed to Ms. Elwood's nomination by voice vote on May 23, 2017. The Senate approved the nomination by a vote of 67–33 on June 6, 2017.

D. DAVID JAMES GLAWE, UNDER SECRETARY FOR INTELLIGENCE AND  
ANALYSIS AT THE DEPARTMENT OF HOMELAND SECURITY

On April 24, 2017, President Trump nominated David James Glawe to be the Under Secretary for Intelligence and Analysis at the Department of Homeland Security. At that time, Mr. Glawe was serving on the National Security Council as a Special Assistant to the President and Senior Director for Homeland Security.

After receiving Mr. Glawe's responses to the Committee's standard questionnaire, as well as his responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on June 28, 2017. Mr. Glawe's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 11, 2017. The nomination was referred sequentially to the Homeland Security and Governmental Affairs Committee and discharged following a hearing on July 11, 2017. The Senate approved the nomination by voice vote on August 3, 2017.

E. ROBERT P. STORCH, INSPECTOR GENERAL OF THE NATIONAL  
SECURITY AGENCY

On January 4, 2017, President Obama, before leaving office, re-nominated Robert P. Storch to be Inspector General of the National Security Agency to be considered in the 115th Congress; President Obama previously nominated him in the 114th Congress. On February 28, 2017, President Trump withdrew Mr. Storch's nomination.

Subsequently, on June 19, 2017, the President nominated Mr. Storch to serve as Inspector General of the National Security Agen-

cy. At that time, Mr. Storch was the Deputy Inspector General of the Department of Justice, and served as the Whistleblower Ombudsman in the Office of the Inspector General there, and as Chair of the Council of the Inspectors General on Integrity and Efficiency Whistleblower Ombudsman Working Group.

After receiving Mr. Storch's responses to the Committee's standard questionnaire, as well as his responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on July 19, 2017. Mr. Storch's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 25, 2017. The nomination was reported to the Armed Services and Homeland Security and Governmental Affairs committees and discharged. The Senate confirmed the nomination by voice vote on December 21, 2017.

F. ISABEL MARIE KEENAN PATELUNAS, ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS AT THE DEPARTMENT OF THE TREASURY

On June 19, 2017, President Trump nominated Isabel Marie Keenan Patelunas to be the Assistant Secretary for Intelligence and Analysis at the Department of the Treasury. At that time, Ms. Patelunas was an Intelligence Officer at the Central Intelligence Agency.

After receiving Ms. Patelunas's responses to the Committee's standard questionnaire, as well as her responses to the Committee's prehearing questions, the Committee held a nomination hearing on July 19, 2017. Ms. Patelunas's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 25, 2017. The full Senate did not vote on Ms. Patelunas's nomination in 2017, and her nomination was returned to the President under Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

On January 8, 2018, President Trump renominated Ms. Patelunas to be the Assistant Secretary for Intelligence and Analysis at the Department of the Treasury. The Committee reported the nomination favorably on March 1, 2018. The Senate confirmed the nomination by a vote of 75–20 on August 28, 2018.

G. SUSAN M. GORDON, PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE

On June 29, 2017, President Trump nominated Susan M. Gordon to be the Principal Deputy Director of National Intelligence. At that time, Ms. Gordon was serving as the Deputy Director of the National Geospatial-Intelligence Agency.

After receiving Ms. Gordon's responses to the Committee's standard questionnaire, as well as her responses to the Committee's pre-hearing questions, the Committee held a nomination hearing on July 19, 2017. Ms. Gordon's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 25, 2017. The Senate confirmed the nomination by voice vote on August 3, 2017.

H. CHRISTOPHER R. SHARPLEY, INSPECTOR GENERAL OF THE  
CENTRAL INTELLIGENCE AGENCY

On September 5, 2017, President Trump nominated Christopher R. Sharpley to be the Inspector General of the Central Intelligence Agency. At that time, Mr. Sharpley was serving as the Acting Inspector General of the Central Intelligence Agency.

After receiving Mr. Sharpley's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on October 17, 2017. Mr. Sharpley's hearing materials are posted on the Committee's website. The Committee did not act on the nomination. On July 23, 2018, the Senate received notice that the President had withdrawn the nomination.

