
From: Toscas, George (NSD)
Sent: Thursday, July 10, 2014 10:44 AM
To: Carr, Peter (OPA); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: Re: call from CIA Deputy General Counsel

Apologies, but wanted to propose one final tweak after seeing it in prin (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:27 AM Eastern Standard Time
To: Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine, thx everyone. We'll use this:

(b) (5)

[REDACTED]

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 10:20 AM
To: Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

Channing

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 10:18 AM
To: McCord, Mary (NSD); Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

OK with OLA

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:13 AM
To: Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

(b) (5)

[REDACTED]

[REDACTED]

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 9:56 AM
To: Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Looks good to me

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 9:52 AM
To: Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:51 AM
To: Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine with this edit, thanks.

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 9:38 AM
To: Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

See suggestion belo (b) (5)

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:30 AM
To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Here's a draft for the AG and OPA to use in response to inquiries:

(b) (5)

From: Cheung, Denise (OAG)
Sent: Thursday, July 10, 2014 09:17 AM
To: Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Adding Brian Fallon. The AG has a scheduled press event Friday morning UK time (b) (5)

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 02:04 PM
To: Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

I have spoken to Marshall and OLA is fine with this plan.

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Miller, Marshall
Sent: Thursday, July 10, 2014 8:42 AM
To: McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: RE: call from CIA Deputy General Counsel

(b)5 [Redacted]

(b)5 [Redacted]

Unless someone has a further objection, I will communicate those responses.

Thanks.
Marshall

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 7:00 AM
To: Toscas, George (NSD)
Cc: Caldwell, Leslie R; Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

George and I discussed this during the night an (b) (5) [Redacted]

On Jul 10, 2014, at 2:10 AM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5) [Redacted]

From: Caldwell, Leslie R
Sent: Thursday, July 10, 2014 12:01 AM Eastern Standard Time
To: Toscas, George (NSD)
Cc: Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Bitkower, David

Subject: Re: call from CIA Deputy General Counsel

(b)5
[Redacted]

Sent from my iPhone

On Jul 9, 2014, at 10:30 PM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5)
[Redacted]

From: Miller, Marshall
Sent: Wednesday, July 09, 2014 10:06 PM Eastern Standard Time
To: Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: RE: call from CIA Deputy General Counsel

(b)5
[Redacted]

From: Goldberg, Stuart (ODAG)
Sent: Wednesday, July 09, 2014 10:05 PM
To: Miller, Marshall; Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: Re: call from CIA Deputy General Counsel

(b) (5)

From: Miller, Marshall

Sent: Wednesday, July 09, 2014 09:43 PM Eastern Standard Time

To: Phillips, Channing D. (OAG); Cheung, Denise (OAG); Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: call from CIA Deputy General Counsel

All:

I received a call this evening from (b) (6), a deputy general counsel at the Agency.

(b) (5)

Thanks.
Marshall

Marshall L. Miller

Principal Deputy Assistant Attorney General & Chief of Staff

U.S. Department of Justice, Criminal Division

(202) 514-1154

marshall.miller2@usdoj.gov

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:45 AM
To: Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Sure, thx.

From: Toscas, George (NSD)
Sent: Thursday, July 10, 2014 10:44 AM
To: Carr, Peter (OPA); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: Re: call from CIA Deputy General Counsel

Apologies, but wanted to propose one final tweak after seeing it in print. (b)5

(b)5

(b)5

(b)5

(b)5

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:27 AM Eastern Standard Time
To: Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine, thx everyone. We'll use this:

(b) (5)

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 10:20 AM
To: Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

Channing

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 10:18 AM
To: McCord, Mary (NSD); Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

OK with OLA

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.i.kadzik@usdoj.gov

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:13 AM
To: Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

How about (b) (5)

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 9:56 AM
To: Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Looks good to me

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 9:52 AM
To: Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:51 AM
To: Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine with this edit, thanks.

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 9:38 AM
To: Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

See suggestion below

(b) (5)

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:30 AM
To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Here's a draft for the AG and OPA to use in response to inquiries:

(b) (5)

From: Cheung, Denise (OAG)
Sent: Thursday, July 10, 2014 09:17 AM
To: Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Adding Brian Fallon. The AG has a scheduled press event Friday morning UK time (b) (5)

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 02:04 PM
To: Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

I have spoken to Marshall and OLA is fine with this plan.

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.i.kadzik@usdoj.gov

From: Miller, Marshall
Sent: Thursday, July 10, 2014 8:42 AM
To: McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: RE: call from CIA Deputy General Counsel

(b)5 [Redacted]

(b)5 [Redacted]

Unless someone has a further objection, I will communicate those responses.

Thanks.
Marshall

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 7:00 AM
To: Toscas, George (NSD)
Cc: Caldwell, Leslie R; Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

George and I discussed this during the night an (b) (5) [Redacted]

On Jul 10, 2014, at 2:10 AM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5) [Redacted]

(b) (5)

From: Caldwell, Leslie R

Sent: Thursday, July 10, 2014 12:01 AM Eastern Standard Time

To: Toscas, George (NSD)

Cc: Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Bitkower, David

Subject: Re: call from CIA Deputy General Counsel

(b)5

Sent from my iPhone

On Jul 9, 2014, at 10:30 PM, "Toscas, George (NSD)" <qtoscas@imd.usdoj.gov> wrote:

(b) (5)

From: Miller, Marshall

Sent: Wednesday, July 09, 2014 10:06 PM Eastern Standard Time

To: Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: RE: call from CIA Deputy General Counsel

(b)5

From: Goldberg, Stuart (ODAG)
Sent: Wednesday, July 09, 2014 10:05 PM
To: Miller, Marshall; Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: Re: call from CIA Deputy General Counsel

(b) (5)

From: Miller, Marshall
Sent: Wednesday, July 09, 2014 09:43 PM Eastern Standard Time
To: Phillips, Channing D. (OAG); Cheung, Denise (OAG); Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: call from CIA Deputy General Counsel

All:

I received a call this evening from (b) (6), a deputy general counsel at the Agency.

(b) (5)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thanks.
Marshall

Marshall L. Miller

Principal Deputy Assistant Attorney General & Chief of Staff

U.S. Department of Justice, Criminal Division

(202) 514-1154

marshall.miller2@usdoj.gov

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 10:53 AM
To: Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

(b)5

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:45 AM
To: Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Sure, thx.

From: Toscas, George (NSD)
Sent: Thursday, July 10, 2014 10:44 AM
To: Carr, Peter (OPA); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: Re: call from CIA Deputy General Counsel

Apologies, but wanted to propose one final tweak after seeing it in print. (b)5

(b)5

(b)5

(b)5

(b)5

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:27 AM Eastern Standard Time
To: Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine, thx everyone. We'll use this:

(b) (5)

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 10:20 AM
To: Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

Channing

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 10:18 AM
To: McCord, Mary (NSD); Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

OK with OLA

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: McCord, Mary (NSD)

Sent: Thursday, July 10, 2014 10:13 AM

To: Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)

Subject: RE: call from CIA Deputy General Counsel

How about (b) (5)

From: Pierce, Emily (OPA)

Sent: Thursday, July 10, 2014 9:56 AM

To: Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)

Subject: RE: call from CIA Deputy General Counsel

Looks good to me

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 9:52 AM
To: Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:51 AM
To: Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine with this edit, thanks.

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 9:38 AM
To: Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

See suggestion belo

(b) (5)

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:30 AM
To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Here's a draft for the AG and OPA to use in response to inquiries:

(b) (5)

From: Cheung, Denise (OAG)
Sent: Thursday, July 10, 2014 09:17 AM
To: Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Adding Brian Fallon. The AG has a scheduled press event Friday morning UK time (b) (5)

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 02:04 PM
To: Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

I have spoken to Marshall and OLA is fine with this plan.

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Miller, Marshall

Sent: Thursday, July 10, 2014 8:42 AM

To: McCord, Mary (NSD); Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David

Subject: RE: call from CIA Deputy General Counsel

(b)5

(b)5

Unless someone has a further objection, I will communicate those responses.

Thanks.
Marshall

From: McCord, Mary (NSD)

Sent: Thursday, July 10, 2014 7:00 AM

To: Toscas, George (NSD)

Cc: Caldwell, Leslie R; Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David

Subject: Re: call from CIA Deputy General Counsel

George and I discussed this during the night an (b)5
[Redacted]

On Jul 10, 2014, at 2:10 AM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5)
[Redacted]

From: Caldwell, Leslie R
Sent: Thursday, July 10, 2014 12:01 AM Eastern Standard Time
To: Toscas, George (NSD)
Cc: Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

(b)5
[Redacted]

Sent from my iPhone

On Jul 9, 2014, at 10:30 PM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5)
[Redacted]

(b) (5)

From: Miller, Marshall

Sent: Wednesday, July 09, 2014 10:06 PM Eastern Standard Time

To: Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: RE: call from CIA Deputy General Counsel

(b)5

From: Goldberg, Stuart (ODAG)

Sent: Wednesday, July 09, 2014 10:05 PM

To: Miller, Marshall; Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: Re: call from CIA Deputy General Counsel

(b) (5)

From: Miller, Marshall

Sent: Wednesday, July 09, 2014 09:43 PM Eastern Standard Time

To: Phillips, Channing D. (OAG); Cheung, Denise (OAG); Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: call from CIA Deputy General Counsel

All:

I received a call this evening from (b) (6), a deputy general counsel at the Agency.

(b) (5)

(b) (5)

Thanks.
Marshall

Marshall L. Miller

Principal Deputy Assistant Attorney General & Chief of Staff

U.S. Department of Justice, Criminal Division

(202) 514-1154

marshall.miller2@usdoj.gov

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:54 AM
To: Pierce, Emily (OPA); Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Agree

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 10:53 AM
To: Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

(b) (5)

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:45 AM
To: Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Sure, thx.

From: Toscas, George (NSD)
Sent: Thursday, July 10, 2014 10:44 AM
To: Carr, Peter (OPA); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)

Subject: Re: call from CIA Deputy General Counsel

Apologies, but wanted to propose one final tweak after seeing it in print (b) (5)

From: Carr, Peter (OPA)

Sent: Thursday, July 10, 2014 10:27 AM Eastern Standard Time

To: Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)

Subject: RE: call from CIA Deputy General Counsel

Fine, thx everyone. We'll use this:

(b) (5)

From: Phillips, Channing D. (OAG)

Sent: Thursday, July 10, 2014 10:20 AM

To: Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)

Subject: RE: call from CIA Deputy General Counsel

Ditto.

Channing

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 10:18 AM
To: McCord, Mary (NSD); Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

OK with OLA

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:13 AM
To: Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

How about (b) (5)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 9:56 AM
To: Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Looks good to me

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 9:52 AM
To: Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:51 AM
To: Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine with this edit, thanks.

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 9:38 AM
To: Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas,

George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)

Subject: RE: call from CIA Deputy General Counsel

See suggestion below (b) (5)

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Carr, Peter (OPA)

Sent: Thursday, July 10, 2014 9:30 AM

To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)

Subject: Re: call from CIA Deputy General Counsel

Here's a draft for the AG and OPA to use in response to inquiries:

(b) (5)

From: Cheung, Denise (OAG)

Sent: Thursday, July 10, 2014 09:17 AM

To: Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)

Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)

Subject: Re: call from CIA Deputy General Counsel

Adding Brian Fallon. The AG has a scheduled press event Friday morning UK time (b) (5)

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 02:04 PM
To: Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

I have spoken to Marshall and OLA is fine with this plan.

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Miller, Marshall
Sent: Thursday, July 10, 2014 8:42 AM
To: McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: RE: call from CIA Deputy General Counsel

(b)5

(b)5

Unless someone has a further objection, I will communicate those responses.

Thanks.
Marshall

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 7:00 AM
To: Toscas, George (NSD)
Cc: Caldwell, Leslie R; Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

George and I discussed this during the night an (b) (5)
[Redacted]

On Jul 10, 2014, at 2:10 AM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5)
[Redacted]

From: Caldwell, Leslie R
Sent: Thursday, July 10, 2014 12:01 AM Eastern Standard Time
To: Toscas, George (NSD)
Cc: Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

(b)5
[Redacted]

Sent from my iPhone

On Jul 9, 2014, at 10:30 PM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5)

[Redacted]

From: Miller, Marshall
Sent: Wednesday, July 09, 2014 10:06 PM Eastern Standard Time
To: Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: RE: call from CIA Deputy General Counsel

(b)5

[Redacted]

From: Goldberg, Stuart (ODAG)
Sent: Wednesday, July 09, 2014 10:05 PM
To: Miller, Marshall; Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: Re: call from CIA Deputy General Counsel

(b) (5)

[Redacted]

From: Miller, Marshall
Sent: Wednesday, July 09, 2014 09:43 PM Eastern Standard Time
To: Phillips, Channing D. (OAG); Cheung, Denise (OAG); Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R

Subject: call from CIA Deputy General Counsel

All:

I received a call this evening from (b) (6), a deputy general counsel at the Agency.

(b) (5)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thanks.
Marshall

Marshall L. Miller

Principal Deputy Assistant Attorney General & Chief of Staff

U.S. Department of Justice, Criminal Division

(202) 514-1154

marshall.miller2@usdoj.gov

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 1:45 PM
To: McCord, Mary (NSD); Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fyi just saw that my old rag Roll Call is quoting Feinstein:

Approached entering a Democratic caucus luncheon, Feinstein told CQ Roll Call she was pleased with the news.

“I’m delighted to hear that. I think it’s the right thing, and I gather they have dropped both investigations,” Feinstein said. “So that’s that, and I couldn’t be happier.”

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:54 AM
To: Pierce, Emily (OPA); Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Agree

From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 10:53 AM
To: Carr, Peter (OPA); Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

(b) (5)

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:45 AM
To: Toscas, George (NSD); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Sure, thx.

From: Toscas, George (NSD)
Sent: Thursday, July 10, 2014 10:44 AM
To: Carr, Peter (OPA); Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: Re: call from CIA Deputy General Counsel

Apologies, but wanted to propose one final tweak after seeing it in print (b)5
[Redacted]

(b) (5)
[Redacted]

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 10:27 AM Eastern Standard Time
To: Phillips, Channing D. (OAG); Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine, thx everyone. We'll use this:

(b) (5)

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 10:20 AM
To: Kadzik, Peter J (OLA); McCord, Mary (NSD); Pierce, Emily (OPA); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

Channing

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 10:18 AM
To: McCord, Mary (NSD); Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

OK with OLA

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.i.kadzik@usdoj.gov

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 10:13 AM
To: Pierce, Emily (OPA); Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

How about (b) (5)



From: Pierce, Emily (OPA)
Sent: Thursday, July 10, 2014 9:56 AM
To: Phillips, Channing D. (OAG); Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Looks good to me

From: Phillips, Channing D. (OAG)
Sent: Thursday, July 10, 2014 9:52 AM
To: Carr, Peter (OPA); Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Ditto.

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:51 AM
To: Kadzik, Peter J (OLA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA); Pierce, Emily (OPA); Richardson, Margaret (OAG); Raimondi, Marc (OPA); Singh, Anita (NSD)
Subject: RE: call from CIA Deputy General Counsel

Fine with this edit, thanks.

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 9:38 AM
To: Carr, Peter (OPA); Cheung, Denise (OAG); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

See suggestion below (b) (5)

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Carr, Peter (OPA)
Sent: Thursday, July 10, 2014 9:30 AM

To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Here's a draft for the AG and OPA to use in response to inquiries:

(b) (5)

From: Cheung, Denise (OAG)
Sent: Thursday, July 10, 2014 09:17 AM
To: Kadzik, Peter J (OLA); Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: Re: call from CIA Deputy General Counsel

Adding Brian Fallon. The AG has a scheduled press event Friday morning UK time (b) (5)

From: Kadzik, Peter J (OLA)
Sent: Thursday, July 10, 2014 02:04 PM
To: Miller, Marshall; McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David; Agrast, Mark D. (OLA); Hayden, Paul A. (OLA)
Subject: RE: call from CIA Deputy General Counsel

I have spoken to Marshall and OLA is fine with this plan.

Peter J. Kadzik

Assistant Attorney General

Office of Legislative Affairs

(202) 514-2141

peter.j.kadzik@usdoj.gov

From: Miller, Marshall
Sent: Thursday, July 10, 2014 8:42 AM
To: McCord, Mary (NSD); Toscas, George (NSD)
Cc: Caldwell, Leslie R; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: RE: call from CIA Deputy General Counsel

(b)5 [Redacted]

(b)5 [Redacted]

Unless someone has a further objection, I will communicate those responses.

Thanks.
Marshall

From: McCord, Mary (NSD)
Sent: Thursday, July 10, 2014 7:00 AM
To: Toscas, George (NSD)
Cc: Caldwell, Leslie R; Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); Bitkower, David
Subject: Re: call from CIA Deputy General Counsel

George and I discussed this during the night (b) (5) [Redacted]

On Jul 10, 2014, at 2:10 AM, "Toscas, George (NSD)" <gtoscas@jmd.usdoj.gov> wrote:

(b) (5) [Redacted]

(b) (5)

From: Caldwell, Leslie R

Sent: Thursday, July 10, 2014 12:01 AM Eastern Standard Time

To: Toscas, George (NSD)

Cc: Miller, Marshall; Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Bitkower, David

Subject: Re: call from CIA Deputy General Counsel

(b)5

Sent from my iPhone

On Jul 9, 2014, at 10:30 PM, "Toscas, George (NSD)" <gtoscas@imd.usdoj.gov> wrote:

(b) (5)

From: Miller, Marshall

Sent: Wednesday, July 09, 2014 10:06 PM Eastern Standard Time

To: Goldberg, Stuart (ODAG); Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)

Cc: Bitkower, David; Caldwell, Leslie R

Subject: RE: call from CIA Deputy General Counsel

(b)5

From: Goldberg, Stuart (ODAG)
Sent: Wednesday, July 09, 2014 10:05 PM
To: Miller, Marshall; Phillips, Channing D. (OAG); Cheung, Denise (OAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: Re: call from CIA Deputy General Counsel

(b) (5)

From: Miller, Marshall
Sent: Wednesday, July 09, 2014 09:43 PM Eastern Standard Time
To: Phillips, Channing D. (OAG); Cheung, Denise (OAG); Goldberg, Stuart (ODAG); Lan, Iris (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Carr, Peter (OPA); McCord, Mary (NSD); Toscas, George (NSD)
Cc: Bitkower, David; Caldwell, Leslie R
Subject: call from CIA Deputy General Counsel

All:

I received a call this evening from (b) (6), a deputy general counsel at the Agency.

(b) (5)

Thanks.
Marshall

Marshall L. Miller

Principal Deputy Assistant Attorney General & Chief of Staff

U.S. Department of Justice, Criminal Division

(202) 514-1154

marshall.miller2@usdoj.gov

From: Fallon, Brian (OPA)
Sent: Friday, August 01, 2014 6:11 PM
To: Cheung, Denise (OAG); Kadzik, Peter J (OLA); Richardson, Margaret (OAG)
Subject: FW: For the wrap

From: Carr, Peter (OPA)
Sent: Friday, August 01, 2014 6:05 PM
To: Hornedo, George (OPA); Pierce, Emily (OPA)
Cc: Fallon, Brian (OPA)
Subject: For the wrap

Sen. Wyden Calls for Reopening of CIA Spying Inquiry (OPA)

Following the release of the CIA Office of Inspector General report finding CIA employees improperly searched the computers of U.S. Senate staffers, Sen. Ron Wyden called on the department to reopen its inquiry into whether the searches violated federal law. The department provided the following statement:

- “We already carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation. As part of that review, the department consulted with the CIA Office of Inspector General and had access to the information in their report.”

From: Alcindor, Lew
Sent: Friday, August 01, 2014 6:30 PM
To: Fallon, Brian (OPA)
Subject: Re: Transmittal Letter

Exactly right. (b) (5)

(b) (5)

From: Fallon, Brian (OPA)
Sent: Friday, August 01, 2014 06:22 PM
To: Alcindor, Lew
Subject: RE: Transmittal Letter

Yep, got it.

FYI - Wyden already calling for us to "reopen" the investigation into the CIA's treatment of the Senate staffers working on the report. (b) (5)

(b) (5)

From: Alcindor, Lew
Sent: Friday, August 01, 2014 6:16 PM
To: Fallon, Brian (OPA)
Subject: Fw: Transmittal Letter

(b) (5)

From: Richardson, Margaret (OAG)
Sent: Friday, August 01, 2014 05:37 PM
To: Alcindor, Lew; Cole, James (ODAG); Goldberg, Stuart (ODAG); Gauhar, Tashina (ODAG); Kadzik, Peter J (OLA); Fallon, Brian (OPA); Cheung, Denise (OAG); Swartz, Bruce; Delery, Stuart F. (CIV)
Subject: Fw: Transmittal Letter

The report has been transmitted to the Hill.

From: McCombs, Claire [mailto:(b) (6)]
Sent: Friday, August 01, 2014 05:29 PM Eastern Standard Time
To: Richardson, Margaret (OAG)
Subject: Transmittal Letter

Hi Margaret –

Attached is a letter from Neil to Chair Feinstein that accompanied the report to the Hill earlier this afternoon. The AG is cc'd.

Thanks,

Claire

Claire McCombs
Office of White House Counsel

(b) (6) (o) (b) (6) (bb)

From: Roll Call News Alert <rollcall@e.rollcall.com>
Sent: Tuesday, March 11, 2014 10:33 AM
To: Goldberg, Stuart (ODAG)
Subject: Feinstein: CIA Spied on Intelligence Committee

Roll Call - News Alert
Tuesday, March 11, 2014

Feinstein: CIA Spied on Intelligence Committee March 11, 2014, 10:22 a.m.

The chairwoman of the Senate Intelligence Committee torched the CIA in a floor speech Tuesday morning, charging the agency with spying on her committee's computers in a possibly illegal search that threatens the separation of powers.
http://www.rollcall.com/news/feinstein_cia_spied_on_intelligence_committee-231371-1.html?ET_rollcall:e17319:50344a:&st_email&pos_ebn?pos_ebn

View as HTML: http://www.rollcall.com/eletter/profile/X?ET_rollcall:e17319:50344a:&st_email

Forward: http://www.rollcall.com/forward//X?ET_rollcall:e17319:50344a:&st_email

Edit Email Preferences: http://www.rollcall.com/profile/?ET_rollcall:e17319:50344a:&st_email

Safely unsubscribe: http://www.rollcall.com/unsub//50344X?ET_rollcall:e17319:50344a:&st_email

Visit Rollcall.com: http://www.rollcall.com?ET_rollcall:e17319:50344a:&st_email

Subscribe to Rollcall.com: http://www.rollcall.com/subscribe/?ET_rollcall:e17319:50344a:&st_email

An Economist Group Business. Copyright 2014 CQ-Roll Call, Inc. All rights reserved

From: Walsh, James (ODAG)
Sent: Friday, March 14, 2014 2:45 PM
To: Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Subject: Sensenbrenner follow-up

Attached is Sensenbrenner's follow-up to the letter he sent the DAG on Feb. 11 (also attached) (b) (5) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



20140313110214...

From: Walsh, James (ODAG)
Sent: Friday, March 14, 2014 2:47 PM
To: Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Cc: Fitzpatrick, Benjamin B. (ODAG)
Subject: RE: Sensenbrenner follow-up

This time with both letters + Ben.



Sensenbrenner Issa 20140313110214...
Nadler lett...

From: Walsh, James (ODAG)
Sent: Friday, March 14, 2014 2:45 PM
To: Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Subject: Sensenbrenner follow up

Attached is Sensenbrenner's follow-up to the letter he sent the DAG on Feb. 11 (also attached (b) (5) [redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

<< File: 20140313110214848.pdf >>

F. JAMES SENSENBRENNER, JR.
FIFTH DISTRICT, WISCONSIN
COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON
CRIME, TERRORISM, AND
HOMELAND SECURITY
CHAIRMAN
COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
VICE-CHAIRMAN



Congress of the United States
House of Representatives
Washington, DC 20515-4905

WASHINGTON OFFICE:
ROOM 2449
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4905
202-225-5101
DISTRICT OFFICE:
120 BISHOPS WAY, ROOM 154
BROOKFIELD, WI 53005-6294
262-784-1111
OUTSIDE MILWAUKEE METRO
CALLING AREA:
1-800-242-1119
WEBSITE:
[HTTP://SENSENBRENNER.HOUSE.GOV](http://SENSENBRENNER.HOUSE.GOV)

March 13, 2014

The Honorable Deputy Attorney General James Cole
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Dear Deputy Attorney General Cole:

On February 11, I sent a letter, cosigned by my colleagues, Congressmen Darrell Issa and Jerrold Nadler, asking you to clarify statements you made before the House Judiciary Committee. At the House Judiciary Committee hearing on February 4, Congressman Issa asked whether the National Security Agency (NSA) collected information on call records from Congressional offices. You responded, "We probably do, Mr. Congressman, but we're not allowed to look at any of those, however, unless we have reasonable, articulable suspicion that those numbers are related to a known terrorist threat."¹

Our letter identified a situation when the NSA would collect information on call records from Congressional offices (and Americans more generally) even without any reasonable articulable suspicion at all.² It has been over a month and my colleagues and I have not received a response. This issue is even more pressing given recent statements from Senate Intelligence Chairman Dianne Feinstein.

In remarks on the Senate floor, Senator Feinstein accused the Central Intelligence Agency (CIA) of secretly searching computers and removing documents from computers used by committee staff members. According to press reports, the CIA's acting general counsel also filed a criminal report with the Department of Justice concerning the committee staff's actions.

Even in the context of recent revelations, Senator Feinstein's allegations are shocking. As you know, the CIA is legally barred from any domestic searches or surveillance.³ Additionally, tapping into computers used by members of Congress and attempts to use the Justice Department to intimidate Congressional staff is a gross violation of the Constitutional principles of separation of powers. It paints an almost-Nixonian picture of an Administration that believes it can act with impunity behind a veil of secrecy.

I am therefore writing to expedite your response to our February 11 letter. I remind you that the inquiry in the letter was broader than Chairman Issa's original inquiry and requested disclosure of all of the ways in which the government conducts, or may possibly conduct surveillance on Members of

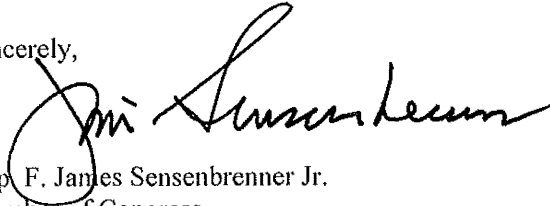
¹ Testimony of Deputy Attorney General James Cole, House Judiciary Committee (February 4, 2014).

² The standard "reasonable, articulable suspicion" is apparently one of the NSA's creation as it does not appear anywhere in Section 215 of the Patriot Act from which the NSA's authority derives.

³ (50 U.S.C. 403-3(d)(1))

Congress. This would include the CIA's invasion of the Senate Intelligence Committee's computers as well as any unknown instances of monitoring, spying on, or otherwise conducting surveillance over Members of Congress and their staff. I request a response no later than March 28, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "F. James Sensenbrenner Jr.", written in a cursive style. The signature is positioned to the right of the word "Sincerely," and partially overlaps the typed name below.

Rep. F. James Sensenbrenner Jr.
Member of Congress

F. JAMES SENSENBRENNER, JR.
FIFTH DISTRICT, WISCONSIN

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON
CRIME, TERRORISM, AND
HOMELAND SECURITY
CHAIRMAN

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
VICE-CHAIRMAN



Congress of the United States
House of Representatives
Washington, DC 20515-4905
February 11, 2014

WASHINGTON OFFICE:
ROOM 2449
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4905
202-225-5101

DISTRICT OFFICE:
120 BISHOPS WAY, ROOM 154
BROOKFIELD, WI 53005-6294
262-784-1111

OUTSIDE MILWAUKEE METRO
CALLING AREA:
1-800-242-1119

WEBSITE:
[HTTP://SENSENBRENNER.HOUSE.GOV](http://SENSENBRENNER.HOUSE.GOV)

The Honorable Deputy Attorney General James Cole
Attorney General
U.S. Department of Justice
Washington, DC 20530

Dear Deputy Attorney General Cole,

At the House Judiciary Committee hearing on February 4, Congressman Issa asked whether the National Security Agency (NSA) collected information on call records from Congressional offices. You responded, "We probably do, Mr. Congressman, but we're not allowed to look at any of those, however, unless we have reasonable, articulable suspicion that those numbers are related to a known terrorist threat."¹

Executive Branch surveillance of the Congress is by itself troubling, but your statement was not entirely accurate, and we ask that you provide clarification for the record.

As described in public and declassified materials, prior to the President's announced changes to the program on January 17, the NSA's collection process comprised four steps: (1) collection, (2) query, (3) analysis with up to 3 hops, and (4) retention. The agency began by collecting and storing data from certain service providers in the United States. The NSA would query that data when it determined unilaterally that there was a "reasonable, articulable suspicion" that the number was related to terrorism.

The NSA would then compile a dataset of up to three "hops" from this first number. In other words, the agency gathered the records of (1) people in contact with the seed number; (2) people in contact with the people in contact with the seed number; and (3) people in contact with the people in contact with the people in contact with the seed number. Finally, after collecting and analyzing these call records, the NSA would transfer the results to the so-called "corporate store," a separate database that analysts were permitted to search without any showing of particularized suspicion.

In ruling that this bulk collection program was likely unconstitutional, Judge Leon of the Federal District Court for the District of Columbia described just how many records may be implicated in a single search:

Suppose, for instance, that there is a person living in New York City who has a phone number that meets the RAS standard and is approved as a "seed." And suppose this person, who may or may not actually be associated with any terrorist organization, calls or receives calls from 100 unique numbers, as in my example. But now suppose that one of the numbers he calls is his neighborhood Domino's Pizza shop. The Court won't hazard a guess as to how many different

¹ Testimony of Deputy Attorney General James Cole, House Judiciary Committee (February 4, 2014).

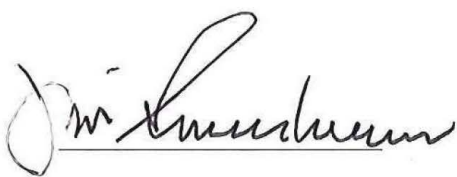
phone numbers might dial a given Domino's Pizza outlet in New York City in a five-year period, but to take a page from the Government's book of understatement, it's "substantially larger" than the 100 in the second hop of my example, and would therefore most likely result in exponential growth in the scope of the query and lead to millions of records being captured by the third hop.²

In your testimony, you indicated that the Administration would look only at call records from a Member of Congress if it had a reasonable, articulable suspicion that the number was related to terrorism. That is not accurate. The NSA looks at individual numbers when it has low level, particularized suspicion, but it looks at millions more with no suspicion of wrongdoing whatsoever, some of whom may well be Members of Congress.

As applied to all United States citizens, this program likely violates our Fourth Amendment right to privacy and chills our First Amendment right to free association. As applied to Members of Congress, it also raises grave Separation of Powers concerns for the executive branch to interfere with the private communications of the legislative branch without congressional knowledge.

We must insist on as much transparency and clarity as possible consistent with national security. We therefore urge you to clarify your testimony and fully disclose all of the ways in which the government conducts or may possibly conduct surveillance on Members of Congress.

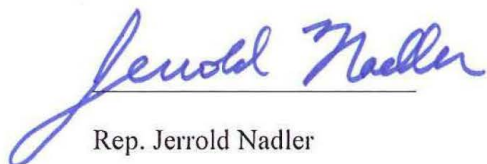
Sincerely,



Rep. F. James Sensenbrenner



Rep. Darrell Issa



Rep. Jerrold Nadler

² *Klayman v. Obama*, 2013 WL 6571596 (D.D.C. 2013).

From: Roll Call Morning News <rollcall@e.rollcall.com>
Sent: Saturday, July 12, 2014 7:05 AM
To: Goldberg, Stuart (ODAG)
Subject: The Week That Was: Catching You Up in 10 Clicks

Roll Call - Morning News
Saturday, July 12, 2014

Not Responsive

Not Responsive

Justice Department Declines to Open Probe of CIA 'Spying' on Senate
(Updated)

http://www.rollcall.com/news/justice_department_declines_to_open_probe_of_cia_spying_on_senate_updated-234625-1.html?ET_rollcall:e18313:50344a:&st_email&pos_eam&dczone_emailalert

Not Responsive

From: Roll Call Morning News <rollcall@e.rollcall.com>
Sent: Friday, August 01, 2014 5:09 AM
To: Goldberg, Stuart (ODAG)
Subject: Cantor to Resign From Congress, Senate Heads for August Recess

Roll Call - Morning News
Friday, Aug. 1, 2014

Not Responsive

Not Responsive

Reid: CIA Snooping on the Senate 'Appalling'

Majority Leader Harry Reid called the CIA's snooping on computers used by Intelligence Committee staff "appalling and deeply threatening to our system of checks and balances" and is demanding changes.
http://www.rollcall.com/news/reid_cia_snooping_on_the_senate_appalling-235449-1.html?ET_rollcall:e18529:50344a:&st_email&pos_eam&dczone_emailalert

Not Responsive

Not Responsive

From: PAO (SMO)
Sent: Tuesday, March 04, 2014 6:36 PM
To: PAO (SMO)
Subject: DOJ DAILY NEWS WRAP

**PUBLIC AFFAIRS DAILY NEWS WRAP
TUESDAY, MARCH 4, 2014**

*****FOR INTERNAL USE ONLY*****

Contact: Emily Pierce, Deputy Director, Office of Public Affairs, (202) 514-2007

WEDNESDAY'S EXPECTED NEWS STORIES:

Not Responsive



***New York Times* to Report on Dispute Between CIA and Senate Intelligence Panel**

The New York Times is expected to report on a dispute between CIA operatives and the Senate Select Intelligence Committee on interrogation and detention policy. The story is expected to say that the CIA IG has referred the matter, in part, to the Department of Justice. The department declined to comment.

Not Responsive



**PLEASE DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS,
PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF
PUBLIC AFFAIRS AT 202-514-2007.**

From: PAO (SMO)
Sent: Wednesday, March 05, 2014 7:12 PM
To: PAO (SMO)
Subject: DOJ WEEK AHEAD

**PUBLIC AFFAIRS DAILY NEWS WRAP
WEDNESDAY, MARCH 5, 2014**

*****FOR INTERNAL USE ONLY*****

Contact: Emily Pierce, Deputy Director, Office of Public Affairs, (202) 514-2007

THURSDAY'S EXPECTED NEWS STORIES:

Not Responsive



Stories on Dispute between CIA and Senate Intelligence Panel (OPA)

Multiple media outlets are following up on stories published today in *The New York Times* and McClatchy that focus on an alleged dispute between CIA operatives and the Senate Select Intelligence Committee on interrogation and detention policy. The stories will claim that the department has received two criminal referrals as part of this dispute, one focused on alleged misconduct by the CIA employees and another on alleged misconduct by committee staffers. The department declined to comment.

Not Responsive



THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MARCH 8, 2014 7:30 AM EST

TODAY'S EDITION

Not Responsive



Report On Interrogations At Center Of CIA-Senate Dispute..... 4

Not Responsive

Not Responsive



Not Responsive



Not Responsive

Report On Interrogations At Center Of CIA-Senate Dispute.

The [New York Times](#) (3/8, Mazzetti, Subscription Publication, 9.61M) examines the story behind the CIA's probing of "the digital logs of the computer network used by" Senate Intelligence Committee staff members, saying that the dispute centers around "the classified internal C.I.A. review of the detention and interrogation program, a review that Democratic senators believe buttresses the conclusion in the intelligence committee's 6,300-page report that the program yielded little valuable intelligence." The [Wall Street Journal](#) (3/8, Gorman, Barrett, Subscription Publication, 5.91M) says the report is highly critical of the CIA, and damaged relations between the committee and the agency.

Not Responsive



DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF
DATE: SATURDAY, MARCH 8, 2014 7:30 AM EST

TODAY'S EDITION

Not Responsive

Behind Clash Between C.I.A. And Congress, A Secret Report
On Interrogations (NYT) 14
Long Brewing CIA-Senate Spat Out Of The Shadows (WSJ).... 15

Not Responsive

Not Responsive

Behind Clash Between C.I.A. And Congress, A Secret Report On Interrogations

By Mark Mazzetti

[New York Times](#), March 8, 2014

WASHINGTON — It was early December when the Central Intelligence Agency began to suspect it had suffered what it regarded as an embarrassing computer breach.

Investigators for the Senate Intelligence Committee, working in the basement of a C.I.A. facility in Northern Virginia, had obtained an internal agency review summarizing thousands of documents related to the agency's detention and interrogation program. Parts of the C.I.A. report cast a particularly harsh light on the program, the same program the agency was in the midst of defending in a prolonged dispute with the intelligence committee.

What the C.I.A. did next opened a new and even more rancorous chapter in the struggle over how the history of the interrogation program will be written. Agency officials began scouring the digital logs of the computer network used by the Senate staff members to try to learn how and where they got the report. Their search not only raised constitutional questions about the propriety of an intelligence agency investigating its congressional overseers, but has also resulted in two parallel inquiries by the Justice Department — one into the C.I.A. and one into the committee.

Each side accuses the other of spying on it, with the Justice Department now playing the uneasy role of arbitrator in the bitter dispute. "It's always been a dicey proposition to be investigating Congress," said W. George Jameson, a C.I.A. lawyer for decades. "You don't do it lightly."

At the center of the dispute is the classified internal C.I.A. review of the detention and interrogation program, a review that Democratic senators believe buttresses the conclusion in the intelligence committee's 6,300-page report that the program yielded little valuable intelligence.

The story of how the internal review became the focal point of an escalating fight is based on interviews with more than a dozen current and former government officials on both sides of the battle. Most of them declined to be identified because of the continuing investigations.

The effort to write the exhaustive history of the C.I.A.'s detention operations was fraught from the beginning.

President Obama officially ended the program — which began in the months after the Sept. 11 attacks and expanded into a network of secret prisons in Thailand, Romania, Lithuania and elsewhere — during his first week in office, in 2009. The intelligence committee announced its intention to take a hard look at the program, but there was little appetite inside the White House to accede to the committee's request for all classified C.I.A. cables related to it.

"The view in the White House was that this would cross a fairly significant threshold in terms of providing information to the committee," recalled a former senior American official involved in the debate.

But a deal was struck between Leon E. Panetta, the director of the C.I.A., and Senator Dianne Feinstein of California, the intelligence committee's Democratic chairwoman, to make millions of documents available to the committee at a C.I.A. facility near the agency's headquarters in Langley, Va. The documents covered roughly five years: from the inception of the program until September 2006, when all of the C.I.A.'s prisoners were transferred to the American military prison at Guantánamo Bay, Cuba.

At the same time, Mr. Panetta ordered the C.I.A. to conduct its own review of the documents, a move designed to help the agency better understand the volumes of the material it had agreed to hand over to its congressional overseers.

This review, a series of memos that in recent days has come to be called the "Panetta Review," is the internal study now at the center of the dispute between the C.I.A. and Congress.

"This was not designed to be an analysis or rebuttal or alternative report. It was designed to merely keep track of, and provide short summaries of the documents that were being provided to the committee," said Jeremy Bash, who was Mr. Panetta's chief of staff at the C.I.A.

Some people who have read the review memos said that parts of them were particularly scorching in their analysis of extreme interrogation methods like waterboarding, which the memos described as providing little intelligence of any value. The committee investigators set to work, spending hours each day in the windowless basement of a nondescript building that advertised itself as a C.I.A. office by the cluster of marked C.I.A. police cars guarding the front.

The room designated for the staff, called the "electronic reading room," was a spartan office with tables and computers set against the walls and a large conference table in the middle.

Early in the investigation, thousands of files were loaded into the database, and the committee staff members pored over the material.

According to a recent court filing in a Freedom of Information Act lawsuit, the C.I.A. created a “network share drive” segregated from the main agency network, a provision intended to allow the committee to work in private.

