

**OPEN HEARING WITH HON. JOHN O. BRENNAN,  
DIRECTOR, CENTRAL INTELLIGENCE AGENCY**

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**HEARING**  
BEFORE THE  
**SELECT COMMITTEE ON INTELLIGENCE**  
OF THE  
**UNITED STATES SENATE**  
ONE HUNDRED FOURTEENTH CONGRESS  
SECOND SESSION

THURSDAY, JUNE 16, 2016

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# CONTENTS

**JUNE 16, 2016**

## OPENING STATEMENTS

Burr, Hon. Richard, Chairman, a U.S. Senator from North Carolina .....	1
Feinstein, Hon. Dianne, Vice Chairman, a U.S. Senator from California .....	2

## WITNESS

Brennan, Hon. John O., Director, Central Intelligence Agency .....	3
Prepared statement .....	8



**OPEN HEARING WITH HON. JOHN O.  
BRENNAN, DIRECTOR, CENTRAL  
INTELLIGENCE AGENCY**

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**THURSDAY, JUNE 16, 2016**

U.S. SENATE,  
SELECT COMMITTEE ON INTELLIGENCE,  
*Washington, DC.*

The Committee met, pursuant to notice, at 9:03 a.m. in Room SH-216, Hart Senate Office Building, Hon. Richard Burr (Chairman of the Committee) presiding.

Committee Members Present: Senators Burr, Feinstein, Risch, Coats, Blunt, Lankford, Cotton, Wyden, Warner, Heinrich, King, and Hirono.

**OPENING STATEMENT OF HON. RICHARD BURR, CHAIRMAN, A  
U.S. SENATOR FROM NORTH CAROLINA**

Chairman BURR. I'm going to call this hearing to order. I'd like to welcome our witness today, Central Intelligence Agency Director John Brennan.

John, you appropriately note in your opening statement that this hearing takes place against a backdrop of a heinous act of violence, perpetrated by a troubled and evil person. The committee has been in consistent contact with the FBI from the early morning hours on Sunday and it's been provided a great deal of information on the status of the investigation. I know that your team, along with your intelligence community partners, are also working to determine if the killer had any connections to a foreign terrorist group like ISIL.

Let me thank your officers for what they do and for the long hours that they are likely putting in to understand this tragedy, while also focusing on a wide range of threats facing our Nation.

Mr. Director, I know your organization understands the threat posed by ISIL and there's been much public discussion about progress the U.S.-led coalition has made to contain ISIL geographically, to degrade its finance and media operations, and to remove its fighters from the battlefield.

However, while progress may have been made against those goals, you note in your statement that our efforts have not reduced the group's terrorism capability and global reach. That assessment is significant.

I want to take this moment to speak not only to you, but also to the American people. We live in an open society, one that values freedoms and diversity. The Islamic State is recruiting individuals

by leveraging that freedom and taking advantage of misguided hate to attack us, and in doing so to divide us.

ISIL's global battlefield now includes the United States and we cannot stand idly by. We must take the fight to them. We must attack them where they raise money, where they plan, where they recruit, and we must deny them a safe haven.

We cannot negotiate with extremists who seek only to kill, and I don't think we will. I'm not willing to accept the events of San Bernardino and Orlando as the new normal, nor should anyone. We should be able to live securely in a free society and I think we will. And we're not alone. Our friends in Europe, Asia, and across the world should be able to go to sporting events, concerts, dance clubs, and experience life with their families in safety.

We will unite as a Nation and as a coalition to confront ISIL and deny them safe haven. But we can only do so with a realistic, proactive, aggressive, and well-defined strategy. And, frankly, we have to own it and embrace it.

Now is not the time to pay lip service to these threats. The sooner we as a Nation realize that there is only one path for us to take at this juncture, the sooner we will destroy ISIL's capabilities and ensure the continued safety of our Nation.

John, I don't make these comments lightly and I'm confident we will highlight during your testimony these and other threats to our Nation. But before I turn to the Vice Chairman, I would ask you to relay something to your entire organization: our thanks and our appreciation for their work. Your officers work in the shadows, often in austere and dangerous environments, day in and day out, to keep us safe. Their selfless dedication to their fellow citizens should be commended and we are in debt for that service.

Mr. Director, I thank you for being here today and I now turn to the Vice Chairman for any comments she might have.

**OPENING STATEMENT OF HON. DIANNE FEINSTEIN, VICE  
CHAIRMAN, A U.S. SENATOR FROM CALIFORNIA**

Vice Chairman FEINSTEIN. Thanks very much, Mr. Chairman. I don't want to repeat what you said. I think you've said it very well and I'm very strongly in agreement with it. But I'd like to talk about a slightly different dimension.

I think it's becoming apparent that the tragedy of the last weekend in Orlando highlights one of the great difficulties this Nation faces with the rise of the Islamic State. This enemy is very different from past adversaries like Al Qaida, because ISIL not only seeks to control territory in several countries, but is taking advantage of technology and social media to recruit fighters and inspire terrorist attacks far from the battlefield.

This trend concerns me greatly. According to the President and the FBI Director, the killer in Orlando was inspired at a minimum, influenced by on-line terrorist material. Similar on-line propaganda played important roles in the shootings in San Bernardino, Chattanooga, Garland, Texas, as well as Fort Hood, Texas, and other attacks.

So, Director Brennan, I hope you can assure this committee and the American people, because this is an opportunity to do so, that the CIA is doing everything in its power to understand how these

foreign organizations work and operate. I think such knowledge is essential to help policymakers shape laws and counter ISIL's online efforts, so that we stop them from incessantly preying on at-risk individuals and radicalizing them to conduct such heinous crimes.

I'd like to ask that you update us on CIA's understanding of the extent and reach of ISIL and the implications for those of us here at home and for our friends and allies overseas. I think there's been some important progress lately and I think it's important to share that progress with the people. On Tuesday, the President publicly listed some of the senior leaders of ISIL who have been killed, and I think that's welcome news.

Secondly, we would like the CIA assessment on whether the 13,000 coalition air strikes against ISIL have been effective and what sorts of targets have most set back ISIL's efforts.

We know that Iraqi forces have surrounded Fallujah and begun to move into the city. Iraqi forces have recently liberated the strategic town of Hit and broke the ISIL siege of Haditha. ISIL has now lost nearly half the populated territory it once controlled in Iraq. ISIL continues to lost ground in Syria as well. A coalition of local forces is now pressuring the key town of Manbij, which will cut ISIL's smuggling routes into Turkey, hopefully, and put substantial pressure on the capital of Raqqa.

In sum, I think it would be helpful for America to really understand whether the anti-ISIL coalition that the United States has put together is making progress; if so, how and where?

In addition to ISIL, I would be very interested in hearing from you on other global threats to the United States and the challenges that you believe we face. In particular, I think all of us are concerned about the recent behavior of North Korea, the aggressiveness of Russia, China's actions in the South China Sea, and the instability in North Africa in particular.

So I thank you, Mr. Chairman, for holding this hearing and I really look forward to the discussion.

Chairman BURR. Thank you, Vice Chairman.

Mr. Director, we're going to be joined by a lot of members. As is evident, they really don't care what Dianne and I say, but when they see that you're on—

Vice Chairman FEINSTEIN. Speak for yourself.

[Laughter.]

Chairman BURR [continuing]. They will be here quickly.

We again thank you for being here. We thank you for what the Agency does day in and day out, and the floor is now yours.

**STATEMENT OF HON. JOHN BRENNAN, DIRECTOR, CENTRAL INTELLIGENCE AGENCY**

Director BRENNAN. Well, thank you very much, Chairman Burr and Vice Chairman Feinstein and members of the committee. Thank you for inviting me to speak to you today in an open hearing about the Central Intelligence Agency, an Agency and a workforce that I am enormously proud to be part of. I am privileged every day to lead the women and men of CIA as they work around the clock and around the world, often in difficult and dangerous loca-

tions, to help keep our company strong and free and our fellow citizens safe and secure.

Our hearing today, as you noted, takes place against the backdrop of a heinous act of wanton violence that was perpetrated against innocents in Orlando, Florida, last weekend. We join the family and friends in mourning the loss of their loved ones who were killed in the attack, and we extend our best wishes for a full and speedy recovery of all those injured. This act of violence was an assault on the values of openness and tolerance that define us as a Nation.

In light of the events in Orlando, I would like to take this opportunity to offer the committee our assessment of the terrorist threat our Nation and citizens face, especially from the so-called "Islamic State of Iraq and Levant," or "ISIL." On the battlefields of Syria and Iraq, the U.S.-led coalition has made important progress against ISIL. The group appears to be a long way from realizing the vision that Abu Bakr Al-Baghdadi, its leader, laid out when he declared the caliphate two years ago in Mosul.

Several notable indicators are trending in the right direction. ISIL has lost large stretches of territory in both Syria and Iraq. Its finance and media operations have been squeezed, and it has struggled to replenish the ranks of its fighters, in part because fewer foreign fighters are now able to travel to Syria. Moreover, some reports suggest that a growing number of ISIL members are becoming disillusioned with the group and are eager to follow in the footsteps of members who have already defected.

The anti-ISIL coalition is taking steps to exploit these vulnerabilities. In addition to efforts under way to liberate cities like Fallujah and Manbij, the coalition is also removing ISIL leaders from the battlefield, thereby reducing the group's capabilities and its will to fight. Last month, for example, a U.S. air strike killed an influential ISIL leader in Al-Anbar.

ISIL, however, is a formidable, resilient, and largely cohesive enemy, and we anticipate that the group will adjust its strategy and tactics in an effort to regain momentum. In the coming months we can expect ISIL to probe the front lines of its adversaries on the battlefield for weaknesses, to harass the forces that are holding the cities it previously controlled, and to conduct terror attacks against its enemies inside Iraq and Syria.

To compensate for territorial losses, ISIL will probably rely more on guerilla tactics, including high-profile attacks outside the territory in Syria and Iraq that it currently holds. A steady stream of attacks in Baghdad and Damascus demonstrates the group's ability to penetrate deep inside enemy strongholds.

