

UNCLASSIFIED//~~FOUO~~

Central Intelligence Agency



Washington, D.C. 20505

3 February 2014

[redacted] (b)(6)

Chief, Computer Crime and Intellectual Property Section (CCIPS)  
Department of Justice  
John C. Keeney Building, Suite 600  
Washington, District of Columbia, 20530

Attention: [redacted] (b)(6)  
Deputy Chief for Litigation, CCIPS

Reference: (U) Possible Violations of Federal Criminal Law  
(2014-11718)

Dear [redacted] (b)(6):

(U//~~FOUO~~) I am writing to you pursuant to Title 50 U.S.C. § 3517 to report information concerning possible violations of federal criminal law, specifically Title 18 U.S.C. § 1030 (*Fraud and related activity in connection with computers*) and Title 18 U.S.C. § 2511 (*Authorization for interception of wire, oral, or electronic communications*) by Agency employees.

(U//~~FOUO~~) Per our 30 January 2014 meeting with you and Deputy Chief [redacted] (b)(6), the OIG has information indicating that Agency officers potentially violated the above statutes on a sensitive network.

(U//~~FOUO~~) Assistant Special Agent in Charge [redacted] (b)(3) CIAAct of this office is the focal point in this matter. For reference purposes, this case has been designated as case number 2014-11718.

Sincerely,  
[redacted] (b)(3) CIAAct

Assistant Inspector General  
for Investigations

(b)(6)

(b)(3) CIAAct

- Original - Addressee
- 1 - INV Chrono
- 1 - DoJ File
- 1 - Subject File (2014-11718)



DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
 SAXBY CHAMBLISS, GEORGIA, VICE CHAIRMAN

JOHN D. ROCKEFELLER IV, WEST VIRGINIA	RICHARD BURR, NORTH CAROLINA
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ANGUS KING, MAINE	



## United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
 WASHINGTON, DC 20510-6175

HARRY REID, NEVADA, EX OFFICIO  
 MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
 CARL LEVIN, MICHIGAN, EX OFFICIO  
 JAMES INHOFE, OKLAHOMA, EX OFFICIO

DAVID GRANNIS, STAFF DIRECTOR  
 MARTHA SCOTT POINDEXTER, MINORITY STAFF DIRECTOR  
 DESIREE THOMPSON SAYLE, CHIEF CLERK

SSCI# 2014-2084

July 11, 2014

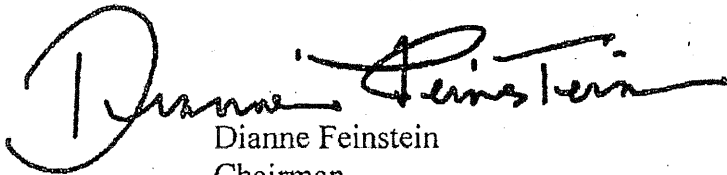
The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, D.C. 20505

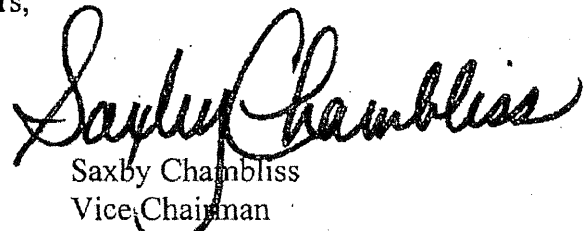
Dear Director Brennan:

We write to formally request responses to the fourteen questions (attached) that we sent you on March 27, 2014, related to the CIA's search of the computer network at the CIA-leased facility where the Committee had been conducting its research for its Study of the CIA's Detention and Interrogation Program. As you know, the Committee unanimously voted to request responses to these important questions on March 13, 2014.

Now that the Department of Justice review is complete and the review by the CIA Inspector General is complete, or near completion, we look forward to receiving answers to these questions as soon as possible.

Sincerely yours,

  
 Dianne Feinstein  
 Chairman

  
 Saxby Chambliss  
 Vice Chairman

cc: Members, Senate Select Committee on Intelligence  
 The Honorable Jim Clapper, Director of National Intelligence  
 Mr. W. Neil Eggleston, White House Counsel

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DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
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MARK WARNER, VIRGINIA	SUSAN COLLINS, MAINE
MARTIN HEHRICH, NEW MEXICO	TED CROUZER, OKLAHOMA
ANGUS KING, MAINE	



SSCI# 2014-1051

## United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
 WASHINGTON, DC 20510-6475

HARRY REID, NEVADA, EX OFFICIO  
 MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
 CARL LEVIN, MICHIGAN, EX OFFICIO  
 JAMES INHOFE, OKLAHOMA, EX OFFICIO

DAVID GRANINS, STAFF DIRECTOR  
 MARTHA SCOTT FORD DEXTER, BREVITY STAFF DIRECTOR  
 DESIRÉE THOMPSON SAYLE, CHIEF CLERK

March 27, 2014

The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, DC 20505

Dear Director Brennan:

The Senate Select Committee on Intelligence (“SSCI” or “the Committee”) voted on March 13, 2014 to request responses from you to a number of questions related to the CIA’s search of the computer network at the CIA-leased facility where the Committee has been conducting its research for its Study of the CIA’s Detention and Interrogation Program.

We are particularly interested in any search of the computers, hard drives, “shared drives,” and other parts of the computer system dedicated for use by the SSCI (hereafter “SSCI-dedicated computer system”).

As you know, Chairman Feinstein sent a similar list of twelve questions to you on January 23, 2014, following our meeting on January 15, but has not received a response. The full Committee now requests your prompt response to the following questions.

1. Who first suggested the search of the SSCI-dedicated computer system? Did you approve the search(es)? If not, who approved the action?
2. What was the specific purpose(s) of conducting such a search?
3. Did the CIA seek or receive legal guidance prior to the approval of the search, either from its own Office of General Counsel or from other parts of the U.S. Government? If so, did that legal guidance take into account the written understandings reached between the SSCI and CIA designed to protect the confidentiality of the Committee’s oversight activities—to include research and writing—on the SSCI-dedicated computer system?

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4. What was the legal basis for the search of the SSCI-dedicated computer system? Did the CIA seek and obtain prior legal authorization (e.g., a search warrant) to conduct the search(es)?
5. Was the search a one-time event, or were there multiple searches of the SSCI-dedicated computer system? Please specify for each search that was conducted: (1) the date and time that such search was initiated; (2) the physical location from which the search was conducted; (3) the parts of the computers, computer networks, drives, and SSCI-dedicated computer system that were searched; (4) the names and position titles of the individuals who conducted such search (please specify which of these individuals, if any, were government contractors); (5) the date and time that each search was terminated; and (6) the reason why such search was terminated.
6. What were the directions provided to the individuals who conducted the search(es) of the SSCI-dedicated computer system? How, specifically, were such searches conducted?
7. What materials on the SSCI-dedicated computer system were searched and reviewed by CIA personnel, CIA contractors, and, if applicable, any other federal government employees? Did such searches include internal communications between Committee staff or personal notes or other work-product of Committee staff? Was any process used to minimize the extent of the search of such sensitive "walled-off" materials?
8. Please explain how the search of the SSCI-dedicated computer system resulted in the discovery of material the "SSCI majority staff had accessed" on "the majority staff shared drive" as noted in your talking points from January 15, 2014. Was additional information obtained on the activities of staff at the facility? Has the CIA conducted any other electronic or other monitoring of the Committee majority or minority staff at the facility? If so, please describe the monitoring.
9. Has a CIA employee or contractor at any time physically entered the SSCI majority staff office space (which was secured by a combination lock) or the SSCI minority staff office space (which was secured by a door lock), where the Committee's network workstations, work-product, and other materials were located? If so, when did these entries occur and who entered the rooms? Were

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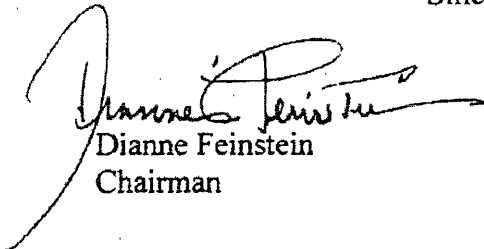
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any hard copy documents in those rooms reviewed, searched, copied, or removed?

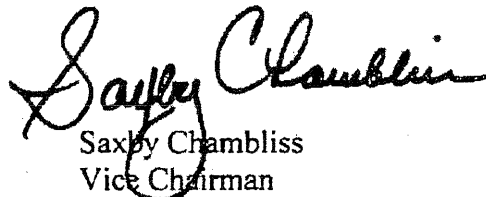
10. Did the CIA alter, copy, delete, or destroy any data from the SSCI-dedicated computer system? If so, what?
11. Does the CIA have in its possession any materials reviewed during any search of the SSCI-dedicated computer system? If so, who has custody of the records and materials?
12. Who, if anyone, outside of the CIA was aware of the possibility or plans to search the SSCI-dedicated computer system prior to the search occurring?
13. Who, if anyone, outside of the CIA, did the CIA consult or inform after the search(es) and before Chairman Feinstein's letter of January 23, 2014? Specifically, did CIA personnel inform the Director of National Intelligence, the Department of Justice, the Federal Bureau of Investigation, the White House, or the President's Intelligence Advisory Board and its Intelligence Oversight Board, and if so, when?
14. What means did the CIA have for determining the location of the Panetta internal review documents other than by searching the SSCI-dedicated computer system? Please describe any such alternatives and whether any were considered or utilized in coordination with the search of the SSCI-dedicated computer system.

We appreciate your prompt answers to these important oversight questions.

Sincerely,



Dianne Feinstein  
Chairman



Saxby Chambliss  
Vice Chairman

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

1 August 2014

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

*M. J. Brennan*  
(U//~~FOUO~~) In response to the recently completed investigation by the CIA's Inspector General entitled "Agency Access to the SSCI Shared Drive on RDINet," I have decided to stand up an Accountability Board to review the IG's findings, conduct interviews as necessary, and make recommendations related to individual culpability and systemic issues that need to be addressed.

(U//~~FOUO~~) I have asked Evan Bayh to Chair the Board and he graciously has agreed. I asked Mr. Bayh to serve as the Chair given his extensive experience as a Senator, as well as his multiple terms serving as the Governor of Indiana. Mr. Bayh also is a member of my External Advisory Board, so he has had exposure to CIA's current missions and structure.

(U//~~FOUO~~) I expect the Board to begin its work shortly and will inform the Committee once it has delivered its recommendations to me and I have determined appropriate follow-on actions.

(U) Please feel free to share this with your Committee as you deem appropriate.

(U) An original of this letter is being sent to SSCI Vice Chairman Chambliss, HPSCI Chairman Rogers, and HPSCI Ranking Member Ruppertsberger.

Sincerely,

*John O. Brennan*  
John O. Brennan

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

1 August 2014

The Honorable Saxby Chambliss  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Vice Chairman:

*Vice Chairman*  
(U//~~FOUO~~) In response to the recently completed investigation by the CIA's Inspector General entitled "Agency Access to the SSCI Shared Drive on RDINet," I have decided to stand up an Accountability Board to review the IG's findings, conduct interviews as necessary, and make recommendations related to individual culpability and systemic issues that need to be addressed.

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(U) An original of this letter is being sent to SSCI Chairman Feinstein, HPSCI Chairman Rogers, and HPSCI Ranking Member Ruppersberger.

Sincerely,

A handwritten signature in black ink that reads "John O. Brennan". The signature is stylized and cursive.  
John O. Brennan

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

1 August 2014

The Honorable Mike Rogers  
Chairman  
Permanent Select Committee on Intelligence  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

*Chairman* (U//~~FOUO~~) In response to the recently completed investigation by the CIA's Inspector General entitled "Agency Access to the SSCI Shared Drive on RDINet," I have decided to stand up an Accountability Board to review the IG's findings, conduct interviews as necessary, and make recommendations related to individual culpability and systemic issues that need to be addressed.

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(U) An original of this letter is being sent to SSCI Chairman Feinstein, SSCI Vice Chairman Chambliss, and HPSCI Ranking Member Ruppertsberger.

Sincerely,

*John O. Brennan*  
John O. Brennan

THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

1 August 2014

The Honorable C.A. "Dutch" Ruppertsberger  
Ranking Member  
Permanent Select Committee on Intelligence  
House of Representatives  
Washington, D.C. 20515

Dear Mr. *Ruppertsberger* Ruppertsberger:

*Mr. Ruppertsberger*  
(U//~~FOUO~~) In response to the recently completed investigation by the CIA's Inspector General entitled "Agency Access to the SSCI Shared Drive on RDINet," I have decided to stand up an Accountability Board to review the IG's findings, conduct interviews as necessary, and make recommendations related to individual culpability and systemic issues that need to be addressed.

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((U) An original of this letter is being sent to SSCI Chairman Feinstein, SSCI Vice Chairman Chambliss, and HPSCI Chairman Rogers.

Sincerely,

A handwritten signature in black ink that reads "John O. Brennan".

John O. Brennan



JAN. 17. 2014 10:27AM

SENATE

NO. 101 P. 2

DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
SAXBY CHAMBLISS, GEORGIA, VICE CHAIRMANJOHN D. ROCKEFELLER IV, WEST VIRGINIA  
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DANIEL COATS, INDIANA  
MARCO RUBIO, FLORIDA  
SUSAN COLLINS, MAINE  
TOM COBURN, OKLAHOMA~~CONFIDENTIAL~~

## United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510-6475HARRY REID, NEVADA, EX OFFICIO  
MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
CARL LEVIN, MICHIGAN, EX OFFICIO  
JAMES INHOFE, OKLAHOMA, EX OFFICIODAVID GRANNIS, STAFF DIRECTOR  
MARTHA SCOTT POINDEXTER, MINORITY STAFF DIRECTOR  
DEGEE THOMPSON BAYLE, CHIEF CLERK

January 17, 2014

The Honorable John Brennan  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Brennan:

I am writing with regard to our meeting Wednesday about the acquisition of a particular CIA document. You stated at the meeting your intent to launch a full "forensic investigation" on the computers and computer networks used by the Senate Select Committee on Intelligence (SSCI) staff at the CIA facility in question. I request that you suspend any such investigation or further access to the computers or computer networks until I can consider this matter further. I will likewise pledge that SSCI staff will not access those computers or computer networks for this same period. Until that time, you do not have my agreement for any investigative activity to take place.

As you noted in our meeting, there are significant separation of powers issues involved here, and those must be properly considered.

In addition, the Committee and the CIA entered into an agreement at the outset of this Study that should, until decided otherwise, be upheld. Specifically, on June 2, 2009, Vice Chairman Bond and I wrote to Director Panetta our understanding that "... [t]he only CIA employees or contractors with access to this computer system [the SSCI system] will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee." In response, Director Panetta wrote a letter to Senator Bond and to me on June 4, 2009 agreeing, and further stating that "... CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter [of June 2, 2009]. Therefore, CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff."

