

DIVERSITY, EQUITY, INCLUSION AND ACCESSIBILITY IN THE INTELLIGENCE COMMUNITY:
AN ENDURING MISSION IMPERATIVE

Wednesday, October 27, 2021

U.S. House of Representatives,
Permanent Select Committee on Intelligence,
Washington, D.C.

The committee met, pursuant to call, at 9:34 a.m., in Room HVC-210, Capitol Visitor Center, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Schiff, Himes, Carson, Speier, Quigley, Swalwell, Castro, Welch, Maloney, Demings, Krishnamoorthi, Crow, Nunes, Turner, Wenstrup, Stewart, Crawford, Stefanik, Mullin, Kelly, LaHood, and Fitzpatrick.

The Chairman. The committee will come to order. Thank you for joining us today. Without objection, the chair may declare a recess at any time.

I want to remind members that today's hearing will be conducted entirely on an unclassified basis. All participants are reminded to refrain from discussing classified or other information protected from public disclosure.

I now recognize myself for an opening statement. I am pleased to welcome all of you to today's important hearing about Diversity, Equity, Inclusion, and Accessibility in the Intelligence Community.

When the committee held its open worldwide threats hearing in April, I asked that each of you commit to appear before this committee in open session to detail your efforts to advance this important mission, and I am very pleased to see that commitment has been fulfilled. The presence of five senior leaders of the Intelligence Community at this hearing is an encouraging testament to your collective commitment to elevate diversity initiatives and to ultimately drive real change.

As a longtime member of this committee, I have seen the emphasis on diversity initiatives in the IC wax and wane. It is not enough to pay lip service to the goal; we must put forth a concrete strategy to build a truly diverse and inclusive IC, and hold ourselves accountable to the goals that we set.

I am pleased that the administration has prioritized these issues. Fifteen days after taking office, President Biden issued a national security memorandum that acknowledged past shortcomings and identified diversity, equity, and inclusion, and accessibility as a national security imperative. I agree entirely.

Put simply, our diversity is our greatest national strength, and it is a strength we need to leverage in support of the mission of the Intelligence Community. For too long,

the IC workforce has not reflected the diverse talents and backgrounds found across the country. And without top caliber officers drawn from all cultures, all communities, and all backgrounds, we risk undermining the capacity of the IC to keep pace with the evolving national security challenges the United States will face in coming years.

Director Haines, at the worldwide threats hearing in April, you testified to increasing complexities and challenges posed by intersecting and cascading national threats, and the correlating necessity to develop and integrate new and diverse expertise into the Intelligence Community.

Whether it is understanding the nuances in language and culture from a signals intercept, enhancing finished intelligence analysis with unique and nontraditional perspectives, or preparing an officer for operational deployment in a foreign country, it is vital that we bolster the IC's ranks with personnel who can act with agility and creativity in the face of a rapidly shifting strategic threat horizon.

And yet, it is clear we have plenty of work left to do. I remain concerned about inadequate progress in recruiting and retaining individuals of diverse backgrounds in the core IC collection and analysis missions. For instance, I can't help but notice that the large majority of IC briefers, though uniformly excellent to appear before the committee, are often White and male.

We need to recruit officers with diverse backgrounds into the IC, and that we need to show them that there is a path for them to advance and grow their careers to top leadership positions. When we are able to successfully do that, we will inspire future recruits and hires to do the same.

I look forward to hearing your updates on where we are in our diversity, equity, inclusion, and accessibility efforts, and how this committee can assist you in accelerating our progress. If our resources or authorities are lacking, or if there are other avenues for

promoting these initiatives, I know you will find allies here who are ready and eager to help you.

I look forward to all your testimonies and will now yield to the ranking member for any opening statement he might wish to make.

Mr. Nunes. I thank the gentleman.

On its website, the Office of Director of National Intelligence asserts that the Intelligence Community focuses on, I quote, "the missions of cyber intelligence, counterterrorism, counter proliferation, counterintelligence, and on the threats posed by state and nonstate actors challenging U.S. national security and interests worldwide," unquote.

That is a concise, accurate description of the intelligence community's mission. The IC is a sprawling group of agencies comprising tens of thousands of people that collectively wield enormous power within our government. They possess extremely sophisticated spying capabilities, and by necessity, they operate without transparency that is required of most government agencies.

Naturally, this concentration of power, spying capabilities, and lack of transparency, creates many opportunities for abuse. And abuses do happen, which is why this committee exists. We were created as an additional level of oversight and response to a raft of Intelligence Community misdeeds detailed by the Church and Pike Committees in the 1970s.

So why do we tolerate such an agreement in a democratic republic? I believe that the American people understand the risks, but they believe the risks are outweighed by the benefits the Intelligence Community provides, mainly, information about our foreign enemies' intentions and capabilities that will help protect the American people and defend the security of the homeland.

In short, the Intelligence Community's mission is to secure information and conduct actions that help deter our enemies, and when that cannot be done to help us win wars and other direct conflicts with these enemies. The IC, however, seems to be increasingly focused on issues that distract from that mission. The indications ranging from trivial recruitment videos to major intelligence estimates show that an infatuation with left-wing dogma and politicized actions that have nothing to do with deterring our enemies and winning wars.

We see this tendency not just in the Intelligence Community, but throughout the entire national security apparatus, in the military, the State Department, and other bodies. These include the proliferation of seminars given to military servicemembers focusing on the dangers of the White supremacy and systemic racism; FOX News host Tucker Carlson allegedly being caught up in NSA surveillance; the Intelligence Community's recent release of a national intelligence estimate on global warming; General Milley defending instruction on critical race theory and White rage at West Point; State Department communications touting International Pronoun Day; the NSA's improper suspension of former NSA General Counsel and Naval Officer Michael Ellis for political reasons; the FBI's provision of false information to a FISA court to spy on the political enemies, and the list goes on and on.

Meanwhile, the international threat matrix does not take time out as our National Security Agencies become enthralled by critical race theory and pronoun etiquette. To the contrary, we are facing an array of pressing challenges, including, but not limited to, China's increasing aggressiveness towards Taiwan, alongside its systemic campaign of intellectual property theft, espionage, currency manipulation, corporate coercion, and cyber crimes against the United States and our allies; China's testing of a hypersonic missile, which according to press reports took the Intelligence Community by surprise; the

continuing fallout from our withdrawal from Afghanistan, including the empowerment of the Taliban, and their longtime ties to Al Qaeda; the decline in U.S. deterrence capabilities; the loss of intelligence streams and U.S. citizens and allies who were left behind; the spread of ransomware attacks on U.S. targets; an unknown number of security threats entering America through our southern border and from refugees from Afghanistan; continuing Russian aggression towards its neighbors; advances in nuclear weapons programs of North Korea, Iran, and other malign regimes. And I could go on with that list, but those were at the top of the list.

Unfortunately, we can't counter hypersonic missile launch with better pronoun usage, and a deeper understanding of White rage won't rescue Americans stranded in Afghanistan. I would argue that woke obsessions are the proper jurisdiction of faculty lounge Marxists, not our National Security Agencies.

The politicization of our national security apparatus is utterly destructive. It has severely eroded trust in institutions that have long received bipartisan support. This effect is predictable and inevitable as more Americans conclude that intelligence agencies are just another weapon in domestic political battles. The less willing they are to concede these agencies, the huge power that they wield.

The Intelligence Community, the military, and other national security bodies have traditionally been color blind meritocracies where the most capable people move up rapidly through the ranks. The effectiveness of these organizations will unavoidably suffer when merit is devalued in favor of any other consideration.

I urge all the directors here today to stay out of politics and concentrate exclusively on deterring our enemies and winning wars. As we learned in Afghanistan, America is not unbeatable. We have real enemies and they mean to do us harm. They have no interest in global warming or race, gender intersectionality. They closely watch

us every day to find weaknesses that would enable attacks on our citizens and our homeland.

Our defense against them rest, to a large extent, on all of you that are here today. I hope your priorities will match the urgency of this fraught moment in our Nation's history. With that, I look forward to your testimony, and I yield back the balance of my time.

The Chairman. Thank you.

With that, let me now recognize our distinguished panel for their opening statements, beginning with Director Haines, followed by Under Secretary Moultrie, Director Burns, General Nakasone, and General Berrier. We ask that you try to keep your collective remarks to around 20 minutes or so, if possible. A warm welcome to you all.

Director Haines, you are now recognized.

STATEMENTS OF HON. AVRIL HAINES, DIRECTOR, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; LIEUTENANT GENERAL SCOTT BERRIER, DIRECTOR, DEFENSE INTELLIGENCE AGENCY; THE HONORABLE WILLIAM BURNS, DIRECTOR, CENTRAL INTELLIGENCE AGENCY; THE HONORABLE RONALD S. MOULTRIE, UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY, DEPARTMENT OF DEFENSE; AND GENERAL PAUL NAKASONE, DIRECTOR, NATIONAL SECURITY AGENCY

STATEMENT OF HON. AVRIL HAINES

Director Haines. Thank you. Chairman Schiff, Ranking Member Nunes, members of the committee, thank you for the opportunity to join you today.

It is really an honor to be here with my colleagues to discuss the work we have ahead of us to advance diversity, equity, inclusion, and accessibility, or DEIA, in the IC. And while we have exceptional leaders within the IC who are committed to promoting DEIA, many of whom have worked hard to achieve the progress we have made thus far on these issues over the last many years, we know we have a great deal of work ahead of us. These leaders know that it is not only essential to our mission and our values but to who we are as a Nation.

Promoting diversity, ensuring that we reflect the country we serve, is a responsibility we carry as public servants; moreover, it is fundamental to our national security. Ensuring that we have an IC workforce made up of people who think differently, see problems differently, and overcome challenges differently is a prerequisite to our success. Their creativity makes us smarter, more innovative, more successful, and that makes our Nation safer and more secure against the array of adversaries and the foreign

threats that we face.

Currently, however, the Intelligence Community is not where it needs to be. Minorities, women, and persons with disabilities are far better represented at the lower GS level ranks than at the senior executive levels, suggesting that better success at recruiting than retaining and promoting. And yet, even so, when you look at the recruiting, we consistently see a gap between recruiting and hiring minorities.

And while we have collected and analyzed far more demographic data than I have time to present in this statement, let me just provide a few points that may be helpful. In fiscal year 2020, the percentage of minorities in the Intelligence Community stood at 27 percent, an increase from 26.5 percent in fiscal year 2019, continuing a positive trend since 2016.

But as you examine the senior levels of service, the data shows the numbers of minorities in leadership gets progressively lower. Across the IC, the percentage of minorities at the senior executive level stands at just 15.4 percent.

And at ODNI, we lag behind the rest of the IC. Minorities comprise to 20.5 percent of our workforce, 6.5 percent below the IC average. Although the percentage of minorities at the senior executive level in the ODNI is 1.3 percent higher than the IC average at 16.7 percent.

And in fiscal year 2020, the percentage of women in the Intelligence Community stood constant at 39.3 percent. It is about the same as the year before, after showing a small gain in fiscal year 2018.

And within ODNI, the percentage of women has grown incrementally for the past 5 years, increasing by 0.4 percent in 2020 over the previous year. While still higher than the IC average, that percentage still lags behind women in the civilian labor force at 47 percent.

So while we have seen some positive trends, we need to improve. And here is some of what we are doing to change the situation, but I look forward to getting your thoughts and advice on this issue, and I very much appreciate the committee spending time on this question.

Early this year, we split the IC EEOD essentially into two offices, that is the Office of Equal Employment Opportunity and the Office of IC Diversity, Equity, and Inclusion, so that we would have an office fully dedicated to diversity, equity, and inclusion. We also created a new enterprise-wide role, the IC accessibility officer, and stood up the ODNI diversity and inclusion group to address DEIA within ODNI.

Two of our highest organizational priorities are recruitment, and that includes underrepresented communities and retention of people who are underrepresented in our workforce. Both Dr. Dixon, my principal deputy, and I have worked to recruit at colleges and high schools where we can reach those communities and expand our overall application pool. Just recently, I visited our partner school, Florida International University, which is primarily comprised of Hispanic students. And Dr. Dixon visited Harris-Stowe State University, an HBCU in St. Louis.

And, of course, we know that our individual efforts will not be enough. We need institutional growth to achieve our goals, and so we have taken the following measures: Across the IC we have empowered advisory bodies such as the IC Equal Employment Opportunity and Diversity Council, and the IC Chief Human Capital Council to focus on these issues.

IC elements are collaborating in joint outreach and recruiting in underrepresented communities to reach more candidates, as you will hear from my colleagues. The IC Centers for Academic Excellence Program is being strengthened to increase our reach with more formal marketing, university engagement, recruiting strategies in coordination

with IC elements.

We have also formed new partnerships across academia, industry, and government, with organizations like the American Indian Science and Engineering Society, a national nonprofit focused on increasing STEM involvement for indigenous peoples of North America and the Pacific Islands; and advancing minorities' interest in engineering, which is an organization that provides a direct connection to accredited engineering schools at top-rated HBCUs.

And, finally, through initiatives such as ODNI's Adopt a High School Program, we are not just focusing academic outreach on colleges and universities; we are inspiring underrepresented communities at the K through 12 levels as well. And there is a lot more we can do, but we need your help with changing policies that hinder program execution.

For instance, in a community that prioritizes resources by mission, we found that policies that govern how we can allocate our recruiting dollars can actually hinder recruiting. For example, if one of our IC mission partners lacks the resources to send a recruiter to an event with an outreach partner, ODNI is prohibited from using its available resources to include them.

This is an area where we could use help from Congress, and we appreciate the committee's inclusion of the administration's proposal to provide new authorities to ODNI in this area in the Fiscal Year 2022 Intelligence Authorization Act.

Our other organizational priorities I mentioned is to retain our employees after hiring them, and we have learned through poll surveys, exit interviews, and retention inquiries something about why people stay and leave. We found that the most common reason people leave the organization is a lack of promotion opportunities. Other causes of low retention include lack of fairness and equity in the workplace, insufficient mentoring and guidance, and a lack of identification with the greater organization.

We listen to the voices of those surveyed, and we are addressing these issues with employee-led organizations, taking measures to promote fairness and equity, and deliver antiharassment training.