Beyond its losses on the battlefield, ISIL's finances are also taking a hit. Coalition efforts have reduced the group's ability to generate revenue and have forced it to cut costs and to reallocate funds. Yet, ISIL is adapting to the coalition's efforts and it continues to generate at least tens of millions of dollars in revenue per month, primarily from taxation in those areas that it controls and from crude oil sales on the black and gray markets inside of Syria and Iraq.

Unfortunately, despite all our progress against ISIL on the battlefield and in the financial realm, our efforts have not reduced the



group's terrorism capability and global reach. The resources needed for terrorism are very modest, and the group would have to suffer even heavier losses on territory, manpower, and money for its terrorist capacity to decline significantly.

Moreover, the group's foreign branches and global networks can help preserve its capacity for terrorism regardless of events in Iraq and Syria. In fact, as the pressure mounts on ISIL we judge that it will intensify its global terror campaign to maintain its dominance of the global terrorism agenda.

Since at least 2014, ISIL has been working to build an apparatus to direct and inspire attacks against its foreign enemies, resulting in hundreds of casualties. The most prominent examples are the attacks in Paris and Brussels, which we assess were directed by ISIL's leadership.

We judge that ISIL is training and attempting to deploy operatives for further attacks. ISIL has a large cadre of Western fighters who could potentially serve as operatives for attacks in the West, and the group is probably exploring a variety of means for infiltrating operatives into the West, including in refugee flows, smuggling routes, and legitimate methods of travel.

Furthermore, as we have seen in Orlando, San Bernardino, and elsewhere, ISIL is attempting to inspire attacks by sympathizers who have no direct links to the group. Last month, for example, a senior ISIL figure publicly urged the group's followers to conduct attacks in their home countries if they were unable to travel to Syria and Iraq.

At the same time, ISIL is gradually cultivating its global network of branches into a more interconnected global organization. The branch in Libya is probably the most developed and the most dangerous. We assess that it is trying to necessary its influence in Africa and to plot attacks in the region and in Europe.

Meanwhile, ISIL's Sinai branch in Egypt has established itself as the most active and capable terrorist group in all of Egypt. The branch focuses its attacks on Egyptian military and government targets, but it has also targeted foreigners and tourists, as we saw with the downing of a Russian passenger jet last October.

Other branches worldwide, while also a concern, have struggled to gain traction. The Yemen branch, for instance, has been riven with factionalism, and the Afghanistan-Pakistan branch has struggled to maintain its cohesion, in part because of competition with the Taliban.

Finally, on the propaganda front, the coalition is working to counter ISIL's expansive propaganda machine. ISIL paints a carefully crafted image to the outside world, lauding its own military efforts, portraying its so-called "caliphate" as a thriving state, and alleging that the group is expanding globally even as it faces setbacks locally.

ISIL releases a multitude of media products on a variety of platforms, including social media, mobile applications, radio, and hard copy medium. To disseminate its official on-line propaganda, the group primarily uses Twitter, Telegram, and Tumblr, and it relies on a global network of sympathizers to further spread its messages.

In sum, ISIL remains a formidable adversary, but the United States and our global partners have succeeded in putting the group

on the defensive, forcing it to devote more time and energy to try to hold territory and to protect its vital infrastructure inside of Syria and Iraq. Though this will be a long and difficult fight, there is broad agreement in the international community on the seriousness of the threats and on the need to meet it collectively and decisively.

It also dominates my conversations with my intelligence and security counterparts globally worldwide. I frequently engage with them about what we need to do together in terms of information-sharing, joint operational activity, and being able to complement our respective strengths and capabilities so that we can destroy ISIL thoroughly.

Now, as you well know, CIA is not just a counter-terrorism agency. We are a comprehensive intelligence service with a global charter, and we are called upon to address the full range of 21st century threats. As I often tell young officers at CIA, I have never seen a time when our country faced such a wide variety of threats to our national security.

If you run your fingers along almost any portion of the map from Asia-Pacific to North Africa, you will quickly find a flash point with global implications. China is modernizing its military and extending its reach in the South China Sea. North Korea is expanding its nuclear weapons program. Russia is threatening its neighbors and aggressively reasserting itself on the global stage.

Then there is the cyber domain, where states and sub-national actors are threatening financial systems, transportation networks, and organizations of every stripe inside government and out. I particularly appreciate the work of this committee to try to come to grips and to address the cyber threats we face as a Nation.

In the face of these many daunting challenges, our Nation depends on CIA and our intelligence community partners to help keep our company strong and secure. Indeed, in today's volatile and complex world policymakers depend on CIA more than ever for intelligence, insight, and options.

If we are to meet the national security challenges that confront us, we must constantly adapt and innovate. That is why we announced a comprehensive effort last year to modernize our Agency for the future. Since launching our modernization program just over 15 months ago, we have taken important steps to ensure that our Agency fully adapts to the challenges of our time.

Now, we still have work to do, and in some respects we always will. That's because modernization is about more than lines and boxes on an organizational chart. It is also about a mindset, a commitment to innovate constantly so we can keep up with an ever-changing world.

A key part of this mind set is our commitment to making our work force as diverse as the world we cover. Just last week, the Office of the Director of National Intelligence issued a report showing that the intelligence community is significantly less diverse than the rest of the federal workforce. This is a report that forces those of us in the intelligence community to confront some hard truths about who we are and how we are performing our mission.

As this committee knows, CIA recently unveiled a landmark effort to make sure that our workforce reflects in our attitudes, our

backgrounds, our ethnicities, and our perspectives the Nation we work so hard to defend. This is both a moral and a mission imperative. I truly believe that the business case for diversity is stronger for CIA than it is for any other organization in the U.S. Government. Diversity not only gives us the cultural understanding we need to operate in any corner of the globe; it also helps us avoid group-think, ensuring we bring to bear a range of perspectives on the complex challenges that are inherent to intelligence work.

Again, I would like to thank the committee for its support for the CIA and for our intelligence community partners through the course of the year, and I look forward to addressing your questions. Thank you.

[The prepared statement of Mr. Brennan follows:]

**SSCI# 2016 - 2127**

**UNCLASSIFIED**  
**Statement by Central Intelligence Agency Director**  
**John O. Brennan**  
**before the**  
**Senate Select Committee on Intelligence**  
**16 June 2016**

Chairman Burr, Vice Chairman Feinstein, and Members of the Committee: Thank you for inviting me to speak to you today in an open hearing about the Central Intelligence Agency, an agency and a workforce that I am enormously proud to be part of. I am privileged every day to lead the women and men of CIA, as they work around the clock and around the world, often in difficult and even dangerous locations, to help keep our country strong and free and our fellow citizens safe and secure.

Our hearing today takes place against the backdrop of a heinous act of wanton violence that was perpetrated against innocents in Orlando, Florida last weekend. We join the families and friends in mourning the loss of their loved ones who were killed in the attack, and we extend our best wishes for a full and speedy recovery of all those injured. This act of violence was an assault on the values of openness and tolerance that define us as a Nation.

In light of the events in Orlando, I would like to take this opportunity to offer the Committee our assessment of the terrorist threat our Nation and our citizens face, especially from the Islamic State of Iraq and the Levant, or ISIL.

On the battlefields of Syria and Iraq, the U.S-led coalition has made important progress against ISIL. The group appears to be a long way from realizing the vision that Abu Bakr al-Baghdadi laid out when he declared the "caliphate" two years ago in Mosul.

Several notable indicators are trending in the right direction. ISIL has lost large stretches of territory in both Syria and Iraq. Its finance and media operations have been squeezed. And it has struggled to replenish its ranks of fighters, in part because fewer foreign fighters are traveling to Syria. Moreover, some reports suggest that a growing number of ISIL members are becoming disillusioned with the group and are eager to follow in the footsteps of members who have already defected.

The anti-ISIL Coalition is taking steps to exploit these vulnerabilities. In addition to efforts underway to liberate cities like Fallujah and Manbij, the Coalition is also removing ISIL leaders from the battlefield, thereby reducing the group's capabilities and its will-to-fight. Last month, for example, a US airstrike killed an influential ISIL leader in Al Anbar.

ISIL, however, is a formidable, resilient, and largely cohesive enemy, and we anticipate that the group will adjust its strategy and tactics in an effort to regain momentum.

In the coming months, we can expect ISIL to probe the front lines of its adversaries for weaknesses, to harass the forces that are holding the cities it previously controlled, and to conduct terror attacks against its enemies in Iraq and Syria.

To compensate for territorial losses, ISIL will probably rely more on guerrilla tactics, including high-profile attacks outside territory it holds. A steady stream of attacks in Baghdad and Damascus demonstrates the group's ability to penetrate deep inside enemy strongholds.

Beyond its losses on the battlefield, ISIL's finances are taking a hit as well. Coalition efforts have reduced the group's ability to generate revenue and have forced it to cut costs and to reallocate funds.

Yet ISIL is adapting to the Coalition's efforts, and it continues to generate at least tens of millions of dollars in revenue per month, primarily from taxation and from crude oil sales.

Unfortunately, despite all our progress against ISIL on the battlefield and in the financial realm, our efforts have not reduced the group's terrorism capability and global reach. The resources needed for terrorism are very modest, and the group would have to suffer even heavier losses of territory, manpower, and money for its terrorist capacity to decline significantly.

Moreover, the group's foreign branches and global networks can help preserve its capacity for terrorism regardless of events in Iraq and Syria. In fact, as the pressure mounts on ISIL, we judge that it will intensify its global terror campaign to maintain its dominance of the global terrorism agenda.

Since at least 2014, ISIL has been working to build an apparatus to direct and inspire attacks against its foreign enemies, resulting in hundreds of casualties. The most prominent examples are the attacks in Paris and Brussels, which we assess were directed by ISIL's leadership.

We judge that ISIL is training and attempting to deploy operatives for further attacks. ISIL has a large cadre of Western fighters who could potentially serve as operatives for attacks in the West. And the group is probably exploring a variety of means for

infiltrating operatives into the West, including refugee flows, smuggling routes, and legitimate methods of travel.