By the end of 2012, after more than three years of work, the committee staff had finished its report and submitted it to the C.I.A. for an official response, setting off months of closed-door sparring between the two sides.

John O. Brennan took over as director of the C.I.A. in early 2013. Unlike Mr. Panetta and his successor, David H. Petraeus, Mr. Brennan was a veteran of the agency who was serving in its top ranks when the interrogation program began.

He had become close to Mr. Obama during the president’s first term, when he served as the top White House counterterrorism official, and came to his new job pledging greater transparency about C.I.A. operations.

During his confirmation hearing, Mr. Brennan said that he had read the executive summary of the intelligence committee report, which had led him to question what he had previously thought about the interrogation program.

“I don’t know what the facts are or the truth is,” he said. “So, I really need to look at that carefully and see what the C.I.A.’s response is.”

Within months, Mr. Brennan delivered the C.I.A.’s response to the committee, a 122-page document that vigorously disputed facts and conclusions contained in the Senate report.

It is unclear how or when committee investigators obtained parts of the Panetta review. One official said that they had penetrated a firewall inside the C.I.A. computer system that had been set up to separate the committee’s work area from other agency digital files, but exactly what happened will not be known until the Justice Department completes its inquiry.

Several officials said that the C.I.A. never intended to give the internal memos to the Senate, partly under the justification that they were draft documents intended for the C.I.A. director and therefore protected under executive privilege authorities.

Another justification was that the Panetta Review began in 2009, three years after the agreed upon 2006 end date for the document transfer.

But by late last year, Democrats on the committee increased pressure on the C.I.A. to formally hand over the internal review. Senator Feinstein wrote a letter to Mr. Brennan, and Senator Mark Udall of Colorado disclosed the existence of the review during an open hearing on Dec. 17.

Mr. Udall said it was his understanding that the internal review “is consistent with the intelligence committee’s report” and “conflicts with the official C.I.A. response to the committee’s report.” He said the existence of the report “raises fundamental questions about why a review the C.I.A. conducted internally years ago — and never provided to the committee — is so different from the C.I.A.’s formal response to the committee study.”

By then, C.I.A. officials had come to suspect that committee investigators working at the Virginia facility had seen at least a version of the internal review. Senior officials at the agency ordered a search of several years’ worth of digital audit logs that the C.I.A. uses to monitor its computer systems.

In January, the C.I.A. presented the results of its search to the intelligence committee in a tense meeting that ignited the most recent confrontation. The day after the meeting, Senator Feinstein wrote a letter to Mr. Brennan demanding answers for why the C.I.A. carried out the search, which she suggested had violated the constitutional separation of powers and undermined the committee’s oversight role.

It was largely these concerns that led the C.I.A.’s inspector general, David B. Buckley, to begin an inquiry into whether the computer search was improper. Mr. Buckley has since referred the case to the Justice Department.

But the C.I.A.’s Office of General Counsel has started another inquiry, into whether committee staffers gained unauthorized access to parts of the agency’s computer network they were forbidden to enter, and transferred files to the other side of the firewall. The Justice Department is also reviewing that case.

Five years after the intelligence committee began its investigation, neither its report nor the Panetta review has been declassified.

Long Brewing CIA-Senate Spat Out Of The Shadows

Senate Report on Interrogations Sparks Two Justice Department Reviews

By Siobhan Gorman, Devlin Barrett

[Wall Street Journal](#), March 8, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

From: PAO (SMO)
Sent: Tuesday, March 11, 2014 7:44 PM
To: PAO (SMO)
Subject: DOJ DAILY NEWS WRAP

PUBLIC AFFAIRS DAILY NEWS WRAP

TUESDAY, MARCH 11, 2014

*****FOR INTERNAL USE ONLY*****

Contact: Emily Pierce, Deputy Director, Office of Public Affairs, (202) 514-2007

WEDNESDAY'S EXPECTED NEWS STORIES:

Not Responsive



Sen. Feinstein Speech Highlights CIA Crimes Referral (OPA)

In U.S. Senate speech today, the chairman of the Senate Intelligence Committee, Sen. Dianne Feinstein, accused the CIA of secretly removing classified documents from her staff's computers in the middle of an oversight investigation and publicly confirmed that the CIA Inspector General and the CIA general counsel had submitted crimes reports to the Justice Department. The department declined to comment.

Not Responsive



**PLEASE DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS,
PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF
PUBLIC AFFAIRS AT 202-514-2007.**

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

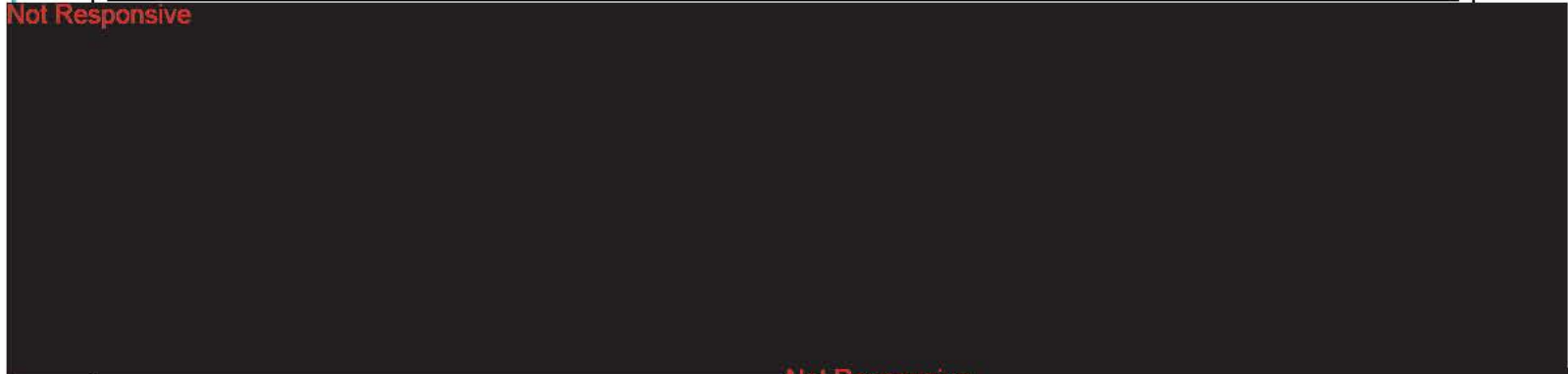
PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MARCH 15, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



The CIA As Its Own Worst Enemy (WP)..... 8

Not Responsive

Not Responsive



The CIA As Its Own Worst Enemy

By Ruth Marcus

[Washington Post](#), March 15, 2014

Watching Dianne Feinstein tear into the Central Intelligence Agency on the Senate floor the other day brought to mind a 1970s-era television commercial about a margarine supposedly indistinguishable from butter.

“Chiffon’s so delicious, it fooled even you, Mother Nature,” says the narrator.

“Oh, it’s not nice to fool Mother Nature,” she replies, her voice becoming steely as she raises her arms to summon thunder and lightning.

Seriously, CIA? How many friends do you have left on Capitol Hill? It’s not nice to mess with Sen. Feinstein (who, incidentally, bears an unnerving resemblance to the ad lady). Even more important, it’s really dumb. In the hostile, post-Edward Snowden world, the California Democrat and chair of the Senate intelligence committee has been one of the staunchest defenders of U.S. spy agencies.

But dumb seems to be the oxymoronic watchword of the intelligence community these days. Its components have been behaving like their own worst enemy. They operate under the compulsion of two understandable, ingrained instincts that combine to do the agencies — and, ultimately, the country — a disservice.

The first instinct is the drive to collect as much information as possible, by whatever means permissible. Of course. Their job is to gather intelligence, not leave it on the table. The painful lesson of 9/11 ensues from failing to know information, share it with colleagues and do something about it.

But a countervailing imperative counsels against exercising power to the maximum extent possible — or beyond. The intelligence community finds itself in such an embattled state today because of the sordid legacy of its “enhanced interrogation” program, which has provoked the CIA’s mud fight with Feinstein, and the contours of the National Security Agency’s massive surveillance activities. In both cases, the agencies stumbled in part because they overstepped.

Not just legal bounds, although, especially in the case of torture, those too. But also limits of prudence, dictated by what society will tolerate, either in terms of cruelty (waterboarding) or intrusiveness (vacuuming up metadata, eavesdropping on foreign leaders). Just because you can doesn’t mean you should — even if your political bosses are pushing you.

Layer on the other ingrained instinct: to prioritize secrecy at all costs. Here, the intelligence community purports to have learned from its mistakes: Director of National Intelligence James Clapper told the Daily Beast that the intelligence community would have been better off disclosing the surveillance program itself.

“Had we been transparent about this from the outset [and explained] why we have to do it, and here are the safeguards . . . we wouldn’t have had the problem we had,” Clapper said.

Good, if hard to take from the man who chose the “least untruthful” answer about telephone metadata collection. But, again, the intelligence community has had difficulty practicing what Clapper preached.

Feinstein’s furious floor statement depicts a CIA that, from the outset of the Senate intelligence committee inquiry into interrogation practices, has treated it more like opposing counsel in a fight-to-the-death litigation battle than a co-equal branch of government with a legitimate oversight role.

The CIA dumped documents, then mysteriously made them disappear from Senate computers. Then the agency made the dunderheaded move of investigating the committee’s computer system to determine how it acquired certain documents — sensitive not because they threatened to expose sources and methods but because they belied the CIA’s public statements.

The coup de grace was sending a “crimes report” to the Justice Department about the Senate staff’s activities in obtaining classified information. On the Lawfare blog, Jack Goldsmith noted the low trigger — “possible violations” — for referral to Justice.

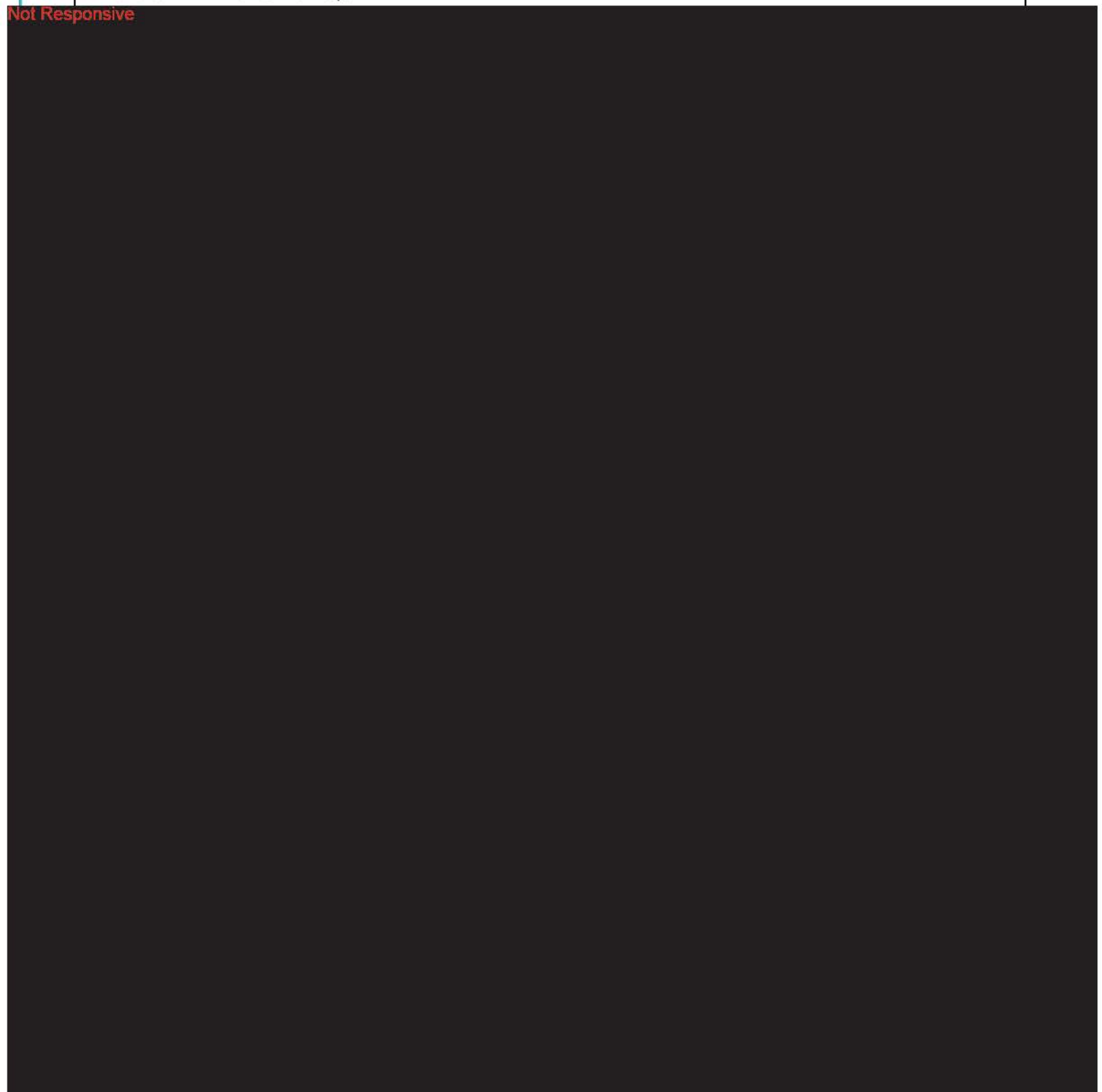
But good grief, lodging a complaint against the very folks who are investigating you? The rules are structured to give the CIA little discretion about making such referrals, but if ever there were an instance where discretion was advised, this might be it.

A few more things to understand about this mess: Every bureaucracy operates under the impulse to protect itself and its own. The CIA feels particularly embattled, and no more so than about the interrogation program.

Meanwhile, clashing personalities play a role. The CIA and Senate staffs are fed up with one another after years of tangling on this probe. At the top, Feinstein and CIA Director John Brennan are locked in a can-this-marriage-be-saved union: two similarly bristly personalities disinclined to back down once provoked.

But here's the ineluctable fact: This is not a marriage of equals. One has oversight jurisdiction over the other. Brennan fools — or fools with — Feinstein at his peril.

Not Responsive



DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SUNDAY, MARCH 16, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Delicate Balancing Act For Obama In CIA-Senate Row (AP) 5

Not Responsive

Not Responsive

Delicate Balancing Act For Obama In CIA-Senate Row

By Julie Pace

[Associated Press](#), March 16, 2014

WASHINGTON — The public spat between President Barack Obama's trusted CIA ally and a loyal senator has sharpened the focus on his complicated role in managing the terrorism-fighting programs he inherited.

Obama wants to stay neutral in the feud between Sen. Dianne Feinstein, D-Calif., and CIA Director John Brennan, Obama's former top counterterrorism adviser.

Feinstein this past week accused the CIA of illegally searching computers used by the Senate Intelligence Committee, which she heads, to study documents related to the harsh interrogation techniques the CIA employed after the Sept. 11 attacks.

Obama said taking sides was "not something that is an appropriate role for me and the White House to wade into at this point."

Staying out of the fray may prove difficult, given Obama's involvement in the issue at the core of the dispute: What kind of public reckoning should there be for those who carried out waterboarding and other harsh interrogation methods?

Even as Obama stated his neutrality in the Feinstein-Brennan dispute, he sent his chief of staff, Denis McDonough, and top lawyer, Kathryn Ruemmler, to meet with California senator.

The president has said he wants the report from Feinstein's committee on the CIA program to be made public. The committee only undertook the review after Obama banned the interrogation techniques when he took office. His opposition to them was a centerpiece of his first presidential campaign, helping him build support among Democrats and independents.

"There's no reason for him to in any way hide the truth of what happened," said Tommy Vietor, a former National Security Council spokesman.

Carrying out that pledge has proved complicated, marred by friction between Senate Democrats and the CIA, where many officials involved in the harsh interrogation program still work. One is Brennan, a senior agency official during the Bush administration.

Feinstein, in an extraordinary Senate speech last week, accused the CIA of illegally spying on her committee's work.

Brennan responded by saying Senate investigators may have "improperly obtained and/or retained" sensitive CIA documents, in violation of the ground rules for how the classified materials would be handled. The agency's acting general counsel asked the Justice Department to look into whether Senate staffers committed a crime.

The White House says the CIA notified the president's lawyer that it was filing a complaint with the Justice Department. The White House did not weigh in with any judgment on that step, officials said.

"With respect to the issues that are going back and forth between the Senate committee and the CIA, John Brennan has referred them to the appropriate authorities and they are looking into it," Obama said.

Obama's remarks were intended to illustrate his neutrality on the matter.

But Michael Hayden, a CIA director under President George W. Bush, said they were interpreted by intelligence agencies as "tacit acceptance from the White House" of the CIA's move against Senate investigators.

"The president owes certain people freedom of action, particularly when they're defending their agency," Hayden said.

The CIA says it disputes significant parts of Feinstein's 6,300-page report, which remains secret.

While Obama has said he wants to declassify parts of the report, people close to the administration say the White House is weighing the impact on current CIA officials who were involved in the harsh interrogations, as well as the possibility that new details about the program could inflame anti-American sentiment in the Arab world and in Afghanistan.

The interrogations program was one of several initiatives Obama inherited from Bush that he pledged to change or end.

Despite Obama's repeated pledges to shut down the prison for suspected terrorists at the U.S. naval base at Guantanamo Bay, Cuba, the facility remains open. The president has run into intractable opposition from Republicans who don't want to transfer detainees to prisons in the U.S., severely limiting the administration's options.

As a candidate, Obama also was critical of the domestic surveillance programs run by the National Security Agency. But after becoming president, Obama kept most of the programs in place, adding what officials said was a more robust system of checks and balances.

Those steps did little to quell the controversy when NSA systems analyst Edward Snowden released a trove of documents last year revealing the vast reach of the government's surveillance programs.

Only after those revelations did Obama begin a review of the operations, which has resulted in some modest changes while continuing to keep the core structure of the programs in place.

In an ironic twist, Feinstein has been perhaps Obama's staunchest Democratic ally in backing the surveillance programs.

Copyright 2014 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: MONDAY, MARCH 17, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

WPost Calls For CIA To Cooperate With Senate On Panetta
Report

4

Not Responsive

Not Responsive

WPost Calls For CIA To Cooperate With Senate On Panetta Report.

In an editorial, the [Washington Post](#) (3/17, 4.28M) says that the “heart of the dispute” between the Senate Intelligence Committee and the CIA is Leon Panetta’s internal review of the “use of torture in the interrogation of suspected terrorists.” The Post says that the CIA should allow the Senate to use the Panetta report in its review of the issue. The Post also says that it hopes that the move will aid to bringing the debate back around to the actions of President Bush.

Durbin Backs Feinstein. Senate Majority Whip Durbin said on [NBC’s Meet The Press](#) (3/16, Gregory), “I have the highest respect for Dianne Feinstein. There isn’t a person in the Senate who works harder to be bipartisan and fair with one of the toughest assignments as head of the Senate Intelligence Committee. I read her statement she gave on the floor. It was a thoughtful, serious effort to establish the role of Congress and the Senate and the oversight of the CIA.”

Schiff, Hayden React To Feinstein’s CIA Spying Allegations. [The Hill](#) (3/17, Lillis, 194K) reports that Rep. Adam Schiff (D-CA) “says he’s ‘surprised’ and ‘taken aback’ by the confrontational response from CIA Director John Brennan to allegations that his agency spied on a Senate committee.” Schiff, a member of the House Permanent Select Committee on Intelligence, said Sen. Dianne Feinstein’s (D-CA) “spying charges are ‘very serious’ and warned that Brennan’s aggressive reaction risks undermining the relationship between Congress and the CIA. ‘I can understand, as a relatively new director, his wanting to go to bat to support his agency. But I don’t think a confrontation with the Senate is in either his interest or the interest of the agency,’ Schiff said Friday during taping of C-Span’s ‘Newsmakers’ program,” which was to air on Sunday. Schiff added, “So I’ve been a little bit taken back by the degree to which they have, you know, really kind of pushed back without any kind of conciliation on this.”

[Politico](#) (3/14, McCalmont, 73K) reports that former Central Intelligence Agency and National Security Agency Director Michael Hayden “dismissed charges made earlier this week that the CIA spied on Senate Intelligence

Committee staffers, saying to call it such is ‘a bit of a reach.’ ‘There’s a chance that [the] CIA looked after the fact – well after the fact – at the data logs of computers that were used by Senate [Intelligence] Committee staffers and contractors. I think the agency’s already admitted that,’ Hayden said Friday on CNN’s ‘New Day.’ ‘Now, if you want to call that spying on the Senate, well, I think that’s a bit of a reach,’ he added.”

Feinstein Accusations Against CIA Create Rift With Administration. [US News Weekly](#) (3/14, Milligan) reports Sen. Dianne Feinstein last week “dropped a bombshell” in a floor speech in which she “accused the CIA of hacking into Senate computers and removing documents intelligence committee staffers needed to complete a 6,000-plus page report” on post-9/11 detention and interrogation procedures. Feinstein “accused the CIA of removing” a draft of the Panetta review from the system and “was further incensed by the agency’s contention that the staffers had improperly obtained the document.” CIA Director John Brennan “denied Feinstein’s charges, and the White House, while declining to answer the claims directly, said it had full confidence in Brennan.” But it was “a damning series of accusations, not just because Feinstein is not known for bomb-throwing rhetoric, but because” she has “long defended the intelligence-gathering of the National Security Agency, arguing that it is needed to prevent terrorist attacks.”

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: MONDAY, MARCH 17, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

The CIA Should Cooperate With The Senate On Torture Report (WP).....	11
Lawmaker 'Taken Aback' By CIA's Tough Response To Spying Allegations (HILL).....	11
Michael Hayden: Dianne Feinstein Charge 'a Reach' (POLITICO).....	12

Not Responsive

Not Responsive

The CIA Should Cooperate With The Senate On Torture Report

[Washington Post](#), March 17, 2014

AT THE heart of the dispute between the Senate Select Committee on Intelligence and the Central Intelligence Agency is a document known as the CIA's internal review. This is a summary and analysis of a dark chapter in the CIA's history: the use of torture in the interrogation of suspected terrorists after the Sept. 11 attacks. The internal review was undertaken when Leon Panetta was director of the agency and is drawn largely on some 6.2 million pages of CIA documents that the Senate panel was permitted to examine during a five-year investigation.

The Senate panel is putting the finishing touches on a 6,300-page report on the CIA's use of torture — waterboarding and other techniques — in the interrogations. While reviewing the CIA documents, Senate staffers found a draft of the internal review but have not said exactly how they got it. Committee chairwoman Dianne Feinstein (D-Calif.) says the internal review is important because it contradicts CIA statements and it documents agency wrongdoing. John Brennan, the CIA director, maintains that the internal review should never have been seen by the committee because it is “sensitive, deliberative, pre-decisional” material protected by executive privilege.

A public breach has emerged between the CIA and Ms. Feinstein, normally a strong defender of the agency, over whether and, if so, how it attempted to interfere with the Senate probe by penetrating computers used in the investigation. Mr. Brennan denies trying to thwart the Senate.

Not all details of this episode are known, but some preliminary conclusions are possible. In principle, Mr. Brennan is right to argue that certain documents are legitimately excluded from disclosure to Congress. But the internal review is in Senate hands, so it seems rather futile for the CIA to insist that the cork be put back in the bottle. The Senate is perfectly capable of handling classified material. In the interest of airing the whole story of the interrogations, the CIA ought to quickly work out an accommodation with the Senate that will permit use of the internal review in the Senate's report. It should not be shunted off to some vault.

Sharp, penetrating intelligence is crucial to the United States. Tens of thousands of people labor each day at the CIA, National Security Agency and elsewhere to protect the country's interests. They are not some kind of whipping boy for Congress or the public. What the CIA did after Sept. 11, 2001, was part of a covert action program authorized by the president; when the full report comes out, we hope for a debate that goes beyond just the CIA. It should be about decisions made by President George W. Bush.

To maintain the essential confidence of the American people, intelligence agencies, like all in government, must at times admit mistakes and face accountability. Denial and obfuscation only erode that confidence. The Senate has a legitimate function in oversight. Let's get on with publishing the torture report, the internal review and the CIA's comments — and then focus on how to improve democracy, counterterrorism, intelligence collection and protecting the nation.

Lawmaker 'Taken Aback' By CIA's Tough Response To Spying Allegations

By Mike Lillis

[The Hill](#), March 17, 2014

A senior member of a key House Intelligence panel says he's “surprised” and “taken aback” by the confrontational response from CIA Director John Brennan to allegations that his agency spied on a Senate committee.

Rep. Adam Schiff (D-Calif.), a member of the House Permanent Select Committee on Intelligence, said Sen. Dianne Feinstein's (D-Calif.) spying charges are “very serious” and warned that Brennan's aggressive reaction risks undermining the relationship between Congress and the CIA.

“I can understand, as a relatively new director, his wanting to go to bat to support his agency. But I don't think a confrontation with the Senate is in either his interest or the interest of the agency,” Schiff said Friday during taping of C-Span's “Newsmakers” program, which will air Sunday. “So I've been a little bit taken back by the degree to which they have, you know, really kind of pushed back without any kind of conciliation on this.”

While Schiff described his own interactions with Brennan as “very positive,” he was quick to add that the CIA chief should be more cooperative with the congressional offices investigating the CIA's advanced interrogation methods under the Bush administration.

“His first response should have been – if indeed they accessed these computers without going to the senators first ... – that, ‘We made a mistake. We have concerns we need to explore with you but we should have done this ... in an above-board fashion working with you, not working against you.’

“So it's not how I would have handled it,” Schiff added, “and I think it does raise some legitimate concerns.”

Schiff has joined a growing chorus of lawmakers who are questioning, not only the CIA's conduct surrounding the Senate Intelligence Committee's investigation, but Brennan's response to the allegations from Feinstein, whose historic defense of the CIA has only added force to her charges.

"I have grave concerns that the CIA search may well have violated the separation of powers principles," Feinstein, who heads the Intelligence Committee, said Tuesday in a surprise speech on the Senate floor. "I am not taking it lightly."

Brennan was quick to deny the allegations, telling NBC News that the CIA was "in no way" spying on the Senate.

"We greatly respect the separation of power between the executive branch and the legislative branch," Brennan said.

The back-and-forth marks a sharp escalation of tensions between the CIA and the Senate panel that oversees it.

The Intelligence Committee has compiled a yet-unreleased report that's said to be highly critical of the CIA's interrogation programs under the Bush White House.

House Minority Leader Nancy Pelosi (D-Calif.) joined the debate earlier in the week, when she praised Feinstein's "courage" for taking on the CIA and took a shot at Brennan's response.

"I haven't really seen much of ... Director Brennan's statements on this, but what I have seen, are befuddling to me," Pelosi told reporters Thursday. "From what Sen. [Feinstein] said and what you have written, it's pretty appalling what is being alleged."

Some civil liberties groups have accused Feinstein and others in Congress of hypocrisy for defending the government's spying programs when they were aimed at civilians, but attacking them when they themselves became the alleged targets.

Schiff dismissed that argument Friday, saying that while it has "a certain intellectual appeal," it ignores a long list of nuanced considerations – including the separation of powers, the Constitution's speech-and-debate clause and statutes related to electronic communications and executive orders – that set the two situations apart.

"There are a raft of additional considerations," Schiff said. "It doesn't mean necessarily they're more weighty than the individual privacy rights and Fourth Amendment concerns of lay people, but it does add yet another layer to this debate.

"I understand the criticism, and it's an attractive one," he added. "But as many of us have been pushing for reform, I don't think it's a fair one."

The "Newsmakers" program will air on Sunday at 10 a.m. and again at 6 p.m.

House Intelligence Chairman Mike Rogers (R-Mich.) said Wednesday that if Sen. Dianne Feinstein's claim that the CIA spied on a Senate computer network is true, it would "destroy" Congress's relationship with the agency.

In an interview on CNN, Rogers said he didn't want to speculate, but called the situation "troubling" and said he has "immense respect" for Feinstein.

"There's something there. We need to get to the bottom of this soon to make sure that this thing doesn't spill over and stop the agency from being able to do its work," Rogers said. "At the same time, we need to make sure the agency did not break any laws. That would be a pretty horrific situation and it would destroy that legislative-CIA relationship."

Rogers's comment comes a day after Feinstein alleged in a speech on the Senate floor

that the CIA searched the Senate Intelligence Committee's computer network. Feinstein serves as the panel's chairwoman.

Feinstein said CIA Director John Brennan told her that his agency searched the network because officials suspected lawmakers had obtained an internal CIA review of interrogation techniques.

These actions are illegal and violate the Fourth Amendment, Feinstein charged. The case has now been referred to the Justice Department.

If someone broke the law, Rogers warned, they must "pay a penalty." Rogers, however, called the situation "an isolated incident."

"I don't want it to taint the whole agency. There is a lot of great work happening around the world. People put themselves in really dangerous circumstances. I don't want to take away from their work," Rogers said.

The CIA is "well-overseen," he added, and it's "doing some real incredible work to protect the United States."

Michael Hayden: Dianne Feinstein Charge 'a Reach'

By Lucy Mccalmont

[Politico](#), March 14, 2014

Former Central Intelligence Agency and National Security Agency Director Michael Hayden dismissed charges made earlier this week that the CIA spied on Senate Intelligence Committee staffers, saying to call it such is "a bit of a reach."

"There's a chance that [the] CIA looked after the fact — well after the fact — at the data logs of computers that were used by Senate [Intelligence] Committee staffers and contractors. I think the agency's already admitted that," Hayden said Friday on CNN's "New Day."

"Now, if you want to call that spying on the Senate, well, I think that's a bit of a reach," he added.

In a floor speech Tuesday, Senate Intelligence Committee Chairwoman Dianne Feinstein (D-Calif.) accused the agency of snooping on computers Senate staffers used while reviewing agency documents as part of an investigation into Bush-era detention and interrogation programs.

Hayden, who served as CIA director from 2006 to 2009, said that all the facts should come out before rushing to judgment.

He added that he believes an investigation into the matter will show that it was not spying, but that "it will be something well short of that."

"People may still object to what the agency did or didn't do, but I think we're being a little overly dramatic right now," Hayden said.

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MARCH 22, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Brennan Praises Senate Intelligence Committee In Note To CIA
Employees..... 4

Not Responsive

Not Responsive

Brennan Praises Senate Intelligence Committee In Note To CIA Employees.

The [Washington Post](#) (3/22, Miller, 2.33M) reports CIA Director Brennan, "seeking to defuse an escalating battle" with the Senate Intelligence Committee, sent a note to CIA employees Friday that praised the Senate committee and pledged "to cooperate on the release of a report that is harshly critical of the CIA." The Post says the "conciliatory tone of the letter was in stark contrast to the stream of recriminations that erupted in public last week."

Senate Sergeant-At-Arms Says Investigation Underway. [Roll Call](#) (3/22, Hess, 67K) reports Senate Sergeant-at-Arms Terrance Gainer "said Friday that his staff has 'absolutely' begun investigating the controversy" over CIA accessing of Senate Intelligence Committee staff computers.

Not Responsive

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MARCH 22, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Amid CIA's Battle With Senate Intelligence Committee, Brennan
Strikes Conciliatory Note (WP)..... 1
Senate's Top Law Enforcement Officer Confirms Progress On
Investigation Into CIA Spying (CORC)..... 1

Not Responsive

Not Responsive

Amid CIA's Battle With Senate Intelligence Committee, Brennan Strikes Conciliatory Note

By Greg Miller

[Washington Post](#), March 22, 2014

Seeking to defuse an escalating battle with the Senate Intelligence Committee, CIA Director John Brennan sent a note to the agency's workforce Friday praising the panel and pledging to cooperate on the release of a report that is harshly critical of the CIA.

A week after the agency and the committee traded allegations of illegal conduct, Brennan said in the note that Sen. Dianne Feinstein (D-Calif.) and other members of the panel "carry out their oversight responsibilities with great dedication and patriotism" and that the agency "has benefited over the years from their leadership."

The conciliatory tone of the letter was in stark contrast to the stream of recriminations that erupted in public last week, when Feinstein delivered a speech on the Senate floor accusing the agency of spying on her staff in possible breach of the Constitution.

The dispute expanded this week as Sen. Majority Leader Harry Reid (D-Nev.) asked the Senate's top law enforcement official to examine the computers supplied by the agency to the committee's staff for reviewing documents during an investigation of the CIA's controversial interrogation program.

In previous remarks, Brennan had struck a defiant pose, signaling that the agency would be vindicated and warning that lawmakers should avoid unsubstantiated allegations.

The battle centers on a 6,000-page report the committee completed last year on the interrogation program that the CIA operated for years after the Sept. 11, 2001, attacks.

The report delivers a scathing verdict on that program, accusing the CIA of abusing prisoners and exaggerating the effectiveness of brutal methods, including a form of simulated drowning known as water-boarding.

While poring over millions of CIA documents as part of its investigation, the Senate committee discovered what lawmakers have said is an internal review apparently ordered by former CIA Director Leon E. Panetta that is consistent with some of the committee's own findings.

The agency has maintained that the document was part of an effort to keep track of materials being turned over to the committee and not an evaluation of the interrogation program.

But the fight over how the committee obtained that document, and whether it is entitled to have it, triggered a series of hostile exchanges between Brennan and Feinstein, as well as requests to have the Justice Department determine whether either side committed a crime.

In his note, Brennan noted that "appropriate officials are reviewing the facts" of that dispute and did not acknowledge any wrongdoing by CIA.

Still, he seemed to be extending an olive branch, saying that the agency had already taken measures to address shortcomings identified in the committee's report and pledging to work "expeditiously" if asked to declassify portions of it for public release.

Senate's Top Law Enforcement Officer Confirms Progress On Investigation Into CIA Spying

By Hannah Hess

[Roll Call](#), March 22, 2014

Senate Sergeant-at-Arms Terrance W. Gainer said Friday that his staff has "absolutely" begun investigating the controversy involving the CIA and the Intelligence Committee.

The investigation — disclosed by Majority Leader Harry Reid, D-Nev., in a letter sent to CIA Director John O. Brennan late Wednesday — will be one of Gainer's last tasks before he leaves Capitol Hill for the private sector at the end of April.

Gainer confirmed during a phone interview with CQ Roll Call that his office is proceeding with instructions to review computers used by committee staffers to investigate the CIA's interrogation techniques and detainee practices during the George W. Bush administration.

"Some of it will be done in-house and some of it will be contracted out," he said of the investigation. "It's not the first time that we've done forensic work on a computer, remember ... that's a large part of our organization."

As sergeant-at-arms, Gainer serves as the chamber's top law enforcement officer, overseeing all aspects of security, including cyber threats.

"But, there are experts who do this day-in and day-out, and there is no doubt that we'll get help from others on this," he continued.

Intelligence Chairwoman Dianne Feinstein, D-Calif., first revealed her suspicions in a stirring March 11 floor speech, in which she alleged the CIA had interfered at the secret facility set up in Northern Virginia for the committee's investigation.

Reid has also raised concerns about the broader implications of the CIA's actions, a fact he mentioned in his letter.

Gainer said he spends a "substantial portion" of each day on security issues — coordinating with the House, the Capitol Police and other federal agencies — and this investigation is his newest task.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SUNDAY, MARCH 23, 2014 7:30 AM EDT

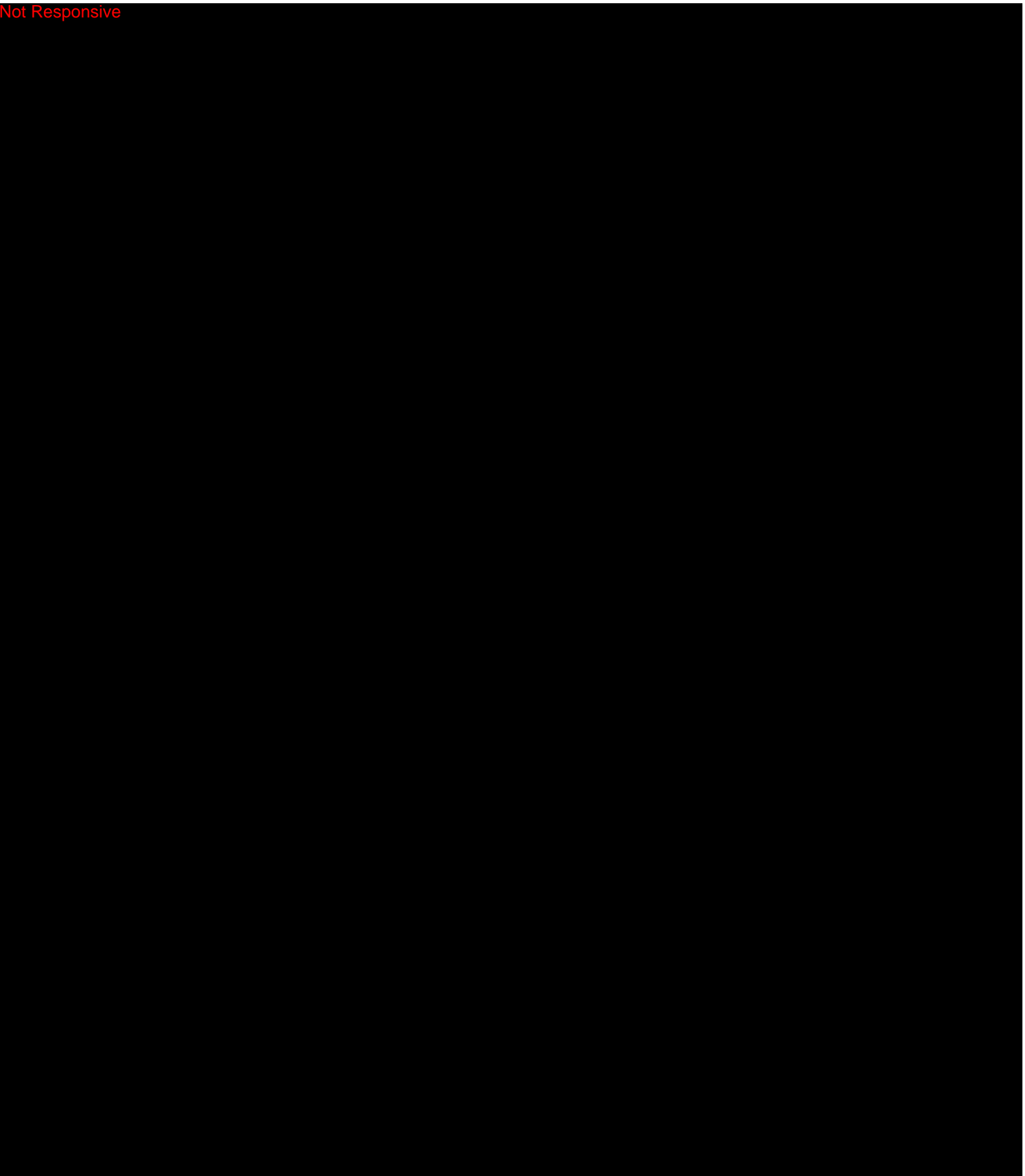
TODAY'S EDITION

Not Responsive

Five Questions In CIA-Senate Fight (HILL)..... 11

Not Responsive

Not Responsive



Five Questions In CIA-Senate Fight
By Jeremy Herb

[The Hill](#), March 23, 2014

Senate Majority Leader Harry Reid (D-Nev.) raised the stakes in the blistering fight between the CIA and the Senate Intelligence Committee this week when he ordered an investigation into the CIA's claims that Senate staffers illicitly accessed CIA files.

Reid's request for the Senate Sergeant-at-arms to examine the committee's computers is the latest twist in the dispute where the Senate Intelligence Chairwoman Dianne Feinstein (D-Calif.) has accused the CIA of flouting the Constitution by searching committee computers — and the CIA claims Senate staffers may have broken the law.

