

March 1, 2021

The Honorable Mark R. Warner, Chairman
The Honorable Marco Rubio, Vice Chairman
Select Committee on Intelligence
United States Senate
211 Hart Senate Building
Washington, DC 20510

Dear Chairman Warner and Vice Chairman Rubio:

Thank you for the Committee's letter dated February 26, 2021. As requested, I have completed my responses to the Committee's post-hearing questions, which are enclosed. My response to an additional question from Senator Cotton is being submitted under separate cover due to the sensitivity of that topic.

I appreciated the opportunity to testify before the Committee and to answer its questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Burns", with a long horizontal flourish extending to the right.

William J. Burns

Enclosure

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE



Post-Hearing Questions for the Record for

William J. Burns

Upon his nomination to be

Director of the Central Intelligence Agency

[From Vice Chairman Rubio]

Nord Stream II

Ambassador Burns, as you know completion of the Nord Stream II gas pipeline linking Russia and Germany is a top priority for Vladimir Putin.

1. What do you see as the risks associated with completion of this project?

(U) I agree with Secretary Blinken’s statement in his confirmation testimony that completion of Nord Stream II (NSII) is a “bad idea.” In broad terms, Nord Stream II would enable Russia to accomplish one of its strategic objectives which is to bypass Ukraine as a transit state for its natural gas while retaining European market share. Russia has worked to reduce gas volumes through Ukraine with each new European pipeline project it has undertaken. Moscow views its pipeline projects as a means to stoke division in the West and boost its sway in Europe, and it has used political and economic pressure to induce European cooperation. Even with NSII, Russia's energy leverage will diminish if Europe follows through on efforts to diversify energy suppliers and routes, limit investment in some strategic sectors, and bolster anticorruption campaigns to thwart Moscow's efforts to blackmail or co-opt local and national officials.

2. How might completion of Nord Stream II affect energy security in Europe, and what would be the likely outcome for Ukraine? In answering, please provide an updated assessment on Mathias Warrnig, the CEO of Nord Stream II, on his ties to Russian and East German Intelligence. To the extent possible, the assessment should be unclassified with a classified annex.

(U) In my view, the completion of the project will have an uneven effect on Europe's energy security based on infrastructure and transit fees, with Germany being the greatest beneficiary. Countries closest to Germany—such as Austria and the Czech Republic—that have more infrastructure in place to receive and transmit volumes of NSII gas to other European consumers would be most likely to take gas from NSII if it were completed. Countries farther east—such as Ukraine—would be among those most adversely impacted because of infrastructure constraints or reduced transit revenue.

(U) At full capacity, the project would reroute 55 billion cubic meters (bcm) of existing natural gas volumes transiting Ukraine, rather than increase Russian

natural gas volumes to Europe. In addition, at full capacity the project would eventually crimp Ukraine's natural gas transit revenues—most likely reducing them by more than \$1 billion per year.

(U) Nord Stream II Chief Executive Officer Matthias Warnig began his career as an East German intelligence officer in the State Security Service (Stasi) in 1974 and served in West Germany during the same time that Vladimir Putin was a KGB officer in East Germany, according to public reporting. Also according to public reporting, the two men met during this time. If confirmed, I will provide a classified assessment on this matter.

Foreign Gifts

In your pre-hearing disclosures you disclosed holiday gifts from foreign governments that you accepted during your time as President of the Carnegie Endowment International Peace, including a “Super Bowl group trip” from the Saudi Ambassador.

3. What was the cost or total value of the trip? What year was this trip taken? Were you required to pay taxes on this gift?

(U) I accepted a gift from the Saudi ambassador to attend the Super Bowl in February 2018, along with a small group that included several Arab ambassadors in Washington. I have been transparent on this matter -- consulting with Carnegie Endowment's ethics officer, who approved the trip in advance, and filing it on my required Committee and nominee disclosure forms. I estimate the total value of the gift at over \$1000. According to my tax advisor, I was not required to pay taxes on the gift.

4. Given Saudi Arabia’s track record suppressing freedom of expression, association, religion, directing unlawful killings, and detention of innocent American citizens, do you believe it was appropriate to accept such a gift from the Saudi Ambassador, even in your private capacity?