Further, as we have seen in Orlando, San Bernardino, and elsewhere, ISIL is attempting to inspire attacks by sympathizers who have no direct links to the group. Last month, for example, a senior ISIL figure publicly urged the group's followers to conduct attacks in their home countries if they were unable to travel to Syria and Iraq.

At the same time, ISIL is gradually cultivating its global network of branches into a more interconnected organization. The branch in Libya is probably the most developed and the most dangerous. We assess that it is trying to increase its influence in Africa and to plot attacks in the region and in Europe.

Meanwhile, ISIL's Sinai branch has established itself as the most active and capable terrorist group in Egypt. The branch focuses its attacks on Egyptian military and government targets, but it has also targeted foreigners and tourists, as we saw with the downing of a Russian passenger jet last October.

Other branches, while also a concern, have struggled to gain traction. The Yemen branch, for instance, has been riven with factionalism. And the Afghanistan-Pakistan branch has struggled to maintain its cohesion, in part because of competition with the Taliban.

Finally, on the propaganda front, the Coalition is working to counter ISIL's expansive propaganda machine. ISIL paints a carefully crafted image to the outside world, lauding its own military efforts, portraying its so-called "caliphate" as a thriving state, and alleging that the group is expanding globally even as it faces setbacks locally.

ISIL releases a multitude of media products on a variety of platforms—including social media, mobile applications, radio, and hardcopy mediums. To disseminate its official online propaganda, the group primarily uses Twitter, Telegram, and Tumblr, and it relies on a global network of sympathizers to further spread its messages.

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As you well know, CIA is not just a counterterrorism agency. We are a comprehensive intelligence service with a global charter, and we are called upon to address the full range of 21<sup>st</sup> century threats.

And as I often tell young officers at CIA, I have never seen a time when our country faced such a wide variety of threats to our national security. Run your fingers along almost any portion of the map from the Asia Pacific to North Africa and you will quickly find a flashpoint with global implications. China is modernizing its military and extending its reach in the South China Sea. North Korea is expanding its nuclear weapons program. Russia is threatening its neighbors and aggressively reasserting itself on the global stage. And then there is the cyber domain, where states and sub-national actors are threatening financial systems, transportation networks, and organizations of every stripe, inside government and out.

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If we are to meet the national security challenges that confront us, we must constantly adapt and innovate. And that is why we announced a comprehensive effort last year to modernize our Agency for the future.

Since launching our Modernization Program just over fifteen months ago, we have taken important steps to ensure that our Agency fully adapts to the challenges of our time.

We still have work to do—and in some respects, we always will. That's because modernization is about more than lines and boxes on our organizational chart. It is also a mindset—a commitment to innovate constantly so we can keep up with a changing world.

A key part of this mindset is our commitment to making our workforce as diverse as the world we cover. Just last week, the Office of the Director of National Intelligence issued a report showing that the Intelligence Community is significantly less diverse than the rest of the federal workforce. It is a report that forces those of us in the Intelligence Community to confront some hard truths about who we are and how we are performing our mission.

As this committee knows, CIA recently unveiled a landmark effort to make sure that our workforce reflects—in our attitudes, backgrounds, ethnicities, and perspectives—the Nation we work so hard to defend. This is both a moral and a mission imperative. I truly believe that the business case for diversity is stronger for CIA than it is for any organization in the US government.

Diversity not only gives us the cultural understanding we need to operate in any corner of the globe, it also helps us avoid group think, ensuring we bring to bear a range of perspectives on the complex challenges that are inherent to intelligence work.

\* \* \* \*

And now, I would be happy to address your questions.



Chairman BURR. Mr. Director, thank you for that testimony.

Note to members: We will do five-minute rounds based upon seniority.

Mr. Director, you lead an organization with unique insight into global events, unprecedented access to the entire world, and highly trained officers who possess a wide range of talents and skills. To the extent that you can discuss in this setting, do you believe that you have all the authorities you need to accomplish your mission?

Director BRENNAN. Senator, I believe that we have a great deal of authorities and very important and solemn authorities to carry out our mission, and we try to do it to the best of our ability. The one area when I look to the future that concerns me is in that digital domain, which is why we set up a fifth directorate—the first time in 50 years we set up a new directorate—so that we're able to understand all of the implications, the vulnerabilities, and the opportunities that that digital domain presents.

As I know this committee and others here in the Congress are grappling with the issue about the role of government in that digital domain, law enforcement, intelligence, and security organizations, I do wonder whether or not we as a government have the ability to be able to monitor that domain from the standpoint of identifying those threats to national security that we need, just the way we have within the physical domain, the maritime domain, the aviation domain, the consensus about how the government has an obligation to protect its citizens in those various domains.

The digital domain is a new domain. It is the network frontier. I do not believe our legal frameworks, as well as our organizational structures and our capabilities, are yet at the point of being able to deal with the challenges in that digital domain that we need to have in the future.

So this is the one area that I encourage the committee, the Congress, this Administration, the next administration, to continue to work on, particularly as this country is going to be part of the Internet of Things, where virtually every type of electronic and mobile device is going to be connected to this Internet. That interconnectedness gives us tremendous convenience in our lives, but it also creates inherent vulnerabilities that our adversaries, whether they be nation-states or individual actors or groups, will take advantage of.

So that's the area that I'm concerned that the authorities, not just of CIA but of FBI and NSA, really need to be looked at very carefully.

Chairman BURR. As you know, the committee is extremely engaged in that side and our hope is that we can continue to make progress at understanding what the structure should be in the future.

You note in your opening statement that the CIA is not just a counter-terrorism agency, but an intelligence service with a global charter. Do you believe your organization focuses too much of its time and resources on the terrorist threat?

Director BRENNAN. I think, as this committee knows very well, that the terrorist threat has loomed large since 9–11. It has presented a serious threat, not just to our national security interests worldwide, but also to our beloved homeland, which is why the CIA

has been called upon to help to lead this fight and to take the fight to terrorist organizations so we can defeat them abroad so they're not able to carry out their wanton, depraved acts here in our homeland.

CIA has multiple missions. We have the clandestine collection mission, both human and technical. We have the all-source analytic mission, so that we can provide our policymakers in Congress with the insights that they need. We have a counter-intelligence mission to make sure that we protect ourselves from those adversaries who are trying to steal our secrets.

We also have a covert action mission, which involves a paramilitary dimension. Given our roots in the Office of Strategic Services during World War II, since our birth in 1947 every administration has taken advantage of CIA's tremendous capabilities in that covert action paramilitary realm.

As we fight terrorists on the battlefields of Syria and Iraq and Yemen and Libya and other areas, I think CIA's formidable capabilities in this area are going to be called upon increasingly in the future.

I also would add one other component to those missions, and that's on the liaison front, our partners. We need to make sure that we develop the partnerships that we need so that we can leverage their capabilities, because, as good as CIA is, we are not able to confront all these challenges globally simultaneously.

At the same time, we need to develop the professionalism of these other services. We want to make sure that they're able to fulfill their obligations of intelligence organizations and they're not subject to the whims of maybe corrupt political masters who are going to try to use them for their own political agendas. So as we develop these partnerships, we're trying to develop their professionalism as well.

Chairman BARR. John, a last question. You've been at the helm of the CIA for roughly three years now. The world's changed dramatically during those three short years. While this is not the appropriate venue in which to go into great detail in discussion of sources and methods, it's a good opportunity for you to speak to the American people to educate them about the CIA and in some sense humanize what is a very opaque organization to most.

How has your view of CIA as an organization changed during the last three years?

Director BRENNAN. Well, Mr. Chairman, thank you. In your opening remarks you talked about how CIA officers frequently work in the shadows and without the accolades that I think they certainly deserve. I first raised my hand and swore allegiance to this country on August 5th of 1980 as a young CIA officer and worked at CIA for 25 years. During those 25 years and in subsequent years, to include the last three years that I've had the pleasure and honor to lead the CIA, I am always impressed with the expertise, the capabilities, the dedication of Americans from every state in this Union who come to CIA recognizing that they're frequently going to be maligned unfairly because of misrepresentations of their work. But they recognize that the work they do is absolutely essential to keep their families, their neighbors, their friends, their fellow citizens, safe.

So I truly believe that the Agency is core and essential to keeping this country safe and secure from the growing threats we face around the globe. Coming back to CIA and being able to spend every day with CIA officers, I am just amazed at what it is that they're willing to do on behalf of their country.

I presided over our annual memorial ceremony last month in CIA's lobby in front of our Wall of Honor, where 117 stars grace that wall and represent CIA men and women who have given their lives to this country. They do it, again, without seeking praise, public acclamation, but they do it silently, selflessly, with great sacrifice to themselves and their family. So I am honored to be part of this organization.

Chairman BURR. Thank you, Director.

Vice Chairman.

Vice Chairman FEINSTEIN. Thanks, Mr. Chairman.

I hope to get in three questions, Director. The first is, in listening to your remarks, which I think were a lot of broad strokes and very interesting, I wanted to ask you about a couple of things that you said. You said that Libya is the most dangerous country and the Sinai the most active. You mentioned military and governmental targets. Could you explain a little bit more about that, please?

Director BRENNAN. I talked about Libya, the country where there is the most dangerous branch of ISIL outside of Syria and Iraq. They have several thousands of individuals who have pledged allegiance to ISIL. They now control a portion of the Libyan coast around the city of Sirte, where they're able to train, develop, and to consolidate their position inside of Libya, as well as to use Libya as a potential springboard for carrying out operations abroad.

They've attracted a number of individuals from African countries inside of Libya. So therefore I am concerned about the growth of Libya as another area that could serve as a basis for ISIL to carry out attacks inside of Europe and other locations. That is very concerning, particularly since Libya is right across from Europe on the Mediterranean, with the refugee flows that are going there.

There's a group within the Sinai, ISIL. It used to be an Egyptian terrorist group, Ansar Bayt Al-Maqdis, which was basically consumed by ISIL, and that group pledged allegiance to ISIL. So they already had a capability. They already had a number of individuals who were trained and were ready to carry out attacks. We do attribute the downing of that Russian airliner to this group that was able to get on board that aircraft an IED and to bring it down.