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

The Honorable John Brennan  
January 17, 2014  
Page Two

I believe that no further action should be taken on either side until we can both consider the proper next steps to assure the protection of all relevant equities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dianne Feinstein  
Chairman

cc: Vice Chairman Saxby Chambliss

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

FACSIMILE

**United States Senate  
SELECT COMMITTEE ON INTELLIGENCE****Dianne Feinstein, California, Chairman  
Saxby Chambliss, Georgia, Vice Chairman****TO: CIA Director John Brennan  
Attention: Neal Higgins****PHONE #:** (b)(3) CIAAct**FAX #:****FROM: Chairman Dianne Feinstein****PHONE #:** (b)(6)**FAX #:****DATE: January 17, 2014****NUMBER OF PAGES: 3 (including cover page)****COMMENTS: Letter to CIA Director John Brennan from Chairman Feinstein, dated  
January 17, 2014, regarding a follow-up to the Wednesday, January 15, 2014,  
meeting about the acquisition of a particular CIA document.****Please provide this letter to Director Brennan and confirm receipt.****Please contact  
not complete.**

(b)(6)

**SSCI Security Director, at**

(b)(6)

**if this facsimile is**~~CONFIDENTIAL~~





HARRY REID  
NEVADA

MAJORITY LEADER

**United States Senate**

WASHINGTON, DC 20510-7012

May 1, 2014

Director John O. Brennan  
U.S. Central Intelligence Agency  
Washington, DC 20505

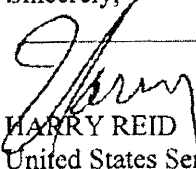
Dear Director Brennan:

Thank you for your letter. I share your desire to impartially obtain the facts in this matter and resolve any lingering questions. In that regard I understand that the Senate Sergeant at Arms, the CIA's General Counsel and the CIA's Inspector General have been discussing appropriate steps to address our respective responsibilities while coordinating with the Justice Department.

I further understand that this collaboration has led the Sergeant at Arms and the Inspector General to the belief that they should work jointly to conduct the appropriate forensic analysis to gather the facts and report back to their respective organizations, while continuing to coordinate with the Justice Department to the extent necessary to ensure the integrity of any investigation it may conduct. Consistent with the separation of powers, such joint efforts must take care to avoid compromising either Executive or Legislative Branch equities. In that regard, I understand that the CIA Inspector General's review will not investigate the activities of SSCI personnel as the Sergeant at Arms will not investigate the activities of CIA personnel. Nonetheless, I believe the CIA Inspector General and the Sergeant at Arms would be better able to reach an understanding of the relevant events by sharing facts and analysis as they move forward, and I hope you agree.

Chairman Feinstein, Vice-Chairman Chambliss and I concur that this is a reasonable way to proceed, ensuring a thorough, unbiased review of the matter. We believe this approach is consistent with our respective authorities and responsibilities. We are confident that your Inspector General and the Senate's Sergeant at Arms, in coordination with your General Counsel, can work through the particulars of the steps needed to answer remaining questions while allowing each institution to maintain its respective responsibilities.

Sincerely,



---

HARRY REID  
United States Senator



(b)(3) CIAAct

---

**From:** (b)(6)@ssci.senate.gov>  
**Sent:** Thursday, January 16, 2014 10:19 PM  
**To:** (b)(3) CIAActucia.gov'  
**Cc:** (b)(6)@ucia.gov'  
**Subject:** [AIN] Letter

CLASSIFICATION: UNCLASSIFIED

(b)(3) NatSecAct

(b)(3) CIAAct

Sen. Feinstein will be sending the Director a letter tomorrow morning saying that she would like to consider this matter more thoroughly and that in the interim, no "computer forensic investigation" of SSCI networks or materials should proceed.

We'll get you the letter as early tomorrow as we can.

(b)(6)



HARRY REID  
NEVADA

MAJORITY LEADER

**United States Senate**

WASHINGTON, DC 20510-7012

March 19, 2014

The Honorable Eric Holder  
Attorney General  
United States Department of Justice  
Washington, DC 20530

Dear Attorney General Holder:

As you know, in January 2014, Central Intelligence Agency (CIA) Director John Brennan personally informed Senate Select Committee on Intelligence Chairman Dianne Feinstein and Vice Chairman Saxby Chambliss that the CIA apparently had - without prior authorization or consultation - accessed a computer network designated for the Intelligence Committee's exclusive use in conducting its official oversight duties.

As Majority Leader of the Senate, I have a responsibility to protect the independence and effectiveness of our institution. The CIA's decision to access the resources and work product of the legislative branch without permission is absolutely indefensible, regardless of the context. This action has serious separation of powers implications. It is immaterial whether this action was taken in response to concerns about the Committee's possession of a disputed document; this stands as a categorically different and more serious breach.

These concerns have been exacerbated by the CIA Acting General Counsel's recent referral of this issue to the Department of Justice, in what appears to be a transparent attempt to intimidate the Committee and undermine its oversight of the Agency. As the CIA has confirmed, its Acting General Counsel, mentioned by name over 1,600 times in the Intelligence Committee's study of the CIA's Detention and Interrogation Program, filed a crimes report with the Department of Justice alleging misconduct by Intelligence Committee staff. To my knowledge, the CIA has produced no evidence to support its claims. The allegation that Senate committee staff who have no technical training somehow hacked into the CIA's highly secure classified networks is so absurd as to be comical. The absurdity of the allegations, when matched with the clear conflict of interest possessed by the Acting General Counsel, calls into question the credibility of CIA Director Brennan's recent claim that "There's never been an effort by the CIA to thwart the SSCI's investigation."

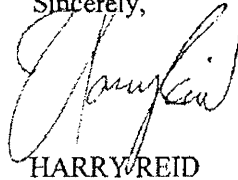
The Senate has an interest in bringing final resolution to this dispute. In coordination with the Intelligence Committee, I have instructed the Senate Sergeant-at-Arms to initiate a forensic examination of the computers and computer network assigned for exclusive SSCI use, in order to determine how the document at issue - the so-called "Panetta Review" - entered into the SSCI network. I trust I can count upon your support for this examination.

In my capacity as the leader of the U.S. Senate, the CIA's actions cause me great concern. The CIA has not only interfered with the lawful congressional oversight of its activities, but has also

seemingly attempted to intimidate its overseers by subjecting them to criminal investigation. These developments strike at the heart of the constitutional separation of powers between the legislative and executive branches. Left unchallenged, they call into question Congress's ability to carry out its core constitutional duties and risk the possibility of an unaccountable Intelligence Community run amok. The CIA cannot be permitted to undermine Congress's ability to serve as an effective check on executive power as our nation's Founders intended.

I trust you will carefully examine these concerns as the Department of Justice determines how to proceed.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Reid", written in a cursive style.

HARRY REID

CC: CIA Director John Brennan







THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

23 January 2014

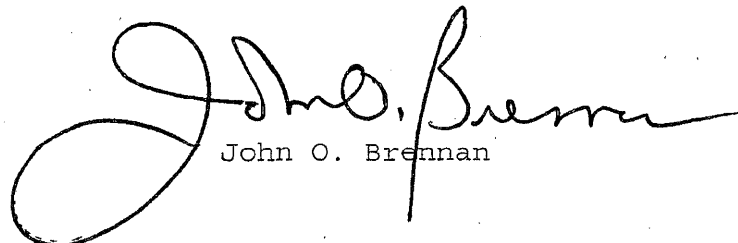
MEMORANDUM FOR: Ms. Meroe S. Park  
Executive Director, Central Intelligence Agency

SUBJECT: (U//~~FOUO~~) Lead Office

(S//NF) I hereby designate you and your office as the

(b)(3) CIAAct

lead for all matters pertaining to the recent discovery of privileged Central Intelligence Agency documents on a section of the  building local area network being used by the staff of the Senate Select Committee on Intelligence conducting the investigation into the former CIA Rendition, Interrogation and Detention program. You may call upon any component of the Agency to provide you with personnel or resources as you deem necessary.

  
John O. Brennan

cc: Avril D. Haines, Deputy Director  
 (b)(3) CIAAct Acting General Counsel  
Neil Higgins, Director, Office of Congressional Affairs  
 (b)(3) CIAAct Director, National Clandestine Service  
Fran Moore, Director for Intelligence  
Glenn A. Gaffney, Director, Science and Technology  
Jeanne C. Tisinger, Director for Support

(b)(3) NatSecAct

~~SECRET~~ (b)(3) CIAAct ~~NOFORN~~

Ms. Meroe S. Park

(b)(3) CIAAct

Distribution

Orig - Ms. Meroe S. Park

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

13 May 2014

The Honorable Harry Reid  
Majority Leader  
United States Senate  
Washington, D.C. 20510

Dear Senator Reid:

*Leader,*  
Thank you for your letter dated 1 May 2014. I share your commitment to resolving remaining questions in a manner that is collaborative, respectful of Executive and Legislative Branch equities, and protects the integrity of any inquiry that the Department of Justice may conduct.

I agree with you that it makes sense for the CIA Inspector General and the Senate Sergeant at Arms to work jointly to gather the appropriate forensic analysis and report back to their respective organizations. I also agree that each would benefit from sharing facts and analysis, in coordination with the CIA General Counsel, and that their cooperative endeavor must be undertaken in a manner that is consistent with the separation of powers. In that regard, I appreciate your commitment that the Sergeant at Arms will not investigate the activities of CIA personnel, just as I can commit to you that the CIA Inspector General will not investigate the activities of SSCI personnel.

I understand that the Sergeant at Arms, our Inspector General, and our General Counsel have already begun to work together on this approach. I am grateful that you, Chairman Feinstein, and Vice-Chairman Chambliss agree that this is a reasonable way to proceed; and I am hopeful that we will soon reach final resolution of this matter.

Sincerely,

A handwritten signature in cursive script that reads "John O. Brennan".  
John O. Brennan



The Honorable Dianne Feinstein, Chairman  
The Honorable Saxby Chambliss, Vice Chairman

(b)(3) NatSecAct

Orig: The Honorable Dianne Feinstein  
The Honorable Saxby Chambliss

- 1 - D/CIA
- 1 - DD/CIA
- 1 - EXDIR
- 1 - OCA
- 1 - IG Chrono
- 1 - OIG Subject File
- 1 - INV Chrono
- 1 - INV Subject File



Washington, D.C. 20505

Inspector General  
(b)(3) CIAAct

4 February 2014

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

The Honorable Saxby Chambliss  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Chairman Feinstein and Vice Chairman Chambliss:

1. (U//~~FOUO~~) The purpose of this notification is to inform you that the Office of Inspector General has opened a preliminary investigation into alleged misconduct by CIA employees relating to access to and review of the computers and computer files located at a CIA facility, which were used by certain non-CIA personnel. As required by Section 17 of the CIA Act, these allegations have been notified to the Department of Justice. The Director of CIA had requested my review of this matter and I have informed him of my decision.

2. (U//~~FOUO~~) If you have any questions, please contact me at (b)(3) CIAAct. An original letter is also being sent to the Chairman and Ranking Member of the House Permanent Select Committee on Intelligence regarding this investigation.

Sincerely,

(b)(6)

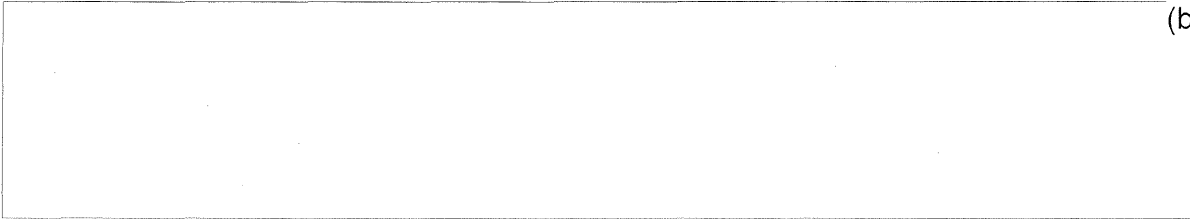
David B. Buckley

UNCLASSIFIED//~~FOUO~~





The Honorable Mike Rogers, Chairman  
The Honorable C.A. "Dutch" Ruppertsberger



(b)(3) NatSecAct

- Orig: The Honorable Mike Rogers  
The Honorable C.A. "Dutch" Ruppertsberger
- 1 - D/CIA
  - 1 - DD/CIA
  - 1 - EXDIR
  - 1 - OCA
  - 1 - IG Chrono
  - 1 - OIG Subject File
  - 1 - INV Chrono
  - 1 - INV Subject File



Washington, D.C. 20505

Inspector General  
(b)(3) CIAAct

4 February 2014

The Honorable Mike Rogers  
Chairman  
Permanent Select Committee  
on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable C.A. "Dutch" Ruppertsberger  
Ranking Member  
Permanent Select Committee  
on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Ruppertsberger:

1. (U//~~FOUO~~) The purpose of this notification is to inform you that the Office of Inspector General has opened a preliminary investigation into alleged misconduct by CIA employees relating to access to, and review of, computers and computer files located at a CIA facility which were used by certain non-CIA personnel. As required by Section 17 of the CIA Act, the Department of Justice has been notified of these allegations. The Director, CIA requested that I review this matter and I have informed him of my decision.

2. (U//~~FOUO~~) If you have any questions, please contact me at (b)(3) CIAAct. An original letter is also being sent to the Chairman and Vice Chairman of the Senate Select Committee on Intelligence regarding this investigation.

Sincerely,

(b)(6)

David B. Buckley



~~SECRET~~ [redacted] ~~NOFORN~~



# Office of Inspector General

Agency Access to the SSCI Shared Drive on RDINet  
16 July 2014

(b)(3) CIAAct

Deputy Assistant Inspector  
General for Investigations

(b)(3) NatSecAct

(b)(3) CIAAct

~~SECRET~~ [redacted] ~~NOFORN~~



# Summary of Findings

- (b)(3) CIAAct (b)(3) CIAAct  
 (b)(6) (b)(6)  
 (b)(7)(c) (b)(7)(c) (OGC) and (OGC) and  
 members of the RDI IT staff obtained access to  
 information present on the SSCI Majority shared drive  
 without SSCI authorization.
- (b)(3) CIAAct (b)(3) CIAAct  
 (b)(6) (b)(6)  
 (b)(7)(c) (b)(7)(c) without the D/CIA's knowledge or  
 authorization, also directed CIC (b)(3) CIAAct provide (b)(3) NatSecAct  
 (b)(3) NatSecAct on the activities of SSCI staff to them in the  
 D/CIA's name.
- (b)(3) CIAAct (b)(3) CIAAct  
 (b)(6) (b)(6)  
 (b)(7)(c) (b)(7)(c) Security provided what was found to be  
 an inaccurate description of SSCI staff conduct to the  
 Acting General Counsel, which formed the basis for the  
 Department of Justice Crimes Report.

~~SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct

~~SECRET~~ [REDACTED] ~~NOFORN~~

# Investigative Scope

- The OIG initiated an investigation into the allegations that CIA actions, in accessing the SSCI shared drive, violated the Computer Fraud and Abuse Act and the Wiretap Act.
- SSCI staff activity on the RDINet was not examined by the OIG.

~~SECRET~~ [REDACTED] ~~NOFORN~~

(b)(3) NatSecAct

~~SECRET~~ [redacted] ~~NOFORN~~



# Review of Criminal Allegations

- The Department of Justice notified OIG that it had no prosecutorial interest regarding violations of the Computer Fraud and Abuse Act and the Wiretap Act and issued a formal letter to the CIA on 8 July 2014.

~~SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct

~~SECRET~~ [REDACTED] ~~NOFORN~~

# Agreement on System Operation

- OIG found no precise agreement between the SSCI and CIA.
- A series of letters in 2009 between Chairman Feinstein and then-Director Panetta both discussed a “walled-off network share-drive” for the SSCI, to be accessed by CIA solely for system administration purposes.