(U) I should have declined the trip and watched the game, as I have done every other year, from home. I have never pulled any punches in my sharp public criticism of the Saudi government's actions, particularly the horrific murder of Jamal Khashoggi in October 2018, whom I had met over the years and knew to be a thoughtful, honest and courageous critic of the excesses and overreach of the

Saudi leadership. I was equally direct in my condemnation of Saudi Arabia's role in the catastrophic war in Yemen. I have written and spoken often about my serious concerns about Saudi behavior, including in Senate Foreign Relations Committee testimony.

5. Do you believe the United States should press Saudi Arabia on its egregious human rights record while also working on issues critical to U.S. and Saudi security?

(U) I believe firmly that the United States should press Saudi Arabia hard on human rights abuses, while also working on issues critical to U.S. and Saudi security.

Cuba

Press reporting has indicated that Russia has long used Cuba as a platform for intelligence collection against the United States, and more recently other adversaries, including China, are doing the same by exploiting its proximity to the U.S.

6. What is your view of the Cuban regime as a threat to U.S. interests?

(U) In my view, Cuba remains a repressive, undemocratic state with a troubling human rights record and history of espionage against the United States. The most pressing and immediate concern, however, is Cuba's alliances with other countries hostile to the United States. It hosts military and intelligence personnel from these countries, and cooperates with them in ways that harm the interests of the United States and our democratic allies in the region.

7. How do you believe our adversaries, particularly Russia and China, view Cuba?

(U) China and Cuba have longtime ideological ties but recent years have seen a change in the nature of the relationship as China has moved beyond ideology and instead leveraged Cuba's dire economic situation to increase its foothold in the Western Hemisphere. Cuba has little to offer China in return for economic assistance except access to a location near the United States, which China is well-positioned to exploit. Russia also sees Cuba as a dependably autocratic partner.

8. Who are Cuba's closest intelligence partners?

(U) Cuba's intelligence relations with others tend to be transactional, but it is difficult to discount the degree to which the Cuban regime is dependent on Russian intelligence support. Cuba's historical role as a longtime client and intelligence ally of the Soviets continues now with Russia. In fact, Russian press reports indicate Cuba allowed Russia to reopen a signals intelligence collection site in Cuba aimed at the United States.

9. What is Cuba's role in supporting the Maduro regime in Venezuela, and how do you assess that contributes to instability in the Western Hemisphere?

(U) Former Venezuelan President Hugo Chavez's rise to power and his weakening of Venezuelan democratic institutions owed much to the support provided by the Castro regime. Cuban advice to Chavez and now Maduro, while solidifying the Venezuelan regime's control over public discourse and stifling dissent, also has resulted in mismanagement of the Venezuelan economy. For its part, Cuba remains dependent on Venezuelan oil for as long as Venezuelan wells continue to function. In terms of the contribution to instability in the region, among other things, the flow of Venezuelan refugees fleeing the hardships in Venezuela has created the worst refugee crisis in the region's history and has placed economic and political burdens on countries already struggling with the damaging ramifications of the COVID-19 pandemic.

The U.S. has recently added Cuba back to the list of U.S. State Sponsors of Terrorism due to the fact that Cuba provides safe haven for members of U.S. State Department-designated foreign terrorist organizations – namely the FARC and ELN.

10. Do you agree that countries that provide safe haven for terrorists should be considered sponsors of terrorism?

(U) The Secretary of State makes the policy determination for designating state sponsors of terrorism. Cuba was removed from the list in 2015 and was recently placed back on the list at the end of the previous Administration. If confirmed, I will prioritize intelligence support to policy makers on Cuba's malign activities.

Iran

Under the Iran Nuclear Agreement Review Act, the president is required to keep the appropriate congressional committees and leadership “fully and currently” informed of any initiatives or negotiations with Iran relating to its nuclear program.

11.If confirmed, do you commit to keep Congress informed of the intelligence community’s role in any negotiations with Iran?

(U) The intelligence community plays an important role in informing Congress of Iran’s activities, and to the extent CIA is involved in supporting future policy negotiations, I will keep the Committee informed.

The JCPOA is still in effect, even without the participation of the United States, and we have all read in the newspapers the steps Iran has taken recently with regard to its enrichment activities, which are prohibited under the JCPOA.

