



**Permanent Select Committee
on Intelligence
U.S. House of Representatives
December 22, 2022**

The Honorable Anne Milgram
Administrator
Drug Enforcement Administration
800 K Street NW, Suite 500
Washington, DC 20001

Dear Administrator Milgram:

The proliferation of foreign commercial cyber surveillance tools raises significant policy and counterintelligence concerns for the Intelligence Community (IC) and the broader U.S. Government. To more effectively address these challenges, the Intelligence Authorization Act for Fiscal Year 2023, incorporated into the soon-to-be-enacted National Defense Authorization Act for Fiscal Year 2023, provides the IC with new authorities to mitigate the national security threats posed by foreign commercial spyware.

Recent public reporting indicates that the Drug Enforcement Administration (DEA) may be utilizing one such spyware product, Graphite, sold by the company Paragon, in its operations. Such use could have potential implications for U.S. national security, as well as run contrary to efforts to deter the broad proliferation of powerful surveillance capabilities to autocratic regimes and others who may misuse them.

Pursuant to 50 U.S.C. § 3092, all U.S. Government agencies “involved in intelligence activities” must provide “any information or material concerning” those activities to the congressional intelligence committees upon request. Therefore, to inform ongoing congressional oversight, the Committee requests your written answers to the enclosed classified questions no later than January 15, 2023. We further request that you commit to make available relevant DEA leadership to provide additional briefings to Committee staff as needed.

We look forward to receiving a timely response and appreciate the Department of Justice's commitment to countering the unauthorized exploitation of Americans' sensitive data, as well as to act decisively against the threats posed by foreign commercial spyware.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam B. Schiff". The signature is fluid and cursive, with a large initial "A" and "S".

Adam B. Schiff
Chairman

Classified Enclosure

The Honorable Michael R. Turner, Ranking Member
The Honorable Avril D. Haines, Director of National Intelligence
The Honorable Lisa O. Monaco, Deputy Attorney General