~~SECRET~~ [REDACTED] ~~NOFORN~~  
(b)(3) NatSecAct



~~SECRET~~  ~~NOFORN~~



# RDINet Conceptual Diagram

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct

~~SECRET~~  ~~NOFORN~~

(b)(3) NatSecAct



~~SECRET~~ [redacted] ~~NOFORN~~

# Agency Access to SSCI Majority Shared Drive Information

- OIG identified three separate instances where the SSCI Majority shared drive was improperly accessed by Agency personnel in January 2014.

~~SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct



~~SECRET~~ / ~~NOFORN~~

# First Access

1. On 9 January 2014, [redacted] (b)(3) CIAAct (b)(6) (b)(7)(c) to

take action to determine if WCRs were present in on the SSCI shared drive.

- (C) On 9 January, [redacted] (b)(3) CIAAct (b)(6) (b)(7)(c) directed RDI IT staff members [redacted] (b)(3) CIAAct (b)(6) (b)(7)(c) to search all of [redacted] (b)(1) (b)(3) CIAAct (b)(5) (b)(6) (b)(7)(c) RDINet for the WCRs. The team found WCRs on the SSCI shared drive.

~~SECRET~~ / ~~NOFORN~~  
(b)(3) NatSecAct

SECRET/ [redacted] NOFORN



# Second Access

2. (b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] requested that the IT staff provide (b)(6) [redacted] with a "dummy account" that would allow (b)(6) [redacted] to conduct a search with the same permissions as a SSCI Majority staffer.

(b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] conducted the search on the RDINet with SSCI-like access and confirmed the files were present on the SSCI Majority shared drive.

(b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] created screenshots of the location of the WCRs in anticipation of briefing the D/CIA.

SECRET/ [redacted] NOFORN  
(b)(3) NatSecAct

SECRET/ [redacted] NOFORN



# Third Instance

3. (b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] (b)(5) [redacted] (b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] later directed [redacted] to go back onto the SSCI Majority shared drive and take new screenshots.

(b)(3) CIAAct (b)(6) (b)(7)(c) [redacted] briefed the D/CIA on the fact that the SSCI Majority shared drive had copies of "Panetta Review" documents but did not disclose how they were identified.

SECRET/ [redacted] NOFORN

(b)(3) NatSecAct

~~SECRET~~ [redacted] ~~NOFORN~~



# RDINet Monitoring

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct

- SSCI staff members were not specifically briefed on CIA monitoring of RDINet.
- However, RDINet users, including SSCI staffers, were presented the standard CIA security notice and monitoring warning banner at every logon that required their consent.

(b)(5)

~~SECRET~~ [redacted] ~~NOFORN~~  
(b)(3) NatSecAct



SECRET [redacted] NOFORN

(b)(3) CIAAct

# Data

(b)(3) CIAAct  
(b)(6)  
(b)(7)(c)

(b)(3) CIAAct  
(b)(6)  
(b)(7)(c)

- On 9 and 10 January, [redacted] and [redacted] tasked CIO [redacted] with reviewing [redacted] related to the documents identified by [redacted].
- [redacted] requested [redacted] contained in a SSCI storage folder. Follow-on taskings were made by [redacted] related to [redacted].
- [redacted] and [redacted] both stated that the information was requested directly by the D/CIA.
- On 10 January [redacted] briefed D/CIA on [redacted] findings, but [redacted] did not brief the D/CIA on the fact that [redacted] had directed the RDI staff to look at information on the SSCI shared drive.

SECRET [redacted] NOFORN

(b)(3) NatSecAct



SECRET/ [redacted] NOFORN

# Office of Security Review of RDINet Data

(b)(3) CIAAct

(b)(6)

(b)(7)(c)

- On 16 January, [redacted] OS), directed [redacted] Cyber Blue Team to work with CIC [redacted] to review the [redacted] related to RDINet.
  - (b)(3) CIAAct
  - (b)(1)
  - (b)(3) NatSecAct
- On 17 January, the Cyber Blue Team reviewed the [redacted] including reconstructed emails between SSCI staffers [redacted] and generated a report.
  - (b)(1)
  - (b)(3) NatSecAct
- The Cyber Blue Team report was presented to senior Agency leadership on 21 January 2014.
  - (b)(1)
  - (b)(3) CIAAct
  - (b)(3) NatSecAct

[redacted]  
(b)(3) CIAAct  
(b)(5)  
(b)(6)  
(b)(7)(c)

SECRET/ [redacted] NOFORN

(b)(3) NatSecAct



~~SECRET~~ [redacted] ~~NOFORN~~



# SSCI Crimes Report

- On 7 February 2014, then-AGC [redacted] (b)(3) CIAAct (b)(6) (b)(7)(c) reported the alleged misconduct of SSCI staffers to DoJ.

(b)(3) CIAAct (b)(6) (b)(7)(c) • [redacted] stated that the crimes referral was based solely on the information provided to [redacted] (b)(6) by [redacted] as [redacted] (b)(6) was recused from the review of the RDI Program and therefore did not read the contents of the Cyber Blue Team Report.

(b)(3) CIAAct (b)(6) (b)(7)(c)

- [redacted] (b)(3) CIAAct (b)(6) representation to [redacted] was primarily based upon conversations [redacted] (b)(6) had with [redacted] rather than on the contents of the Cyber Blue Team Report.

(b)(3) CIAAct (b)(6) (b)(7)(c)

- The Cyber Blue Team Report did not support the allegations made in the Crimes Report.

[redacted] (b)(1) (b)(3) CIAAct (b)(5) (b)(7)(c)

~~SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct

~~SECRET~~ [redacted] ~~NOFORN~~



# Office of Inspector General

[redacted] (b)(3) CIAAct

Chief of Staff:

[redacted] (b)(3) CIAAct

# Questions?

~~SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct





From: (b)(3) CIAAct

Subject: RE: FW: Request for Documents in Support of RDINet Inquiry

Date: 03/06/2014 10:10 AM

To: (b)(3) CIAAct

Cc:

This message is digitally signed.

(b)(3) NatSecAct

OK, thanks all.

From: (b)(3) CIAAct [redacted]@cia.ic.gov]

Sent: Thursday, March 06, 2014 10:04 AM

To: (b)(3) CIAAct

Cc: (b)(3) CIAAct  
Subject: Re: FW: Request for Documents in Support of RDINet Inquiry

(b)(3) NatSecAct

Hi, (b)(3) CIAAct

[Large redacted area]

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

\*\*This email may contain attorney work product, and may be a privileged attorney-client communication.\*\*

(Untitled)

From: [redacted] (b)(3) CIAAct  
To: [redacted]  
Date: 03/06/2014 09:03 AM  
Subject: FW: Request for Documents in Support of RDINet Inquiry

[redacted]  
(b)(3) NatSecAct

[redacted]

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

**From:** [redacted] (b)(3) CIAAct  
**Sent:** Thursday, March 06, 2014 7:52 AM  
**To:** [redacted] (b)(3) CIAAct  
**Cc:** [redacted]  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

[redacted]  
(b)(3) NatSecAct

=====  
Good Morning

Yes, I realize that tomorrow not today is the 7<sup>th</sup>. I just wanted to remind everyone to send any documents to [redacted] (b)(3) CIAAct and [redacted] as I will be out of the office for about a week starting at noon tomorrow. If you have a chance and could send me a note today on whether or not any responsive documents have been found and if there will be any problem getting them to us tomorrow, I would appreciate it. Again, thanks for your help with this. Hopefully it will all be sorted out in the near future once we can look through the documents.

(Untitled)

(b)(3) CIAAct

(b)(3) CIAAct

(b)(3) CIAAct

From:

Sent: Tuesday, February 25, 2014 11:25 AM

To:

Cc:

Subject: FW: Request for Documents in Support of RDINet Inquiry

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.

(b)(3) CIAAct

From: [redacted] (b)(3) CIAAct

Sent: Tuesday, February 25, 2014 11:24 AM

To:

Subject: Request for Documents in Support of RDINet Inquiry

(b)(3) NatSecAct

(b)(3) CIAAct

As you are aware, we are doing an inquiry into the actions the Agency took in response to concerns that the SSCI staff may have improperly accessed certain documents. We are only looking into the Agency's actions not the conduct of the SSCI staff but obviously they are connected events. The concerns regarding the SSCI staff have been referred to the Department of Justice.

In order to conduct our review, we are requesting any and all reports or other written reviews related to the monitoring of RDINet or any written documents relating to the Agency's reviews of suspected unauthorized activities on RDINet. We are also asking for copies of any written requests for or written guidance provided regarding such monitoring or reviews. Please provide these documents as soon as possible but preferably by 7 March 2014. Your assistance in this matter is very much appreciated. Please provide any responsive documents to either [redacted] or [redacted]. If you have any questions regarding this request, feel free to call either myself [redacted] or [redacted]. As always, thank you.

(b)(3) CIAAct

(b)(3) CIAAct

(Untitled)

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~





IG-2014-0231

18 July 2014

MEMORANDUM FOR: Director, Central Intelligence Agency

FROM: David B. Buckley  
Inspector General

SUBJECT: (~~U//FOUO~~) Report of Investigation-Agency  
Access to the SSCI Shared Drive on RDINet  
(2014-11718-IG)

1. (U) The Office of Inspector General (OIG) recently completed an investigation into matters associated with allegations that CIA officers accessed the Senate Select Committee on Intelligence (SSCI) shared drive on the Rendition, Detention, and Interrogation network (RDINet) without authorization. The OIG presented the facts of this investigation to the Department of Justice, which advised the OIG that it had no prosecutorial interest.

2. (~~U//FOUO~~) The investigation found support for allegations that CIA staff accessed the SSCI shared drive without authorization. It also found that you did not authorize the access or know the extent of the access.

3. (~~U//FOUO~~) The investigation further found that the Director of Security separately authorized a review of the SSCI activities, which resulted in the reconstruction of certain internal e-mails belonging to SSCI staffers on RDINet. OIG determined that the review followed your standdown order and a request to withdraw authorization for a joint review with the SSCI by the SSCI security officer. However, it also determined

(b)(3) NatSecAct

Upon removal of attachment(s), this document is  
UNCLASSIFIED//~~FOUO~~

~~SECRET//NOFORN~~

CITE TEXT: (U//~~FOUO~~) Report of Investigation - Agency Access to  
(b)(3) CIAAct the SSCI Shared Drive on RDINet (2014-11718-IG)  
(b)(6)  
(b)(7)(c)

that [redacted] Security was unaware of your stand-down order at the time (b)(6) ordered the review. Finally, the OIG investigation found that the CIA report to the Department of Justice regarding possible and alleged criminal conduct by SSCI staffers was predicated upon inaccurate information.

4. (U//~~FOUO~~) The investigation did not find support for the allegation that the CIA performed real-time interception of SSCI communications for its review of the matter in question. Additionally, three members of the CIA RDINet IT team were not candid with the OIG when interviewed; initially failing to disclose their related access to the SSCI shared drive.

5. (U//~~FOUO~~) Based on the above findings, OIG recommends that you review the facts and circumstances presented in this report regarding the named CIA officers and take action as deemed appropriate.

6. (U//~~FOUO~~) The final Report of Investigation (ROI) is attached. Please advise, within 60 days, the actions you plan to take.

[redacted]  
(b)(6)

David B. Buckley

Attachment:  
As stated

cc: DD/CIA  
EXDIR  
GC

~~SECRET//NOFORN~~





THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

APR 10 2014

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

I write in response to your letter dated 27 March 2014, in which you pose 14 questions relating to CIA's actions concerning the computer network at the CIA-leased facility where the Committee conducted research for its study of the CIA's former rendition, detention and interrogation program. I can assure you that I am taking the Committee's concerns very seriously, and I am committed to providing the Committee with a thorough response. I have consulted with our Inspector General regarding this matter. The Inspector General has requested that I defer responding to your questions until the conclusion of ongoing inquiries that are currently being conducted by his office and the Department of Justice in order to protect the integrity of those inquiries.

You have my assurance that I will provide the Committee with a thorough response after those inquiries have concluded.

An original of this letter is being sent to Vice Chairman Chambliss.

Sincerely,

A handwritten signature in cursive script that reads "John O. Brennan".  
John O. Brennan



THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

APR 10 2014

The Honorable Saxby Chambliss  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Vice Chairman:

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You have my assurance that I will provide the Committee with a thorough response after those inquiries have concluded.

An original of this letter is being sent to Chairman Feinstein.

Sincerely,

A handwritten signature in cursive script that reads "John O. Brennan".  
John O. Brennan

The Honorable Dianne Feinstein  
The Honorable Saxby Chambliss

OCA 2014-00065  
OCA 2014-00065

(b)(3) CIAAct

Distribution:

- Originals - Addressees
  - 1 - DAC
  - 1 - ODCIA
  - 1 - IMO/OCA (Official Copy)
  - 1 - SA/OCA Chrons

UNCLASSIFIED

US Classification//Non US//SCI//Codeword//FGI//Dissem Controls//Non-Intell//Declass (as appropriate)

# EXECUTIVE CORRESPONDENCE ROUTING SHEET

1. Origination Office Office of Congressional Affairs		2. Date 10 April 2014	
3. FROM:	Name Neal Higgins	Room No. and Building (b)(3) CIAAct	Phone (b)(3) CIAAct
4. Subject DCIA Response Letter to Chairman Feinstein and Vice Chairman Chambliss - 14 Questions Letter			
5. Originating Office Control # 2013-00065	5a. Response to DAC # (Originating Office to Complete)	5b. DAC Control # (DAC Use Only)	
6. Justification / Summary (Required for Immediate and Priority Actions) <input type="checkbox"/> Routine <input type="checkbox"/> Priority <input checked="" type="checkbox"/> Immediate DCIA has approved auto pen on 10 April 2014			
7. Coordination OCA, OGC, IG			

NOTE: All correspondence sent to D/CIA must be sent via ADD/CIA and DD/CIA

DATE IN	ROUTE TO	ACTION (Check a Box)	NONCONCUR REASON	DATE OUT
	TITLE D/CIA Review (b)(3) CIAAct	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input checked="" type="checkbox"/> FYI		
04-10-14	TITLE GENERAL COUNSEL - Review SIGNAT (b)(3) CIAAct	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input checked="" type="checkbox"/> FYI		04-10-14
	TITLE ODCIA - Auto Pen SIGNATURE	<input checked="" type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	TITLE SIGNATURE	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	TITLE SIGNATURE	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	TITLE SIGNATURE	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		

FORM 07-12 4468

UNCLASSIFIED

CL BY: \_\_\_\_\_  
CL REASON: \_\_\_\_\_  
DECL ON: \_\_\_\_\_  
DRV FROM: \_\_\_\_\_





~~CONFIDENTIAL~~

(b)(3) NatSecAct



From: (b)(3) CIAAct

Subject: Fw: Preservation Notice

(b)(3) CIAAct

Date: 01/30/2014 04:54 PM

This message is digitally signed.

History: This message has been forwarded.

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

=====  
All: Please see the note below and follow its instructions.

----- Forwarded by (b)(3) CIAAct on 01/30/2014 04:38 PM -----

~~CONFIDENTIAL~~



From: (b)(3) CIAAct

Subject: Preservation Notice

Date: 01/30/2014 04:33 PM

To: Meroe S. Park, (b)(3) CIAAct  
(b)(3) CIAAct

This message is digitally signed.