Much of the fighting is conducted behind closed doors over classified material, and there are many unanswered questions. The five biggest unresolved issues:

What impact will Reid's investigation have?

Reid made clear in his letter to CIA Director John Brennan Thursday that he doesn't believe the CIA's claims about Senate staffers, calling the charges "patently absurd."

Reid has tasked the sergeant-at-arms with conducting a forensic examination of the Senate Intelligence Committee's computers to determine how they got access to the CIA's internal review of the Bush-era interrogation programs at the center of the dispute.

The CIA has claimed the committee illicitly accessed the document and took it from the CIA's facility in Northern Virginia to the committee's secure offices on Capitol Hill, which is why the agency conducted a search of the Senate computers. But Feinstein has maintained that the review was part of the millions of documents to which the spy agency gave the committee access on the secure network so it could conduct its investigation of the CIA's use of waterboarding and other interrogation techniques.

Should the sergeant-at-arms exonerate the committee, it could shift the fight from a he-said, she-said dispute to one where the finger is pointed squarely at the CIA — if the spy agency accepts the findings as legitimate.

What will the Justice Department do?

The Justice Department has been asked to investigate claims of wrongdoing from both sides, but it's unclear whether it plans to do so.

The CIA's former acting general counsel sent a criminal referral to the Justice Department alleging that Senate staffers may have broken the law by removing the documents from the CIA's facility in Northern Virginia, while the CIA Inspector General referred the alleged CIA searches of Senate computers.

Attorney General Eric Holder said Thursday that the department was reviewing the referrals, but had not decided whether to investigate them.

"We get referrals all the time," Holder said, according to the Los Angeles Times. "The fact that we get a referral does not necessarily mean we make a decision that we're going to investigate on the basis of that referral."

He added: "At this point, I'd say that's all we're doing is just reviewing the referrals."

Like the sergeant-at-arms probe, a Justice Department investigation could bolster the claims from one side or the other over who is really at fault.

Will this change congressional oversight?

Reid's involvement in the dispute and the searing statement Feinstein delivered from the floor accusing the CIA of violating the separation of powers could spark changes to the way the Senate oversees the intelligence community.

Feinstein's statement was all the more remarkable because she has often been a fierce advocate of government surveillance in the wake of the revelations about the National Security Agency's domestic surveillance.

Critics have already accused the Intelligence Committees of failing to conduct proper oversight of the intelligence community before Edward Snowden leaked documents about the NSA's programs.

Feinstein hasn't yet suggested she is mulling any changes to the way the committee interacts with the CIA and the intelligence community, although relations are obviously tense in the near-term.

But the events surrounding the CIA's alleged search of Senate computers could amplify the calls for reform. Sen. Lindsey Graham (R-S.C.), who has been a vocal defender of the NSA's surveillance, for instance, said it should be "World War III" between the Senate and CIA if the spying allegations were true.

Will the White House get involved?

The fight between the CIA and the Senate Intelligence Committee is creating political headaches for the White House, as it pits Senate Democrats against Obama's CIA director.

So far the White House has tried its best to stay out of the dispute, as press secretary Jay Carney has not commented on the specifics of the allegations because they've been referred to the Justice Department.

After Feinstein's speech, Carney said that President Obama has "great confidence" in Brennan, while also saying that the White House was taking Feinstein's allegations seriously.

"We take everything she says very seriously, and we take this seriously," Carney said. "But I'm not going to comment on matters that are under investigation or review by the appropriate authorities."

As the various investigations progress, however, the White House could face more questions from the press — and Democratic senators — about the CIA's activities as well as Brennan's role.

Will the dispute spur the release of the Senate's report?

The escalating fight over the internal CIA review is really a larger fight about the Senate's 6,300-page classified "torture report" that's critical of the CIA's use of waterboarding and other interrogation techniques during the George W. Bush administration.

Democratic senators on the Intelligence Committee want the report to be de-classified, and they are still working with the CIA to finalize it. Most Republicans on the panel voted against the report's findings however.

Brennan has contended that the CIA is not standing in the way, but has also said that the Senate panel gets some key things wrong.

"We also owe it to the women and men who faithfully did their duty in executing this program to try to make sure that any historical record of it is a balanced and accurate one," Brennan said after Feinstein's floor speech.

The White House has said it wants to de-classify the report once it is completed, but it's unclear if the allegations against the CIA will expedite that process.

"The president wants the findings declassified appropriately, as quickly as possible, and for those findings to be made public," Carney said earlier this month.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: TUESDAY, MARCH 25, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Terror Report Release May Fuel Congress' CIA Spat (AP) 22

Not Responsive

Terror Report Release May Fuel Congress' CIA Spat

By Bradley Klapper And Stephen Braun

[Associated Press](#), March 25, 2014

WASHINGTON (AP) – A Senate panel's vote this week could strain the already rancorous relationship between lawmakers and the CIA, and pressure President Barack Obama to step into the fray.

The Senate Intelligence Committee will weigh calling for the release of key sections of a voluminous report on terrorist interrogations, hoping to shed light on the most unsavory elements of the Bush administration's war on terror after the Sept. 11, 2001, attacks.

Despite now serving Obama, the CIA maintains the report underestimates the intelligence value of waterboarding and other methods employed by intelligence officials at undeclared, "black site" facilities overseas. The entire investigation runs some 6,200 pages. For now, senators only want to declassify a 400-page summary and the 20 main recommendations.

But the differences between intelligence officials and Senate investigators have spiraled beyond the contents of the review. The dispute became public two weeks ago as the committee chairman, Sen. Dianne Feinstein, accused the CIA of improperly monitoring the computer use of Senate staffers and deleting files, and undermining the separation of powers between the executive and legislative branches. The agency said the intelligence panel illegally accessed certain documents. Each side has registered criminal complaints with the Justice Department.

This week's vote could fuel the fight, if it goes in favor of disclosure. It would start a process that forces CIA officials and Senate staffers to go line-by-line through the report and debate which elements can be made public and which must stay secret because of ongoing national security concerns. The CIA and the executive branch hold the keys as final determiners of what ought to remain classified. Senators primarily have the bully pulpit of embarrassing the CIA publicly and the last-resort measure of going after the agency's budget.

Senators are hoping the dispute can be diffused with the intervention of Obama, whose record includes outlawing waterboarding, unsuccessfully seeking the closure of the U.S. detention center at Guantanamo Bay, Cuba, and supporting other changes in how the United States pursues, detains, questions and prosecutes terror suspects. The president has refused thus far to weigh in on Congress' dispute with the CIA, while pledging to declassify at least the findings of the Senate report "so that the American people can understand what happened in the past, and that can help guide us as we move forward."

Obama's involvement may be in the interest of both sides. Senators fear their report will be scuttled by CIA officials directly involved in past interrogation practices, undermining the role of Congress in overseeing the nation's spy agencies. For the intelligence community, which prides itself on its discretion and foresight, even the perception of manipulating that oversight could be damaging with a public still coming to grips with National Security Agency leaker Edward Snowden's revelations of massive government collection of telephone and other data.

And a further worsening of Congress' spat with the CIA hardly serves Obama's aims. It has centered on Feinstein, a Democratic supporter of the president who has backed the White House on NSA and other matters, and CIA Director John Brennan, who previously served as Obama's homeland security adviser. The entire fuss is over counterterrorism practices the president entered office determined to eliminate.

Brennan offered conciliatory words in a message to CIA employees Friday. He said agency officials would address the committee's concerns so it can complete its work report as soon as possible. He complimented Feinstein and other congressional figures for carrying out "their oversight responsibilities with great dedication and patriotism." But he did not directly address Feinstein's tart criticism or acknowledge agency wrongdoing. He said the agency has taken steps to strengthen CIA performance as a result of the unpublished review, without detailing those moves.

Adding heat on the CIA, Senate Majority Leader Harry Reid ordered an investigation by his body's top cop into the computer network that contained the confidential, internal CIA review that has sparked the rift. Congressional aides say the "Panetta review," so called because it was ordered by then-CIA Director Leon Panetta, counters CIA claims about the effectiveness of its interrogation methods and backs up assertions in the committee's review.

Brennan has yet to say publicly whether the CIA will allow Senate law enforcement personnel to search agency computers that staffers used in northern Virginia. In his note, Brennan said only that "appropriate officials are reviewing the facts."

In letters last week to the heads of the CIA and Justice Department, Reid said the CIA's unapproved searching of computers was "absolutely indefensible." He challenged the credibility of Brennan's claims and echoed Feinstein's conflict-of-interest concerns about CIA lawyer Robert EATINGER, who was acting general counsel when he filed the criminal referral against Senate employees. That was after EATINGER was identified 1,600 times in the committee's study of the interrogation program.

Eatinger was a contentious figure even before his most recent run-ins with congressional investigators. Between 2004 and 2009, he was chief counsel for the CIA Detention and Interrogation Unit that employed harsh questioning tactics that some consider torture, such as waterboarding and sleep deprivation. He was among several CIA lawyers involved in the decision to destroy graphic videotapes of al-Qaida suspects being waterboarded.

Congressional officials worry that Eatinger and other CIA officials who worked in the interrogation unit could be involved in the agency's declassification of the Senate report. Former intelligence officials familiar with the agency's procedures said the process would probably be overseen by lawyers from the CIA's general counsel office, as well as its Intelligence Management section, which handles declassification of long-secret historic and important documents.

In some declassification projects, documents can be farmed out to appropriate CIA units that have historical knowledge of the events, said congressional and former intelligence officials, who spoke on condition of anonymity because they weren't authorized to speak publicly on the matter. Concern that Eatinger and other former interrogation unit members might be involved in declassification partly explains the committee's insistence on White House oversight, congressional aides said.

© 2014 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed. Learn more about our Privacy Policy and Terms of Use.

Copyright 2014 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, MARCH 28, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Senate Panel Vote On Releasing CIA Study Delayed (MCT) 22

Not Responsive

Senate Panel Vote On Releasing CIA Study Delayed

By David Lightman And Jonathan S. Landay, McClatchy Washington Bureau
[McClatchy](#), March 28, 2014

WASHINGTON Senate Intelligence Committee Democrats, locked in an unprecedented power struggle with the CIA, have added 100 pages to the material they want made public from their study of the agency's use of waterboarding and other harsh interrogation methods on suspected terrorists, committee chairwoman Dianne Feinstein, D-Calif., said Thursday.

"It has been expanded," she told McClatchy.

The expansion of what originally was the study's 300-page executive summary will delay a vote that Feinstein had promised by the end of March to send the document to an executive branch declassification review.

That would be the final step in the process of releasing the executive summary of the four-year investigation into the detention and interrogation program. The full report, which cost \$40 million and runs in excess of 6,300 pages, likely won't ever be released.

Feinstein said the declassification vote now likely will be April 3.

"The reason for the delay is a couple of members wanted more time to go over the material," she said.

Feinstein and several other committee members said that the addition of new material to the executive summary has been completed, though Sen. Saxby Chambliss of Georgia, the committee's top Republican, said "it's been a constant product in motion."

Sen. Susan Collins, R-Maine, agreed more time was needed to read the revamped version. After all, she said, "It's a work in progress."

Collins was the only Republican who joined the majority Democrats in approving the final draft of the study, which was completed in December 2012 but whose publication has been awaiting CIA approval.

Sen. Jay Rockefeller, D-W.Va., said the holdup is partly because some members want more time to read the report, and partly because some Republicans "object to everything."

Sen. Tom Coburn, R-Okla., another committee member, insisted there were errors in the report, though he would not specify what. But he expected separate Republican views to be issued when the report is final.

The study found that the CIA's use during the Bush administration of waterboarding which simulates drowning and other harsh interrogation methods on terrorism suspects produced very little intelligence of any value, according to lawmakers who have read the document.

It also determined that the CIA misled the Bush administration, Congress and the public about the effectiveness of the techniques employed in secret prisons runs by the CIA overseas, they've said.

CIA Director John Brennan has disputed some of the findings. Brennan met with the committee Thursday, but Feinstein said the report was not the topic of the meeting.

The expansion of the material that the Democrats plan to make public follows revelations earlier this month of an extraordinary behind-the-scenes confrontation between the committee's majority lawmakers and the CIA over the report.

In a March 11 speech in the Senate, Feinstein charged that the CIA may have violated the law and the Constitution in 2010 by secretly infiltrating computers used by her staff to prepare the study and removing some of the millions of top-secret documents provided by the agency.

The CIA inspector general's office has asked the Justice Department to launch a criminal investigation into possible malfeasance by CIA officials in connection with the alleged intrusions.

The CIA general counsel's office, meanwhile, requested that the Justice Department conduct a criminal probe into the alleged unauthorized removal by Democratic committee staff of classified documents from the top-secret agency facility where the computers were located.

The documents included an internal CIA review of the 6.2 million pages of material provided to the committee that Feinstein and other panel members contend corroborate the study's main conclusions.

Brennan has rejected that contention, saying that the review was not a formal assessment. He also disputed the committee's authority to see the review, saying that a major breach in a CIA computer network allowed the staff to access the material.

Not Responsive

From: Alcindor, Lew
Sent: Monday, March 31, 2014 9:59 PM
To: Fallon, Brian (OPA)
Cc: Richardson, Margaret (OAG)
Subject: Re: Hot Topics

Got it

From: Fallon, Brian (OPA)
Sent: Monday, March 31, 2014 09:35 PM Eastern Standard Time
To: Alcindor, Lew
Cc: Richardson, Margaret (OAG)
Subject: RE: Hot Topics

This just popped (b)5

CIA misled on interrogation program, Senate report says

By Greg Miller, Adam Goldman and Ellen Nakashima,

Published: MARCH 31, 7:37 PM ET

A report by the Senate Intelligence Committee concludes that the CIA misled the government and the public about aspects of its brutal interrogation program for years — concealing details about the severity of its methods, overstating the significance of plots and prisoners, and taking credit for critical pieces of intelligence that detainees had in fact surrendered before they were subjected to harsh techniques.

The report, built around detailed chronologies of dozens of CIA detainees, documents a long-standing pattern of unsubstantiated claims as agency officials sought permission to use — and later tried to defend — excruciating interrogation methods that yielded little, if any, significant intelligence, according to U.S. officials who have reviewed the document.

“The CIA described [its program] repeatedly both to the Department of Justice and eventually to Congress as getting unique, otherwise unobtainable intelligence that helped disrupt terrorist plots and save thousands of lives,” said one U.S. official briefed on the report. “Was that actually true? The answer is no.”

Current and former U.S. officials who described the report spoke on the condition of anonymity because of the sensitivity of the issue and because the document remains classified. The 6,300-page report includes what officials described as damning new disclosures about a sprawling network of secret detention facilities, or “black sites,” that was dismantled by President Obama in 2009.

Classified files reviewed by committee investigators reveal internal divisions over the interrogation program, officials said, including one case in which CIA employees left the agency's secret prison in Thailand after becoming disturbed by the brutal measures being employed there. The report also cites cases in which officials at CIA headquarters demanded the continued use of harsh interrogation techniques even after analysts were convinced that prisoners had no more information to give.

The report describes previously undisclosed cases of abuse, including the alleged repeated dunking of a terrorism suspect in tanks of ice water at a detention site in Afghanistan—a method that bore similarities to waterboarding but never appeared on any Justice Department-approved list of techniques.

U.S. officials said the committee refrained from assigning motives to CIA officials whose actions or statements were scrutinized. The report also does not recommend new administrative punishment or further criminal inquiry into a program that the Justice Department has investigated repeatedly. Still, the document is almost certain to reignite an unresolved public debate over a period that many regard as the most controversial in CIA history.

A spokesman for the CIA said the agency had not yet seen a final version of the report and was, therefore, unable to comment.

Current and former agency officials, however, have privately described the study as marred by factual errors and misguided conclusions. Last month, in an indication of the level of tension between the CIA and the committee, each side accused the other of possible criminal violations in accessing each other's computer systems during the course of the probe.

The Senate Intelligence Committee is expected to vote Thursday to send an executive summary of the report to Obama for declassification. U.S. officials said it could be months before that section, which contains roughly 20 conclusions and spans about 400 pages, is released to the public.

The report's release also could resurrect a long-standing feud between the CIA and the FBI, where many officials were dismayed by the agency's use of methods that Obama and others later labeled torture.

CIA veterans have expressed concern that the report reflects FBI biases. One of its principal authors is a former FBI analyst, and the panel relied in part on bureau documents as well as notes from former FBI agent Ali Soufan. Soufan was the first to interrogate Zayn al-Abidin Muhammed Hussein, the al-Qaeda operative better known as Abu Zubaida, after his capture in Pakistan in 2002 and has condemned the CIA for waterboarding a prisoner he considered cooperative.

The Senate report is by far the most comprehensive account to date of a highly classified program that was established within months of the Sept. 11, 2001, attacks, a time of widespread concern that an additional wave of terrorist plots had already been set in motion.

'Damaging' misstatements

Several officials who have read the document said some of its most troubling sections deal not with detainee abuse but with discrepancies between the statements of senior CIA officials in Washington and the details revealed in the written communications of lower-level employees directly involved.

Officials said millions of records make clear that the CIA's ability to obtain the most valuable

intelligence against al-Qaeda including tips that led to the killing of Osama bin Laden in 2011 had little, if anything, to do with “enhanced interrogation techniques.”

The report is divided into three volumes one that traces the chronology of interrogation operations, another that assesses intelligence officials’ claims, and a third that contains case studies on virtually every prisoner held in CIA custody in the past 13 years. Officials said the report was stripped of certain details, including the locations of CIA prisons and names of agency employees who did not hold supervisor-level positions.

One official said that almost all of the critical threat-related information from Abu Zubaida was obtained during the period when he was questioned by Soufan at a hospital in Pakistan, well before he was interrogated by the CIA and waterboarded 83 times.

Information obtained by Soufan, however, was passed up through the ranks of the U.S. intelligence community, the Justice Department and Congress as though it were part of what CIA interrogators had obtained, according to the committee report.

“The CIA conflated what was gotten when, which led them to misrepresent the effectiveness of the program,” said a second U.S. official who has reviewed the report. The official described the persistence of such misstatements as among “the most damaging” of the committee’s conclusions.

Detainees’ credentials also were exaggerated, officials said. Agency officials described Abu Zubaida as a senior al-Qaeda operative and, therefore, someone who warranted coercive techniques although experts later determined that he was essentially a facilitator who helped guide recruits to al-Qaeda training camps.

The CIA also oversold the role of Abd al-Rahim al-Nashiri in the 2000 bombing of the USS Cole in Yemen, which killed 17 U.S. sailors. CIA officials claimed he was the “mastermind.”

The committee described a similar sequence in the interrogation of Hassan Ghul, an al-Qaeda operative who provided a critical lead in the search for bin Laden: the fact that the al-Qaeda leader’s most trusted courier used the moniker “al-Kuwaiti.”

But Ghul disclosed that detail while being interrogated by Kurdish authorities in northern Iraq who posed questions scripted by CIA analysts. The information from that period was subsequently conflated with lesser intelligence gathered from Ghul at a secret CIA prison in Romania, officials said. Ghul was later turned over to authorities in Pakistan, where he was subsequently released. He was killed by a CIA drone strike in 2012.

Sen. Dianne Feinstein (D-Calif.), chairman of the Senate Intelligence Committee, has previously indicated that harsh CIA interrogation measures were of little value in the bin Laden hunt.

“The CIA detainee who provided the most significant information about the courier provided the information prior to being subjected to coercive interrogation techniques,” Feinstein said in a 2013 statement, responding in part to scenes in the movie “Zero Dark Thirty” that depict a detainee’s slip under duress as a breakthrough moment.

Harsh detainee treatment

If declassified, the report could reveal new information on the treatment of a high-value detainee

named Ali Abdul Aziz Ali, the nephew of Khalid Sheik Mohammed, the self-proclaimed mastermind of the Sept. 11 attacks. Pakistan captured Ali, known more commonly as Ammar al-Baluchi, on April, 30, 2003, in Karachi and turned him over to the CIA about a week later. He was taken to a CIA black site called "Salt Pit" near Kabul.

At the secret prison, Baluchi endured a regime that included being dunked in a tub filled with ice water. CIA interrogators forcibly kept his head under the water while he struggled to breathe and beat him repeatedly, hitting him with a truncheon-like object and smashing his head against a wall, officials said.

As with Abu Zubaida and even Nashiri, officials said, CIA interrogators continued the harsh treatment even after it appeared that Baluchi was cooperating. On Sept. 22, 2003, he was flown from Kabul to a CIA black site in Romania. In 2006, he was taken to the U.S. military prison at Guantanamo Bay, Cuba. His attorneys contend that he suffered a head trauma while in CIA custody.

Last year, the Senate Intelligence Committee asked Baluchi's attorneys for information about his medical condition, but military prosecutors opposed the request. A U.S. official said the request was not based solely on the committee's investigation of the CIA program.

Two other terrorism suspects, from Libya Mohammed al-Shoroeiya and Khalid al-Sharif endured similar treatment at Salt Pit, according to Human Rights Watch. One of the men said CIA interrogators "would pour buckets of very cold water over his nose and mouth to the point that he felt he would suffocate. Icy cold water was also poured over his body. He said it happened over and over again," the report says. CIA doctors monitored the prisoners' body temperatures so they wouldn't suffer hypothermia.

The CIA denies waterboarding them and says it used the technique on only three prisoners.

The two men were held at Salt Pit at the same time as Baluchi, according to former U.S. intelligence officials.

Officials said a former CIA interrogator named Charlie Wise was forced to retire in 2003 after being suspected of abusing Abu Zubaida using a broom stick as a ballast while he was forced to kneel in a stress position. Wise was also implicated in the abuse at Salt Pit. He died of a heart attack shortly after retiring from the CIA, former U.S. intelligence officials said.

Julie Tate contributed to this report.

----- Original message -----

From: "Fallon, Brian (OPA)"
Date: 03/31/2014 8:50 PM (GMT-05:00)
To: "Alcindor, Lew"
Cc: "Richardson, Margaret (OAG)"
Subject: Hot Topics

(b)5



Thanks,

Brian Fallon
Director of Public Affairs
U.S. Department of Justice
202.616.0503 *office*
(b)6 *cell*

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF
DATE: SUNDAY, APRIL 6, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Homeland Response

DOJ Investigating Charges That CIA Monitored Senate
Committee Staff Computers..... 3

Not Responsive

Not Responsive

Not Responsive

Not Responsive

HOMELAND RESPONSE:

DOJ Investigating Charges That CIA Monitored Senate Committee Staff Computers. The [New York Times](#) (4/6, Mazzetti, Subscription Publication, 9.65M) reports that efforts to refocus the CIA towards "more traditional roles carrying out espionage, intelligence collection and analysis" has "come slowly." The Times highlights the CIA's drone strike program, also noting that the Department of Justice is currently looking into charges by Senate Intelligence Committee chairwoman Sen. Dianne Feinstein that the CIA "broke the law by monitoring computers of committee staff" working on a "scathing report" regarding the agency's detention and interrogation program.

Not Responsive

From: Fallon, Brian (OPA)
Sent: Tuesday, April 08, 2014 5:27 PM
To: Alcindor, Lew; Richardson, Margaret (OAG)
Subject: FW: Press Clips – Attorney General Hearing Before House Committee on the Judiciary

Not Responsive

From: Miklavic, Matthew (OPA)
Sent: Tuesday, April 08, 2014 4:32 PM
To: Ratner, Stephen (OPA); Fallon, Brian (OPA); Lewis, Kevin S. (OPA); Pierce, Emily (OPA)
Subject: Press Clips Attorney General Hearing Before House Committee on the Judiciary

Department of Justice
Press Clips – Attorney General Hearing Before House Committee on the Judiciary
As of April 8, 2014 at 4:00 p.m.

Not Responsive

Huffington Post: Eric Holder Calls For release Of 'As Much As Possible' Of CIA Torture Report

Not Responsive



April 8, 2014, 12:59 p.m.

Huffington Post: Eric Holder Calls For release Of 'As Much As Possible' Of CIA Torture Report

http://www.huffingtonpost.com/2014/04/08/eric-holder-cia-torture_n_5111111.html

Attorney General Eric Holder called Tuesday for the release of "as much as possible" of the Senate Intelligence Committee's report on CIA torture, making clear his position on an issue that has generated dueling criminal referrals to the U.S. Department of Justice.

"I agree that as much of the report as possible should be made public, of course allowing for redactions necessary to protect national security," Holder said in testimony prepared for the House Judiciary Committee. "Having prohibited these practices upon taking office, the President believes that bringing this program into the light will help the American people understand what happened in the past and can help guide us as we move forward, so that no Administration contemplates such a program in the future."

Holder's statement is in line with President Barack Obama's position. Last week Senate Intelligence [voted](#) to declassify the report's executive summary, and the White House has promised to move "expeditiously" to comply, albeit while putting the CIA in the lead declassification role.

But Holder's voice is significant to [the ongoing debate](#) over CIA torture practices like waterboarding conducted under former President George W. Bush. The attorney general's office closed its own investigation into those practices in 2012 without bringing any charges. That essentially granted legal immunity to the CIA for its actions, meaning that the Senate report may provide the only basis for accountability for the use of torture or for institutional changes.

More recently, Holder's office has been in the middle of a tug-of-war between the Senate and the CIA. The agency made a criminal referral to the Justice Department after Senate staffers removed a classified internal report on the program from a secure computer room to Senate chambers. Sen. Dianne Feinstein (D-Calif.), meanwhile, has accused the CIA of spying on the Senate staffers who prepared the report. She made her own referral to the department over the CIA surveillance.

Not Responsive



DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: WEDNESDAY, APRIL 9, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



Eric Holder Calls For Release Of 'As Much As Possible' Of CIA
Torture Report (HUFFPOST) 16

Not Responsive

Not Responsive



Eric Holder Calls For Release Of 'As Much As Possible' Of CIA Torture Report

By Matt Sledge

[Huffington Post](#), April 8, 2014

Attorney General Eric Holder called Tuesday for the release of "as much as possible" of the Senate Intelligence Committee's report on CIA torture, making clear his position on an issue that has generated dueling criminal referrals to the U.S. Department of Justice.

"I agree that as much of the report as possible should be made public, of course allowing for redactions necessary to protect national security," Holder said in testimony prepared for the House Judiciary Committee. "Having prohibited these practices upon taking office, the President believes that bringing this program into the light will help the American people understand what happened in the past and can help guide us as we move forward, so that no Administration contemplates such a program in the future."

Holder's statement is in line with President Barack Obama's position. Last week Senate Intelligence voted to declassify the report's executive summary, and the White House has promised to move "expeditiously" to comply, albeit while putting the CIA in the lead declassification role.

But Holder's voice is significant to the ongoing debate over CIA torture practices like waterboarding conducted under former President George W. Bush. The attorney general's office closed its own investigation into those practices in 2012 without bringing any charges. That essentially granted legal immunity to the CIA for its actions, meaning that the Senate report may provide the only basis for accountability for the use of torture or for institutional changes.

More recently, Holder's office has been in the middle of a tug-of-war between the Senate and the CIA. The agency made a criminal referral to the Justice Department after Senate staffers removed a classified internal report on the program from a secure computer room to Senate chambers. Sen. Dianne Feinstein (D-Calif.), meanwhile, has accused the CIA of spying on the Senate staffers who prepared the report. She made her own referral to the department over the CIA surveillance.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: THURSDAY, APRIL 17, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

CIA's Former Top Lawyer Fires Back At Senate Report,
Criticizes Feinstein (MCT)

22

Not Responsive

CIA's Former Top Lawyer Fires Back At Senate Report, Criticizes Feinstein

By James Rosen

[McClatchy](#), April 17, 2014

WASHINGTON — The CIA's former top lawyer disputes Senate findings that the spy agency lied about its brutal interrogations of terrorists, insisting the tactics produced useful intelligence and flatly denying that the CIA misled the former Bush administration, Congress and the American public.

At the same time, John Rizzo, who left the CIA as acting general counsel in 2009, said some CIA employees or contractors were overzealous in the use of the tactics but that the CIA informed lawyers at the Justice Department of the excesses.

Rizzo was responsible for helping to create the legal foundation for permitting waterboarding, extreme sleep deprivation and other aggressive methods he says were used on 30 people held at secret “black sites” around the world.

In his first extensive interview since McClatchy published the 20 key findings of the Senate Intelligence Committee report last week, Rizzo strongly denied the panel’s conclusion that the 10 so-called enhanced interrogation techniques, which he acknowledged were brutal, had failed to produce significant intelligence or to prevent more terrorist attacks.

“This program went on for six years,” Rizzo told McClatchy earlier this week. “And I watched daily every night there was a meeting in those early years at 5 o’clock. It was chaired by the CIA director, George Tenet. And every night, during the course of those briefings, the career CIA analysts and operatives would sit there and recite the information that had been acquired from these detainees. I mean on a daily basis. I’m not an analyst or an operative, but I’m not stupid, and I sat there and listened to this relentlessly.”

Rizzo, who said he hadn’t seen the Senate report but only the published accounts of it, noted that some of the CIA officers and analysts providing updates on the interrogation sessions “were not generally enamored of the Bush administration” and thus weren’t inclined to exaggerate the interrogation program’s effectiveness.

“I was convinced that these techniques were yielding detailed, valuable information into terrorist plots,” Rizzo said. “Now was there ever a ticking time-bomb scenario? I don’t remember a particular (case of): ‘Tomorrow, LAX (airport) is going to blow up,’ but it was incremental and it was steady. And I became convinced just by listening to these career people that the program was yielding very, very valuable benefits.”

Rizzo’s central involvement in crafting the interrogation techniques led Senate Democrats to block his confirmation as CIA general counsel in 2007. He then served as acting general counsel until retiring in October 2009.

Rizzo’s comments mark the first detailed response from a current or former CIA official to the Senate report, which took four years to complete at a taxpayer cost of \$40 million.

With Presidents George W. Bush and Barack Obama claiming to have protected the homeland from follow-on terrorist attacks to the Sept. 11, 2001, tragedy, the escalating fight between the Senate and the CIA raises an important question:

Did the aggressive interrogation techniques, which some current and former U.S. officials and foreign governments say constituted torture, help protect Americans?

Obama formally ended use of the tough interrogation methods within days of taking office in January 2009. Their use had subsided and several of the harsh methods had been abandoned in 2006, after Justice Department opinions justifying them were made public and U.S. abuses of prisoners at the Abu Ghraib prison in Iraq caused an international uproar.

Sen. Dianne Feinstein, the chairwoman of the Senate Intelligence Committee, hasn’t released the 6,300-page report on her aides’ review of the interrogation program. The committee voted to send the report, its executive summary and the findings to the White House for declassification.

Rizzo, who earlier this year published memoirs called “Company Man” in which he described the birth and development of the detainee interrogations, also rebutted the Senate report’s conclusion that “the CIA repeatedly provided inaccurate information to the Department of Justice, impeding a proper legal analysis of the CIA’s detention and interrogation program,” according to a McClatchy article last week.

“It’s just false,” Rizzo said of the finding. “If the implication is that and it has to be directed at me that I purposely misled the Department of Justice about what the techniques were and how they were being implemented, I absolutely reject that.”

Rizzo, who’s likely to be named in the Senate’s investigative report, said it was his idea to seek legal justification for the interrogation program and to make sure it didn’t violate U.S. and international anti-torture laws and conventions by asking the Justice Department to provide detailed legal memos.

Three of the Justice Department memos, drafted by then-Deputy Assistant Attorney General John Yoo, sparked widespread controversy when they were released between 2004 and 2008 because of their detailed descriptions of the approved interrogation techniques, among them waterboarding which simulates drowning prolonged sleep deprivation, wall standing, facial hold, insult slap and cramped confinement in a box.

“I understand why the public found those memos shocking because they ARE explicit,” Rizzo said. “But that’s the way I wanted them to be, so that there would be no misunderstanding about what we were going to do and how we were going to do it.”

Rizzo’s response to the Senate report is likely to further exacerbate already high tensions between the CIA and the main Senate committee charged with overseeing it under a broad constitutional mandate.

Feinstein has accused the CIA of monitoring the committee's computers and possibly impeding its investigation by removing digital documents her aides had identified. The agency, in turn, said Feinstein's staff removed unauthorized documents from a secret CIA facility. Both sets of charges have been referred to the Justice Department for possible criminal investigation.

In a passionate 45-minute speech on the Senate floor last month, Feinstein said the CIA may have broken the law and even violated the Constitution by infiltrating her aides' computers and obstructing a Senate oversight investigation.

For his part, Rizzo partially agreed with another key finding of the Senate probe: "The CIA subjected detainees to interrogation techniques that had not been approved by the Department of Justice or had not been authorized by CIA headquarters."

Rizzo acknowledged there were excesses that went beyond the 10 enhanced interrogation techniques he'd vetted within the CIA and then cleared with the Justice Department.

"There were incidents when CIA interrogators went beyond the authorized techniques. So I'm not denying that," he said. "It didn't occur frequently, but it did occur. But the point is, each time that was done and discovered, CIA reported it to the Department of Justice because anything that was beyond the authorized scope of the techniques was potentially a criminal violation. . . . So that conclusion (of the committee) is actually accurate, but if the idea is that we covered this up, nothing could be further from the truth."

Soon after ending the program in 2009, Obama said CIA officials or agents who had acted "within the four corners of legal opinions or guidance" they'd received on the detainee interrogation program would not be prosecuted. But he said "those who formulated those legal decisions" could have their cases reviewed by Attorney General Eric Holder. Five years later, there have been no prosecutions for the harsh interrogations, even those that Rizzo acknowledges went over the line.

While saying he respects Feinstein as a "serious person" who's been a strong defender of national security programs, Rizzo criticized the California Democrat and her aides for having failed to interview him or his former colleagues before completing the report and sending it to the White House.

Rizzo said he took the claims that he and his colleagues had withheld important information about the interrogation program from the Justice Department as a personal and professional slight.

"Here they are making an accusation about my honor and my integrity, without the basic fairness of giving me an opportunity to explain and defend myself," he said. "I just think that's unconscionable."

Rizzo said he and other former senior CIA officials who were centrally involved with developing and overseeing the harsh interrogations would have been more than willing to discuss them with Senate investigators.

"There are probably two dozen senior CIA people that were heavily involved in this program, who are retired," he said. "I've talked to a number of them. I can tell you, a good many of them would have welcomed the opportunity to be interviewed. And none of them (were) nobody."

Rizzo, who worked at the CIA as a lawyer for 34 years before his retirement, said the Senate Intelligence Committee's approach differed substantially from earlier congressional probes into controversial CIA programs such as the Iran-Contra affair in the 1980s.

He also noted that those previous probes had produced bipartisan reports in which Republican and Democratic lawmakers stood behind the findings.

In the Senate Intelligence Committee's review of the enhanced-interrogation program, by contrast, the panel's Republican members bowed out four months into the investigation.

"When the CIA was criticized in those other investigations, it was on a bipartisan basis," Rizzo said. "That's not the case here. This is strictly a political exercise by the Democratic side of the Intelligence Committee to castigate a Bush-era program."

Rizzo said Feinstein's concern that the CIA would decide which portions of the massive report should be declassified, which she expressed last week in a letter to Obama, was misplaced.

"I've been through a number of CIA declassification exercises of congressional reports in my time," Rizzo said. "And what happens is, CIA takes its cut what they think should be redacted. It is then sent over to the White House with CIA's explanations: 'We think this paragraph discloses secrets.' But the president is the declassifier in chief. So I understand the concern about CIA getting to censor (a review of) its own conduct, but in the real world, it doesn't operate that way. . . . The CIA does not have the final word. The president of the United States has the final word."

When the declassification is complete and the inevitable public outcry ensues, Rizzo views it as a fulfillment of a prophetic warning he issued in November 2002, shortly after the harsh interrogations had started being used on terror detainees.

Speaking at an American Bar Association forum in Washington on the law and national security, he said: "We at CIA have to be careful what we wish for. The agency has gotten all the authorities it has requested, but I wonder what will happen if something goes awry. The pendulum is bound to swing back, and today's era of political consensus for increased intelligence

authorities will come to an end sometime in the future. It will be good for the country when the terrorist threat is perceived to be less, but it could be bad for the CIA.”

Sipping from a glass of white wine at a Georgetown lounge all these years later, Rizzo boiled down his prophecy.

“In a way, the CIA is a victim of its success at keeping the country safe,” he said.

CORRECTION: An earlier version of this story gave the wrong year for when Rizzo’s book “Company Man” was published. It came out in January.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: TUESDAY, APRIL 29, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Senate Probe Creates Tension With CIA, Agents (WP)..... 27

Not Responsive

Senate Probe Creates Tension With CIA, Agents

By Walter Pincus

[Washington Post](#), April 29, 2014

For a government worker, nothing concentrates the mind quicker — or makes you at first angry and later perhaps more cautious — than the prospect that you might go to jail for doing your job.

It's a reminder from the conflict between the Senate Select Committee on Intelligence and the CIA over the panel's more-than 6,300-page report on the CIA's coercive interrogations during the administration of President George W. Bush. They included waterboarding and other torture-like methods.

From 2008 through 2012, CIA officers and contractors faced a criminal investigation by a Justice Department special prosecutor for their roles in what now is considered torturous interrogations, as well as the 2005 destruction of 92 video recordings of some of those activities.

The interrogation methods were approved by Bush and his Justice Department attorneys in 2002, 2003 and 2004. CIA attorneys did not object when told that the tapes were being destroyed, because they had been initiated to make certain that the DOJ's rules were followed and there were operational reports covering what they showed.

In November 2010, special prosecutor John H. Durham decided there would be no prosecution for the tape shredding. In June 2011, Durham concluded that most torture and interrogation allegations should not be prosecuted, but he continued looking at two cases in which CIA prisoners died in custody. In August 2012, the DOJ said no charges would be brought in those cases.

For CIA officers who faced years of investigation, it was a repeat of past instances when a new administration took issue with previous directives and sought to punish agency personnel rather than the former top officials who had approved those activities.

Today, Senate intelligence panel staff members as well as CIA officers and perhaps contractors could be potential subjects of a preliminary DOJ criminal inquiry into the handling of the so-called "Panetta Review," a set of controversial classified documents that fell into the hands of Senate investigators working on the panel's probe.

What is the Panetta Review?

Under a 2009 arrangement with the panel, the CIA agreed to provide detailed operational cables, internal e-mails and messages relative to the interrogations. They went into an electronic database for Senate staffers situated in a rented, secure office outside agency headquarters. The CIA also set up secure computers for Senate staffers in that office that could download documents the agency fed into the database. The Senate computers were walled off from the CIA system and available only to Senate investigators.

Former CIA director Leon Panetta and other past and present CIA officials say there was no Panetta Review. Instead, starting in 2009, an administrative record was to be made of documents as batches were fed into the committee's database. Each was to list the documents transferred along with a short factual summary written by a CIA employee or contractor. In some cases, however, a mid-level supervisor added some analysis such as what the committee might conclude based on those facts — such as the use of techniques not approved by the DOJ. Those summaries were never approved or read at higher agency levels.

According to the CIA, this cataloging ended in late 2010 after CIA attorneys discussed with Durham, the special prosecutor, that creating more documents could complicate his probe.

Documents were made available to the committee database through mid-2012, but no more entries were added to what became known as the Panetta Review. The previously written listed documents and summaries were put in binders and stored away.

What's left are questions and frustrations.

Why does the committee consider the documents so key?

As committee Chairman Diane Feinstein (D-Calif.) put it on March 11 in a Senate floor speech, the CIA's own Internal Panetta Review "corroborates critical information in the committee's 6,300-page study that the CIA's official response [provided in June 2013] either objects to, denies, minimizes, or ignores."

How did Panetta Review documents reach the committee?