The Intelligence Community sponsors six IC affinity networks that are employee-led voluntary organizations that foster workplace inclusion and collaboration with IC leaders on improving policies to help connect employees to the community. And they include the Latino Intelligence Networks, the Women's Intelligence Network, Asian American and Pacific Islander Affinity Network, African American Affinity Network, IC Lesbian, Gay, Bisexual, and Transgender Affinity Network, and Deaf and Hard of Hearing IC Affinity Network. Networks like these are not a solution to the challenges we face, but they can help our retention by leading community-wide professional development opportunities and work-life balancing programs.

We are also working to remove the structural and cultural barriers that the IC has built up over generations. This community, for a long time, was known as one that did not value DEIA. It was only a single generation ago that many of our IC agencies had an open stated policy of not hiring anybody who was LGBTQ+, plus forcing many of our colleagues to hide who they were if they wanted to serve their country.

We have corrected our outdated policies since then and made tremendous strides under both Republican and Democratic administrations. The policy that barred service from members of the LGBTQ+ community was abolished, glass ceilings were smashed, doors opened, and ladders climbed. And the fact that I am here before you today is yet another example of the work all of you have done to promote diversity in the government. So our progress is real and encouraging, but our journey is far from over.

In the IC, we know how to work together to support the Nation's objectives. Congress created ODNI to do this, and we are bringing that approach to our efforts to

increase diversity, equity, inclusion, and accessibility. And this spirit is quintessentially American: to recognize our imperfections and to decide we can do better; to see we have the power to make ourselves better; to work toward a brighter vision of what we might be, what could be, and what will be. We are resolute in this purpose, and I know we will be successful. Thank you.

[The statement of Director Haines follows:]

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STATEMENT OF HON. RONALD S. MOULTRIE

Mr. Moultrie, Chairman Schiff, Ranking Member Nunes, and distinguished members of the committee, it is a privilege to testify on the current state of diversity in the Intelligence Community, and specifically on the status of diversity across the Defense Intelligence Enterprise. I am pleased to join DNI Haines and my other distinguished colleagues to testify in front of you today.

On behalf of Secretary Austin, I want to convey the importance of workforce diversity to the Department of Defense. Diversity is a mission imperative, because it is through our people that we achieve our greatest accomplishments, overcome our greatest challenges, and ensure that we maintain a competitive advantage.

Our personnel must be able to serve anywhere in the world, understand the culture, speak the language, and blend into the environment. We must be able to understand our partners' and allies' concerns and challenges so that we can seamlessly corroborate with them, and we must be capable of anticipating our adversaries' actions to provide an information advantage to our decision-makers.

We need all hands and all perspectives on deck to protect our national security interests. We also need fact-based metrics to inform our decisions. Workforce diversity goes beyond a subjective ratio of men to women, or some idealized percentage of ethnic minorities. The diversity in our workforce should reflect the diversity of the people whom we serve and represent.

Analysis of the last Census predicts that by 2030 one in five Americans will be beyond retirement age, and our population growth will be directly tied to international migration. People who identify as two or more races will be the fastest-growing racial or

ethnic group.

By most estimates, Census trends suggest that minority populations will be the majority in our Nation within the next 30 years. They will be the source of the majority of growth in our Nation's working, voting, and consumer population.

A diverse workforce provides us with an asymmetric advantage that other nations simply do not have. We must find the means to appeal to this population, hire them into our most challenging fields, and set conditions where they enthusiastically want to remain within our government.

The data scientists, artificial intelligence, and machine-learning analysts, engineers, mathematicians, linguists, security professionals, and other specialists, and support personnel that we hire must be creative, imaginative, and increasingly unconventional to our approach to major challenges.

The diversity and commitment represented at this table gives us reason to hope. However, to enact meaningful and lasting change, there must be actions, accountability, and our activities must be institutionalized. The Department has moved out on several initiatives, and I would like to highlight those that we believe will foster greater diversity across the Defense Intelligence Enterprise.

The Secretary has established a Deputy's Workforce Council, chaired by the Deputy Secretary of Defense with the Vice Chairman, with standing membership of the service secretaries, military service chiefs, and the Under Secretary of Defense.

The primary purpose of this council is to address the most daunting workforce challenges, which include addressing sexual assault and harassment, extremism in our ranks, and focusing on talent management. This effort places a heavy emphasis on data that will allow us to require fact-based metrics needed to thoroughly understand our human capital performance and to improve our decisions in this area.

Although the Secretary's Office of Secretary of Defense team has only been together a brief period, we are working with the military services and our military academies to best identify those practices that we can incorporate into our recruiting and success in planning efforts.

We are partnering with personal readiness on outreach initiatives to schools, universities, and inclusivity groups, identifying the most effective social media practices that will optimize our ability to resonate with perspective hires, and gathering data we believe will enable us to understand the issues that impact workforce retention.

We also continue to recruit highly talented, separating servicemembers and expand the recruitment of the persons with disabilities. We are expanding our partnerships with Historically Black Colleges and Universities and minority-serving institutions, and our involvement with the Stokes Educational Scholarship Program.

I am personally glad to see our connection with the Stokes Scholarship Program continue as I served as a fellow in Congressman Louis Stokes' office back in the 1990s. Chairman Stokes was the former chairman of this distinguished committee.

We have implemented a neurodiverse Federal workforce pilot program to expand and diversify our applicant pools. These programs focus on recruitment of individuals who think, communicate, and behave differently, and due to a diagnosis such as autism or ADHD, because we recognize these individuals make valuable contributions to our community and to our society.

Lastly, throughout the pandemic we have expanded our use of social media for recruitment, virtually on-boarded and trained employees, and enabled work-related capabilities to ensure continued productivity. Although there is much more to accomplish, we are committed to ensuring an environment where everyone feels welcomed, supported, and valued.

Today, I want to ensure you that this commitment has been embraced not only by the leaders within the Defense Intelligence Enterprise, but also by the leadership across the Department of Defense, both civilian and military.

I wish to thank the committee for holding this hearing, and for giving us the opportunity to discuss this important topic. Your leadership on diversity benefits our country and our community, helping us to keep the United States of America safe and secure. I look forward to your questions. Thank you.

[The statement of Mr. Moultrie follows:]

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STATEMENT OF HON. WILLIAM BURNS

Mr. Burns, Chairman Schiff, Ranking Member Nunes, and members of the committee, as I emphasized in my confirmation hearing, strengthening diversity and inclusion at CIA is among my highest priorities as Director. It is not only the smart thing to do for an agency with a global mission, it is the right thing to do for an agency that represents and defends our diverse society. Simply put, we can't be effective and we are not being true to our Nation's ideals if everyone looks like me, talks like me, and thinks like me.

Today at CIA, 45 percent of our workforce are female and 26 percent are minority. Last year's new hires were among our most diverse in recent years, with 46 percent female and 27 percent minority. Our challenge in the years ahead is not only to strengthen those numbers in our recruitment, but also to reinforce retention and ensure a clear professional pathway to the senior ranks for deserving officers, whatever their background.

We are making progress. This past spring, senior intelligence service promotion list, the first I approved as director, was 43 percent female and 25 percent minority. Moreover, a majority of the senior leadership team appointments I have made in 7 months as Director are female, and nearly a third are minority.

But we still have a long way to go. We have four broad goals to strengthen diversity, equity, inclusion, and accessibility at the Agency. First, we will create greater diversity in our hiring pipeline, and increase the on-boarding rate for minority applicants. We are intensifying our outreach to 130 schools across all 50 States. As part of this effort, we are going to expand our engagement with colleges and universities identified as

minority-serving institutions. So far this year, we have engaged with 34 MSIs.

We have also selected senior officers to serve as champions for 10 of those schools. And under our new Directorate of Analysis Fellowship Program, we plan to provide annual tuition assistance of up to \$37,000 to select students from minority-serving institutions who apply to the DA.

The Agency must also urgently reform our on-boarding process and remove barriers to recruiting a diverse workforce. For example, our talent center aims over the next 2 years to reduce the current median time from application to clearance from over 600 days to no more than 180 days. Longer waiting times have historically disadvantaged minority applicants, many of whom don't have the means to remain in lengthy pipelines.

Regarding accessibility, this year's CIA was ranked number two in the list of government employers with the best record for accessibility in the workplace by CAREERS & disABLED Magazine. We have also taken steps to help ensure that all qualified individuals can apply to CIA by addressing needs for reasonable accommodations. For example, we created the position of ability talent broker to help people with disabilities navigate our hiring process.

Now, recruiting is essential, but it is only a starting point. There has to be a clear path upward, which is critical for retention. This is why our second overall objective is to increase diversity in senior roles. We have assembled a team to strengthen our personnel evaluation systems over the next year.

We are also launching a new human resources dashboard that draws on workforce and hiring data to help us pinpoint specific diversity and inclusion challenges throughout the pipeline from junior GS levels through more senior levels. This will allow us to make better data-driven decisions on where to target our efforts and resources, and it will help keep us accountable for ensuring progress, making the dashboard available

not just to senior leaders, but to our entire workforce.

Our third objective is to make clear our expectations that all officers at every level of seniority incorporate diversity and inclusion practices into their job performance. As a step toward this, we have added expectations on diversity, equity, inclusion, and accessibility to the performance evaluations of all of our officers.

We have also created similar criteria for determining executive-level bonuses. Furthermore, the Agency has incorporated diversity and inclusion into training for first-line supervisors, mid-level managers, and newly promoted senior officers.

Finally, our fourth objective is to create a more inclusive culture at CIA. This starts at the top. I have made clear that we will hold leaders accountable for promoting inclusive environments. I will continue to work with my remarkable colleagues across CIA to emphasize the importance to our mission of strengthening a culture built on tolerance and respect.

In my first day on the job last March, I met with Asian-American officers after the terrible murders in Atlanta to emphasize our shared concerns. I have stressed repeatedly that our strategic focus on the challenge posed by the People's Republic of China is about the Chinese leadership, not the Chinese people, and certainly not Americans of Chinese descent or Asian Americans.

I have met regularly with agency resource groups to underscore my commitment to an inclusive workplace and continue to participate actively in a variety of events, most recently celebrating Hispanic Heritage Month at CIA with this year's keynote speaker, Congressman Castro.

I look forward to working with all of you to shape a CIA which embodies the best of America, and can best defend our interests and values in a very complicated world. Thank you very much.

[The statement of Mr. Burns follows:]

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STATEMENT OF GENERAL PAUL NAKASONE

General Nakasone. Chairman Schiff, Ranking Member Nunes, members of the committee, thank you for the opportunity to appear before you to discuss the very important topic of diversity and inclusion within the Intelligence Community and at the National Security Agency specifically.

As the Director of the National Security Agency, I recognize the critical importance of ensuring that the highly talented workforce we rely on to help secure our Nation every day reflects the diversity of our country now and into our future. Equally important is providing a fair, rewarding, and inclusive work environment for our on-board talent; without that, diversity will not flourish.

One of the strengths of NSA's diversity, equality, and inclusion program is the clear, invisible engagement of senior leaders across our enterprise in this work. Another is our eleven employee resource groups of more than 42 chapters and over 6,500 members and allies across our enterprise.

Together, they are helping drive my two strategic DEI initiatives, the Big Six diversity inclusion, equality, and inclusion focus areas, and equity through action. These two efforts, which build on the work started in 2015, combine to focus on accountability, hiring, on-boarding and mentoring, advocacy, career development, and employee engagement in support of a more diverse workforce that is able to reach their full potential at NSA.

Our programs are working. We have seen slow but steady increases in representation of minorities, women, and people with disabilities in the workforce, and at higher grade levels to include seniors. We are on track for reaching our minority hiring

goals.

NSA increased our diversity hiring goals to 43 and 35 percent for women and minorities respectively by the end of fiscal year 2022. Together, civilian populations, overall, is 26.1 percent racial ethnic minority; 41.3 percent women; 12.4 percent persons with disabilities; and 2.7 percent persons with targeted disabilities.

Our ongoing review of personnel processes and outcomes persistently uncovers differing results for some segments of the population, and we are committed to leaning into our areas of improvement. This past July, the CAREERS & the DisABLED Magazine named NSA its 2021 public sector employer of the year for our commitment to recruiting, hiring, and promoting people with disabilities.

Earlier this month, the Secretary of Defense named NSA the best intelligence component for its achievements in the employment of individuals with disabilities, to include an NSA employee was awarded for their outstanding contributions to the Department of Defense's mission, and its core values. Those successes are markers for our agency as we move forward in the right direction.

We still have room to grow, so I have established three outcomes to drive us forward, and I am confident they will help us succeed: First, increase representation of underrepresented populations at all grades and senior ranks; secondly, ensuring our personnel practices and programs yield fair outcomes for all groups; and, finally, ownership of diversity, equality, and inclusion outcomes by all leaders and employees to create a culture in which each employee feels included, respected, and valued, and able to contribute fully to our mission.

Chairman and Ranking Member, I will end my comments here to allow sufficient time for questions. Thank you.

[The statement of General Nakasone follows:]

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STATEMENT OF LIEUTENANT GENERAL SCOTT BERRIER

General Berrier. Chairman Schiff, Ranking Member Nunes, distinguished members of the committee, it is a privilege to testify today on the status of diversity in the Intelligence Community, and specifically on the status of diversity within the Defense Intelligence Agency. This is an issue of great importance to me as the director of DIA.

DIA fills a unique role at the intersection of the DOD and the Intelligence Community. DIA officers fulfill the critical mission of providing strategic, operational, and tactical defense intelligence to our warfighters, defense planners, policymakers, and the acquisition community.

The foundational intelligence at DIA, our colleagues across the Defense Intelligence Enterprise, our allies and foreign partners provide on foreign military capabilities helps to translate national policy into executable military action and to inform the Joint Force.

Diversity and inclusion are not only important to me personally, but critical to the health of our workforce and a key enabler for mission success. It is part of my strategy to create an agile and proactive workforce that is postured for the global operating environment. It is imperative that our workforce reflects the very nation that we seek to protect, and brings with them the diversity of thought, experience, and background.

A more diverse, inclusive workforce starts with recruitment. DIA is committed to hiring exceptional talent for careers around the world that support our mission. We have developed a more intentional approach to recruitment and have built relationships with 45 Historically Black Colleges and Universities, 34 Women's Colleges, and 15 Hispanic-Serving Institutions, minority-centered professional organizations, and schools

for those with disabilities.