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

=====  
(C) The Office of Inspector General has become aware of allegations of potential misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at the [redacted] building, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net). As required by Section 17 of the CIA Act, these allegations have been referred to the [redacted] (b)(3) CIAAct

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Department of Justice. The Department of Justice has asked the CIA to preserve certain documents, information, records, and other materials, to the extent they exist, as detailed below. Due to the sensitive nature of this matter, we are sending the following preservation notice to a limited distribution of officers. We request you ensure all officers or contractors within your organizations that may have relevant information are made aware of this notice and that they preserve any documents, information, records or other material as required. Please maintain a list of any officers or groups you make aware of this notice.

(U//~~FOUO~~) Therefore, you are directed to preserve and maintain all documents, information, records, and other material falling under the below categories. Though you are directed to *preserve and maintain* all such documents, information, records, or other material, at this time it is not requested that you *produce* them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net
- (b)(3) NatSecAct  
(b)(7)(e)
- Any and all records related to the loading or removal of information from RDI-Net

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(U//~~FOUO~~) With respect to electronic records that are the subject of this request (including emails and instant messages), if you are going to be reassigned, please contact your Information Management Officer so that appropriate arrangements can be made to preserve your records before your reassignment.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~(U//FOUO)~~ If you are unsure whether certain materials should be preserved, err on the side of caution and preserve them. Please contact Assistant Special Agent in Charge (b)(3) CIAAct [redacted] if there is any doubt about whether any specific records are responsive to the order and before any possibly responsive records are deleted from any electronic information system.

(b)(3) CIAAct [redacted]

=====  
Classification: ~~CONFIDENTIAL~~

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Classification: ~~CONFIDENTIAL~~

=====  
Classification: ~~CONFIDENTIAL~~

~~CONFIDENTIAL~~



(b)(3) CIAAct

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**From:** (b)(3) CIAAct on behalf of OPA Notice  
**Sent:** Friday, March 21, 2014 4:59 PM  
**To:** (b)(3) CIAAct  
**Subject:** Message to the Workforce

Classification: UNCLASSIFIED

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Colleagues,

I thought I would take a moment to pass along a few thoughts. First of all, world events have kept all of us quite busy over the last few months, and Avril and I are exceptionally appreciative of the terrific work that you have been doing on a daily basis, including helping to prepare us for the many Deputies, Principals, and National Security Council meetings that are held in the White House Situation Room. We are always very proud to represent the CIA at these meetings and, most importantly, to showcase the Agency's analytic, operational, covert action, and counterintelligence activities and accomplishments. Rest assured that the President and the members of his national security team recognize and heavily rely on the daily contributions made by the CIA and its Intelligence Community partners. I would like to take this opportunity to thank all members of the CIA family—staff, contractors, and detailees, here at home and overseas—for all your great work in keeping our country and your fellow Americans safe.

Thank you also for staying focused on your work, as our intelligence mission is more important than ever. While the tense situation in Ukraine is dominating the most recent daily news reports, the Agency is deeply involved in a vast array of challenging and complex issues around the globe. And as we go about our intelligence mission, I am heartened by the great teamwork, camaraderie, talent, and dedication that I witness every day as I interact with folks from all over the Agency. I know that long hours are frequently involved, so please make sure to pace yourselves...as well as to thank your loved ones for supporting your work and CIA's mission.

While you remain focused on your work, I am sure that stories circulating in the press have raised many questions in your minds about what transpired—and where things are going—between CIA and the Senate Select Committee on Intelligence (SSCI) related to the Committee's RDI report. As you have heard, appropriate officials are reviewing the facts, and I will share with you what I can while that process unfolds. In the meantime, you can be sure that we and the Committee are committed to finding a way forward that allows CIA to continue with its important intelligence mission and that promotes effective and independent Congressional oversight of our Nation's classified intelligence activities.

As we all well know, the intelligence profession is frequently a difficult and challenging one, and it should come as no surprise that many of the things CIA is asked to do are subjected to close scrutiny. Moreover, it is appropriate for the Intelligence Committees in the Senate and the House to carry out their oversight responsibilities thoroughly and comprehensively, and CIA needs to do all it can to assist the Committees in that regard. SSCI Chairman Feinstein and Vice Chairman Chambliss, like HPSCI Chairman Rogers and Ranking Member Ruppberger, carry out their oversight responsibilities with great dedication and patriotism, and the CIA has benefited over the years from their leadership as well as their strong support for CIA programs and employees. We all should be grateful for their service as well as for their deep and abiding interest in supporting our national security mission.

Regarding the SSCI's RDI report, I want to assure you that the entire CIA leadership team is committed to addressing any outstanding questions or requests from SSCI members so that the Committee can complete its work and finalize the report as soon as possible. I expect the Committee will submit at least some portion of the report to the CIA for classification review, and, if that happens, CIA will carry out the review expeditiously. As I noted in a letter to the Committee last June, CIA must learn from the past and take immediate steps to prevent any shortcomings in Agency intelligence activities, "as flawed performance—on the part of the Agency as an institution or by individual Agency officers—can have devastating consequences." As a result of the Committee's report, our subsequent review of it, as well as previous internal reviews, we have already taken a number of specific actions to strengthen our management and programmatic performance.

Finally, I look forward to discussing these and related issues with you more comprehensively once current matters are addressed and the Committee's work on the RDI program is completed. Until then, please continue to carry out your important intelligence responsibilities with great proficiency and dedication as well as with the professional ethos—service, integrity, excellence, courage, teamwork, and stewardship—that defines the Central Intelligence Agency.

As always, thank you for your outstanding service.

John

=====  
Classification: UNCLASSIFIED



THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

JUN 4 2009

The Honorable Christopher S. "Kit" Bond  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Vice Chairman:

(U//~~FOUO~~) Thank you for your letter dated June 2, 2009. It addresses many of the concerns we raised in our 28 May 2009 proposed Memorandum of Understanding regarding the need to protect sensitive information in your review of the Agency's detention and interrogation program.

(U//~~FOUO~~) I want to clarify a few points that were not clear from the letter, but which I know you will appreciate.

(C) First, given that we will be providing the Committee with full, un-redacted access to millions of our most sensitive operational materials, we will review the notes, draft and final reports, and other material generated from the Committee's review of the materials--wherever prepared--prior to removing this material from the Reading Room or SSCI secure spaces. The sole purpose of our review is to ensure that the material is properly safeguarded and redacted, where required. As we have previously agreed, the redactions would only cover officers' names, cryptonyms, pseudonyms, liaison provided intelligence, information from other U.S. agencies and departments, and the locations of black-sites.

(C) Second, our intent is to keep all of the operational cables at the Reading Room. If Members or staff wish to remove any of the operational cables from the Reading Room, we will consider those requests on a case-by-case basis, and we will work to accommodate your requirements.

(b)(3) NatSecAct

~~CONFIDENTIAL~~

COPY

The Honorable Christopher S. "Kit" Bond

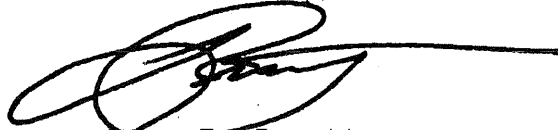
~~(C)~~ Third, CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter. Therefore, CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff. CIA would like to clarify, however, that unlike the walled-off network share drive, the stand-alone network must be accessed by the CIA staff assigned to this effort to perform a variety of tasks, including, for example, loading and organizing the raw responsive data requested by the Committee and review or redaction of material sought to be removed from the Reading Room.

(U//~~FOUO~~) Finally, any remaining security or logistical concerns or other issues can be resolved through our respective staffs. CIA appreciates the Committee's understanding and flexibility regarding these important national security precautions and we will make all reasonable efforts to expedite and facilitate this necessary and important oversight responsibility.

(U//~~FOUO~~) Under this arrangement, your staff is invited to begin to review the material immediately.

(U) An original of this letter is also being sent to Chairman Feinstein.

Sincerely,

A handwritten signature in black ink, appearing to be "Leon E. Panetta", written over a horizontal line.

Leon E. Panetta





THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

JUN 4 2009

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Madam Chairman:

(U//FOUO) Thank you for your letter dated June 2, 2009. It addresses many of the concerns we raised in our 28 May 2009 proposed Memorandum of Understanding regarding the need to protect sensitive information in your review of the Agency's detention and interrogation program.

(U//FOUO) I want to clarify a few points that were not clear from the letter, but which I know you will appreciate.

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(b)(3) NatSecAct

~~CONFIDENTIAL~~

The Honorable Dianne Feinstein


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(U//~~FOUO~~) Under this arrangement, your staff is invited to begin to review the material immediately.

(U) An original of this letter is also being sent to Vice Chairman Bond.

Sincerely,



Leon E. Panetta

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

The Honorable Christopher S. "Kit" Bond  
The Honorable Dianne Feinstein

(b)(3) CIAAct

Distribution:

- Orig - Addressee
- 1 - DAC (Record Copy)
- 1 - OCA
- 1 - OGC
- 1 - RDI/[ ](b)(3) CIAAct [ ]
- 1 - RDI SSCI file
- 1 - RDI Chrono

4 June 2009

OK to Autopen

(b)(3) CIAAct

~~CONFIDENTIAL~~

**EXECUTIVE CORRESPONDENCE ROUTING SHEET**

1. Origination Office DCIA/DRG/RDI		2. DATE:
3. FROM: Name [redacted] (b)(3) CIAAct	Room No. and Building [redacted] (b)(3) CIAAct	Phone [redacted] (b)(3) CIAAct
4. Subject: Response to Letter from Senator Feinstein, dated 2 June 2009		
Originating Office Control # DRG/RDI 2009-006	5a. Response to DAC # (Originating Office to Complete)	5b. DAC Control # (DAC Use Only)

6. Justification/Summary (Required for Immediate and Priority Actions)

Routine                     
  Priority                     
  Immediate

Immediate response is needed for Senators Feinstein and Bond.

[redacted] (b)(3) CIAAct

7. Coordination

Information has been electronically coordinated with OCA, OGC and the office of the DCI.

NOTE: All correspondence sent to D/CIA must be sent via the DD/CIA and the ADD

DATE IN	ROUTE TO	ACTION (Check a Box)	NONCONCUR REASON	DATE OUT
	TITLE DAC	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input checked="" type="checkbox"/> FYI		
	SIGNATURE			
	TITLE ADD	<input type="checkbox"/> SIGNATURE <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	SIGNATURE			
	TITLE DD/CIA	<input type="checkbox"/> SIGNATURE <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	SIGNATURE			
	TITLE D/CIA	<input checked="" type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	SIGNATURE			
	TITLE	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI	Please call [redacted] (b)(3) CIAAct for pick-up and delivery to OCA	
	SIGNATURE			
	TITLE	<input type="checkbox"/> SIGNATURE <input type="checkbox"/> CONCUR <input type="checkbox"/> FYI		
	SIGNATURE			

~~CONFIDENTIAL~~

~~SECRET~~**FACSIMILE****United States Senate  
SELECT COMMITTEE ON INTELLIGENCE**

Dianne Feinstein, California, Chairman  
Christopher S. Bond, Missouri, Vice Chairman

**TO: The Honorable Leon Panetta, D/CIA**

PHONE #: (b)(3) CIAAct

FAX #:

*ATTN: BILL DANVERS***FROM: Chairman Feinstein  
Vice Chairman Bond**

PHONE #: (b)(6)

FAX #:

**DATE: June 2, 2009****NUMBER OF PAGES: 6** (including cover page)**COMMENTS: June 2, 2009 Letter re: CIA's detention and interrogation program.**

Please contact sender at (b)(6) if this facsimile is not complete.

~~SECRET~~

COPY

DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
CHRISTOPHER S. BOND, MISSOURI, VICE CHAIRMAN

JOHN D. ROCKEFELLER IV, WEST VIRGINIA  
RON WYDEN, OREGON  
EVAN BAYH, INDIANA  
BARBARA A. MIKULSKI, MARYLAND  
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BILL NELSON, FLORIDA  
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ORRIN HATCH, UTAH  
OLYMPIA J. SNOWE, MAINE  
SAXBY CHAMBLISS, GEORGIA  
RICHARD BURR, NORTH CAROLINA  
TOM COBURN, OKLAHOMA  
JAMES E. RISCH, IDAHO

~~SECRET~~

# United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

HARRY REID, NEVADA, EX OFFICIO  
MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
CARL LEVIN, MICHIGAN, EX OFFICIO  
JOHN MCCAIN, ARIZONA, EX OFFICIO

DAVID GRANNIS, STAFF DIRECTOR  
LOUIS B. TUCKER, MINORITY STAFF DIRECTOR  
KATHLEEN P. MCGHEE, CHIEF CLERK

June 2, 2009

The Honorable Leon Panetta  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Panetta:

In a letter dated March 26, 2009, the Senate Select Committee on Intelligence (the Committee) informed the Central Intelligence Agency (CIA) of its intention to conduct a thorough review of the CIA's detention and interrogation program. The letter included terms of reference approved by the Committee, as well as a document request.

To conduct our work in a comprehensive and timely matter, the Committee requires access to unredacted materials that will include the names of non-supervisory CIA officers, liaison partners, black-site locations, or contain cryptonyms or pseudonyms. We appreciate the CIA's concern over the sensitivity of this information. Our staff has had numerous discussions with Agency officials to identify appropriate procedures by which we can obtain the information needed for the study in a way that meets your security requirements. We agree that the Committee, including its staff, will conduct the study of CIA's detention and interrogation program under the following procedures and understandings:

1. Pursuant to discussions between the Committee and CIA about anticipated staffing requirements, the CIA will provide all Members of the Committee and up to 15 Committee staff (in addition to our staff directors, deputy staff directors, and counsel) with access to unredacted responsive information. In addition, additional cleared staff may be given access to small portions of the unredacted information for the purpose of reviewing specific documents or conducting reviews of individual detainees. These Committee staff have or will have signed standard Sensitive Compartmented Information non-disclosure agreements for classified information in the  compartment.

(b)(1)  
(b)(3) NatSecAct

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The Honorable Leon Panetta

June 2, 2009

Page Two

2. CIA will make unredacted responsive operational files, as that term is defined in Section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b)), available at a secure Agency electronic Reading Room facility (Reading Room) which will permit Committee staff electronic search, sort, filing, and print capability.
3. If responsive documents other than those contained in operational files identify the names of non-supervisory CIA officers, liaison partners, or black-site locations, or contain cryptonyms or pseudonyms, CIA will provide unredacted copies of those documents at the Reading Room.
4. Responsive documents other than those contained in operational files that do not identify the names of non-supervisory CIA officers, liaison partners, or black-site locations, or contain cryptonyms or pseudonyms will be made available to the Committee in the Committee's Sensitive Compartmented Information Facility (SCIF), unless other arrangements are made.
5. CIA will provide a stand-alone computer system in the Reading Room with a network drive for Committee staff and Members. This network drive will be segregated from CIA networks to allow access only to Committee staff and Members. The only CIA employees or contractors with access to this computer system will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee.
6. Any documents generated on the network drive referenced in paragraph 5, as well as any other notes, documents, draft and final recommendations, reports or other materials generated by Committee staff or Members, are the property of the Committee and will be kept at the Reading Room solely for secure safekeeping and ease of reference. These documents remain congressional records in their entirety and disposition and control over these records, even after the completion of the Committee's review, lies exclusively with the Committee. As such, these records are not CIA records under the Freedom of Information Act or any other law. The CIA may not

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The Honorable Leon Panetta  
June 2, 2009  
Page Three

integrate these records into its records filing systems, and may not disseminate or copy them, or use them for any purpose without the prior written authorization of the Committee. The CIA will return the records to the Committee immediately upon request in a manner consistent with paragraph 9. If the CIA receives any request or demand for access to these records from outside the CIA under the Freedom of Information Act or any other authority, the CIA will immediately notify the Committee and will respond to the request or demand based upon the understanding that these are congressional, not CIA, records.