I. JOHN C. DEMERS, ASSISTANT ATTORNEY GENERAL OF THE  
NATIONAL SECURITY DIVISION AT THE DEPARTMENT OF JUSTICE

On September 5, 2017, President Trump nominated John C. Demers to be the Assistant Attorney General of the National Security Division at the Department of Justice. At that time, Mr. Demers was the Vice President and Assistant General Counsel of Boeing.

Upon primary referral, the Senate Committee on the Judiciary held a hearing on October 4, 2017, and reported the nomination favorably on October 19, 2017. Upon sequential referral, after receiving Mr. Demers's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on October 31, 2017. Mr. Demers's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on November 7, 2017. The Senate confirmed the nomination by voice vote on February 15, 2018.

J. MICHAEL K. ATKINSON, INSPECTOR GENERAL OF THE INTEL-  
LIGENCE COMMUNITY, AT THE OFFICE OF THE DIRECTOR OF NA-  
TIONAL INTELLIGENCE

On November 16, 2017, President Trump nominated Michael K. Atkinson to be the Inspector General of the Intelligence Community. At that time, Mr. Atkinson was serving as an Acting Deputy Assistant Attorney General and Senior Counsel to the Assistant Attorney General of the National Security Division at the Department of Justice.

After receiving Mr. Atkinson's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on January 17, 2018. Mr. Atkinson's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on February 15, 2018. The nomination was referred sequentially to the Homeland Security and Governmental Affairs Committee and reported favorably on February 28, 2018. The Senate confirmed the nomination by voice vote on May 14, 2018.

K. JASON KLITENIC, GENERAL CONSEL OF THE OFFICE OF THE  
DIRECTOR OF NATIONAL INTELLIGENCE

On November 14, 2017, President Trump nominated Jason Klitenic to be the General Counsel of the Office of the Director of National Intelligence. At that time, Mr. Klitenic was serving as a partner at Holland & Knight.

After receiving Mr. Klitenic's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on January 17, 2018. Mr. Klitenic's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on February 15, 2018. The Senate approved the nomination by voice vote on August 1, 2018.

L. WILLIAM R. EVANINA, DIRECTOR OF THE NATIONAL COUNTER-  
INTELLIGENCE AND SECURITY CENTER AT THE OFFICE OF THE DI-  
RECTOR OF NATIONAL INTELLIGENCE

On February 5, 2018, President Trump nominated William R. Evanina to be the Director of the National Counterintelligence and Security Center. At that time, Mr. Evanina was serving in that same position.

After receiving Mr. Evanina's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on May 15, 2018. Mr. Evanina's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on May 22, 2018. The Senate did not take up his nomination in the 115th Congress.

M. LIEUTENANT GENERAL PAUL M. NAKASONE, DIRECTOR OF THE  
NATIONAL SECURITY AGENCY

On February 8, 2018, President Trump nominated Lieutenant General Paul M. Nakasone to be the Director of the National Security Agency. At that time, Lieutenant General Nakasone was serving as Commanding General, United States Army Cyber Command.

Upon primary referral, the Senate Committee on Armed Services held a hearing on March 1, 2018, and reported the nomination favorably on March 6, 2018. Upon sequential referral, after receiving Lieutenant General Nakasone's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on March 15, 2018. Lieutenant General Nakasone's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on March 22, 2018. The Senate confirmed the nomination by voice vote on April 24, 2018.

N. GINA HASPEL, DIRECTOR OF THE CENTRAL INTELLIGENCE  
AGENCY

On April 17, 2018, President Trump nominated Gina Haspel to be the Director of the Central Intelligence Agency. At that time,

Ms. Haspel was serving as the Deputy Director of the Central Intelligence Agency.

After receiving Ms. Haspel's responses to the Committee's standard questionnaire, as well as her responses to the Committee's prehearing questions, the Committee held a nomination hearing on May 9, 2018. Ms. Haspel's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on May 16, 2018. The Senate approved the nomination by vote of 54–45 on May 17, 2018.

O. ELLEN E. MCCARTHY, ASSISTANT SECRETARY OF STATE,  
INTELLIGENCE AND RESEARCH

On June 18, 2018, President Trump nominated Ellen E. McCarthy to be Assistant Secretary of State, Intelligence and Research. At that time, Ms. McCarthy was serving as Vice President for intelligence and analytics at an independent, nonprofit science and technology organization.

