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*1st Session*

SENATE

{ REPORT  
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R E P O R T  
OF THE  
SELECT COMMITTEE ON INTELLIGENCE  
UNITED STATES SENATE  
COVERING THE PERIOD  
JANUARY 3, 2021  
TO  
JANUARY 3, 2023



MARCH 28, 2023.—Ordered to be printed

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

MARK R. WARNER, Virginia, *Chairman*

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MARTIN HEINRICH, New Mexico

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MICHAEL CASEY, *Staff Director*

BRIAN W. WALSH, *Minority Staff Director*

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## PREFACE

The Select Committee on Intelligence submits to the Senate this report on its activities from January 3, 2021, to January 3, 2023. This report also includes references to activities underway at the conclusion of the 117th Congress that the Committee expects to continue into the future.

Under the provisions of Senate Resolution 400 of the 94th Congress, the Committee is charged with the responsibility of carrying out oversight of the programs and activities of the Intelligence Community (IC) of the United States. Most of the Committee's oversight work is conducted in secret and cannot be discussed publicly to protect sensitive IC sources and methods. Nevertheless, the Select Committee on Intelligence has submitted activities reports on a biennial basis since 1977 to provide the American public with information about its intelligence oversight activities. We submit this report to the Senate, in observance of this practice.

We also take this opportunity to thank all of the members of the Committee in the 117th Congress. In particular, we take special note of colleagues who completed their service on the Committee. Senator Burr served on the Committee from the 110th Congress until he retired from the U.S. Senate on January 3, 2023. Senator Blunt served on the Committee from the 112th Congress until he retired from the Senate on January 3, 2023. Senator Sasse served on the Committee from the 116th Congress until he retired from the Senate on January 3, 2023. Their commitment to the important work of the Committee has helped to ensure a strong IC and a secure nation. We are grateful for their contributions.

We also express our deep gratitude for the work of all Committee staff during the 117th Congress. Their vigilance, professionalism, and perseverance in the face of unprecedented public health challenges were essential to the Committee's fulfillment of its oversight obligations.

MARK R. WARNER,  
*Chairman.*  
MARCO RUBIO,  
*Vice Chairman.*



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## COMMITTEE ACTIVITIES

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MARCH 28, 2023.—Ordered to be printed

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Mr. WARNER, from the Select Committee on Intelligence,  
submitted the following

## R E P O R T

### I. INTRODUCTION

The activities of the Committee during the 117th Congress included passage of critical enabling legislation, confirmation of appointees to key IC leadership posts, and inquiries on the performance and activities of the IC.

As detailed in Part II of this report, the Committee's paramount legislative priority and achievement in the 117th Congress was the successful enactment of Intelligence Authorization Acts for both Fiscal Year 2022 and Fiscal Year 2023.

Throughout the 117th Congress, the Committee's oversight activities focused on the national security threats posed by The People's Republic of China (PRC or China) and the Russian Federation (Russia), including China's military, economic, and political activities around the world, and Russia's unjustified and illegal invasion of Ukraine. In addition, the Committee devoted considerable attention to events leading up to and following the withdrawal of U.S. forces from Afghanistan. The Committee maintained continued focus on the malign activities of the Islamic Republic of Iran (Iran) and the Democratic People's Republic of Korea (North Korea), as well as strategically significant political, military, and economic developments in Africa, the Middle East, and Central and South America. The Committee also conducted vigorous oversight of covert action, counterterrorism, and counterintelligence programs carried out by the IC during the 117th Congress. Finally, the Committee sustained its emphasis on overseeing the national security implications of certain technological advancements, including in telecommunications, as well as emerging technologies, such as next-generation energy storage, generation, and distribution.

## II. LEGISLATION

### A. INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2022

In the 117th Congress, the Committee focused its efforts on enacting annual intelligence authorization acts as its primary means of carrying out its oversight responsibility. In early 2021, the Committee began consideration of the President’s request for funding levels and legislative authority for Fiscal Year 2022. The Committee’s budget monitors and counsel evaluated the funding and legislative requests submitted by the Executive Branch. The Committee conducted numerous topical and regional briefings and hearings, including classified budget hearings.

The Committee reported the *Intelligence Authorization Act for Fiscal Year 2022* (S. 2610) on August 4, 2021, and subsequently filed an accompanying report (S. Rpt. 117–37) on August 10, 2021.

The House Permanent Select Committee on Intelligence passed its version of the *Intelligence Authorization Act for Fiscal Year 2022* (H.R. 5412) on September 30, 2021, and then reported the bill to the full House and filed an accompanying report (H. Rpt. 117–156) on October 28, 2021. 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 product of the committees’ efforts, the *Intelligence Authorization Act for Fiscal Year 2022*, was incorporated as Division X of the *Consolidated Appropriations Act for Fiscal Year 2022* (P.L. 117–103). The *Consolidated Appropriations Act for Fiscal Year 2022* passed the House on March 9, 2022, in two separate measures by votes of 361–69 and 260–171, and passed the Senate on March 10, 2022, as a consolidated measure by a vote of 68–31. The President signed the consolidated bill into law on March 15, 2022.