7. CIA will provide the Committee with lockable cabinets and safes, as required, in the Reading Room.
8. If Committee staff identifies CIA-generated documents or materials made available in the Reading Room that staff would like to have available in the Committee SCIF, the Committee will request redacted versions of those documents or materials in writing. Committee staff will not remove such CIA-generated documents or materials from the electronic Reading Room facility without the agreement of CIA.
9. To the extent Committee staff seeks to remove from the Reading Room any notes, documents, draft and final recommendations, reports or other materials generated by Committee Members or staff, Committee staff will ensure that those notes, documents, draft and final recommendations, reports or other materials do not identify the names of non-supervisory CIA officers, liaison partners, or black-site locations, or contain cryptonyms or pseudonyms. If those documents contain such information, Committee staff will request that CIA conduct a classification review to redact the above-referenced categories of information from the materials or replace such information with alternative code names as determined jointly by the Committee and the CIA.

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~~SECRET~~

The Honorable Leon Panetta  
June 2, 2009  
Page Four

Any document or other material removed from the reading room pursuant to paragraphs 8, 9, or 10 will be stored in the Committee SCIF or transferred and stored on Committee TS//SCI systems, under Committee security procedures.

10. Any notes, documents, draft and final recommendations, reports or other materials prepared by Committee Members or Staff based on information accessed in the Reading Room will be prepared and stored on TS//SCI systems. Such materials will carry the highest classification of any of the underlying source materials. If the Committee seeks to produce a document that carries a different classification than the underlying source material, the Committee will submit that document to CIA, or if appropriate to the DNI, for classification review and, if necessary, redaction.
11. The Reading Room will be available from 0700 to 1900 hours, official government business days, Monday through Friday. If Committee staff requires additional time or weekend work is required, Committee staff will make arrangements with CIA personnel with as much advance notice as possible.
12. The Committee will memorialize any requests for documents or information in writing and CIA will respond to those requests in writing.
13. All Committee staff granted access to the Reading Room shall receive and acknowledge receipt of a CIA security briefing prior to reviewing CIA documents at the Reading Room.

~~SECRET~~

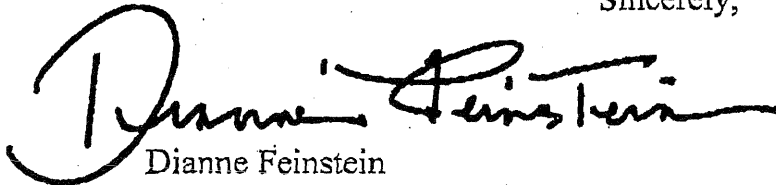
~~SECRET~~

The Honorable Leon Panetta  
June 2, 2009  
Page Five

We anticipate that agreement to these conditions will address your concerns about Committee access to unredacted materials responsive to the Committee's document request. We look forward to immediate staff access to those materials.

In addition, we expect that the discussions and agreements over access to the study information are a matter restricted to the Congress and the Executive branch. As such, neither this letter nor derivative documents may be provided or presented to CIA's liaison partners.

Sincerely,



Dianne Feinstein  
Chairman



Christopher S. Bond  
Vice Chairman

~~SECRET~~



DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
CHRISTOPHER S. BOND, MISSOURI, VICE CHAIRMAN

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BILL NELSON, FLORIDA  
SHELDON WHITEHOUSE, RHODE ISLAND

ORRIN HATCH, UTAH  
OLYMPIA J. SNOWE, MAINE  
SAXBY CHAMBLISS, GEORGIA  
RICHARD BURR, NORTH CAROLINA  
TOM COBURN, OKLAHOMA  
JAMES E. RISCH, IDAHO



## United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

SSCI #2009-4918

HARRY REID, NEVADA, EX OFFICIO  
MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
CARL LEVIN, MICHIGAN, EX OFFICIO  
JOHN MCCAIN, ARIZONA, EX OFFICIO

DAVID GRANNIS, STAFF DIRECTOR  
LOUIS B. TUCKER, MINORITY STAFF DIRECTOR  
KATHLEEN P. MCGHEE, CHIEF CLERK

December 23, 2009

The Honorable Leon Panetta  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Panetta:

We spoke last week about the ongoing study by the Senate Select Committee on Intelligence on the Central Intelligence Agency's (CIA's) Detention and Interrogation Program. My staff has continued these discussions with officials in the Director's Review Group and the Office of Congressional Affairs who have relayed your request that the Committee put in writing additional requests for access to CIA documents.

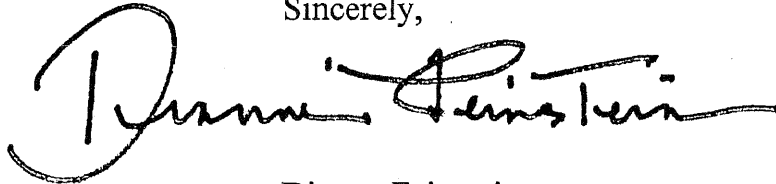
Specifically, I request that in addition to the room made available for the Committee's study staff early this summer (the "Reading Room"), a smaller room be made available for the purpose of providing access to CIA documents for the staff that the Vice Chairman withdrew from the study in September. This room should have computer access to the same set of CIA documents provided to the study staff in the Reading Room, but not to the electronic or physical work product prepared by the Committee's study staff or communications between the Committee's study staff and the CIA.

The document access at the second room should be provided subject to the same written agreements that the Vice Chairman and I reached with you earlier this year. The staff using this room will abide by the same conditions on using and transporting any documents or derivative work product prepared at the site.

COPY

To be clear, the Committee's study staff at the Reading Room will continue to conduct the Committee's study and prepare a draft report for the Committee's consideration. I appreciate your continued cooperation with their review. Please have your staff contact (b)(6) with any questions or to further discuss this request.

Sincerely,

A handwritten signature in black ink, reading "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dianne Feinstein  
Chairman

COPY



HARRY REID  
NEVADA

MAJORITY LEADER

## United States Senate

WASHINGTON, DC 20510-7012

March 19, 2014

The Honorable John Brennan  
Director  
United States Central Intelligence Agency  
Washington, DC 20505

Dear Director Brennan:

Given our discussions on several recent occasions, you are aware of my deep concerns regarding the CIA's actions with respect to the Senate Select Committee on Intelligence (SSCI) Study of the CIA's Detention and Interrogation Program, particularly your notification of SSCI Chairman Dianne Feinstein and Vice Chairman Saxby Chambliss that the CIA apparently, without prior authorization or consultation, searched the computers and computer networks designated for exclusive SSCI use in carrying out its oversight responsibilities. As Chairman Feinstein has noted, this incident would mark the third time since 2010 in which the CIA has acknowledged intruding into SSCI computer networks without authorization. You are no doubt aware of the grave and unprecedented concerns with regard to constitutional separation of powers this action raises.

I am aware that you have defended the CIA's actions in this case by alleging that the actions came in response to SSCI misconduct. Specifically, I understand that you have alleged that Senate committee staff illicitly accessed classified CIA networks to obtain a document – the so-called "Panetta Review" – which appears to corroborate the findings and conclusions of the Committee's Study and to contradict the CIA's own official response to the Study. To my knowledge, the CIA has produced no evidence to support its claims that Senate committee staff who have no technical training somehow hacked into the CIA's highly secure classified networks, an allegation that appears on its face to be patently absurd.

The Senate has an interest in bringing final resolution to this dispute. In coordination with the Intelligence Committee, I have instructed the Senate Sergeant-at-Arms to initiate a forensic examination of the computers and computer network assigned for exclusive SSCI use, in order to determine how the "Panetta Review" entered into the SSCI network.

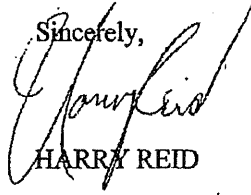
In light of your statement in your January 27 letter to Senator Feinstein that you "would welcome an independent review" of this matter, I trust you will support this examination. To ensure its independence, I ask that you take whatever steps necessary to ensure that CIA personnel refrain from further interaction relating to this issue with Senate staff other than the Sergeant-at-Arms staff conducting the examination while the examination is underway. Furthermore, I ask your cooperation in ensuring that Sergeant-at-Arms staff have the access, including security clearances, necessary to complete their examination in a timely and effective manner.

COPY



Please do not hesitate to contact me with any concerns about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Reid", is written over the word "Sincerely,". The signature is fluid and cursive.

HARRY REID

CC: Attorney General Eric Holder

COPY



RICHARD J. DURBIN

ILLINOIS

ASSISTANT MAJORITY LEADER

**United States Senate**  
Washington, DC 20510-1304

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON FOREIGN RELATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON RULES  
AND ADMINISTRATION

March 13, 2014

The Honorable John Brennan  
Director  
Central Intelligence Agency  
Washington, DC 20505

Dear Director Brennan:

I write to express my grave concerns about the CIA's actions with respect to the Senate Select Committee on Intelligence (SSCI) Study of the CIA's Detention and Interrogation Program.

As Chairman of the Judiciary Committee's Constitution Subcommittee, I take very seriously the responsibility of all federal officials to respect the U.S. Constitution's Separation of Powers. I also serve as Chairman of the Senate Appropriations Subcommittee on Defense, which appropriates funds for the CIA and other intelligence agencies. In this capacity, I have gained a great appreciation for the need to protect the integrity of Congressional oversight of the Intelligence Community.

I have great respect for Senator Dianne Feinstein, the Chairman of SSCI, so I listened carefully to her lengthy floor statement earlier this week detailing her concerns about the CIA's interference in SSCI's oversight work. I have also reviewed your January 27<sup>th</sup> unclassified letter, responding to an earlier letter from Chairman Feinstein.

The facts as presented in Chairman Feinstein's floor statement and your letter are deeply troubling. Accepting your version of events, it appears that the CIA conducted an unauthorized search of a computer network used by SSCI staff to determine whether SSCI staff possessed certain sensitive CIA documents. You state that the documents in question are privileged, deliberative, and pre-decisional. However, I understand that the Senate Legal Counsel has concluded that this type of privilege is not recognized by the Legislative Branch. I believe that recognition of such a privilege would be a severe blow to any congressional oversight efforts of the Executive Branch, because any information, analysis, or operational plans could simply be labeled as deliberative or pre-decisional and withheld from the congressional oversight committees. This would have profound impacts on the intelligence community's obligation under the National Security Act of 1947 to keep Congress "fully and currently informed" on intelligence activities, and also the fundamental system of checks and balances established by the Constitution.

You acknowledge that the CIA does not know how SSCI staff obtained these documents, and Chairman Feinstein maintains that the CIA provided the documents to SSCI staff. Given the separation of powers interests at stake, if the CIA had a question about these documents, you should have at the very least asked Chairman Feinstein and her staff for an explanation before taking the highly questionable and possibly unconstitutional step of searching a computer network used by the Legislative Branch.

As a former member of SSCI, I am also troubled by allegations from CIA staff that SSCI staff has acted inappropriately, and I take seriously Chairman Feinstein's concern that this is a potential effort to intimidate SSCI staff.

It is important not to lose sight of the underlying issue – the un-American and illegal torture of detainees held by our government. It was 10 years ago that I authored the first legislation to make it clear that the cruel, inhuman, or degrading treatment of detainees is illegal under U.S. law in all circumstances. My legislation was a response to the previous Administration's position that it was legal to use abusive interrogation techniques on detainees.

I was very proud when, on only his third day in office, President Obama issued Executive Order 13491 ending the use of abusive interrogation techniques. Prior to your confirmation, we discussed this issue and you assured me that you would support the Administration's policy.

As you know, the SSCI Study of the CIA Detention and Interrogation Program began in the aftermath of the CIA's inappropriate destruction of detainee interrogation videotapes. Then-CIA Director Hayden suggested that SSCI staff review CIA operational cables about the CIA Detention and Interrogation Program in lieu of the destroyed tapes. As Chairman Feinstein has explained, the SSCI Study was authorized on an overwhelming bipartisan vote after SSCI found that the cables detailed detention conditions and interrogations that were far worse than what the CIA had previously described to SSCI.

Approximately one year ago, I received a classified briefing on the SSCI Study. While I cannot recount the details of the briefing in this letter, the SSCI Study raises extremely troubling issues about not only CIA activities, but also the Agency's obligation to cooperate fully and accurately with congressional oversight activities. The conclusions of the SSCI Study, along with my understanding of the recent events relating to the documents in dispute, indicate to me that the CIA is making it very difficult for Congress to fully carry out its oversight responsibilities. I simply cannot understand any circumstances that would legitimately allow the Executive Branch to withhold any information or documents from an official Senate investigation of such an important matter.

After I was briefed on the SSCI Study, I spoke with you, the President, and then-Secretary of Defense Panetta to urge each of you to be briefed on its findings and to support its declassification. In my view, it is critically important to declassify the SSCI Study so that we can learn from, and hopefully not repeat, the mistakes of our past. I cannot say it better than Senator John McCain, an American hero who knows more about this issue than any other member of Congress, and who has urged the Administration to "take whatever steps necessary to

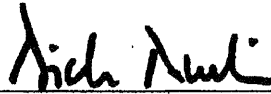
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finalize and declassify this report, so that all Americans can see the record for themselves, which I believe will finally close this painful chapter for our country.”

In light of the important constitutional principles at stake, I urge you to directly address the serious separation of powers issues that have been raised. I also again urge you to accelerate declassification to the greatest extent possible of the SSCI Study of the CIA Detention and Interrogation Program.

Thank you for time and consideration. I look forward to your prompt response.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Durbin". The signature is written in a cursive, somewhat stylized font.

Richard J. Durbin

COPY



JOHN D. ROCKEFELLER IV  
WEST VIRGINIA



**United States Senate**  
WASHINGTON, D.C.

January 27, 2014

The Honorable John O. Brennan  
Director, Central Intelligence Agency  
Washington, DC 20505

Dear Director Brennan,

I cannot overstate how deeply disappointed I am to learn of the CIA's unauthorized search of the Senate Intelligence Committee's computer network at an offsite facility. Particularly in the context of the Committee's Study on Detention and Interrogation where there has long been a deficit of trust -- a deficit that you and I have been working to repair - this is so damaging.

My message to you has always been that the CIA must fully and forthrightly recognize its past mistakes, and then apply the lessons learned from those mistakes as it moves forward with its critically important mission. Your letter to me in December of last year seemed like an encouraging recognition of the importance of that approach, which makes this most recent development all the more troubling.

This mistake, this search without the Committee's approval, has the potential to undermine so much of our important work together - it must be addressed fully. It must be addressed in a way that repairs the breach of trust and allows the CIA and this committee to constructively move forward.

In your confirmation hearing I praised your strong leadership, patience, courtesy, and wisdom, which I said made you the right man for the job. In this challenging moment, I urge you to draw on those attributes to find a way, as the leader of the CIA, to make this right.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay", written over a faint circular stamp.

