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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

OCT 8 2021

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Roger Wicker
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Ranking Members Grassley and Wicker:

Thank you for your letter from 09 June 2021 regarding the Intelligence Community's (IC) relationship with Department of Commerce's Investigations and Threat Management Service (ITMS).

On 03 September 2021, the Department of Commerce publicly released a "Report of the Programmatic Review of the Investigations and Threat Management Service" (Report). The Report provides a comprehensive review of ITMS and includes several recommendations for addressing the programmatic and systematic issues raised in the review. Among other things, the Report details certain interactions between ITMS and the IC.

As discussed in Commerce's Report, Executive Order 13587, "Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information," requires federal agencies to "implement an insider threat detection and prevention program consistent with guidance and standards developed by the [National] Insider Threat Task Force." The National Counterintelligence and Security Center, within the Office of the Director of National Intelligence (ODNI), has interacted with ITMS through the National Insider Threat Task Force (NITTF) in a manner consistent with its responsibilities under Executive Order 13587 to develop a Government-wide program for deterring, detecting, and mitigating insider threats. NITTF works extensively with all federal partners by providing programmatic guidance to help departments and agencies develop insider threat programs consistent with the National Insider Threat Policy and Minimum Standards.

Finally, while the ODNI has no record of providing equipment or detailing staff to ITMS, the ODNI maintains relationships with departments and agencies outside of the IC, including the Department of Commerce, in order to provide effective IC support to decision makers within those departments and agencies. These relationships, which are not operational in nature, are

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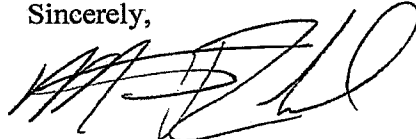
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conducted in a manner consistent with the requirements of IC Directive 404 and facilitate efforts to ensure the IC meets the intelligence needs of executive branch customers.

The ODNI has not identified any instances where ODNI's interactions with ITMS, including Commerce's access to intelligence, were inconsistent with IC policy governing interaction with similarly situated departments and agencies outside of the IC. We hope that Commerce's Report, along with these follow-up responses and additional information that is being provided by the Department of Commerce, will answer the questions raised in your letter.

If you have any questions, you may contact Legislative Affairs at (703) 275-2474.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Rhoades', written over a horizontal line.

Matthew C. Rhoades
Assistant Director for
Legislative Affairs