The *Intelligence Authorization Act for Fiscal Year 2022* authorized funding for intelligence and intelligence-related activities across the U.S. Government and was accompanied by a classified schedule of authorizations and a classified annex. The Act, as incorporated in the *Consolidated Appropriations Act for Fiscal Year 2022*, ensures accountability and integrity from IC agencies, which undertake the Nation’s most sensitive intelligence programs and activities, and included significant legislative provisions to strengthen national security by:

- Increasing oversight and investments to address the growing national security threats posed by China, including its technology advancements, military base and infrastructure expansion, influence operations, global investments, and digital currencies;
- Improving the IC’s response to anomalous health incidents, also known as “Havana Syndrome,” by establishing an independent medical advisory board at the Central Intelligence Agency (CIA), ensuring benefits, eligibility, and access to expert medical advice and facilities, and requiring protocols on testing, information safeguards, and reporting mechanisms;
- Improving the IC’s ability to adopt and integrate artificial intelligence tools and other emerging technologies;
- Bolstering investments in commercial imagery and analytic services to provide more unclassified collection and analysis to policymakers and warfighters in a timely manner;



- Continuing the Committee’s commitment to reform and improve the security clearance process, including mandating a performance management framework to assess the adoption and effectiveness of the Executive Branch’s “Trusted Workforce 2.0” initiative, more accurately measuring how long it takes to transfer clearances between Federal agencies so timelines can be shortened, and creating IC-wide policies to share information on cleared contractors to enhance the effectiveness of insider threat programs;
- Ensuring strong congressional oversight of and protections for IC whistleblowers who come forward to report waste, fraud, or abuse;
- Addressing intelligence requirements in key locations worldwide, including in Latin America, Africa, and Afghanistan, to confront foreign adversaries’ efforts to undermine the U.S. abroad;
- Strengthening the IC’s ability to conduct financial intelligence activities; and
- Supporting the IC’s efforts to assess unidentified anomalous phenomena (UAP), further building upon the work of the UAP Task Force.

#### B. INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023

In early 2022, the Committee began consideration of the President’s request for funding levels and legislative authority for Fiscal Year 2023. The Committee’s budget monitors and counsel evaluated the funding and legislative requests submitted by the Executive Branch. The Committee conducted numerous topical and regional briefings and hearings, including classified budget hearings.

The Committee reported the *Intelligence Authorization Act for Fiscal Year 2023* (S. 4503) on July 12, 2022, and subsequently filed an accompanying report (S. Rpt. 117–132) on July 20, 2022.

The House Permanent Select Committee on Intelligence passed its version of the *Intelligence Authorization Act for Fiscal Year 2023* (H.R. 8367) on July 20, 2022, and then reported the bill to the full House and issued an accompanying report (H. Rpt. 117–546) on October 31, 2022. 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 product of the committees’ efforts, the *Intelligence Authorization Act for Fiscal Year 2023*, was incorporated as Division F of the *National Defense Authorization Act for Fiscal Year 2023* (P.L. 117–263). The *National Defense Authorization Act for Fiscal Year 2023* passed the House on December 8, 2022, by a vote of 350–80, and passed the Senate on December 15, 2022, by a vote of 83–11. The President signed the consolidated bill into law on December 23, 2022.

The *Intelligence Authorization Act for Fiscal Year 2023* authorized funding for intelligence and intelligence-related activities across the U.S. Government and was accompanied by a classified schedule of authorizations and a classified annex. The Act, as incorporated in the *National Defense Authorization Act for Fiscal Year 2023*, ensures accountability and integrity from IC agencies and contained a number of legislative provisions, including:

- Confronting the growing national security threat posed by the PRC by increasing hard target intelligence collection and analysis, as well as by identifying and exposing the PRC's leadership corruption, forced labor camps, and malign economic investments, including in telecommunications, emerging technologies, and semiconductors;
- Bolstering intelligence support for Ukraine as it fights to defend its territorial integrity and sovereignty since Russia's second unprovoked invasion, including by assessing the effects of sanctions on Russia and its allies and opportunities to mitigate threats to food security at home and abroad;
- Driving improvements to the IC's hiring and security clearance processes by holding the IC accountable for improving the timeliness of bringing cleared personnel on-board, ensuring that key management and contract oversight personnel in industry can obtain clearances, and establishing personnel vetting performance measures;
- Establishing counterintelligence protections for IC grant funding against foreign-based risks of misappropriation, theft, and other threats to U.S. innovation;
- Accelerating and improving procurement, adoption, and integration of emerging technologies across the IC;
- Establishing measures to mitigate counterintelligence threats from foreign commercial spyware;
- Strengthening oversight of national security threats associated with the regimes in Cuba, Nicaragua, and Venezuela;
- Ensuring continued support to the victims of anomalous health incidents and maintaining continued oversight over the IC's investigations into the causes of such incidents;
- Promoting cybersecurity enhancements and establishing cybersecurity minimum standards across the IC, including for classified systems;
- Enhancing oversight of IC and Department of Defense collection and reporting on UAP;
- Establishing IC coordinators to account for Russian atrocities and for countering proliferation of Iran-origin unmanned aircraft systems;
- Promoting establishment of an Office of Global Competition Analysis to conduct analysis relevant to U.S. leadership in science, technology, and innovation sectors critical to national security and economic prosperity;
- Enhancing intelligence support to export controls and investment screening and emphasizing the importance of open source intelligence capabilities in the IC; and
- Continuing the Committee's efforts to modernize the Government's declassification system by directing the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security to report on declassification policies, proposals to promote best practices across the federal government, and spend plans for technological reforms.

### III. OVERSIGHT ACTIVITIES

#### A. WORLDWIDE THREATS HEARINGS

Since 1994, 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. There have only been two years (1999 and 2019) when the Committee did not hold a "Worldwide Threats" hearing. It is one of the few open hearings that the Committee has regularly conducted to share the work of the IC with the public. These Worldwide Threats hearings cover national security assessments pertaining to all geographic regions, as well as transnational threats such as terrorism and the proliferation of missiles and weapons of mass destruction.

On April 14, 2021 and March 10, 2022, the Committee held open Worldwide Threats hearings on the current and projected threats to the United States. The lead witness before the Committee at both hearings was Director of National Intelligence Avril Haines. She was joined at the witness table during both hearings by the Honorable William J. Burns, Director of the CIA; the Honorable Christopher Wray, Director of the Federal Bureau of Investigation (FBI); General Paul Nakasone, Director of the National Security Agency (NSA); and Lieutenant General Scott Berrier, Director of the Defense Intelligence Agency (DIA). Both hearings were followed by closed, classified sessions. Video recordings of the open hearings are available on the Committee's website, along with Director Haines's unclassified statements for the record.