That's being investigated by the DOJ, the CIA's inspector general and more recently the Senate's sergeant at arms. Feinstein on March 11 said, "At some point in 2010, committee staff searching the documents that had been made available found draft versions of what is now called the 'Internal Panetta Review.'" In other words, someone sent the documents to the committee database.

Feinstein added: "We have no way to determine who made the Internal Panetta Review documents available to the committee. Further, we don't know whether the documents were provided intentionally by the CIA, unintentionally by the CIA, or intentionally by a whistleblower."

When did the CIA learn that the committee had the documents?

The CIA first heard about the documents when the committee in January 2013 requested the final version of what it referred to as the Panetta Review. CIA officials then realized that the committee already must have some of the documents. Feinstein said in her March speech that she requested in December 2013 "that the CIA provide a final and complete version of the Internal Panetta Review to the committee, as opposed to the partial document the committee currently possesses."

The CIA inspector general had begun an investigation because apparently an unauthorized disclosure had taken place. The CIA formally turned down the committee request, claiming the documents were internal papers. The CIA in early January searched for the Panetta Review documents not only in the database provided to the committee but also the committee's walled-off computers in the secure facility. CIA Director John Brennan on Jan. 15 told Feinstein about the search, saying it followed an allegation that a committee staffer had hacked into the CIA system to get the documents.

Feinstein was angry at the CIA search. Early in 2010 the agency was caught having twice removed hundreds of documents from the database. The CIA denied it, but the issue went to the White House, where the matter was settled and the CIA apologized.

Where are we now?

The CIA's inspector general is looking within the agency into how the committee obtained the documents. So is the Senate's sergeant at arms. The DOJ has been asked to look into the matter. The CIA also has sent a crimes report to the DOJ

based on committee staffers copying their version of the documents and taking it to Capitol Hill. The DOJ is not expected to act on that crimes report.

How does this get settled?

Probably not until at least the committee's executive summary — now about 500 pages — is declassified by the White House and released.

What shouldn't happen?

CIA officers and contractors go through another round of investigations for what happened a decade ago. If more accountability is required, start with Bush and his vice president, Dick Cheney.

Meanwhile, the committee and the CIA continue to do business — but with a new level of tension.

Not Responsive



THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MAY 3, 2014 7:30 AM EDT

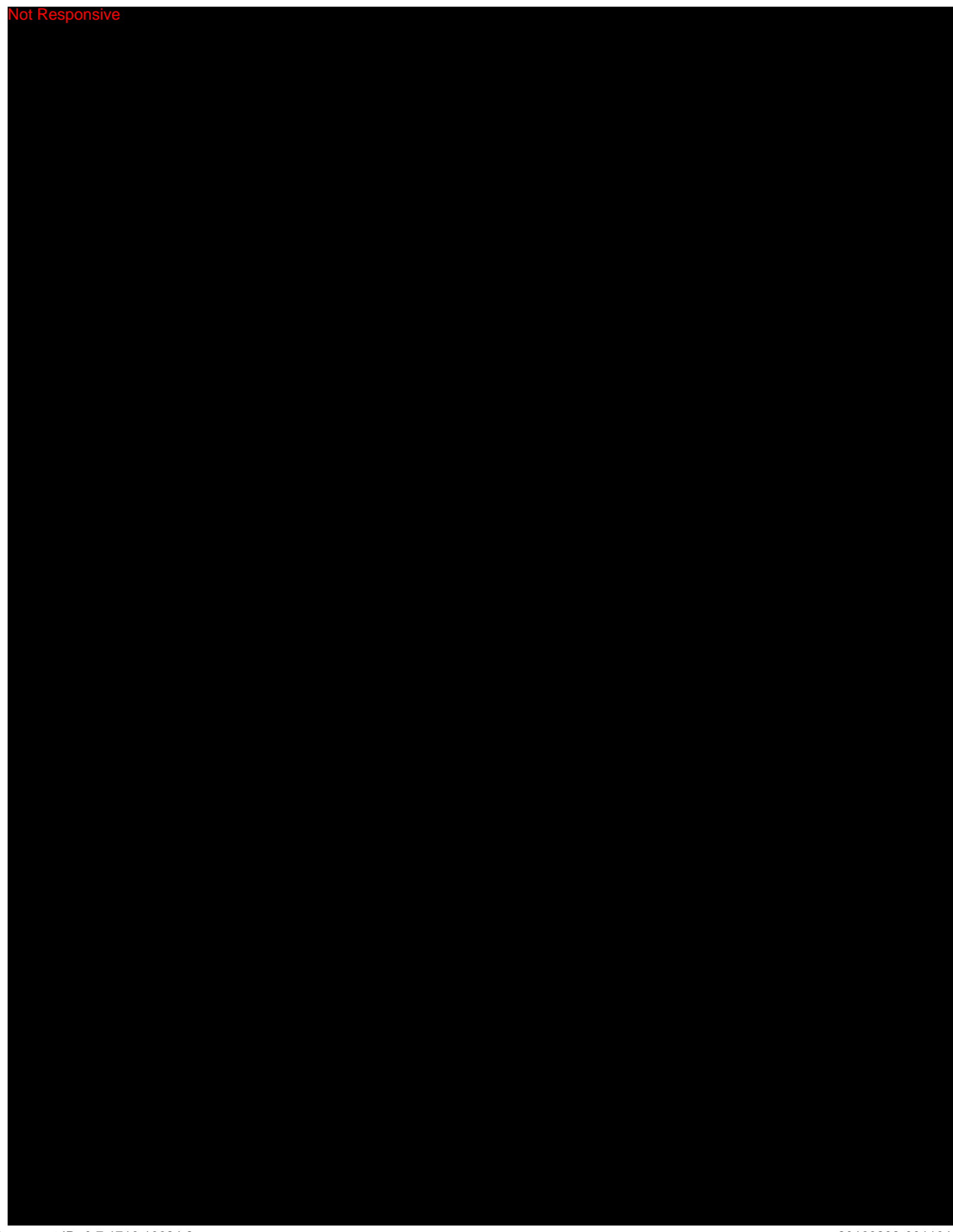
TODAY'S EDITION

Not Responsive

FBI Director Says Agency Hasn't Been Asked To Enter Senate-
CIA Dispute..... 4

Not Responsive

Not Responsive



FBI Director Says Agency Hasn't Been Asked To Enter Senate-CIA Dispute. Josh Gerstein writes in his [Politico](#) (5/3, 73K) blog that FBI Director James Comey told reporters Friday in a general discussion that his agency hasn't "been asked yet" to investigate facts in the ongoing dispute between the Senate Intelligence Committee and the CIA. Criminal referrals went to DOJ earlier in the "unusual public fight" over CIA documents, searches of computers, and moving of materials. Gerstein says DOJ had nothing to say Friday about the referrals.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

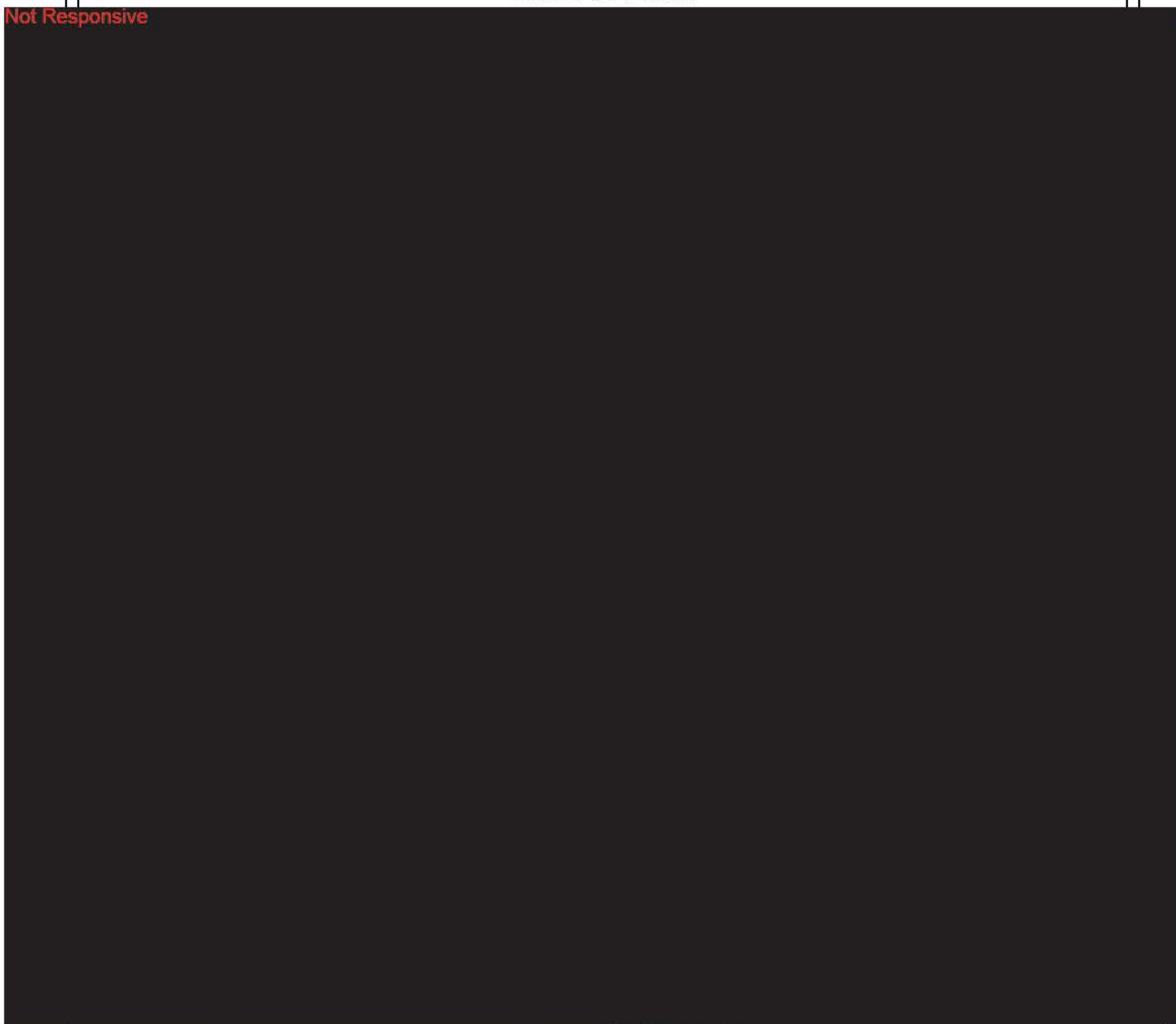
PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, MAY 3, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



James Comey: CIA-Senate Probe Hasn't Escalated To FBI
(POLITICO)..... 15

Not Responsive

James Comey: CIA-Senate Probe Hasn't Escalated To FBI

By Josh Gerstein

[Politico](#), May 3, 2014

The Justice Department's review of allegations traded in a dispute between the Central Intelligence Agency and the Senate has not progressed to the point where the FBI begins to investigate the facts, FBI Director James Comey said Friday.

"We haven't been asked yet," Comey said during a roundtable with reporters.

The Senate Intelligence Committee and the CIA found themselves in an unusual public fight earlier this year that resulted in two so-called criminal referrals to the Justice Department.

The row broke out as a result of a CIA inquiry into how Senate investigators got CIA documents that agency supervisors had not approved for sharing with the Senate as part of a inquiry into Bush-era interrogation practices. The CIA searched computers used by Senate staffers, leading the Senate panel to complain to the Justice Department that the search may have violated the law. A top CIA lawyer also made a referral to Justice, apparently about the possibility the staffers may have broken the law by obtaining the materials and/or by moving them to a secure facility at the Senate.

A Justice Department spokesman didn't respond to a query Friday about the status of the referrals. Officials have previously said that the referrals were being studied by DOJ lawyers, who would have to decide whether to launch a formal investigation.

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: WEDNESDAY, JUNE 25, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

CIA Sued For Failing To Disclose Senate Torture-Probe
Records (NATJO)..... 9

Not Responsive

Not Responsive

CIA Sued For Failing To Disclose Senate Torture-Probe Records

By Dustin Volz

[National Journal](#), June 25, 2014

A pair of open-government advocates are suing the CIA for its continued secrecy regarding its alleged hacking of Senate computers, marking the latest escalation in a covert war raging between Congress and the Obama administration over Bush-era torture practices.

Freelance journalist Jason Leopold and Ryan Shapiro, a doctoral candidate at the Massachusetts Institute of Technology, filed a lawsuit Tuesday on grounds the intelligence agency has refused to comply with Freedom of Information Act requests they sent in April. The pair is seeking CIA records that pertain to a classified Senate review of the agency's now-defunct detention, rendition, and interrogation activities.

That review gained new attention this spring after Senate Intelligence Committee Chairwoman Dianne Feinstein accused the CIA of spying on her panel in an attempt to impede its investigation. The powerful California Democrat, in a blistering 40-minute speech from the Senate floor, attacked the intelligence agency for possibly violating the Constitution by removed key files from computers used by her staff during the probe. She additionally called on the Justice Department to investigate whether the CIA had broken the law.

Feinstein's theatrical gambit paid off, as her committee voted to make a 500-page executive summary of the report public. That summary is currently undergoing an exhaustive redaction process, and the CIA is reportedly nearing completion of its review. The White House is expected to begin its redaction process soon.

But open-government activists have demanded that the agency reveal to what extent it was snooping on its Senate overseers, a tactic that, if true, is seen as fundamentally undermining the separation-of-powers principles of government enshrined in the Constitution.

In April, Leopold and Shapiro filed a sweeping information request with the CIA seeking, among other things, copies of "all written agreements and correspondence" between the Senate Intelligence Committee and the CIA dealing with an agreement made to allow the panel's staffers to access agency documents at its facility in Langley, Va. The pair additionally sought records "documenting any CIA investigation" into the Senate's investigation, and any internal "talking points" circulated advising officials on how to discuss the controversy.

But the CIA has not yet complied, Leopold and Shapiro said in their lawsuit, which is requesting swift compliance.

Leopold and Shapiro are well-known and effective open-government agitators, and have successfully obtained government documents that have shed light on a litany of sensitive issues, ranging from the U.S. involvement in the 1962 arrest of Nelson Mandela to the National Security Agency's internal insistence to use the Sept. 11, 2001, terrorist attacks as a "sound bite" to justify its surveillance programs.

"The U.S. intelligence community is notorious for its profound hostility to transparency," Shapiro said. "In the present case, the CIA appears to have spied upon the very Senate Intelligence Committee tasked with overseeing the CIA's torture program, while at the same time smearing that Senate committee's review with unsupported allegations of criminality."

The Senate report at the center of the saga, parts of which have been leaked already, is expected to cast an unflattering light on the CIA's secret interrogation techniques employed during George W. Bush's presidency, which brought the country into two separate wars in Afghanistan and Iraq.

The CIA was not immediately available for comment.

Not Responsive

From: PAO (SMO)
Sent: Thursday, July 10, 2014 6:36 PM
To: PAO (SMO)
Subject: DOJ DAILY NEWS WRAP

**PUBLIC AFFAIRS DAILY NEWS WRAP
THURSDAY, JULY 10, 2014**

*****FOR INTERNAL USE ONLY*****

Contact: Emily Pierce, Deputy Director, Office of Public Affairs, (202) 514-2007

FRIDAY'S EXPECTED NEWS STORIES:

Department Declines to Launch Criminal Investigation into CIA and Senate Staffers (OPA)

Media sought confirmation that the department had informed the CIA general counsel and inspector general that it had completed preliminary inquiries into potential criminal violations by employees of the CIA and the Senate Select Intelligence Committee. The department provided the following comment:

- The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation.

Not Responsive



THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF
DATE: FRIDAY, JULY 11, 2014 7:30 AM EDT

TODAY'S EDITION

Attorney General, Deputy Attorney General and DOJ
News
DOJ Declines To Investigate Senate-CIA Dispute Over
Enhanced Interrogation Report. 3

Not Responsive

Not Responsive

ATTORNEY GENERAL, DEPUTY ATTORNEY GENERAL AND DOJ NEWS:

DOJ Declines To Investigate Senate-CIA Dispute Over Enhanced Interrogation Report.

[McClatchy](#) (7/11, Watkins, 2.3M) reports that the Justice Department "has decided that it will not open an investigation into accusations that the Central Intelligence Agency spied on the Senate Intelligence Committee, nor will it proceed with CIA allegations that panel staffers slipped classified documents from an agency facility." Justice Department spokesman Peter Carr is quoted saying, "The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation." This "marks an apparent end to an extraordinary feud that spilled into the public forum in early March over the committee's report on the agency's post-9/11 enhanced interrogation program," a dispute that "included competing Justice Department referrals, with both the CIA and the Senate Intelligence Committee accusing the other of criminal conduct."

The [New York Times](#) (7/11, Joachim, Subscription Publication, 9.65M) reports that the claims "were part of a bitter dispute between the CIA and its congressional overseers over a classified report compiled by the committee that is said to be sharply critical of the agency's detention and interrogation practices during the George W. Bush administration." Sen. Dianne Feinstein (D-CA), who chairs the Intelligence Committee, in March "publicly accused the CIA of monitoring computers used by committee staff members to complete the report." At the time, Attorney General Eric Holder "seemed to signal his reluctance to become involved in the dispute," saying "that the department receives many criminal referrals and often declines to investigate them."

However, the [Wall Street Journal](#) (7/11, Gorman, Grossman, Crittenden, Subscription Publication, 5.51M) reports that Feinstein said that she was "pleased" with the Justice Department's decision, adding, "I believe this is the right decision and will allow the committee to focus on the upcoming release of its report on the CIA detention and interrogation program."

The committee's ranking Republican, Sen. Saxby Chambliss, said, [The Hill](#) (7/10, Wong, 237K) reports, that he assumed the Justice Department "did a very thorough investigation and made their decision," adding, "I accept what they decided and we'll look to see what the sergeant at arms says."

[The Oregonian](#) (7/11, Denson, 992K) reports Sen. Ron Wyden (D-OR), a long time member of the committee, "applauded the Justice Department's decision not to go after the Senate staffers 'for simply doing their jobs,'" but said "that the CIA still has questions to answer about its 'unauthorized search of Senate files.'"

The [Los Angeles Times](#) (7/11, Phelps, 3.46M) says, though, that "not every member of her committee was ready to bury the hatchet," citing Sen. Mark Udall (D-CO), who called the decision "troubling," adding, "I am deeply disappointed that Justice did not also recognize the gravity of the CIA's actions."

[Bloomberg News](#) (7/11, Wilber, Hunter, 2.76M) adds that Senate Majority Leader Harry Reid (D-NV) said Thursday that "what the CIA did to my senators is wrong," adding that "an investigation he ordered into the matter by the Senate Sergeant at Arms is still under way."

[Politico](#) (7/10, Bresnahan, Kim, 637K) says that in the wake of the controversy CIA Director John Brennan "has been working for the past several months to 'de-escalate tensions' with Feinstein and the Intelligence Committee, especially Democrats on the secretive panel." He has also "privately assured Reid and other top Democrats that the agency will cooperate with the sergeant at arms' investigation." Top White House officials such as "Kathy Ruemmler, the president's former counsel who recently left her post, and Director of National Intelligence James Clapper have also tried to mediate the dispute," according to Politico.

Other sources covering this story include [USA Today](#) (7/10, Johnson, 5.82M), the [AP](#) (7/11), [Reuters](#) (7/11, Viswanatha, Hosenball), [Roll Call](#) (7/10, Lesniewski, Subscription Publication, 76K), the [NPR](#) (7/11, Johnson, 519K) "The Two Way" blog, [US News & World Report](#) (7/10, Nelson, 645K), the [CNN](#) (7/11, Perez, 12.15M) website, and the [Daily Caller](#) (7/11, Bloom, 408K).

Not Responsive

DEPARTMENT OF JUSTICE **NEWS CLIPS**

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, JULY 11, 2014 7:30 AM EDT

TODAY'S EDITION

Attorney General, Deputy Attorney General and DOJ News

Justice Sees No Crimes In Senate-CIA Spat Over Torture Report (MCT)..... 5

Justice Dept. Declines To Investigate C.I.A. Review (NYT) 6

Justice Dept. Rules Out Criminal Probes In Senate-CIA Standoff (WSJ) 7

DOJ Won't Probe CIA-Senate Spy Charges (HILL) 7

Ron Wyden Glad Justice Department Won't Investigate Senate Staffers Who Examined CIA Interrogations Of Terrorists (OREG)..... 7

CIA-Senate Intelligence Dispute Won't Lead To Criminal Investigation (LAT) 8

Justice Department Passes On Spat Between Senate And CIA (BLOOM) 9

Justice Department: No Criminal Probe In Hill-CIA Spat (POLITICO)..... 9

Justice Dept. Won't Investigate CIA Database Search (USAT) . 10

Justice Department: No Charges In CIA/Senate Spat (AP) 10

DOJ Declines To Open Investigation Into CIA 'Spying' On Senate (CQRC) 11

No Criminal Charges In Senate-CIA Spat, Justice Department Says (NPR)..... 11

CIA Off The Hook: DOJ Won't Probe Alleged Spying On Congress (USNEWS)..... 12

Justice Won't Probe CIA, Senate Spying Allegations (CNN) 13

Holder Refuses To Investigate CIA For Spying On Senate (CALLER) 14

Not Responsive

Not Responsive

ATTORNEY GENERAL, DEPUTY ATTORNEY GENERAL AND DOJ NEWS:

Justice Sees No Crimes In Senate-CIA Spat Over Torture Report

By Ali Watkins, McClatchy Washington Bureau

[McClatchy](#), July 11, 2014

WASHINGTON The Justice Department has decided that it will not open an investigation into accusations that the Central Intelligence Agency spied on the Senate Intelligence Committee, nor will it proceed with CIA allegations that panel staffers slipped classified documents from an agency facility, McClatchy confirmed Thursday.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," said Justice Department spokesman Peter Carr.

The development marks an apparent end to an extraordinary feud that spilled into the public forum in early March over the committee's report on the agency's post-9/11 enhanced interrogation program. The dispute included competing Justice Department referrals, with both the CIA and the Senate Intelligence Committee accusing the other of criminal conduct.

Intelligence Committee Chairwoman Dianne Feinstein, D-Calif., furiously took to the Senate floor in March and accused the CIA of monitoring her committee staffers' computers while they compiled the panel's 6,600-page report on the agency's program. The CIA, meanwhile, accused the staffers of walking out of a secure agency facility with classified information.

And underneath it all is the committee's behemoth report, which draws tough conclusions about the CIA's handling of a program that many have characterized as torture.

The actions provoked Feinstein to charge that CIA Director John Brennan had violated the Constitution's separation of powers.

But despite the raging tempers that swirled around the dispute, the Justice Department's decision puts a premature cap on any potential legal fallout and leaves the broken relationship between the agency and Capitol Hill unresolved.

A stone-faced Brennan made his way Thursday to the committee's regularly scheduled closed meeting, refusing to acknowledge questions and slipping through the doors without a word.

Feinstein, who followed shortly, said she was pleased the Justice Department found no grounds on which to investigate her staff. But she had little to say when pressed on the department's decision to forgo an investigation into the CIA's alleged computer monitoring.

"I had nothing to do about what the Justice Department did, but it is what it is and I accept it as such," she said.

Other panel members, however, weren't so accepting.

"While I am pleased that the Justice Department recognized the folly of the CIA's accusations against committee staff, I am deeply disappointed that Justice did not also recognize the gravity of the CIA's actions," Sen. Mark Udall, D-Colo., said in a statement. "I still want answers from the CIA about its unauthorized search of the committee's computers."

He wasn't alone in objecting to the department's decision.

"I don't think it's the end of the story," said Angus King, an independent from Maine on the committee who caucuses with the Democrats. "They were talking about a criminal investigation, and I think there are other issues beyond that that involve a separation of powers and mutual respect and trust."

One inquiry remains unresolved.

Senate Majority Leader Harry Reid, D-Nev., ordered the Senate's sergeant-at-arms to conduct an independent investigation into the CIA's alleged computer monitoring, an effort that intelligence panel members said is ongoing. However, the potential legal consequences or the status of the investigation are unclear.

"I think the process is working its way, and that's one step in it. We'll see what the sergeant-at-arms comes up with," Intelligence Committee Vice Chairman Saxby Chambliss, R-Ga., said Thursday.

As the nearly 500-page executive summary of the committee's report moves slowly through the declassification process, Feinstein hopes the Justice Department's decision will turn attention toward the actual content of the report.

"This is the right decision and will allow the committee to focus on the upcoming release of its report on the CIA detention and interrogation program," she said.

The study's executive summary is expected to be released sometime in the coming months. The CIA declined to comment. (Staff writer. Jonathan S. Landay contributed to this report.)

Justice Dept. Declines To Investigate C.I.A. Review

By David S. Joachim

[New York Times](#), July 11, 2014

WASHINGTON — The Justice Department has declined to pursue dueling claims by the Central Intelligence Agency and the Senate Intelligence Committee, which had accused each other of criminal behavior related to the committee's investigation of the agency's interrogation practices, the department said on Thursday.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," a spokesman, Peter Carr, said in a written statement.

The claims were part of a bitter dispute between the C.I.A. and its congressional overseers over a classified report compiled by the committee that is said to be sharply critical of the agency's detention and interrogation practices during the George W. Bush administration.

In March, the Intelligence Committee chairwoman, Dianne Feinstein of California, publicly accused the C.I.A. of monitoring computers used by committee staff members to complete the report.

At a news conference at the time, Attorney General Eric H. Holder Jr. seemed to signal his reluctance to become involved in the dispute. He said that the department receives many criminal referrals and often declines to investigate them. "At this point I'd say that's all we're doing: looking at referrals," he said.

People who have read the report say it offers the most detailed look to date on the C.I.A.'s brutal methods of interrogating terrorism suspects in the years after the attacks of Sept. 11, 2001. It concludes that the spy agency repeatedly misled Congress, the White House and the public about the benefits of the program, under which more than 100 detainees were interrogated.

The Intelligence Committee voted in April to declassify about 500 pages of the 6,200-page report, including the executive summary and conclusions. The C.I.A. has recommended redactions of the declassified report for sensitive national security disclosures, and it awaits approval by the White House before its release, said Caitlin Hayden, a spokeswoman for the National Security Council.

Mr. Obama, who opposed the C.I.A. program as a presidential candidate and discontinued it once he took office in 2009, has said he wants the findings made public.

The C.I.A. had accused Intelligence Committee staff members of gaining unauthorized access to parts of the agency's computer system to obtain an internal C.I.A. report about the interrogation program, and later removing the internal report from the C.I.A. facility where they were working.

A C.I.A. spokesman, Dean Boyd, said the agency had no comment on the Justice Department's decision, which was reported earlier by McClatchy Newspapers.

Justice Dept. Rules Out Criminal Probes In Senate-CIA Standoff

Dispute Centers Around Senate Report on the CIA's Post-September 11 Interrogation Practices

By Siobhan Gorman, Andrew Grossman And Michael R. Crittenden

[Wall Street Journal](#), July 11, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

DOJ Won't Probe CIA-Senate Spy Charges

By Kristina Wong

[The Hill](#), July 10, 2014

The Department of Justice has decided not to pursue accusations that the CIA spied on the Senate Intelligence Committee, nor will it investigate charges that committee staffers took classified documents from a secure CIA facility.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," Justice Department spokesman Peter Carr confirmed to The Hill.

Sen. Dianne Feinstein (D-Calif.), the Intelligence Committee's chairwoman, took to the Senate floor in March and blasted the CIA, saying it had spied on her staffers conducting an investigation into the agency's rendition, detention and interrogation program during the Bush era.

The CIA, in turn, alleged that the staffers had taken unauthorized documents while conducting their investigation.

Both sides referred criminal charges against each other to the Justice Department.

Feinstein said she was "pleased" with the Justice Department's decision not to open an investigation into Intelligence Committee staff.

"I believe this is the right decision and will allow the committee to focus on the upcoming release of its report on the CIA detention and interrogation program," she said in a statement to The Hill.

Sen. Saxby Chambliss (R-Ga.), the panel's top Republican, said he assumed the department "did a very thorough investigation and made their decision."

"I accept what they decided and we'll look to see what the sergeant at arms says," he added. The Senate sergeants at arms is conducting its own investigation into the case.

The accusations revolved around the Intelligence Committee's investigation into the "enhanced interrogation" techniques used during the George W. Bush administration.

The committee has produced a 6,600-page report on the program after clashing repeatedly with the CIA during the process. Feinstein alleged the CIA had snooped on the committee's activities at a secure facility where staffers were allowed to review highly classified cables and other documents.

The CIA countered that staffers took documents from the site that they were not supposed to have. Those documents allegedly included an internal review, conducted by former CIA Director Leon Panetta, that found the "enhanced interrogation" methods did not produce useful intelligence.

The executive summary of the report is due to be released this year. Nearly 500 pages of executive summary is being reviewed by the CIA and the White House for redactions.

Security concerns are complicating the release of the report, however, with officials fearing the document could inflame the Arab street and put Americans in danger.

While an August release seems unlikely, putting the report out in early September might not be an option, as it would fall near the anniversary of the 9/11 attacks — a day when terrorist groups typically attempt to strike, as they did two years ago in Benghazi, Libya.

Officials have made clear the release date is a sensitive matter, as Democrats claim the report documents "shocking" brutality, including techniques that critics have labeled "torture" such as waterboarding.

Democrats on the Intelligence panel conducted the investigation, which was boycotted by Republicans, who dispute its findings.

— This story was updated at 2:58 p.m.

Ron Wyden Glad Justice Department Won't Investigate Senate Staffers Who Examined CIA Interrogations Of Terrorists

By Bryan Denson

[The Oregonian](#), July 11, 2014

The U.S. Department of Justice won't open a criminal investigation of Senate staffers who examined CIA documents about the agency's harsh interrogations of suspected foreign terrorists, according to news accounts.

Justice officials also won't open an investigation of CIA staffers accused of spying on the Senate staffers.

The Capitol Hill kerfuffle came to a head early this year, when CIA officials accused staffers on the U.S. Senate Select Committee on Intelligence of walking off with classified documents as they examined files on the interrogation program.

Sen. Dianne Feinstein, D-Calif., ripped the CIA last March for impeding the Senate Intelligence Committee's efforts to shed light on the agency's sometimes brutal interrogations.

Sen. Ron Wyden, D-Ore., applauded the Justice Department's decision not to go after the Senate staffers "for simply doing their jobs." But the senator, a veteran of the Intelligence Committee, said in a news release that the CIA still has questions to answer about its "unauthorized search of Senate files."

"Last month," Wyden wrote, "officials from the FBI, NSA and ODNI (the Office of the Director of National Intelligence) testified that it would not be appropriate for their agencies to conduct a search of Senate files without external authorization or approval, and in my view it is not acceptable for the CIA to do this either.

"Given the intelligence community's unfortunate history of attempting to undermine external oversight by surveilling members of Congress – such as the recently-revealed NSA surveillance of Senators Frank Church and Howard Baker during the Vietnam war – it is critical that the Senate get straight answers to the questions that the CIA has been asked."

CIA-Senate Intelligence Dispute Won't Lead To Criminal Investigation

By Timothy M. Phelps

[Los Angeles Times](#), July 11, 2014

The Justice Department announced Thursday it would not launch a criminal investigation into an embarrassing dispute between the CIA and the Senate Intelligence Committee over alleged mishandling of classified files relating to harsh CIA interrogations of terrorism suspects.

Sen. Dianne Feinstein (D-Calif.), who chairs the committee, angrily denounced the CIA's actions on the Senate floor in March, sparking an unusual public row between a powerful Democratic senator and a Democratic administration.

Feinstein said the CIA had conducted an improper search of committee records housed on CIA-maintained computers, deleting some of them. The CIA, in turn, accused committee staffers of accessing internal agency records and taking copies back to the Capitol.

Both sides denied any wrongdoing. The CIA asked the Justice Department to investigate whether laws were violated by either side.

Peter Carr, a Justice Department spokesman, said Thursday that prosecutors had "carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation."

Feinstein, who appeared ready to put the matter behind her, issued a statement welcoming the Justice Department's decision.

"I am pleased the Justice Department has decided not to open an investigation into Intelligence Committee staff," the statement said. "I believe this is the right decision and will allow the committee to focus on the upcoming release of its report on the CIA detention and interrogation program."

But not every member of her committee was ready to bury the hatchet.

Sen. Mark Udall (D-Colo.) called the Justice Department's action "troubling," saying the CIA's unauthorized search of committee files may have violated the Constitution, federal criminal laws and presidential orders.

"While I am pleased that the Justice Department recognized the folly of the CIA's accusations against committee staff, I am deeply disappointed that Justice did not also recognize the gravity of the CIA's actions. I still want answers from the CIA about its unauthorized search of the committee's computers," Udall said.

A CIA spokesman said the agency would have no comment.

The move comes as the White House and the CIA move to declassify parts of the 6,300-page report on CIA waterboarding and other harsh interrogation tactics at its now-closed "black sites" overseas. Release is expected this summer.

The controversy's origins go back to the CIA's interrogation of Al Qaeda captives after the Sept. 11, 2001, attacks when George W. Bush was president.

After it was revealed in 2007 that CIA officers had destroyed videotapes of some interrogations involving what the agency called "enhanced techniques," the Senate Intelligence Committee reached an agreement with the CIA that committee staffers would be provided access to millions of pages of cables, emails, memos and other documents about the interrogations.

The access was provided at a secure location in northern Virginia beginning in 2009, but according to Feinstein, in 2010 the committee staff noticed that some of the files it was studying in a special CIA-maintained computer system had been deleted.

Later in the year the committee staff found some of the documents the CIA had tried to hide, leading to mutual allegations of misbehavior.

Justice Department Passes On Spat Between Senate And CIA

By Del Quentin Wilber And Kathleen Hunter

[Bloomberg News](#), July 11, 2014

The U.S. Justice Department has declined to pursue a criminal investigation in a dispute between a Senate committee and the CIA over accusations of spying and the purloining of classified documents.

Federal prosecutors “carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation,” said Peter Carr, a spokesman for the Justice Department.

The dispute stemmed from a Senate Intelligence Committee investigation of the enhanced interrogation techniques employed by the Central Intelligence Agency in the years after the Sept. 11 terrorist attacks on the U.S. In March, committee Chairwoman Diane Feinstein, a California Democrat, publicly accused the CIA of spying on the computers her staff used to compile a 6,200-page study of waterboarding, sleep deprivation, confinement in small spaces and other interrogation techniques used on suspected terrorists at secret prisons.

The CIA issued a counter accusation – that Feinstein’s staff improperly removed classified documents from CIA facilities and brought them back to their Senate offices – and asked the Justice Department to investigate.

The Justice Department said today that it sent letters yesterday to the CIA Inspector General, which referred the spying allegations to be investigated, and the CIA general counsel, saying it won’t open a criminal probe. The letters were not made public.

Senate Majority Leader Harry Reid, a Nevada Democrat, said today that “what the CIA did to my senators is wrong,” adding that an investigation he ordered into the matter by the Senate Sergeant at Arms is still under way.

The CIA declined to comment. Feinstein didn’t immediately respond to a request for comment.

Senator Mark Udall, a Colorado Democrat on the Intelligence panel, said the Senate “shouldn’t let this drop until we have some fundamental resolution of what happened.”

The intelligence committee has asked the Obama administration to declassify and release portions of the lengthy report. The White House said it was working in “all due haste” to release the documents.

To contact the reporters on this story: Del Quentin Wilber in Washington at dwilber@bloomberg.net; Kathleen Hunter in Washington at khunter9@bloomberg.net

To contact the editors responsible for this story: Steven Komarow at skomarow1@bloomberg.net Joe Sobczyk

Justice Department: No Criminal Probe In Hill-CIA Spat

By John Bresnahan And Seung Min Kim

[Politico](#), July 10, 2014

The Justice Department will not conduct a criminal probe into allegations that CIA officials spied on Senate Intelligence Committee staffers or that a secret CIA report was improperly removed from agency computer files by Senate staffers, according to a new report.

McClatchy News reported on Thursday that the Justice Department would not wade into the unprecedented feud between the spy agency and the Intelligence panel. The fight exploded into public view in March when Intelligence Committee Chairwoman Dianne Feinstein (D-Calif.) took to the Senate floor and accused the CIA of interfering with her panel’s investigation into interrogation tactics used by the agency on terror detainees during the Bush administration.

“The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation,” Peter Carr, a Justice Department spokesman, said in a statement.

The CIA’s counsel and inspector general were informed about DOJ’s decision on Wednesday, according to a DOJ spokeswoman, while the Intelligence Committee was told on Thursday.

Senate Democrats, including Majority Leader Harry Reid (D-Nev.), said they were happy to see no criminal charges will be brought against anyone involved in the dispute.

“My reaction is that what went on there, I felt was we handled it in an appropriate way,” Reid said during a news conference. “I think the sergeant at arms did a good job. ... I think what the CIA did to my senators was wrong, I’m going to drop it at that.”

“As the leader mentioned, the sergeant at arms has been tasked with taking an objective look at what happened,” said Sen. Mark Udall (D-Colo.), a member of the Intelligence Committee and a key player in the acrimonious battle with the CIA.

"I still believe that the CIA's entry into our computers was unacceptable, perhaps even unconstitutional," Udall said at a news conference. "And we shouldn't let this drop until we have some fundamental resolution of what happened. This wasn't the first time this occurred, and the division of powers in our nation's constitution is at some risk here."

Udall added: "It's an unfortunate incident in our history, but at the heart of this is still the need to declassify the committee's report on the rendition and enhanced interrogation techniques that the CIA engaged in in the last decade, and we need to remove that stain."

At the center of the dispute was a super-secret report ordered by former CIA Director Leon Panetta and how Senate Intelligence Committee staffers got a copy of that document. The Senate staffers reportedly obtained the report through the CIA's own computer system, which led to allegations by agency officials that those aides may have broken the law.

Feinstein, in return, angrily charged that the CIA had improperly monitored actions by the Intelligence Committee and was improperly trying to evade congressional oversight.

The Senate sergeant at arms is now conducting its own investigation into how Intelligence Committee staffers got ahold of the document.

Current CIA Director John Brennan has been working for the past several months to "de-escalate tensions" with Feinstein and the Intelligence Committee, especially Democrats on the secretive panel.

Brennan has privately assured Reid and other top Democrats that the agency will cooperate with the sergeant at arms' investigation.

Top White House officials like Kathy Ruemmler, the president's former counsel who recently left her post, and Director of National Intelligence James Clapper have also tried to mediate the dispute.

The Justice Department had been conducting parallel criminal investigations into allegations by both the CIA and the Intelligence Committee, but it appears now that no formal charges will ever be filed in the standoff.

Despite concerns from CIA officials and defense hawks, Feinstein pushed through her committee a request to declassify the summary and findings of a 6,300-page report on the agency's practices under the Bush administration. That declassification request is now under White House review, but Democrats have warned they may push to declassify the full report.

Tal Kopan contributed to this story.

Justice Dept. Won't Investigate CIA Database Search

By Kevin Johnson

[USA Today](#), July 10, 2014

WASHINGTON — The Justice Department will not launch a criminal investigation into whether the CIA improperly searched a congressional database.

The matter relates to a dispute between some senators and the CIA, which was accused of attempting to interfere with a congressional inquiry into agency detention and interrogation techniques.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," Justice spokesman Peter Carr said Thursday.

An angry Dianne Feinstein, D-Calif., the Senate Intelligence Committee chair, said in March that the CIA's alleged actions "may have violated the separation of powers principles embodied in the U.S. Constitution."

The CIA, which had accused Senate staffers of improperly handling classified documents, referred the matter to the Justice Department.

The dispute centered in part on rules that the Senate and CIA had set for document collection in the congressional inquiry.