12.You told Senator Cornyn in our hearing that “the United States [should] do everything we can to prevent Iran from developing a nuclear weapon.” As Director of the CIA, how would you provide early warning of Iran’s intention to turn years of research and preparatory work into a finished weapon? In your view, what does that look like, and how will Iran react to “everything we can do”?

(U) If confirmed, I will ensure that CIA continues to provide a clear, objective, and timely view of all relevant intelligence to policymakers and Congress on this issue. Early warning to policymakers relies on the strength of CIA’s technical and HUMINT collection capabilities, which are key to gaining the most accurate intelligence picture possible on Iranian intentions and activities across the spectrum of nuclear, ballistic missile and other destabilizing programs. If confirmed I will place a significant focus on ensuring the robustness of CIA’s capabilities, paired with collaborative opportunities with IC partners. As I emphasized in my hearing, it is crucial for the United States to do everything it can to prevent Iran from developing a nuclear weapon, and to keep up the pressure on the Iranian regime to cease hostile regional and international activities and live up to international norms. Without such a comprehensive strategy, I would not expect to see unprompted changes or a de-escalation in its destabilizing actions.

13. Would you agree Iran is the world's leading exporter and supporter of terrorism?

(U) Iran has long been designated by the United States as a state sponsor of terrorism, with good reason. Iran continues to provide financial aid, advanced weapons, and training to militant and terrorist groups in the Middle East while cultivating operative networks across the globe. During the past few years, Iran and its partners and proxies have conducted attacks against us and allied interests heightening tensions in the Middle East. Targets have included U.S. locations and personnel in Iraq, oil facilities, regional shipping, and other infrastructure.

14. Do you believe that we can trust the world's leading exporter of terrorism to honor an international agreement?

(U) Ensuring that Iran honors international agreements is not, in my view, a question of "trust," but rather of hard-headed verification and monitoring measures that enable the U.S., our partners, and international agencies to measure compliance.

15. Do you believe that providing sanctions relief to the world's leading exporter of terrorism is likely to increase terrorist activity?

(U) In my view, an increase in Iran's financial resources would enable Tehran to better fund militant and terrorist groups and may engender an increase in Iran-backed terrorist and lethal activity. However, it is notable that U.S. sanctions that have constrained the Iranian government's revenue have not caused a marked change in Iran's military and security activity.

Recent Rocket Attacks in Iraq

Three times in the past week Iran and its proxies have tried to kill Americans who are working with the Iraqi government to secure their country from ISIS. I am pleased to see the administration beginning to respond to these provocations with targeted military action.

16. What is your view of the importance of establishing attribution as a predicate to deterrence regarding Iranian proxies?

U) Establishing attribution is a critical step in combatting such threats, and I have seen over the course of my long career in government the critical role CIA plays in that effort. Iran designs its support to proxy groups to be deniable in part to limit Washington's ability to hold Iran responsible for attacks. CIA's mission to conduct objective all-source intelligence is essential in determining culpability in the wake of attacks in order to support U.S. policy.

Mission and Structure of CIA

17. A) What is your view of the size and composition of the CIA workforce, as it stands today? What changes would you consider making? How will you improve recruitment of Americans from many backgrounds, including first and second-generation Americans and those with STEM backgrounds?

B) Do you intend to evaluate CIA's organizational structure for possible changes? If you do conduct a review of the CIA's structure, will you commit to keeping the Committee apprised of the findings and your intentions?

C) What are your plans for resourcing and managing the CIA's election security efforts? Do you see election security in terms of a sustained effort, or something that ebbs and flows in relation to the electoral calendar?

D) If confirmed, do you commit to immediately notifying the Committee of impending leadership changes before they are publicly announced?

(U) If confirmed, I will consider it the highest honor to lead the exceptional women and men of CIA. As I stated in my hearing, I believe it is critically important that the CIA workforce reflects the diversity of our Nation and the diverse and unique skillsets demanded by CIA's global mission. The size and structure of CIA should evolve as needed to meet that core objective, and fully evaluating the resourcing posture of CIA will be an early focus for me if confirmed. I intend to take necessary steps to ensure that CIA has the highest quality language, technical and tradecraft training complemented by the most efficient and effective recruitment, retention and career advancement practices. If confirmed, I will assess all organizational aspects of CIA, to include those associated with STEM hiring and sustainment of election security efforts, and look forward sharing my findings with the Committee. I also commit to sharing any leadership changes at the Agency with the Committee.