Within the civilian ranks, DIA diversity has steadily increased over time. Representation of women in the DIA workforce has increased by 11 percent from fiscal year 2017 to fiscal year 2021. During that time, people of color in the DIA workforce has increased 14 percent, and representation of persons with disabilities in the DIA workforce has increased by 2 percent.

DIA has been working to become a more diverse, accessible, and inclusive agency through a variety of initiatives and changes to our human resources processes. We are making progress, but we know that recruitment efforts alone are not sufficient to sustain a diverse workforce, and we have more to do.

Despite strong hiring numbers, women and people of color are concentrated in non-leadership and mission-enabling roles, with fewer at the senior ranks, and in core analytic, collection, and science and technology missions. We are prioritizing support to diversity training, education, and career-broadening opportunities for our workforce as well as taking steps to reduce barriers in the promotion process.

To help us understand our diversity profile and what is holding us back, and what we can do about it, DIA stood up a data working group in our Equal Opportunity Office in 2019. We have inventoried and audited various data sources, studied trends over the last 5 years, and begun conducting root cause analysis, which we have dubbed the Barrier analysis, and held focus groups to interpret the findings. It is my intent that DIA's data-driven approach to diversity and inclusion will be incorporated into our long-term strategic diversity implementation plan.

While we don't have all the answers we would like, we are committed to focusing on the obstacles to progress and to develop long-lasting solutions that will help drive change. Our initiatives have shown dividends, and we will continue to prioritize them as

we work toward a more inclusive DIA.

The success of our warfighters in the field and our policymakers here at home rest on superior intelligence information and capabilities, which, in turn, depends on our most important asset, our people. Reducing bias, eliminating glass ceilings, and walls and attracting and retaining the most qualified intelligence officers are our priorities.

I am privileged to lead DIA and its outstanding workforce. Thank you for your continued confidence and support.

[The statement of General Berrier follows:]

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The Chairman. Thank you very much for your testimony. We will now begin the question period and I will recognize myself.

Director Haines, not only do there seem to be barriers to promotion to senior executive and leadership positions for individuals from diverse backgrounds, there also appears to be a growing glass wall where diversity resides within administrative and mission support fields, such as HR, communications, and finance.

Are you seeing this trend within your agency? What steps are being taken to increase representation in core mission areas, such as analysis and collection, particularly in management and senior ranks? And if, for example, we were to look to the percentages that you gave in terms of women and minorities overall in the Agency, if you looked at that in senior management positions outside of administrative and mission support fields, what would those numbers look like?

Director Haines. Thank you, Chairman. So, yes, there is obviously a split that we have seen in administrative and support roles, where there is a concentration of essentially both women and minorities in those areas. I couldn't give you for ODNI, but we should do that work, essentially what the split would be, in other words, what the difference would be between them in the senior ranks. Others may have information about their particular agencies and departments.

One of the challenges here, I think as you have identified, is the fact that we need to actually promote throughout the community in all different fields the diversity that we expect to see. And something that we have been looking at is how we actually do the hiring and whether or not we are actually promoting all fields in that context.

So when I go to Florida International University, for example, which happens to be an IC center of academic excellence, one of the things that they do is they take a

competed grant and they develop curricula that actually promotes IC skills, tries to build out a whole series of workshops and other things that are intended to really develop, not just kind of student interest in these areas, but actually the skills that would make them, you know, great employees within the Intelligence Community.

And promoting that in these spaces I think helps to allow students to see these are things that I can do as I am coming into the Intelligence Community that I may not have thought of before, and that I may not have been encouraged to do, and that is a way for us to ensure that we are actually bringing them into mission in every possible way. But others may have comments on this issue.

The Chairman. Director Burns, I know this is an IC-wide problem, but that is the length of time it takes to get someone cleared to join the IC, have you found whether that has a disproportionate impact on diversity, that is, the length of time, whether it is 6 months, a year, 18 months, to join the IC, has the impact of excluding many people of color?

Mr. Burns. Thanks for the question, Mr. Chairman. It is a problem across the Agency. I mean, as I mentioned in my opening remarks that, you know, an on-boarding process that can take as long as 600 days puts us at a considerable disadvantage in recruiting the best talent across American society just as a general rule. But it is a particular disadvantage oftentimes for minority applicants as well, many of whom don't have the means to wait through a lengthy on-boarding process as well.

So, for both of those reasons, I feel a real sense of urgency about reforming that process and reducing it, as I said, over the next couple years to a median of about no more than 180 days. I think that is essential, both for the Agency as a whole, and for minority recruitment and retention.

The Chairman. And, Director Burns, do you believe there is a lingering, or legacy

cultural barrier to the DEIA initiatives at the Agency as compared with other elements of the IC?

Mr. Burns. I think it is a challenge that, you know, the Agency has wrestled with for some years. As I said, I think we are very focused on the importance of increasing not just recruiting, but retention and especially demonstrating a professional pathway for deserving officers, whatever their background, all the way to the senior ranks.

I think those are the key ingredients in a formula to overcome that. And I think, you know, we have also put a great deal of effort into emphasizing the importance of creating a culture of respect and tolerance as well, as I mentioned in my opening remarks.

So, we recognize it as a challenge, but I think, like my colleagues across the IC, you know, we are making a serious effort, and I intend to continue that.

The Chairman. Do any of the -- and I don't know how much of this you can discuss here, but I know the Agency is in the process of implementing your direction arising out of the results of the Agency-wide strategic reviews conducted earlier this year. Do any of those impact the area we are discussing today, and are you able to share information on that?

Mr. Burns. Yes, sir. I mean, one of the specific objectives in strengthening our workforce is the on-boarding process that I mentioned before. I think that is absolutely critical. Diversity, equity, inclusion, and accessibility is another important priority. And we have launched a series of efforts, some of which I mentioned in my opening statement, aimed at recruitment as well as strengthening retention, and as I said before, demonstrating a pathway to the senior-most ranks of the Agency.

In the appointments that I mentioned to our senior leadership team, in the 7 months I have been Director, I am proud of the fact that over half of those are female and nearly a third are minorities as well. And that is, I think, a significant step in the right

direction.

The Chairman. Before I hand it off to the ranking member, I would just request of the various agencies, I would be interested to see what your numbers look like and percentages look like within the administrative and human resource fields compared to within analysis and collection. And with that, I will hand it off to the ranking member.

Mr. Nunes. I thank the gentleman.

General Nakasone, I want to turn to you, first, to speak to you about political discrimination in the workforce. First, I would like to ask you some questions about Naval Officer Lieutenant Commander Michael Ellis, whom you placed on administrative leave on President Biden's Inauguration Day, who subsequently withdrew as NSA general counsel.

The DOD Inspector General released a report on this issue last week. The IG report details that you went to great lengths to oppose the hiring of Ellis. The report reveals that former DOD general counsel, Paul Ney, told you in an email that some of your concerns about Ellis, quote, "had no basis in fact," unquote, and other concerns, quote, "appear to be inappropriately injecting partisan politics," unquote. Will you make these emails public?

General Nakasone. Certainly, Ranking Member.

Mr. Nunes. Thank you.

We know Democrats in Congress were pressuring you to oppose Ellis' hiring, and they got the DOD Inspector General to open an investigation into it. Did anyone from the Biden administration, either incoming or that Inauguration Day, pressure you to stop Ellis' hiring?

General Nakasone. No one pressured me, Ranking Member.

Mr. Nunes. Did you speak to Susan Rice?

General Nakasone. I did not speak to Susan Rice.

Mr. Nunes. Did you speak to Jake Sullivan?

General Nakasone. I did not speak to the Honorable Jake Sullivan.

Mr. Nunes. In hopes of delaying Ellis' hiring, you asked the U.S. Office of Personnel Management to review the matter, but the OPM told you they don't do that, and the previous NSA general counsel did not undergo an OPM review. So you demanded a different process for Ellis, but in the end, you didn't have the authority on Ellis' hiring. Mr. Ney had that authority. Is that correct?

General Nakasone. Mr. Ney has the authority as the DOD OGC to hire the NSA OGC, that is correct, Ranking Member.

Mr. Nunes. Nevertheless, the IG report found that Mr. Ney, or Ney, had asked Acting Secretary of Defense Miller to direct you to appoint Ellis, and after receiving that direction from Miller you finally appointed him as general counsel. Then just 5 days later, on President Biden's Inauguration Day, you placed Lieutenant Commander Ellis on administrative leave. The IG found that one of your justifications for placing Ellis on administrative leave, was to wait for the results of the inspector general investigation of his selection process, was improper. Do you accept the IG's finding?

General Nakasone. Ranking member, I certainly accept the IG's findings. I think it is important, though, to talk about what the IG findings also stated, which is the fact that Mr. Ellis had two significant security allegations levied against him.

Mr. Nunes. I am glad you are getting there. We are going to get to that. We are coming to that, if you can just let me get through my questions, and I will give you a chance -- opportunity to discuss that.

The IG also found that there was no improper political influence by the Trump White House towards Ellis' appointment. Did you believe at the time that there was political influence?

General Nakasone. I did not. What my concern was, Ranking Member, at the time, was the process upon which I was being advised that the individual had to have a merit-based review. And this is what caused a bit of the confusion, but later on, we found out and the DOD cleared up that there was not a need for a merit-based review.

Mr. Nunes. So you don't dispute the IG's finding on this question?

General Nakasone. I do not, Ranking Member.

Mr. Nunes. These allegations of improper political influence on Ellis' hiring came from anonymous sources who told The Washington Post, among other things, that you opposed Lieutenant Commander Ellis' hiring. These anonymous sources had remarkable insight into your thought process.

So what happened here was someone close to you planted a fake news story claiming the White House improperly pressured the NSA to hire Lieutenant Commander Ellis. Then as detailed by the inspector general, Democrats in Congress cited the story to gin up an IG investigation, and then you cited the investigation to sabotage Lieutenant Commander Ellis' hiring. It is a cute trick.

So you were being forced to hire Ellis against your will, and you were improperly trying to delay his hiring by citing an IG investigation. Then just 2 days after Acting Secretary of Defense directs you to hire Ellis, in a miraculous coincidence of timing, your deputy, Mr. Barnes, informs you of two allegations that Ellis had mishandled classified information. The first alleged incident involved a State Department official. Who made the allegation to Mr. Barnes about that supposed incident? Who?

General Nakasone. I don't know, Ranking Member. I am not aware of who made that allegation.

Mr. Nunes. Okay. Then there was a second one. Who made the allegation on the second supposed incident?

General Nakasone. Again, Ranking Member, I do not know who made the allegation of it. Again, the allegation came from my Deputy Director indicating that there had been reports that there was mishandling of documents to include the copying of NSA sensitive materials, and the distribution of those materials.

Mr. Nunes. So Mr. Barnes would know who these people are?

General Nakasone. Correct.

Mr. Nunes. Could you have Mr. Barnes provide us the names of those people who made these serious allegations?

General Nakasone. So we will certainly look into that, Ranking Member.

Mr. Nunes. I will take that as a yes or a no?

General Nakasone. Again, I would like to be able to talk with my counsel to make sure that that is something that we can do given the investigation that has taken place or is taking place.

Mr. Nunes. So you are forced to hire Ellis, your attempts to stop him failed, and it is suddenly brought to your attention that allegations were made against Mr. Ellis by two people, and I will fill you in, both of whom work for you. Yet, on January 19, Ellis shows up for work and he receives a security clearance. Then the next day, shortly after President Biden is sworn in, you place Ellis on administrative leave.

So on January 19, you are aware of these supposed security incidents, and you approve Lieutenant Commander Ellis' clearance, and then the next day, just after the Biden team is installed, you decide that Ellis is no longer fit to serve. The IG report says you dropped the investigation of Ellis after he withdrew as NSA general counsel.

So you open an investigation based on allegations made by your subordinates, then you drop the probe so that no one ever finds out if there is any evidence to support them. To sum up, you found various pretexts, including a fake news story planted by

someone close to you to get rid of Ellis, you ruined the career of a lieutenant commander naval officer for political reasons, you accuse him of mishandling classified information, so hopefully you can get those names to the committee.

But I want to talk about mishandling of classified information. I am going to change the topic. The last open hearing I asked you if you had ever recalled an intelligence report by a senior government -- if you have ever recalled an intelligence report by a senior government or a military official. I want to give you an opportunity to clarify your answer from the last hearing. Have you, as Director of NSA, recalled a report on a basis that was embarrassing to a senior military leader or government official?

General Nakasone. I have not.

Mr. Nunes. Are there any repeat offenders which have had to provide signals intelligence -- are there any repeat offenders or offenses where signals intelligence is embarrassing to a senior military leader? Have you done this since the last hearing?

General Nakasone. Ranking Member, I am not sure I understand the context of your question.

Mr. Nunes. Well, let me try to clarify it for you. You are saying that you have never recalled any intelligence reports that could be embarrassing to senior leaders within the military or the IC, or any other government agency?

General Nakasone. I have directed the recall of reports based upon several reasons. One of them is the distribution of these reports, if they are incorrect; secondly, if the tradecraft is bad and if the tradecraft is brought to my attention that this is not something that should be within our analytic reports, that is certainly something that I have agreed to recall a report.

Mr. Nunes. Did any senior military leaders ask you to recall a report?

General Nakasone. Never.

Mr. Nunes. You just did it on your own?

General Nakasone. I did it as the Director of the National Security Agency as these matters come up and they are brought to my attention. This is not the only report that I have directed a recall on.

Mr. Nunes. Okay. Final question here, and I will yield back my time. Obviously, you are familiar with the Tucker Carlson situation that has been in the news. The NSA inspector general is reportedly investigating allegations that the NSA swept up Tucker Carlson's communications. Are you and your staff fully cooperating with that investigation?

General Nakasone. Certainly, and we have also cooperated with this committee to provide the information that we have known about this and shared all the relevant details.

Mr. Nunes. With that, I yield back, Mr. Chair.

The Chairman. Director Nakasone, just before I move on, I want to make sure you had a chance to answer the question that you had sought time for. Anything further that you wanted to add?

General Nakasone. There is nothing further, Chairman. Thank you.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman.

And thank you to our witnesses. It is good to see you all. I am going to bring the conversation back to the reason that we are here. Why are we here? Is this some scratching of a faculty lounge itch, as the ranking member suggests? Is this some effusion of White liberal guilt? It is not. It is not. We are here because our responsibility, our duty is to field the most competent, capable, and lethal national security team we can.

