QUESTIONS FOR THE RECORD FOR MS. ELWOOD

SENATOR WARNER

1. **Ethics Commitment**

   Do you intend to comply with all the stipulations in the Executive Order, "Ethics Commitments by Executive Branch Employees," dated January 28, 2017?

   Yes.

QUESTIONS FOR THE RECORD FOR MS. ELWOOD

SENATOR WYDEN

1. **Executive Order 12333: collection and minimization**

a. **The CIA's website currently posts Central Intelligence Agency Activities: Procedures Approved by the Attorney General Pursuant to Executive Order 12333 ("Attorney General Guidelines"), and Policy and Procedures for CIA Signals Intelligence Activities. Will you ensure that the CIA continues to post these procedures as well as any modifications or superseding policies and procedures?**

I agree with Director Pompeo's recent statement that the CIA "must continue to be as open as possible with the American people so that our society can reach informed judgments on striking the proper balance between individual privacy and national security." The CIA's decision to release publicly the updated Attorney General Guidelines was a model of the CIA being transparent without compromising intelligence sources and methods. If confirmed, I will fully support Director Pompeo's continued efforts to be as open as possible.

b. **In your written responses to pre-hearing questions, you wrote that there were "stringent and detailed restrictions on information collected in bulk, as well as unevaluated information, which is generally presumed to contain incidentally acquired information concerning U.S. persons." As you noted during your testimony, the Attorney General Guidelines permit the CIA to conduct queries of this data "for the purpose of an authorized activity" (Section 6.2.3 of the Attorney General Guidelines). Do you believe there are, or should be, more stringent restrictions on CIA queries of U.S. person information collected under Executive Order 12333?**

The revised Attorney General Guidelines provide a detailed set of requirements on the acquisition, access, retention, querying, use, and dissemination by the CIA of information concerning U.S. persons. The applicable standards vary based in part on the nature and sensitivity of the information at issue. At the hearing, I was referring in the quoted phrase specifically to the retention and use of publicly available information concerning U.S. persons—which is properly regarded as less sensitive than non-public information. Different rules and procedures would apply, for example, to information subject to the exceptional handling requirements in Section 6.2 of the Guidelines; that information, by comparison, must be segregated from information that is not subject to those requirements; may be accessed only by certain CIA employees who have completed training in the handling of unevaluated information; may be queried only in accordance with the requirements in Section 6.2.3; must have an auditable record of activity, including access, queries made, and justifications for queries designed to retrieve information regarding U.S. persons; and generally must be destroyed no later than five years after the information has been made available to CIA personnel for operational or

analytic use. *CIA Intelligence Activities: Procedures Approved by the Attorney General Pursuant to Executive Order 12333* § 6.2 (Attorney General Guidelines).

I understand that, during the prior Administration, the CIA and the Department of Justice, in consultation with the Office of the Director of National Intelligence, worked together over many months to revise the Attorney General Guidelines in a way that balances the need to acquire and process essential intelligence information and the need to protect the privacy and other interests of U.S. persons. At present, I have no reason to believe the Attorney General Guidelines strike an inappropriate balance or that additional restrictions should be imposed. If confirmed, I look forward to learning more about this issue and hearing the Committee's views.

c. **Section 4.4.1 of the Attorney General Guidelines describes "special collection techniques" for use outside the United States, specifically electronic surveillance and physical searches. Section 4.4.2 states that: "Any special collection technique directed at a U.S. person outside the United States (including a U.S. person's property or premises outside the United States) must be forwarded through the General Counsel for concurrence and approved by the D/CIA or designee, the Attorney General (as required by Section 2.5 of Executive Order 12333), and where applicable, the Foreign Intelligence Surveillance Court." Are there any circumstances in which the CIA could employ a special collection technique directed at a U.S. person and <u>not</u> require a warrant from the FISA Court?**