#### B. CHINA

The Committee prioritized the PRC as the top national and economic security threat throughout the 117th Congress. The Committee dedicated a significant number of classified hearings and briefings to China and Taiwan. In addition, the Committee held two open hearings on the PRC in order to raise greater public awareness on the threats to our national and economic security posed by the PRC.

Through briefings and hearings, the Committee continued to evaluate the IC's budget and programs to ensure its capabilities, collection posture, and analysis relating to the PRC were sufficient to defend our national security, economic prosperity, and values. In addition, the Committee paid close attention to the PRC's military, economic, and political activities around the world, including its illicit tactics to obtain technology, economic coercion, military plans and modernization, malign influence efforts in the United States and abroad, cyber operations, and intelligence efforts.

Staff and Members of the Committee traveled to the Indo-Pacific region, as well as to other regions—including Latin America, the Middle East, Africa, and Europe—to better understand the threats posed by the PRC's malign activities and the U.S. efforts to counter those threats. The Committee also received numerous briefings regarding the PRC, including from the IC, other departments and agencies, and outside experts.

The Committee convened a series of engagements between the IC and private sector entities, academics, and local governments in

order to raise awareness of strategic economic and technological threats emanating from China.

### C. RUSSIA

During the 117th Congress, the Committee focused extensively on the threat to U.S. national security from Russia, including during the run-up to, and start of, Russia's unjustified and illegal invasion of Ukraine on February 24, 2022. The Committee conducted at least 16 formal hearings and briefings on issues relating to the threat from Russia, including its war against Ukraine.

Prior to Russia's invasion, the IC issued warnings about Russia's buildup of military forces on Ukraine's borders, and accurately predicted that Putin was preparing to invade. The Committee was briefed on these developments and oversaw the operations of U.S. intelligence agencies prior to, and during, the invasion. Prior to the invasion, on February 9, 2022, all 16 Members of the Committee, on a bipartisan basis, wrote to the President, urging him to ensure that the United States was sharing as much intelligence as possible with Ukraine, noting that "Russia's threats to Ukraine are a threat to democracies around the world, and we urge you to do as much as possible to support Ukraine at this critical moment."

In addition to the Committee's focus on the threat from Russia's invasion of Ukraine, it also examined the threat posed by Russia's other malign activities around the world. These include Russia's traditional and cyber espionage, including the 2020 SolarWinds cyber intrusion perpetrated by the Russian external intelligence agency, the SVR, which resulted in the compromise of hundreds of federal agencies and private companies, and the May 2021 ransomware attack by a Russian cybercrime group on the Colonial Pipeline, which halted pipeline operations temporarily and resulted in fuel shortages along the Atlantic seaboard of the United States.

The Committee took a strong stand on ensuring U.S. diplomats at our Embassy in Moscow be afforded the same privileges, including comparable numbers of visas, as Russia's diplomats in the United States. All 16 Members, as well as Senate Foreign Relations Committee Chairman Bob Menendez, sent a letter to the President on October 4, 2021, expressing concern about ongoing actions inhibiting the work of U.S. diplomats in Moscow that resulted in disproportionately more Russian diplomats in the U.S. than vice versa, and undermining the ability of the Embassy to function in a safe and secure manner. The Committee urged the President to expel Russian diplomats if Russia was unwilling to provide the number of visas necessary to ensure parity between the two sides.

The Committee further held hearings and briefings on Russia's continued reliance on misinformation and disinformation to target global audiences and interfere with elections and democratic processes in the United States and around the world; the buildup of its conventional, strategic, and asymmetric arsenals; its increasingly assertive military deployments on its periphery and to wider regions, including the Middle East, Africa, and Latin America; its use of mercenary groups and private military and security corporations such as the Vagner Group; its support of like-minded authoritarian regimes; and its use of corruption and criminal networks to further its strategic goals. The Committee's activities regarding these issues were designed to provide oversight and assess the IC's capa-

bilities to collect against, analyze, provide warning, and counter these and other malign activities of Russia under the leadership of Vladimir Putin.

#### D. AFGHANISTAN

The Committee's efforts in the 117th Congress regarding Afghanistan largely focused on the collapse of the Government of the Islamic Republic of Afghanistan (GIROA), with the withdrawal of U.S. forces from Afghanistan. Prior to the complete withdrawal of U.S. forces from Afghanistan, the Committee held multiple hearings and weekly briefings with the IC to monitor intelligence operations, as well as implications for long-term U.S. policy goals following the U.S. decision to fully withdraw from Afghanistan in the summer of 2021.

Following the collapse of GIROA, and the complete withdrawal of U.S. forces from Afghanistan in August 2021, the Committee held multiple hearings to better understand IC methodology in determining the strength of Taliban forces, the forces of the GIROA, and the impact of the U.S. withdrawal. Committee staff reviewed intelligence products from the signing of the Doha Agreement in 2020 through the withdrawal of U.S. forces in 2021 in order to provide Committee Members with an accurate picture of IC work during and leading up to the withdrawal.

The Committee continues the important work of oversight through hearings, briefings, roundtables, and congressional delegations to the region to review the role of the IC in supporting and implementing U.S. policy in Afghanistan from outside of the country.

#### E. IRAN

The Committee conducted travel, and held hearings, briefings, and roundtables focused on Iranian malign influence, support to proxies in regional conflict zones, Iran's nuclear program, and, following the Russian invasion of Ukraine, Iranian support to Russian forces. Through travel to the region, staff obtained valuable insight on Iranian threats and efforts to mitigate them, the alignment of Gulf Arab states following the end of the rift with Qatar, the alignment of Gulf Arab states with Israel after the signing of the Abraham Accords, and energy and security dynamics. The Committee conducted hearings and briefings on U.S. intelligence activities and partnerships related to Iranian plans, intentions, and capabilities.

#### F. NORTH KOREA

During the 117th Congress, the Committee held two hearings and conducted multiple engagements with the IC on North Korea. In particular, the Committee's efforts focused on political, military, and technical issues related to weapons programs that could threaten the United States and its allies. Staff traveled to the region to conduct oversight and also received IC briefings and reports on counterintelligence issues, North Korea's illicit cyber activity, and sanctions violations.