A generation ago, the CIA was mocked for being pale, male, Yale. Now, maybe

you believe that an IC comprised of White males is the result of a perfectly meritocratic system. Maybe you believe that White males have some racial or ethnic or genetic advantage over others; if you do, there is a word for that.

I don't believe that we believe that. I believe that if we have an insufficiently diverse IC, we are failing to tap the talent of women and African Americans and Latinos and Asian Americans. And if we fail to tap that talent, we are falling down on our duty to field the most competent, capable team that we can.

Director Haines, I am looking at some stats here that show a trend that I have seen in other institutions, which is easier to recruit a diverse talent pool than to promote them to most senior levels. I won't go into the numbers, but going from GS-9 to GS-15, you see a very steady drop-off of the percentage of minority staff.

Two questions, and I know it is complicated, but do your best in 3 minutes. Do we have good data? I read in the report that exit interviews are optional. That would suggest to me that maybe we don't have good data. Secondly, inasmuch as we do have good data, can you just spend a minute or two on elaborating on why you think we lose diversity as people climb the ranks?

Director Haines. Absolutely. Thank you very much, Representative Himes, for the question. So on the question of whether or not we have good data, I will tell you that we need more data. So I think some of the data that we have is obviously good data, but we do not have exit interviews exhaustively applied across the community. And we are working to do that to -- from the, you know, IC perspective, ODNI is looking to try to help with ensuring that we have the resources allocated to do that, and the system is in place. And that is something that needs to be done.

Additionally, ODNI had not done a Barrier analysis, which is one of the key sources of data, to your point, doing surveys, doing opportunities for exit interviews, but other

issues. And we are now in the process of getting a Barrier report done that was overdue.

So there is a lot of room for improvement in this. In the context of the work that has been done, what we have found out from those surveys and exit interviews that have been done is that the primary reason that people give is lack of promotion opportunities, as I mentioned. And so that is a key question for us, and it certainly is -- comes back to, you know, one of the original points that you are making, I think.

So that is something that we are looking at. I would say too that, you know, as we look at on the recruitment side, we have attracted more minorities, for example, to apply, right, but we are not actually seeing them get hired, as I pointed out, in the same percentages that they are applying, right.

So you see a roughly 10 percent gap there that is pretty significant, and we are looking at this across a range of issues. And so the question is: Why is that happening? And part of the question we are trying to answer is through data, right, like basically talking to those candidates about their process, what is happening during that process, trying to ensure that folks who are hiring managers, for example, are undergoing unconscious bias training, other things that might be helpful in that context, doing a variety of things to try to ensure that we are going to both pull the data so that we can better understand it and do what we can to improve that situation. What we --

[10:33 a.m.]

Mr. Himes. I am sorry. Let me interrupt.

Director Haines. Yeah.

Mr. Himes. Because I don't want to end this conversation without having a sense for what you think is driving the drop-off in senior levels. I mean, are we talking about mentorship? Culture? Prejudice?

I know we don't have much time, but I would love to come away from this conversation with a sense of your diagnosis.

Director Haines. Yes. What we are hearing is lack of promotion opportunities, lack of fairness and equity in the workplace, insufficient mentoring and guidance, and a lack of identification with the greater organization. Those are the things that are coming up in the data.

And my last point was only going to be to that, which is we don't have the data that would help us see whether or not that gap between applicants and hiring is happening in promotion boards as people are going through the IC.

And that is another key place where we need to dig in and see whether or not we are seeing the same percentage drop in a sense, that gap, as we are going through the system in a sense.

Mr. Himes. Thank you. Thank you.

Mr. Chairman, yield back.

The Chairman. Mr. Turner.

Mr. Turner. Thank you, Mr. Chairman.

Thank you all for being here.

Director Haines, I want to thank you for your references to historically Black

colleges and universities. I happen to be co-vice chair of the Historically Black College and University Caucus, and I serve with Congressman Anthony Brown as co-chair of the House National Security Division and Inclusion Caucus.

We passed a number of bills in the National Defense Authorization Act relating to coordination between the Department of Defense and historically Black colleges and universities for internships, mentoring, recruiting, and as has been discussed in many of your comments, in assistance in acquiring clearance while still in school to give people a head up and a leg up in order to be able to get positions.

I have four pages of questions I am going to ask on from the DOD representatives about the implementation of those laws, and then the request to the rest of the IC as to how they can look to administratively, perhaps, implement some of these recommendations, and I am going to submit that for the record.

I want to show my support for the ranking member's questions concerning Michael Ellis. I, too, received from Lynn Carlson of the DOD OIG the conclusion that none of the witnesses in the hiring process indicated that there was any pressure from the White House or any political pressure whatsoever. Very concerned about political influence.

And then I want to note, as I have before when we have raised this issue, that Nancy Pelosi personally sent a letter requesting that he not be installed. So where the White House was found to have no interference, we have, all of us, in our files the letter from the Speaker herself indicating her opposition.

I also want to note a letter, October 21, led by our ranking member concerning the impact of vaccine mandates upon our staffing. Chris Stewart will be asking questions, which I support, on the impact on our workforce of diversity with vaccine mandates.

And then I want to ask each of you a yes-or-no question. We are doing

investigations, some of us on the Armed Services Committee and the Intelligence Committee, we are very concerned about what has happened in Afghanistan, and specifically the issues of what occurred on August 29, where a drone strike killed innocent people.

I have had the opportunity to question Secretary Austin, General Milley, General McKenzie, Deputy Secretary of State Sherman. Our concern is on intelligence and operational failures, what the protocols were, what were the intelligence review and analysis.

So I have got a fairly simple question for you. It is going to be yes or no. I am looking for individuals who were involved in a specific time period, from the time period where the target was identified until the shot was taken. And I am going to ask whether or not you were directly involved.

And specifically the question is, during that time period where the target is identified to the time that the shot was taken, were you directly involved in either reviewing the intelligence, or advising DOD concerning shot doctrine protocols, or providing oversight, or in the chain of analysis of intelligence concerning the tragic August 29?

Again, I am looking for your direct involvement, not just subordinates. And it is about reviewing intelligence, advising DOD, shot doctrine protocols, providing oversight during that time period of where the target was first identified until the shot was taken.

And, General Berrier, I will start with you and go down the line. Were you directly involved?

General Berrier. No.

Mr. Turner. Mr. Secretary?

Mr. Moultrie. No.

Mr. Turner. Director?

Director Haines. No.

Mr. Turner. Director?

Mr. Burns. No.

Mr. Turner. General?

General Nakasone. No.

Mr. Turner. Okay.

Did you have direct subordinates, not down the chain of line, direct subordinates under you who were involved during that time period?

General Berrier. No.

Mr. Moultrie. No.

Director Haines. No.

Mr. Burns. No.

General Nakasone. Congressman, I need to take that for the record just to be fully sure on it.

Mr. Turner. That is fine.

One last question. We are very concerned about the protocols that occurred that day in determining to take the shot. We have heard from the Intelligence Community, we have heard from DOD.

Are you or is anyone directly under you involved in reviewing the protocols that were utilized that day in determining that the drone strike would be taken?

General Berrier. No.

Mr. Moultrie. No.

Director Haines. No.

Mr. Burns. No.

General Nakasone. No, Congressman.

Mr. Turner. Thank you so much. I appreciate it.

I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman.

Limited opportunities for promotion is cited in IC employee exit surveys as a top reason for IC employees resigning from their agencies.

What are you doing to address this source of frustration amongst departing officers, and especially for those with diverse backgrounds?

Also, what steps are your agencies taking to appeal to applicants with diverse national origins and heritages, especially those who may have fluency or proficiency in critical languages and cultural skills?

Are there specific barriers that these groups face coming into the IC?

Are there disclosures on SF86 forms?

And what areas for improvement have you identified for extending outreach to rural and underrepresented communities?

In terms of disclosures, would something like participation in a protest at college or a BLM rally be an impediment to the kind of acceptance into the IC as opposed to others who have participated in protests who have still been accepted in the IC and even become executives? Would that be a hindrance to someone of color?

Director Haines. Sir, do you want me to start or --

Mr. Carson. Let's rock and roll.

Director Haines. Okay. Sounds good. Thank you very much.

So, first of all, what steps are we taking with respect to the top concern that has been named as you identified, which is about lack of opportunities for promotion?

So, as I mentioned to Representative Himes, one of the issues that we are looking at is getting further data, first of all, on whether or not there is the same gap that we see in hiring between applicants and those that are hired in minority spaces in the context of promotion boards and digging in to try to understand whether or not there is, in effect, challenges and barriers that are associated with minorities going through the promotion process that need to be addressed. And that is one piece of what we are doing.

Additionally, what we are trying to do is work through the Affinity Networks that I noted in my opening statement and with the employee resource groups across the IC to better have an opportunity.

First of all, I meet with them every month. So going through different Affinity Networks to talk to them about the issues that they are seeing so that they can talk to me about what they are perceiving as challenges among the communities within the workforce that they are addressing.

We support their doing a variety of events and outreach, so as to be able to lift up some of the challenges, so that we can try to address those questions as they come about and to support those communities as much as we can in the context of their work.

So it is an ongoing process. I think we need more data. We need to better understand what is, in fact, happening. But we are also trying to communicate with the workforce as much as possible in order to address issues that we are finding.

The next piece in terms of appealing to diverse communities and sort of getting out to those different communities, we are doing a variety of things. And you will hear, I think, from all of my colleagues different ways in which they are approaching this.

But one of them is obviously including geographical diversion, as you identified. Our IC Centers for Academic Excellence are really -- it is a program that has been around now for a couple of years, and it provides long-term partnerships with U.S. colleges and

universities through competitively awarded grants.

They are designed to increase awareness of the IC mission and culture, and to do so in ethnically and geographically diverse communities.

And so we are working to expand that program as much as possible so as to be able to get out to areas that don't normally see us in a sense, don't necessarily have contact with folks who are in the IC.

And we are also working through our recruitment process in order to try to make sure that we have got recruiters that are actually able to be more thoughtful about what are the different issues that will come up in recruitment for specific populations, questions that they might have, for example, about the application process that would be concerning.

And I will tell you just flat out, participation in a peaceful protest is certainly not an issue in relation to IC hiring.

So let me let other people have an opportunity to respond.

Mr. Burns. The only thing that I would add, Congressman, just as a specific example of outreach, is we did a program in June, this past June, over a couple of days at the Agency in partnership with the National Society of Black Engineers, because not only do we have an intense interest in improving minority hiring, we have an intense interest in hiring people with STEM skills as well.

So about 150 students took part over a couple of days. And that helped to generate a couple of dozen applications to the Agency after that as well. So I would just offer that as one example.

Mr. Moultrie. Congressman, the thing I would add would be, in terms of identifying subjectivity in our promotion processes where individuals go to boards, and if you participate in some of these boards, as I have over the many decades, if you will, you

hear comments, you hear questions, and you hear things talked about that aren't objective, they don't get directly at the qualifications of an individual. It is more to get at would somebody's chemistry fit with another group's chemistry, if you will.

So ensuring that we identify those types of things and making sure they are not a part of the process, I think, is important.

Agree with the barrier identification piece that the DNI and the Director of CIA have talked about. I think that is very important.

And then we are working very closely within the Department of Defense, with the Under Secretary for Defense for Personnel and Readiness Gil Cisneros, on how do we have better outreach to various HBCUs, MSIs, and, as Under Secretary Cisneros talks about, Hispanically serving institutions too, to ensure that we have the right outreach there, that we have the right social ways of engaging with those individuals.

So we have a concerted effort going on within the Pentagon. I welcome the opportunity to come back and brief you on that, sir.

Mr. Carson. Certainly.

Well, lastly, wrapping up, how are you making -- I mean, for example, PETA is designated by many as a hate group. And there are people -- I mean, the Southern Poverty Law Center, I think that their process is very flawed, because you have one or two people making a designation as to who is and who is not a hate group when they really have an axe to grind with certain individuals.

Do you discriminate against someone who has a religious affiliation and that religious affiliation and their belief system may have very destructive views as it relates to Blacks and Jews and their origin stories? I mean, do you discriminate against them, even though their affiliation isn't necessarily listed amongst hate groups?

How do you make that determination? Do you comb through someone's social

media and they had a position 10 years ago being critical of U.S. foreign policy or police brutality?

Mr. Moultrie. Yes, Congressman, I will speak for the Department of Defense, sir.

Within our organization we are focusing more on behaviors than we are in terms of group representation, if you will. So if someone is a member of a group that may not necessarily indicate that they are actually doing things that are detrimental to what we would consider to be the mission or our readiness or their ability to serve.

So we are really trying to focus on those behaviors that we are concerned about and less on what somebody's past affiliation or association with a group might be.

Mr. Carson. Thank you, Chairman. I yield back.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

I do want to start and associate myself with the ranking member's concerns and questions concerning Michael Ellis.

But from there, the Intelligence Community's need for diversity of talents and characteristics are very clear. As well, this work requires a common thread of selfless, apolitical, patriotic service with honesty, honor, and integrity, along with a willingness to uphold and defend our Constitution. I think that is pretty clear.

But nothing has been as diverse and inclusive as COVID-19, killing and affecting humankind across the globe. Honesty and transparency have been at a minimum for many that should have been able to shed the most insight about COVID-19.

Seemingly, the honest, factual, scientific opinions of many experts have been ignored or given way to those that claim, "There is nothing to see here, move along."

Director Haines, I want to thank you in advance for reaching out to schedule a meeting with me on this topic and the relationship between this committee and the

Intelligence Community. I appreciate that.

Some call gain of function experiments the production of a chimera. In this case that means experimentally combining components from two viruses into one for the sake of making it more infectious to the general public. The terms are interchangeable.

Using what I have learned -- or not learned -- from the intelligence opportunities I have by the virtue of being on the select committee, as well as what I have learned from my own open source research, I wonder if Vanity Fair or The Intercept's FOIA request involving EcoHealth Alliance, which is led by Peter Daszak, and DRASTIC, a science data research group, have all done a deeper dive than our own Intelligence Community.

A member of the DRASTIC team, Gilles Demaneuf, a data scientist from New Zealand, told Vanity Fair, "I can't be sure that COVID-19 originated from a research-related accident or infection from a sampling trip, but I am a hundred percent sure there was a massive coverup."