The great concern about how ISIL has been able to rapidly develop capabilities in other countries. In some areas they were able to coopt and acquire groups that were already in existence. Nigeria is another country, where Boko Haram is now the Islamic State of West Africa, where you have several thousand individuals who are also on the march, waving the ISIL banner.

I was just out in Singapore last week, where I talked to my Asian counterparts, concerned about what we might see in Southeast Asia as various terrorist organizations there are increasing interaction and connections with ISIL.

So this is a global challenge. The numbers of ISIL fighters now far exceeds what Al Qaida had at its height. We're talking about tens of thousands of individuals.

Vice Chairman FEINSTEIN. Can you estimate the number?

Director BRENNAN. Right now we estimate within the Syria-Iraq area, I think it's between 18,000 and 22,000 fighters, and that's down significantly from our estimates last year, where we estimated they may have had as many as 33,000 or so fighters.

In Libya, the numbers range between 5 to 8,000 or so. Inside of Egypt, there are several hundreds, if not over a thousand hard-core fighters inside of the Sinai that are a combination of individuals who were formerly of Ansar Bayt Al-Maqdis as well as others who have joined.

Inside of Yemen, you have several hundred. In Afghanistan-Pakistan, it's in the hundreds. So the numbers are significant in Iraq-Syria, in Libya. In Nigeria I'd say you probably have maybe 7,000 or so. Again, there are hard-core fighters, there are adherents, there are logistics specialists, facilitators, and others. But the numbers are significant.

Vice Chairman FEINSTEIN. I want to get in one other thing. You said they proselytize by using Twitter, Telegram, and Tumblr, that those are the most used. Explain a little bit? I fight this huge personal privacy, that you have to keep everything private. And yet, when you have the electronic world being used as the propaganda mechanism to fuel the lone wolves, to goad on the lone wolves, to—and I use the word—inspire the lone wolf, for the United States that's a big security problem.

What do you recommend from an intelligence point of view? I know it's on the spot, but we're trying to discuss a bill on encryption, using court orders to ask companies to cooperate in cases of national security as well as major, major crimes. It's just very difficult. Yet we see this propaganda. I read those magazines. I see what's happening, and the enormous frustration.

It's not like you go to a library and find something in the stacks. This is a few clicks and you pull up all this material.

What do you think the responsibility of the technical sector should be?

Director BRENNAN. Well, Senator, I think you put your finger on two major issues here. One is that you're absolutely right, ISIL has made extensive and sophisticated use of the various technological innovations that we have witnessed over the past decade, taking full advantage of social media.

A large part of the ISIL cadre are young individuals who have grown up, whether it be in the Middle East, Europe, or other places, in an era of great technological development. So using these mediums comes naturally to them, and they gravitate toward them. But they also are very aware of what mediums provide them the greatest security and the greatest protection from government insight and oversight of that, and they recognize that a lot of these apps provide them the ability to communicate with end-to-end encryption and also provide impediments to governments to be able to gain access to content of their information.

So I will harken back to what I said earlier. I do believe that this committee and others really need to continue to have the discussion, that is going to be a national discussion, about the appropriate role for the government in an area where the private sector owns and operates the worldwide Internet. We know that the

Internet does not respect sovereign borders, so it's not just a question of what the United States is able to do; it's what the norms and standards are going to be across the globe.

I do not believe that there is a national consensus right now, even within the Congress or the Executive Branch, about what that appropriate role is for law enforcement, for intelligence agencies, in terms of being able to have the basis and the foundation to be able to protect their fellow citizens from what can happen in that digital domain, whether it's with the propagation of propaganda that these organizations are involved in, or whether or not they're actually directing and training and inciting individuals.

But also the vulnerability of our critical infrastructure, as well as our way of life here, to disabling and destructive malware that can be deployed by nation-states or organizations that have that capability and the intent, is something that we need to come to grips with. We don't want to face the equivalent of a 9-11 in that cyber domain.

So it is a very important and worthwhile debate, and there are arguments on all sides about what the government's role should be. But when I think about the government's inability to be able to follow up on a court order and a warrant that grants the government access to some type of device that holds a lot of documents that could be inculpatory or exculpatory about an investigation, as well as provide investigative leads to prevent the next attack, there is something that this government has to come to grips with in terms of what is the authority, the responsibility, and the role of the government in making sure that this country is kept safe from those who want to do us harm using that digital domain.

Chairman BURR. Senator Coats.

Senator COATS. Director, you talked about the territorial gains we've had against ISIL in both Iraq and in Syria. But I'd like to get an intelligence assessment, the Agency's assessment, of what it would look like in Syria, what the challenges are, what the intelligence shows the complexity—you know, it's a mixed cocktail of opposition groups and so forth. So if ISIL is defeated, what are we facing, what are we continuing to face, in Syria?

Whether Assad stays or whether he goes, there is going to be significant questions raised as to what we're going to be facing. I think there's maybe some people coming to the conclusion that all we have to do is defeat ISIS in Syria and in Iraq and then everything will be fine. We know that they've metastasized to a number of other nations. But my question is, what is Syria going to look like if that happens, if and when that happens, and what kind of challenges are we going to have?

Director BRENNAN. You're absolutely right, Senator. Syria is a virulent cocktail of actors, many of which are in violent conflict with one another. There are two principal terrorist organizations that operate inside of Syria. One is ISIL, that we've talked about. The other is Jabhat Al-Nusra, which is Al Qaida in Syria, that also has formidable capabilities and a presence throughout the country of several thousands of fighters, some of them just engaged in the battlefield against President Assad, but also some who are plotting to carry out terrorist attacks outside of Syria.

So what we want to do is to be able to destroy those two terrorist organizations. As you well know, the U.S. Government supports the moderate Syrian opposition, represented on the battlefield by the Free Syrian Army. So if we're able to eliminate those terrorist groups, there's still a long ways to go, though, in order to address some of the outstanding issues inside of Syria.

The Syrian opposition was generated because of concerns that the Sunni majority had against the Bashar Assad regime that was abusing its authorities and its powers. So there needs to be some resolution of outstanding confessional tensions between Shia and Sunni. You have Christians, you have Druze, you have others inside of Syria.

This is where we believe that Bashar Assad needs to depart the Syrian political scene so there can be a more representative and legitimate government that's able to preside over the Syrian country. But in addition to that, you have tensions between the Syrian Kurds in the northern part of Syria and the Arabs in the rest of the country.

So there is a lot of tensions. It's very similar in some respects to that cocktail that exists within Lebanon, where the multi-confessional nature of the country really has been a serious impediment for Lebanon to have a functional political system. So we have a long way to go, but the important thing is to destroy the terrorist organizations there, bring the conflict down, stop the bloodshed, bring in the humanitarian assistance that the Syrian people so richly deserve and need, and then be able to make sure that we're able to develop a governance structure that is going to be representative of the Syrian people and be able to address the reconstruction of the country, which is going to cost billions upon billions of dollars.

Senator COATS. Given the Russian involvement in Syria now and whatever decisions they make relative to either Assad remaining or Assad leaving, how does that complicate the resolution for some kind of a settlement, ceasefire, or whatever?

Director BRENNAN. Well, as you know, Russia brought its military force to bear last September in Syria with aircraft, artillery, and personnel, as a way to prevent what they saw as an imminent collapse of the Bashar Assad regime. They have bolstered the regime forces and they are involved right now in carrying out strikes against the opposition.

We work very closely and talk with the Russians about how to bring this conflict down. We work with them to try to see what we can do on the counterterrorism front. But I have been disappointed that the Russians have not played a more constructive role in terms of leveraging its influence inside of Syria to bring the Syrian regime and military forces down in terms of their engagement and to be more helpful as far as a negotiating track.

This problem of Syria is not going to be resolved on the battlefield. It has to be resolved on the political front. Secretary Kerry has been working very hard and long to try to stimulate some traction there. The Russians I believe can do more, both in terms of the restraint that they can put on the Syrian forces, but also more constructive engagement on the political front.

Senator COATS. Is Assad stronger today or less, weaker, today than he was a year ago?

Director BRENNAN. A year ago, he was on his back foot as the opposition forces were carrying out operations that really were degrading the Syrian military. As a result of the Russian military intervention, he is in a stronger position than he was in June of last year.

Senator COATS. Does that enhance the ability to reach a diplomatic solution or does it lessen the ability to do that?

Director BRENNAN. Again, it depends on how Russia decides to exercise its influence. But right now the strengthened Syrian military and Russian unwillingness to use the leverage that it has made it I think more difficult.

Senator COATS. It sounds like the Russians have put themselves in a position which we hoped they'd never be in.

Thank you, Mr. Chairman.

Chairman BURR. Senator Wyden.

Senator WYDEN. Thank you very much.

Mr. Director, just a quick comment on encryption since it has come up. It's important to remember that if encryption is restricted in the United States, it will still be very easy to download strong encryption from hundreds of sources overseas. In my judgment, requiring companies to build back doors in their products, to weaken strong encryption, will put the personal safety of Americans at risk at a dangerous time. I want to make it clear I will fight such a policy with everything I have.

Now, with respect to my first question, Mr. Director, I want to talk about accountability at the CIA. The Agency's 2013 response to the very important report on torture stated that the Agency agreed that there were—and I quote here—"significant shortcomings in CIA's handling of accountability for problems in the conduct and management of CIA activities."

The document goes on to state that—and I quote here—"The CIA must ensure that accountability adequately extends to those responsible for any broader systemic or management failures."

It has now been three years since the CIA said that. Is it still the case that no one has been held accountable for the systemic failures that the Agency has acknowledged?

Director BRENNAN. First of all, Senator, I want to say that I respectfully disagree with your opening comments. First of all, U.S. companies dominate the international market as far as encryption technologies that are available through these various apps, and I think will continue to dominate them. So, although you are right that there's the theoretical ability of foreign companies to be able to have those encryption capabilities that'll be available to others, I do believe that this country and this private sector is integral to addressing these issues, and I encourage this committee to continue to work on it.