John D. Rockefeller IV

**COPY**





HARRY REID  
NEVADA

MAJORITY LEADER

## United States Senate

WASHINGTON, DC 20510-7012

March 19, 2014

The Honorable Eric Holder  
Attorney General  
United States Department of Justice  
Washington, DC 20530

Dear Attorney General Holder:

As you know, in January 2014, Central Intelligence Agency (CIA) Director John Brennan personally informed Senate Select Committee on Intelligence Chairman Dianne Feinstein and Vice Chairman Saxby Chambliss that the CIA apparently had - without prior authorization or consultation - accessed a computer network designated for the Intelligence Committee's exclusive use in conducting its official oversight duties.

As Majority Leader of the Senate, I have a responsibility to protect the independence and effectiveness of our institution. The CIA's decision to access the resources and work product of the legislative branch without permission is absolutely indefensible, regardless of the context. This action has serious separation of powers implications. It is immaterial whether this action was taken in response to concerns about the Committee's possession of a disputed document; this stands as a categorically different and more serious breach.

These concerns have been exacerbated by the CIA Acting General Counsel's recent referral of this issue to the Department of Justice, in what appears to be a transparent attempt to intimidate the Committee and undermine its oversight of the Agency. As the CIA has confirmed, its Acting General Counsel, mentioned by name over 1,600 times in the Intelligence Committee's study of the CIA's Detention and Interrogation Program, filed a crimes report with the Department of Justice alleging misconduct by Intelligence Committee staff. To my knowledge, the CIA has produced no evidence to support its claims. The allegation that Senate committee staff who have no technical training somehow hacked into the CIA's highly secure classified networks is so absurd as to be comical. The absurdity of the allegations, when matched with the clear conflict of interest possessed by the Acting General Counsel, calls into question the credibility of CIA Director Brennan's recent claim that "There's never been an effort by the CIA to thwart the SSCI's investigation."

The Senate has an interest in bringing final resolution to this dispute. In coordination with the Intelligence Committee, I have instructed the Senate Sergeant-at-Arms to initiate a forensic examination of the computers and computer network assigned for exclusive SSCI use, in order to determine how the document at issue - the so-called "Panetta Review" - entered into the SSCI network. I trust I can count upon your support for this examination.

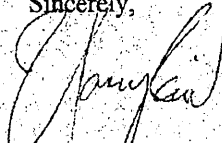
In my capacity as the leader of the U.S. Senate, the CIA's actions cause me great concern. The CIA has not only interfered with the lawful congressional oversight of its activities, but has also

**COPY**

seemingly attempted to intimidate its overseers by subjecting them to criminal investigation. These developments strike at the heart of the constitutional separation of powers between the legislative and executive branches. Left unchallenged, they call into question Congress's ability to carry out its core constitutional duties and risk the possibility of an unaccountable Intelligence Community run amok. The CIA cannot be permitted to undermine Congress's ability to serve as an effective check on executive power as our nation's Founders intended.

I trust you will carefully examine these concerns as the Department of Justice determines how to proceed.

Sincerely,



HARRY REID

CC: CIA Director John Brennan





THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

3 April 2014

The Honorable Harry Reid  
Majority Leader  
United States Senate  
Washington, D.C. 20510

Dear Senator Reid:

I am in receipt of your letter dated 19 March 2014, and while we come at this issue from different perspectives, I fully agree that we should find a sensible way to resolve this matter that preserves the crucial equities of both the Legislative and Executive Branches. I believe that Chairman Feinstein and Vice Chairman Chambliss are of the same view, and I am hopeful that we are currently on a path toward putting this matter behind us in a way that will ultimately strengthen our respective institutions.

A crucial first step, of course, is having a process that we all agree has integrity for determining what happened. As you noted, I indicated to Chairman Feinstein in January 2014 that I would welcome an independent review of the matter, and I stand by those words. At my request, the CIA's Office of the Inspector General is examining the actions of CIA personnel in coordination with the Department of Justice. I look forward to receiving the Inspector General's report, which will also be shared with the Committee. I similarly welcome the decision to have the Senate Sergeant-at-Arms review the actions of Senate staff and have instructed the relevant CIA offices to work cooperatively with the Sergeant-at-Arms, so that he may complete his work in a timely fashion. In addition, at your request, and in order to preserve the integrity of both reviews, I have instructed my officers to refrain from further interaction on this matter with Senate staff other than those employed by the Senate Sergeant-at-Arms. Of course, everything must be done in coordination with the Department of Justice in order to avoid any interference in their ongoing inquiries.

As you well know, the intelligence profession is a difficult and challenging one that is, and should be, the subject of close oversight scrutiny. We will do all that we can to assist the Committees in that regard, and I hope, in the near

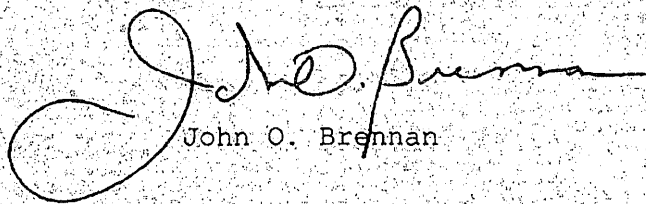
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The Honorable Harry Reid

future, we will be able to put this behind us in order to address the many challenges facing our national security.

I am available to discuss this matter further and to address any questions you may have. I look forward to the timely resolution of this issue and to continuing to strengthen CIA's relationship with our oversight committees and Congress as a whole.

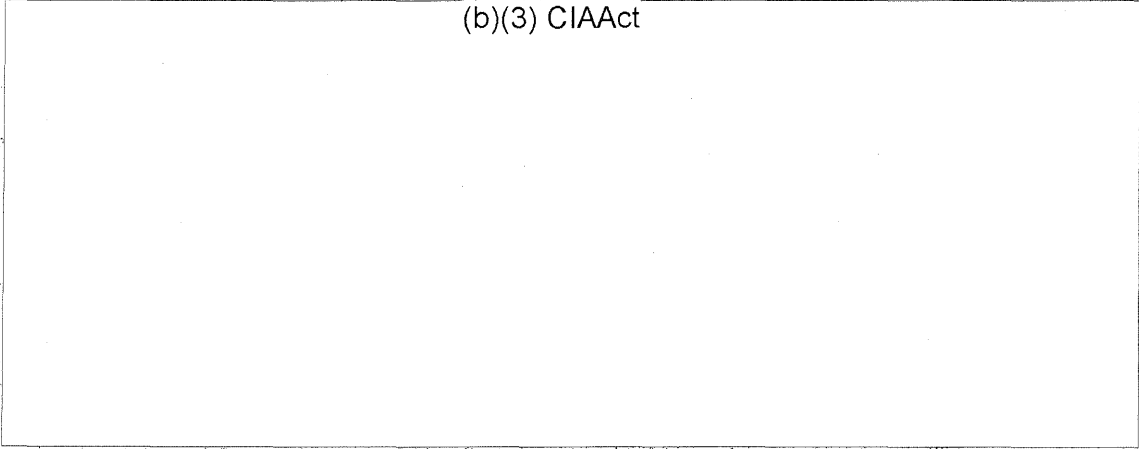
Sincerely,

A handwritten signature in cursive script, appearing to read "John O. Brennan". The signature is written in black ink and is positioned above the printed name.

John O. Brennan

The Honorable Harry Reid

(b)(3) CIAAct





Classification SECRET//NOFORN



U.S. Senate  
Select Committee on Intelligence

Fax Cover Sheet

To:  CIA/OIG

From:

SSCI#: 2009-3817

Date: 9/23/2009

Time: 17:38

Page 1 of 13

Prepared by:

**Note to Recipient:**

If you did not receive every page of the facsimile, please call

Classification SECRET//NOFORN



DIANNE FEINSTEIN, CALIFORNIA, CHAIRMAN  
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JAMES E. RISH, IDAHO

~~SECRET//NOFORN~~

# United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510-6475

HARRY REID, NEVADA, EX OFFICIO  
MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
CARL LEVIN, MICHIGAN, EX OFFICIO  
JOHN MCCAIN, ARIZONA, EX OFFICIO

DAVID GRANNS, STAFF DIRECTOR  
LOUIS B. TUCKER, MINORITY STAFF DIRECTOR  
KATHLEEN P. MCGHEE, CHIEF CLERK

September 23, 2009

(b)(3) CIAAct

SSCI# 2009-3817

Assistant General Counsel  
Central Intelligence Agency  
Washington, D.C. 20505

Dear (b)(3) CIAAct

(U) I write to respond to your letters of August 27, 2009 and September 14, 2009, about the meetings between representatives of the Senate Select Committee on Intelligence (the Committee or SSCI) and the Central Intelligence Agency (CIA) to discuss the document production associated with the Committee's review of CIA's detention and interrogation program. Although I concur with the majority of your descriptions of our agreements, a few items deserve clarification.

(S//NF) (1) Paragraph 5 of the August 27, 2009 letter notes that "As a general matter, most CIA documents will be made available for SSCI's review in the CIA Reading Room, per previous correspondence between SSCI and CIA." This statement should be clarified. Director Panetta's letter of June 4, 2009, stated only that "operational cables" would be made available for the Committee's review in the CIA Reading Room; it did not state whether other types of CIA documents would be made available for review in the Reading Room or in Committee spaces. In addition, the Committee's letter of June 2, 2009 stated "Responsive documents other than those contained in operational files that do not identify the names of non-supervisory CIA officers, liaison partners, or black-site locations, or contain cryptonyms or pseudonyms will be made available to the Committee in the Committee's Sensitive Compartmented Information Facility (SCIF), unless other arrangements are made." Although Committee staff is open to working with you to ensure we obtain relevant documents as expeditiously as possible, the issue of where documents will be provided should be resolved with staff on a case-by-case basis.

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(b)(3) CIAAct

September 23, 2009

Page Two

~~(S//NF)~~ (2) With respect to Paragraph 13 of the August 27, 2009 letter, which notes that "CIA reserves the right to redact sensitive, non-responsive material from its documents before providing them for SSCI review," I encourage you to work directly with Committee staff to prevent unreasonable delays in the production of responsive documents that might result from an extensive redaction process.

~~(S//NF)~~ (3) Paragraph 1 of the September 14, 2009 letter notes that "SSCI and CIA also discussed redaction of officers' true names from the additional documents that will be provided to SSCI. SSCI did not agree to redaction of officers' true names at this time and the issue as flagged for further discussion." At the meeting of September 9, 2009, CIA stated that redacting the true names from the additional documents to be provided would seriously delay the production of those documents to Committee staff. In addition, redaction of officers' true names, with or without replacement by pseudonym, would significantly and unnecessarily complicate the Committee's study. Given these concerns, I can't accept changes on this matter from our original agreement.

~~(S//NF)~~ (4) In Paragraph 4 of the September 14, 2009 letter, you noted that CIA does not intend to produce documents held by the Litigation Division of the Office of General Counsel unless the Committee advises otherwise. This is acceptable with the exception you mentioned that the SSCI staff requests that you produce any and all Vaughn indexes identifying documents responsive to Freedom of Information Act requests for documents concerning CIA's detention and interrogation program.

~~(S//NF)~~ (5) Paragraph 6 of the September 14, 2009 letter requests SSCI agreements with its detailee reviewers. The relevant documentation is attached.

~~(S//NF)~~ (6) In the meetings between CIA and Committee staff on August 12, August 21 and September 9, CIA requested that the Committee reconsider the terms of the original agreement that Committee staff provide to CIA for review only those notes and work product that contained certain information—unredacted

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(b)(3) CIAAct

September 23, 2009

Page Three

names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites; or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services—prior to removing the notes or work product from the Reading Room. Because of a concern for the sensitivity of the information, CIA has instead requested that Committee staff provide all notes and work product prepared in the Reading Room for review prior to removing those documents from the Reading Room. I cannot agree to this change to the original agreement.

~~(S//NF)~~ As expressed at the meeting on August 12, 2009, the general practice will be for Committee staff to seek review of materials being removed from the Reading Room. It is important, however, that the Committee retains its right to remove notes and other work product from the Reading Room without CIA's review as long as they do not contain those especially sensitive operational details. Committee staff needs the ability to generate strategic or Committee sensitive documents in the Reading Room, without having to provide them to a member of the Executive branch to review. Recognizing the CIA's concerns in this area, however, I have asked the staff to lean forward to provide as much information for review as possible, even in cases where operational details are not included, unless there is a compelling reason on a case-by-case basis not to do so.

~~(S//NF)~~ In addition to providing the overwhelming majority of documents generated in the Reading Room to CIA for review prior to their removal from the Reading Room, the Committee has taken a number of other significant steps to address CIA concerns. As stated in our previous agreements, Committee staff will not provide information gained from the review of materials at the Reading Room to anyone who is not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. All notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities. No information resulting from the Committee's study will be publicly released prior to a determination by the CIA, or if applicable the DNI, that such information is unclassified. Finally, it will not be the practice to re-create the sensitive information identified by the CIA when writing memoranda

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(b)(3) CIAAct

September 23, 2009

Page Four

or report materials in the Committee's office spaces or other locations. These stringent safeguards should address the CIA's concerns about the sensitivity of the information.

(U) Thank you for both your letters and the productive discussions you have had with staff to prioritize materials for the Committee to review. I look forward to continue to work with you in the future.

Sincerely,

(b)(6)

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Attachment

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**FAX COVER SHEET**

**Central Intelligence Agency**



**Washington, DC 20505**

**7 February 2014**

<b>To:</b>	<b>DOJ Command Center for DAAG George Toscas, National Security Division</b>	
<b>Organization:</b>	<b>U.S. Department of Justice</b>	
<b>Phone:</b>	(b)(6)	
<b>Fax:</b>		
<b>From:</b>	(b)(3) CIAAct	
<b>Organization:</b>	(b)(3) CIAAct	
<b>Phone:</b>	(b)(3) CIAAct	
<b>Fax:</b>		

**Number of pages (including cover sheet): 5**

**Comments: (U//FOUO) Please hold for pick up by Mr. Toscas.  
Thank you.**

**NOTICE TO RECIPIENT**

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UNCLASSIFIED//~~FOUO~~CENTRAL INTELLIGENCE AGENCY  
Washington, D.C. 20505

General Counsel

7 February 2014

The Honorable Eric Holder  
Attorney General  
Department of Justice  
Washington, D.C. 20530

ATTENTION: Mr. George Toscas  
Deputy Assistant Attorney General  
National Security Division

Re: Crimes Referral

Dear Mr. Attorney General:

(U//~~FOUO~~) I am writing to you pursuant to Section 1.6(b) of Executive Order 12333, as amended, and Sections VI.B, VII.A.4, and VIII.A of the 1995 Crimes Reporting Memorandum of Understanding between the Department of Justice and the Intelligence Community pertaining to the reporting of information concerning federal crimes ("the MOU").

(U//~~FOUO~~) The Central Intelligence Agency (CIA) has information relating to possible violations of a specified Federal criminal law by one or more individuals not employed by the CIA. Since the computer system on which these possible violations occurred contains highly classified information, I am reporting in accordance the procedure set forth in Section VIII.C of the MOU.

(U//~~FOUO~~) The following information provides a reasonable basis to conclude that a violation of 18 U.S.C. § 1030(a)(2)(B), a specified Federal criminal law, has occurred. This information derives from a limited security investigation that was suspended before completion; only a completed investigation would determine whether or not a violation occurred. There is a computer system or network ("system") located in a CIA facility. Certain non-employees have authorized access to a portion of that system. A "firewall" exists between the portion to which those non-employees have authorized access and the portion to which they do not have authorized access. There is a search tool on the system that allows the non-employees to conduct

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The Honorable Eric Holder,

searches to retrieve documents on their portion of the system. That search tool had a security vulnerability, now remedied, that could be exploited to allow non-employees to breach the firewall and retrieve documents on the part of the system to which they were not authorized access. An incomplete audit indicates that at least one non-employee exploited that vulnerability to retrieve a number of CIA documents on the portion of the system to which he or she did not have authorized access.