After receiving Ms. McCarthy's responses to the Committee's standard questionnaire, as well as her responses to the Committee's prehearing questions, the Committee held a nomination hearing on July 25, 2018. Ms. McCarthy's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 31, 2018. The Senate confirmed the nomination by voice vote on January 2, 2019.

P. JOSEPH MAGUIRE, DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

On June 25, 2018, President Trump nominated Admiral Joseph Maguire (ret.) to be the Director of the National Counterterrorism Center. At that time, Mr. Maguire was serving as President and CEO of the Special Operations Warrior Foundation.

After receiving Mr. Maguire's responses to the Committee's standard questionnaire, as well as his responses to the Committee's prehearing questions, the Committee held a nomination hearing on July 25, 2018. Mr. Maguire's hearing materials are posted on the Committee's website. Following the hearing, the Committee reported the nomination favorably on July 31, 2018. The Senate confirmed the nomination by voice vote on December 19, 2018.

## V. SUPPORT TO SENATE

Under S. Res. 400, which established the Committee in 1976, the Select Committee on Intelligence has an important role in assuring that the IC provides "informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation." The Committee fulfills this responsibility by providing to the U.S. Senate access to IC information and officials.

The Committee facilitated access to intelligence information for senators and staff outside the Committee by inviting them to participate in briefings and hearings on issues of shared jurisdiction or interest. Further, the Committee provided intelligence briefings by its professional staff to senators outside the Committee, and assisted senators in resolving issues with intelligence agencies. The

Committee also offered its expertise with regard to arms control matters, to include the Joint Comprehensive Plan of Action.

## VI. APPENDIX

### A. SUMMARY OF COMMITTEE ACTIONS

#### 1. *Number of Meetings*

During the 115th Congress, the Committee held numerous meetings and briefings, to include off-the-record briefings. The Committee held a total of 150 hearings of which 27 were open to the public and 123 were closed to the public in order to protect classified information pursuant to Senate rules. A total of 16 of the 150 hearings were devoted to the review of nominees for positions requiring the advice and consent of the Senate. Finally, the Committee also held 23 business meetings, including mark-ups of legislation.

#### 2. *Bills and Resolutions Originated by the Committee*

S. Res. 48—An original resolution authorizing expenditures by the Select Committee on Intelligence.

S. 133—An original bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

S. 1761—An original bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

S. 3153—An original bill to authorize appropriations for fiscal years 2018 and 2019 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

#### 3. *Bills Referred to the Committee*

S. 141—To improve understanding and forecasting of space weather events, and for other purposes.

S. 291—To amend the National Security Act of 1947 to modify the requirements for membership to the National Security Council and cabinet-level policy forum, and for other purposes.

S. 2002—To amend the National Security Act of 1947 to provide whistleblower protections for employees of contractors of elements of the intelligence community, and for other purposes.

S. 2010—To extend the FISA Amendments Act of 2008 for 8 years, and for other purposes.

S. 3658—A bill to require the Director of National Intelligence to submit to Congress a report on the death of Jamal Khashoggi, and for other purposes.

S. 3724—To improve the processing and oversight by the Federal Government of security clearances and background investigations, and for other purposes.

H.R. 3180—A bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

*4. Committee Publications*

Report 115–2—Report to accompany the Intelligence Authorization Act for Fiscal Year 2017 (S. 133).

Report 115–151—Report to accompany the Intelligence Authorization Act for Fiscal Year 2017 (S. 1761).

Report 115–182—Report to accompany the FISA Amendments Reauthorization Act of 2017.

Report 115–298—Report to accompany the Matthew Young Polard Intelligence Authorization Act for Fiscal Years 2018 and 2019 (S. 3153).

**B. ADDITIONAL VIEWS OF SENATORS WYDEN, HEINRICH, AND HARRIS**

The report’s description of the FISA Amendments Reauthorization Act of 2017 is not fully consistent with our views of the legislation. Rather, we refer readers to our Minority Views included in Senate Report 115–182 to accompany S. 2010, the FISA Amendments Reauthorization Act of 2017, as well as to our floor statements and other public statements in connection with the Senate’s consideration of S. 139.