In 2009, the Senate panel began a review of detention and interrogation policies applied to terrorism suspects after the Sept. 11 attacks.

The committee's report has yet to be released.

Justice Department: No Charges In CIA/Senate Spat

[Associated Press](#), July 11, 2014

WASHINGTON (AP) — The Justice Department says no criminal charges will be brought in connection with a dispute between the CIA and Senate Intelligence Committee over the handling of sensitive classified material.

The fight broke out in March when California Democratic Sen. Dianne Feinstein, the committee chair, accused the CIA of improperly searching and removing documents from a computer network used by Senate staffers preparing a report on harsh interrogation methods. The CIA, meanwhile, accused Senate staffers of improperly obtaining sensitive CIA documents.

The Justice Department had been asked to investigate whether laws were broken on either side.

Spokesman Peter Carr said in a statement Thursday that the department had reviewed the matters and did not find sufficient evidence to warrant a criminal investigation.

Copyright 2014 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

DOJ Declines To Open Investigation Into CIA 'Spying' On Senate

By Niels Lesniewski

[Roll Call](#), July 10, 2014

The Justice Department is declining to open a formal investigation into the sparring between the Senate Intelligence Committee and the CIA.

"The Department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," Justice Department spokesman Peter Carr said in a statement.

Intelligence Chairwoman Dianne Feinstein, D-Calif., came to the floor in March to torch the intelligence agency and accuse it of spying on computers being used by her staff to investigate the George W. Bush-era torture program.

Approached entering a Democratic caucus luncheon, Feinstein told CQ Roll Call she was pleased with the news.

"I'm delighted to hear that. I think it's the right thing, and I gather they have dropped both investigations," Feinstein said. "So that's that, and I couldn't be happier."

There was a public back-and-forth between the Senate and the CIA, with charges that Senate staff improperly accessed documents and removed materials from the secure facility used for the review. The resulting report on torture programs is currently going through declassification review.

The CIA general counsel asked the Justice Department to investigate the allegations against the Senate staff, with Feinstein having called for a separate probe through the CIA's inspector general. In addition, Senate Majority Leader Harry Reid, D-Nev., instructed the sergeant-at-arms to investigate the matter.

No Criminal Charges In Senate-CIA Spat, Justice Department Says

By Carrie Johnson

[NPR](#), July 11, 2014

The Justice Department has declined to bring criminal charges against anyone at the CIA or the Senate Intelligence Committee in a dispute over access to documents about the enhanced interrogation program the U.S. deployed against detainees after the attacks of Sept. 11, 2001.

Prosecutors notified the Senate panel Thursday of their decision, a muted end to a power struggle that had undermined relations between the intelligence community and its chief overseers on Capitol Hill.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," said Peter Carr, a spokesman for the Justice Department's criminal division, in a prepared statement.

Background

Attorney General Eric Holder had given little public indication he wanted to wade into a clash over the separation of powers. Earlier this year, the CIA accused Senate panel staff members of improperly accessing sensitive documents about detainee mistreatment as part of their long-running congressional investigation into abusive detention and interrogation practices by the intelligence community.

Agency lawyers went so far as to refer the matter to the Justice Department for possible criminal investigation. Then, in March, the committee chairwoman, California Democrat Dianne Feinstein, appeared in the well of the Senate for a remarkable address in which she pointed a finger at the CIA for unauthorized snooping on a computer provided to her staff.

More than anything else, the notion that legislative aides who had spent years reviewing thousands of pages of "chilling" and gruesome material now faced criminal jeopardy seemed to set off Feinstein, who called the CIA criminal referral to prosecutors "a potential effort to intimidate this staff."

CIA Director John Brennan has refrained from most public statements, but he addressed the controversy earlier this year in remarks at the Council on Foreign Relations.

"As far as the allegations of CIA hacking into Senate computers, nothing could be further from the truth. We wouldn't do that. I mean, that's just beyond the scope of reason," Brennan said. "I would just encourage some members of the Senate to take their time to make sure that they don't overstate what they've claimed, and what they probably believe to be the truth."

White House chief of staff Denis McDonough and then-legal counsel Kathryn Ruemmler rushed to meet with Feinstein, one of their leading allies, to try to clean up the mess.

CIA spokesman Dean Boyd declined to comment on Thursday's Justice Department decision.

What Comes Next

But there's still one big shoe to drop. The White House is reviewing the Senate Intelligence Committee's findings about what Feinstein has described as torture of terrorism suspects in the years after Sept. 11, 2001. Capitol Hill staff members expect the report could be released publicly later this year.

Caitlin Hayden, a spokeswoman for the National Security Council, says the White House is in the middle of reviewing which parts of the executive summary, findings and conclusions need to be redacted to protect U.S. interests overseas.

"The president has been clear that he wants this process completed as expeditiously as possible, and he's also been clear that it must be done consistent with our national security," Hayden said in a prepared statement. "An important goal that the administration and the committee share is the safety and security of our people overseas.

"So, prior to the release of any information ..., the administration will also need to look at any potential security implications and take a series of steps to prepare our personnel and facilities overseas. We will do that in a timely fashion."

Feinstein has said her findings are meaningful not just as a chronicle of the recent past, but also a way forward.

"If the Senate can declassify this report, we will be able to ensure that an un-American, brutal program of detention and interrogation will never again be considered or permitted," she said.

CIA Off The Hook: DOJ Won't Probe Alleged Spying On Congress

By Steven Nelson

[US News & World Report](#), July 10, 2014

The Justice Department won't launch a criminal investigation into claims from Senate Intelligence Committee Chairwoman Dianne Feinstein that the CIA improperly spied on committee staff.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," Justice Department spokesman Peter Carr said in a statement.

McClatchyDC first reported the news Thursday.

Senate staffers accused by the CIA of mishandling classified documents are also off the hook, Carr says.

Feinstein's office did not immediately respond to a request for comment.

Feinstein, D-Calif., said in a March 11 Senate floor speech that the CIA may have broken various laws by spying on committee staffers who were investigating controversial CIA interrogation techniques that critics call torture.

The dispute arose after committee staff printed an internal CIA review of the harsh tactics. The agency apparently did not intend to share the document, called the "Panetta Review," with congressional investigators. Feinstein says the review contradicts later CIA claims that committee findings were inaccurate.

"I have grave concerns that the CIA's search [of computers used by Senate staff] may well have violated the separation of powers principle embodied in the United States Constitution, including the speech and debate clause," Feinstein said in her speech. "Besides the constitutional implications, the CIA search may also have violated the Fourth Amendment, the Computer Fraud and Abuse Act, as well as Executive Order 12333, which prohibits the CIA from conducting domestic searches or surveillance."

Exiled whistleblower Edward Snowden accused Feinstein, a loud supporter of the National Security Agency's surveillance programs, of selective outrage. "[I]t's equally if not more concerning that we're seeing another 'Merkel Effect,' where an elected official does not care at all that the rights of millions of ordinary citizens are violated by our spies, but suddenly it's a scandal when a politician finds out the same thing happens to them," he said.

Code Pink activists took up that criticism, staging a hastily prepared theater performance in the senator's office. An activist playing the role of "Pro-Spy Di-Fi" lauded the good work of the NSA while "Anti-Spy Di-Fi" condemned the CIA for snooping on her staff.

Feinstein reluctantly endorsed the USA Freedom Act – which would end the NSA's mass collection of U.S. phone records – earlier this year, following President Barack Obama's pivot on the issue.

The intelligence committee approved its torture report in December 2012. It is undergoing a declassification process.

Former Sen. Mike Gravel, D-Alaska, who leaked the Pentagon Papers into the Congressional Record four decades ago, suggested in March that a member of the intelligence committee follow his lead and release the full document to the public, an action that would likely yield scorn from colleagues but for which members of Congress would face no penalties.

Update:

Feinstein is evidently pleased there won't be an investigation into her claim the CIA broke the law.

"I'm delighted to hear that. I think it's the right thing, and I gather they have dropped both investigations," she told Roll Call on Thursday. "So that's that, and I couldn't be happier."

Feinstein didn't mention the alleged CIA spying on her staff in a subsequent statement distributed by her office.

"I am pleased the Justice Department has decided not to open an investigation into intelligence committee staff," the statement said. "I believe this is the right decision and will allow the committee to focus on the upcoming release of its report on the CIA detention and interrogation program."

Justice Won't Probe CIA, Senate Spying Allegations

By Evan Perez

[CNN](#), July 11, 2014

(CNN) – The Justice Department has decided it won't referee charges – and countercharges – of spying between the CIA and the Senate Intelligence Committee.

The CIA's general counsel and inspector general each made criminal referrals to the Justice Department seeking an investigation of whether Senate staffers obtained unauthorized access to classified documents related to the agency's now-defunct post-9/11 interrogation program.

Soon after, Senate Intelligence Committee Chairman Dianne Feinstein went to the Senate floor to accuse the agency of spying on computers used by committee staffers at a CIA facility to investigate the Bush-era interrogation program.

Now, the Justice Department has notified the CIA and the Senate committee that it can't find enough evidence to warrant a full-blown probe.

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," Justice Department spokesman Peter Carr said.

The CIA declined comment. Feinstein's office didn't immediately comment.

Critical report on CIA

The unusual dispute has raised tensions between the agency and lawmakers charged with overseeing its activities.

The committee has produced a 6,300-page report on the program, which critics say violated prohibitions on torture and exceeded legal guidance from the Justice Department.

The White House and the CIA are reviewing an executive summary of the report to remove classified information before it can be released.

The documents that prompted the dispute relate to an internal review by former CIA Director Leon Panetta and, according to the agency, were intended to help summarize material it was providing to the committee for its investigation of the program.

The documents were plainly labeled as for internal use and were not supposed to be reviewed by the committee, according to the CIA.

Feinstein said Senate staffers found the documents in the course of their work that were put in the computer system either on purpose by a whistleblower or perhaps in error, and that they corroborated some of the committee's findings that the agency now says it disagrees with.

She said committee staff routinely sees such documents and didn't violate any classified restrictions.

Senate Majority Leader Harry Reid said Thursday he believes the Senate has handled the matter appropriately.

"I think what the CIA did to my senators is wrong. I'm going to drop it at that," Reid said.

Democratic Sen. Mark Udall of Colorado said, "I still believe the CIA's entry into our computers was unacceptable perhaps even unconstitutional and we shouldn't let this drop until we have some sort of fundamental resolution of what happened. This wasn't the first time this occurred and the division of powers in our nation's constitution is at some risk here."

Udall said it's time for the White House and the CIA to release the portions of the Senate's report under review.

Feinstein is usually one of the intelligence community's staunchest allies in Congress.

CIA says it acted properly

CIA Director John Brennan has disputed Feinstein's accusations of agency wrongdoing in uncovering Senate staff access to the internal report.

Speaking to the Council on Foreign Relations in March, he said, "when the facts come out on this, I think a lot of people who are claiming that there has been this tremendous sort of spying and monitoring and hacking will be proved wrong."

Dean Boyd, a CIA spokesman, said in an op-ed published in USA Today in March that the agency acted properly after it discovered Senate staffers may have accessed and retained sensitive documents stored in a CIA computer network.

"These documents were privileged, deliberative, pre-decisional executive branch material that implicated separation of powers concerns," Boyd wrote. "Because we were concerned that there may have been a breach or vulnerability in the CIA local area network on which CIA stored these documents, CIA information technology specialists were asked to conduct a limited review to determine whether these files were located on the side of the CIA network the committee was authorized to use. That review appeared to confirm the committee's unauthorized access to the documents."

FBI looks into dispute between CIA, Senate

Holder Refuses To Investigate CIA For Spying On Senate

By Tristyn Bloom

[Daily Caller](#), July 11, 2014

The Department of Justice will not investigate the Central Intelligence Agency for alleged spying on the Senate Intelligence Committee, McClatchy reported Thursday.

The CIA's Inspector General requested an investigation in March after suspicions arose that the CIA was illegally monitoring computers used to prepare a report on CIA detention and interrogation procedures. The report was highly critical of the CIA, suggesting that the agency willfully misrepresented details of its programs to both the Bush administration and Congress while they were going on.

Democratic Sen. and Intelligence Committee member Mark Udall called the CIA's alleged behavior "incredibly troubling for the committee's oversight responsibilities." Intel Committee Chair Sen. Dianne Feinstein said in March that "how this will be resolved will show whether the Intelligence Committee can be effective in monitoring and investigating our nation's intelligence activities, or whether our work can be thwarted by those we oversee."

"The department carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation," said Justice Department spokesman Peter Carr.

Udall encouraged the Senate to take a stand against the DOJ's decision. "We shouldn't let this drop."

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, AUGUST 1, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Despite Previous Brennan Denials, IG Says CIA Improperly
Accessed Senate Computers..... 15

Not Responsive

Despite Previous Brennan Denials, IG Says CIA Improperly Accessed Senate Computers.

A report from the CIA's inspector general, which says that agency employees improperly accessed the computers used by the Senate Intelligence Committee, was covered by two of the three network news broadcasts Thursday evening, and receives a great deal of print coverage this morning. Most reports note that the IG's finding, which contradicts repeated denials by CIA Director Brennan that no such spying had occurred, has prompted calls that Brennan be held accountable.

[NBC Nightly News](#) (7/31, story 3, 1:50, Williams, 7.86M) that the CIA has "admitted...to spying, not on a foreign government, but on our own Congress, improperly finding their way into US Senate computers during an investigation into the CIA's interrogation techniques after 9/11." NBC (Mitchell) added that while the CIA has denied "spying on Senate investigators looking into alleged CIA torture of prisoners after 9/11," on Thursday, the CIA's inspector general said that five agency employees, "including two attorneys, improperly accessed the computers launching a keyword search of all and a review of some of the emails of Democratic staff members." Some senators "are demanding that the CIA director, John Brennan, one of the President's closest advisers, be fired."

The [CBS Evening News](#) (7/31, story 4, 1:35, Brown, 5.08M) that Brennan "apologized today after an internal investigation determined the agency had spied on staff

members of the United States Senate. Something Brennan had long denied."

[Reuters](#) (7/31, Hosenball) note that CIA spokesman Dean Boyd said that Brennan had informed Senate Intelligence Committee Chairwoman Dianne Feinstein and senior Republican Saxby Chambliss of the IG's finding and apologized.

The [New York Times](#) (8/1, Mazzetti, Hulse, Subscription Publication, 9.79M) calls the IG report a "vindication" for Feinstein, "who excoriated the C.I.A. in March when the matter became public." The Times adds that a CIA spokesman said that Brennan "would set up an internal accountability board to review the issue." According to the spokesman, the board, which will be led by former Sen. Evan Bayh, "could recommend 'potential disciplinary measures' and 'steps to address systemic issues.'"

The [AP](#) (7/31, Dilanian) calls the IG report "stark" and notes that with its release, the CIA's "insistence that it did not spy on its Senate overseers collapsed." The AP notes that the findings "were shared with the Justice Department, which has so far declined to pursue criminal charges, officials said."

[McClatchy](#) (7/31, Landay, Watkins, Subscription Publication, 23K) reports that the IG report contradicts "denials of such intrusions" by Brennan, and notes that Feinstein called his "apology and his decision to submit the CIA IG findings to the accountability board 'positive first steps.'"

The [Washington Times](#) (8/1, Dinan, Ernst, 465K) says the admission is a retreat from Brennan's "vehement denials" that has further damaged the CIA's "credibility with Congress." The Times notes that senators "demanded accountability for Mr. Brennan's now-discredited denials." Sen. Ron Wyden said, "The CIA conducted an unauthorized search of Senate files, and attempted to have Senate staff prosecuted for doing their jobs. ... Director Brennan's claims to the contrary were simply not true."

The [Huffington Post](#) (7/31, Bobic, 11.54M) reported that Sen. Mark Udall "on Thursday called for the resignation of John Brennan as CIA director," saying in a statement, "After being briefed on the CIA Inspector General report today, I have no choice but to call for the resignation of CIA Director John Brennan. ... The CIA unconstitutionally spied on Congress by hacking into Senate Intelligence Committee computers. This grave misconduct not only is illegal, but it violates the U.S. Constitution's requirement of separation of powers. These offenses, along with other errors in judgment by some at the CIA, demonstrate a tremendous failure of leadership, and there must be consequences."

The [Wall Street Journal](#) (8/1, Gorman, Subscription Publication, 5.89M) notes that the IG report did not look into the CIA's claim that Senate aides had improperly gained access to an internal CIA document. Committee aides'

actions are still under investigation by the Senate sergeant at arms.

An editorial in [USA Today](#) (8/1, 5.76M) argues that the CIA “appears to have directly violated the separation of powers doctrine,” and says that Brennan either “knew what was going on and didn’t tell the truth, or he didn’t know what was happening in his own agency and looks dangerously uninformed.” USA Today notes that Brennan’s credibility “seems badly damaged,” and if more senators echo Udall’s call for his resignation he “would become a serious liability for President Obama.”

NYTimes: CIA Culture Needs A “Thorough Overhaul.” A [New York Times](#) (8/1, Subscription Publication, 9.79M) editorial argues that with its “shocking action,” the CIA has offended “all of Congress and, by extension, the American public, which is paying for an intelligence agency that does not seem to understand the most fundamental concept of separation of powers.” Arguing that the CIA is in need of “more than a few quiet personnel changes,” the Times says the agency’s “very core, and basic culture, needs a thorough overhaul.”

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, AUGUST 1, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



Not Responsive

CIA Concedes It Spied On Senate Investigators, Apologizes (REU).....	79
C.I.A. Admits Penetrating Senate Intelligence Computers (NYT)	79
CIA Spied On Senate, Internal Review Finds (AP).....	80
Contradicting Earlier Claims, CIA Admits It Improperly Accessed Senate Computers (MCT).....	82
CIA Admits Improperly Hacking Senate Computers (WT).....	83
Sen. Mark Udall Calls For CIA Director John Brennan To Resign (HUFFPOST).....	84
Investigation Finds CIA Improperly Accessed Senate Computers (WSJ).....	84

Not Responsive

Not Responsive

CIA Concedes It Spied On Senate Investigators, Apologizes

By Mark Hosenball

[Reuters](#), July 31, 2014

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

C.I.A. Admits Penetrating Senate Intelligence Computers

By Mark Mazzetti And Carl Hulse

[New York Times](#), August 1, 2014

WASHINGTON An internal investigation by the Central Intelligence Agency has found that its officers improperly penetrated a computer network used by the Senate Intelligence Committee to prepare its damning report on the C.I.A.'s detention and interrogation program.

The report by the agency's inspector general found that C.I.A. officers created a fake online identity to gain access on more than one occasion to computers used by members of the committee staff, and tried to cover their movements as they rooted around the system, according to an official with knowledge of the investigation's findings.

A statement issued Thursday morning by a C.I.A. spokesman said that John O. Brennan, the agency's director, had apologized to the two senior members of the intelligence committee and would set up an internal accountability board to review the issue. The statement said that the board, which will be led by former Senator Evan Bayh, an Indiana Democrat, could recommend "potential disciplinary measures" and "steps to address systemic issues."

The Justice Department has already declined to investigate the matter, so the inspector general report brings a degree of closure to the issue and vindication for Senator Dianne Feinstein, the Democratic chairwoman of the committee who excoriated the C.I.A. in March when the matter became public.

The C.I.A. statement gave almost no specifics about the findings of the report, written by Inspector General David Buckley.

Officials said there was a tense meeting earlier this week when Mr. Brennan briefed the two senators Ms. Feinstein, a Democrat of California, and Saxby Chambliss, Republican of Georgia. The officials said Ms. Feinstein had confronted Mr. Brennan about past public statements on the issue, in which he defended the agency's actions.

When the C.I.A.'s monitoring of the committee became public in March, Mr. Brennan said, "When the facts come out on this, I think a lot of people who are claiming that there has been this tremendous sort of spying and monitoring and hacking will be proved wrong."

Days earlier, he said that lawmakers were making "spurious allegations about C.I.A. actions that are wholly unsupported by the facts."

On Thursday, Senator Feinstein called Mr. Brennan's apology and decision to set up an accountability board "positive first steps," and said that the inspector general report "corrects the record." She said that she expected that a version of the report would be declassified, but gave no further details.

Committee Democrats have spent more than five years working on a report about the C.I.A.'s detention and interrogation program during the George W. Bush administration, which employed brutal interrogation methods like waterboarding. Parts of that report, expected to conclude that the techniques yielded little valuable information and that C.I.A. officials consistently misled the White House and Congress about the efficacy of the techniques, are expected to be released in August.

The current crisis erupted late last year, when C.I.A. officials came to suspect that the committee's staff sifting through millions of documents at an agency facility in Northern Virginia improperly obtained an internal review of the program that the C.I.A. never intended to give to Congress. In response, C.I.A. security officials penetrated a secure computer server that had been set up to allow the Senate investigators to work on their report without being monitored by the spy agency.

The C.I.A. and lawmakers spent months trading accusations in private, until the fight became public in March and Ms. Feinstein took to the Senate floor to deliver a blistering speech accusing the agency of infringing on the committee's role as overseer.

Calling it a "defining moment" in the committee's history, Senator Feinstein said that how the matter is resolved "will show whether the intelligence committee can be effective in monitoring and investigating our nation's intelligence activities, or whether our work can be thwarted by those we oversee."

The White House publicly defended Mr. Brennan on Thursday, saying he had taken "responsible steps" to address the situation, including suggesting an investigation, accepting its results and appointing an accountability board. Asked whether the results of the investigation present a credibility issue for Mr. Brennan, Josh Earnest, the White House press secretary, said, "Not at all."

Crediting Mr. Brennan with playing an "instrumental role" in helping the United States government destroy Al Qaeda's leadership in Afghanistan and Pakistan, Mr. Earnest said, "He is somebody who has a very difficult job, who does that job extraordinarily well."

But Democrats who have been critical of the C.I.A.'s actions said the inspector general report reinforced how Mr. Brennan's initial statements about the matter were untruthful.

Senator Mark Udall, a Democrat of Colorado and another member of the intelligence committee, said he had "lost confidence" in Mr. Brennan, and was concerned about the C.I.A. director's "inability to find any flaws in the agency he leads."

Mr. Udall also called for the Obama administration to appoint an independent counsel to explore possible violations of the Constitution's separation of powers as well as federal criminal statutes.

Julie Hirshfeld Davis contributed reporting.

CIA Spied On Senate, Internal Review Finds

By Ken Dilanian

[Associated Press](#), July 31, 2014

WASHINGTON (AP) The CIA's insistence that it did not spy on its Senate overseers collapsed Thursday with the release of a stark report by the agency's internal watchdog documenting improper computer surveillance and obstructionist behavior by CIA officers.

Five agency employees — two lawyers and three computer specialists — improperly accessed Senate intelligence committee computers earlier this year in a dispute over interrogation documents, according to a summary of a CIA inspector general report describing the results of an internal investigation. Then, despite CIA Director John Brennan ordering a halt to that operation, the CIA's office of security began an unauthorized investigation that led it to review the emails of Senate staffers and search them for key words.

After Senate leaders learned about the intrusion in January and protested, the CIA made a criminal referral to the Justice Department, alleging improper behavior by Senate staffers. That referral, CIA watchdog David Buckley found, was based on inaccurate information and was not justified.

When the inspector general interviewed three CIA computer specialists, they exhibited "a lack of candor," the IG report said.

Those internal conclusions prompted CIA Director Brennan to abandon months of defiance and defense of the agency and apologize to Senate intelligence committee leaders.

"The director said that wherever the investigation led, he would accept the findings and own up to them," said his spokesman, Dean Boyd.

Brennan has convened an internal accountability board chaired by former Sen. Evan Bayh, D-Ind., to examine whether any CIA officers should be disciplined.

At issue is a search by agency officers for information gathered in the course of a Senate investigation into the CIA's interrogation techniques. The search involved a penetration of the Senate portion of a shared, classified computer network at a Northern Virginia facility that was being used to provide Senate aides access to millions of CIA documents.

The fruits of the Senate's years-long inquiry — an unclassified summary of a lengthy and classified report on post 9/11 detentions and interrogations that accuses the CIA of misconduct — is expected to be made public soon. It is expected to renew criticism contending that the U.S. engaged in torture as it questioned terrorism suspects after the 2001 attacks.

Thursday's CIA revelations came a day after The Associated Press reported on talking points generated by the State Department that embrace the report's conclusions that the interrogations were a dark chapter in American history.

As for the CIA's actions in regard to the committee's computers, furious Senate Democrats demanded further investigation and a public accounting from Brennan.

"What's needed now is a public apology from Director Brennan to staff and the committee, a full accounting of how this occurred and a commitment there will be no further attempts to undermine congressional oversight of CIA activities," said Sen. Ron Wyden, D-Oregon, a committee member.

Sen. Dianne Feinstein, the California Democrat who chairs the committee, said in a statement: "The investigation confirmed what I said on the Senate floor in March — CIA personnel inappropriately searched Senate intelligence committee computers in violation of an agreement we had reached, and I believe in violation of the constitutional separation of powers."

The CIA conducted its search after it began to suspect that Senate aides had obtained a draft internal review that the CIA believed the Senate was not entitled to see. The review included comments from CIA officers describing misgivings about the treatment of al-Qaida detainees.

As it turned out, the Senate staffers got the review thanks to a glitch in the CIA's firewall, several officials said.

The findings of the investigation by the CIA's inspector general were shared with the Justice Department, which has so far declined to pursue criminal charges, officials said.

The inspector general concluded "that some CIA employees acted in a manner inconsistent with the common understanding" about the shared computer network, Boyd said.

The CIA is generally forbidden from conducting operations on U.S. soil. One reason no criminal charges have been filed, said a Senate aide who was not authorized to be quoted, is that the Senate computers were on a CIA network subject to agency monitoring. But the CIA violated its agreement not to scrutinize the Senate side of the network.

A one-page summary of the inspector general's report, released by the CIA Thursday, does not say who ordered the search of Senate computers or who conducted it. It says that after an initial search, Brennan ordered the review to stop, but the CIA's office of security, unaware of his order, began searching Senate emails anyway. The Senate staff used the system to communicate about their investigation into what some call torture by CIA officers.

Part of the CIA's computer surveillance, officials on both sides said, involved creating a fake Senate account to review what documents Senate staffers had access to.

On Tuesday, Brennan informed Feinstein and Sen. Saxby Chambliss, the senior Republican on the committee, "and apologized to them for such actions by CIA officers as described in the (inspector general's) report," Boyd said.

Until this week, the CIA director had dismissed the notion that the CIA had done anything wrong.

After Feinstein complained in March about the CIA's penetration of committee computers, Brennan said, "When the facts come out on this, I think a lot of people who are claiming that there has been this tremendous sort of spying and monitoring and hacking will be proved wrong." He added, "We wouldn't do that."

By all accounts, the spying flap and the larger dispute over decade-old CIA practices have poisoned relations between Senate Democrats and the CIA.

Democrats pressed Thursday for further action.

"The administration should appoint an independent counsel to look into what I believe could be the violation of multiple provisions of the Constitution as well as federal criminal statutes," said Sen. Mark Udall, D-Colo.

Later in the day, Udall called for Brennan's resignation, citing "a tremendous failure of leadership."

At the White House, spokesman Josh Earnest defended Brennan, pointing out that the CIA director “is the one who suggested that the inspector general investigate in the first place,” and saying Brennan continued to have the president’s confidence.

As for the talking-points document obtained by the AP, U.S. officials said Thursday they were unable to discuss it because the underlying Senate report that it discussed was still classified. But they did not explain how the talking points, which were explicitly marked “unclassified,” could describe in such detail some parts of the still-classified report.

Under the government’s “derivative classification” rules, information from a classified document remains classified whenever it is extracted, paraphrased or restated in a new form.

Copyright 2014 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

Contradicting Earlier Claims, CIA Admits It Improperly Accessed Senate Computers

By Jonathan S. Landay And Ali Watkins

[McClatchy](#), July 31, 2014

WASHINGTON CIA personnel improperly accessed computers used by the Senate Intelligence Committee to compile a report on the agency’s use of harsh interrogation methods , according to an internal CIA investigation, contradicting denials of such intrusions by spy chief John Brennan.

Findings of the investigation by the CIA Inspector General’s Office “include a judgment that some CIA employees acted in a manner inconsistent with the common understanding reached between SSCI (Senate Select Committee on Intelligence) and the CIA in 2009,” CIA spokesman Dean Boyd said in a statement.

The statement represented an admission to charges by the panel’s chairwoman, Sen. Dianne Feinstein, D-Calif., that the CIA intruded into the computers her staff used to compile the soon-to-be released report on the agency’s use of harsh interrogation methods on suspected terrorists in secret overseas prisons during the George W. Bush administration.

CIA Director John Brennan briefed Feinstein and the committee’s vice chairman, Saxby Chambliss, R-Ga., on Buckley’s findings, and apologized to them during a meeting on Capitol Hill on Tuesday, Boyd said.

“The director . . . apologized to them for such actions by CIA officers as described in the OIG (Office of Inspector General Report),” he said.

Brennan has decided to submit the findings for review to an accountability board chaired by retired Democratic Sen. Evan Bayh of Indiana, who served on the Senate Intelligence Committee, Boyd said.

“This board will review the OIG report, conduct interviews as needed, and provide the director with recommendations that, depending on its findings, could include potential disciplinary measures and/or steps to address systemic issues,” Boyd said.

Feinstein called Brennan’s apology and his decision to submit the CIA IG findings to the accountability board “positive first steps.”

“This IG report corrects the record and it is my understanding that a declassified report will be made available to the public shortly,” she said in a statement.

“The investigation confirmed what I said on the Senate floor in March CIA personnel inappropriately searched Senate Intelligence Committee computers in violation of an agreement we had reached, and I believe in violation of the constitutional separation of powers,” she said.

White House Press Secretary Josh Earnest issued effusive praise and a strong defense of Brennan, crediting him for playing an “instrumental role” in the administration’s fight against terrorism, and in launching the CIA IG investigation and looking for ways to prevent such occurrences in the future.

Earnest was asked during a news briefing whether there was a credibility issue for Brennan, given his remarks in March when he said that people who had claimed the CIA was spying would be proven wrong.

“Not at all,” he replied, adding that Brennan had suggested that the inspector general investigate the situation in the first place. And, he added, Brennan had taken the further step of appointing the accountability board to review the situation and the conduct of those accused of acting improperly to “ensure that they are properly held accountable for that conduct.”

The tone of the CIA announcement and Feinstein’s statement sharply contrast with the unprecedented battle that erupted over the issue between the spy agency and its congressional overseers and appear to represent attempts to ease what have been seriously icy relations.

In her contentious Senate floor speech in March, Feinstein asserted that the CIA may have violated the law and the Constitution by monitoring her staff’s computers and blocking access to documents.

The allegations and a separate CIA charge that the committee staff removed classified documents from a secret CIA facility in northern Virginia without authorization were referred to the Justice Department for investigation.

The department earlier this month announced that it had found insufficient evidence on which to proceed with criminal probes into either matter. The Senate Sergeant at Arms office, the Senate's chief law enforcement agency, is still looking into the allegation that the committee staff removed classified documents without authorization.

The CIA required the committee staff to use CIA computers in the top-secret agency facility in northern Virginia to review more than 6 million pages of classified documents related to the detention and interrogation program.

An agreement between the agency and the committee prohibited CIA personnel from accessing a data base that was for use only by the panel staff.

In January, Brennan confronted Feinstein behind closed doors over a committee request for top-secret material that the CIA determined the panel staff already had obtained. He contended that her staff may have improperly accessed the material.

In her speech in March, Feinstein asserted that her staff found the material in the data base and that the CIA had discovered the staff had it by monitoring their computers in violation of the user agreement.

"Recognizing the importance of this matter and the need to resolve it in a way that preserved the crucial equities of both branches, Director Brennan asked the CIA Office of Inspector General to examine the actions of CIA personnel," Boyd said.

The committee report, which is being reviewed at the White House following a declassification process at the CIA, found that the use of the harsh interrogation techniques produced little valuable intelligence, according to classified conclusions obtained by McClatchy.

It also determined that the agency misled the Bush administration, the Congress and the public on its results, according to the conclusions.

Former Bush administration officials, the CIA and those who oversaw the program, which ran from 2001 until 2006, have vigorously disputed those findings.

Christopher Anders, senior legislative counsel with the American Civil Liberties Union, criticized the CIA announcement, saying that "an apology isn't enough."

"The Justice Department must refer the (CIA) inspector general's report to a federal prosecutor for a full investigation into any crimes by CIA personnel or contractors," said Anders. "It's hard to imagine a greater threat to the Constitution's system of checks and balances than having the CIA spy on the computers used by the very Senate staff carrying out the Senate's constitutional duty of oversight over the executive branch."

CIA Admits Improperly Hacking Senate Computers

By Stephen Dinan And Douglas Ernst

[Washington Times](#), August 1, 2014

The CIA admitted to senators this week that the agency improperly snooped through congressional computers, retreating from agency Director John Brennan's vehement denials earlier this year and further denting the embattled intelligence community's credibility with Congress.

An internal CIA audit found that its personnel did in fact search a Senate computer system seeking an embarrassing document that the agency believed had been stolen, but which senators said the CIA itself had turned over to Congress.

At the time, Mr. Brennan had called the accusations "spurious" and "beyond the scope of reason in terms of what we would do." This week he had to backtrack and apologize to Senate intelligence committee Chairwoman Dianne Feinstein and Vice Chairman Saxby Chambliss.

"The investigation confirmed what I said on the Senate floor in March — CIA personnel inappropriately searched Senate Intelligence Committee computers in violation of an agreement we had reached, and I believe in violation of the constitutional separation of powers," Mrs. Feinstein said Thursday.

The internal CIA audit remains classified for now, but the agency said it showed employees "acted in a manner inconsistent with the common understanding" over how documents were to be treated.

The blow-up stemmed from a years-long investigation by the Senate into harsh interrogation techniques used in the years after the Sept. 11 terrorist attacks. One key document, known as the "Panetta review," after former CIA director Leon Panetta, which laid out a number of concerns including whether the interrogations were producing valuable information.

CIA officials accused Senate staffers of stealing the Panetta review, and Mr. Brennan's top legal aide even made an official referral asking the Justice Department to pursue a criminal case against staffers. Senators countered by starting their own investigation, demanding Mr. Brennan's cooperation, and taking their own complaint to the Justice Department.

The CIA said Thursday that the Justice Department review has concluded without any finding on either side. The Senate's own probe is still ongoing.

In the meantime, senators demanded accountability for Mr. Brennan's now-discredited denials.

“The CIA conducted an unauthorized search of Senate files, and attempted to have Senate staff prosecuted for doing their jobs,” said Sen. Ron Wyden, Oregon Democrat. “Director Brennan’s claims to the contrary were simply not true. He said Mr. Brennan should issue a public apology. Sen. Mark Udall, Colorado Democrat, meanwhile, said he’s lost confidence in the intelligence chief.

Sen. Mark Udall Calls For CIA Director John Brennan To Resign

By Igor Bobic

[Huffington Post](#), July 31, 2014

WASHINGTON Following reports that Central Intelligence Agency employees improperly accessed computers used by U.S. Senate staff to investigate the agency, Sen. Mark Udall (D-Colo.) on Thursday called for the resignation of John Brennan as CIA director.

“After being briefed on the CIA Inspector General report today, I have no choice but to call for the resignation of CIA Director John Brennan,” he said in a statement. “The CIA unconstitutionally spied on Congress by hacking into Senate Intelligence Committee computers. This grave misconduct not only is illegal, but it violates the U.S. Constitution’s requirement of separation of powers. These offenses, along with other errors in judgment by some at the CIA, demonstrate a tremendous failure of leadership, and there must be consequences.”

According to a CIA Inspector General’s Office report first obtained by McClatchy, agency employees in 2009 hacked Senate computers being used to compile a report on the agency’s infamous detention and interrogation program a move that some critics have characterized as a significant breach of the separation of powers. Brennan has apologized to Senate intelligence committee leaders, including Chairwoman Sen. Dianne Feinstein (D-Calif.), who took the floor earlier this year to excoriate the agency for skirting the law and attempting to intimidate Congress.

Investigation Finds CIA Improperly Accessed Senate Computers

By Siobhan Gorman

[Wall Street Journal](#), August 1, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

What CIA Credibility? Our View

[USA Today](#), August 1, 2014

In March, when Senate Intelligence Committee Chairman Dianne Feinstein, D-Calif., angrily charged the CIA with breaking into Senate computers, CIA Director John Brennan flatly denied it.

“Nothing could be further from the truth,” Brennan said during an interview at the Council on Foreign Relations. “I mean, we wouldn’t do that.”

On Thursday, a CIA Inspector General’s report disclosed that that’s exactly what happened. CIA employees hacked into a Senate computer, hunting for documents someone at the CIA thought the Senate should not have. It’s unclear how high this went. Brennan has publicly apologized and formed an “accountability board” to determine who should get the blame and what the punishment should be.

There are two important considerations here.

One is Brennan himself, who holds one of the most important jobs in the Obama administration and is by most accounts a capable CIA director. Either Brennan knew what was going on and didn’t tell the truth, or he didn’t know what was happening in his own agency and looks dangerously uninformed. It’s hard to say which is worse.

His credibility seems badly damaged, but the White House publicly defended him Thursday. Asked whether Brennan has believability problems, spokesman Josh Earnest said, “Not at all.” What an odd thing to say about someone who either lied or was clueless.

Intelligence Committee member Mark Udall, D-Colo., said he has “lost confidence” in Brennan and called for his resignation. If more senators follow, Brennan would become a serious liability for President Obama.

The other issue is much more important than whether Brennan stays or goes.

The CIA appears to have directly violated the separation of powers doctrine that has worked for more than 200 years to keep the nation from becoming the sort of rogue state where secret police or the military can control the government. Given its history of domestic-spying scandals, the CIA should know better than to do anything that smacks of executive branch snooping on the legislative branch.

Brennan was given the director's job in part to try to get the spy agency past its controversial role during the war on terror, when the agency tortured suspected terrorists in contravention of law and longstanding American practice. The extent of what the agency did was hidden not just from the public but also from the members of Congress whose job it was to oversee it.

A Senate Intelligence Committee report, to be released soon, is expected to detail how the agency hid what it was doing, and how little useful information those practices produced.

If one of Brennan's assignments was to repair relations with Congress and rebuild the CIA's credibility, he has picked a strange way to go about it.

The C.I.A.'s Reckless Breach Of Trust

[New York Times](#), August 1, 2014

In March, John Brennan, the C.I.A. director, was indignant when Senator Dianne Feinstein charged that the agency had broken into computers used by staff investigators from the Senate Intelligence Committee, which she leads. "As far as the allegations of C.I.A. hacking into Senate computers," he said, "nothing could be further from the truth. I mean, we wouldn't do that. I mean, that's just beyond the scope of reason."

But reason seems to have little to do with the C.I.A.'s operations, as Mr. Brennan apparently discovered far too late. On Thursday, the Central Intelligence Agency admitted that it did, indeed, use a fake online identity to break into the Senate's computers, where documents connected to a secret report on the agency's detention and torture program were being stored. Mr. Brennan apologized privately to Ms. Feinstein and to Senator Saxby Chambliss, the vice chairman of the intelligence committee, and promised to set up an accountability board to determine who did the hacking and whether and how they should be punished.

The accountability and the apologies, however, will have to go much further. It's not just two senators that the C.I.A. has offended by this shocking action. It is all of Congress and, by extension, the American public, which is paying for an intelligence agency that does not seem to understand the most fundamental concept of separation of powers. That concept means that Congress is supposed to oversee the intelligence community and rein in its excesses. It cannot possibly do so effectively if it is being spied on by the spy agency, which is supposed to be directing its efforts against foreign terrorists and other threats to national security.