The Agency over the course of the last several years took actions to address the shortcomings that we have fully acknowledged in the detention and interrogation program. There was individual accountability that was taken, as well as accountability for some of those management and systemic failures. We'll be happy to address

in a different setting the details of those accountability steps that I think the committee is aware of.

Senator WYDEN. I want to make sure I heard that right. I believe you said that individuals have been held accountable for systemic failures. If that's the case, I certainly think that's constructive. I will say we will await your classified response so we have more details on that. But I heard you say there has been individual accountability and I'd like to see the details on that.

Director BRENNAN. Right. Any type of systemic failure is going to be related to the individual's failure to either provide the type of management and oversight or the performance. So there is a combination of factors that contribute to systemic shortcomings.

Senator WYDEN. Were individuals held accountable? It's a yes or no answer.

Director BRENNAN. Yes.

Senator WYDEN. Okay. I will look forward to getting that response and I appreciate that because I think that's very important.

Let me wrap up with a question about an upcoming policy that we're all going to be tackling here on the committee. Section 702 of the Foreign Intelligence Surveillance Act is up for renewal or expiration next year. The Office of the Director of National Intelligence has disclosed that under Section 702 the CIA routinely conducts warrantless searches for the emails and other communications of specific Americans, and in the year before the CIA conducted nearly 2,000 of these warrantless searches.

In my judgment, if there's evidence that an American is involved with terrorism or espionage, the government ought to pursue that lead aggressively. Agencies can get a warrant to read the person's emails and in emergency situations, which I strongly back, they can even obtain the communications right away and get judicial review afterwards.

My question is: If there was a rule that said the CIA could only search for Americans' communications under Section 702 if the Justice Department has obtained a warrant, with the exception for the emergency situation or when a person is in danger, would the CIA be able to comply with that rule?

Director BRENNAN. I will have to get back to you. That's a complicated issue and I don't want to give you an off-the-cuff response. I want to make sure that you get the answer that that question deserves.

Senator WYDEN. Fair enough. I would like that in writing. Could we have that, say, within two weeks?

Director BRENNAN. We will do our best to do that, absolutely.

Senator WYDEN. I think two weeks ought to be sufficient, Mr. Director, and I appreciate the fact that in both areas you're going to get back to me. We'll look at what part of the response has to be classified and what part can be discussed in public. But both with respect to individual accountability on torture and this question of 702, I look forward to your response.

Director BRENNAN. Thank you, Senator.

I should point out also, I think something that you would be appreciative of is that the Agency has appointed a privacy and civil liberties officer that is a full member of our senior staff, that we want to make sure is going to be fully involved in all of the activi-



ties that the CIA is engaged in, to make sure that we are appropriately protecting the privacy and civil liberties of our citizens.

Senator WYDEN. I look forward to meeting that individual. Has the person been appointed? Are they available to meet with members now?

Director BRENNAN. The person's been appointed and is operating within the CIA. This is his second or third week.

Senator WYDEN. Please ask that person to make an appointment at a time of his convenience with me.

Director BRENNAN. Surely.

Senator WYDEN. Thank you.

Chairman BURR. Senator Blunt.

Senator BLUNT. Director Brennan, thank you for being here with us today. We get to see you often. Seldom do we get to see you in a public session like this. In public comments, our military leaders, the Director of National Intelligence, and others say over and over again that they feel we're facing more threat from more directions than ever before. Do you share that assessment?

Director BRENNAN. Yes, I do.

Senator BLUNT. And what kinds of things has the CIA done to be more agile in dealing with more threats from more directions than ever before?

Director BRENNAN. As I noted earlier, we embarked on this modernization effort to try to make sure that we're able to take full advantage, optimal advantage, of the great expertise and capabilities that we have within the organization. I am a very strong proponent of integrating capabilities so that we're not attacking these problems in individual streams. That's why we set up our mission centers, where we have our regional and functional mission centers, where we can bring to bear not just our clandestine collection capabilities and our all-source analytic capabilities, but our open source capabilities and insights, our technical innovation, our ability to bring these different skill sets and expertise together, because, as you noted, I think that the array of challenges we face—proliferation with North Korea, the cyber domain, terrorism that is plaguing so many countries and that threatens us, instability that is wracking these countries—I have never in my 36 years of national security service seen a time when there is such a dizzying array of issues of national security consequence.

I am constantly going down to the White House, participating in National Security Council meetings, principals' committee meetings, so that we're able to address these issues. That's why I want to make sure that I take full advantage of the resources that you have provided to our Agency so that we optimize the contributions of Agency officers around the globe.

Senator BLUNT. And how much is—all of those, all of those threats from all those directions, how much is that complicated by what appears to be the new addition of substantial self-radicalization in the country?

Director BRENNAN. These so-called "lone wolves," the ones who operate as a result of the incitement, encouragement, and exhortations of these terrorist organizations, it is an exceptionally challenging issue for the intelligence community, security, and law enforcement to deal with.

The tragic attack in Orlando, we have not been able to uncover any direct link between that individual, Mateen, and a foreign terrorist organization. But that inspiration can lead someone to embark on this path of destruction and start to acquire the capability, the expertise, maybe do the surveillance, and carry out an attack, without triggering any of those traditional signatures that we might see as a foreign terrorist organization tries to deploy operatives here.

So those individual actors, either acting alone or in concert with some cohorts, it really presents a serious challenge. We're working very closely with FBI, Department of Homeland Security, and others to give them whatever intelligence we have that might help them identify some of these individuals.

Senator BLUNT. I think you've been asked this particular question already today, but let me just say again that I think we're eager to hear from you the kinds of things you need to better deal with this really unique and hard to penetrate self-radicalization, because you don't have the other contacts that all your other sources may come across.

Let me ask one additional question about China and cyber attacks. Last year the President announced a common understanding with China's leadership that neither country would conduct or knowingly support cyber-enabled theft of intellectual property for commercial advantage. In your view, does that mean that cyber-enabled theft of intellectual property by people from China has ended?

Director BRENNAN. No.

Senator BLUNT. Do you see any good-faith effort on the part of the Chinese government to crack down on this?

Director BRENNAN. I see some effort by the Chinese government to follow through on some of the commitments they've provided in political channels. There are a lot of entities, people, organizations, inside of China, some of them operating as part of the Chinese government, some parastatals, some working basically on contract. Therefore, we are exceptionally vigilant about all the different attack vectors that individuals or countries could attempt to use in order to penetrate our systems and networks and databases, whether they be government systems or private sector, to steal intellectual property.

So I continue to be concerned about the cyber capabilities that reside within China, as well as the actions that some continue to undertake.

Director BRENNAN. Thank you, Director, and thank you, Chairman.

Chairman BURR. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

First of all, Director Brennan, it's good to see you again. I want to reiterate once again personal thanks for you and all the intelligence professionals who serve day in and day out without necessarily the recognition they deserve.

Senator Blunt and I are leading efforts to recognize some of that service in terms of an OSS Congressional recognition. We do small things like the Intelligence Professionals Days. But I'm blessed to have a lot of the intelligence community in Virginia, and I hope you

will relay to folks at the Agency how grateful we are for what you do day in and day out, number one.

Number two, I do want to raise some concern in terms of your response to Senator Wyden. I think the issue around digital security is one of the most complex I've ever been engaged with. Encryption, just a small component part of that. I think public press has indicated that the terrorists in France used Telegram, a Belgian encrypted technology, a Belgian encrypted company. Two thousand apps a day are added to the iPhone Store. Over half of those are foreign-based entities. And to renegotiate or relitigate the idea of whether encryption is here or not—encryption makes us safer.

Now, we have legitimate challenges and issues on how we work through a way within our legal structure to get at information. I personally believe it would make America less safe and do great economic as well as national security harm for us to litigate or to mandate in any way a solution set that would simply push the bad guys onto foreign-based hardware and software.

As complex as this issue is, it's going to only exponentially get more complex as we move into the so-called Internet of Things, as we think about sensors on our refrigerators and our cars. Something came to my attention recently: Think about our kids' toys, which are now interactive; 6.4 million information of children were hacked into last year. This is only going to grow larger.

My approach has been to put experts in the room beyond, frankly, the capability of some of our individual members, to try to help guide us to a solution set. Chairman McCaul and I have an approach that way. I still think it is the best one.

Staff corrected me quickly that Telegram is based in Germany, not in Belgium. But the point being that this is an international problem. It is not a problem that can be solved by America only. It is going to require enormous collaboration.

What I am so concerned about is that we are—while this issue has perhaps disappeared from the newspapers on a daily basis, we could see some other event using encrypted technology that would then lead us into a quick solution set rather than a thoughtful solution set, and getting this wrong would do enormous harm to our security and to our I think economic preeminence.

I wanted to raise one issue. Chairman Burr and a number of members and I had a trip recently. I think I had—I don't want to speak for all the members—some concerns about the ability of our European allies in terms of information-sharing. We obviously saw the horrific attack in Brussels.

But as our Nation grieved this week over the killings in Orlando, there was also, as you're well aware, that brutal attack on a French police officer and wife in front of a child, videoed and then exploited outrageously.

Can you comment on post-Belgium and now post again this incident in France, growing collaboration, cooperation, information-sharing amongst the Europeans, and in particular some concerns I have with our German allies?

Director BRENNAN. First of all, thank you for your comments, Senator, about the Agency's workforce. I want to thank all the Senators who visit Agency officers overseas when you travel. It sends

a very strong message, powerful message, to them that they have the support of their authorizing committee here in the Senate.

We have engaged extensively with our European partners, particularly since the Paris and Belgium attacks. But we have had longstanding relationships with them on the counterterrorism front for many, many years.

Over the past two months, myself and other senior leaders of the intelligence community have traveled out to Europe and we've sat down with the heads of the internal and external services to talk about our experiences here in the United States since 9-11 in terms of how we have been able to bring together different capabilities, organizational structures, information-sharing mechanisms, IT architectures, in order to take advantage of data that's available.

As challenging as it was here in the United States, we were still one government and so we were able to operate within one legal system. The challenge for Europe, as you know, is that there are 28 countries in the EU, with 28 legal structures, and then within each of those countries they have sometimes several intelligence and security services. They do not have the interconnectivity, either from a mission and legal perspective or from an IT perspective.

