

Statement for the Record of Christopher C. Fonzone
Nominee for General Counsel of the Office of the Director of National Intelligence
Before the Senate Select Committee on Intelligence
May 18, 2021

Chairman Warner, Vice Chairman Rubio and Members of the Committee, it's an honor to appear before you today as President Biden's nominee to be the general counsel of the Office of the Director of National Intelligence (ODNI). Thank you for taking the time to consider my nomination.

I'm only here today because of the efforts of others. My parents, Charles and Mary Ann Fonzone, are watching today's proceedings from home in Allentown, Pennsylvania—probably pretty nervously. They instilled in me and my brother Steve from a young age the importance of working hard and always trying to do the right thing, and I think often of their guidance.

My wife Jill is here today and I can't thank her enough for her love, counsel, and patience, and for always being able to make me smile. Her support and encouragement—even though she already knows what it is like to be married to someone who works in a SCIF—is one of the main reasons I am prepared to undertake this challenging role.

I'm also very thankful to President Biden and Director Haines for placing their confidence in me. The Intelligence Community plays a vital role in keeping the Nation safe, but it can only operate effectively if the American people have confidence that its activities are lawful and consistent with the Nation's values. If confirmed, I pledge to do all I can to assist Director Haines in leading an Intelligence Community that earns the American people's trust.

I know this is a serious and important responsibility. Legal advice provided in Washington can have far-reaching effects, including for Intelligence Community personnel doing dangerous and difficult jobs far away from headquarters.

If confirmed, I would thus strive to provide advice that not only ensures the Intelligence Community carries out its important mission consistent with the law, but also is mindful of context and useful to the recipient. In short, my goal would be to work with the dedicated and talented career lawyers in the General Counsel's Office to be a partner to the Director and all ODNI employees, providing them with timely, practical, and sound counsel on the issues and challenges they face, while remaining unafraid to deliver tough advice, when necessary.

Another key focus of mine, if confirmed, would be to maintain an effective working relationship with the Congress—and this Committee, in particular.

Under the Constitution, the institutions of our government are ultimately accountable to the American people. For this reason, I think the Intelligence Community should be as transparent as it can be about the legal basis for its activities. But much of the Intelligence Community's work is necessarily secret, and it is therefore crucial for Congress to have the information it needs to exercise its oversight functions, particularly with respect to legal matters. If confirmed, I would thus endeavor to be a partner to this Committee and maintain open lines of communication on the range of legal issues that may arise during my tenure.

Finally, if confirmed, I would also look forward to working with lawyers from across the Intelligence Community. National security lawyers often have to confront novel questions for which traditional legal sources do not provide clear answers. In those cases, collaboration can be extremely helpful, and cooperation between Intelligence Community elements can also help ensure that the Community's equities are presented effectively in interagency legal discussions.

I recognize that there is probably no job with a mix of responsibilities identical to the ODNI General Counsel's. But I've been fortunate during my legal career to have had a number of roles—clerking; at the Departments of Justice and Defense, at the National Security Council, and in private practice—that I believe provide useful experience.

This experience also teaches me how special it is to serve one's country. Put simply, there's a sense of mission and purpose in working for the government that you simply can't replicate anywhere else. I also know how lucky you have to be and how many things have to break right to have the opportunity to serve in a role like the one for which I've been nominated.

That's why, Mr. Chairman, Mr. Vice Chairman, and Members of the Committee, I can commit to you that, if afforded the opportunity to serve, I will do everything in my power to carry out this important office to the best of my ability; to be an effective counselor to and advocate for the Intelligence Community; to be a partner to this Committee; and to be an effective steward of the public's trust.

Thank you again for your consideration of my nomination, and I look forward to your questions.