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U.S. Intelligence Community (IC): Appointment Dates and Appointment Legal Provisions for Selected IC Leadership

This report provides the names and appointment provisions for selected Intelligence Community (IC) senior officials, as reflected in U.S. Code, public laws, executive orders, and custom. **Table 1** also includes the committees involved when Senate confirmation is required. As a general rule, the Senate Select Committee on Intelligence (SSCI) has jurisdiction over the confirmation of those nominated to IC leadership positions *outside* the Department of Defense (DOD) while the Senate Armed Services Committee

(SASC) has jurisdiction over the confirmation of IC leadership positions *inside* the DOD. In some cases (e.g., the Directors of the National Security Agency and National Reconnaissance Office), nominations may be referred sequentially to the SSCI and the SASC, with the order of referral depending on the nominee's status as a member of the armed forces on active duty. If the nominee is active duty, the nomination begins with the SASC, if not, it begins with the SSCI.

Table 1. U.S. Intelligence Community (IC) Leadership: Appointment Dates and Legal Provisions

| Element | Leadership Appointment Date | Appointment Legal Provisions |
|---|---|---|
| Non-Department of Defense (DOD) | | |
| Office of the Director of National Intelligence (ODNI) | Director of National Intelligence (DNI) Daniel R. Coats (sworn in March 16, 2017) | 50 U.S.C. §3026(c) "Not more than one of [the DNI and the Principal Deputy DNI] may be a commissioned officer of the Armed Forces in active status"; §3023(a) presidentially appointed and Senate confirmed (SSCI). |
| Central Intelligence Agency (CIA) | Director of the CIA (DCIA) Gina C. Haspel (sworn in May 18, 2018) | 50 U.S.C. §3041(a)(2)(B) DNI recommends; then, pursuant to 50 U.S.C. §3036(a), presidentially appointed and Senate confirmed (SSCI). |
| Department of Energy, Office of Intelligence and Counterintelligence (DOE/OICI) | Director, Office of Intelligence and Counterintelligence Steven K. Black (March 8, 2013) | 50 U.S.C. §3041(b)(2)(E&F) DOE Secretary needs DNI to concur with recommendation; then pursuant to 50 U.S.C. §3041(b)(1), DOE Secretary appoints. |
| Department of Homeland Security, Office of Intelligence and Analysis (DHS/I&A) | Under Secretary for Intelligence and Analysis (U/IA) David J. Glawe (confirmed August 3, 2017) | 50 U.S.C. §3041(b)(2)(I) DHS Secretary needs DNI to concur with recommendation; then pursuant to 6 U.S.C. §121(b)(1), presidentially appointed, Senate confirmed (SSCI). |
| Department of Homeland Security, U.S. Coast Guard, Intelligence Division (USCG/CG-2) | Assistant Commandant for Intelligence (CG-2) RADM Robert P. Hayes (July 2016) | 50 U.S.C. §3041(c)(2)(B) USCG Commandant appoints, after consulting with the DNI. |
| Department of Justice, Drug Enforcement Administration, Office of National Security Intelligence (DEA/ONSI) | Assistant Administrator and Chief of Intelligence Douglas W. Poole (2015) | Senior Executive Appointments—5 U.S.C. §3151 establishes the FBI-DEA Senior Executive Service. |
| Department of Justice, Federal Bureau of Investigation, Intelligence Branch (FBI/IB) | Executive Assistant Director for Intelligence Joshua D. Skule (June 23, 2016) | 50 U.S.C. §3041(b)(2)(H) Attorney General needs DNI to concur with recommendation; then pursuant to 28 U.S.C. §532 note and §2002 of P.L. 108-458, Attorney General appoints. |
| Department of Justice, National Security Division (DOJ/NSD) (NSD is not an official element of the IC.) | Assistant Attorney General for National Security John C. Demers (confirmed February 15, 2018) | 50 U.S.C. §3041(c)(2)(C) Attorney General recommends, after consulting with the DNI; then pursuant to 28 U.S.C. §506 and S.Res. 470, 113 th Congress, presidentially appointed and Senate confirmed (Senate Judiciary Committee and SSCI). |