You know, in 2012, Dr. Fauci was asked about this type of research and he said, "The benefits of such experiments and the resulting knowledge outweigh the risk."

2015, Dr. Ralph Baric and Dr. Shi Zhengli of China -- Dr. Ralph Baric of North Carolina -- published their work to create a chimera using coronaviruses.

Dr. Fauci's emails of January 31, 2020, virologist Kristian Andersen emails Dr. Fauci suggesting the coronavirus may have been genetically engineered, and the next day, on February 1, Dr. Fauci emails his deputy with the headline, "Important," and sends the 2015 Dr. Baric, Dr. Shi article about creating a chimera from a coronavirus.

April 18 of 2020, Peter Daszak of U.S.-funded EcoHealth Alliance, working with Chinese Dr. Shi Zhengli, emails and thanks Dr. Fauci for publicly saying there is no evidence that this was genetically engineered. He does so without any evidence that it came from any other source.

Peter Daszak also got a letter published in a well-known publication, The Lancet, stating that the COVID virus did not come from the lab, and it is reported that 26 of the 27 that signed the letter had connections to the Wuhan lab, writing this with no evidence that it came from nature.

January of 2021, Dr. Steve Quay scientifically concludes that there is a 99.8 probability that COVID came from the lab versus nature. Dr. Ralph Baric in January 2021 says it is possible to create this without any evidence that it was altered.

We also know these facts. China removed all access to their database containing the genetic sequencing research. China did not report what they knew or when they knew it, including that the virus spreads human to human. China levied sanctions on Australia just for calling for investigations and transparency.

We know that no COVID-19 virus has been found in nature, not in wet markets or livestock, as hundreds of animals have been tested, except maybe the humanized mice used in research at the Wuhan labs.

Peter Daszak was the only American representative on the WHO review team. To me, it is reasonable to conclude that, considering this research at the Wuhan lab and his involvement, that his interest in discovery -- or lack thereof -- may align with China's.

There is much unknown, much unrevealed. The question is, who should be the investigators and who should be investigated?

As more information emerges, Peter Daszak and the WIV find themselves at the center of this debate. Why was Peter Daszak the only American appointed to this mission?

I want to finish with this. As The Washington Post editorial board asked about Peter Daszak, they asked, why did he not disclose his 2018 proposal to DARPA for research on bat coronaviruses with the WIV and others, which called for engineering and

modification onto spike proteins of chimeric viruses that would make them infect human cells in the way the pandemic strain did?

What does he know about the databases of viruses that the WIV took offline in 2019 and never brought back? Does he know what research the WIV may have done on its own during or after the collaboration? What was being done at WIV in the months before the pandemic?

Mr. Daszak must answer these questions before Congress. His grants were Federal funds and it is entirely appropriate for Congress to insist on accountability and transparency. He might help the world understand what really happened in Wuhan. These are good questions and comments from The Washington Post.

I suggest that this committee should be investigating and holding hearings on the origins of COVID-19 and any cover-ups, and do so in coordination with our Intelligence Community.

My only question, can I get that commitment from our chairman and from you, Director?

Mr. Chairman?

The Chairman. Director, would you care to respond?

Director Haines. Representative, thank you so much.

I have great respect, honestly, for both your knowledge on these issues and your passion on the question of trying to get to the origins of COVID. And as you know, we have done a lot of work on this question and have briefed committee members on our analysis. And we are happy to provide additional briefings on that as the chairman and the committee sees fit.

Dr. Wenstrup. I do look forward to our conversation that is scheduled.

Mr. Chairman?

Director Haines. Me too, sir.

The Chairman. I am happy to consider your request.

Dr. Wenstrup. Thank you. I yield back.

The Chairman. Ms. Speier.

Ms. Speier. Thank you, Mr. Chairman.

And thank you all for your presentations this morning.

Let me start with you, General Nakasone.

That particular inspector general's report found that you had done nothing wrong.

Is that correct?

General Nakasone. That is correct, Congresswoman.

Ms. Speier. And is it also true that the general counsel for the NSA is the only general counsel of the IC that is not confirmed by the Senate?

General Nakasone. I would have to check on that, Congresswoman. I know that our general counsel is not confirmed by the Senate. I am not sure the entire IC --

Ms. Speier. My understanding is that it is not confirmed, is the only IC general counsel that is not. If you could get back to me.

General Nakasone. Will do.

Ms. Speier. I am curious to what extent that is problematic as it relates to the IC community in general.

Director Haines, my understanding is that the position of chief officer for IC diversity, equity, and inclusion has not yet been filled. Is that true?

Director Haines. Congresswoman, yes. The posting, I think it may have just closed or may be closing in the next week or so.

Ms. Speier. So it is not an issue of having difficulty filling it.

Director Haines. No, ma'am.

Ms. Speier. It is that the timeframe has not been exhausted. Okay.

For each of you, I would like for you to return to the committee information about the numbers, the percentages of Latinos within each of your services, both in the analyst area and in the administrative area.

Because to me, based on what I have seen historically, it is the most underrepresented universe in the IC, and yet it represents 18 percent of the population in this country.

So I think, as we look at areas where you have to do additional work, it is particularly important to do it in the area where we can see more Latinos being hired.

Director Burns, you indicated that in having executives evaluated for both bonuses and promotions you are now looking at their ability to and effectiveness in promoting diverse persons into the senior ranks. Is that true?

Mr. Burns. That is correct, Congresswoman --

Ms. Speier. And has any --

Mr. Burns. -- as well as -- I am sorry.

Ms. Speier. And has anyone who has been evaluated under that new rubric been found to be inadequate in their efforts and not been promoted?

Mr. Burns. There is at least one example that I know of in terms of a bonus where there was a reaction against performance that didn't live up to those standards in terms of not just promotion, but also creating an inclusive atmosphere. But I would be glad to get back to you with more than that one example.

Ms. Speier. I would appreciate that.

Director Haines, I actually think this is really important to do across the IC.

Are you committed to doing that, to make sure that in senior management we see the diversity we need and that we evaluate those who are making those decisions and

either not promote them or not provide bonuses if they do not succeed in promoting those who should be successful in that regard?

Director Haines. Thank you, Congressman.

Yes. Our personnel evaluations include this as one of the factors and I am absolutely committed to it.

An additional question that has come up is whether or not we should be asking people in interviews, for example, whether or not they have a plan for diversity and inclusion, and that is something that we are looking at as something that should be potentially included.

Ms. Speier. I just want to underscore the fact, the importance of not just having that looked at, but that there be repercussions if they are not successful in helping to elevate persons in that regard.

Director Haines. Yes.

Ms. Speier. Let me also ask about STEM talent to all of you.

I am very concerned that we are not attracting the STEM talent into the IC that we desperately need as we move forward. And I am exploring and would like for you to consider and then report back to me whether or not we should be creating an ROTC-like entity in colleges for the IC, because without doing something like that, I feel we are going to fail in that regard.

And with that, I yield back the balance of my time.

The Chairman. Mr. Stewart.

Mr. Stewart. Thank you, Chairman.

And thanks to all of you. I recognize your many years of service and your commitment to serving and protecting our country.

Before I go into my topic, I would like to again identify with the ranking member's

really legitimate and deep concerns regarding Mr. Ellis and the situation that has been described.

On September 9, President Biden ordered all Federal departments and agencies to -- and I am going to quote here -- "implement a program to require COVID-19 vaccinations for all Federal employees." The outcome being, if they don't comply, removal from Federal service.

Now, I want to be really, really clear. I am vaccinated. I have always encouraged others to become vaccinated. But let me give you an example of, I think, that is illustrated with our concerns on the topic here.

I recently talked to a young woman. She is African American. She works for a relevant agency that you all represent. She has already had COVID, and she has antibodies because of that. She is expecting her second child, and she has very, very difficult pregnancies.

She does not want to take the vaccine. Her doctor has encouraged her not to take the vaccine while she is expecting. And yet she is facing termination in the next few weeks if she doesn't.

And she asked me for help. And I didn't know what to say to her. And I would be curious what any of you would say to this young person.

I have here in my hand multiple studies from the CDC and others that indicate for various reasons, and for some reasons we may not understand, the minority community is vaccinated at a significantly lower rate than are Whites.

Now, perhaps a mandate is a good idea, and we can discuss that. But if we are going to fire critical employees, including from the minority community, a community that we are trying to recruit and to retain, not find reasons to terminate, I think we should discuss that and discuss the implications of that.

What happens when we fire a significant portion of employees?

And by the way, as you all know, because we have asked the question last week, it is not a small percentage. It may be 10, 20, 30, 40 percent. Now, we hope it is not that high, but that is about where we are or pretty close.

What is the impact on our minority personnel, who, as I have indicated, they are vaccinated at a lower rate? How do we replace them when, as you know, it takes 12 to 24 months to recruit and then go through the security screenings?

These are the questions I think we should answer and have a conversation about.

So with that in mind, I guess I would ask all of you -- Director Haines, I will maybe begin with you -- what are the implications, what is the outcome on our national security if we have to terminate a significant number of our employees, including minority employees?

Does that concern you? And how do we address that? And it is not a train wreck that is coming years from now, it is within a few weeks.

Director Haines. Thank you, Congressman.

I think to start with, for the woman that you mentioned, I would indicate that if she is concerned about a medical exception that she should apply for one. And we have --

Mr. Stewart. Director, she has, she has, and she has been denied that up to this point, and she didn't appear optimistic that it would be approved.

Director Haines. We take our guidance in that context from the Centers for Disease Control, OPM, and basically the folks who do the medical process for that. So that has been my experience. And certainly if there is anybody that needs help, we can look into this if there is a medical concern.

I think the second piece, to your larger issue, we are finding at least -- I look at

ODNI, and it is actually the numbers are quite small in terms of ones that have indicated that they are not vaccinated. And we have, you know --

Mr. Stewart. And, Director, I don't want to interrupt you, but it is relatively small in the ODNI. But as I suppose you know, it is not nearly so small in some of the other agencies.

Director Haines. We will let other people speak for themselves, I think. And it is something where we are not anticipating that it is going to be an issue for mission.

I think in terms of the minority issue that you identified, there is vaccine hesitancy in minority populations at a greater rate than there is in others and it is something that we have been addressing.

What we have done is looked to try to promote it across the board, as obviously the administration has more generally, and to ensure that everybody has the best information that they can on these issues. And we are pursuing that, you know.

Mr. Stewart. Well, my time is up. And I am going to submit questions for the record for all of you.

Because this is enormously important and we seem to be walking blindly towards it. We may fire a meaningful portion of our Intelligence Community, including a disproportionate number of our minority intelligence officials.

What is the impact on our minority hiring? What is the impact on our national security? And a list of other questions.

And, again, it just doesn't seem like we have given it nearly the thought and the consideration we should.

I will follow up with questions.

With that, Mr. Chairman, I will yield back.

The Chairman. Mr. Quigley.

Mr. Quigley. Thank you, Mr. Chairman.

Mr. Chairman, we are simply going to have to retitle what we call our hearings. Next time we do this, we need to title it, "Diversity and, Oh, my God, Anything but Diversity."

Because today we have continued what we have heard much of our lives, that somehow inclusivity and diversity works against merit and that they have nothing to do with each other. It implies that diversity is unequal to quality. And we know that any notion that increased inclusion works against merit is just plain wrong. Indeed, inclusiveness enhances and is critical to capabilities.

But who am I to say these things? So I will quote someone else who actually has been in the worst of the fields. He wrote in 2018:

"I have served many years in war zones where incorporating the principle of inclusion was critical to our success.

"The U.S. is arguably facing more complex and serious threats to our national security than any time in our history. The art of intelligence is about fostering an inclusive environment, which means actively incorporating different ideas, viewpoints, and backgrounds to understand these threats and to present policymakers with the best options with dealing with them.

"The most enlightened leaders embrace this approach and swivel their judgments based on the input they actively seek.

"Our country's unique and rich melting pot is an exceptional competitive advantage and force multiplier for our Intelligence Community.

"Socially and ethnically diverse groups enhance creativity, innovation, and performance, a lesson the CIA teaches about the power of inclusion where our differences make us stronger defenders of our core ideals of freedom, liberty, and

democracy."

So who wrote this in 2018? Daniel Hoffman, a former chief of station with the Central Intelligence Agency with a combined 30 years of distinguished government service, including high-level positions not only with the CIA, but also with the U.S. military, U.S. Department of State, U.S. Department of Commerce, his assignments including tours of duty in the former Soviet Union, Europe, and war zones in both the Middle East and South Asia.

So I hope we can talk about such issues as we go forward, because apparently, if we can't appeal to your heart, only choice is to appeal to your brain.

Upton Sinclair, when he wrote "The Jungle," was appealing to our heart, looking at horrible working conditions. When President Roosevelt read "The Jungle," he said, "I have been poisoned." He said, "I aimed at their heart. I will hit a little bit lower."

So I don't know how else to do this but to use this distinguished panel to remind us that if we can't appeal to your heart, our brain tells us that to function in an incredibly complicated, gritty, diverse world, the skill set out there must be used that can work in that field, and a lot of them, in most of those areas, they can't look like me.

In the brief time I have left you, Directors, is there anything you want to add to that?

Mr. Burns. No, I just was going to say, Congressman, I entirely agree with Dan Hoffman and the quote that you raised. He is a very fine career officer and I think he is absolutely right.

You see this in the hard places around the world where our colleagues are doing hard jobs today, trying to operate in very complicated environments where, just as Dan Hoffman said, our diversity is a huge asset, diversity of languages, of understanding of other cultures, the ability to do our work overseas.

And the same is true with regard to analysts at our headquarters as well, their ability to understand what is going to be most important about pieces of intelligence to convey to policymakers.

So I think it is -- I have always thought throughout my career, first at State and now at the CIA, that diversity is a huge national security asset for the United States, and I see it every day at CIA.

Director Haines. Thank you.

And I just want to add my concurrence to that.

When I first came in, we went through an exercise with the leaders of the Intelligence Community to identify what are our priorities. And we talked about substance and we talked about the fact that China is a critical priority for the Intelligence Community.

But top of the list, for which there was absolutely uniform support among every leader of the Intelligence Community, and all of the people on this panel were part of that, was talented and diverse workforce, recruiting and retaining a talented and diverse workforce.