[From Senator Cotton]

Russia

Russia's Nord Stream 2 gas pipeline is in the final stages of construction, and last year's defense bill greatly expanded the scope of companies subject to sanctions for supporting this destabilizing activity. I understand that the State Department has been contacting these companies to make them aware of their potential sanctions exposure.

18. Will you commit, if confirmed, to immediately providing the Senate with the unclassified list of all companies involved in the project that the IC produced in response to the National Defense Authorization Act?

(U) The CIA provides classified intelligence support to the State Department and other policy agencies' reporting requirements under the National Defense Authorization Act. If confirmed, I will pursue your interest in an unclassified list of companies that CIA determined to be engaged in conduct that would make them potentially subject to sanctions.

19. Will you commit, if confirmed, to provide an updated assessment of ties between Nord Stream CEO and Russian, East German, or other hostile intelligence agencies, in unclassified form with a classified annex if necessary?

(U) If confirmed, I commit to review our available intelligence on this matter and working with the Committee on a pragmatic way forward.

Nuclear Weapons Treaties

Early this month the Commander of STRATCOM wrote that "Russia began aggressively modernizing its nuclear forces, including its non-treaty-accountable" weapons a decade ago and "China's nuclear weapons stockpile is expected to double (if not triple or quadruple) over the next decade."

20. If confirmed, will you commit to providing this committee with regular updates on Russia's and China's nuclear modernization efforts?

(U) Yes. If confirmed, I will provide regular updates on Russia's nuclear modernization efforts, as well as China's ongoing efforts to modernize the People's Liberation Army's (PLA) nuclear forces. I will ensure that CIA uses the full array of its intelligence capabilities, in conjunction with the rest of the intelligence community, to monitor and assess developments relating to China's military, particularly its nuclear forces.

In 2019 DIA Director LTG Ashley indicated that Russia is violating the Comprehensive Nuclear Test-Ban Treaty, and last year the Department of State reported that China may be doing the same.

21. If confirmed, how will you ensure that CIA is postured to collect against, evaluate, and inform policy makers about our adversaries' adherence to or violation of international arms control agreements?

(U) As I know from my prior public service, CIA plays a critical role in support of broader U.S. government efforts to monitor treaty compliance. The intelligence community's collection and analysis informs the formal determinations of verification and compliance made by the State Department in its annual report to Congress, "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments." The DCIA must concur on this report as stipulated in 22 U.S.C. § 2593a. If confirmed, I would make collection against our adversaries' nuclear weapons program, to include China's adherence to or violation of its self-proclaimed nuclear weapons testing moratorium, one of our highest priorities.

China

Last week I released a report recommending a series of actions to confront the Chinese Communist Party's economic aggression against the United State, including more stringent visa screening to catch PRC spies. The Department of State holds an important role in the travel and visa screening system that was built to prevent terrorists from traveling to the United States.

22. What lessons should the rest of the U.S. Government take away from our successes in screening visa applicants for terrorist affiliations in recent years? Where do we still need to make improvements?

(U) I have read carefully the report you released, and its recommendations, including on visa screening. Since 9/11, CIA has intensified its efforts, working with its U.S. government partners, to prevent terrorists from entering the United States. If confirmed, I will seek opportunities to identify areas where the Intelligence Community's unique foreign intelligence and counterintelligence collection efforts can better inform U.S. Government partners in visa considerations to protect U.S. national security interests.

23. How should we share best practices and lessons learned across government to confront problems such as economic espionage? If confirmed, how would you put this into practice?

(U) A unified and collaborative approach is necessary to confront challenges posed by China's broad-scale economic espionage efforts. Through foreign intelligence and counterintelligence collection efforts, the CIA is able to provide unique information and insights to other U.S. Government partners to inform visa considerations as appropriate, including on foreign nationals who may pose a threat to U.S. national security interests. If confirmed, I look forward to further strengthening CIA's collaboration with both U.S. Government and foreign intelligence partners on this issue, as well as working with and learning from the private sector, to improve our efforts to confront China's economic espionage activities.