| Element | Leadership Appointment Date | Appointment Legal Provisions |
|--|---|---|
| Department of State, Bureau of Intelligence and Research (DOS/INR) | Assistant Secretary of State for Intelligence and Research Ellen E. McCarthy (sworn in January 17, 2019) | 50 U.S.C. §3041(b)(2)(D) Secretary DOS needs DNI to concur with recommendation; then pursuant to 22 U.S.C. §2651a (c)(1), presidentially appointed and Senate confirmed (SSCI). |
| Department of the Treasury, Office of Terrorism and Financial Intelligence (Treasury/OTFI) | Assistant Secretary of the Treasury for Intelligence and Analysis Isabella Marie Keenan Patelunas (confirmed August 28, 2018) | 50 U.S.C. §3041(b)(2)(G) Treasury Secretary needs DNI to concur with recommendation; then pursuant to 31 U.S.C. §311(b) presidentially appointed and Senate confirmed (SSCI). |
| Department of Defense | | |
| DOD-Wide | | |
| Office of the Under Secretary of Defense for Intelligence (OUSDI) (Office is not an official element of the IC.) | Under Secretary of Defense for Intelligence (USD(I)) and the DNI's Director of Defense Intelligence (DDI) Joseph D. Kernan (sworn in December 1, 2017) | E.O. 12333 §1.3(d)(2) DOD Secretary recommends, after consulting with the DNI; then pursuant to 10 U.S.C. §137(a), presidentially appointed and Senate confirmed (SASC). |
| Defense Intelligence Agency (DIA) | Director of the Defense Intelligence Agency (D/DIA) LTG Robert P. Ashley, Jr., U.S. Army (sworn in October 3, 2017) | 50 U.S.C. §3041(c)(2)(A) DOD Secretary recommends after consulting with DNI; then pursuant to 10 U.S.C. §601(a), as an active duty 3-star general, presidentially appointed, Senate confirmed (SASC). |
| National Geospatial-Intelligence Agency (NGA) | Director of the National Geospatial-Intelligence Agency (D/NGA) Vice Adm. Robert D. Sharp (sworn in February 7, 2019) | 50 U.S.C. §3041(b)(2)(C) DOD Secretary needs DNI to concur; then, pursuant to 10 U.S.C. §441(b) and §601(a), if civilian—presidentially appointed, if active duty military—presidentially appointed, Senate confirmed (SASC). |
| National Reconnaissance Office (NRO) | Director of the National Reconnaissance Office (D/NRO) Betty J. Sapp (sworn in July 6, 2012) Christopher Scolese , (nominated, February 7, 2019) | 50 U.S.C. §3041(b)(2)(B) DOD Secretary needs DNI to concur with the recommendation to the President; and 50 U.S.C. §3602(a)(2), Director is appointment by the President, Senate confirmed; then pursuant to S.Res. 470, Senate confirmed (SSCI and SASC). |
| National Security Agency/Central Security Service (NSA/CSS) | Commander, U.S. Cyber Command and Director, NSA/Chief, Central Security Service (DIRNSA/CHCSS) GEN Paul M. Nakasone, U.S. Army (sworn in May 4, 2018) | 50 U.S.C. §3041(b)(2)(A) DOD Secretary needs DNI to concur; then, pursuant to S.Res. 470, presidentially appointed, Senate confirmed (SSCI and SASC). |
| Service-Level | | |
| U.S. Air Force Intelligence (AF/A2) | Deputy Chief of Staff for Intelligence, Surveillance and Reconnaissance, Headquarters USAF (AF/A2) Lt Gen VeraLinn Jamieson, USAF (November 2016) | E.O. 12333 (as amended) §1.3(d)(2)—“relevant department head” is to consult with the DNI prior to these appointments; then pursuant to 10 U.S.C. §601 “Positions of importance and responsibility,” nominees are presidentially appointed, Senate confirmed (SASC). 10 USC §601(a): “The President may designate positions of importance and responsibility to carry the grade of general or admiral or lieutenant general or vice admiral.... An officer assigned to any such position has the grade specified ... by and with the advice and consent of the Senate.” |
| U.S. Army Intelligence (G2) | Deputy Chief of Staff (G-2), LTG Scott D. Berrier, U.S. Army (confirmed January 30, 2018) | |
| U.S. Marine Corps Intelligence (MCISRE) | Director of Intelligence (DIRINT) BGen Dimitry Henry, USMC (July 2017) | |
| U.S. Navy Intelligence (N2/N6) | Deputy Chief of Naval Operations for Information Dominance and Director of Naval Intelligence (N-2/N6) VADM Matthew J. Kohler, USN (June 2018) | |

Source: CRS, based on provisions in U.S. Code; E.O. 12333; and S.Res. 470, July 7, 2014.

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