The committee has been working since 2009 on a comprehensive history of the agency's antiterror program during the George W. Bush administration, which involved illegal rendition to other countries, detention, and torture of suspects, all producing little useful intelligence. It has been frustrated at many points by stonewalling from the agency, which provided misleading information, hid important facts inside a blizzard of excess documents, and forced endless delays in the declassification process. The 6,300-page report still has not been made public, though parts of it may be released later this month, and it is expected to undercut the Bush administration's claims that its actions were both legal and effective.

Late last year, the agency suspected that Senate investigators had obtained an internal C.I.A. review of the torture program. Senate officials said the review was in a database they were allowed to see, but realized that the C.I.A. had broken into a private Senate computer server and found the review. A summary of an agency inspector general's report, released Thursday, said C.I.A. hackers even read the emails of Senate staffers. Then they exhibited a "lack of candor" to agency investigators.

In an extraordinary speech on the Senate floor in March, Ms. Feinstein accused the agency of having "undermined the constitutional framework essential to effective congressional oversight of intelligence activities or any other government function." The institutional affront even drew Republican criticism. If the charge was true, said Senator Lindsey Graham, Republican of South Carolina, "heads should roll, and people should go to jail."

One of those heads may need to be Mr. Brennan's. If he knew about the break-in, then he blatantly lied. If he did not, then apparently he was unaware of the lawless culture that has festered within the C.I.A. since the moment it was encouraged by George W. Bush and Dick Cheney to torture suspects and then lie about it. That recklessness extended to the point where agency officials thought nothing of burglarizing their own overseer. Senator Mark Udall of Colorado said the action was illegal and required the resignation of Mr. Brennan.

The C.I.A. needs far more than a few quiet personnel changes, however. Its very core, and basic culture, needs a thorough overhaul.

Not Responsive

From: PAO (SMO)
Sent: Friday, August 01, 2014 6:25 PM
To: PAO (SMO)
Subject: DOJ DAILY NEWS WRAP

This message has been archived.

PUBLIC AFFAIRS DAILY NEWS WRAP

FRIDAY, AUGUST 1, 2014

FOR INTERNAL USE ONLY

Contact: Emily Pierce, Deputy Director, Office of Public Affairs, (202) 514-2007

EXPECTED NEWS STORIES:

Not Responsive



Wyden Calls on Department to Reopen CIA Spying Inquiry (OPA)

Following the release of CIA Office of Inspector General report finding CIA employees improperly searched computers used by U.S. Senate staffers, Senator Ron Wyden called on the department to reopen its inquiry into whether the searches violated federal law. The department provided the following statement:

“We already carefully reviewed the matters referred to us and did not find sufficient evidence to warrant a criminal investigation. As part of that review, the department consulted with the CIA Office of Inspector General and had access to the information in their report.”

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, AUGUST 2, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Obama: "Full Confidence" In Brennan. The [New York Times](#) (8/2, Shear, Subscription Publication, 9.79M) reports Obama also addressed CIA Director John Brennan's "admission this week" that his agency "improperly searched the computers of the congressional committee" preparing the report. Obama said he still has "full confidence" in Brennan. Obama said, "It's clear from the I.G. report that some very poor judgment was shown," but added, "Keep in mind that John Brennan was the one who called" for the report.

[Bloomberg News](#) (8/2, Runnigen, Lerman, 2.76M) reports CIA spokesman Dean Boyd said Brennan "is committed to correcting any shortcomings related to this matter" and is "commissioning an Accountability Board" that "could include potential disciplinary measures and/or steps to address systemic issues."

[The Hill](#) (8/1, Hattem, 237K) reported the senior Republican on the Senate Intelligence Committee, Sen. Saxby Chambliss, "is coming to" Brennan's "defense." Chambliss told the Washington Examiner Friday that the relevant report "indicates that Brennan neither knew about nor directed the spying on Congress." Chambliss said, "Brennan came to us – every time there was an issue that popped up, he immediately reported to us." Chambliss added that he believes Brennan "has done what he's supposed to do."

[The Hill](#) (8/1, Tummarello, 237K) also reported that Sen. Richard Blumenthal "pressed the Justice Department to open a criminal investigation" into the CIA, while also calling for "broad and systemic changes" due to the agency's spying on Senate computers. Blumenthal said Friday that the CIA's actions "provides compelling evidence that Congress must impose greater accountability on the intelligence community."

Not Responsive

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

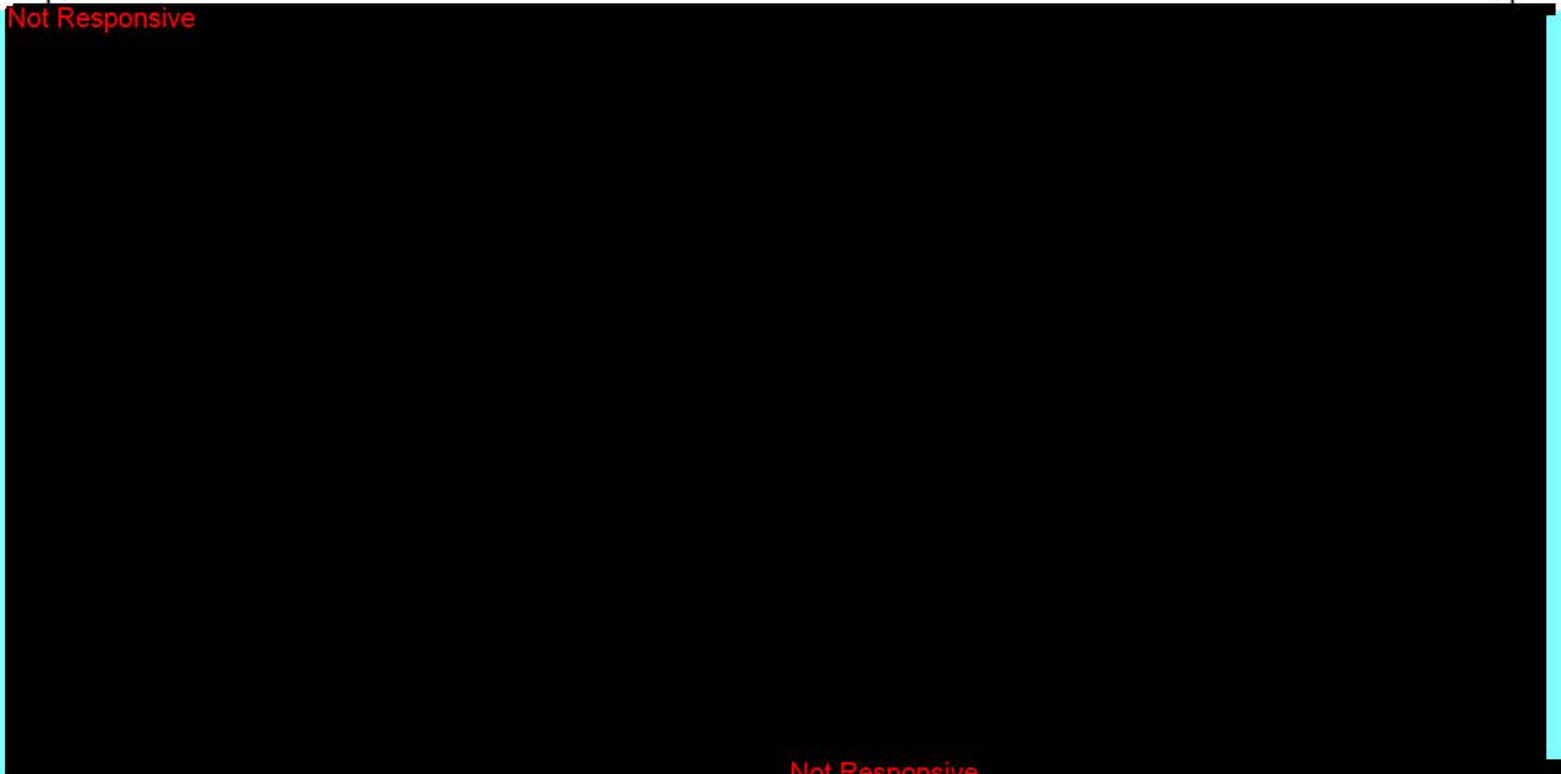
PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, AUGUST 2, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



Not Responsive

Obama Says After 9-11, US 'Tortured Some Folks' (AP)..... 9

Not Responsive

Obama Adds Fuel To CIA Controversy By Saying Agency
Tortured Terror Suspects (MCT)..... 10

Obama: 'We Tortured Some Folks' (LAT)..... 11

Obama: 'We Tortured Some Folks' (POLITICO) 12

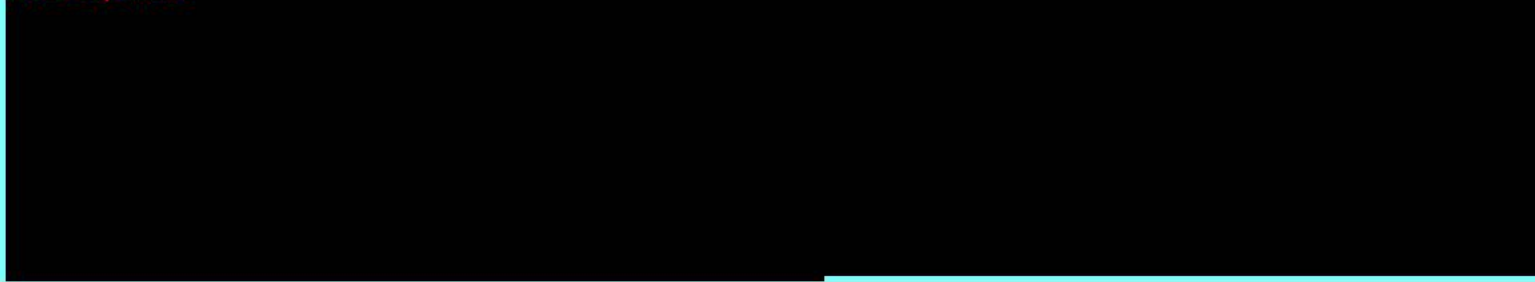
Obama Expresses Confidence In C.I.A. Director (NYT)..... 13

Obama Backs CIA Chief Apologizing To Senators Over Search
(BLOOM) 14

Key Republican Defends CIA Head (HILL) 15

Dem Senator Calls For Criminal Probe, Reforms After CIA
Spying (HILL)..... 15

Not Responsive



TERRORISM NEWS:

Obama Says After 9-11, US 'Tortured Some Folks'

By Ken Dilanian, AP Intelligence Writer

[Associated Press](#), August 2, 2014

WASHINGTON (AP) – The United States tortured al Qaida detainees captured after the 9/11 attacks, President Obama said Friday, in some of his most expansive comments to date about a controversial set of CIA practices that he banned after taking office.

"We tortured some folks," Obama said at a televised news conference at the White House. "We did some things that were contrary to our values."

Addressing the impending release of a Senate report that criticizes CIA treatment of detainees, Obama said he believed the mistreatment stemmed from the pressure national security officials felt to forestall another attack. He said Americans should not be too "sanctimonious," about passing judgment through the lens of a seemingly safer present day.

That view, which he expressed as a candidate for national office in 2008 and early in his presidency, explains why Obama did not push to pursue criminal charges against the Bush era officials who carried out the CIA program. To this day, many of those officials insist that what they did was not torture, which is a felony under U.S. law.

The president's comments are a blow to those former officials, as well as an estimated 200 people currently working at the CIA who played some role in the interrogation program.

In 2009, Obama said he preferred to "look forward, not backwards," on the issue, and he decided that no CIA officer who was following legal guidance-however flawed that guidance turned out to be -should be prosecuted. A long-running criminal investigation into whether the CIA exceeded the guidance-which is an allegation of the Senate report-was closed in 2012 without charges.

Still, Obama's remarks on Friday were more emphatic than his previous comments on the subject, including a May 2009 speech in which he trumpeted his ban of "so-called enhanced interrogation techniques," and "brutal methods," but did not flatly say the U.S. had engaged in torture.

At an April 2009 news conference, he said, "I believe that waterboarding was torture and, whatever legal rationales were used, it was a mistake."

In addition to water boarding, the CIA used stress positions, sleep deprivation, nudity, humiliation, cold and other tactics that, taken together, were extremely brutal, the Senate report is expected to say. Obama on Friday did not mention a specific method, but he said the CIA used techniques that “any fair minded person would believe were torture.”

“We crossed a line,” he said. “That needs to be understood and accepted...We did some things that were wrong, and that's what that report reflects.”

Obama on Friday did not address two other central arguments of the soon-to-be-released Senate report – that the brutal interrogations didn't produce life-saving intelligence, and that the CIA lied to other elements of the U.S. government about exactly what it was doing.

The president also expressed confidence in his CIA director, John Brennan, in the wake of an internal CIA report documenting that the spy agency improperly accessed Senate computers. There have been calls for his resignation on Capitol Hill.

Obama said the internal report made clear that “some very poor judgment was shown,” but he seemed to say it wasn't Brennan's fault, and he praised his director for ordering the inquiry in the first place.

Copyright 2014 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

Not Responsive

Obama Adds Fuel To CIA Controversy By Saying Agency Tortured Terror Suspects

By Michael Doyle, David Lightman, And Anita Kumar

[McClatchy](#), August 2, 2014

WASHINGTON — President Barack Obama acknowledged Friday that interrogators for the CIA tortured suspected terrorists even as he voiced “full confidence” in CIA Director John Brennan despite growing criticism from Congress and the public.

With a political tsunami bearing down on both the spy agency and his chief spymaster, Obama rhetorically conceded that waterboarding and other brutal techniques amounted to torture, which is illegal.

“In the immediate aftermath of 9/11, we did some things that were wrong,” Obama told reporters. “We did a whole lot of things that were right, but we tortured some folks. We did some things that were contrary to our values.”

Though Obama has deployed the loaded term “torture” before, his timing Friday was particularly sensitive, coming on the eve of the release of a long-awaited Senate Intelligence Committee report on CIA interrogation practices, whose legality has been the subject of considerable debate.

Brennan's future, too, fell more into question Friday amid growing congressional fury over revelations that the CIA covertly monitored computers used by Senate Intelligence Committee staffers. With the new torture report about to become public, the news undermines Brennan's leadership when he needs it most.

“Clearly he has to prove himself,” Sen. John McCain, R-Ariz., said Friday. “I don't know how he does that.”

Democratic Sen. Richard Blumenthal of Connecticut added Friday that the report of CIA monitoring “renews the need for the Department of Justice to consider a criminal investigation,” while Republican Sen. Lindsey Graham of South Carolina called it “the last in a string of events” justifying the need for “a new CIA director.”

Even key lawmakers who say they are still withholding judgment stress the delicate position Brennan finds himself in.

“If he misled Congress, that's one thing. If he was misled, that's something else,” Rep. Mike Thompson, D-Calif, a member of the House Intelligence Committee, said Friday. “If he's misled Congress, that destroys the trust that's necessary between us.”

The timing for all the Capitol Hill concern couldn't be worse for the 58-year-old Brennan or for the agency he joined as an analyst some 25 years ago and has headed since March 2013.

By Wednesday, the panel formally known as the Senate Select Committee on Intelligence is expected to release the executive summary of a scathing report on the spy agency's detention and interrogation program begun during the George W. Bush administration.

Completed over five years and at a reported cost of \$40 million, the 6,300-page full report and its approximately 480-page executive summary detail waterboarding and other harsh interrogation methods. Obama's characterization of those methods

Friday as torture only adds weight to the report, as the United States is a signatory to the legally binding United Nations Convention Against Torture.

Lawyers at the Bush White House authorized the use of several harsh interrogation tactics, including waterboarding. But McClatchy has learned that the Senate's investigators found that the CIA used techniques that were neither OK'd by the Justice Department nor approved by CIA headquarters. Details about those more aggressive tactics are unclear.

The executive summary's release will thus test Brennan's ability to reassure lawmakers and the public that the agency has learned its lessons, even as he fends off inevitable calls for criminal prosecutions and demands for more aggressive congressional oversight.

"It's about time the Senate Intelligence Committee took seriously its job of ensuring that the CIA operates within the law," Faiza Patel, co-director of the Brennan Center for Justice's Liberty and National Security Program, said Friday.

Complicating Brennan's job, and potentially threatening his credibility if not his future, is the partially public release of a report by CIA Inspector General David Buckley.

Buckley's investigation revealed that five CIA employees, two lawyers and three information technology specialists improperly accessed or "caused access" to a database that only committee staff were permitted to use. The covert access occurred while committee staffers were working on the interrogation report.

Buckley's inquiry also determined that a CIA crimes report to the Justice Department alleging that the panel staff removed classified documents from a top-secret facility without authorization was based on "inaccurate information," according to a summary of the findings prepared for the Senate and House intelligence committees and released by the CIA.

The inspector general report's conclusions conflicted with Brennan's prior public denials that any monitoring took place, and followed an unusually public spat between the CIA director and lawmakers like Democratic Sen. Dianne Feinstein of California, chair of the intelligence committee.

Part of the reason for the tension, said one federal official familiar with the situation, is that Brennan stubbornly refused to acknowledge any wrongdoing and embarrassed Feinstein in the process. The official requested anonymity because of the matter's sensitivity.

Brennan's mea culpa in recent days might be enough to clear the air, at least between him and Feinstein. More generally, Brennan still has good relations with some top lawmakers and with the Obama White House, where he once served as counterterrorism adviser.

On Friday, Obama stressed that "John Brennan was the person who called for the IG report and he's already stood up a task force to make sure that lessons are learned and mistakes are resolved."

"I think Brennan has done what he is supposed to do," added Sen. Saxby Chambliss of Georgia, the ranking Republican on the Senate intelligence panel.

But some remain unconvinced.

"Unless there's new leadership, in my view, that will lead to a continuation of the strained relations and the lack of confidence that we have seen for the past months," Sen. Martin Heinrich, a New Mexico Democrat who serves on the Senate intelligence panel, said Friday.

Obama: 'We Tortured Some Folks'

By Kathleen Hennessey

[Los Angeles Times](#), August 2, 2014

In startlingly blunt phrasing, President Obama on Friday acknowledged the CIA's use of brutal interrogation tactics in the years after the Sept. 11 attack, even as he defended the agency's top spy, who is a veteran of the era.

"We tortured some folks," Obama said to reporters during a news conference Friday. "We did some things that were contrary to our values."

Obama has used the word "torture" before to describe the harsh interrogation tactics used at CIA-run secret prisons during the Bush administration. But his words at a White House news conference were notably more direct than previous statements.

The comments reflect the line the president is preparing to walk as he gets ready for the release of a Senate committee report on the Bush-era rendition, detention and interrogation program.

The report, which is expected to be released as early as next week after five years in the making, details the CIA's treatment of terrorism suspects and, according to officials who have seen the text, concludes that the sometimes-grisly tactics did not yield information that significantly helped the U.S. in its fight against Al Qaeda.

The White House for months has been refereeing a fight over the report between CIA Director John Brennan and Senate Intelligence Committee chair Sen. Dianne Feinstein (D-CA). Feinstein and her Democratic colleagues on the committee have

clashed with Brennan over access to documents, the procedures used by Senate investigators and, ultimately, the conclusions of the panel.

The CIA on Thursday said that Brennan had apologized to the senators for CIA employees improperly searching the Senate committee's computer files.

On Friday, Obama took a nuanced approach, trying not to come down too hard on a spy agency he relies on for intelligence and has expanded under his own tenure.

He sought to put the interrogation program in context, recalling Americans' fear after the Sept. 11 attacks and the "enormous pressure" on law enforcement to prevent more attacks.

"You know, it is important for us not to feel too sanctimonious in retrospect about the tough job that those folks had," Obama said. "And a lot of those folks were working hard under enormous pressure and are real patriots."

Obama said he has "full confidence in John Brennan."

Still, "we tortured some folks" was Obama's most direct description of the U.S. actions and drew immediate protests from some former CIA officials and their supporters.

In 2011, Obama drew a clear distinction between his position and that of some GOP presidential hopefuls who had supported the Bush-era program. "Waterboarding is torture. It's contrary to America's traditions. It's contrary to our ideals," he said then.

Last year, the president said that the U.S. had "compromised our basic values by using torture to interrogate our enemies, and detaining individuals in a way that ran counter to the rule of law."

Obama: 'We Tortured Some Folks'

By Josh Gerstein

[Politico](#), August 1, 2014

President Barack Obama couldn't be more blunt in acknowledging that the U.S. crossed a moral line in its treatment of war-on-terror prisoners.

"We tortured some folks," Obama said during a White House news conference Friday. "Any fair-minded person would call it torture."

While the president has used the word "torture" before, it was the most explicit he's been on the point since taking office. His remarks were also a clear sign of support for the Senate Intelligence Committee's effort to chronicle and analyze the used of waterboarding and methods the Bush Administration dubbed "enhanced interrogation techniques."

Many civil liberties and human rights groups were jittery that Obama would seek a middle ground between the Senate investigators on one hand and former CIA personnel and Bush administration officials who've sought to defend the CIA's efforts by picking apart the Senate report.

(Also on POLITICO: Twitter: Obama was too "folks"-y)

White House officials have stoked those fears in recent weeks by stressing that the CIA would have a chance to offer a rebuttal to the Senate report and by helping to broker a deal for former agency officials to get an advance look at the document.

However, there was little sign Friday of a split-the-difference strategy from the president.

"The character of our country has to be measured in part not by what we do when things are easy but what we do when things are hard," Obama said.

Although the president's moral verdict on the Bush-era interrogation tactics was unmistakable, he did express some sympathy for the officials who ordered them in the wake of the September 11, 2001, attacks.

(Also on POLITICO: Obama blasts GOP on immigration)

"We did some things that were wrong — we did a whole lot of things that were right, but we tortured some folks. We did things that were contrary to our values," Obama said. "People did not know if more attacks were imminent. There was enormous pressure on our law enforcement and our national security teams....It's important for us not to feel too sanctimonious in retrospect. Having said all that, we did some things that were wrong. That's what the report reflects."

Obama also rallied to the side of CIA Director John Brennan, who was a senior official at the spy agency during the Bush era but was not in the decision-making chain about the interrogation practices. Brennan has had a stormy relationship with some in Congress and came under fire again this week after an inspector general report concluded that CIA staffers wrongly examined computer files and e-mails on a computer system Senate staffers were using to prepare the interrogation report.

Brennan apologized to Senate Intelligence Committee leaders this week, but two Democrats on the panel called Thursday for him to resign due to his handling of the episode.

"I have full confidence in John Brennan," Obama said of the CIA chief who served as Obama's top White House counterterrorism adviser during his first term.

(Also on POLITICO:Obama: Hamas must release soldier)

The president noted Brennan's apology and said "some very poor judgment was shown" by the CIA personnel who pried into the Senate files in what CIA officials have described as an attempt to investigate a possible security breach.

While Brennan was dismissive in his public comments about the episode when it was disclosed earlier this year, the president said Brennan had moved to get to the bottom of the incident. "Keep in mind: John Brennan called for that IG report," Obama said.

Prompted to discuss the issue question about the report, Obama began his remarks on the subject by saying the administration has completed the long-awaited declassification of portions of the intelligence committee report on the CIA's Rendition, Detention and Interrogation program.

The report is expected to be released as soon as next week.

Obama Expresses Confidence In C.I.A. Director

By Michael D. Shear

[New York Times](#), August 2, 2014

WASHINGTON — President Obama said on Friday that he has "full confidence" in John Brennan, the director of the C.I.A., despite Mr. Brennan's admission this week that his agency improperly searched the computers of the congressional committee that is preparing to release a report on the use of torture in the fight against terror.

The president's comments came in a news conference in which Mr. Obama also hailed recent economic improvements, expressed pessimism about efforts to halt the violence in Israel and complained about Republican inaction in Congress.

Mr. Obama said that his administration has tried to confront the many crises at home and around the world, and should get more credit for the effort, even when positive outcomes are not immediately apparent.

"We try — we go in there and make an effort," Mr. Obama said of his administration's work to end violence and conflict around the world. "I tell you what, there isn't any other country that's going in there and making those efforts."

The president took direct aim at Congressional Republicans, who he blamed for standing in the way of measures that could help accelerate growth and respond to the problems of immigration, transportation funding and middle-class incomes. He urged lawmakers to return from their summer vacations in September ready to take some action.

"My hope is, is that instead of simply trying to pass partisan message bills on party lines that don't actually solve problems, they're going to be willing to come together to at least focus on some key areas where there's broad agreement," Mr. Obama said.

The president mocked the disagreement that has often erupted between factions of Republicans in Congress, saying that much of the gridlock in Washington politics is the result of intraparty feuding among Republicans in the House and Senate.

"The argument isn't between me and the House Republicans. It's between the House Republicans and Senate Republicans, and House Republicans and the business community, and House Republicans and the evangelical community," Mr. Obama said.

Noting the Republican failure to pass a bill to confront the recent border crisis, the president said: "That's not a disagreement between me and the House Republicans. That's a disagreement between the House Republicans and the House Republicans."

The president spoke as fighting intensified between Israelis and Palestinians in the Gaza Strip. He demanded that Hamas release a captured Israeli soldier unconditionally, but acknowledged that the seizure of the soldier just after the last cease-fire was to go into effect made it difficult for Israelis to trust in any future truce. He added that Hamas had to discipline its own side if it hoped to advance its interests.

"It's going to be very hard to put a cease-fire back together again if Israelis and the international community can't feel confident that Hamas can follow through on a cease-fire agreement," Mr. Obama told reporters in the briefing room.

He dismissed questions about which faction of Hamas may have been responsible. "If they can't have control of them, and just moments after a cease-fire is signed you have Israeli soldiers being killed and captured, it's hard for Israelis to feel confident that a cease-fire can be honored."

Asked about the upcoming release of a report that documents American interrogation techniques, Mr. Obama said the C.I.A. exercised "very poor judgment" in its handling of the report. But he said that Mr. Brennan had apologized for the incident to Senator Dianne Feinstein, the chairwoman of the Senate Intelligence Committee.

"I have full confidence in John Brennan," Mr. Obama said, noting an inspector general's conclusions about the C.I.A. spying on the committee. "It's clear from the I.G. report that some very poor judgment was shown in how that was handled. Keep in mind that John Brennan was the one who called for the I.G. report."

Mr. Obama said the report on interrogation techniques documents the country's use of torture after the Sept. 11 attacks. He said the report makes clear that "we tortured some folks" in the aftermath of those attacks.

"We did some things that were contrary to our values," he said. "I understand why it happened. I think it's important when we look back to recall how afraid people were after the twin towers fell." He said that "a lot of those folks were working hard under enormous pressure and were real patriots."

But, he added, "We crossed a line. That needs to be understood and accepted. And we have to, as a country, take responsibility for that so that hopefully we don't do it again in the future."

Obama Backs CIA Chief Apologizing To Senators Over Search

By Roger Runningen And David Lerman

[Bloomberg News](#), August 2, 2014

President Barack Obama voiced full support for CIA Director John Brennan, who apologized to Senate intelligence committee leaders after an investigation found his agency inappropriately searched congressional computers.

"I have full confidence in John Brennan," Obama said at an impromptu news conference at the White House today to discuss the economy, the conflict in the Middle East and border security.

The president also sought to put in context the anti-terrorist activities of the government underlying the current conflict between the CIA and Senate, which began with an intelligence committee probe of U.S. interrogation tactics following the terrorist attacks of Sept. 11, 2001.

"Even before I came into office, I was very clear that in the immediate aftermath of 9/11, we did some things that were wrong," Obama said. "We did a whole lot of things that were right, but we tortured some folks. We did some things that were contrary to our values."

"There was enormous pressure on our law enforcement and our national security teams to try to deal with this," he said. "And you know, it's important for us not to feel too sanctimonious in retrospect."

After the Senate intelligence committee started investigating the tactics, the Central Intelligence Agency's inspector general concluded that agency personnel searched the computers "in a manner inconsistent" with an agreement with the committee, Dean Boyd, a CIA spokesman said yesterday.

Brennan "is committed to correcting any shortcomings related to this matter and, to that end, he is commissioning an Accountability Board at CIA" that "could include potential disciplinary measures and/or steps to address systemic issues," Boyd said.

The inspector general's report defused a rare public feud between the CIA and one of its oversight committees in Congress.

The dispute stemmed from a committee investigation of "enhanced interrogation" techniques used by the CIA in the years after the Sept. 11 attacks, such as waterboarding, sleep deprivation and confinement in small spaces.

"These are positive first steps," Senator Dianne Feinstein, the committee's chairman, said in a statement responding to Brennan's apology. "This IG report corrects the record and it is my understanding that a declassified report will be made available to the public shortly."

In March, Feinstein, a California Democrat who usually champions the intelligence agencies, took to the Senate floor to protest that the CIA may have broken the law and violated the Constitution's provisions on separation of powers by secretly monitoring computers being used by committee staff and by withholding some documents in violation of an agreement.

The CIA, in turn, said that some Senate staff members had surreptitiously removed classified files from a CIA facility and asked the Justice Department to investigate.

The Justice Department said last month that there was insufficient evidence to continue criminal investigations into the CIA's or the Senate committee staff's actions.

Brennan's apology is an effort by the Obama administration to ease tensions between the CIA and the Senate panel as the lawmakers prepare to release a report sharply critical of the intelligence agency's 2001-2006 detention and interrogation program, said two U.S. officials.

The report found that the use of waterboarding and other harsh interrogation techniques produced little timely, accurate and valuable intelligence in the war on terrorism, according to the officials, who have read it and agreed to speak on condition of anonymity because it hasn't been declassified. Former officials of intelligence agencies and President George W. Bush's administration dispute that conclusion.

The Senate committee also found that CIA officials either withheld information from, or misled, then-Secretary of State Colin Powell and other administration officials and the congressional oversight committees, the two officials said.

Senator Kelly Ayotte, a New Hampshire Republican, said Brennan's job may be at risk.

"It could be an issue of constitutional proportions," said Ayotte, a member of the Senate Armed Services Committee, in an interview for Bloomberg Television's "Political Capital with Al Hunt," airing this weekend.

Senator Mark Udall, a Colorado Democrat on the intelligence committee, said in a statement that Brennan has failed to deliver on promises to change the CIA's culture and respect "vigorous and independent congressional oversight."

"From the unprecedented hacking of congressional staff computers and continued leaks undermining the Senate Intelligence Committee's investigation of the CIA's detention and interrogation program to his abject failure to acknowledge any wrongdoing by the agency, I have lost confidence in John Brennan," Udall said.

In defending the agency and its director, Obama today also said that he had moved early in his administration to correct any CIA tactics "that were wrong."

"One of the first things I did was to ban some of the extraordinary interrogation techniques that are the subject of that report," he said. "And my hope is that this report reminds us once again that, you know, the character of our country has to be measured in part not by what we do when things are easy, but what we do when things are hard."

"And when we engaged in some of these enhanced interrogation techniques, techniques that I believe and I think any fair-minded person would believe were torture, we crossed a line," he said. "That needs to be understood and accepted. And we have to, as a country, take responsibility for that, so that hopefully we don't do it again in the future."

Key Republican Defends CIA Head

By Julian Hatter

[The Hill](#), August 1, 2014

The Senate Intelligence Committee's top Republican is coming to CIA Director John Brennan's defense, after an internal watchdog report showed that officials in his agency secretly spied on committee staffers.

Sen. Saxby Chambliss (R-Ga.) told the Washington Examiner on Friday that the full report, which has not been released to the public, indicates that Brennan neither knew about nor directed the spying on Congress.

Instead, the CIA chief has kept Congress in the loop, Chambliss said.

"Brennan came to us — every time there was an issue that popped up, he immediately reported to us," Chambliss told the newspaper in an interview.

"The [inspector general's] report says specifically he didn't direct it, he didn't know about it in advance, but when he found out about it, he came to the committee, so I think Brennan has done what he's supposed to do," he added.

Chambliss' defense of Brennan matches the strong words from the White House, where press secretary Josh Earnest eagerly defended his tenure on Thursday, after an unclassified summary of the inspector general's report showed that five officials at the CIA "improperly accessed" committee staffers' computers.

Intelligence Chairwoman Dianne Feinstein (D-Calif.) refused to comment to reporters on Thursday evening about whether or not Brennan should step down. In a statement, however, she praised his "positive first steps" of apologizing for the incident and passing the watchdog report along to an accountability board.

Backing from those sources has not been enough to sway all lawmakers, however.

Two members of the Intelligence Committee — Sens. Martin Heinrich (D-N.M.) and Mark Udall (D-Colo.) — said on Thursday that Brennan should step aside, in order to rebuild trust between his agency and Congress.

Dem Senator Calls For Criminal Probe, Reforms After CIA Spying

By Kate Tummarello

[The Hill](#), August 1, 2014

Sen. Richard Blumenthal (D-Conn.) on Friday pressed the Justice Department to open a criminal investigation into the CIA and called for "broad and systemic" changes at the agency after a report confirming officials spied on Senate computers.

"This damning report on CIA misconduct renews the need for the Department of Justice to consider a criminal investigation and provides compelling evidence that Congress must impose greater accountability on the intelligence community," Blumenthal said in a statement Friday.

He urged his fellow lawmakers to enact "legal reforms to make our intelligence system more accountable and transparent."

"It should now be clear beyond question that Congress must be vigilant to ensure that the intelligence community stays within the boundaries set by the law and the Constitution," he said.

Blumenthal's statement adds to the growing concern over a report released this week claiming that the CIA improperly gained access to computers being used by Senate Intelligence Committee staff to write a report about Bush-era "enhanced interrogation" techniques.

When claims about the CIA spying first surfaced earlier this year, CIA Director John Brennan flatly denied them, saying hacking into Senate computers would be “beyond the scope of reason.”

Blumenthal pointed to Brennan’s denials.

“We have been told again and again that the intelligence community can wield tremendous power and do so in secret because it can be trusted to respect the law and because any abuses will be corrected through Congressional oversight,” he said.

“When an intelligence agency not only turns its surveillance capacity on its own overseer but lies repeatedly to cover it up and to suppress a Senate investigation into torture allegations, we have to question whether our trust in the system is misplaced.”

Blumenthal is a member of the Senate Judiciary Committee and has been a vocal critic of U.S. government surveillance.

Not Responsive



DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SUNDAY, AUGUST 3, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

CIA Reeling From Spy Scandal (HILL) 34

Not Responsive

CIA Reeling From Spy Scandal

By Julian Hatterm

[The Hill](#), August 2, 2014

The CIA's admission that it broke into Senate computers and spied on Intelligence Committee staffers has created a firestorm for the spy agency, with some calling for change at the top.

The scandal has stirred fresh doubts about Director John Brennan's ability to lead the CIA and could make it difficult for the agency to push back on the findings of a Senate report on Bush-era "enhanced interrogation" techniques that might be released this month.

"This is going to feed into the Hollywood narrative about a wicked CIA," said Jim Lewis, a senior fellow at the Center for Strategic and International Studies.

The agency's admission this week that officials hacked into Senate staffers' computers comes after months of controversy about the surveillance activities exposed by Edward Snowden.

Though the CIA's hacking is unrelated to the activities of the National Security Agency (NSA), the snooping on Congress could add to the perception that America's spy agencies are out of control.

"Folks are sick and tired of intelligence agencies running amok, and this only makes things worse," Sen. Jon Tester (D-Mont.) said in a statement on Friday. "These actions cannot stand, and I will keep working with my colleagues to make sure that the intelligence community starts respecting civil liberties."

The CIA's inspector general said five officials — two lawyers and three information technology staffers — hacked into Senate Intelligence staffers' drives and emails, but also said the three IT staffers "demonstrated a lack of candor about their activities" in interviews.

Most troubling for Brennan, the report confirmed allegations Senate Intelligence Chairwoman Dianne Feinstein (D-Calif.) made in March, after he specifically denied the charges and called them “beyond the scope of reason in terms of what we’d do.”

The reaction in some quarters of Congress was swift and strident.

Three senators, including two members of the Intel panel, called for Brennan to step down, saying that the relationship between the agency and Congress could not recover while he still held his post.

“I think that at this point, it would probably be better for the agency, frankly, if he step aside,” Sen. Martin Heinrich (D-N.M.) told reporters in the Capitol on Thursday evening.

Sen. Mark Udall (D-Colo.), too, called for Brennan to resign over the “tremendous failure of leadership,” for which “there must be consequences.”

Sen. Rand Paul (R-Ky.), who led a 13-hour filibuster against Brennan’s confirmation in March, echoed the call for him to be “relieved of his post” along with the officials responsible for the snooping on Friday.

At least for the time being, Brennan’s job seems secure.

President Obama gave a full-throated defense of the CIA director in a news conference on Friday, claiming that he had “full confidence” in Brennan while praising him for both launching the watchdog report in the first place and subsequently passing the matter along to an accountability board.

Leaders of the House and Senate Intelligence Committees have also declined to call for Brennan’s ouster.

Sen. Saxby Chambliss (R-Ga.), the Senate panel’s vice chairman, on Friday told the Washington Examiner that the watchdog report seemed to clear Brennan of any wrongdoing. In fact, he said, the agency chief had “done what he’s supposed to do.”

Nonetheless, heads are likely to roll at the CIA.

Lawmakers across the political spectrum called for accountability from the agency, either in the form of a full and public apology from Brennan, criminal cases against the five people behind the incident or new laws to reform how the agency operates.

House Intelligence Committee Chairman Mike Rogers (R-Mich.) said in a statement that he expected “those responsible for those actions to be appropriately held accountable.”

Sen. Ron Wyden (D-Ore.), who has often sparred with more hawkish members of the Intelligence Committee, declined to call for Brennan’s resignation but said that whomever “authorized and carried out this unconstitutional act ... need[s] to be held accountable.”

Exactly what form the accountability takes remains to be seen.

The upcoming release of the Senate’s unclassified executive summary of the so-called “torture report” is likely to put an even harsher spotlight on the CIA’s activities.

That report is expected to contain explosive details about the interrogation techniques, and reportedly alleges that the agency lied to both Congress and the public about the techniques that were used.

The agency has begun pushing back against the report, but the hacking revelations could make it harder for present and former officials to win the battle of public opinion.

“This is the beginning of the story, not the end,” said Steve Vladeck, a law professor at American University.

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: MONDAY, AUGUST 4, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

been convened and they will be looking into this and the staffers will be dealt with accordingly."

Sen. King said on [CNN's State Of The Union](#) (8/3, 420K), "It's particularly shocking because if you go back to the dips in the spring you'll see John Brennan, the director of the CIA, saying [the allegation of spying] were absurd. Now the CIA's own inspector-general has confirmed that the agency went into the computer system that was supposedly separated and within the control of the Senate Intelligence Committee and essentially phished around. ... This certainly undermines the kind of trust that you got to have when we do oversight of these agencies. ... I don't think an apology is enough, particularly because this has happened several times before. I think we've really got to have some serious discussions with John Brennan, to find out what he knew about this spying when he was making those statements. ... I'm not calling for his resignation, but I'm pretty skeptical right now because it really has undermined the trust between the committee."

Sen. John McCain said on [Fox News Sunday Morning Futures with Maria Bartiromo](#) (8/3), "I can tell you that the director of the CIA steadfastly denied, on more than one occasion, that [snooping] was going on. ... This is a breach of the fundamentals of our Constitution and the separation of branches of government. This, in some ways, is even more important than the torture issue. We now have evidence that CIA officials penetrated the computers of people who were investigating them in order to impede that investigation. That is serious."

Regarding criticism surrounding the CIA's "lawless culture," House Intelligence Committee Chairman Mike Rogers said on [CNN's State Of The Union](#) (8/3, 420K), "I would be cautious to say that the CIA is rotten to the core. I think that's wrong on the face of it. ... The narrative of this I think is very, very important, but I don't think it is some conspiracy. ... Somebody overstepped their bounds [at the CIA], which is a little bit different than spying on Congress, in my mind. It is still a very serious breach of trust, but I don't think this should be taken and extrapolated that every CIA officer out there is operating under this culture of lawlessness. ... I'll tell you, there's some really bright and professional people at the CIA who are engaged in [protecting the US], who are hoping America is standing with them when they're risking their lives for their country."