(U//~~FOUO~~) The information made available to me indicates that in the November 2010 timeframe, the non-employee conducted a search that appeared intended to reach into part of the computer system to which the non-employee did not have authorized access. In such a circumstance, the system was designed to bring up on the workstation screen a page that advised the non-employee was not authorized to access that document. This page, however, had the security vulnerability that has since been discovered and remedied. The security vulnerability was that the page also contained a "URL" that indicated where the document was located on the system and if an individual copied the URL and pasted it into the browser's address bar, the individual could gain access to the document, copy it, bring that copy across the firewall, and paste it into a folder on his or her side of the firewall. The information made available to me indicates the non-employee copied the URL, pasted it directly into the browser's address bar, and accessed the document.

(U//~~FOUO~~) The information made available to me further indicates that this non-employee repeated this activity numerous times in order to access, copy, and bring across the firewall CIA documents to which he or she did not have authorized access. If the system worked as designed, on each occasion, the non-employee would have received on the workstation screen a page informing him or her that he or she did was not authorized to access the document. This non-employee copied all of these documents into a file or folder on the portion of the system to which he or she had authorized access. Thereafter, at least four other non-employees accessed and printed these CIA documents on multiple occasions. It is not clear whether any of these other four non-employees may also have exploited the security vulnerability.

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UNCLASSIFIED//~~FOUO~~

The Honorable Eric Holder,

(U//~~FOUO~~) Some or all of the documents accessed by exploiting the security vulnerability contained the following banner:

*(U//~~FOUO~~) This classified document was prepared by the CIA Director's Review Group for Rendition, Detention, and Interrogation (DRG-RDI) for DRG-RDI's internal discussion purposes and should not be used for any other purpose, nor may it be distributed without express permission from DRG-RDI or CIA's Office of General Counsel. This document contains classified information derived from sensitive sources and methods, which may include, but may not be limited to, HUMINT, SIGINT, intelligence assets, other US Government agencies, and/or foreign governments and liaison services, and must be handled accordingly. This document also contains material protected by the attorney-client and attorney work-product privileges. Furthermore, this document constitutes deliberative work product, protected by the deliberative-process privilege, and is not a final, conclusive, complete, or comprehensive analysis of DRG-RDI or CIA. Rather, it was created to suit the needs of DRG-RDI, in support of informing senior Agency officers about broad policy issues. While every effort was made to ensure this document's accuracy, it may contain inadvertent errors. For this reason, and because this document selectively summarizes, draws inferences from, or omits information from the sources it cites, it should not be relied upon by persons outside DRG-RDI.*

(U//~~FOUO~~) At the request of the Director of the CIA, the CIA Inspector General (IG) opened a review into the actions of CIA employees who discovered the above information. On 30 January 2014, representatives of the IG discussed with the Criminal Division's Computer Crimes and Intellectual Property Section (CCIPS), information concerning possible violations of Title 18 U.S.C. §§ 1030 and 2511 by CIA employees. On 3 February 2014, the CIA IG's office issued crimes referral 2014-11718 to CCISP based in part on those discussions. The IG did not include in his crime referral any information regarding the potential criminal violation by the non-employees, deferring to the Agency to determine whether the information available met the standard to issue a crimes report on the non-employees.

(U//~~FOUO~~) As the Acting General Counsel, that determination was my responsibility under the MOU. As noted above, I have determined there is a reasonable basis to conclude

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~~UNCLASSIFIED//FOUO~~

The Honorable Eric Holder,

that a violation of 18 U.S.C. § 1030(a)(2)(B), a specified Federal criminal law, has occurred.

Sincerely

(b)(3) CIAAct

Acting General Counsel

copy to: Inspector General

~~UNCLASSIFIED//FOUO~~



~~SECRET//NOFORN~~

**Transcript of "Need to Know with D/CIA John Brennan"  
March 2014**

(U) (b)(3) CIAAct [redacted]; *Well, thank you Director Brennan for sitting down with What's News once again. We very much appreciate the opportunity.*

(b)(3) CIAAct

(U) **D/CIA Brennan:** Well, thank you [redacted] It's great to be able to have another chance to chat with you, as well as with the Agency as a whole.

(b)(3) CIAAct

(U) [redacted] *We've all seen the recent media coverage about the RDI program and CIA's relationship with the Senate. Can you tell us about this situation and what efforts are being made to improve relations with Congress?*

(U) **D/CIA:** Well, this is an issue of great importance to the Agency as well as to our Senate oversight committee, the SSCI. And, there are many different dimensions of this. There is the recent discussion and concern about what might have happened related to the computers that the SSCI has used to put together the report. This is something of great concern to me, as well as to the leadership of the committee, and we've had opportunities to talk about this. Which is the reason why, early on, I referred the matter to our Inspector General, because I need to understand exactly what the Agency did. And if the Agency did something wrong, and Agency officers did anything wrong, we will take appropriate action and hold ourselves to account.

(U) So, we need to get over this issue right now as far as what happened at the facility where the work is being done. But, as I said, the IG and Department of Justice are the appropriate authorities to take a look at this, in the first instance, and to try to determine some of the facts. And then, we have responsibility here at CIA to make sure that we take those facts into account, and take whatever follow-up actions necessary.

(U) The RDI report itself is the committee's multi-year effort to try to document, chronicle, and assess the rendition, detention, and interrogation program here at the Agency, that was closed down a number of years ago. But there is a strong feeling on the part of the committee, and certainly on some particular members, that there needs to be a public accounting of what happened. We have worked closely with the committee—I know there is a lot of speculation in the media that the Agency has sought to thwart the committee's investigation or the publication of the report—and that is not the case. These are difficult issues. The Agency, as I said in my note to the workforce, is frequently asked to do controversial things. So our actions are subject to great scrutiny, as they should be. But, what we need to do is to make sure that the report that comes out is going to be a fair and accurate portrayal of the program, our performance, where we fell short, as well as what might have been derived as a result of that interrogation program.

(U) So we'll work through this with the committees. I do look forward to getting this behind us. I look forward to being able to interact with the committee about its findings

(b)(3) NatSecAct

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and conclusions. And if there are any additional steps that the Agency needs to take to make sure that we keep our performance as strong as possible, we will do that. But, over the course of the last several years, we have already taken a number of steps—corrective actions—as a result of some of the internal reviews that we've done, Inspector General reports, and now with the committee's report. I'm hoping that we are going to be able to learn from the past, put this behind us, but then concentrate on all the issues that we face today, and in the future.

NR

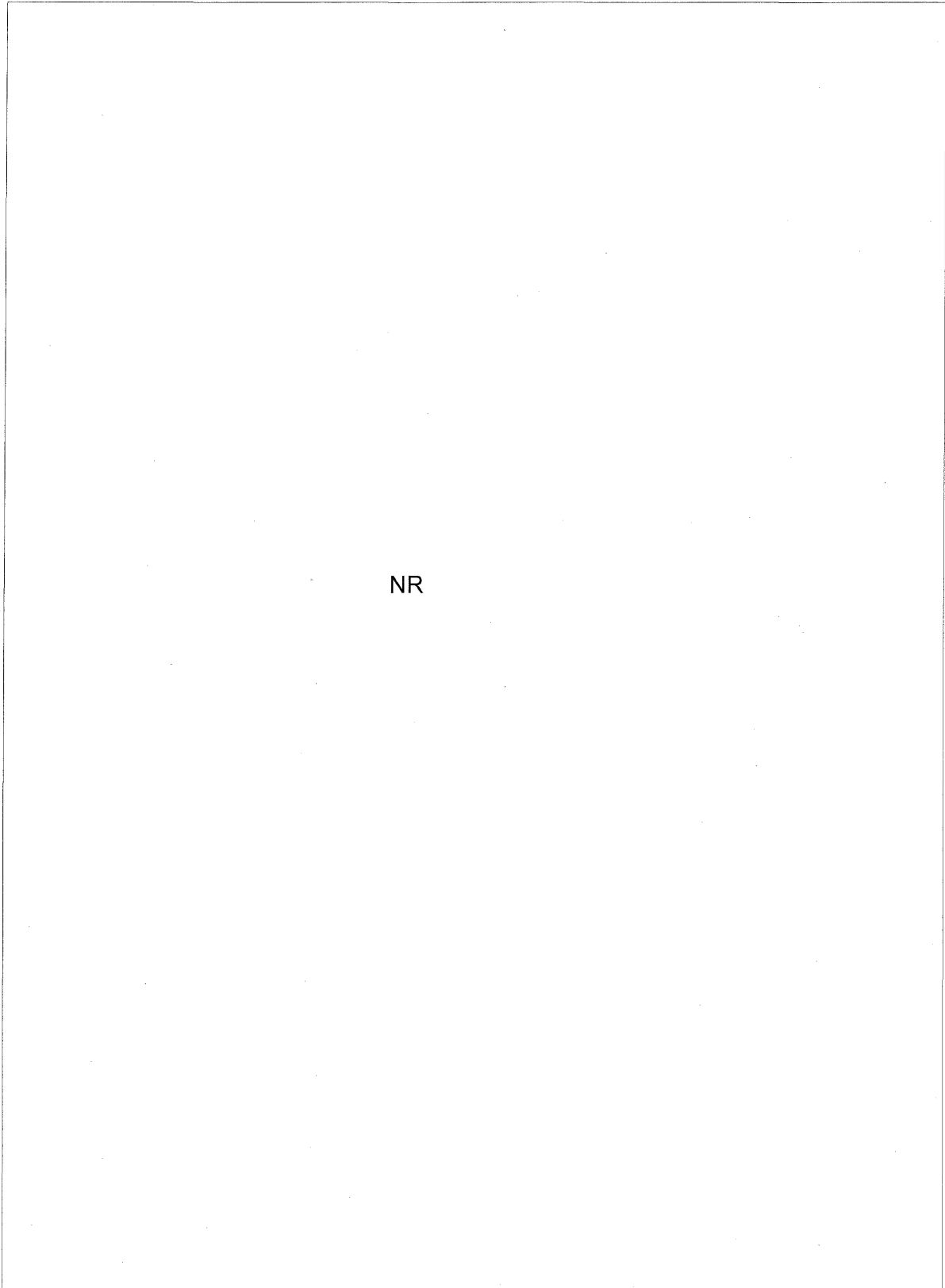
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NR

(b)(3) CIAAct//,  *thank you once again for sharing your thoughts with What's News.*  
(b)(3) CIAAct

(U) **D/CIA:** Well, thank you  for this opportunity. I really find it a very good opportunity to talk to you and to the workforce about issues of the day. And so I encourage folks who might be watching to give some ideas to *What's News*, and to you, about the issues that they would like to see addressed in upcoming opportunities to chat.

(U)  *We look forward to next month!* (b)(3) CIAAct

(U) **D/CIA:** Good. Thanks,  (b)(3) CIAAct

(U)  *Thank you.*

(b)(3) CIAAct

~~SECRET//NOFORN~~





(b)(3) CIAAct

**From:**

(b)(3) CIAAct

on behalf of OPA Notice

**Sent:**

Tuesday, March 11, 2014 4:13 PM

**To:**

(b)(3) CIAAct

**Subject:**

Message from the Director

Classification: UNCLASSIFIED  
=====

Colleagues,

In light of public assertions made earlier this morning by Senate Select Committee on Intelligence (SSCI) Chairman Dianne Feinstein, I feel compelled to share with you some information as well as my thoughts surrounding CIA's interaction with the SSCI in relation to the now-defunct Rendition, Detention and Interrogation (RDI) program. Attached is a letter I sent to Chairman Feinstein, Vice Chairman Chambliss, and the full SSCI Committee on 27 January 2014.

As I said earlier today in my remarks at the Council on Foreign Relations, CIA believes strongly in the necessity of effective, strong, and bipartisan Congressional oversight. We are a far better organization because of Congressional oversight, and as long as I am the Director of CIA, I will do whatever I can to be responsive to the elected representatives of the American people. To that end, CIA and the SSCI have been working for many months to resolve issues related to the Committee's RDI report.

CIA has more than enough current challenges on its plate, which is why, far more than any other institution of government, the CIA wants to put the rendition, detention, and interrogation chapter of its history behind it. The Agency's detention facilities have long been closed. President Obama officially ended the program five years ago, by which time the CIA had ceased its interrogation activities. Over the past decade, there have been numerous internal and external reviews of the program, and CIA has taken steps to address the shortcomings, problems, and performance deficiencies that became evident in those reviews.

As you know, the SSCI has conducted an extensive review of that program, a review that CIA has devoted considerable resources to supporting over the last several years. CIA has tried to work as collaboratively as possible with the Committee on its report. We will continue to do so, and I have talked extensively to Chairman Feinstein and Vice Chairman Chambliss about the report and the way forward. CIA agrees with many of the findings in the report, and we disagree with others. We have acknowledged and learned from the program's shortcomings, and we have taken corrective measures to prevent such mistakes from happening again. But we also owe it to the women and men who faithfully did their duty in executing this program to try to make sure any historical account of it is balanced and accurate. We have worked closely with the Committee to resolve outstanding issues, and we look forward to working with the Committee should it submit any portion of its report to us for classification review. Even as we have learned from the past, we must also be able to put the past behind us so that we can devote our full attention to the future.

As always, thank you for your outstanding service.

John

=====  
Classification: UNCLASSIFIED

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

27 January 2014

The Honorable Dianne Feinstein  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

I am in receipt of your 23 January 2014 letter regarding our 15 January 2014 meeting. I wholeheartedly agree that the Executive and Legislative branches must respect the Constitution's separation of powers and that the events that led up to our meeting go not only to the heart of that respect, but also to the effectiveness and integrity of the oversight process. As I have noted in the past, I believe in and strongly support the necessity of effective Congressional oversight, while also desiring to protect the Executive branch's legitimate prerogatives. In order to give you a sense of my perspective on these developments, I have outlined them below and propose a possible path forward. In short, I believe your idea of some sort of independent review is worth exploring, as it is my hope that we can find a way to address these events in a mutually satisfactory way that respects the very separation of powers principles we both seek to uphold.

As I relayed to you and Vice Chairman Chambliss during our 15 January meeting, I recently received information suggesting that sensitive CIA documents that were the subject of a pending request from the Committee may have been improperly obtained and/or retained on the SSCI staff side of a CIA local area network, which was set up exclusively for the Committee's RDI review and which contains highly classified information. Consequently, I asked for a meeting with you and the Vice Chairman as soon as possible to share that information and to discuss the need for a review of the system in order to assess what happened. As we know, both branches have taken great care to establish an accommodation regarding the Committee's access to Executive branch information on the RDI program, and we need to ensure that what is shared is as agreed between the branches. At the same time, and most importantly, if the integrity of our network is flawed, we must address the security problem immediately.<sup>1</sup>

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<sup>1</sup> To ensure we have a common understanding of the agreement governing the SSCI staff's access to and use of a portion of the relevant CIA facility's network, I will transmit under separate classified cover a copy of the agreed-upon Standard Operating Procedures, a copy of the materials used in

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The Honorable Dianne Feinstein

During our 15 January meeting, I explained how it came to our attention that these documents were on the SSCI staff side of the network. As I indicated, recent statements made by Committee staff suggested they had in their possession a document that you requested in a 26 November 2013 letter. In your correspondence, you asked for "several summary documents" from what you termed an "internal review" of the CIA RDI program initiated by Director Panetta that purportedly came to conclusions similar to those contained in the Committee's study on the RDI program. Senator Udall made a similar reference to, and a request for, these materials during the open hearing on Caroline Krass's nomination to be the CIA's General Counsel. Senator Udall repeated his request for these documents in a 6 January 2014 letter that he wrote to the President. In response, I explained to both you and Senator Udall that these requests raised significant Executive branch confidentiality interests and outlined the reasons why we could not turn over sensitive, deliberative, pre-decisional CIA material. These documents were not created as part of the program that is the subject of the Committee's oversight, but rather were written in connection with the CIA's response to the oversight inquiry. They include a banner making clear that they are privileged, deliberative, pre-decisional CIA documents, to include attorney-client and attorney work product. The Executive branch has long had substantial separation of powers concerns about congressional access to this kind of material.