### G. WESTERN HEMISPHERE/LATIN AMERICA

The Committee focused its efforts, through travel, briefings, and hearings, on monitoring key elections across the region in Colombia, Peru, Chile, Brazil, Honduras, and Ecuador, as well as tracking developments in the authoritarian regimes in Cuba, Nicaragua, and Venezuela. Members and staff, during travel and other engagements, also met with allies in the region to deepen bilateral engagement.

The Committee continued to monitor the supply chain, production, and trafficking of illicit narcotics, with increased focus on synthetic opioids; the threat posed by violent transnational criminal organizations to the United States and the stability of the region; and the military and intelligence activities of U.S. adversaries in Latin America, including escalation in PRC and Russian activity.

### H. AFRICA

During the 117th Congress, the Committee renewed focus on North Africa, the Sahel, and the Sub-Saharan region. Committee staff conducted oversight through a series of briefings, hearings, and foreign visits, ensuring that authorized and appropriated programs coalesced with realities on the ground and U.S. diplomatic and intelligence interests on the continent. The increased presence and investments by the PRC and Russia in the region represent an elevated threat to the security of the U.S. and our allies and partners.

Throughout the Sahel, Russia and its military and political proxy, private military company Wagner, continue to parlay Russian influence in the fragile post-coup landscape—more often than not granting Russia access to politically vulnerable juntas under the auspices of counterterrorism assistance. Russia has intensified its disinformation efforts on the continent, in particular to secure support for its barbaric war in Ukraine and turn African nations against the west.

The PRC continues to leverage its economic footholds in the region to exploit and influence African nations. The Committee focused in particular on the PRC's exploitative attempts to control precious metals, minerals, and rare-earth metals on the continent, as part of the PRC's ongoing effort to dominate supply chains for emerging energy technologies critical to U.S. national security. The Committee remains focused on countering these PRC and Russian threats in the region, and continuing to strengthen U.S.-African relations.

During the 117th Congress, parties advanced peace talks in the conflict between Ethiopia and Tigray—a conflict with far-reaching implications throughout the Horn of Africa and North Africa. Terrorism remains a pointed threat, especially as emanating from al Qaeda affiliate al Shabaab in East Africa—to that end, Committee staff remained focused U.S. counterterrorism efforts in the region, and on the return of U.S. forces to Somalia and the implications thereof to the IC.

### I. MIDDLE EAST

The Committee conducted briefings, roundtables, and extensive overseas travel to the Middle East to conduct oversight and gain

a better understanding of the changing dynamics of a strategically important region. With changing dynamics following the signing of the Abraham Accords, increased strategic competition with China and Russia, the ongoing war in Syria, the ever present threat of terrorism, and the continued realignment of the U.S. security posture in the region with resulting fear of U.S. disengagement, staff travel was essential to providing Committee members with key insights and observations only evident through site visits and direct engagement with U.S. officials and foreign partners. Additional important themes explored include the impact of the war in Yemen on the security and intelligence arrangements with key U.S. partners such as Saudi Arabia and the United Arab Emirates, the continued importance of counterterrorism and intelligence relationships with our partners in the region, the essential role diplomacy plays in furthering U.S. intelligence and security partnerships, and the ongoing threat posed to regional stability by Iranian malign influence. Finally, oversight focused on ensuring the U.S. intelligence footprint in the region was commensurate to U.S. national security priorities.

#### J. COVERT ACTION

The Committee conducted vigorous oversight of covert action programs throughout the 117th Congress. The Committee's rules require the Committee's Staff Director to "ensure that covert action programs of the United States government receive appropriate consideration once a quarter." In accordance with this rule, the Committee receives a written report every quarter on each covert action program that is being carried out under a presidential finding. Committee staff review these reports and meet with IC personnel to discuss their substance and pose additional questions. The Committee also holds periodic hearings and briefings on covert action programs, and receives written reviews of covert actions from the CIA Inspector General, which are often the basis for additional staff inquiries.

Further, under section 503 of the National Security Act, the Director of National Intelligence and the heads of all departments, agencies, and entities of the United States Government involved in a covert action are required to keep the congressional intelligence committees fully and currently informed of all covert actions that are the responsibility of, are engaged in by, or are carried out for or on behalf of any department or agency of the United States. Upon receiving such notifications, the Committee reviews the details of each and receives briefings to fully understand the issues.

The Committee seeks to ensure that covert action programs are consistent with United States foreign policy goals, and are conducted in accordance with all applicable U.S. laws.

#### K. COUNTERTERRORISM

In the 117th Congress, the Committee conducted oversight of the IC's counterterrorism programs and activities, through hearings, briefings, roundtables, and overseas travel. The Committee reviewed the IC's response to the threat posed to the United States from foreign terrorist groups such as al-Qaeda and the Islamic State in Iraq and al-Sham, and its activities related to domestic

violent extremism. Specifically, the Committee focused on examining the role of the IC in combatting domestic violent extremism, ensuring the proper use of intelligence resources and protection of Americans' civil liberties, and clarifying the respective responsibilities of the National Counterterrorism Center, the Department of Homeland Security's Office of Intelligence and Analysis, and the FBI. Committee staff traveled overseas, reviewing on-the-ground IC counterterrorism activities, as well as liaison relationships with foreign partners.

#### L. COUNTERINTELLIGENCE

During the 117th Congress, the Committee emphasized the important role of counterintelligence as a functional specialty in confronting U.S. adversaries, including the PRC. To that end, the Committee held an open hearing on "Beijing's Long Arm: Threats to U.S. National Security" to explore the risks posed by PRC intelligence collection to the United States. The Committee's non-partisan Audits and Projects team undertook a comprehensive 18-month study on the role of the National Counterintelligence and Security Center (NCSC), a mission center of the Office of the Director of National Intelligence (ODNI), and its integration into the greater counterintelligence enterprise. The team's work resulted in a publicly-available report that included recommendations to improve NCSC and strengthen integration. Following publication, the Committee hosted an open hearing to discuss the issues raised with three of the investigation's key participants. Further, staff held recurring interagency meetings with NCSC, ODNI, and the FBI to ensure development of coordinated legislative measures aimed at optimizing FBI-NCSC integration and collaboration.