And I think it is just fundamental to our success in the future that we actually bring that workforce forward because they are the ones that are going to need to address the challenges that we are facing. And there is nobody that saw any tension between diverse and talent. It is absolutely fundamental and together.

Mr. Moultrie. I would just add very quickly, Congressman, I had the honor of serving with Dan Hoffman in a number of locations. And just within the last year, last 6 months, Dan and I have exchanged emails on a number of topics.

He is a fine man. He is going through a lot of challenges in his personal life. But a great American. And we should listen to the words that he is saying in that regard, sir.

Mr. Quigley. Thank you, Mr. Chairman. I yield back.

The Chairman. Mr. Crawford.

Mr. Crawford. Thank you, Mr. Chairman.

And the good news is that everybody on this side of the aisle agrees wholeheartedly with the comments of Mr. Hoffman. I don't think there is any dispute about that.

I thank the panel for being here. And I would like to associate myself with the comments of the ranking member with regards to the unfair treatment of Lieutenant Commander Ellis. And also I would like to acknowledge the comments and the concerns voiced by Mr. Stewart.

Director Haines, on October 4 I held a counterintelligence awareness event scale-up in my district. And, Director, I want to thank you personally for your personal involvement facilitating that event. It was very well attended. The presenters, Mr. Orlando from NCSC, and of course the FBI, were the primary presenters, along with CISA.

But thank you for your direct involvement in that. It was very well received.

Switching gears now, I want to move to some questions to the panel.

Does anyone on the panel disagree that the Intelligence Community views the ongoing border crisis as a national security threat?

Do any of you dispute that a wall or a fence enhances security?

Is it true that each of your agencies are protected by walls or fences or some infrastructure, that each of your agencies take measures to control physical access? That is true?

Does anyone disagree that eliminating fences or walls around your agency would present both physical and counterintelligence threats to your agencies?

Is it the responsibility of the United States Government to control access to the

United States? Is that a yes?

Thank you.

I am deeply concerned that there is a security double standard in the Biden administration and in the Democrat majority.

The President is protected by walls, such as the White House fence and a brand-new fence around his beach house.

The entire Capitol complex was recently surrounded by a wall of fencing for months, and, in fact, the Speaker, I think, would like to have a permanent wall constructed around the Capitol complex.

Yet despite their need for walls to protect themselves, the President and congressional Democrats are blocking completion of the border wall, which is desperately needed to protect the American people.

There are also growing calls by the administration for deploying the National Guard to assist with the supply chain crisis, however, the same administration is refusing to mobilize the National Guard to help fortify our border.

And so to the panel, let me ask you this.

Is it possible for a terrorist to cross the border?

Yes.

Is it possible for transnational criminal organizations to smuggle drugs and weapons across the border?

Yes.

Is it possible for human smugglers to move caravans up to and across the border?

Yes.

Are these threats increasing, decreasing, or staying the same? Could we agree that those threats are increasing?

I don't hear any dispute on that.

So last year there were over 1.7 million apprehensions along the southwest border. In the past few months, the world witnessed 10,000-plus Haitians camped out on the Texas border. There is open source reporting of approximately 60,000 more on the way, not including migrants of other nationalities.

Mr. Chairman, I would suggest that we have a classified hearing on the IC's capabilities to collect and share intelligence relevant to the Western Hemisphere and threats to our border.

Is that something you would entertain, that request, Mr. Chairman?

The Chairman. I would be happy to entertain the request. Thank you.

Mr. Crawford. Thank you.

And then I have got a little bit of time left, so I want to direct some questions to Director Haines.

And, again, thank you for your assistance with facilitating the event that I mentioned before.

I would just ask you, how is ODNI postured to support more CI outreach events, such as the one that you helped facilitate in my district?

Director Haines. Thank you, sir.

I think, first of all, thank you for facilitating the one that you did in Arkansas. From my understanding from the Director of the National Counterintelligence and Security Center that participated, Mr. Orlando, it went very well and I think was hopefully effective for the folks that attended.

This is something that we do as a matter of course. We look to facilitate these types of events. We have done them around the country. Many times they are facilitated by Members of Congress. We work with the FBI in those circumstances and

also with the Department of Homeland.

And we try to do it in a way that is useful and just basically providing information that helps to educate both State and local authorities, as well as the private sector and others who have an interest in these issues. So look forward to doing additional ones as people see.

Mr. Crawford. Excellent. We have Members on both sides of the aisle that would like to replicate that event.

So I would just ask finally, are there metrics in place to ensure that NCSC and others are focused on such outreach?

Director Haines. We report on them regularly, yes. Thank you.

Mr. Crawford. Excellent. Thank you.

My time has expired.

The Chairman. Mr. Swalwell.

Mr. Swalwell. I thank the Chairman for this important hearing. This is an important topic.

But I think the most urgent and important issue facing the workforce today are the terrorizing attacks that are happening globally, which are referred to as anomalous health incidents.

And I guess my first question, Director Burns, considering that we are not doing this to our own people, they are not doing this to themselves, public reports suggest they are happening in an escalating fashion worldwide, can we stop calling them incidents and call them attacks?

Mr. Burns. Well, what I know, Congressman, having talked to dozens and dozens of my colleagues who have been victimized, is that real harm is being done to real people.

And we take each report very seriously. I know all of my colleagues do across the

Intelligence Community. I think we have worked very hard to improve care, the care that our officers and sometimes their family members deserve. And we have mounted an extraordinarily vigorous effort to get to the bottom of the questions of who and what may be causing these as well.

And so we are going to work as hard as we can to get to the bottom of this and come up with answers to those questions. And I know that is a conviction that is shared amongst all of my colleagues on this panel.

Mr. Swalwell. Director, we don't often have open hearings, but perhaps the individuals or the country responsible for these attacks are watching. And I wonder if you have a message for those who are conducting these attacks as to what we will do when we find out who is doing this.

Mr. Burns. Well, Congressman, as I said, we take extraordinarily seriously the harm that is being done and we are determined to get to the bottom of this. And I don't think anyone should doubt the sense of urgency that we have or our determination to do that.

We owe it to you. We owe it to the President to be disciplined and objective, and balancing that with our compassion and our sense of urgency as well, and that is what we are determined to do as well as we conduct this very serious investigation.

Mr. Swalwell. And we owe it to the victims across the IC, the State Department, and I know you are doing that.

And it took about 10 years to find and hunt down Osama bin Laden with a workforce that was dedicated to it, and I hope the same effort is being made to find out who does this.

And when we do find out who does this, I think you will find bipartisan support that this is going to be a response that is beyond, if it is a foreign country, just closing

down a couple consulates, that it is going to have to be a very, very severe response.

Mr. Burns. Congressman, we are taking this very, very seriously, as I said. In fact, the senior officer who is leading our task force on this played a central role in the successful hunt for bin Laden more than a decade ago. And so I think that is a pretty clear indication of our determination, our sense of purpose on this.

Mr. Swalwell. Thank you, Director.

You know, we may not be able to persuade our colleagues, or at least the ranking member, of the value of diversity as far as it just being the 21st century, it is the right thing to do, it relates to equality.

But operationally, General Nakasone, would you agree that if your folks are listening in on, say, a counternarcotics investigation that you are aiding the Intelligence Community, that perhaps maybe having a native Spanish speaker would be helpful? Yes or no?

General Nakasone. Yes, Congressman. And if I might, let me give you an operational example that really depicts this.

During the Afghan retrograde, we did a tremendous amount of support to our forces forward. A lot of that was done out of National Security Agency Georgia, of which we had several of our linguists that came from Afghanistan, born there, came, became citizens of our country, served within our military -- in fact, one that was significantly injured -- and were tremendous linguists in terms of understanding not only the words that were being spoken, but the texture and the context that goes behind that.

That is the power of diversity. That is why it is so important to us as an agency. And that is why it is, I think, so critical to our Intelligence Community.

Mr. Swalwell. Thank you, General.

And, Director Burns, we can't talk a lot about your successful operations, but we

have been briefed on them in the committee. And would you agree there are many, many operations that only a woman could conduct?

Mr. Burns. Yeah. No, I think our most successful operations are ones where we draw not just from the exceptional tradecraft of our officers, but also from our diversity as well.

Mr. Swalwell. Thank you.

I yield back.

The Chairman. Mr. Mullin.

Mr. Mullin. Thank you, Mr. Chairman.

First, I would like to associate myself with our ranking member's remarks with Michael Ellis. I think it is very important that we get those answers.

With that being said, most, if not all of you are very familiar with my intimate involvement with evacuating Americans out of Afghanistan, the ongoing evacuation process that is trying to take place.

And I want to speak a little bit to Director Burns and Director Berrier about what led up to the complete failure and chaos that took place prior to our complete pullout of Afghanistan August 30.

It is reported that 130,000 people, the State Department reported that 130,000 people were evacuated prior to the final departure, 30 August. How many of those were AMCITS, Americans?

General Berrier. Congressman, I don't know the answer to that.

Mr. Mullin. Director Burns, how many of those were Americans?

Mr. Burns. I will get you the exact number.

Mr. Mullin. How do we not know this?

And this just goes to a bigger question. We evacuated 130,000 people, that was

touted as a success, at the same time while my team and myself was trying to get Americans out. We had them at the gates trying to get the gate opened and we couldn't get Americans through the gate at HKIA.

And we tout it as success. And, in fact, the word came out that every American that wanted out could get out. And then the word came back that the President said that, well, there is roughly 100 people still left that wanted to get out. This is on August 31.

And we are telling -- you are telling me today that we still don't know how those 130,000 people that the State Department touted as a success of evacuation, that we don't know how many were actually Americans? That seems, I mean, really odd to me.

Mr. Burns. You know, Congressman, I think the number -- I mean, the number of U.S. citizens, as I understand it -- and we will confirm the exact number for you -- was well over 6,000. But we will get the exact number for you.

Mr. Mullin. And see, this is the problem with the chaos and the amount of problems here. Since 31 August, the number has changed from the amount of Americans that we said were left there.

Currently, my team is in possession of 124 AMCITS and LPRs, currently as we speak right now. We are in possession of 120 to 124 AMCITS and LPRs. We started the week with 120, now we have 124.

And this is what I was told this week about the evacuation by the State Department: When you get them out, we will help you get them to America. When you get them out of Afghanistan, we will help you get them to America.

And I think a lot of that has to do with the fact that we don't actually know because the number is always changing. And let me just run through some numbers for you.

On August 31, the President said there was 100 or 200 Americans still in Afghanistan who had some intentions to leave.

I can tell you, every single one that my team has worked with has literally been willing to do everything they could to get out, everything they could to get out, including an LPR with her 3-year-old daughter who died of an infection after she was trying to get her out for 2 weeks -- 2 weeks.

And we had her at HKIA and we couldn't get the State Department to open the door. We had her at the border of Tajikistan, and the Tajikistan ambassador literally told me, "I am sorry, Mr. Mullin, but I was told not to assist you in any way." That was a quote -- a quote. And 7 days later the 3-year-old girl died.

And yet, we still don't have a handle on how many Americans were in there. For instance, late last week, the State Department estimated there was at least 176 -- now these aren't round numbers, these are exact numbers -- at least 176 who still want to leave among the 363 total American citizens in Afghanistan. Now, that was -- those aren't round numbers, those are exact numbers.

Then yesterday the Pentagon said the number of Americans in Afghanistan is still at 439.

Why is there a big difference between what the State Department is saying and what the Department of Defense is saying?

Director Berrier, do you know?

General Berrier. Congressman, I don't have an answer for you.

Mr. Mullin. Director Burns?

Mr. Burns. And, I mean, the only thing I will say, Congressman, is first I very much appreciate all the effort that you have made. And, as you know, our officers have worked very hard as well, working with colleagues from State and elsewhere, to ensure that U.S.

citizens who are seeking to be evacuated are evacuated. And that is continuing right now.

I know from my own experience as --

Mr. Mullin. Director Burns, I am going to stop you there just a second.

Mr. Burns. Yes.

Mr. Mullin. Then why is it that I can't get help getting these other 124 out? I have 124 identified with paperwork. We have been holding on to them for 3 weeks.

Why is it that we can't put pressure on Tajikistan, Uzbekistan, or Pakistan and say, "Hey, let them cross"? Why is it that I was told that if I fly them out, which we will have to raise money to do, "Well, if you fly them out, we will help them fly the rest of the way to America"?

If they were serious about it, why can't we take in a charter and get them out? I can get them to Mazar-i-Sharif. I can get them to where you want to go. I can get them to the border and get them across. I can do that work.

So when you say that you are working as hard as you can, then why can't we move them?

Mr. Burns. Well, Congressman, we are absolutely determined. The President has made clear, all of us, not just on this panel, but at State and elsewhere, to ensure that Americans get out.

And I am glad to follow up with you, I know my colleagues are, to help ensure that that happens, because we are determined to do that.

Mr. Mullin. Please do, because I have 124 who is ready to come home.

I yield back.

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman.

Thank you, all of you, for your testimony today on the important issue of diversity in the Intelligence Community.

Thank you for showing up. I think we probably went 4 years, the last 4 years, without any of the folks in your position showing up on this topic. So thank you.

I have a question for Director Haines.

Last year the GAO conducted a review of the Intelligence Community's progress towards a more diverse workforce, finding that the percentages of minority staff were still, quote, "well below benchmarks in the Federal workforce and civilian workforce."

The GAO also found that only 3 of 17 Intelligence Community elements had current complete strategic plans.

What has changed since then? And are you using the GAO's recommendations as part of your own strategic plan?

And then also, and I am working off of the packet that I assume that you all handed over to us, on page 5, the demographic diversity in the IC, and following up on the point that Representative Speier made.

The most underrepresented group in the Intelligence Community and in the Federal workforce is the Latino community by far. Latinos make up about 18.6 percent of the population and 7 percent of the IC. I mean, it is a huge gap.

So what specifically -- and I would ask you, because that is the largest gap by far, to prioritize hiring, recruiting, promoting Latinos in the Intelligence Community.

So if you could address those things. And then I have got at least one more question, hopefully.

Director Haines. Thank you very much, Representative Castro, and really appreciate your own work on these issues.

So, first of all, in response to the GAO report, there was an effort, as I understand

it, before I arrived -- so I am not responsible for it -- to do at the ODNI a joint strategy to advance EEO diversity and inclusion within the U.S. Intelligence Community.