A special collection technique is defined as a type of collection "that, under the Fourth Amendment to the U.S. Constitution, would require a warrant if employed inside the United States for a law enforcement purpose." Attorney General Guidelines § 4.4. Under Section 704 of the Foreign Intelligence Surveillance Act, "[n]o element of the intelligence community may intentionally target, for the purpose of acquiring foreign intelligence information, a United States person reasonably believed to be located outside the United States under circumstances in which the targeted United States person has a reasonable expectation of privacy and a warrant would be required if the acquisition were conducted inside the United States for law enforcement purposes, unless a judge of the Foreign Intelligence Surveillance Court has entered an order with respect to such targeted United States person or the Attorney General has authorized an emergency acquisition pursuant to subsection (c) or (d), respectively, or any other provision of this chapter." 50 U.S.C. § 1881c(a)(2). Section 704(d) provides that, in an emergency situation, the Attorney General may temporarily authorize the emergency acquisition of foreign intelligence information without a court order, provided that the Foreign Intelligence Surveillance Court is notified at the time of the acquisition and a formal application is submitted to the court as soon as practicable thereafter. 50 U.S.C. § 1881c(d)(1). Although I have not had an opportunity to examine the issue closely, I am not currently aware of a circumstance where a technique would meet the stated definition of "special collection technique" and would not trigger the general requirements of Section 704, apart from this express exception.

d. **The Policy and Procedures for CIA Signals Intelligence Activities state: "Agency components shall consult with the Privacy and Civil Liberties Officer (PCLO) and the Executive Director of the Central Intelligence Agency (EXDIR) or their designees on novel or unique SIGINT collection activities, and any significant changes to existing SIGINT collection activities, to ensure that there are appropriate safeguards to protect personal information." Do you commit to informing the full Committee with regard to any novel or unique SIGINT collection activities and the potential implications for U.S. person privacy interests?**

The Director of the CIA has the affirmative duty under Section 502 of the National Security Act of 1947 to "keep the congressional intelligence committees fully and currently informed" of the Agency's intelligence activities, including any significant anticipated intelligence activity and any significant intelligence failure; he must do so "consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters." 50 U.S.C. § 3092(a)(1). Director Pompeo has committed that he will comply not only with the letter of the law, but also with its spirit, which is to ensure that the Legislative Branch has the intelligence information it needs to perform its important constitutional function. If confirmed, I look forward to helping him meet that commitment, including with respect to SIGINT collection activities.

e. **The Policy and Procedures for CIA Signals Intelligence Activities state that: "The Agency shall, on an annual basis, review the Agency's use of SIGINT collected in bulk and advise the DNI and APNSA on recommended additions to or removals from the list of permissible uses of SIGINT collected in bulk." Do you commit to informing the full Committee with regard to any additions to or removals from the list of permissible uses of SIGINT collected in bulk?**

Please see my response to Question 1.d.

f. **The Policy and Procedures for CIA Signals Intelligence Activities state that: "The Director of the Central Intelligence Agency (D/CIA) shall approve any exception to any provision of this regulation that is not required by the Constitution or a statute, Executive Order, proclamation, or Presidential directive, and notify, and if practicable consult in advance, the ODNI and the National Security Division (NSD) of the Department of Justice. Will you commit to notifying the full Committee of any exceptions to the provisions of the Policy and Procedures?**

Please see my response to Question 1.d.

g. **Section 11.1 of the Attorney General Guidelines establishes emergency exceptions to the procedures. Do you commit to notifying the full Committee when the CIA invokes this provision?**

Please see my response to Question 1.d.

h. Section 11.2 of the Attorney General Guidelines states that: "The General Counsel shall consult with the Assistant Attorney General for National Security and the Office of the DNI (ODNI) General Counsel regarding significant legal interpretations of these Procedures." Do you commit to notifying the full Committee of any such significant legal interpretations?

The General Counsel of the CIA is statutorily obligated to notify the Committee in writing of any "significant legal interpretation" of the Constitution or federal law affecting intelligence activities conducted by the CIA, to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods and other exceptionally sensitive matters.

2. Executive Order 12333: undisclosed participation

a. Section 9.3.2(f) of the Attorney General Guidelines states that: "With D/CIA approval, and General Counsel concurrence, on a case-by-case basis, a person acting on behalf of the CIA may join or participate in an organization in the United States without disclosing affiliation in circumstances not falling into categories (a) through (c)." Would these authorities permit a person acting on behalf of the CIA to participate or join in a U.S. organization or venue that is not open to the public for purposes other than cover maintenance or enhancement? If so, for what purposes could this participation be conducted?