Professor Glenn Harlan Reynolds writes in [USA Today](#) (8/4, 5.76M) that "Congress can...charge Brennan with contempt of Congress, or refer him for prosecution under the False Statements Act." However, "in both cases, the decision to prosecute would be made by Attorney General Eric Holder, who seems to see his role not as administering justice, but as running interference for the Obama administration and protecting its officials from consequences. ... If the American electorate votes more responsibly next time, things will get

White House, Key Lawmakers Praise Brennan's Response To IG Report On Hill "Spying." Reports that the CIA "spied" on Congress, despite Director John Brennan's previous denials, received a significant amount of commentary during the Sunday morning talk shows. Key lawmakers and White House senior adviser Dan Pfeiffer praised Brennan's response to IG report and highlighted the CIA's history of patriotic service.

White House Senior Adviser Dan Pfeiffer said on [ABC's This Week](#) (8/3, Stephanopoulos, 2.73M), "When there were allegations of improper conduct, [Brennan] was the one who referred the allegations to the Inspector General. He's setting up an accountability review board. John Brennan is a man of great integrity and ability, someone the President knows very well. The President has confidence in him."

Chambliss said on [CBS' Face The Nation](#) (8/3, O'Donnell, 2.64M), "I did not support John Brennan's nomination to be the director of the CIA. If he has a critic, it is me. I think he has done a good job as the director. When Brennan found out about this breach he called Senator Feinstein and me and said 'here is what happened.' ... Once he got the facts, he apologized. If I thought John Brennan knew about the [spying], then I would be calling for his resignation. But the IG made a specific finding that he did not. I will tell you the five staffers who did this, if they worked for me, would be gone now. But the accountability board has

Not Responsive

better. Until then, alas, elections have consequences, and this is one of them.”

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: MONDAY, AUGUST 4, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Chambliss Defends Enhanced Interrogation Techniques Post-9/11 (WT)..... 8

Not Responsive

Not Responsive

TERRORISM NEWS:

Chambliss Defends Enhanced Interrogation Techniques Post-9/11

By Valerie Richardson

[Washington Times](#), August 4, 2014

The Senate Select Committee on Intelligence's vice chairman defended the CIA's use of enhanced interrogation techniques after 9/11, saying the program led directly to the discovery of al Qaeda mastermind Osama bin Laden.

Sen. Saxby Chambliss, Georgia Republican, said on CBS-TV's "Face the Nation" that he strongly disagreed with Democrats who are framing the CIA's actions as fruitless.

The committee is expected to release this week a declassified version of its 6,000-page report on detention and interrogation in the aftermath of 9/11, which includes sections on the torture of detainees.

"There's a theory on the part of Senate Democrats — who were the only ones who carried out this investigation — [that] these enhanced interrogation techniques were used against detainees both inside Guantanamo as well as outside Guantanamo, and that no significant information was obtained as a result of the use of those enhanced interrogation techniques," said Mr. Chambliss.

"That is absolutely wrong," he added. "You're going to be able to see from the report itself — as well as from the minority views that we have put together, as well as a response from the Central Intelligence Agency — that information gleaned from these interrogations was in fact used to interrupt and disrupt terrorist plots, including some information that took down bin Laden."

President Obama gave a preview of the findings Thursday at a press briefing, saying, "We tortured some folks. We did some things that were contrary to our values."

Mr. Chambliss said that his was the only vote in 2009 against proceeding with the Senate committee investigation.

"I thought it was a mistake then; I still think it's a mistake," said Mr. Chambliss.

His comments came as the Obama administration ramped up its defense of CIA director John Brennan, who came under fire last week after the inspector general reported that agency personnel broke into committee staffers' computers as they were preparing the report.

White House Senior Advisor Dan Pfeiffer said Sunday on ABC-TV's "This Week With George Stephanopoulos" that Mr. Brennan is "someone the president knows very well, and the president has confidence in him."

"I think what we have to do is look at how Director Brennan responded to this," said Mr. Pfeiffer. "When there were allegations of improper conduct, he was the one who referred it to the inspector general. And then the inspector general came back with his report this week."

The president has said "this happened [and] we want to acknowledge it, but most important, we want to make sure it never happens again, which is why, in his first week in office, he signed an executive order banning these activities," said Mr. Pfeiffer.

Mr. Brennan also received a vote of confidence from the Republican Chambliss, who voted against confirming the director but said Sunday that he had done "a really good job as CIA director."

Mr. Brennan insisted in March that there was no hacking into Senate staff computers by the CIA, but once he found out he was wrong, "he came back and apologized," said Mr. Chambliss.

"These are their [CIA] computers that were on their premises, but they were being dedicated to Senate staff," said Mr. Chambliss. "This is very, very serious. If I thought John Brennan knew about this, then it would be certainly ... we'd be calling for his resignation, but the OIG made a specific finding that he did not."

About the Author

Valerie Richardson

Valerie Richardson covers politics and the West from Denver. She can be reached at vrichardson@washingtontimes.com.

[Chambliss defends enhanced interrogation techniques post-9/11](#)

[Rogers: Enemies see weakness in America's southern border](#)

[Ebola outbreak highly unlikely in U.S.: CDC](#)

[Colorado poll shows women tuning out Democrats' 'war on women' strategy](#)

[Al Gore's climate-changers at EPA hearings foiled by cool temperatures](#)

[Colorado governor: Interior bureaucrats biased on species issue](#)

[Obama's approval rating hits all-time low in Colorado](#)

[Second Colo. Democrat may face recall over anti-gun votes](#)

[Poll shows support to recall anti-gun Colorado Democrat](#)

[Obama plans trip to Colorado amid gun debate](#)

[Comments](#)

[TWT Video Picks](#)

[You Might Also Like](#)

[Top 10 U.S. fighter jets](#)

[Separated at birth: Poles and their celebrity look-alikes](#)

[Conservatives in Hollywood: Celebrities who lean right](#)

[Hand cannons: The world's most powerful handguns](#)

[Obama's biggest White House 'fails'](#)

[Celebrities In The News](#)

[Sammy Davis Jr.'s little black book hits the auction block](#)

[Ted Nugent slams 'lying froaks' at liberal media: I'm 'doing God's work'](#)

['Frasier' star Kelsey Grammer forgives sister's murderer](#)

[Commentary](#)

[HATCH: Destroying the Senate — and our liberties](#)

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

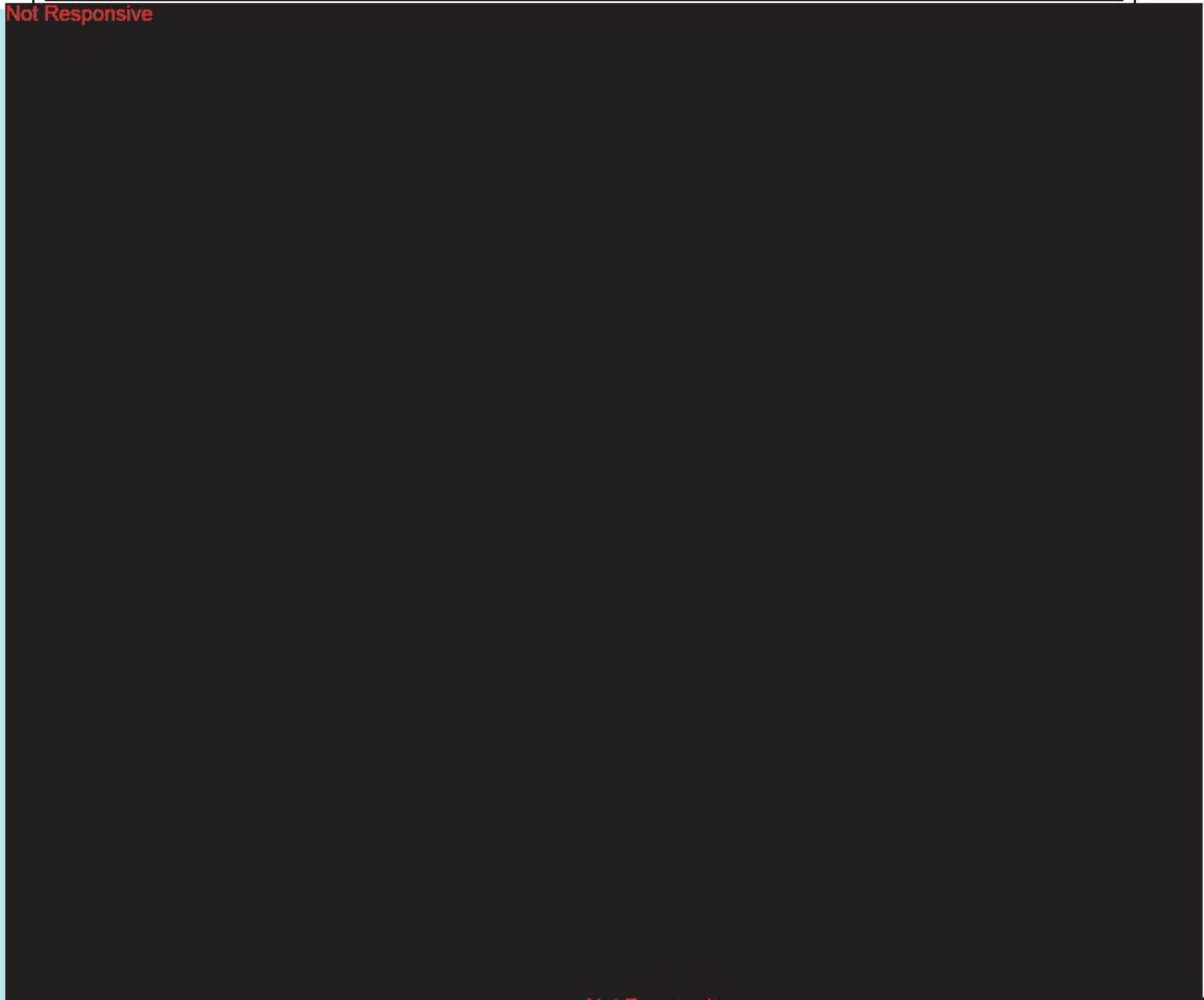
PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: TUESDAY, AUGUST 5, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



Time To Tame The Intelligence Monster (WP)	23
Why Obama Is Backing His CIA Chief (BLV).....	24

Not Responsive

Not Responsive

Time To Tame The Intelligence Monster

By Eugene Robinson

[Washington Post](#), August 5, 2014

The CIA now admits that it spied on a Senate investigation into the agency's shameful program of secret detention and torture. Do we need any more proof that the spooks are out of control?

An internal "accountability board" will look into the incident, an agency statement said, and might recommend "potential disciplinary measures" or even "steps to address systemic issues."

Somehow, I don't feel reassured.

You will recall that when Senate Intelligence Committee Chairwoman Dianne Feinstein (D-Calif.) alleged in March that the CIA was rummaging through her panel's computer files without permission, CIA Director John Brennan scoffed at the complaint with high-handed derision. "I think a lot of people who are claiming that there has been this tremendous sort of spying and monitoring and hacking will be proved wrong," he said.

Oops. An internal CIA probe discovered that, well, a good deal of spying and monitoring and hacking did take place. Brennan reportedly has apologized to Feinstein and Sen. Saxby Chambliss of Georgia, the ranking Republican on the committee — both of whom have been among the CIA's staunchest supporters on Capitol Hill.

The White House has taken a la-de-dah attitude toward the revelation that the agency charged with spying on the machinations of our foreign enemies instead trained its focus on the official work of our elected officials. Asked whether Brennan now has a credibility problem, press secretary Josh Earnest said, "Not at all."

Earnest is wrong on that score, but the problem is much bigger than Brennan. At stake is the principle that our intelligence agencies — like our military forces — must be subject to civilian oversight and control. The spooks apparently have a different arrangement in mind.

After the Sept. 11, 2001, attacks, George W. Bush and Dick Cheney gave the intelligence agencies instructions and latitude that tested — and, in some cases, exceeded — legal, constitutional and moral strictures. For the National Security Agency, this led to a massive program of electronic surveillance that kept track of the private communications of millions of Americans. Obama took steps to limit the program only after it was publicly revealed by fugitive whistleblower Edward Snowden.

For the CIA, fighting the Bush-era “war on terror” involved holding terrorism suspects at secret overseas prisons in countries such as Poland and subjecting some of them to torture. Immediately after taking office in 2009, Obama put a permanent end to what the Bush administration euphemistically called “enhanced interrogation techniques.”

But Obama also decided against any kind of comprehensive investigation to determine exactly what happened. The prosecutor assigned by Attorney General Eric Holder to launch a limited criminal probe decided not to file charges.

The CIA, meanwhile, had been busy covering its tracks. In 2005, the agency destroyed videotapes of waterboarding sessions. Ostensibly, the reason was to prevent the tapes from somehow falling into the hands of al-Qaeda. In reality, the CIA was worried that its officers might be held accountable for their actions.

The Senate Intelligence Committee decided to conduct the investigation of CIA detention and torture that no one else wanted to touch. One question the committee set out to answer was whether the CIA’s claim that torture produced valuable intelligence was accurate.

From the beginning, the committee had difficulty wresting information from the agency. Secure computer networks were eventually set up so that documents could be vetted, redacted if necessary and then transferred to committee investigators. Earlier this year, Brennan complained to Feinstein that her investigators had improperly gained access to an internal CIA review that cast doubt on the torture program’s effectiveness. Feinstein responded that the document was properly obtained — and that the CIA could not know the committee had the document unless it had hacked into the Senate investigators’ computer network.

This is precisely what happened, the CIA now acknowledges. And there’s more: The CIA also hacked into the e-mail of some of the committee’s Democratic staff members.

Sen. Mark Udall (D-Colo.), a member of the intelligence panel, stated the obvious: “This grave misconduct not only is illegal, but it violates the U.S. Constitution’s requirement of separation of powers.” He called on Brennan to resign.

As I said, however, this is bigger than Brennan. At issue is whether a vastly expanded and empowered U.S. intelligence establishment will be fully and properly brought under civilian control and oversight. Bush and Cheney created a monster. Obama, in the time he has left in office, had better tame it.

Why Obama Is Backing His CIA Chief

By Jonathan Bernstein

[Bloomberg View](#), August 4, 2014

The Central Intelligence Agency spied on the Senate, and CIA Director John Brennan lied about it. When the news broke, several senators, including Democrats, called for the director’s resignation.

It seems unlikely Brennan can survive, but on Friday, President Barack Obama gave him a vote of confidence at his brief news conference. In fact, Obama answered a shouted-out question after having already taken the “last” question, suggesting that the Brennan situation was one of the reasons he held the briefing. So why would Obama want to go out of his way to publicly support a CIA director he may have to get rid of?

I can think of three answers.

The least likely, and the one that would reflect worst on Obama, is that he is simply trying to do the right thing as he sees it, and that he either personally likes Brennan or doesn’t see anything wrong with what the CIA did. Even if the president was correct in those judgments, it still would be a foolish course of action. Presidents (at least most of the time) shouldn’t attempt to do the right thing; they should attempt to do whatever is healthiest for their presidencies. I don’t think that’s what’s happening here.

A second, somewhat lurid possibility was raised by Conor Friedersdorf and others: Brennan knows too much, and it would be dangerous for Obama to make an enemy of someone who knows all the details of the president’s involvement in drone killings and other dubious adventures.

I wouldn’t rule this out, but I doubt it’s a serious element of Obama’s thinking. For one thing, it would be difficult for Brennan to leak anything about the president without implicating himself. So whether the concern is reputation or legal culpability (and the latter is mostly speculative), Brennan would have a powerful incentive to stay quiet. And that also supposes that Brennan would put revenge against the president ahead of his obligations to secrecy. It’s possible, but less than likely.

Most promising is what's behind door No. 3: Obama is concerned — in my view, overly so — with demonstrating to the intelligence bureaucracy, the broader national security bureaucracy, and the bureaucracy in general, that he is on their side. The basic impulse to stand up for the people he appointed isn't a bad one; nor is the impulse to demonstrate to the intelligence community that he is no wild-eyed peacenik softie who opposes the work they do. For one thing, he's more likely to effect change in national security areas if experts in the government believe he's at least sympathetic to them as individuals and to their basic goals, even if he questions some of the George W.Bush-era (or earlier) methods. For another, the ability of bureaucrats to hurt the president with leaks doesn't depend on the existence of deep dark secrets. Every president is vulnerable to selective leaks and a drumbeat of steady negative interpretations from the bureaucracy.

And yet, overdoing support for the bureaucracy can have severe costs. On torture, for example, emphasizing the good intentions of those faced with difficult choices during the last decade makes sense. But failing to take action, and leaving bureaucrats with serious liabilities because the status of their past actions is unresolved, only may have made reassuring them of presidential support increasingly necessary. That's not a healthy situation.

Again: some of the incentive to (at least at first) stand up for presidential appointees is inherent in the presidency, and a healthy thing to do even when the president believes people have misbehaved and should go. But throughout his presidency, Obama has been overly skittish when it comes to potentially crossing his national security bureaucracy, and I strongly suspect that torture and other Bush-era abuses are both part of the original cause and will cause more of that timidity down the road. Obama has tried to deal with this by getting the policy right. But when we learn more about the events of the last six years, I wouldn't be surprised if it turns out that getting the internal politics wrong has made it a lot harder to get the policy right.

To contact the writer of this article: Jonathan Bernstein at Jbernstein62@bloomberg.net.

To contact the editor responsible for this article: Max Berley at mberley@bloomberg.net.

Not Responsive

DEPARTMENT OF JUSTICE **NEWS CLIPS**

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: WEDNESDAY, AUGUST 6, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Dianne Feinstein: Administration Is Hiding Key Facts In Senate's CIA Torture Report (HUFFPOST).....	22
Feinstein Withholds Report On CIA Torture, Writes Letter To Obama (CQRC).....	22
Stop The C.I.A. Spin On The Senate Torture Report (NYT)	23
Free The CIA Torture Report (LAT)	24

Not Responsive

Feinstein Hits CIA Report Redactions (POLITICO)	16
Redactions Of Report On C.I.A. Stoke Ire (NYT).....	17
Senate, CIA Clash Over Redactions In Interrogation Report (WP).....	17
Senate Report On CIA Abuses Delayed By Fight Over Classified Data (LAT)	18
Senate Intelligence Committee Members Protest Administration Deletions To CIA Torture Report (MCT)	19
Senate Intel Chief 'will Not Rush' CIA Report (HILL)	20
Feinstein Pushes For More Detailed CIA Report (USAT).....	21
Sen. Feinstein Rips Obama On Redacted Torture Report (NATJO).....	21

Feinstein Hits CIA Report Redactions

By Lucy Mccalmont

[Politico](#), August 5, 2014

Senate Intelligence Chairwoman Dianne Feinstein called for a change in redactions within a internal CIA report that revealed the agency spied on Senate computers, before it is released to the public.

"The bottom line is that the United States must never again make the mistakes documented in this report," Feinstein said in a statement released Tuesday. "I believe the best way to accomplish that is to make public our thorough documentary history of the CIA's program."

Some of Feinstein's Democratic colleagues have demanded CIA Director John Brennan's resignation over the issue and while the California senator would not echo such calls, she said the report will not be released until she is "satisfied that all redactions are appropriate."

"I have concluded the redactions eliminate or obscure key facts that support the report's findings and conclusions," Feinstein said, adding that she is sending a letter to President Barack Obama to lay out what changes the Intelligence Committee feels are necessary.

The senator said the process will "take some time" and she will not rush it.

Speaking about the report during his press conference on Friday, Obama told reporters that it was clear "some very poor judgement was shown" in the agency's own investigation into interrogation practices. However, the president said he had "full confidence" in Brennan, who he noted called for the internal report, which Obama said will be released "at the pleasure of the Senate committee."

Redactions Of Report On C.I.A. Stoke Ire

By Mark Mazzetti

[New York Times](#), August 6, 2014

WASHINGTON The chairwoman of the Senate Intelligence Committee said on Tuesday that heavy censorship by the Obama administration of her committee's voluminous report on the C.I.A.'s detention program eliminates or obscures "key facts" buttressing the document's conclusions, and pledged to fight for more of it to be declassified.

The statement by the chairwoman, Senator Dianne Feinstein, a California Democrat, seemed to dim the prospects of the long-delayed report's being released in the coming days. Ms. Feinstein said she was writing a letter to President Obama with a list of items she believes were improperly redacted, a list the officials said included some intelligence-gathering information and pseudonyms of C.I.A. officers.

The fight could present problems for the Obama administration. On Friday, the president denounced the C.I.A.'s interrogation methods and pointed out that one of his first acts as president was the shuttering of the spy agency's detention program. But further delays in releasing the report, and a perception that the White House is protecting the C.I.A., could be a blow to an image the president has cultivated as someone who opposed a program of torture. The redactions were made by intelligence agencies with the ultimate approval of the White House.

"The bottom line is that the United States must never again make the mistakes documented in this report," Ms. Feinstein said. "I believe the best way to accomplish that is to make public our thorough documentary history of the C.I.A.'s program."

Senator Carl Levin, a Michigan Democrat and chairman of the Armed Services Committee, called the redactions "totally unacceptable" and said there were multiple instances where information was redacted that had already been disclosed in his committee's 2009 report on detention.

Several officials said that one point of contention is the report's use of C.I.A. pseudonyms to identify officers involved in the interrogations. The Obama administration has redacted the names on the premise that, even though they are not real names, the information could be used to unearth the identities of the officers.

Another dispute is over the redaction of other intelligence information not obtained from interrogations that spy agencies gathered in the hunt for operatives of Al Qaeda. Officials said that Ms. Feinstein believes that deleting this information undermines one of the report's main conclusions that the brutal interrogations were not essential to thwarting terrorist plots.

"If you redact the information about those other intelligence-gathering means, it cripples the report," said one official with knowledge of the report's conclusions.

On Monday, Josh Earnest, the White House press secretary, said that "it is important that a declassification process be carried out that protects sources and methods and other information that is critical to our national security."

Senate, CIA Clash Over Redactions In Interrogation Report

By Greg Miller

[Washington Post](#), August 6, 2014

The planned release of a report by the Senate Intelligence Committee on the CIA's interrogation of terrorism suspects has broken down in a dispute between the committee and the Obama administration over how much of the document can be declassified.

Sen. Dianne Feinstein (D-Calif.), chairman of the committee, said Tuesday that she had written a letter to President Obama raising objections to material that was stripped from the report by the CIA and the White House.

"I have concluded the redactions eliminate or obscure key facts that support the report's findings and conclusions," Feinstein said in a statement. "Until these redactions are addressed to the committee's satisfaction, the report will not be made public."

The committee did not release a copy of Feinstein's letter, and officials declined to discuss details of the dispute. But U.S. officials familiar with the discussions said the disagreement centers on descriptions of CIA officers and detainees throughout the document, as well as material used by the committee to bolster its key conclusions.

Among them was that the CIA exaggerated the significance of intelligence derived from detainees, including Khalid Sheikh Mohammed, the self-declared mastermind of the Sept. 11 attacks, and repeatedly relied on distorted claims to defend and justify the use of harsh interrogation measures.

U.S. officials familiar with the redacted document said the administration stripped out material that showed that pieces of information long attributed to detainees and that led to the disruption of terrorism plots or the capture of additional suspects had actually come from other intelligence sources such as intercepted communications.

"The redactions obscure or prevent the report from sharing other forms of information that contributed to counterterrorism successes," said a U.S. official involved in discussions over the document.

The committee used CIA-provided pseudonyms to protect the identities of agency personnel, but the agency removed references to those false identities. The CIA also objected to other details that it said could enable readers to identify its officers as well as countries that cooperated in the detention program.

An official familiar with the redactions said the amount of detail associated with the pseudonyms could jeopardize CIA officers' safety. "A pseudonym itself is little protection from exposure when a host of other information about that officer is made available to the public and will likely be seen by adversaries and foreign intelligence services," the official said.

Although the report was drafted by the Intelligence Committee, much of the material it contains is classified, putting the administration in the position of determining how much should be declassified and released to the public.

The committee plans to release only a 480-page executive summary as well as dissenting views from some Republicans of a full report, which tops 6,000 pages.

The Office of the Director of National Intelligence said the administration redacted only 15 percent of the report's text. But committee members said the cuts are enough to undermine the report.

Sen. Mark Udall (D-Colo.) said that although the director of national intelligence, James R. Clapper Jr., "may be technically correct that the document has been 85 percent declassified, it is also true that strategically placed redactions can make a narrative incomprehensible."

U.S. officials said the dispute over the redactions could take weeks to resolve. The extended battle over the report has frayed nerves on both sides. A former senior CIA official noted that the committee's investigation, underway since 2009, has dragged on "longer than the CIA held detainees."

The agency took custody of its first prisoner, Zayn al-Abidin Muhammed Hussein, better known as Abu Zubaida, in 2002, and then closed its secret overseas prisons in 2006, moving 14 detainees to the U.S. military base at Guantanamo Bay, Cuba.

Senate Report On CIA Abuses Delayed By Fight Over Classified Data

By David Lauter

[Los Angeles Times](#), August 6, 2014

A long-awaited Senate report on the CIA's harsh interrogation of prisoners during the Bush administration will wait a while longer. The Senate and the White House can't agree on what to release to the public.

Last week, after months of review, the White House gave the Senate Intelligence Committee its list of what portions of the report's executive summary needed to be withheld to avoid disclosing classified information. But Tuesday, Sen. Dianne Feinstein (D-Calif.), the committee chair, rejected the White House position.

"The redactions eliminate or obscure key facts that support the report's findings and conclusions," Feinstein said in a statement. "Until these redactions are addressed to the committee's satisfaction, the report will not be made public."

Several Senate colleagues joined Feinstein in a coordinated assault on the White House position. Senate Armed Services Committee chair Carl Levin (D-Mich.), for example, said the redactions the administration wanted include "information that has already been publicly disclosed."

Feinstein said she was sending the White House a list of changes that would be necessary and that "the White House and the intelligence community have committed to working through these changes in good faith."

But, she warned, "this process will take some time."

In truth, the report already has been in process for five years. Officials who have seen it say it sharply criticizes the CIA's interrogations, documenting the abuse of some terrorism suspects in grisly detail. Written by the staff of the committee's

Democratic majority, the report concludes that the interrogations violated human rights and did not provide important intelligence that made the country safer, the officials have said, speaking anonymously to discuss classified information.

Many current and former CIA officials bitterly reject those conclusions and the criticisms the report makes of the spy agency's actions.

The controversy has put President Obama in a difficult spot, between prominent senators of his own party and an intelligence agency that he relies on. His CIA director, John Brennan, was a senior official in the agency during the Bush years although he was not directly involved in the interrogation program.

Obama has been critical of the Bush-era practices. "We tortured some folks," he bluntly said in a news conference last week. But the White House has also backed the intelligence agency in insisting that some parts of the report cannot be publicly released.

White House Press Secretary Josh Earnest said Monday that Obama has been "trying to be as transparent as possible with the American public about what exactly occurred and with the international community about what exactly occurred so that we can prevent it from happening again."

He defended the redactions, saying that "more than 85% of the report was un-redacted, and half of the redactions that occurred were actually just in the footnotes."

But, he added, the White House and intelligence agencies "have indicated a willingness to sit down" with the committee members "to try to find some common ground here and satisfy their concerns so that we can get this report released as quickly as possible."

Feinstein, by contrast, indicated in her statement that she believes time is on her side.

"The bottom line is that the United States must never again make the mistakes documented in this report," and the report's documentation will help ensure that, she said.

"That is why I believe taking our time and getting it right is so important, and I will not rush this process."

For more news and analysis on politics and policy, follow me on Twitter @DavidLauter

Senate Intelligence Committee Members Protest Administration Deletions To CIA Torture Report

By Jonathan S. Landay

[McClatchy](#), August 5, 2014

WASHINGTON Senate Intelligence Committee members protested Tuesday over the Obama administration's censorship of a report on the CIA's use of "brutal" interrogation methods, charging that the deletions hid key facts and blacked out information that was made public years ago.

The senators raised their objections to the redactions in emailed statements sent within minutes of each other, indicating a coordinated effort to drive home their anger and further highlighted the serious frictions between the Democratic administration and Democrat-run panel that oversees the 17 U.S. intelligence agencies.

Relations between the committee and the CIA also have soured over the agency's admission last week that it had broken into a computer database that by agreement was supposed to have been accessed only by the panel staffers who compiled the report.

The latest uproar came four days after the completion of a declassification process in which the CIA and then the White House blacked out details from the nearly 500-page executive summary the only part of the 6,300-page report that will be released what they considered as sensitive national security information.

In their emailed statements, four of the committee members, including the chairwoman, Sen. Dianne Feinstein, D-Calif., charged that the deletions were excessive and hid critical information dug up by the five-year, \$40 million probe of the interrogation methods employed by the CIA under the former George W. Bush administration.

"After further review of the redacted version of the executive summary, I have concluded the redactions eliminate or obscure key facts that support the report's findings and conclusions," said Feinstein. "Until these redactions are addressed to the committee's satisfaction, the report will not be made public.

"I am sending a letter today to the president laying out a series of changes to the redactions that we believe are necessary prior to public release," she continued. "The White House and the intelligence community have committed to working through these changes in good faith."

The White House had no immediate comment.

The White House and Director of National Intelligence James Clapper have defended the blackouts, contending that more than 85 percent of the executive summary was left untouched and that half the deletions were made to footnotes.

The statements from Feinstein and Democratic Sens. Carl Levin of Michigan and Mark Udall of Utah and Angus King, an independent from Maine, indicated that the dispute goes beyond redactions of pseudonyms of covert CIA officers and foreign countries that a Feinstein spokesman said Tuesday were in contention.

The redactions “are totally unacceptable. Classification should be used to protect sources and methods or the disclosure of information which could compromise national security, not to avoid disclosure of improper acts or embarrassing information,” said Levin.

Levin, the chairman of the Senate Armed Services Committee, said that he’d found “multiple instances” where blackouts were made to information that had been publicly disclosed in a report on detainee abuses that his panel made public in 2009.

“The White House needs to take hold of this process and ensure that all information that should be declassified is declassified,” said Levin, who is an ex-officio member of the Intelligence Committee.

King, who caucuses with the Senate’s majority Democrats, said: “The American public should be given the opportunity to read the report and reach their own conclusions about the conduct of the program. Getting to that point requires that we ensure the administration’s proposed redactions do not obscure the facts.”

Udall, an outspoken critic of the CIA’s interrogation program, dismissed Clapper’s defense of the deletions.

“While Director Clapper may be technically correct that the document has been 85 percent declassified, it is also true that strategically placed redactions can make a narrative incomprehensible and can certainly make it more difficult to understand the basis for the findings and conclusions reached in the report,” he said.

“The CIA should not face its past with a redaction pen, and the White House must not allow it to do so,” said Udall, who called the CIA program “brutal and ineffective.”

His comments reflected the report’s main conclusion, that the agency’s use of simulated drowning known as waterboarding, wall-slammings and other harsh interrogation techniques on suspect terrorists held in secret overseas prisons produced little valuable intelligence.

Other conclusions, obtained by McClatchy in April, said that the agency misled the Bush administration, Congress and the public about the efficacy of the program and called into question the legal justifications for the techniques, which Obama, some lawmakers and human rights experts have denounced as torture.

The CIA and former Bush administration officials say that valuable intelligence was gained from the program and dispute that the techniques constituted torture.

Email: jlanday@mcclatchydc.com; Twitter: [@JonathanLanday](https://twitter.com/JonathanLanday).

Senate Intel Chief ‘will Not Rush’ CIA Report

By Julian Hattem

[The Hill](#), August 6, 2014

The head of the Senate Intelligence Committee is warning that a controversial report about the CIA’s former interrogation practices won’t become public until she is satisfied with the amount of information that is redacted.

Chairwoman Dianne Feinstein (D-Calif.) has sparred with the Obama administration over the extent of redactions to the lengthy executive summary of the 6,000-page report detailing the “enhanced interrogation” techniques used during the Bush administration.

In a statement on Tuesday, she pledged not to release the so-called “torture report” to the public until “key facts that support the report’s findings and conclusions” are allowed to stay in.

“The bottom line is that the United States must never again make the mistakes documented in this report,” she said. “I believe the best way to accomplish that is to make public our thorough documentary history of the CIA’s program.

“That is why I believe taking our time and getting it right is so important, and I will not rush this process.”

The report, which is expected to detail practices such as waterboarding in harsh terms and conclude that they were ineffective in stopping terrorists, is the product of five years of work for the committee.

The effort has received pushback from officials at the CIA and from Committee Vice Chairman Saxby Chambliss (R-Ga.), who is leading the effort to release a minority report contesting the report’s conclusions.

Late last week, Feinstein revealed that the Obama administration had redacted about 15 percent of the public version of the report, though the administration has pointed out that much of those changes were in the footnotes.

The edits were necessary to protect “sensitive classified information,” Director of National Intelligence James Clapper said at the time.

Still, the changes drew significant rebuke from lawmakers.

“While Director Clapper may be technically correct that the document has been 85 percent declassified, it is also true that strategically placed redactions can make a narrative incomprehensible and can certainly make it more difficult to understand the

basis for the findings and conclusions reached in the report,” Sen. Mark Udall (D-Colo.), a member of the Intel panel who supported Feinstein’s delay, said in a statement on Tuesday.

“The CIA should not face its past with a redaction pen, and the White House must not allow it to do so.”

Senate Armed Services Committee Chairman Carl Levin (D-Mich.) piled on, calling the redactions “totally unacceptable” in a statement on Tuesday.

In reviewing the changes proposed by the administration, he said, “I saw multiple instances where CIA proposes to redact information that has already been publicly disclosed” in a 2009 report from his committee.

“The White House needs to take hold of this process and ensure that all information that should be declassified is declassified,” Levin added.

The unclassified summary was originally expected as soon as this week.

In her statement on Tuesday, Feinstein said that she was sending a letter to President Obama, “laying out a series of changes to the redactions that we believe are necessary prior to public release.”

“The White House and the intelligence community have committed to working through these changes in good faith,” she said. “This process will take some time, and the report will not be released until I am satisfied that all redactions are appropriate.”

Updated at 5:50 p.m.

Feinstein Pushes For More Detailed CIA Report

By Kevin Johnson

[USA Today](#), August 5, 2014

WASHINGTON The Senate Intelligence Committee chairwoman is withholding release of its long-awaited report on the CIA’s detention and interrogation program in protest of administration redactions that “eliminate or obscure key facts” in the panel’s review.

Sen. Dianne Feinstein, D-Calif., said Tuesday that she was appealing to the White House for a series of changes that “we believe are necessary prior to public release” of the report, which is expected to be harshly critical of the CIA’s practice of enhanced interrogation of al-Qaeda suspects captured in the aftermath of the 9/11 attacks.

President Obama referred to the Senate report last week, when he acknowledged that “we tortured some folks” during interrogations of terror suspects.

“The bottom line is that the United States must never again make the mistakes documented in this report,” Feinstein said in a written statement. “I believe the best way to accomplish that is to make public our thorough documentary history of the CIA’s program.”

Sen. Feinstein Rips Obama On Redacted Torture Report

By Dustin Volz

[National Journal](#), August 6, 2014

The Senate Intelligence Committee will not make its report on Bush-era “enhanced interrogation” programs available to the public until the Obama administration can explain why it heavily redacted the report on torture techniques.

Committee Chairwoman Dianne Feinstein is unsatisfied with the amount of redacted material, saying the report stay classified until the administration can explain the blackouts.

“After further review of the redacted version of the executive summary, I have concluded the redactions eliminate or obscure key facts that support the report’s findings and conclusions,” the powerful California Democrat said in a statement Tuesday. “Until these redactions are addressed to the committee’s satisfaction, the report will not be made public.”

Last week, the White House returned the so-called “torture report” to the Intelligence Committee, but Feinstein said she would need to review the redactions before deciding whether to make the report public. Other senators blasted the administration for attempting to conceal embarrassing details contained in the panel’s 500-page executive summary of the larger study.

“Redactions are supposed to remove names or anything that could compromise sources and methods, not to undermine the source material so that it is impossible to understand,” said Sen. Martin Heinrich, a New Mexico Democrat, in a statement. “Try reading a novel with 15 percent of the words blacked out. It can’t be done properly.”

In response to the backlash, Director of National Intelligence James Clapper justified the deletions as necessary and noted that half of them were made in the document’s footnotes.

But Feinstein is demanding more answers and is unwilling to release the report as it currently stands.

“I am sending a letter today to the president laying out a series of changes to the redactions that we believe are necessary prior to public release,” Feinstein said. “This process will take some time, and the report will not be released until I am satisfied that all redactions are appropriate.”

She continued: "The bottom line is that the United States must never again make the mistakes documented in this report. ... That is why I believe taking our time and getting it right is so important, and I will not rush this process."

Also on Tuesday, Sen. Carl Levin, a Michigan Democrat, criticized the redactions as "totally unacceptable." He added that there was "multiple instances where CIA proposes to redact information that has already been publicly disclosed" in a 2009 report on detainee abuse written by the Senate Armed Services Committee, which Levin chairs.

The torture report, some of which has been leaked already, is widely believed to conclude that the CIA's use of waterboarding and other "enhanced interrogation" practices yielded little to no valuable national security information that could not have otherwise been obtained using more traditional intelligence-gathering methods.

On Friday, President Obama referred to the report during a press conference, indicating at the time that its release was imminent. Obama also condemned the interrogation protocol used by the Bush administration, which he banned when he took office.

"In the immediate aftermath of 9/11, we did some things that were wrong," Obama said. "We did a whole lot of things that were right, but we tortured some folks. We did some things that were contrary to our values."

Feinstein's salvo is just the latest in an ongoing feud between her panel and the CIA.

Last week, the CIA admitted it improperly accessed computers used by Senate Intelligence staffers to investigate the spy agency's detention, rendition, and interrogation practices deployed during George W. Bush's presidency. CIA Director John Brennan determined that his employees "acted in a manner inconsistent with the common understanding" brokered between his agency and its Senate overseers.

At least three senators, including Heinrich, have asked for Brennan to step down.

Dianne Feinstein: Administration Is Hiding Key Facts In Senate's CIA Torture Report

By Michael Mcauliff

[Huffington Post](#), August 6, 2014

WASHINGTON The head of the Senate Intelligence Committee is stalling the release of its detailed investigation of the CIA's use of torture, alleging the administration has blacked out too many of the key details.

The controversial report, clocking in at more than 6,000 pages, was produced by Senate investigators over several years. Its executive summary was expected to be released this week, after a review by the intelligence community. But intelligence committee Chair Dianne Feinstein (D-Calif.) warned last week when she got the report back that it had significant redactions that needed to be evaluated.

The redactions eliminate the proof for the report's damning conclusions, Feinstein said in a statement Tuesday.

Feinstein Withholds Report On CIA Torture, Writes Letter To Obama

By Niels Lesniewski

[Roll Call](#), August 6, 2014

Senate Intelligence Chairwoman Dianne Feinstein isn't happy with the redactions being demanded by the administration to her committee's report on torture by the CIA, and she wants the president to intervene.

The California Democrat said she will seek a series of changes to mitigate redactions to the report's summary made by the White House that have made the document essentially unreadable.

"I am sending a letter today to the president laying out a series of changes to the redactions that we believe are necessary prior to public release. The White House and the intelligence community have committed to working through these changes in good faith," Feinstein said in a statement. "This process will take some time, and the report will not be released until I am satisfied that all redactions are appropriate."

Without getting into specifics, Feinstein said in her statement, "the redactions eliminate or obscure key facts that support the report's findings and conclusions."