It was basically -- it is still a document that we are working off of. It is dated -- essentially it was done, developed during 2019 and issued 2020, and it stretches forward from 2020 to 2023. I think we are working on, in a sense, enhancing the ambition in that space.

With respect to Hispanics, I couldn't agree more. I mean, I think you are absolutely right. And when I look at ODNI, in particular within the Senior Executive Service, we are at 3 percent Hispanic. I mean, it is really striking and just very challenging and something we need to address.

So it is not a coincidence that the first university that I went to for recruiting was Florida International University, which has a mostly Hispanic student population. We worked with the Florida universities in that area to expand the outreach of my visit.

I am working very hard in this area, and absolutely agree that it has to be a priority in the context of our recruitment workforce.

Mr. Castro. Well, I appreciate that. I appreciate the efforts at CIA and what is being done over there.

General Nakasone. Congressman, may I comment?

Mr. Castro. Sure. Please.

General Nakasone. Congressman, so at the National Security Agency we have a focused effort right now at NSA Texas, located in San Antonio, working with not only our Cryptologic Center down there, but the broader academic community, to include University of Texas, San Antonio, where we have, I think, a tremendous population upon which we are going to hire from.

And I think this poses a tremendous opportunity for us, and look forward to

coming back to the committee to talk about our successes.

Mr. Castro. Well, thank you.

And just the last point on this. As a member of this committee, I am asking you to close that gap in Latino presence in the Intelligence Community, because it is a huge gap, and it is exclusionary.

Director Haines, a second question for you, if I can find it here.

I understand that the ODNI is currently in the process of making a determination on whether holding White supremacist views would deem an individual unsuitable to hold a security clearance.

Where are you on that decision? And what is the ODNI doing to ensure that White supremacists with a history of promoting extreme and violent views contrary to U.S. values don't get a security clearance to work in a national security position in government?

Director Haines. Thank you, Representative.

I am not aware of us having that particular decision before us. But we have done a lot of work on these issues in relation to vetting in security, and I can send you some information on this.

Mr. Castro. Sure. Thank you.

With that, I yield back, Chairman.

[11:33 a.m.]

The Chairman. Mr. Kelly.

Mr. Kelly. Thank you, Mr. Chairman. I first want to say, I associate myself with the remarks made by Ranking Member Nunes as to Michael Ellis.

I think that diversity and gender, race, culture, language, and thought is huge, a huge force multiplier for our Intelligence Community. I also know from 35 years of experience in the DOD that often the things that we do to measure policies and procedures they make us feel good, but they do not measure results and effectiveness. So I hope that you guys will do things and have marks that make sure that we are effective in what we are doing, that we are not just following policies and procedures.

While not a panacea to the IC's recruiting and retention challenges, the unique characteristics of the careers you offer, that is, the opportunity to conduct activities otherwise forbidden, seem to be a compelling factor to join. This should include minority populations.

Director Nakasone, General Nakasone, focusing in diversity recruiting, does our recruitment align with the demographics graduating from our colleges and universities?

General Nakasone. Congressman, I think you have identified an area we can do better at. And this is where I would say, is that I will speak only for my agency. We have had a tendency to only recruit from a certain part of the United States, and emphasize at a certain part of the United States. And so, you know, while we have been very focused on the East Coast, we have to be much more broader across our Nation to --

Mr. Kelly. I agree. And I hope you all take that for the record. That is really important maybe.

General Nakasone, I have a few questions and I am going to ask you to make a few

statements and just ask that you answer yes or no to these, and if you want to further elaborate, I will allow that at the end.

Do you agree that the termination of the dual hat is highly unlikely to naturally occur without a significant and compelling mandate to do so? And I am talking about the NSA and commander of U.S. CYBERCOM.

General Nakasone. Can you ask the question one more time, Congressman?

Mr. Kelly. Yes. NSA, Commander U.S. CYBERCOM, do you agree that the termination of the dual-hat status of this is highly unlikely to naturally occur without a significant and compelling mandate to do so?

General Nakasone. I would agree.

Mr. Kelly. And do you agree that cyber power requires the diversity of tools, techniques, and procedures, and that having two sizable organizations leveraging the same tools, techniques, and procedures pose an unacceptable risk to both?

General Nakasone. I do not agree.

Mr. Kelly. Do you agree that support to U.S. CYBERCOM has eroded NSA's ability to support national requirements? Yes or no?

General Nakasone. I do not agree, and I would like to come back on that one, please, Congressman.

Mr. Kelly. Okay. Do you agree that an overemphasis on the NSA relationship may, in fact, retard U.S. CYBERCOM's further development of cyber as an effective military capability?

General Nakasone. I do not agree on that, and I would like to come back to that one.

Mr. Kelly. And do you agree that the span of control necessary to manage two organizations with different missions is wide and increasing?

General Nakasone. I do not agree, and I will come back on that one as well.

Mr. Kelly. Do you agree that the benefits derived from the dual hat, Commander of U.S. CYBERCOM and Director of NSA, have largely been achieved?

General Nakasone. I do not agree.

Mr. Kelly. And do you agree that there are processes in place that encourage and facilitate collaboration across all levels of the mission?

General Nakasone. And I would imagine you are speaking between the National Security Agency and U.S. Cyber Command?

Mr. Kelly. Yes.

General Nakasone. At times.

Mr. Kelly. And do you agree that encouraging each organization to focus upon their respective unique mission areas is the next logical step, and that this will be facilitated by splitting the leadership roles?

General Nakasone. I do not agree.

Mr. Kelly. Okay. General Nakasone, each of the eight statements that I asked you about were included in an unpublished assessment of the future leadership structure of the United States Cyber Command and National Security Agency. The assessment was commissioned by Deputy Secretary of Defense Robert Work and was authorized by the cochair of the Defense Science Board Task Force on Cyber.

Whether or not you agree with each of their conclusions, do you believe that the cochair responsible for this assessment, James Gosler and Chris Ingles, possess the independent experience and expert knowledge necessary to undertake the assessment requested by Deputy Secretary Work?

General Nakasone. I would agree that they have certain experience. I would, however, Congressman, say that experience is based upon time.

Mr. Kelly. And as Director of NSA and commander of U.S. CYBERCOM, are you aware of a specific data plan for termination of the dual-hat provision?

General Nakasone. I am not.

Mr. Kelly. I understand that U.S. CYBERCOM reached full operational capability nearly 4 years ago. Can you tell me what fully operational capability means?

General Nakasone. There were a set of standards, Congressman, 4 years ago, that the command had to achieve, and they achieved those based upon a numeric rating.

Mr. Kelly. Okay. And I recognize that the Gosler/Ingles assessment was commissioned by DOD and not NSA. But I am concerned that it was placed on the shelf for years. Our staff director requested a copy of this assessment in July upon learning of its existence, but the committee received a copy only after the markups for the 2022 budget was completed.

And I support the provisions of the IAA, which provide additional reporting on these issues, and we can hope to continue this discussion, Mr. Chairman, but I want to give you an opportunity to expand. And with that I yield back after his answers, Mr. Chairman.

General Nakasone. Thank you, Congressman. And I appreciate the opportunity to comment a little bit more fully.

When I took over the role of both the Director of the National Security Agency and commander of U.S. Cyber Command, I had committed at my testimony to do an evaluation of the worth of the dual hat. I think the most important thing that I would add to this is the fact that the way that we approach that evaluation was the fact that it wasn't necessarily what is best for the National Security Agency, what is best for U.S. Cyber Command, what is best for the Nation.

In 3-plus years what I have seen, Congressman, is the fact that the roles, missions,

and responsibilities of U.S. Cyber Command and the National Security Agency are even more so converging in a domain cyberspace that requires three things: It requires speed, it requires agility, and it requires unity of effort.

The successes that we have been able to have across the 2018 elections, the 2020 elections, and the recent ransomware attacks on our Nation, are based upon those ideas of being able to react with speed, react with agility, and react with unity of effort. And I think, and this is from my experience both operationally as the commander, and as the Director of NSA, that that would not have been possible with two separate organizations under two separate individuals.

In terms of the question regarding the capabilities of the National Security Agency, the data that I would welcome and the data that I would be more than happy to provide is across our mission sets, whether or not it is adversaries in signals intelligence, whether or not it is our crypt analytic capabilities, our ability to break code, our ability to make code on our cybersecurity side, our ability to provide technical talent, our ability to provide indications and warning to support the military forces. Our abilities at the National Security Agency have never been better, in my opinion, and I think that is backed up by the customers that we serve.

The last thing that I would say on that, it is not just about the mission though, it is also about the people. And if you take a look at the Intelligence Community climate assessment that has been taken over the past several years, what you will see is that NSA ranks among the tops in the IC for our ability to do it.

And the final thing that I would put on there, Congressman, is the fact that over the past several years, we have had record recruiting years, an ability to track the best and brightest in our Nation that want to come and work for our agency. And so I would yield back to the chairman.

The Chairman. Thank you. Mr. Welch.

Mr. Welch. Thank you very much.

I thank the panel.

First of all, the fact that all of you are here, as the chairman said, is an indication of how absolutely seriously you take this. I also want to acknowledge the wonderful work over the years of my colleague, Congresswoman Speier, for staying absolutely focused on this. Thank you, Congresswoman.

I want to go to the heart of the matter, which, Director Haines, you, I think, raised. Is there any conflict between diversity and competence in mission success? Do you want to speak directly to that?

Director Haines. Yeah. Honestly, I think there is no tension, and, in fact, I think they are mutually supporting of each other, which is to say that, you know, I think as all of us have reflected, we believe, you know, in intelligence work in particular, you need a diversity of perspectives in order to actually understand the world. And the reality is, we need that diversity in the IC to do our job most effectively. We want that talent. We see how important that talent is. And it is critical for us to be pursuing these together. I don't think we can get to either without the other.

Mr. Welch. Okay. Thank you.

Mr. Moultrie, you have had an extraordinary career serving our country in CIA and DOD. I think 36 years?

Mr. Moultrie. Yes, Congressman.

Mr. Welch. You know, you have been incredibly successful, and I suspect things were an awful lot different when you were starting out for African Americans than they are today. And I would like you to speak to your personal journey and what changes have been made and what you have seen, given your responsibility about the benefit of a

diverse workforce in intelligence agencies.

Mr. Moultrie. Yes, Congressman. Thank you for that question. I think it gets to the heart of the matter in terms of what opportunities are provided to individuals who are dedicated to serving their country, not just people who may have served in uniform as I did, but individuals who want to be a part of something that is bigger than themselves, who understand the issues, who can get the security clearance and all those things, and that we provide them with opportunities if they are a little bit different from us. And I was afforded those opportunities, and I think that that is what has really been insurmountable in helping me, and that is one of the things I have tried to do with others.

To the point that Director Haines was just speaking to, and that General Nakasone spoke to a little bit earlier about is diversity in the mission at odds, I would say absolutely not. I would say they are completely in sync, and then they are even additive, because in places -- and some of these things, can't go into in an open hearing, but in places where we have had coups, in places where we have had tremendous unrest, the only reason why we know about these things is because we have had linguists who are from these countries who speak the language. They understand the culture, and they can talk to us about here is what is happening in my country, my former country, here is what we need to do about it. That has happened much more than we could ever talk about in an open hearing, and those things are in insightful, not just for our leaders and policymakers, but also for our most senior decision-makers in this country.

Mr. Welch. Thank you.

And, General Berrier, the military has been a wonderful place for folks who didn't have opportunity to get opportunity, to start appreciating and understanding and recognizing skills they didn't even know they had. What is the importance to you in your mission about diversity?

General Berrier. Congressman, thank you for the question. It is extremely important for DIA. It is vital. We need the diversity of thought, the diversity of background to be able to make the kinds of assessments and judgments that we are making and providing to the Department of Defense. If we don't have diversity, if we all look like me, it is not going to work. We need that diversity of background to be able to provide the very best we can.

Mr. Welch. Thank you.

And I know, General Nakasone and Director Burns, you feel the same way. But the final area where maybe the two of you could comment on is, what are the pipelines? You have to be really creative, like going down to Florida State, going to places where there are people who don't traditionally get the interview opportunities. Can you suggest any additional things that would be helpful in where additional congressional authorities might be helpful for you to be successful?

General Nakasone. So, Congressman, while I can't suggest additional authorities, what I can offer are some of the examples that we have seen and the benefits that we have been able to accrue from a broader supply chain.

So we have a large supply pool that comes out of our high school work-study program, an ability to bring young people in, in their junior and senior year, clear them and have them work at our agency and see what we do as a possibility of then going forward.

And the second piece that I would add is the director of summer program. So every year, over 2,000 people apply to be a director of summer intern. We are able to focus that across a number of different demographics to bring people, clear them, bring them to our agency and work very, very difficult problems to get after the issues of science, technology, and engineering mathematics. We hire over 80 percent of those

people that are already cleared, that already have experience, that already understand how we do business at NSA.

Mr. Welch. Thank you.

Mr. Burns. And the only thing I would add, Congressman, is that, you know, we try to be as creative and energetic as we can in outreach. We just started a new scholarship program, which I --

Mr. Welch. Right.

Mr. Burns. -- or fellowship program, which I mentioned earlier, which is aimed at applicants coming from minority serving institutions as well. And, you know, that is already proving, I think, to be a huge asset for us.

Mr. Welch. Well, I just want to end by expressing my gratitude for the hard work and the seriousness of purpose that you are displaying to this effort. Thank you. I yield back.

The Chairman. Mr. Fitzpatrick.

Mr. Fitzpatrick. Thank you, Mr. Chairman.

Thank you all for being here.

I want to direct my original questions to Director Moultrie. Sir, in September of this year, several media outlets reported about calls General Milley had with a general in the Chinese Army in October of 2020, in January of 2021. According to these press reports, General Milley initiated these calls after he had reviewed classified intelligence about the Chinese Government's assessment of the likelihood of an American attack.

He reportedly spoke with the Chinese to assure them that their assessment described in our intelligence was wrong. So according to these reports, he reviewed classified information, he called a Chinese general, and he addressed the underlying content of that intelligence directly with the Chinese military. That clearly raises potential

counterintelligence concerns.

Sir, my first question, has the government initiated a counterintelligence investigation related to General Milley's discussion with the Chinese military?

Mr. Moultrie. Not that I am aware of.