So we have talked to them about some mechanisms that we can use to better facilitate information-sharing among them, because that's the key, is being able to take information, a bit of data, and be able to operationalize it at a border, security point, or the cop on the street so that he can take action.

So, for example, we, CIA, we share counterterrorism information with what's called the Counterterrorism Group—it's the CTG; this falls within the EU; it has the EU members as well as Norway and Switzerland—so that we're able to push out to those 30 countries simultaneously information related to terrorism, so that they have the same information, but then they know that they can talk to one another about it.

We have talked to them about different mechanisms that they could use to set up some type of system, whether it's EU-based or Schengen system based. But they have still I think a ways to go. They've made some important progress. There are some of the countries in Europe that are much better able to share information within their governments and systems, as well as across the sovereign borders.

But this is something that the Europeans are going to have to work on, because it's not just a technical or IT solution. It is also an issue of how are they going to protect the privacy of their individual citizens as they share information, what is the threshold for putting in individuals' name and biographic data into a database, putting them on a watch list? So they're working their way through that, and we are trying to provide as much assistance and support as we can.

Chairman BURR. Senator King.

Senator KING. Thank you.

I appreciate the question and the answer, because I think this is very important. It struck me when we were there that the political rivalries and the ancient relationships between these countries was going to make it very difficult for them to exchange directly

with one another. Therefore, some neutral Europol or, as I think CTG, it seems to me that's got to be the answer. I encourage you to continue to encourage them, because unless they get a handle on this they're going to only be as strong as their weakest link, particularly when you have a situation of open borders and not sharing. That's a disaster waiting to happen. In fact, it has happened several times.

You mentioned that you're a great believer in integrating the CIA's capabilities and the reorganization. I support that, that concept. But, as you know, I have concerns about possible loss of analytic integrity when you combine operations, put operations and analysis in the same box.

Could you update us on efforts to ensure the analytic integrity of the intelligence as part of this reorganization?

Director BRENNAN. It's a legitimate concern, and it's one that the Agency has had to deal with over the course of many years, because the Counterterrorism Mission Center has its roots in the Counterterrorism Center that was established in the 1980s, where analysts and operations officers were commingled in the same area.

I headed up the analytic effort inside of CTC back in the early 1990s and I was aware that we needed to make sure that we maintained that objectivity and integrity. Those safeguards and some of the techniques that we used to make sure that there maintains that objectivity and integrity is part of the instruction in our career analyst program, the CAP training program that all analysts go through.

We also want to make sure that we have the senior analysts and senior managers mindful about the respective responsibilities of analysts. The rubric "analysis" covers many different areas. Analysis drives a lot of covert action. It drives a lot of clandestine collection.

Senator KING. I just don't want the covert action to drive the analysis.

Director BRENNAN. That's right, and there needs to be that separation in terms of the independence. I must say that the analysts that I know are very, very—they jealously guard that analytic integrity, as well they should. So we want to make sure that it's built into the system. So there is an issue, but I have been satisfied that we've been able to maintain that objectivity and integrity while also getting the benefits of that collocation.

Senator KING. A quick question: How does the intelligence community and the CIA in particular assess the Iranians' compliance with the JCPOA thus far?

Director BRENNAN. So far, so good. So far, so good.

Senator KING. Another question about organization of the CIA. It seems to me we have to distinguish between effort and effectiveness. Do you have a standard procedure that measures effectiveness of programs, after-action reviews, assessments? We've got to understand what's working. My question is is there some systematic way within the Agency of assessing what is working and how it's working?

Director BRENNAN. A number of ways, Senator. One is that our Inspector General has a regular review of a number of our programs to see how they're operating, make sure they're consistent

with the law. But also inherent in those reviews are looking at how effective they've been.

But in the area that usually generates the most concern and controversy, which is in covert action, we have set up last year a new office called the Covert Action Measures of Effectiveness Office, where we have senior officers working and reviewing all of those covert action programs to make sure that we understand what's the efficacy of the program, not just whether or not we have reached the milestones that have been established for these programs, but how effective and efficacious has it been in terms of realizing objectives that have been set out.

So a number of ways that we have established these reviews and metrics. We'd be happy to provide you additional information.

Senator KING. I appreciate that. One of my mottoes in life is: Does it work, and how do you know? I appreciate your attention to that.

Finally, there hasn't been an IG at the CIA for 17 months or so. Why the delay? Is there a nomination forthcoming? I think this is a very important, one of the most important positions in government, particularly in the intelligence agencies, which don't have the oversight that other more public agencies do.

When are we going to get an IG nomination?

Director BRENNAN. The Inspector General of CIA is one of three officers within CIA who are presidentially appointed and Senate-confirmed, and so therefore is the prerogative of the President, the White House. So we have had an acting IG, the deputy, who is presiding over that office. I'd like to think that I would be seen as prescient today if I were to say that such a nomination may be forthcoming soon.

Senator KING. I hope you will convey back to the Administration the importance that this committee puts on that position and that we believe an appointment in the immediate future is appropriate.

Director BRENNAN. I will do my best to do that.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Chairman BURR. Senator Cotton.

Senator COTTON. Thank you.

Director Brennan, it's good to have you here again. I apologize, I have not been present in person. I've been in the Intelligence Committee's equivalent of a makeshift daycare and I've been listening intently. Chairman Burr and I discussed letting him babysit my son so I could come out and ask questions, but we were afraid it would land both of us in child protective services.

I did, however, hear his opening statements and many of the other statements of members of the committee, thanking you on behalf of all the men and women who serve at the CIA, and I want to associate myself with those comments. In many cases, they face even more hardships and risks than do our troops and, while our troops get recognition appropriately at ball games or when they walk through airports and people buy them beers or meals, obviously your officers do not, and they deserve all the recognition that our troops get as well.

I want to discuss cooperation with our intelligence community from Silicon Valley, specifically Twitter and a company called

DataMiner. According to the Wall Street Journal from May 8, as well as some other media reports, DataMiner, which is owned in part by Twitter and is the only company authorized to access the full real-time stream of public tweets that Twitter has, recently cooperated with the CIA, but just a few weeks ago ended that cooperation. So our intelligence community no longer has access to DataMiner's information.

Could you comment on these reports?

Director BRENNAN. It appears as though DataMiner was directed to not provide its service to CIA and the intelligence community, and so therefore we need to be able to leverage other capabilities in order to make sure that we have the insight that we need to protect this country.

Senator COTTON. So those reports are correct?

Director BRENNAN. I am not going to dispute them.

Senator COTTON. The Wall Street Journal also reported that the CEO of Twitter, Jack Dorsey, directed DataMiner to stop the contract because he was worried about, quote, "the optics," end quote, of helping intelligence agencies. Do you believe that to be accurate?

Director BRENNAN. I do not know his motivation for any corporate decision he may have made. But I have no basis to dispute that.

Senator COTTON. The Wall Street Journal also reports that among customers of DataMiner remains RT, Russia Today, a propaganda outlet of Vladimir Putin's government, which Putin has said is, quote, "trying to break the Anglo-Saxon monopoly on global information streams," end quote.

To your knowledge, is Russia Today a client of DataMiner?

Director BRENNAN. I believe so. I'm not certain of that, but I don't have any information that they have been excluded from their services.

Senator COTTON. Is it disappointing to you that an American company would sell its product to Russia Today, a propaganda arm of the government of Russia, yet not cooperate with the United States intelligence community?

Director BRENNAN. I'm disappointed that there is not more active cooperation consistent with our legal authorities that may be available from the U.S. private sector.

Senator COTTON. Thank you.

I want to turn now to the Open Skies Treaty. The STRATCOM commander, Admiral Haney, has testified that the Open Skies Treaty, quote, "has become a critical component of Russia's intelligence collection capability directed at the United States," end quote. Do you agree with that statement from Admiral Haney?

Director BRENNAN. Admiral Haney would be best positioned to make a public comment like that, and I'd be happy to look into it and get back to you separately.

Senator COTTON. DIA Director General Stewart has testified: "The Open Skies construct was designed for a different era and I'm very concerned about how it's applied today." He further said: "The things that you can see, the amount of data you can collect, the things you can do with post-processing, allows Russia in my opinion to get incredible foundational intelligence on critical infrastruc-

ture, bases, ports, all of our facilities. So from my perspective it gives them a significant advantage.” End quote.

Can Russia use post-processing analysis to enhance their Open Skies collection, as General Stewart has suggested?

Director BRENNAN. There have been tremendous technological advancements since Open Skies was first established, and therefore I’m sure that Russia and others take advantage of those technological developments in order to advance their intelligence collection capabilities.

Senator COTTON. Do you believe that these processes and procedures on digital images and the advances in technology might allow Russia to exceed the limits imposed by the Open Skies Treaty?

Director BRENNAN. I would have to take a look into how those capabilities could be used to exceed those limits.

Senator COTTON. Thank you. My time has expired. Thank you again for your appearance today.

Chairman BURR. Senator Heinrich.

Senator HEINRICH. Thank you, Mr. Chair.

Welcome, Director Brennan. You talked a little bit in your opening statement, you outlined the sort of disconnect between the real progress that has been made with ISIL in terms of kinetic progress, in terms of limiting their financial resources, and the reality of inspired terrorist attacks that have global reach, including here in the homeland, as we’ve seen this week.

What progress is being made in degrading ISIL’s ability to inspire terrorist acts through the digital or even traditional media, and how—have we learned how to measure that progress?

Director BRENNAN. Well, what we’re trying to do is to go upstream and find out who is responsible for spewing this information into the Internet that inspires individuals to carry out these attacks. So, working with our military partners, we are trying to make sure that the appropriate actions are taken in Syria and Iraq, where a lot of this emanates from.

In addition, we are trying to share information with as many of our global partners as possible so that they can be attuned to individuals who may be involved in these activities, because there’s not just the upstream activity; there is the downstream propagation of this.

But it also gets to issues that we were talking earlier about, which is what is the government’s role as far as being able to limit this type of material, both in terms of what its legal authorities are as well as what its technical capabilities are to prevent this type of propagation of this poison that’s coming out from them.

