

United States Senate

WASHINGTON, DC 20510-0908

February 8, 2023

The Honorable Lloyd Austin
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

The Honorable Avril Haines
Director
Office of the Director of National Intelligence
1500 Tysons McLean Drive
McLean, VA 22102

Dear Secretary Austin and Director Haines:

Since it became public knowledge on Thursday, February 2, that a high-altitude Chinese surveillance balloon was traversing our nation, the Senate Armed Services Committee and Senate Select Committee on Intelligence have requested information on the timeline of events and the Biden Administration's response to this serious matter.

We are grateful to our men and women in uniform and our intelligence community who did their duty at the tactical level. However, there are a number of outstanding questions about what happened and why the Administration allowed an adversarial intelligence platform to move from Alaska to the Carolinas uninterrupted. We also lack a clear understanding of our senior national security leaders' response to the Chinese surveillance balloon's trajectory from first detection to January 28, when the Commander of U.S. Northern Command and NORAD Gen. Glen VanHerck notified his chain of command of the balloon, and until February 1, when President Biden finally ordered the Department to shoot down the balloon over water.

The appropriate Congressional committees need to understand better what President Biden and other senior officials knew about the Chinese surveillance balloon, when they knew it, what options were presented at different points in time, and why our government did not take action sooner. This incident is only the latest in a series of increasingly brazen violations of our nation's sovereignty by the Chinese Communist Party. It is also hard to separate Beijing's intent to conduct new forms of reconnaissance over our most important nuclear weapons sites from the recent news that Chinese ground-based nuclear launchers now outnumber ours.

We are also requesting an explanation of why the Department of Defense has failed repeatedly to propose relevant investments to enhance air domain awareness capabilities for Northern Command – especially in the Alaska air defense identification zone – in its budget requests. We want to know what opportunities exist for Congress and the Department of Defense to partner in accelerating such investments.

Finally, in light of the Biden Administration's recent acknowledgement of previous Chinese surveillance balloons that have entered U.S. airspace, we need to understand whether the Administration had developed any options to counter this threat prior to the latest balloon and what changes to air defense procedures may be necessary. We also need to understand why the Administration chose to disclose intelligence publicly during this incident in a manner that

served no public warning purpose and generated a climate of partisan recrimination that placed our intelligence agencies at the center of it.

It is of paramount importance that we receive a full accounting for these questions. We respectfully request answers, in a classified form if necessary, to the questions in the attached document by February 17.

Thank you for your attention to this urgent matter.

Sincerely,



Roger Wicker
U.S. Senator



Marco Rubio
U.S. Senator

Questions

NORTHCOM has indicated that Gen. VanHerck notified the Secretary of Defense and the Chairman of the Joint Chiefs of Staff of the high-altitude Chinese surveillance balloon on Saturday, January 28.

1. When did Gen. VanHerck receive his first indication of the balloon, and how?
 2. At what point did Secretary Austin first become aware of the balloon and its trajectory?
 3. At what point did the Chairman of the Joint Chiefs of Staff become aware of the balloon and its trajectory?
 4. At what point did either the Department of Defense or the Joint Chiefs of Staff notify the President's national security adviser of the balloon and its trajectory?
 5. At what point was President Biden notified of the balloon and its trajectory?
 6. At what point did the Department of Defense present options to the Secretary of Defense and the President, respectively, for addressing the Chinese surveillance balloon?
 7. Please provide a full accounting, with date and time stamps, of Gen. VanHerck's electronic, written, and verbal communications regarding the balloon both within NORTHCOM and to his chain of command.
 8. Please provide a full accounting, with date and time stamps, of the Chairman of the Joint Chiefs' engagements with the National Security Council and the President of the United States, regarding the balloon and its trajectory.
 9. Please provide a full accounting, with date and time stamps, of the Chairman of the Joint Chiefs' engagements with the National Security Council and the President of the United States, regarding the balloon and its trajectory.
- Since the Chinese surveillance balloon became public knowledge, the Biden administration has said that multiple balloons had entered U.S. airspace during the

previous administration. However, Gen. VanHerck said publicly that those balloons were discovered by the intelligence community “after the fact,” and not known to senior officials at the time.

10. At what point did the intelligence community and/or the Department of Defense become aware of the Chinese high-altitude balloons that had previously entered U.S. airspace?
 11. How many balloons does the intelligence community and/or the Department of Defense assess entered U.S. airspace, when did they enter U.S. airspace, and what were the capabilities and trajectories of those balloons? Please provide a full list and account with the known details.
 12. Given the Department’s awareness of these prior Chinese high-altitude balloons, did the Department develop any options for countering those balloons before they entered U.S. airspace, upon entry into U.S. airspace, or soon after entering U.S. airspace?
 - a. If so, what were those options?
 - b. If so, why were those options not presented to the Secretary of Defense and/or President when Gen. VanHerck notified the chain of command of the most recent balloon on January 28?
 13. Please provide a full account of the Department’s engagements with the press regarding Chinese high-altitude balloons’ entry into U.S. airspace during the previous administration.
 14. Have senior DOD officials spoken with the press about these previous high-altitude balloons, whether on- or off-the-record? Please provide the dates of his press engagements on this matter.
- General VanHerck stated that Northern Command did not possess the requisite air domain awareness capabilities to detect prior airspace incursions by Chinese high-altitude balloons.
 15. In General VanHerck’s independent assessment, what capabilities would be required to reliably detect and track high-altitude balloons across U.S. airspace?
 16. Are there any unfunded requirements proposed by Northern Command over the past five years that would have assisted in mitigating this air domain awareness gap?
 17. Does the Department of Defense assess that any capabilities currently in the Department of Defense acquisition system process or resident in the Global Force Management Allocation progress that could help to mitigate air domain awareness gaps at Northern Command?
 18. After the intelligence community (IC) reportedly began tracking the Chinese high-altitude balloon at Hainan Island, how was this intelligence passed to the relevant combatant command, US Indo-Pacific Command (USINDOPACOM)? Was USINDOPACOM able to maintain custody of the Chinese high-altitude balloons?
 19. At any point on their trajectory, did these balloons traverse Guam or any of the Hawaiian Islands?
 20. Did USINDOPACOM produce any intelligence reports or finished intelligence regarding the Chinese high-altitude balloons traversing their area of responsibility?
 21. How was the IC able to assess that the Chinese high-altitude balloon that entered US airspace through Alaska was not an intelligence threat?
 22. Since the IC was able to identify the Chinese high-altitude balloon’s origins, when did the IC begin collection and/or exploitation against its payload?