McClatchy reported Monday that the Intelligence Committee found the administration redacted pseudonyms used to protect individuals and countries referred to in the report. Without those references, it might prove impossible to cross-reference events and details.

White House Press Secretary Josh Earnest reiterated Monday that President Barack Obama wanted the report released as quickly as possible, but said that there were national security considerations.

"We're talking about very sensitive information here. And it is important that a declassification process be carried out that protects sources and methods and other information that is critical to our national security," Earnest said. "And that is why the intelligence community has worked through a very rigorous process to ensure that those pieces of information are protected."

Earnest also highlighted what he called "the president's clearly stated desire to be as transparent as possible about this."

“That all being said, this administration and the relevant national security agencies have indicated a willingness to sit down with those who have spoken out about this just in the last couple of days to try to find some common ground here and satisfy their concerns so that we can get this report released as quickly as possible,” Earnest said.

But, given Feinstein’s concerns about redactions, “quickly” might not happen in the immediate future.

Stop The C.I.A. Spin On The Senate Torture Report

By Antonio M. Taguba

[New York Times](#), August 6, 2014

ALEXANDRIA, Va. THE Senate Intelligence Committee will soon release key sections of its report on the Central Intelligence Agency’s detention and interrogation of terrorism suspects after 9/11. In remarks on Friday anticipating the report’s release, which he has publicly supported, President Obama acknowledged that “we tortured some folks.”

In fact, from leaks to the press and the statements of those familiar with the report, we know the committee has determined that C.I.A. torture was more widespread and brutal than Americans were led to believe. The committee reportedly has also found that the C.I.A. misled Bush administration officials and Congress about the extent and nature of the torture, and that torture was ineffective for intelligence gathering.

Even though a bipartisan majority of the committee voted to declassify the report, there is a concerted effort to discredit it by depicting it as partisan and unfair. The report’s detractors include the C.I.A. itself: The agency’s rebuttal will be released alongside the report’s key sections. While the C.I.A. is under no obligation to stay silent in the face of criticism, it seems that between its apparently excessive redactions and its spying on the committee’s computers, the agency is determined to resist oversight.

Yet I know from experience that oversight will help the C.I.A. as it helped the United States military. Ten years ago, I was directed by Lt. Gen. Ricardo S. Sanchez, the senior officer in Iraq, to investigate allegations of detainee abuse at the Abu Ghraib prison in Baghdad. My report’s findings, which prompted a Senate Armed Services Committee hearing, documented a systemic problem: military personnel had perpetrated “numerous incidents of sadistic, blatant, and wanton criminal abuses.”

The findings, along with what became infamous images of abuse, caused a stir and led to prosecutions. The inquiry shed light on our country’s trip to the dark side, in which the United States government engaged in an assault on American ideals, broke the law and in so doing strengthened our enemies.

What I found in my investigation offended my sense of decency as a human being, and my sense of honor as a soldier. I’d learned early about the necessity of treating prisoners humanely. My father, Tomas B. Taguba, a member of the joint American-Filipino force during World War II, was captured by the Japanese and endured the Bataan Death March.

It was clear to me in 2004 that the United States military could not be the institution it needed to be as long as it engaged in and tolerated abuse.

But the military’s path to accountability was a long one, and its leaders hardly welcomed oversight. A few months after I completed the investigation, I was reassigned to the Office of the Secretary of Defense, where I could be closely monitored. Then, in early 2006, I received a telephone call from Gen. Richard A. Cody, then the Army’s vice chief of staff, who said, “I need you to retire by January of 2007.” No explanation was given. But none was needed.

I remain certain that by investigating inhumane treatment of detainees, I did my duty as a soldier, and that my inquiry along with one in 2008 by the Senate Armed Services Committee made the military a stronger, more trustworthy institution. As a result, interrogation and detention regulations were reformed and training programs were revised to comply with the Geneva Conventions.

Equally important, the military changed its command structures for detainee operations in Iraq and Afghanistan. And while accountability for the architects of the torture has proved elusive, more than 200 members of the armed forces have been punished for their involvement in abuse.

Ultimately, as we learned with Abu Ghraib, the best way of guarding against torture is an American public well informed about the moral and strategic costs of such abuse. In the absence of an open accounting, polls show that support for torture among Americans has increased over recent years as proponents sow doubt about whether abusive interrogation is, in fact, illegitimate. So I am very concerned by the pre-emptive efforts of the C.I.A. to derail what we know to be strong criticism of the agency’s conduct during the “war on terror.”

Agency officials, past and current, surely believe that by seeking to undermine the credibility of the report, they are acting in the best interests of the agency. But when the chairman of the Senate Intelligence Committee, Dianne Feinstein, has accused you of spying, you may want to reconsider your P.R. strategy. Yet we learn that the former C.I.A. director George J. Tenet, who presided over the “enhanced interrogation” program and later claimed that “We don’t torture people,” is working with the current director, John O. Brennan, to shape the agency’s response to the report.

One of President Obama's greatest actions as president and commander in chief came on his second full day in office, when he signed an executive order banning torture. But he has allowed the C.I.A. to oversee the redaction process of this report, and is now apparently allowing Mr. Tenet to run a publicity campaign against it. The president should make sure that Mr. Brennan who is, after all, his employee spurns Mr. Tenet and accepts oversight.

A failure of leadership took the country to the dark side. A strong presidential lead can ensure that we don't go back.
Antonio M. Taguba is a retired major general in the United States Army.

Free The CIA Torture Report

[Los Angeles Times](#), August 6, 2014

More than a year and a half ago, the Senate Intelligence Committee approved a voluminous report on the CIA's detention and interrogation of suspected terrorists after 9/11. Those who have read the report say it concludes that the agency used brutal and sometimes unauthorized interrogation techniques, misled policymakers and the public, and sought to undermine congressional oversight. It also reportedly rejects the idea that waterboarding and other "enhanced interrogation techniques" (a euphemism for torture) produced information vital to preventing terrorist attacks.

The public has been unable to evaluate the committee's conclusions or complaints by Republicans and the CIA that the report is flawed but that was supposed to change this month with the release of a 480-page executive summary and a list of findings. Now, however, Sen. Dianne Feinstein (D-Calif.), the committee chairwoman, is delaying publication of the document "until further notice" while the committee studies "significant redactions" made by the Obama administration.

Director of National Intelligence James R. Clapper said the redactions were necessary to protect "sensitive classified information" and that half of the redactions were in the footnotes. He insisted that "the declassified document delivered to the committee will provide the public with a full view of the committee's report on the detention and interrogation program."

It's understandable if the public doesn't take Clapper's assurances at face value. After all, he is the official who answered "No, sir" when a senator asked him in March 2013 whether the National Security Agency collected data on "millions or hundreds of millions of Americans." A few months later, thanks to revelations by former NSA contractor Edward Snowden, Americans learned the government had been "bulk collecting" information about telephone calls.

As for the CIA, only last week Director John Brennan apologized to the Senate Intelligence Committee after the agency's inspector general concluded that CIA officials had improperly searched computers being used by committee staffers working on the detention and interrogation report. Given that, Americans will wonder if redactions made in the executive summary were designed to protect sources and methods or to spare the CIA from further embarrassment.

On Tuesday, Feinstein said the redactions "eliminate or obscure key facts that support the report's findings and conclusion," and sent a letter to President Obama proposing changes that she said would be necessary if the document were to be released. Obama, who acknowledged last week that "we tortured some folks" and that we "did some things that were contrary to our values," should respond positively.

The summary of the Senate Intelligence Committee report may be the best available account of how America lost its way. It has been kept from the public for too long.

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, AUGUST 8, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Not Responsive

and findings regarding the CIA's use of enhanced interrogation, calls for CIA director John Brennan's resignation in light of findings that the agency improperly accessed Senate computers during the investigation, and the President's apparent lack of support for any antiterrorism programs. Strassel warns that trying to tear down institutions like the CIA will only put Americans at risk.

Not Responsive

Senate Investigation, Report Criticized. In her column for the [Wall Street Journal](#) (8/8, Subscription Publication, 5.89M), Kimberley Strassel is simultaneously critical of the Senate Intelligence Committee's investigation

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: WEDNESDAY, AUGUST 27, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

In Senate-CIA Fight On Interrogation Report, Another
Controversy (MCT) 22

Not Responsive

Not Responsive

In Senate-CIA Fight On Interrogation Report, Another Controversy

By Ali Watkins And Marisa Taylor

[McClatchy](#), August 26, 2014

WASHINGTON — The background of a key negotiator in the battle over a Senate report on the CIA's use of interrogation techniques widely denounced as torture has sparked concerns about the Obama administration's objectivity in handling the study's public release.

Robert Litt, the general counsel for the Office of the Director of National Intelligence, is a former defense lawyer who represented several CIA officials in matters relating to the agency's detention and interrogation program. Now he's in a key position to determine what parts of the Senate Intelligence Committee's 6,300-page report will be made public.

Litt's involvement doesn't appear to be an ethics issue, at least by the legal definition. But experts say that while it may be acceptable on paper, his involvement in the review should have been a red flag.

"It does not cross the very low bar that the profession sets for an impermissible conflict of interest," said Jack Marshall, the president and founder of ProEthics Ltd., a national ethics consulting and training company that has provided seminars to government lawyers, including those employed by the CIA. "But it is the kind of conflict of interest that should be avoided at all costs. The government has to be held to a higher standard."

Litt, who's now 64, was confirmed to his post by the U.S. Senate in 2009, contingent upon his agreement to recuse himself from situations that involved his former clients. He referred to the potential conflict in his responses to the Intelligence panel's questions for the record, submitted during the course of his confirmation process.

"I represent several present and former employees of the Central Intelligence Agency in matters relating to the detention and interrogation of suspected terrorists," Litt wrote to the committee in 2009. "By statute, under the rules of ethics and by virtue

of my ethics agreement that has been provided to the committee, I will not participate personally and substantially in any particular matter involving these clients . . . including decisions about similarly situated individuals.”

Despite his 2009 testimony, though, Litt has found himself in the middle of a heated dispute over a program that, according to his testimony, involved several of his former clients.

Litt’s prior representations, however, didn’t seem to bother Sen. Dianne Feinstein, D-Calif., who chairs the Senate Intelligence Committee and who approved the arrangement.

“I spoke with Bob Litt about this matter and believe he will be fair, and negotiations thus far have shown that to be the case,” Feinstein said in a statement. “The DNI’s designated ethics official has reviewed the situation and determined there is no conflict that would necessitate a recusal.”

The Office of the Director of National Intelligence confirmed Feinstein’s approval and denied that Litt’s involvement violated his prior testimony.

“Consistent with his commitments, Mr. Litt has not participated in any decisions relating to the possible prosecution or investigation of his former clients, or any decisions that would affect the outcome of such matters,” the office said in a statement. “In addition, he and the designated ethics official met with Chairman Feinstein to discuss the matter and she did not ask for his recusal in this matter.”

The director of national intelligence’s ethics official is Susan Gibson, Litt’s principal deputy counsel at his current post.

The conversations between the Senate Intelligence Committee and the administration about Litt’s past representations and their approval of his involvement effectively waive charges of a conflict of interest, at least by rules of the legal profession.

“If he advised them on their legal exposure by virtue of their conduct and this report blasts them for that same conduct, he should not participate with regard to that part of the report,” said Stephen Gillers, a professor at New York University School of Law who specializes in legal ethics. “However, if everyone involved waives their objections, it wipes the slate clean.”

All of Litt’s former CIA clients also would have to waive a potential conflict, Gillers said. Administration officials wouldn’t say whether that occurred.

While Marshall, the ethics consultant and a Washington lawyer, agreed that it didn’t violate professional ethics regulations regarding conflicts, he said Litt’s involvement in the negotiations raised “questions of transparency and fairness.”

“It’s wrong because it raises the specter of cover-ups, it raises the specter of coordinated stories and it creates the danger of an appearance of impropriety,” he said.

“The public has a reason to be distrustful when it sees that kind of multiple representations,” Marshall continued. “I think every lawyer in this situation has to look back and say, ‘Do I have a conflict of interest at this moment with the duties of a government lawyer to the people of the United States of America? Does the public consent to this potential conflict of interest?’ “

Citing attorney-client privilege, Litt declined in 2009 to name several of his clients who were involved in “nonpublic investigative matters.” Later in his responses to the committee, he said that some of the matters for which he’d provided counsel to CIA officials were classified.

Neither the White House nor Feinstein’s office would characterize Litt’s prior representation during his time in private practice. When asked whether Litt had represented former senior CIA officials involved in the interrogation program, the Office of the Director of National Intelligence declined to comment, also citing attorney-client privilege.

According to reports in The Washington Post, Litt previously represented a CIA analyst, Alfreda Frances Bikowsky, who played a central role in the bungled rendition of Khaled el-Masri. El-Masri, who was revealed to be innocent, claimed to have been tortured by the agency.

While Litt’s involvement appears to meet legal guidelines, it has nonetheless added to the criticism over the administration’s handling of the report’s public release.

“I have been concerned all along about conflicts of interest related to the declassification of the Senate Intelligence Committee’s study,” said Sen. Mark Udall, D-Colo., a member of the panel. “I urged the president in April to have the White House lead the declassification process instead of the CIA. . . . The redaction process has not been conducted in accordance with my request, and I remain concerned about who continues to lead and drive the process.”

It’s been a long, difficult history for the panel’s study on the CIA’s interrogation and detention program, which has been a source of major deterioration in the relationship between the agency and the Senate oversight committee. The report’s executive summary is nearing public release. But the White House and its chief spy agency have effectively stalled even that process.

The Intelligence panel began compiling the report on the CIA’s post-9/11 detention, rendition and interrogation program in 2009. The report, although completed in 2012, has been held hostage because of fierce debates between the agency and the panel.

Those disputes culminated last month when the agency revealed that it had spied on the computers of committee staffers who were compiling the report. The agency also revealed that, during the course of the spying, CIA officials had falsified evidence against the committee staffers in order to charge them with mishandling classified information.

Feinstein's panel voted to declassify the nearly 500-page executive summary of its report in April, but that's been indefinitely halted because of disagreements over the report's blackouts. The document that was returned to the committee after the executive branch's declassification review was rendered incomprehensible due to redactions, according to Feinstein and several of her Democratic committee colleagues.

The crux of the redactions, officials said, are the pseudonyms used to identify CIA officials involved with the program. Feinstein and several of her fellow Democrats appealed to the White House that it not the agency lead the declassification process for the executive summary.

Their appeals fell on deaf ears, as the White House has deferred to the agency's leadership throughout the declassification effort. White House national security Council? representative Caitlin Hayden defended Litt's involvement, as well.

"Bob Litt is one of the administration's strongest proponents of transparency in intelligence, consistent with our national security, and he and we are fully committed to ensuring there is no conflict of interest as the administration continues to work to see the results of the committee's review made public," Hayden said in a statement.

Accusations of conflict and mishandling have plagued the committee's report for months. Litt's involvement is just the latest controversy. In an explosive floor speech in March, Feinstein revealed that the CIA lawyer responsible for filing the falsified crimes report against her staffers, Robert Eatinger, is named more than 1,600 times in the report.

Several of the CIA's current leaders, including its head, John Brennan, were also intimately involved in the agency's program during its operation.

Tish Wells contributed to this article.

Not Responsive

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: THURSDAY, AUGUST 28, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive



In Senate-CIA Fight On Interrogation Report, Another Controversy (MCT) 15

Not Responsive

Not Responsive



In Senate-CIA Fight On Interrogation Report, Another Controversy

By Ali Watkins And Marisa Taylor

[McClatchy](#), August 26, 2014

WASHINGTON — The background of a key negotiator in the battle over a Senate report on the CIA's use of interrogation techniques widely denounced as torture has sparked concerns about the Obama administration's objectivity in handling the study's public release.

Robert Litt, the general counsel for the Office of the Director of National Intelligence, is a former defense lawyer who represented several CIA officials in matters relating to the agency's detention and interrogation program. Now he's in a key position to determine what parts of the Senate Intelligence Committee's 6,300-page report will be made public.

Litt's involvement doesn't appear to be an ethics issue, at least by the legal definition. But experts say that while it may be acceptable on paper, his involvement in the review should have been a red flag.

"It does not cross the very low bar that the profession sets for an impermissible conflict of interest," said Jack Marshall, the president and founder of ProEthics Ltd., a national ethics consulting and training company that has provided seminars to government lawyers, including those employed by the CIA. "But it is the kind of conflict of interest that should be avoided at all costs. The government has to be held to a higher standard."

Litt, who's now 64, was confirmed to his post by the U.S. Senate in 2009, contingent upon his agreement to recuse himself from situations that involved his former clients. He referred to the potential conflict in his responses to the Intelligence panel's questions for the record, submitted during the course of his confirmation process.

"I represent several present and former employees of the Central Intelligence Agency in matters relating to the detention and interrogation of suspected terrorists," Litt wrote to the committee in 2009. "By statute, under the rules of ethics and by virtue of my ethics agreement that has been provided to the committee, I will not participate personally and substantially in any particular matter involving these clients . . . including decisions about similarly situated individuals."

Despite his 2009 testimony, though, Litt has found himself in the middle of a heated dispute over a program that, according to his testimony, involved several of his former clients.

Litt's prior representations, however, didn't seem to bother Sen. Dianne Feinstein, D-Calif., who chairs the Senate Intelligence Committee and who approved the arrangement.

"I spoke with Bob Litt about this matter and believe he will be fair, and negotiations thus far have shown that to be the case," Feinstein said in a statement. "The DNI's designated ethics official has reviewed the situation and determined there is no conflict that would necessitate a recusal."

The Office of the Director of National Intelligence confirmed Feinstein's approval and denied that Litt's involvement violated his prior testimony.

"Consistent with his commitments, Mr. Litt has not participated in any decisions relating to the possible prosecution or investigation of his former clients, or any decisions that would affect the outcome of such matters," the office said in a statement. "In addition, he and the designated ethics official met with Chairman Feinstein to discuss the matter and she did not ask for his recusal in this matter."

The director of national intelligence's ethics official is Susan Gibson, Litt's principal deputy counsel at his current post.

The conversations between the Senate Intelligence Committee and the administration about Litt's past representations and their approval of his involvement effectively waive charges of a conflict of interest, at least by rules of the legal profession.

"If he advised them on their legal exposure by virtue of their conduct and this report blasts them for that same conduct, he should not participate with regard to that part of the report," said Stephen Gillers, a professor at New York University School of Law who specializes in legal ethics. "However, if everyone involved waives their objections, it wipes the slate clean."

All of Litt's former CIA clients also would have to waive a potential conflict, Gillers said. Administration officials wouldn't say whether that occurred.

While Marshall, the ethics consultant and a Washington lawyer, agreed that it didn't violate professional ethics regulations regarding conflicts, he said Litt's involvement in the negotiations raised "questions of transparency and fairness."

"It's wrong because it raises the specter of cover-ups, it raises the specter of coordinated stories and it creates the danger of an appearance of impropriety," he said.

"The public has a reason to be distrustful when it sees that kind of multiple representations," Marshall continued. "I think every lawyer in this situation has to look back and say, 'Do I have a conflict of interest at this moment with the duties of a government lawyer to the people of the United States of America? Does the public consent to this potential conflict of interest?'"

Citing attorney-client privilege, Litt declined in 2009 to name several of his clients who were involved in "nonpublic investigative matters." Later in his responses to the committee, he said that some of the matters for which he'd provided counsel to CIA officials were classified.

Neither the White House nor Feinstein's office would characterize Litt's prior representation during his time in private practice. When asked whether Litt had represented former senior CIA officials involved in the interrogation program, the Office of the Director of National Intelligence declined to comment, also citing attorney-client privilege.

According to reports in The Washington Post, Litt previously represented a CIA analyst, Alfreda Frances Bikowsky, who played a central role in the bungled rendition of Khaled el-Masri. El-Masri, who was revealed to be innocent, claimed to have been tortured by the agency.

While Litt's involvement appears to meet legal guidelines, it has nonetheless added to the criticism over the administration's handling of the report's public release.

"I have been concerned all along about conflicts of interest related to the declassification of the Senate Intelligence Committee's study," said Sen. Mark Udall, D-Colo., a member of the panel. "I urged the president in April to have the White House lead the declassification process instead of the CIA. . . . The redaction process has not been conducted in accordance with my request, and I remain concerned about who continues to lead and drive the process."

It's been a long, difficult history for the panel's study on the CIA's interrogation and detention program, which has been a source of major deterioration in the relationship between the agency and the Senate oversight committee. The report's executive summary is nearing public release. But the White House and its chief spy agency have effectively stalled even that process.

The Intelligence panel began compiling the report on the CIA's post-9/11 detention, rendition and interrogation program in 2009. The report, although completed in 2012, has been held hostage because of fierce debates between the agency and the panel.

Those disputes culminated last month when the agency revealed that it had spied on the computers of committee staffers who were compiling the report. The agency also revealed that, during the course of the spying, CIA officials had falsified evidence against the committee staffers in order to charge them with mishandling classified information.

Feinstein's panel voted to declassify the nearly 500-page executive summary of its report in April, but that's been indefinitely halted because of disagreements over the report's blackouts. The document that was returned to the committee after the executive branch's declassification review was rendered incomprehensible due to redactions, according to Feinstein and several of her Democratic committee colleagues.

The crux of the redactions, officials said, are the pseudonyms used to identify CIA officials involved with the program. Feinstein and several of her fellow Democrats appealed to the White House that it not the agency lead the declassification process for the executive summary.

Their appeals fell on deaf ears, as the White House has deferred to the agency's leadership throughout the declassification effort. White House national security Council? representative Caitlin Hayden defended Litt's involvement, as well.

"Bob Litt is one of the administration's strongest proponents of transparency in intelligence, consistent with our national security, and he and we are fully committed to ensuring there is no conflict of interest as the administration continues to work to see the results of the committee's review made public," Hayden said in a statement.

Accusations of conflict and mishandling have plagued the committee's report for months. Litt's involvement is just the latest controversy. In an explosive floor speech in March, Feinstein revealed that the CIA lawyer responsible for filing the falsified crimes report against her staffers, Robert EATINGER, is named more than 1,600 times in the report.

CORRECTION: An earlier version of this story inaccurately described CIA Director John Brennan's role in the agency's detention, rendition and interrogation program. Brennan has said he wasn't directly involved in the program but was made aware of it and didn't take steps to stop it.

Not Responsive

THE ATTORNEY GENERAL'S ***NEWS BRIEFING***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, SEPTEMBER 13, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Tensions Between CIA, Senate Oversight Committee Mount..... 7

Not Responsive

Tensions Between CIA, Senate Oversight

Committee Mount. On Tuesday, “tensions” between the CIA and the Senate Armed Services Committee “erupted anew” after CIA Director John Brennan “refused” to reveal “who authorized intrusions into computers used... to compile a damning report on the spy agency’s interrogation program,” [McClatchy](#) (9/13, Watkins, Subscription Publication, 27K) reports. The “confrontation, which took place during a closed-door meeting on Tuesday,” indicates a further, “unprecedented deterioration in relations between the CIA and Capitol Hill.” During the meeting, several “incensed” lawmakers accused Brennan of “defying Congress,” Senate Armed Services Committee chairman Carl Levin (D-MI) revealed. CIA spokesman Dean Boyd indicated “that Brennan declined to answer the committee’s questions because doing so could have compromised” an Accountability Board investigation into the intrusions. Boyd added that CIA leadership has asked the agency’s “Inspector General’s Office to respond to the questions.”

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: SATURDAY, SEPTEMBER 13, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

New Sparks Fly Between CIA, Senate Intelligence Committee
(MCT)..... 28

Not Responsive

New Sparks Fly Between CIA, Senate Intelligence Committee

By Ali Watkins

[McClatchy](#), September 13, 2014

WASHINGTON — Tensions between the CIA and its congressional overseers erupted anew this week when CIA Director John Brennan refused to tell lawmakers who authorized intrusions into computers used by the Senate Intelligence Committee to compile a damning report on the spy agency's interrogation program.

The confrontation, which took place during a closed-door meeting on Tuesday, came as the sides continue to spar over the report's public release, providing further proof of the unprecedented deterioration in relations between the CIA and Capitol Hill.

After the meeting, several senators were so incensed at Brennan that they confirmed the row and all but accused the nation's top spy of defying Congress.

"I'm concerned there's disrespect towards the Congress," Sen. Carl Levin, D-Mich., who also serves as chairman of the Senate Armed Services Committee, told McClatchy. "I think it's arrogant, I think it's unacceptable."

"I continue to be incredibly frustrated with this director," said Sen. Martin Heinrich, D-N.M. "He does not respect the role of the committee in providing oversight, and he continues to stonewall us on basic information, and it's very frustrating. And it certainly doesn't serve the agency well."

Sen. Mark Udall, D-Colo., said he was "renewing my call" for Brennan's resignation.

CIA spokesman Dean Boyd said that Brennan declined to answer the committee's questions because doing so could have compromised an investigation into the computer intrusions by an accountability board headed by former Sen. Evan Bayh, D-Ind. Moreover, the agency's leadership has asked the CIA Inspector General's Office to respond to the questions, Boyd said.

"Commencing a new, parallel investigation to compile answers to these questions could negatively impact the integrity of the ongoing Accountability Board process," Boyd wrote in an email.

Hours before Tuesday's meeting in the committee's secure offices, the panel received a letter in which Brennan said he wouldn't respond to written questions he'd received in January from the chairwoman, Sen. Dianne Feinstein, D-Calif.

Director of National Intelligence James Clapper joined Brennan for the meeting, which had been expected to focus on the threat posed by the Islamic State. But tempers flared as some lawmakers challenged Brennan on his decision not to answer Feinstein's questions, witnesses said.

At one point, said a person familiar with the meeting, Brennan raised his voice at Feinstein.

Feinstein sent the questions after Brennan told her that agency personnel investigating a security breach had searched computers her staff used in a secret CIA facility. The questions included a demand to know who ordered the intrusions and under what legal authority they were conducted.

Brennan "shouldn't get away with not answering questions," said Levin. "Nobody in the executive branch should get away with not answering questions to a legitimate legislative inquiry."

Feinstein described the questions in a scathing March speech on the Senate floor. In her address, she confirmed an earlier McClatchy report about the computer intrusions and suggested that the CIA might have violated the law and the separation of powers provisions of the Constitution.

The committee staff used the computers to compile a report on the agency's use of torture on suspected terrorists under the George W. Bush administration. Bush ended the program, in which detainees were abducted and held in secret overseas prisons, in 2006. The CIA and former Bush administration officials deny that the interrogation techniques, which included simulated drowning known as waterboarding, constituted torture.

For its part, the CIA accused Feinstein's staffers of removing without permission classified documents from the secret facility in which the agency required them to review millions of pages of operational cables and other highly classified materials on the program.

Both sets of charges were referred to the Justice Department for criminal investigations.

At the time, Brennan adamantly denied Feinstein's allegations that the CIA had spied on her committee. But in July, he was compelled to apologize to her after a review by the CIA Inspector General's Office confirmed that CIA personnel gained unauthorized access to her staff's computers and combed through their emails.

The inspector general report also revealed that the agency's contention that the staff had removed classified documents without permission from the top-secret facility was unfounded and based on inaccurate information.

Levin dismissed Brennan's defense that CIA Inspector General David Buckley was the appropriate person to answer Feinstein's questions.

"It may or may not be appropriate for the (CIA) IG to answer, but it's not appropriate for Brennan to refuse to answer. If he doesn't know the answers, he can say so," said Levin.

Levin continued, "He either knows the information or he doesn't. If he doesn't know the answers, OK, tell us. It'd be kind of stunning if he didn't know the answers to those questions, but if that's what he wants to say, he should tell us."

In June, the Justice Department cited insufficient evidence and declined to launch criminal investigations into the CIA computer intrusions or the allegation that the staff had removed top-secret documents without authorization.

But Levin said that the answers to Feinstein's questions could yield new information that could prompt the Justice Department to reopen an inquiry into the CIA's computer monitoring.

The committee spent \$40 million and five years compiling its more than 6,000-page report on the CIA's Rendition, Detention and Interrogation Program. It submitted the 500-page executive summary to the CIA and the White House for a declassification review in April, but the sides have been locked in a contentious debate over how much to black out prior to its public release.

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: FRIDAY, OCTOBER 24, 2014 7:30 AM EDT

TODAY'S EDITION

Not Responsive

Not Responsive

Not Responsive

GOP Senate Would Be Intel Ally (POLITICO) 173

Not Responsive

GOP Senate Would Be Intel Ally

By Burgess Everett

[Politico](#), October 23, 2014

Republicans are promising to confront the Obama administration at every turn if they win the Senate, fighting environmental regulations, health care reform and presidential nominees.

But they aren't vowing to be especially tough on the Central Intelligence Agency or transform the broader intelligence community.

In fact, the GOP is pitching itself as a more suitable partner for CIA Director John Brennan and the National Security Agency than the Senate Democratic majority, which has sparred with them over data snooping and adherence to congressional oversight.

"The biggest shift is that you have more people who are more security-related rather than just bashing the intelligence community," said a Republican Senate aide. "We want people that are supportive but we want people to do oversight ... conversely we don't want people who are openly hostile."

Democrats say it's just doing their job.

"If by 'hostile' they mean 'aggressively exercising their constitutional oversight role' then they are absolutely correct," shot back a Democratic aide.

Sources say the leading contender for GOP Intelligence Committee chairman is Sen. Richard Burr (R-N.C.), a low-key but blunt hawk who is close friends with Speaker John Boehner (R-Ohio). If he becomes the panel's leader, he'll try to clear the slate after conflicts between current Chairwoman Dianne Feinstein (D-Calif.) and Brennan over the CIA's intrusion into Senate files and the release of a long-awaited report on Bush-era interrogation policies.

"Dianne may have some problems with it but I think we've gotten a full accounting of what happened," Burr said of the CIA's search of Senate documents. "Listen, I think there's some mistakes but I don't think it's the first director that's made mistakes."

Feinstein has largely backed off her public criticisms of Brennan for unauthorized intrusion into a Senate investigation of CIA interrogation techniques. But panel Democrats' confrontation with the CIA continues to simmer over nearly everything surrounding the document that details waterboarding and secret prisons of a decade ago.

Democrats want a swifter release, fewer redactions and an apology from the CIA. Many Republicans just want the thing to go away.

"If you want to make mistakes from being repeated and you want to want to make intelligence agencies stronger, you've got to have the truth come out. You can't sit on the truth," said Sen. Ron Wyden of Oregon.

Wyden, also a leading advocate for data collection reform, will become the committee's second-most senior Democrat with the retirement of Jay Rockefeller (D-W.Va.) in January. He is now threatening use of an arcane Senate procedure called Senate Resolution 400 to force the CIA report's release without waiting on the White House.

Though the timetable for public release is now officially after the election, the date has stubbornly slipped since the panel voted to declassify a 500-page summary of the gargantuan report in April as Democrats push for fewer redactions to make the document more cogent. Wyden's maneuver would be extremely time consuming, but the threat of its use previously forced the George W. Bush administration to release legal documents about interrogation techniques.

"I don't want to have to do it," Wyden said. "It should have been released yesterday."

It also wouldn't be worth much if Wyden is in the minority and the document is still in limbo come January. A Democratic loss would also shift power away from the Intelligence panel's leading civil libertarians like Wyden, and Mark Udall of Colorado and Martin Heinrich of New Mexico, both of whom have called for Brennan's dismissal. Udall could lose reelection in November.

The Republican panel's members are mostly on the other end of the spectrum, though at least two slots will open up with retirements. Some of the caucus's rising stars like Rand Paul (R-Ky.) and Ted Cruz (R-Texas) have decidedly non-establishment views on data collection, drone use and the CIA's relationship with the Senate, but they remain outliers. It's unclear whether they will seek seats on the work-intensive committee as they mull runs for president.

"We just don't have members who are going to be outspoken on that," said a former GOP Senate Intelligence Committee aide of the CIA and NSA issues.

Civil liberty advocates are hanging their hat on the GOP's libertarian movement creating bipartisan momentum on surveillance reform and on oversight of the CIA. Laura Murphy, who runs the American Civil Liberties Union's Washington legislative office, said that surveillance reform seems likely to get a chillier reception under Republicans, who are also less concerned with allegations of CIA torture.

"The leadership of the CIA, Brennan and others, have been much cozier, kind of, with Bush administration policies," she said. "These Republicans have had a history of, kind of, trusting the CIA more."

Paul Pillar, a former CIA official and scholar at Georgetown University, agreed: "The Republicans overall seem to be more relaxed about the use of the techniques than the Democrats."

While Senate Majority Leader Harry Reid (D-Nev.) has not held votes on ending bulk data collection pitched by Sen. Patrick Leahy (D-Vt.), Democrats view him as a staunch backer of Feinstein and aggressive supporter of declassification of the CIA report, as well as more inclined to force votes on NSA reform if 60 supportive votes ever materialize.

Momentum for ending the data collection program has slowed with the rise of Ebola and terrorist fears and could stagnate further under Republicans, though Murphy said Paul's influence on McConnell could cause a sea change in the Senate. Still, influential Democrats like whip Dick Durbin of Illinois and president pro tempore Leahy have been more forceful on reigning in surveillance than anyone in GOP leadership.

Sen. Dan Coats (R-Ind.), who will be a senior Intel member next year, warned this week that "enacting major changes that diminish the very counterterrorism tools recommended by the 9/11 Commission will make our country less safe and more vulnerable."

Brennan's future and the CIA's relationship with the Senate will still be difficult under Republicans, particularly after the eventual release of an interrogation report that's expected to embarrass those involved in the interrogation program.

"Going to be a lot of fallout, it's going to take a while for the CIA to even trust the committee again," said a former GOP committee staffer.

The distrust is mutual and even extends to some Republicans.

"The relationship is definitely strained and that's a real problem," said Sen. Susan Collins (R-Maine), who's expected to defeat a Democratic candidate running on a civil liberties platform. Asked if Brennan has soothed her concerns, Collins said no: "I don't know what his reason is for not being more forthcoming, but I think it is damaging to his credibility as the leader of the CIA."

Regardless of the electoral fallout, Intelligence Committee lawmakers have attempted to quarantine lingering controversies between the Hill and the administration, receiving regular updates from top administration officials per usual. But it sure would be easier without the distractions.

"Instead of trying to defend the indefensible, say: 'We made a mistake, let's move on, we're not going to do it again.' But now, we're in this kind of tense situation, which is unfortunate and not good for the country," said Sen. Angus King, an independent who caucuses with Democrats.

DEPARTMENT OF JUSTICE ***NEWS CLIPS***

PREPARED FOR THE OFFICE OF PUBLIC AFFAIRS, US DEPARTMENT OF JUSTICE BY BULLETIN INTELLIGENCE WWW.BULLETININTELLIGENCE.COM/JUSTICE

TO: THE ATTORNEY GENERAL AND SENIOR STAFF
DATE: MONDAY, NOVEMBER 10, 2014 7:30 AM EST

TODAY'S EDITION

Not Responsive



Washington Braces For Results Of Senate Investigation Of CIA Practices (LAT) 14

Not Responsive

Not Responsive



Washington Braces For Results Of Senate Investigation Of CIA Practices

By Brian Bennett

[Los Angeles Times](#), November 10, 2014

After six years and a \$40-million investigation, the Democratic-led Senate Intelligence Committee is expected to release conclusions this month from its controversial probe of CIA detention and interrogation of terrorism suspects overseas during the George W. Bush administration.

The partly redacted report is likely to renew the national debate over now-banned techniques that critics decried as torture and which supporters insist were necessary to stop further terrorist plots after the attacks of Sept. 11, 2001.

U.S. embassies in the Middle East, North Africa and other parts of the Islamic world have been told to prepare for the possibility of violent protests and threats after the report's release, according to officials briefed on the preparations and who were not authorized to speak publicly.

The classified report finds that the CIA used water-boarding, sleep deprivation, stress positions and other so-called enhanced interrogation techniques more frequently than was legally authorized at then-secret prisons known as "black sites," according to two U.S. officials who spoke on the condition of anonymity to discuss the findings.

Although those methods were exposed long ago, one official said the biggest impact of the release may come from the lengthy and graphic descriptions of interrogations based on the CIA's own archives.

The report, which was completed in 2012, also concludes that nearly all the intelligence gleaned from water-boarding and other harsh techniques could have been obtained from more traditional intelligence-gathering systems. Despite claims to the contrary, it says the interrogations were not necessary to locate Osama bin Laden or thwart any terrorist plots.

Republicans on the Senate Intelligence Committee refused to participate in the investigation and will issue a separate report that says it was not fairly conducted. The CIA has also written a detailed refutation that it intends to make public.

CIA officials worry that descriptions and aliases in the committee report, when combined with information already public, could reveal names of officers and the scope of assistance that other countries secretly provided to the spy agency.

President Obama, who has said the harsh techniques amounted to torture and banned their use when he came into office in 2009, instructed intelligence officials to declassify and release most of the 480-page executive summary of the committee's findings.

The White House delivered a redacted version to the committee in August, but an interagency declassification review blacked out about 15% of the words, including every pseudonym used by officials. The committee chair, Sen. Dianne Feinstein (D-Calif.), has been negotiating since then to remove some of those redactions.

Obama administration officials say the redactions do not hide the main conclusions or the description of the CIA program. The full report, which runs more than 6,300 pages including footnotes and appendixes, will remain secret.

The investigators examined more than 6 million pages of CIA records but did not interview any of the CIA personnel involved because the Justice Department was investigating whether any laws were broken in the interrogations. No one was charged.

The investigation led to an unusual public spat between the CIA and the Senate oversight committee.

In March, Feinstein took to the Senate floor to angrily denounce the CIA for searching computers used by committee investigators, which she termed illegal. CIA officials countered that Senate staffers had accessed and copied classified documents they were not entitled to see.

"The way the CIA spied on the committee cast a cloud over the agency's relationship with Congress," Sen. Ron Wyden (D-Ore.), a member of the committee, said Friday in a telephone interview.

Wyden said the CIA was raising security concerns to try to hide embarrassing facts in the record.

"This report is about mistakes, misdeeds and falsehoods that were repeated over a period of years," he said. "If you don't know whether they were repeated by different officials each time, or by the same officials over and over, you really don't know the full story."

Several senior CIA officials are identified by name in the report, and nearly 100 other intelligence officers are referred to by pseudonyms that were redacted. The aliases are repeated dozens of times, and CIA leaders say they fear that if the redactions are removed, adversaries could piece together enough information to pinpoint officers currently operating undercover abroad.

"There is a reasonable possibility that if their identities were revealed, these CIA officers, many of whom are currently serving, would be subject to threats and possible violence," CIA spokesman Dean Boyd said in a statement.

"CIA continues to do everything it can to bring the declassification process to a conclusion as quickly as possible, so the agency can fully focus its efforts on the many threats facing our nation," Boyd said.

Leon Panetta, who served under Obama as CIA director from 2009 to 2011 and was selected in part to restore the agency's credibility, wrote in his memoir, "Worthy Fights," that he felt such "unsavory" interrogation techniques should not have been used and that they "cut too deeply into America's sense of itself."

But Panetta insists that the interrogations provided the CIA with useful information at a time when the nation feared further attacks by Al Qaeda.

The CIA got "important, even critical intelligence from individuals subjected to these enhanced interrogation techniques," Panetta wrote. "What we can't know what we'll never know is whether those were the only ways to elicit that information."

Democrats were reluctant to make the document public before last week's midterm election, afraid of opening another political front for a party battling attacks on Obama's handling of the militant group Islamic State, the Ebola outbreak and other national security threats.

But with the GOP sweep in Congress, Feinstein will hand control of the Intelligence Committee to Republicans in January, and aides say she is eager to get the report out before giving up the gavel.

Not Responsive