Senator HEINRICH. Do you feel like you have good cooperation from our Arab allies on this front?

Director BRENNAN. We have very strong cooperation from a number of Arab states and partners that we are actively working with in this area, yes.

Senator HEINRICH. Director, you and the Vice Chair noted the inherent security challenge of surveillance and the kind of work that you do in an age of ubiquitous encryption. One of the challenges is the encryption horse has left the barn. Nothing we can do at this point can take access to that technology away from our enemies,



away from ISIL, or, for that matter, anyone else in the world, when you can simply go on line and download Telegraph onto your phone or your device anywhere in the world.

But if we're not careful about how we address these challenges, we could certainly mandate weakness into our own digital systems, potentially putting the personal and financial records of Americans at risk from hostile actions both from state-level actors and from criminal actors. I think if we mandate sort of a 19th century solution to a 21st century problem, we could also see a number of real economic activity, real jobs, migrate overseas to avoid those perceived solutions.

So it's clear to both myself and a number of my colleagues that we need to have continued conversations around this. They need to be technologically grounded. I know Senator Warner wrote and I've co-sponsored a bill that seeks to set up a commission that would include perspectives from intelligence, law enforcement, and the business and technology communities. Do you have a perspective on that legislation?

Director BRENNAN. First of all, let me say that I strongly support encryption as a capability that protects our way of life, our prosperity, our national security. But at the same time, I fully agree with both you, Senator Warner, Senator Wyden, and others that we need to have the opportunity to deal with this new environment of the digital domain, so that the government can appropriately safeguard its interests, its citizens, its future. And that requires the experts to be able to get together the legal, the technical, the practitioners, to find some way that is not going to be perceived as a back door, but it's going to allow the government to legitimately carry out its responsibilities while not compromising the great benefits that accrue to encryption.

I don't know whether or not as an Executive Branch officer I'm allowed to sort of endorse a piece of a legislative initiative, but I have talked to other members of the Congress. I think a Congressional commission on this issue is something that really could do a great service, because this is not just a government-only issue. It is largely a private sector issue, and there needs to be an understanding between the private sector and the government about what our respective roles and responsibilities are going to be, to be able to find some type of solution that's able to optimize what it is that we're all trying to achieve, which is security, privacy, liberty, prosperity, in a technologically rich world that is going to continue to evolve.

So I encourage you to continue to tackle this issue and also to educate the American people about what it is, so that they don't fear the government's role, which is what happens right now because they don't understand it. Then we need to make sure that they understand that that frontier is just like the physical domain and the maritime domain; we have an obligation to protect our people.

Senator HEINRICH. Thank you for your perspective on that.

Thank you, Chair.

Chairman BURR. Senator Lankford.

Senator LANKFORD. Director Brennan, thanks for being here again. You helped lead or did lead, when President Obama was

President-Elect Obama in 2008, the intelligence transition team as part of your responsibility to be able to brief the future President at that time on some of the issues that were blinking red, I think the term was used, on the intelligence community.

If you were helping organize for that next transition, because we'll have a new President next year, what are the key things you could articulate right now are blinking red for the new President?

Director BRENNAN. Cyber certainly. That individual, whoever is elected, will need to use their all four or eight years in order to tackle this issue, because it's going to take time in order to come up with the types of understandings that are necessary.

Terrorism is going to continue to plague us. That's related to the cyber issue and how we're going to make sure that FBI and NSA and CIA and others are able to do their job to protect this country.

Proliferation is something that we cannot forget about and which is brought into stark relief by the activities of North Korea and Kim Jong Eun and the continued development of his nuclear program and ballistic missile capability, that is a threat, not just to the region, but also to us.

Instability in a number of countries in the Middle East and Africa and the lack of governance capabilities within these countries, so that they are unable to tackle the political, the economic, the societal, the cultural challenges. I am really worried about how instability is going to continue to erode and corrode some of the foundations of governance and how more and more individuals, because of their feelings of being disenfranchised from their governments, are now identifying with sub-national groups, whether it be with an ISIL or a Nusra or a Boko Haram or others. They're not identifying themselves as Somalis, Nigerians, or Yemenis. They're identifying themselves as part of a confessional group or a terrorist organization.

That is a very, very disturbing trend that I believe that this country can play a role in trying to help address. We cannot solve it on our own.

Senator LANKFORD. Do you think that we would have less proliferation of ISIL and ISIS, whatever you want to call them today, we would have less of the movement of terrorism worldwide, if there was not a safe haven in Syria and Iraq?

Director BRENNAN. That is a big, big part of it. We need to take away their safe haven, because it gives them the opportunity to use these lands to train and to fight, but also to gain revenue. Their control of large cities like Mosul and Raqqa and these population centers, as well as oil fields, it generates revenue, not just to keep their fighters on the battlefield, but also to try to support some of these terrorist operations.

Senator LANKFORD. Are there strike possibilities that are out there that could reduce the amount of money that is flowing to ISIS right now that we are not taking or that should be at a higher tempo?

Director BRENNAN. I think the U.S.-led coalition has done a good job going after some of these bulk cash sites, as well as the oil infrastructure and refining capabilities. It's intermingled with a lot of the local and civilians who are trying to eke out an existence. So I think the military has done a very good job. There's more work

to be done. That's where intelligence is so important, so we can give them the insights into what they can do.

Senator LANKFORD. So help me understand the tempo of the pro-Syrian forces, including the Russians and others, in their air strike tempo compared to our air strike tempo?

Director BRENNAN. Unfortunately, they're directing a lot of their air strikes and artillery barrages against the Free Syrian Army that is trying to unseat Bashar Assad. Just looking out over the past two weeks, the amount of air strikes in the Aleppo area, where many of the Syrian moderate opposition operate, has exceeded the pre-cessation of hostilities totals.

So yes, the Russians and Syrians have gone after ISIL as well as Jabhat al-Nusra, but a large proportion of their strikes are directed against what we consider to be the legitimate Syrian opposition that are trying to save their country from Bashar Assad.

Senator LANKFORD. And you anticipate at this point that the number of strikes that are out there exceed the cessation of hostilities, which seems to be a piece of paper at this point? It doesn't seem to be an actual cessation of hostilities.

Director BRENNAN. It is holding by a thread, particularly in the areas of Aleppo, Latakia, also in the Damascus countryside.

Senator LANKFORD. Let me ask on the intelligence agreements that we have, Open Skies, other things, that we hold to so strongly to the letter and the spirit of it. Do the Russians also hold to the letter and the spirit of those agreements?

Director BRENNAN. We'll have to get back to you in another setting on that.

Senator LANKFORD. All right. Thank you.

I yield back.

Chairman BURR. Senator Hirono.

Senator HIRONO. Thank you, Director Brennan, for being here.

You mentioned in your remarks about CIA modernization and the desire to diversify the CIA to be reflective of the diversity, not only in our own country, but of course all the countries that we deal with in the world. Can you very briefly go over what you're doing to increase diversity in the CIA?

Director BRENNAN. Over the past three years, we have had an initiative—it was called the Director's Advisory Group; it was initiated in fact by General Petraeus, my predecessor—on trying to advance women in leadership within the Agency. So we have had implementation teams that have been working over the last three years to make sure that the objectives and goals of this study are being operationalized in our promotion and assignment panels and other types of programs that we have inside the Agency.

I asked Vernon Jordan, who is a member of our External Advisory Board, to spearhead an effort on diversity in leadership in CIA, that took a look at all the different facets of the Agency in terms of representation and leadership, our recruitment efforts, our training and development of officers, and why we have fallen short of even federal standards of what our diversity composition should look like.

It was a hard-hitting report and it came up with a number of recommendations. We have put together action teams on that as well. I have a lead officer who is involved in it. I have made mandatory

training for my senior leadership team. In fact, just about three weeks ago we had several hours of diversity in leadership training for the seniormost officers of the Agency. They need to be heavily involved in it.

We think we have fallen short over the past years because we've been so driven by crises that we have not paid attention to some of these strategic imperatives that we need to. That's why we need to have our leaders actively involved in these efforts, from development, mentoring, sponsoring, to recruitment efforts. I go out to schools, I talk to various groups.

Senator HIRONO. That's great. You must have a time frame for when you'd like to see some of the results of these kinds of efforts. What would that time frame be?

Director BRENNAN. Yesterday is the first one. I want to make sure that we're able to look at the milestones that we need. And it's not just the numbers. I want to make sure that we have instituted some of the programs that are going to sustain these efforts. It's putting in place the foundational elements of this.

I think then the numbers that we're going to be looking at in terms of representation are going to increase over time, but I'm most interested in institutionalizing some of these changes, so it's not just a study that is forgotten about.

Senator HIRONO. I think that's important.

You also said in a number of ways during your responses that there is the question of what is the role of government with regard to encryption as we see entities such as ISIL using every means to spread their propaganda and encouraging lone wolf acts, not just in our country, but all throughout the world. You seemed to indicate that in order for us to determine what the appropriate governmental role should be, that one approach to addressing the issue of encryption would be a commission. I think that's what Senator Warner's bill is, to create a commission to enable us to figure out what government's role should be, along with input from a lot of other folks like you.

Would you say that is the best way for us? Because you have said that the role of government is one that we haven't quite figured out.

Director BRENNAN. I don't know what the best way is, but I just know that it has to be an effort undertaken by the government and the private sector, in a very thoughtful manner, that looks at the various dimensions of the problem and is going to come forward with a number of options, recommendations, about how to optimize what we're trying to do on the national security, privacy, civil liberties front that protects this country and not cede this environment to the terrorists and those who want to do us harm.

I do believe that with the tremendous technological advances, like encryption and other things, they are taking advantage of the liberties that we have fought so hard to defend.

Senator HIRONO. And I think right now, although other people have talked about the need to figure out what we're going to be doing in this cyber space, I don't think we've put in place any kind of a cohesive or coherent process.

Let me turn to China. The Hague is expected to rule about China's claims in the South China Sea soon and it is anticipated that

the ruling will support the Philippines' case that China has made excessive claims about its maritime sovereignty. Can you just briefly discuss your assessment of what China's response might be to such a ruling, and could the expected ruling be a trigger for further escalation by China?