Mr. Fitzpatrick. Has ODNI initiated a damage assessment related to General Milley's calls with the Chinese general, particularly whether he may have had direct or indirectly revealed any sources or methods?

Director Haines. No.

Mr. Fitzpatrick. Do you know of whether the calls General Milley had with General Lee were recorded?

Mr. Moultrie. Not that I am aware of.

Mr. Fitzpatrick. According to press reports, DOD provided a summary note of his calls with Chinese General Lee to the IC. Did you receive those summary notes?

Mr. Moultrie. I did not.

Mr. Fitzpatrick. I would like to direct this question to Director Nakasone, and I would also want to reassert that I associate with the ranking member's remarks regarding Michael Ellis. Sir, the ranking member had asked about the alleged security violations of Mr. Ellis and who at the State Department was involved in making those allegations. Do you know who made the allegations?

General Nakasone. Congressman, I do not.

Mr. Fitzpatrick. So you can't provide any details on the accuser?

General Nakasone. I cannot, Congressman.

Mr. Fitzpatrick. Okay. Under Secretary Moultrie, on September 23, we wrote to the DOD about this issue that I referred to earlier regarding General Milley asking for materials related to these calls, including a list of all calls General Milley had with the

Chinese officials during this time, copies of the underlying intelligence that reportedly prompted General Milley to reach out to the Chinese general, all recordings, transcripts of the calls, the prep materials, and notes of the calls.

Unfortunately, DOD has not given any of those to us as of yet. Can you commit, sir, to ensuring that we will receive them promptly so that we can assess the counterintelligence concerns ourselves?

Mr. Moultrie. Sir, that is not my area. I will take your questions back to the Department and make sure those questions are heard by the Department.

Mr. Fitzpatrick. Thank you.

Lastly, I want to turn to the issue of artificial intelligence and machine learning. We are significantly behind, and this is based on my assessment having been to the majority of the agencies in the IC, having come from the IC myself, that our challenge with AI and machine learning is not a technological one; it is a process and bureaucratic challenge of a system that is very archaic in many regards.

What are we doing, as part of the IC, to partner with the private sector, number one, but more importantly, to look at the processes that we have in place, the architecture of the framework of how our agencies are operating that we are going to be able to pivot to keep up with China and focus on the technological developments that we need to make to totally transform the IC, totally transform the Department of Defense?

General Nakasone. Congressman, if I might, I would like to invite you to the National Security Agency for us to talk a little bit about the infrastructure, the data, the tools, and the personnel, the training that goes into that. And I think that that will provide a good foundation for where we are headed, and I think, for the most part, we are leading much of what is going on in the commercial sector as well.

General Berrier. Congressman, I would also like to invite you back to DIA to give

you an overview of our MARS program, which is infusing the latest and greatest, and we have got a great innovation office that is taking the best of what industry can offer, and I think we are applying that well.

Director Haines. And, Congressman, I will just add that from the IC perspective, we have a science and technology director that works with the science and technology directors at each of the elements within the IC to support the work that is being done in artificial intelligence. I agree with you that we have a lot of work to do, and this is a space that we are focused on.

Mr. Moultrie. Congressman, I would add that the Deputy Secretary of Defense is leading a major effort for AI and ML across the Department of Defense, and invite you to the DOD to hear the briefing, sir.

Mr. Burns. And, Congressman, all I would add is that, you know, I mentioned the example of vastly accelerating our onboarding process. A lot of that has to do with applying AI and machine learning in our own processes as well. I couldn't agree with you more about the importance of doing more and more of that.

Mr. Fitzpatrick. Great. And my time is expired. I just want to thank you all for your service, very, very hard job you have, but it is very, very important, so we appreciate you. I yield back.

The Chairman. Representative Demings.

Mrs. Demings. Thank you so much, Mr. Chairman.

And thank you to all of you for being here today to discuss diversity, equity, inclusion, and accessibility in the IC community. I really do believe that there are hundreds of thousands, maybe more of talented young men and women, the brightest and the best, who are waiting for us to create opportunities for them to serve our great Nation in this very special way through the IC community.

They don't all look like me, and they don't all look like you. They look like America, and that is something I believe every member of this committee should celebrate. So I want to thank you for the work that you have done. I know that we still have work to do, but I have been pleased that we are at least moving in the right direction.

Director Burns, if I could start with you. You talked about the sense of urgency as it pertains to the onboarding process and the obstacles that the 600 days, that usual period that it takes, create for some of the young men and women that I referred to. You talked about you thought that 180 days would be more ideal. What will it take to get to that?

Mr. Burns. Well, it is going to take a sustained effort, but we are determined to accomplish that over the next couple of years. What it takes is applying artificial intelligence and machine learning, ensuring that we have an electronic, not a manual, end-to-end process. We can't cut any corners on security clearances --

Mrs. Demings. That is right.

Mr. Burns. -- but we have a deep responsibility there. But we can accelerate the process by taking advantage of new technologies. And we learned some of this, you know, over the course of the pandemic experience; in other words, what are the kinds of things we can do virtually that help to speed the process.

Mrs. Demings. Of course, as a former police chief, I would never suggest that we cut security clearances, but I believe you indicated that this diversity and inclusion and accessibility is like your -- I think you said your second objective in terms of priorities. And so, I am just trying to understand how do we get to the point of opening doors for the talent that is out there, so we can improve the function of the IC community?

Mr. Burns. Well, I think, ma'am, it involves continued progress and a sense of

urgency at every stage: in recruiting; in the onboarding process; in retention and mentoring; and then especially in demonstrating that there is a clear professional pathway all the way to the senior-most levels of our agency for officers whose performance warrants that, whatever their background. And that is what we are determined to achieve.

Mrs. Demings. Thank you.

General Nakasone. Congresswoman?

Mrs. Demings. Director Haines, you talked about promotions cited as one of the top reasons for women and other minorities leaving the IC community. At the police department, we used to say that police departments should reflect the diversity of the communities in which we serve, and that diversity should be reflected at all rank levels, which means the decision-makers should be a diverse community as well.

Could you talk just a minute about why did you decide to create a new senior IC officer role for DEI and accessibility, and what was missing under the prior structure, in your view?

Director Haines. Yes, absolutely, Congresswoman. And thanks, by the way, for staying through the entire hearing. Appreciate it and your work on these issues.

I will answer that question and then I would love to add, if it is all right, to what Director Burns said about the onboarding process. In answer to your question, I set up the separate office for the following reasons: One is, I wanted to have an absolute focus, frankly, on diversity, equity, and inclusion, somebody who is, you know, 24/7, so to speak, focused on that issue. That is number one reason.

Number two is that I find that both the EEO, the Equal Employment Opportunity Office director, and the person focused on diversity will report directly to me. So neither one of them are, in a sense, getting down further into the org chart.

But both of them have to work through partnerships with different parts of the IC for different purposes. And I actually think it is critical for the person who is focused on diversity, equity, and inclusion to really have an opportunity to develop those partnerships based on, essentially, the diversity, equity, inclusion issues.

Also, an Equal Employment Opportunity Office is one that is intended to be, in a sense, a kind of an independent voice in the process. They are taking complaints from folks on compliance issues and so on, and I think that is really something that I want to preserve the independence surrounding.

So those are some of my reasons. I think there is lots of people we can look at these in different ways. I don't think it is, you know, an easy choice in some respects, but I do believe it is the best way to promote, in a sense, diversity, equity, and inclusion. And we have a separate person who is working on accessibility, because I really do think we have to focus on that.

On the onboarding piece, I would just say, it is an IC-wide issue. Overall, the average amount of time it takes from application to onboarding that we provided in a report to you and Congress is 419 days across the IC; 189 days of that was the security clearance process.

There is a lot of room for improvement. As Director Burns indicated, there is a lot of technological pieces. There is also a variety of administrative details that we have been working through to see how we can improve the fact that, you know, you fill out a form on the low side, right, it goes up to the high side, it gets dealt with there. If there is a mistake, it has to come back to the low side, gets redone, goes back up to the high side. It is astonishing how much time some of these things take.

But among the things that we have been working on is trying to shorten the process without cutting corners on security clearances. And, for example, now, in the

third quarter of fiscal year 2021, the average amount of time it takes to get an initial top secret clearance is down to 143 days. So we are working in the right direction. We still have a lot of work to do across the board. And we are all inspired, frankly, by Director Burns' idea of going to 180 days, and we are working to do that as a community.

Mrs. Demings. Time goes quickly when we stay on topic. Thank you all so very much, and thank you for the work that you are doing. Take care.

The Chairman. Mr. LaHood.

Mr. LaHood. Thank you, Mr. Chairman.

And I want to thank all of you for being here all morning and for your commitment and dedication to the Intelligence Community and your service.

I also want to associate myself with the comments of Mr. Nunes as it related to Michael Ellis and the inquiring questions that he raised. I think it warrants answers, and I hope that can be accomplished.

I want to follow up on Mr. Stewart's questions as it related to the Federal vaccine mandate. And, maybe, Director Burns, I will start with you. Is the Agency prepared to terminate hundreds, if not thousands, of CIA employees, case officers, and intelligence professionals if the vaccine is not abided by?

Mr. Burns. Well, Congressman, I guess I would say several things. First, we are fortunate to have about a 97 percent vaccination rate for our career officers, so it is a very high proportion of officers who have been vaccinated. Second, you know, we follow the law. We are operating with a Federal mandate here, which makes a term and condition of employment, not just at CIA, but across the Federal government, to be vaccinated.

There are, as Director Haines mentioned before, and as you know very well, both medical and religious waiver possibilities. And we have, you know, a number, I think it is

a little under -- it is around 250 sort of pending religious waiver applications, and a number of medical waiver applications as well, which we take very, very seriously.

Mr. LaHood. But also the mandate, as I understand it, affects contractors and subcontractors and people that you work with throughout the IC community, correct?

Mr. Burns. Yes, sir.

Mr. LaHood. And I know you mentioned 97 percent, but if there are hundreds that you would have to terminate, you are going to follow the law, as you just indicated, and terminate them at the appropriate time, correct?

Mr. Burns. We will follow the process that has been laid out under the law, but potentially, it could come to that, yes, sir.

Mr. LaHood. And is it fair to say that that termination of those hundreds of people or whatever the number is would have irreparable harm, or would have a devastating effect on the Agency and your mission. Is that fair to say?

Mr. Burns. No, sir. I think we are going to be able to continue to fulfill our mission just as, you know, the American people expect, and with a very high vaccination rate. We take very seriously those officers who apply for those kind of waivers, as I said, but I am confident that we will be able to continue to fulfill our mission very effectively.

Mr. LaHood. And just walk me through the process. If I understand it, November 22 is the date that the vaccine -- that they have to have the information, and then there is a suspension period, and then the termination begins. How does it work with the Agency when you have assets and professionals all around the globe, when they don't do that, do you bring them back? How does that termination process work?

Mr. Burns. Well, I would be glad to describe, you know, the process in more detail, but there is a process that is laid out across the Federal Government that we will follow. But as I said, you know, given the very high vaccination rate across the Agency, I

don't anticipate that there is going to be a lot of these cases that we have to sort through. But we will take it very seriously, and we will give, you know, every officer who is involved in that process every opportunity to pursue alternatives.

Mr. LaHood. And in terms of -- I do think there are -- as you look at the legal issues here and the constitutional issues on the mandate, obviously this was not a law that was passed. This was an executive order. There are multiple cases pending in the circuit courts right now that I believe will be consolidated, eventually go to the Supreme Court.

Would it make sense to ask for a delay until the U.S. Supreme Court decides on this? Clearly it is going to end up there. The last executive order the Biden administration did on the mandate as it related to housing and evictions wound up there. Would it make sense to ask for a delay so you don't have to go through this process of -- throughout the IC of terminating employees?

Mr. Burns. The only thing I could comment on, Congressman, from the perspective of CIA is simply to say we are going to follow the law and the processes that are laid out in the Federal Government.

Mr. LaHood. And have you asked the White House to ask for a delay until the Supreme Court makes a decision on the definitive legal issues here?

Mr. Burns. No, sir, but that is -- you know, my role, as I said, as is the role of all of my colleagues here on the panel, is to follow the law and follow the procedures that are laid out, and that is what we are doing.

Mr. LaHood. But I assume it is not in your interest to terminate long-term employees of your agency?

Mr. Burns. No, it is in our interest to try to retain every employee, every career officer that we can, but we have an obligation to follow the law. We have an obligation

to protect the safety and the health of our employees as well.

Mr. LaHood. I understand that completely. I guess what I am saying is, it would seem to me none of you want to go true this process of terminating employers, contractors, subcontractors. That is going to come here pretty quickly in the next month. It seems to me there is a way out of this.

This is going to end up in the Supreme Court. Asking for a delay, working with the White House to have that done so we don't have to deal with this issue, and we are not talking about -- I think the IC is different, right, than employees at the Department of Agriculture. This is a national security issue. This is an issue that affects all of you and us globally, and I think thinking about a delay or an exemption for the IC until the U.S. Supreme Court decides on this makes a lot of sense. I yield back.

The Chairman. That concludes our questions for today. I do want to say, because so much time was devoted to Mr. Ellis at a hearing on diversity, equity, and inclusion, which really has nothing to do with the subject matter of the hearing, I do not associate myself with the remarks of the ranking member.

I think he was a terrible choice, a political and partisan choice for a serious position of general counsel at NSA, and I think the security issues, classified information issues are serious. And I do not associate myself with any of the comments that have been made about Mr. Ellis by the members of the minority.

I want to thank you all for your participation today, and for the efforts you are making to make the IC a more diverse workplace. I share the conclusions, and I think you all do, that this will improve the quality and capabilities of the IC that is vital to the mission of the IC. And we look forward to following up with you in greater detail on the information that we have sought that cannot be discussed in open session.

But once again, I appreciate all of your being here today. I think it is a testament

to the priority that you all place on these issues within the IC. As my colleagues said, this is the first time that we have had a hearing like this with all the Agency heads represented here today for many years. So thank you for the priority you are putting on this personally. We will be following up with you.

Without objection, members are hereby granted up to 3 legislative days to submit written questions to be answered by any of our hearing witnesses in writing. Those questions and your answers will be made part of the formal hearing record.

And with that, the committee stands adjourned.

[Whereupon, at 12:07 p.m., the committee was adjourned.]