#### M. CYBER

During the 117th Congress, Committee staff continued to monitor the IC's efforts to identify and track foreign cyber actors that pose significant threats to the United States and its allies. The Committee's public hearing on the cyber intrusion into SolarWinds and the subsequent intrusions into downstream customers led to the creation and passage of the *Cyber Incident Reporting for Critical Infrastructure Act of 2022*. The Committee also continued to perform oversight of the Cybersecurity Directorate within the National Security Agency.

Leading up to the Russian invasion of Ukraine in February 2022, the Committee conducted vigorous oversight of the IC's collection and analysis of Russian cyber capabilities. The Committee also continued to engage with private sector entities offering cyber defense support to Ukraine. The Committee believes increased scrutiny should be placed on how cyber capabilities will be used in advance of and during periods of hostilities between nations.

The Committee also conducted oversight of the IC's activities to identify and track foreign cyber actors. However, the Committee continues to be hampered in conducting effective oversight of joint cyber activities involving U.S. Cyber Command and the IC.



## N. TELECOMMUNICATIONS

The Committee continued with efforts initiated in the 116th Congress to investigate and respond to the national security implications posed by 5G telecommunications technology. The Committee engaged closely with the Senate and House Committees on Appropriations to ensure that authorizations previously contained in the Committee-reported *Intelligence Authorization Act for Fiscal Year 2021*—and ultimately enacted through the *National Defense Authorization Act for Fiscal Year 2021*—received full appropriations. This effort ultimately culminated in the provision of \$1.5 billion towards the Public Wireless Supply Chain Innovation Fund, as well as \$500 towards the Multilateral Telecommunications Security fund (administered through a new International Technology Security Innovation Fund).

As part of these continuing efforts, the Committee also convened a number of federal agencies—spanning the IC, domestic regulatory agencies, and foreign development agencies—for an update on efforts by the federal government to promote secure and trusted digital infrastructure, including through the promotion of trusted technical standards. Committee staff supplemented these efforts in the Committee’s overseas travel, engaging both foreign allies and State Department personnel on the status of efforts to promote adoption of secure and trusted digital infrastructure.

## O. EMERGING TECHNOLOGIES

During the 117th Congress, the Committee expanded its oversight of foundational and emerging technologies that have significant implications for national security and national competitiveness. The Committee met with a range of private sector technology experts, as well as IC personnel (to include both leadership and subject-matter experts), to identify a series of priority emerging and disruptive technologies. Committee staff worked to determine the set of federal agencies responsible for monitoring and countering efforts related to those technologies, and formulate strategies to promote U.S. and allied alternatives to counter adversary efforts.

The Committee focused on identifying technologies that may confer military, political, and economic leverage for foreign adversaries, including enhancing the ability of foreign adversaries to shape wider technology ecosystems for strategic objectives and geopolitical influence. Based on these efforts, the Committee identified and is focused on three critical technologies: semiconductors, biotechnology, and next-generation energy storage, generation, and distribution.

The Committee engaged closely with private sector experts, the IC, and other departments and agencies to understand the unique needs of national security customers with respect to these technologies, as well as critical supply chain dependencies and other impacts of global, strategic competition, that could have implications for U.S. national security.

The Committee intends to continue these efforts into the 118th Congress.

#### P. ARTIFICIAL INTELLIGENCE

The Committee continued its efforts to conduct oversight on the national security implications of artificial intelligence. Committee staff engaged closely with private sector and academic experts to understand research development and commercial trends, as well as examine opportunities for adversarial use of artificial intelligence and machine learning-based technologies. The Committee also passed a series of enhancements to the authorities and governance of the IC with respect to emerging technology, and in particular, artificial intelligence, as part of the *Intelligence Authorization Act for Fiscal Year 2023*. The Committee provided the Director of National Intelligence the ability to enter into other transactions to increase the speed and agility with which the IC can acquire emerging technologies. The Committee also directed the IC to reduce the barriers to entry for adopting new technologies and harmonize the authorizations to operate for information technology systems between the Department of Defense and IC.

#### Q. ANAMOLOUS HEALTH INCIDENTS

The Committee conducted oversight of the CIA's use of authorities provided by Section 6412 of the *National Defense Authorization Act for Fiscal Year 2020* and initiated a review, by the Audits and Projects team, of CIA's response to anomalous health incidents, with a focus on the medical care, compensation, and other workplace provisions provided to CIA affiliates affected by these incidents. The Committee also continued to oversee a range of investigations into the causes of anomalous health incidents experienced by U.S. Government personnel in Havana, Cuba, and elsewhere. Members of the Committee remain committed to supporting the victims of these health incidents and overseeing the IC's investigations into their causes.

#### R. PERSONNEL VETTING REFORM

During the 117th Congress, the Committee continued its rigorous oversight of the Executive Branch's efforts to reform a personnel vetting model that has remained largely unchanged for more than 70 years. Since 2016, Committee staff have sponsored quarterly briefings from the Performance Accountability Council, led by the Office of Management and Budget, to keep all congressional committees in the House and Senate apprised of reforms to address problems surfaced by the Navy Yard shooting in 2013, the government's public admission in 2015 of China's breach of personnel data held by the Office of Personnel Management, and the introduction of the new Trusted Workforce 2.0 paradigm. The Director of National Intelligence bears particular responsibility in leading these reforms as the government's statutory Security Executive Agent. The Committee has taken specific interest in efforts to vet government and contract personnel employed in the IC. Following a longstanding tradition of legislating in this area, both the *Intelligence Authorization Act for Fiscal Year 2022* and the *Intelligence Authorization Act for Fiscal Year 2023* contained multiple provisions on personnel vetting. These Acts established governance and performance management frameworks for personnel vetting, and required analyses on the efficient administration of polygraphs,

among other things. The Committee's sustained, bipartisan pressure has yielded results: the elimination of a backlog in background investigations that once topped 725,000, a return of timelines for adjudications of clearances to levels established in the *Intelligence Reform and Terrorism Prevention Act of 2004*, and the Executive Branch's adoption of Trusted Workforce 2.0.