Iran and Middle East

In November, we were reminded that Iran maintained components of a secret nuclear weapons program within their defense establishment when the leader of their new defense research organization – curiously, the same general who lead their pre-2004 nuclear weapons program – was killed while he was under Iranian government protection near Tehran. The IAEA never interviewed this scientist before his death, or inspected his organization's facilities, but Iran's Supreme Leader vowed to continue his work in the "nuclear and defense fields."

24. Do you agree that any Iranian military research relevant to building a nuclear weapon presents a threat to the United States as well as our allies and partners?

(U) Yes.

25. If confirmed, how would you view continued military research and development activities by Iranian nuclear weapons scientists in the context of any future agreement with the Iranian regime?

(U) If confirmed, I will work to ensure that CIA provides as clear, objective, and timely a view of all relevant activities as possible to policymakers and Congress, including any continued military research and developmental activities by Iranian nuclear weapons scientists.

You have stated that “when the [JCOPA] was in place.. U.S. unmanned aircraft weren’t being shot down by Iran...[and] Gulf shipping and infrastructure weren’t being hit by Iranian mines and missiles,” but this ignores Iranian missile attacks from Yemen against a range of international ships and infrastructure, including U.S. Navy vessels, as well as the shoot-down there of an unmanned U.S. aircraft.

26. Why do you not consider Iranian-sponsored and facilitated attacks against U.S. ships and aircraft to be of concern in this case?

(U) In that commentary, I was noting the fact that there were relatively few Iranian-supported attacks against U.S. interests -- in the Gulf itself -- during the period before the U.S. decided to withdraw from compliance with the JCPOA, compared to the period that followed. I remain deeply concerned about Iran’s support for a range of militia groups across the Middle East, and the continuing potential for those groups to target U.S. ships and aircraft, including missile attacks from Yemen.

27. What role did Iranian government support to the Houthis play in that group’s ability to expand their attacks beyond Yemen, considering some of that activity occurred during your time as Deputy Secretary of State?

(U) I agree with the DNI's 2019 Annual Threat Assessment statement: "Iran's support to the Huthis, including supplying ballistic missiles, risks escalating the conflict and poses a serious threat to U.S. partners and interests in the region. Iran continues to provide support that enables Huthi attacks against shipping near the Bab el Mandel) Strait and land-based targets deep inside Saudi Arabia and the UAE, using ballistic missiles and UAVs."

On Monday, South Korean press reported that the Republic of Korea was reaching an agreement with the Biden Administration to unfreeze billions in sanctioned Iranian funds in exchange for the IRGC releasing an oil tanker that they hijacked early last month.

28. Are you concerned that the regime will use sanctions relief to fund its missile and paramilitary programs?

(U) As I stated in response to Question 15, in my view, an increase in Iran's financial resources would enable Tehran to better fund militant and terrorist groups and may engender an increase in Iran-backed terrorist and lethal activity. However, it is notable that U.S. sanctions that have constrained the Iranian government's revenue have not caused a marked change in Iran's military and security activity.

During the Obama administration, you engaged in secret negotiations with Iran without the knowledge of Congress.

29. If confirmed, will you commit to fully brief this committee on any negotiations that the agency may be engaged in with the Iranians, as required by the Iran Nuclear Agreement Review Act?

(U) I commit to comply with all requirements of U.S. law.

Last year, the Iranian military launched a "space vehicle," from a mobile missile launcher, with a solid-fuel engine typically used in ballistic missiles, and carrying an intelligence satellite that by their own description is unlikely to every collect any intelligence.

30. What purpose do you assess such an exercise could possibly have, if not to develop ICBM technology? Do you think this and other IRGC

missile activity is consistent with Iran's obligations under UN Security Council resolutions, including UNSCR 2231?

(U) Iran has launched space launch vehicles to place satellites into orbit. These launches are concerning because space launch vehicles share the same booster technology as ballistic missiles. The determination of whether space launch and other IRGC missile activity is consistent with UNSCR 2231 would fall to the State Department, with intelligence support from CIA. As discussed with the Committee, any comprehensive strategy to deter Iranian malign behavior must address their ballistic missile program.