Although I have had no personal experience interpreting or applying these provisions, I understand that the CIA has publicly released a document discussing the application of these standards. *See* Central Intelligence Agency, *Detailed Description of the Attorney General Procedures*, at 7-8 (Jan. 18, 2017). If confirmed, I look forward to learning more about how the standards have been applied in practice.

b. Section 9.3.2(g) of the Attorney General Guidelines states that: "With D/CIA approval and General Counsel concurrence, on a case-by-case basis, a person acting on behalf of the CIA may join or participate in an organization [in the United States] without disclosing affiliation for purposes of influencing the activity of the organization or its members, but only if the organization concerned is: (1) composed primarily of individuals who are not United States persons; and (2) is reasonably believed to be acting on behalf of a foreign power." What is the nature of "influence" permitted under this provision?

Please see my response to Question 2.a.

c. Do you commit to notifying the full Committee whenever the CIA invokes the provisions of Section 9.3.2 ("Undisclosed participation requiring particular approvals")?

I understand that the CIA already provides the Committee with information regarding the instances and nature of various undisclosed participation activities within the United

States as part of its annual submission on activities conducted under Executive Order 12333.

3. **Section 702 of the Foreign Intelligence Surveillance Act**

Do you commit to making public the number of CIA queries of metadata derived from Section 702 of FISA?

I understand that Section 603(b)(2)(B) of the USA FREEDOM Act requires the Director of National Intelligence (DNI) annually to make publicly available the number of queries for the preceding 12-month period "concerning a known United States person of unminimized non-contents information relating to electronic communications or wire communications obtained through acquisitions authorized" under Section 702 of FISA. As of the end of April 2016, the DNI concluded that "the good-faith estimate required under Section 603(b)(2)(B) of the USA FREEDOM Act cannot be determined accurately because some, but not all, of the relevant elements of the [Intelligence Community] are able to provide such an estimate." The DNI reasonably anticipated that the Intelligence Community should be able to provide an accurate estimate by the end of calendar year 2018. If confirmed, I will do all that I can as General Counsel of the CIA to support the DNI in meeting the statutory requirement.

4. **Warrantless wiretapping ("Terrorist Surveillance Program")**

You wrote in your responses to Committee questions that, when you served at the Department of Justice, the Department reviewed and in many instances drafted public statements about the program. You wrote: "I recall being involved in reviewing at least some of those statements and discussing them with individuals inside and outside the Department. As Deputy Chief of Staff, I was involved, in particular, whenever the Attorney General made public statements about TSP." The Department of Justice Office of Inspector General concluded that, in his public testimony, Attorney General Gonzales "did not intend to mislead Congress, but... his testimony was confusing, inaccurate, and had the effect of misleading those who were not knowledgeable about the program."

a. **What was your understanding at the time of the extent to which the Attorney General's testimony was confusing, inaccurate or had the effect of misleading?**

The Senate Judiciary Committee twice held public hearings questioning Attorney General Gonzales—first on February 6, 2006, and again on July 24, 2007—about that aspect of the President's Surveillance Program (PSP) that is commonly referred to as the Terrorist Surveillance Program (TSP). Roughly ten years later, I have no distinct recollection of my understanding at the time about the clarity of the Attorney General's testimony. As discussed with the Committee, I first learned of the TSP in December 2005, and I was not part of the events related to the program prior to its becoming public. Further, I was no longer working at Department of Justice (DOJ) when the Attorney General testified on July 24, 2007; I had left the Department in June 2007, to care for my mother following

the death of my father, and I do not recall paying close attention to the Attorney General's testimony that day. But I note the following points based on facts that are known today.

According to the *Report on the President's Surveillance Program* by the five Inspectors General, the Attorney General's testimony was examined in light of revelations in May 2007, "that DoJ and the White House had a major disagreement related to PSP, which brought several senior DoJ and FBI officials to the brink of resignation in March 2004" See Vol. I, at 68. The DOJ Inspector General focused on two points from the testimony: (i) "that the dispute at issue between the DoJ and the White House did not relate to the 'Terrorist Surveillance Program' that the President had confirmed, but rather pertained to other intelligence activities"; and (ii) "that DoJ attorneys did not have 'reservations' or 'concerns' about the program the 'President has confirmed.'" *Id.*

As I've said previously, I do not recall being read into the TSP or the PSP, nor having any knowledge of any aspect of the program prior to December 2005. I also had no knowledge of the disagreement described above when that disagreement occurred; as best I recall, I learned of that disagreement when that information became public—months after the Attorney General testified in February 2006. Therefore, at the time of his February 2006 testimony, I could not have appreciated that his testimony might generate "confusi[on]" (*id.*) in light of that disagreement, which became known to me months later. In addition, I was no longer working at the Department in July 2007, when the Attorney General appears to have made at least the first of the two points referenced above.

b. What efforts did you make, if any, to ensure that the Attorney General's testimony was clear and accurate?