#### S. GOVERNMENT SECURITY POLICY

The Committee continued its focus on security policies and practices through regular meetings with the ODNI, the National Archives and Records Administration's Information Security Oversight Office, and public advocates. The Committee sought to ensure proper use of classification and handling markings to safeguard America's security, while ensuring appropriate sharing with allies, partners, and the public. In addition, the Committee sought greater flexibility in the use of sensitive compartmented information facilities by multiple agencies and companies. The Committee also held briefings on modernizing the national industrial security policy to address growing challenges from China and others and protect the range of technologies critical to America's long-term success.

#### T. FOREIGN MALIGN INFLUENCE

During the 117th Congress, the Committee built on its efforts in the 116th Congress to evaluate the IC's response to foreign malign influence activity. In 2022, the Committee authorized initial funding through the *Intelligence Authorization Act for Fiscal Year 2022* to enable the formation of the Foreign Malign Influence Center, first established in the *National Defense Authorization Act for Fiscal Year 2020*. In an effort to ensure the Center does not undertake efforts that are duplicative of those already being executed by other IC elements, the Committee also required the Director of National Intelligence to provide a report explaining the structure, responsibilities, and organizational placement of the Center, as well as assessing the efficacy of alternative organizational structures. The Director of National Intelligence provided the Committee with a response in September 2022, outlining the assessed needs and functions of the Center and expressing support for the Center's current organizational structure.

The Committee also continued its practice of conducting oversight on the posture of the IC to identify, disrupt, and counter foreign malign influence activity directed at U.S. elections. As the Committee had in the lead-up to the 2018 and 2020 elections, the Committee held briefings with IC agencies leading those efforts, including a post-election briefing to evaluate the IC's effectiveness and the role of the Foreign Malign Influence Center in coordinating those efforts for the first time. Committee staff also conducted weekly briefings with IC ahead of the election to monitor analytical and operational activity.

#### U. UNIDENTIFIED ANOMALOUS PHENOMENA

During the 117th Congress, the Committee continued its oversight of the UAP issue, specifically working to ensure that the Department of Defense's efforts to report and respond to UAP are coordinated with those of the IC. In 2021, members on the armed

services and intelligence committees spearheaded legislation standing up an office to replace the U.S. Navy-led UAP Task Force and broadening its efforts to improve data-sharing between agencies on UAP sightings and address national security concerns. In 2022, the Committee directed further changes to the office in the *Intelligence Authorization Act for Fiscal Year 2023*, establishing the All-Domain Anomaly Resolution Office (AARO) under the Deputy Secretary of Defense and the Principle Deputy Director for National Intelligence to provide comprehensive management of the UAP issue across the Department of Defense and the IC. Importantly, associated legislation mandates a secure authorized disclosure reporting process allowing witnesses to report to AARO any relevant information at any security level. Finally, the legislation directs the AARO to conduct a historical study going back to 1945 to document U.S. historical efforts to address UAP.

The Committee also focused efforts on gaining additional insights into the increasing numbers of UAP sightings over or near U.S. national security assets. At a time when near-peer adversaries are fielding advanced all-domain technologies at a rapid pace, the Committee worked to ensure the IC allocates sufficient resources and attention on UAP to avoid technology surprise from a potential adversary.

## V. SPACE

During the 117th Congress, the Committee continued its oversight of the IC's role in the space domain, which is evolving in light of adversary advances in counterspace capabilities intended to target U.S. and allied satellites. The Committee continued its efforts to ensure the IC has reliable and resilient access to, and operation in, space to provide intelligence support. In 2021, the National Reconnaissance Office's (NRO) focus on, and investments in, resiliency were formalized through the Protect and Defend Strategic Framework, signed by the NRO, U.S. Space Force, and the U.S. Space Command, which helped define and deconflict roles and sharpen the Committee's oversight efforts.

The Committee continues to advocate for effective collaboration and unity of effort between NRO and the range of stakeholders in the Department of Defense, which is critical to improve speed and quality of data delivered to the warfighter and other government customers.

The Committee held hearings and briefings on NRO's evolving approach to a "hybrid" space architecture, the expanding role of commercial space within the IC, and adversary threats to U.S. space capabilities. The Committee also examined key budget and cross-cutting technology issues, such as artificial intelligence and cloud computing, and continued to encourage the NRO and the National Geospatial-Intelligence Agency (NGA) to capitalize on the ongoing revolution in the commercial space sector, which has yielded reductions in the cost of launch, new sensor technologies, smaller satellites, and sophisticated data analytics and services. Importantly, the committee recognizes the critical symbiotic contribution of the ground architecture to space and continues to provide focused oversight on this architecture.

In addition to hearings, since February 2022, the Committee has been particularly active in ensuring NRO and NGA have worked

to expedite the flow of geospatial intelligence and data to the Ukrainian government and to our North Atlantic Treaty Organization allies in the context of the Ukraine-Russia crisis. The Committee and its staff also engaged frequently on overhead architecture topics with the NRO, NGA, ODNI, and other IC and government officials, and conducted site visits to government facilities and commercial companies to meet with government officials and industry leaders. The Committee also continued to monitor the establishment of the U.S. Space Force as the 18th and newest element of the IC to ensure it meets the standards set for all IC elements.