Director BRENNAN. Well, in the recent conference, the Shangri-La conference in Singapore, the Chinese representative, Admiral Sun, made very clear that they don't recognize the legitimacy of the arbitration tribunal, nor I think will accede to its findings.

So Secretary Carter made very clear that we certainly do recognize that there needs to be this type of arbitration, given that there are a number of claimants to some of these features in the sea, and it's not just the Philippines; it's other countries as well. So there needs to be an agreed-upon mechanism that will be able to resolve these outstanding disputes.

I think the United States has made very clear the importance of protecting freedom of navigation in that part of the world and will continue to take steps to make sure that people understand the United States is committed to freedom of navigation worldwide.

Senator HIRONO. Thank you.

Thank you, Mr. Chairman.

Chairman BURR. Thank you, Senator.

Do any Senators seek additional questions? Senator Wyden has asked for one.

[No response.]

The Vice Chairman also asked me, Director, to ask you a couple of questions. She had to leave for an Appropriations meeting at 10:30.

What's your assessment of North Korea's cyber capabilities and intentions?

Director BRENNAN. I think that the North Koreans have developed a cyber capability, as we've seen; some recent incidents over the last year or two where it has been employed. I think it is something that we need to be concerned about, given Kim Jong Un's penchant to use whatever capabilities he might have to cause problems.

So we can get back to the Vice Chairman a more detailed answer about their capabilities as well as potential intentions.

Chairman BURR. Great. One last question from the Vice Chairman. ISIL's getting all the attention today. They're not the only terrorist organization out there. What are we doing and how concerned are you on AQAP and other potential organizations?

Director BRENNAN. The Vice Chairman is absolutely right, there are a number of terrorist organizations. Al Qaida in the Arabian Peninsula continues to be very active inside of Yemen and has several thousand adherents and fighters. There have been recent efforts, collaborative efforts, between the United States along with the UAE and Saudi Arabia and Yemen, to dislodge AQAP from the port city of Mukalla. It was successful; it drove them out.

But there is an active effort under way to continue to dismantle and destroy that organization. But also there is the organizations in the Af-Pak area, led by the Taliban, the Haqqanis, that continue to engage in terrorist attacks; Lashkar e-Taiba. We work very

closely with the services in the area, including the Indians and others, to try to guard against their ability to carry out those attacks.

So this is something that we continue to have to dedicate a lot of resources to. As you know, Ayman Zawahiri, the head of Al Qaida, still is out there and continues to put out audio statements and other things exhorting his followers. So this is a continued challenge for us.

Chairman BARR. Senator Wyden for a question.

Senator WYDEN. Just a quick comment and a fast question. On this encryption issue, Director, you have been clear that you think that there's a government role here. You got me at "hello" on that. There's no question that there are ways that government can strengthen the personal safety of Americans in a dangerous time. I, for example, think it makes sense to hire people with extensive experience in science and technology, like we have, for example, in Oregon's Silicon Forest. I can give you plenty of names.

What I don't want to do, though, is I don't want to go backwards on digital security, which is what's going to happen if the government, if the Congress, requires that back doors are built into the products of this country.

So we will continue that debate. I just want to make that clear as we wrap up.

Senator Lankford asked an appropriate question with respect to briefing a new President, or what would you say to a new President. I think I've heard you touch on this, but I'd like to get it formally for the record. Director Brennan, if the next President of the United States directs the Agency, directs the CIA, to resume the use of coercive interrogation techniques, how would you respond?

Director BRENNAN. I have said publicly that I do not believe such aggressive, coercive techniques are necessary. As you know, the CIA's detention-interrogation program was disbanded, and I certainly while I am Director of CIA have no intention of bringing such a program back and would not engage in EIT's such as waterboarding and other things, ever.

Senator WYDEN. Thank you, Mr. Chairman.

Chairman BARR. Senator King.

Senator KING. A quick question about ISIL in Libya. Any chance they're going to get a hold of any of Libya's oil capabilities? Because that's where a lot of their revenues have come from in Syria and Iraq. How do you assess the security of the oil assets in Syria—I mean, in Libya.

Director BRENNAN. I don't think anything in Libya is overly secure. There have been attempts made and assaults upon some of those oil facilities, but to date ISIL has not been able to gain control of them. I'll have to get back and see whether or not there are sort of pockets of areas where ISIL's been able to encroach. But there are some challenges there and there are a number of security militias and firms that are in that area that have prevented ISIL from taking over. But we'll get you a more thorough response.

Senator KING. I know I said it was my final question, but—

Chairman BARR. I knew better.

Senator KING. My wife says I say "finally" too much; it gets people's hopes up.

Chairman BARR. She's a smart woman.

[Laughter.]

Senator KING. Afghanistan, we haven't talked about Afghanistan at all. What's your assessment of the security situation in Afghanistan? There's a proposed drawdown of our troops which has to start some time in the early fall if it's going to achieve the 5,000 troop number in January.

Give us an assessment of the situation? Is there—I guess the short question is: Does the government have a chance or is Taliban just waiting and they're going to take back over?

Director BRENNAN. We're near the height of the fighting season. The number of casualties on both sides in terms of the ANSF, the Afghan National Security Forces and the Taliban, I think are greater this year than we have seen in a long, long time, because of the number of engagements. Which means that I think the Afghan forces are stepping up and engaging in the fight more as U.S. forces have drawn down. But also I think it reflects the intensity of the Taliban efforts. They're really trying to erode the government hold in a number of areas.

We have worked very closely with the Afghans, we the U.S. Government, to have them better consolidate their forces so that they can protect the critical infrastructure in the cities and transit routes. But the Taliban is determined, working with the Haqqanis, a sub-group of the Taliban. So there is continued concern about the Taliban's ability to carry out these attacks, both in some of the outlying areas, but also as they try to go after the provincial capitals as well as Kabul.

So it is still uncertain in my mind whether or not the Taliban is going to continue to make incremental progress. We are providing support to our Afghan intelligence partners so that they have the capabilities that they need. But there is still a long, hard fight ahead in Afghanistan for the Afghan government.

Senator KING. Thank you.

Thank you, Mr. Chairman.

Chairman BURR. Thank you, Senator King.

Director, thank you. Two takeaways from your testimony that I certainly heard that are relevant to today: There'll be an increase in global terrorism as more pressure is applied in the battle space, and I think that's something that we certainly have seen up to this point. There's no reason to expect that that doesn't increase. And ISIL has become a global organization, and I think sometimes we treat them in a very small geographical footprint, but they have very quickly and quietly grown to be that global organization.

Now I'd like to give a closing statement. I'm not sure that I've done that before, but I feel compelled. I'm not going to speak for the Vice Chairman, but I think she would probably associate with most of what I'll say.

This feud between the tech companies and the intelligence community and law enforcement has to stop. Encryption is the issue that we describe it as, but this is much more. Technology is going to drive the United States economy for the next 50 years and the global economy as well. It is the secret sauce for our children and our grandchildren to have unlimited opportunities, not success but opportunities.

When the Vice Chairman and I committed to at least lay on the table a solution to encryption, it was not with the belief that we were smarter than anybody else. It's we understood what was at stake and we were willing to take the heat. And, as you know, Director, we've taken a lot of it. And I don't regret it, because I think what we had hoped was that we would start a national debate in this country about what the appropriate role of government is; that for the American people to understand that for our agencies to prevent and protect them, that that comes with a price; and that this debate is about what that cost might be and what we're willing to accept.

We can't separate the world based upon who's domained domestically and who is domained in foreign countries. That's the beauty of the Internet. It really doesn't matter. But if it wasn't important to locate in the United States, we'd probably have very little manufacturing because most of their customers are overseas. But they're here, and they're here for an important reason. They're here because we have in our foundational structure things that they find important. At the top of the list is the rule of law.

I point to what one tech leader said as the Vice Chair and I launched the encryption debate to the level it is today: We can't trust a judge on the bench to hear from the intelligence community or law enforcement and understand whether somebody's met the threshold that they need to reach to access communications or data. Well, let me say today: If we've gotten to a point where we don't trust a judge on the bench, we have just gutted the rule of law in the United States.

This to me is about so much more than encryption. This is about whether the United States is going to be the innovator of the world for the next 50 years. It's about what the next generation has as opportunities and, oh yes, freedoms, protection of personal data, and prevention of terrorist acts.

If we can't prosecute criminals by a district attorney or by a U.S. attorney because they can't gather the information they need to make a case in court, then, talking about Orlando, we'll talk about crime in every community across this country, because we're going to have individuals that commit it that walk and live next door to us every day.

So I used the platform today. I don't think I find disagreement from you or from others in law enforcement, either nationally or locally, because we've heard from a lot of them. But I really believe that we need to take at heart that what we do affects the intersection of the rule of law and technology in the future, and we're much better off to have that debate today than we are to wait until something happens and we need it and the pendulum swings too far, a la post-9/11. We did some things then that we thought were right. Today, looking back, we wouldn't do them again. We all agree.

This is an opportunity to get this one right, not to go too far, but to go to the right place, the right point.

So, Director, I want to thank you for your testimony. I want to thank you for the resolve of your workforce.

I also want to highlight the professional staff of this committee. I think they are incredibly talented, incredibly dedicated. They travel to very unpopular spots where your officers are, on a regular



basis. They do it not to gain mileage points; they do it to live up to the mission of this committee, which is oversight of your Agency and the rest of the intelligence community. On behalf of 85 other members of the United States Senate and, oh, by the way, for the American people, we are the ones that testify and certify that you do things within the letter of the law or a presidential directive and that we don't overstep those bounds, and when we do it's this committee's responsibility to report it and pull it in. So they deserve credit, because they don't get that credit very often.

Please pass to your employees our sincere gratitude for the job they do. We look forward to your next visit with us. It probably won't be open and there will be some disappointed souls in the audience, but we will do it in a much more productive way.

Thank you, Mr. Director.

The hearing is adjourned.

[Whereupon, at 10:43 a.m., the hearing was adjourned.]