Again, I was not working at the Department of Justice in July 2007, when the Attorney General testified before the Senate Judiciary Committee, and would not have been involved in preparing for that testimony.

I do not have a specific recollection of preparing the Attorney General for his appearance before the Committee in February 2006. In the normal course, I would have reviewed his prepared remarks and would have ensured those remarks were reviewed by the officials within the Department who were most knowledgeable about the subject matter. In addition, I would have assisted the Assistant Attorney General for the Office of Legislative Affairs with any meetings with the Attorney General in advance of the hearing to prepare. With respect to the testimony in February 2006, it is likely that the Attorney General would have met separately, and outside my presence, with individuals who had access to classified information on the TSP and who were knowledgeable about the TSP and PSP, such as the Assistant Attorney General for the Office of Legal Counsel (OLC).

c. You have written, with regard to the Department of Justice's January 19, 2006, White Paper: "I recall thinking at the time that its analysis was thorough and

carefully reasoned and that certain points were compelling. I also thought that the analysis of the FISA provisions presented a difficult question and that reasonable minds could reach different conclusions about it." Did you believe at the time that the September 18, 2001, Authorization for Use of Military Force, alone or in combination with Article II authorities, provided a sufficient legal basis for the program?

As noted in response to Prehearing Question 16, I reviewed the White Paper of January 19, 2006, but I did not do my own independent legal analysis. The White Paper—which I would later learn was a distillation of a classified opinion by Jack Goldsmith, a previous Assistant Attorney General for OLC—explained that the NSA activities disclosed by the President were legal and rested both on the President's inherent Article II authorities and on the authority granted by the Congress in the 2001 AUMF. Based only on my review of the White Paper and discussions at the time, I believed that conclusion seemed reasonable.

I have not analyzed the hypothetical question of whether, in the absence of the President's Article II powers, the AUMF alone would have provided a sufficient legal basis for the described NSA activities, consistent with the then-existing statutory framework in FISA.

d. **You have written that you "have not analyzed the hypothetical question of whether, in the absence of the AUMF, the President's Article II powers alone would have provided a sufficient legal basis for the described NSA activities, consistent with the then-existing statutory framework in FISA." During your testimony, you were asked whether "the president has inherent authority under the commander-in-chief provision of Article II to order warrantless surveillance of Americans citizens – of American persons." You responded: "Under existing law, absolutely not." Is it your view that Section 102 of the FISA Amendments Act ("Statement of Exclusive Means By Which Electronic Surveillance and Interception of Certain Communications May Be Conducted") absolutely, and in all circumstances, precludes the assertion of Article II authority as a basis for electronic surveillance or the interception of domestic wire, oral, or electronic communications?**

I have not done the legal analysis that would be required to answer that question.

e. **In a December 2005 exchange with an outside legal expert, you forwarded a draft paper entitled "Legal Authority for the Recently Disclosed NSA Activities." It included the following: "Any legislative change, other than the AUMF, that the President might have sought specifically to create such an early warning system would have been public and would have tipped off our enemies concerning our intelligence limitations and capabilities." When is it permissible to conduct surveillance activities based on novel and secret interpretations of existing law, rather than seek explicit new authorities from the Congress?**

The answer to that question would turn on a large number of factors including the scope and terms of applicable legal authorities, existing precedent and interpretations of law, and many other circumstances.

5. **Interrogation techniques**

Current law prohibits any interrogation techniques not authorized by the Army Field Manual (AFM) as well as any modifications to the AFM that "involve the use or threat of force." Do you agree that the CIA's former "enhanced interrogation techniques" would violate the AFM and any modifications thereof?

I have not studied the CIA's former "enhanced interrogation techniques." But I agree that current law prohibits all interrogation techniques involving the use or threat of force.