#### W. AUDITS AND PROJECTS

The Committee's rules stipulate that within its staff there "shall be an element with the capability to perform audits of programs and activities undertaken by departments and agencies with intelligence functions. Such element shall be comprised of persons qualified by training and/or experience to carry out such functions in accordance with accepted auditing standards." This capability resides within the Committee's "Audits and Projects Team." The Committee charges the Audits and Projects Team to conduct in-depth reviews of IC-related matters and assist the Committee with its oversight obligations. The Committee has also assigned the Audits and Projects Team responsibility for managing the Committee's relationship with the Government Accountability Office (GAO), to include overseeing the development and execution of reviews that the Committee assigns to GAO, and for managing the Committee relationship with IC inspectors general. In addition, the Audits and Projects Team tracks IC compliance with direction contained in the annual Intelligence Authorization Acts and manages the complainant and whistleblower intake and review process.

The Audits and Projects Team completed three Committee-authorized projects during the 117th Congress. The first project was a lessons-learned review of a compartmented IC acquisition program culminating in a classified report that offered 18 recommendations to improve IC acquisition and contracting processes.

The second project was an organizational assessment of the NCSC within the context of a changing threat landscape. The review culminated in a classified report that offered 17 recommendations to address challenges facing the counterintelligence enterprise in general and the NCSC in particular; an unclassified (redacted) version of the report that is available on the Committee website; and an open hearing on how the IC, industry, and academia are postured against foreign adversary threats to American innovation identified in the report.

The third project examined how commercial satellite imagery was or could be used to support certain national security missions. This project culminated in a final classified report that offered three recommendations, and which will inform the Committee's continued oversight of the IC's efforts to integrate commercial satellite imagery into intelligence collection and analysis efforts.

Finally, at the conclusion of the 117th Congress, the Audits and Projects Team initiated a review of the CIA's response to anomalous health incidents, with a focus on the medical care, compensation, and other workplace provisions provided to CIA affiliates af-

fectured by these incidents. This work will inform the Committee's broader and continued oversight of this important topic. This work is continuing into the 118th Congress.

#### X. WHISTLEBLOWERS AND OTHER COMPLAINANTS

The Committee annually receives hundreds of phone calls, facsimiles, mail, and email communications from self-identified whistleblowers and other complainants on matters they believe constitute a violation of law, rule, or regulation; gross mismanagement; waste of resources; abuse of authority; or a substantial danger to public health and safety. Committee staff reviewed and, where warranted, investigated those complaints, often working closely with the inspectors general of agencies in the IC.

#### Y. INSPECTORS GENERAL

The Committee continued its strong relationship with, and oversight of, the inspectors general of agencies in the IC. Regular oversight consisted of reviews of agency semiannual reports and annual work plans, as well as specific audits and reviews. On November 21, 2021, the Committee also held a closed roundtable with the four Senate-confirmed inspectors general within the IC—the IC Inspector General, the CIA Inspector General, the NSA Inspector General, and the NRO Inspector General—as well as a representative of the GAO.

#### Z. REVIEW OF ANALYTIC OMBUDSMAN REPORT ON ALLEGATIONS OF POLITICIZATION

Committee staff conducted a year-long review of ODNI's election security analysis that was prompted by an unclassified report published on January 6, 2021, by the ODNI's Analytic Ombudsman concerning allegations of politicization. Staff produced a classified report that contained eight recommendations for improvements in election security analysis.

### IV. NOMINATIONS

During the 117th Congress, the Committee received 13 nominations from President Joe Biden.

Section 17 of S. Res. 400 of the 94th Congress (as amended) and a 2009 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 Committee on the Judiciary, but referred to the Select Committee on Intelligence. In the wake of the *Intelligence Authorization Act for Fiscal Year 2014*, which made the directors and inspectors general of the NRO and the NSA Senate-confirmed positions, the Senate adopted S. Res. 470 on July 7, 2014. This resolution directed

that if the nominee were a civilian, the Select Committee on Intelligence would report the nomination and refer it to the Committee on Armed Services, 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. Under this consent agreement, the nominations for the NRO and NSA Inspectors General are also referred to the Homeland Security and Governmental Affairs Committee. The exception to this consent agreement is the Inspector General for the CIA, which is considered exclusively by the Select Committee on Intelligence.

During the 117th Congress, the Committee neither received nor considered a nomination for the Director of NCSC. The Committee has been disheartened by this lack of a nomination, particularly in light of its critical organizational assessment of NCSC, a redacted version of which was publicly released in September 2022, and the importance of the executive branch's Trusted Workforce 2.0 initiative to transform the government's personnel vetting model.

The following nominations were referred to the Committee during the 117th Congress:

#### A. AVRIL HAINES, DIRECTOR OF NATIONAL INTELLIGENCE

On November 23, 2020, President-elect Biden announced his intent to nominate Avril Haines to be the Director of National Intelligence. The Committee held a hearing on January 19, 2021, and President Biden formally nominated her on January 20, 2021. The Committee reported the nomination favorably on January 20, 2021, and the Senate confirmed Director Haines by a vote of 84–10 on the same day. Director Haines is the first woman to serve as the Director of National Intelligence.

#### B. WILLIAM BURNS, DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

On January 11, 2021, President-elect Biden announced his intent to nominate William Burns to be the Director of the CIA. President Biden formally nominated him on February 3, 2021. The Committee held a hearing on February 24, 2021, and reported the nomination favorably on March 2, 2021. The Senate confirmed Director Burns by voice vote on March 18, 2021.

#### C. CHRISTOPHER C. FONZONE

On March 16, 2021, President Biden nominated Christopher Fonzone to be General Counsel of the Office of the Director of National Intelligence. The Committee held a hearing on May 18, 2021, and reported the nomination favorably on May 26, 2021. The Senate confirmed Mr. Fonzone by a vote of 55–45 on June 22, 2021.

#### D. BRETT M. HOLMGREN

On April 12, 2021, President Biden nominated Brett Holmgren to be Assistant Secretary of State for Intelligence and Research. The Committee held a hearing on May 18, 2021, and reported the

nomination favorably on May 26, 2021. The Senate confirmed Assistant Secretary Holmgren by voice vote on September 13, 2021.