6. **The Committee's Study of the CIA's Detention and Interrogation Program**

Having reviewed the declassified Executive Summary of the Committee's Study of the CIA's Detention and Interrogation Program, the CIA's June 2013 Response to the Study, and the CIA's August 1, 2014, "Note to Readers" containing errata, what is your view of the extent to which the CIA, and the Office of General Counsel in particular, provided inaccurate information to the Department of Justice about the program?

It is vital for the CIA to provide complete, accurate, and up-to-date information to the Department of Justice when seeking legal advice. On the particular circumstances relating to information provided to the Department in connection with the CIA's program, I cannot offer an informed view beyond the information contained in the unclassified Executive Summary and related materials referenced in the question, because I have no information beyond those materials.

7. **The crimes referral**

According to the CIA Inspector General, in February 2014, the then-Acting General Counsel filed a crimes referral with the Department of Justice against Senate Intelligence Committee staff members. According to the IG, the referral was based solely on inaccurate information provided by two Office of General Counsel attorneys. The IG concluded that, "there was no factual basis for the allegations made in the CIA crimes report." During your testimony, you stated that the CIA Accountability Board "exonerated the lawyers involved." The Accountability Board stated that, "The Cyber Blue Team provided the factual basis for the referral, wholly apart from any contribution by [REDACTED]."

a. **Do you have any reason to disagree with the Inspector General's conclusion that: (1) there was no factual basis for the allegations in the crimes referral, and (2) OGC attorneys played a role in drafting the crimes referral and filing it with the Department of Justice?**

Because I do not know all the underlying facts, and have not reviewed the relevant materials, I am not in a position to offer an independent judgment about the issue. However, as I noted at the hearing, I understand that the CIA convened an Accountability Board to review the issues identified by the Inspector General. I understand that the Board, which was chaired by former Senator Evan Bayh, concluded that the Inspector General had erred and that disciplinary action was not warranted on the facts presented. *See Final Report of the Rendition, Detention, and Interrogation Network Agency Accountability Board*, at 33-35 (Dec. 2014).

b. If the response to the question above is no, please describe what, if any, accountability should there be for the drafting and filing of a false crimes report against congressional staff.

In the event that an attorney under my supervision is accused of misconduct, I will insist that the allegations be fully and appropriately investigated. If the allegations prove to be true, I will hold those responsible accountable.

c. As a general matter, please describe your understanding of the relative roles of the Office of the Inspector General and CIA Accountability Boards with regard to findings of fact.

I am not familiar with any regulations or understandings regarding the relative roles of the Office of Inspector General and CIA Accountability Boards with regard to findings of fact. I assume that an Accountability Board focuses specifically on employee accountability and discipline. If confirmed, I look forward to looking into this issue further.

d. How would you respond should a request or proposal for a crimes referral against members of Congress or congressional staff come to you?

I would take any such proposal extremely seriously and give it my close, personal attention with a full appreciation for the separation-of-powers principles at issue.

e. The February 2014 crimes referral referenced Section 1.6(b) of Executive Order 12333, as amended, and Sections VI.B, VII.A.4, and VIII.A of the 1995 Crimes Reporting Memorandum of Understanding between the Department of Justice and the Intelligence Community pertaining to the reporting of information concerning federal crimes. Do you interpret either these, or any other statutes, executive orders or agreements as binding the CIA to refer accusations against members of Congress or congressional staff to the Department of Justice?

I have not reviewed the 1995 Memorandum of Understanding between the Department of Justice and the Intelligence Community pertaining to the reporting of information concerning federal crimes. If confirmed, I will ensure that the Office of General Counsel fully complies with that Memorandum of Understanding as well as any other statutes,

executive orders, or agreements pertaining to the reporting of information concerning federal crimes. As I noted in the previous response, I would take any proposal to report information regarding a member of Congress or congressional staff extremely seriously and give it my close, personal attention with a full appreciation for the separation-of-powers principles at issue.

8. **Covert action**

a. **On September 6, 2006, President Bush gave a speech publicly acknowledging the CIA's ongoing Detention and Interrogation Program. Are there any legal impediments to the public acknowledgment of an ongoing and continuing covert action program, in whole, in part or with regard to one or more discreet operations?**

These are important questions, and I look forward to studying them closely if I am confirmed. As a general matter, it is up to the President to define the scope of a covert action activity and to determine whether the U.S. Government's role in the activity should be publicly acknowledged. The legal question whether a particular operation is authorized by a Finding or Memorandum of Notification would be determined by the text of the relevant document and other traditional interpretive considerations. My understanding is that the congressional intelligence committees are also routinely briefed on the execution of any covert action programs and would have the opportunity to consider the proper scope of those programs. I am hesitant to express a more detailed legal judgment on these complex issues until I have access to all the necessary facts, have learned more about the CIA's practices, and have had an opportunity to consider the legal authorities in context.

During your testimony, you compared the interpretation of CIA authorities pursuant to a presidential Finding or Memorandum of Notification (MON) to the interpretation of a statute, insofar as the Finding or MON need not "describe every possible activity to fall within the scope of the statute."

b. **How does this analogy account for the lack of public transparency, the opportunity for legal challenge and appeal, the development of jurisprudence, or congressional action?**

Please see my response to Question 8.a.

c. **To what extent is the analysis of whether a particular operation that is not explicitly referenced in a Finding or MON is nonetheless authorized influenced by whether the full congressional intelligence committees have been informed of the operation?**

Please see my response to Question 8.a.

d. **To what extent is the analysis of whether a particular operation that is not explicitly referenced in a Finding or MON is nonetheless authorized influenced by whether the President has been informed of the operation?**

Please see my response to Question 8.a.

e. **To what extent is the analysis of whether a particular operation that is not explicitly referenced in a Finding or MON is nonetheless authorized influenced by whether the National Security Council Principals Committee has been informed of the operation?**

Please see my response to Question 8.a.

f. **The Executive Summary of the Committee's Study of the CIA's Detention and Interrogation Program notes that the September 17, 2001, Memorandum of Notification made no mention of coercive interrogation techniques. The CIA's public response to the Study does not dispute this statement. Do you believe that the MON authorized the use of the CIA's "enhanced interrogation techniques"?**

I am not familiar with the history of, and the facts underlying, the interpretation of the September 17, 2001, Memorandum of Notification. It would not be appropriate for me to express a view on this issue without knowing more about it and without a thorough understanding of the applicable facts and law.

9. **Lethal authorities**

During his confirmation process, now-DNI Coats was asked the following question: "On December 2, 2015, now-President-elect Donald Trump stated the following: 'The other thing with the terrorists is you have to take out their families, when you get these terrorists, you have to take out their families. They care about their lives, don't kid yourself. When they say they don't care about their lives, you have to take out their families.' Do you agree that this would be a violation of international law?" In response, Director Coats stated: "The Law of Armed Conflict prohibits intentional attacks against civilians, unless they are directly participating in hostilities." Do you agree?

Yes, I agree that the law of armed conflict prohibits intentional attacks against civilians, unless they are directly participating in hostilities.

10. **Section 104A(d)(4) of the National Security Act**

Section 104A(d)(4) of the National Security Act includes, among the duties of the Director of the CIA: "perform such other functions and duties related to intelligence affecting the national security as the President or the Director of National Intelligence may direct." The Director's duties related to the CIA's collection and analytical missions are described in Sections 104A(d)(1) – 104A(d)(3). All covert action is governed by Section 503 of the Act. Please describe any "functions and duties" that could be authorized under Section 104A(d)(4).

I am not familiar with the scope and historical uses of that provision of the National Security Act. I look forward to learning more about it if I am confirmed.

11. Executive Order 13526

Executive Order 13526 (December 29, 2009) provides that: "In no case shall information be classified, continue to be maintained as classified, or fail to be declassified in order to: (1) conceal violations of law, inefficiency, or administrative error; (2) prevent embarrassment to a person, organization, or agency; (3) restrain competition; or (4) prevent or delay the release of information that does not require protection in the interest of national security." Executive Order 13292 (March 25, 2003) and Executive Order 12958 (April 17, 1995) prohibited classification based on the same factors. Do you agree with the prohibitions in these Executive Orders?

The prohibitions are binding on the CIA. They also seem sensible to me.

12. Classified program

In your responses to Committee questions, you wrote: "At the Justice Department, I worked on a program that I have since learned is affiliated with the CIA. Because that affiliation remains classified, I cannot describe my involvement with that program here." Please provide a classified description of your work on the program.

The CIA has agreed to submit a classified response to the Committee on my behalf.