#### E. CHRISTINE ABIZAID

On April 15, 2021, President Biden nominated Christine Abizaid to be the Director of National Counterterrorism Center. The Committee held a hearing on June 9, 2021, and reported the nomination favorably on June 22, 2021. The Senate confirmed Director Abizaid by voice vote on June 24, 2021.

#### F. ROBIN ASHTON

On April 19, 2021, President Biden nominated Robin Ashton to be Inspector General of the Central Intelligence Agency. The Committee held a hearing on June 9, 2021, and reported the nomination favorably on June 16, 2021. The Senate confirmed Ms. Ashton by voice vote on June 24, 2021.

#### G. THOMAS A. MONHEIM

On May 10, 2021, President Biden nominated Thomas Monheim to be Inspector General of the IC. Upon primary referral, the Committee held a hearing on July 20, 2021, and reported the nomination favorably on July 28, 2021. The nomination was sequentially referred to the Senate Committee on Homeland Security and Governmental Affairs the same day. Upon sequential referral to the Senate Committee on Homeland Security and Governmental Affairs for 20 calendar days pursuant to an order of January 7, 2009 (S05120), the Senate Committee on Homeland Security and Governmental Affairs discharged the nomination on September 20, 2021. The Senate confirmed Mr. Monheim by voice vote on September 30, 2021.

#### H. STACEY A. DIXON

On April 27, 2021, President Biden nominated Stacey Dixon to be the Principal Deputy Director of National Intelligence. The Committee held a hearing on July 20, 2021, and reported the nomination favorably on July 28, 2021. The Senate confirmed Ms. Dixon by voice vote on August 3, 2021.

#### I. MATTHEW G. OLSEN

On May 27, 2021, President Biden nominated Matthew Olsen to be Assistant Attorney General for National Security. Upon sequential referral to the Committee following primary referral to the Senate Committee on the Judiciary, the Committee held a hearing on July 20, 2021, and reported the nomination favorably on August 10, 2021. The Senate confirmed Mr. Olsen by a vote of 53–45.

#### J. SHANNON CORLESS

On September 27, 2021, President Biden nominated Shannon Corless to be Assistant Secretary for Intelligence and Analysis at the Department of the Treasury. The Committee held a hearing on November 30, 2021, and reported the nomination favorably on December 15, 2021. The Senate confirmed Ms. Corless by voice vote on December 16, 2021.



## K. KENNETH WAINSTEIN

On November 17, 2021, President Biden nominated Kenneth Wainstein to be Under Secretary for Intelligence and Analysis at the Department of Homeland Security. The Committee held a hearing on January 12, 2022, and reported the nomination favorably on March 8, 2022. The Senate confirmed Mr. Wainstein by a vote of 63–35 on June 7, 2022.

## L. KATE HEINZELMAN

On March 8, 2022, President Biden nominated Kate Heinzelman to be General Counsel of the Central Intelligence Agency. The Committee held a hearing on April 6, 2022, and reported the nomination favorably on May 10, 2022. The Senate confirmed Ms. Heinzelman by a vote of 50–41 on July 14, 2022.

## M. TERRENCE EDWARDS

On June 7, 2021, President Biden nominated Terrence Edwards to be Inspector General of the National Reconnaissance Office. Upon primary referral to the Committee, the Committee held a hearing on August 2, 2022 and reported the nomination favorably on September 14, 2022. The nomination was sequentially referred to the Senate Committee on Armed Services, which discharged the nominee on November 28, 2022. The nomination was sequentially referred to the Senate Committee on Homeland Security and Governmental Affairs, which discharged the nominee on December 18, 2022. The Senate confirmed Mr. Edwards by unanimous consent on December 22, 2022.

## V. SUPPORT TO SENATE

Under Senate Resolution 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 access to IC information and officials to the U.S. Senate.

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

## VI. SUMMARY OF COMMITTEE ACTIONS

## A. NUMBER OF MEETINGS

During the 117th Congress, the Committee held a total of 132 on-the-record interviews, meetings, briefings, and hearings, as well as numerous off-the-record briefings. There were 39 oversight hearings, including 13 hearings on the IC budget. Of these 39 hearings, 14 were open to the public, including open confirmation hearings for 13 administration nominees, while the remainder were closed to protect classified information pursuant to Senate rules. The

Committee also held 10 business meetings including mark-ups of legislation.

B. BILLS AND RESOLUTIONS ORIGINATED BY THE COMMITTEE

S. Res. 53—An original resolution authorizing expenditures by the Select Committee on Intelligence.

S. 2610—Intelligence Authorization Act for Fiscal Year 2022.

S. 4503—Intelligence Authorization Act for Fiscal Year 2023.

C. BILLS REFERRED TO THE COMMITTEE

S. 849—Supply Chain Vulnerability Assessment Act of 2021.

S. 1348—COVID-19 Origin Act of 2021.

S. 2345—Preventing Terrorism from Hitting America’s Streets Act.

S. 2590—Directed Energy Threat Emergency Response Act.

S. 2654—September 11 Transparency Act of 2021.

S. 3657—A bill to require the Director of National Intelligence to provide notification to Congress of abandoned United States military equipment used in terrorist attacks.

S. 3759—Afghanistan Vetting and Accountability Act of 2022.

S. 4456—A bill to prohibit certain former employees of the Intelligence Community from providing certain services to governments of countries that are state sponsors of terrorism, the People’s Republic of China, and the Russian Federation, and for other purposes.

S. 5250—A bill to modify requirements for certain employment activities by former intelligence officers and employees of the Intelligence Community, and of other purposes.

D. COMMITTEE PUBLICATIONS

Report 117-2—Report of the Select Committee on Intelligence covering the period January 4, 2019–January 3, 2021.

Report 117-37—Report to accompany the Intelligence Authorization Act for Fiscal Year 2022.

Report 117-132—Report to accompany the Intelligence Authorization Act for Fiscal Year 2023.