CIA maintains a log of all materials provided to the Committee through established protocols, and these documents do not appear in that log, nor were they found in an audit of CIA's side of the system for all materials provided to SSCI through established protocols. Because we were concerned that there may be a breach or vulnerability in the system for housing highly classified documents, CIA conducted a limited review to determine whether these files were located on the SSCI side of the CIA network<sup>2</sup> and reviewed audit data to determine whether anyone had accessed the files, which would have been unauthorized. The technical personnel conducting the audit review were asked to undertake it only if it could be done without searching audit data relating to other files on the SSCI side of CIA's network. That review by IT personnel determined that the documents that you and Senator Udall were

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the security briefing given to all Committee staff granted access to the CIA network, and other relevant documents.

<sup>2</sup> The system is designed to preclude looking for file names across the entire network, thus precluding a single "network wide" review. Thus, absent finding and exploiting a vulnerability, the CIA personnel working on the RDI review should not be able to access any information on the SSCI side, and the SSCI staff working on the RDI review should not be able to access any information on the CIA side of the network.

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The Honorable Dianne Feinstein

requesting appeared to already be on the SSCI staff side of CIA's local area network and had been accessed by staff. Only completion of the security review will answer how SSCI staff came into possession of the documents. After sharing this information with you and explaining that I did not know how the materials would have appeared on the SSCI staff side of the network, I requested that you return any copies of these highly sensitive CIA documents located either in the Committee reading room at the CIA facility or in the Committee's own offices. You instructed your staff director to collect and provide to you any copies of the documents. I informed you that I had directed CIA staff to suspend any further inquiry into this matter until I could speak with you.

I stated that I had asked for the meeting because I wanted Committee leadership to be fully aware of what had been brought to my attention before I directed the appropriate IT personnel to begin a full computer security review. I informed you that the staff who would conduct the security review would need to conduct computer forensics on the CIA documents that appear to be on the SSCI side of the system. I further informed you that the individuals assigned to conduct this security review would be "walled off" from the CIA personnel who have been involved in reviewing the Committee's study on the RDI program in order to protect the SSCI's legitimate equities in its deliberative materials and work product.

I made clear during our meeting that I wanted to conduct this security review with your consent and, furthermore, that I welcomed the participation of the Committee's Security Director in this effort. You informed me that you were not aware that the Committee staff already had access to the materials you had requested in your letter. Soon after our meeting, you requested by letter that I suspend any investigation or further access to the computers or computer networks until you could consider the matter further. You also pledged in your letter that SSCI staff would not access those computers or computer networks for this same period. I reached you by telephone the next day to inform you that the CIA would temporarily suspend the security review in light of your request. I trust that you continue to believe that Committee staff should not access any of the computers on CIA's local area network while we work through this matter.

As I stated in our meeting, the existence of these sensitive Executive branch documents on the SSCI side of the CIA facility network--all of which were created outside the agreed time period for document production--raises significant concerns about the integrity of a highly classified CIA computer system and whether the protocols developed between the SSCI and the CIA in relation to CIA files are being followed. You indicate in your most recent

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The Honorable Dianne Feinstein

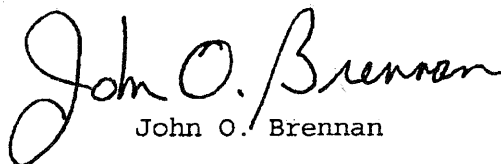
letter that these documents were provided to Committee staff at the CIA-leased facility, but, as I noted above, we have no record of having done so under the process by which we have regularly provided documents.

As I noted at our meeting, this is a very serious matter, and it is important that both the CIA and the Committee get to the bottom of what happened. We should be able to do this in a way that preserves our institutional equities.

I renew my invitation to have the Committee's security officer fully participate with CIA security professionals in a security review of the local area network dedicated to the RDI study. Your 23 January letter indicates that an independent review of these events also may be appropriate. I would welcome an independent review that explores CIA's actions and how these documents came to reside on the Committee's side of the CIA facility network. If you are amenable, I will have my Acting General Counsel reach out to the Committee's Majority and Minority Counsel to discuss options for such an independent review.

However we proceed, the security review must be completed in a timely manner. It is imperative to learn whether or not a breach or vulnerability exists on this network and was exploited. I trust that you share my concerns and that we can work together to carry out a security review that answers these important questions while respecting the important separation of powers concerns of both branches.

Sincerely,



John O. Brennan

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National  
Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

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ADN



Director John O. Brennan



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### Remarks at the Council on Foreign Relations (As prepared)

3/11/2014

It is a pleasure to be back at the Council on Foreign Relations and to see so many familiar faces. I would like to thank Richard Haas for inviting me to speak to this very distinguished group, and I also thank Andrea Mitchell for lending her considerable knowledge and insight to our discussion.

Just over a year ago, I had the privilege of placing my hand on the very first printed copy of the Constitution—a draft edited and annotated by George Washington himself that is one of the most treasured items held in the National Archives. With my hand on that document, Vice President Biden swore me in as the 21st Director of the Central Intelligence Agency. I chose to take my oath on that precious piece of history as a clear affirmation of what the Constitution means to all of us at the Agency. We have no higher duty than to uphold and defend the rule of law as we strive every day to protect our fellow citizens.

Like so many things involving CIA, however, people read nefarious intentions into my decision to take my oath on an early draft of the Constitution that did not contain the Bill of Rights—our Constitution's first ten amendments. At the risk of disappointing any conspiracy theorists who might be here today, let me assure all of you that I, along with my CIA colleagues, firmly believe in and honor not only the Constitution but also the Bill of Rights, as well as all subsequent amendments to our Constitution. I just happen to be an ardent admirer of George Washington and of the historical foundations of our great country.

My first career at CIA began in 1980, so when I returned to the Agency last March, I was already well acquainted with its people and its mission. Having spent the previous four years at the White House, I also had the benefit of experiencing firsthand the enormous challenges confronting our policymakers as they deal with the myriad challenges our Nation faces in the 21st century.

As a result of the tremendous opportunities I was given over more than 30 years working on national security issues, I could see the Agency from outside as well as inside our headquarters in Langley, Virginia. I could see how the Agency's work informs policymaking, shapes our intelligence and security relationships with countries around the world, and, working with other departments and agencies in the US Government, helps keep our country safe from harm. And although I had plans to retire from government service at the conclusion of President Obama's first term in office, I was humbled by the opportunity to lead the Agency I was a part of for a quarter-century and, hopefully, to play a role in ensuring that the CIA's future is even more accomplished than its storied past.

So thank you for being here this morning, and I would like to offer a few brief comments before I address the many questions that are on your mind.

First of all, being CIA Director means that I have a front-row seat to the dynamic and often dangerous world stage. While I was at the White House, I often spoke publicly about the terrorist challenges we face as a Nation. After a year as CIA Director, I unfortunately remain convinced that the US Government and the American people will be dealing with terrorism in one form or another for many years to come, as too many individuals and groups remain inclined to use violence for political, ideological, or purported religious reasons.

And despite rampant rumors that the CIA is getting out of the counterterrorism business, nothing could be further from the truth. CIA's global mission, our intelligence collection, analysis, and covert action authorities and capabilities, as well as our extensive liaison relationships with intelligence and security services worldwide, will keep CIA on the frontlines of our counterterrorism efforts for many years to come.

At the same time, I fully expect CIA's role to evolve as the capabilities and the political will of our overseas partners continue to grow in the coming years. Building the capacity, enhancing the knowledge, and empowering the operations of our partners will be key to mitigating the terrorist threats that the world collectively faces in the decade ahead.

Similarly, the intelligence mission on the cyber front will evolve as well, as sovereign adversaries, criminal networks, terrorist organizations, and hacktivists explore new ways to do our country and our people harm via the digital domain—our planet's new and still relatively uncharted frontier.

Much of what makes cyber so challenging is that technology is changing so rapidly—and society along with it. In many respects, the world is transforming before our eyes, as more and more human activity migrates to the cyber/digital domain and more and more of our daily lives depend on that domain for social interactions, financial transactions, commerce, trade, communication, education, information, entertainment, and the list goes on.

But the fact remains that many technological and scientific advances have proved throughout history to be double-edged swords. The power of dynamite that can move mountains and pave the way for road networks, tunnels, and bridges also can bring destruction and death in the wrong hands. The irony of Alfred Nobel's two lasting legacies—the invention of dynamite and the world's most famous peace prize—is testament to both edges of the sword of technological advancement. Today, the websites and smartphones that enable Syrians to organize themselves against Assad's regime and show the world its brutality also help al-Qa'ida and other terrorist groups communicate as well as conduct terrorist attacks.

Recent events have brought into stark relief the national—indeed, the international—debate about the appropriate role of government, and specifically intelligence and law enforcement agencies, in this new cyber frontier that is clearly full of wonder and opportunity but also fraught with great risk.

(b)(3) CIAAct

9/10/2014

In the year since my return to CIA, technological advances and their profound implications for both the Agency I lead and the world we study have been very much on my mind. If I had the opportunity to start my career all over again, I believe I would start out as a data scientist or engineer in CIA's Directorate of Science and Technology. Like any other information-based and technology-enabled profession, intelligence is undergoing a profound transformation, and the women and men of our Science and Technology Directorate are tackling some truly fascinating issues head-on.

For example, we are looking at how we can protect the identities, activities, and missions of our clandestine officers. These are the officers who operate internationally on a daily basis yet increasingly have digital footprints from birth.

We are also looking at how we appropriately leverage the seemingly infinite amount of publicly available and not-so-publicly available information so that we can detect the threats to our national security and to the American people—all while staying true to those cherished principles of liberty, freedom, and privacy upon which our great country was founded. As someone who bears at least partial responsibility for keeping my fellow Americans safe, these are the challenges and the questions that truly hurt my head.

As challenging as counterterrorism and operating in the cyber domain are, they are but two of the many issues that CIA and the rest of the Intelligence Community have to follow. Since returning to government in 2009, the number of issues of major significance to US national security interests demanding constant attention from both policymakers and intelligence officers has been staggering.

The political turmoil and upheaval attendant to the so-called Arab Spring has fundamentally changed the political and social landscapes in Tunisia, Libya, Egypt, and Yemen. The tremendous loss of life, the humanitarian disaster, and destruction of some of the world's most beautiful ancient cities in Syria is nothing short of a modern-day catastrophe. The political dynamics underway in Iraq, Iran, Afghanistan, North Korea, Venezuela, South Sudan, and the Central African Republic, among others, reflect internal tensions, economic stress, sectarian conflicts, and global ambitions. And Russian and Chinese strategic pursuits, in both their near and far abroad, demand the constant attention and vigilance of our national security experts.

Ukraine provides a real-life example of why it is so important to preserve our intelligence capability to stay on top of world events in their totality, rather than just a few key issues. Over the past several months, the CIA and its Intelligence Community partners have closely followed events in Ukraine, keeping policymakers informed of unfolding developments on the ground, scenarios for escalating tensions, and options available to Ukrainian, Russian, and other world leaders.

Now I know that many would like the CIA to predict the future—answering questions such as “will Crimea secede and be annexed by Russia” and “will Russian forces move into Eastern Ukraine.” But the plain and simple truth is that, with virtually all events around the globe, future events—including in Ukraine—are shaped by numerous variables and yet-to-happen developments as well as leadership considerations and decisions. While we do not have a crystal ball, it is our responsibility to identify those variables and considerations and to point to the key drivers that will ultimately determine future events.

Let me conclude by offering a few final words about CIA as a learning organization. We were born in 1947 as the Cold War was just getting underway. Over the past 67 years we have had the great fortune to play a role in helping keep this country great and its people safe. And while we are exceptionally proud of the work we do, we have not been a perfect organization—far from it. We have made mistakes, more than a few, and we have tried mightily to learn from them and to take corrective actions whenever and wherever appropriate.

It is no secret that many of the things that the Agency has done over the years—things that it was asked to do, that it was directed to do, that it alone had the authority and responsibility to do—remain subjects of intense scrutiny, debate, and controversy. The rendition, detention and interrogation program of nearly a decade ago is a case in point.

Now, there have been many things written and many things said—some fact and some pure fiction—about the CIA's views and actions related to the Senate Select Committee's Report on the RDI program. So I want to take this opportunity to say two things:

First, my CIA colleagues and I believe strongly in the necessity of effective, strong, and bipartisan Congressional oversight. We are a far better organization because of Congressional oversight, and as long as I am the Director of CIA, I will do whatever I can to be responsive to the elected representatives of the American people. Our Congressional overseers ask us the tough questions, hold our feet to the fire, and work every day to ensure that American taxpayer dollars are being spent effectively and efficiently to keep our country strong. Most importantly, they work to ensure that the CIA and other intelligence organizations are carrying out their responsibilities and activities in full accordance with the law. I don't always agree with them—and we frequently have what I would call “spirited” and even “sporty” discussions—but I believe we are fulfilling our respective Executive Branch and Legislative Branch roles.

Second, the CIA has more than enough current challenges on its plate, which is why—far more than any other institution of government—the CIA wants to put the rendition, detention, and interrogation chapter of its history behind it. The Agency's detention facilities have long been closed. President Obama officially ended the program five years ago, by which time the CIA had ceased its interrogation activities. Over the past decade, there have been numerous internal and external reviews of the program, and the CIA has taken steps to address the shortcomings, problems, and performance deficiencies that became evident in those reviews.

The Senate Select Committee on Intelligence has conducted an extensive review of that program, a review that CIA has devoted considerable resources to supporting over the last several years. CIA has tried to work as collaboratively as possible with the Committee on its report. We will continue to do so, and I have talked extensively to Chairman Feinstein and Vice Chairman Chambliss about the report and the way forward.

CIA agrees with many of the findings in the report, and we disagree with others. We have acknowledged and learned from the program's shortcomings, and we have taken corrective measures to prevent such mistakes from happening again. But we also owe it to the women and men who faithfully did their duty in executing this program to try to make sure any historical account of it is balanced and accurate. We have worked closely with the Committee to resolve any outstanding issues, and we look forward to working with the Committee should it submit any portion of its report for classification review. Even as we have learned from the past, we must also be able to put it behind us so that we can devote our full attention to the challenges ahead.

I arrived at CIA in 1980 fresh out of graduate school and was sworn in as a GS-9 officer, never believing in my wildest dreams that one day I would have the honor and privilege of leading the courageous, dedicated, and exceptionally talented women and men of CIA. Now, as CIA Director, I go down to the main lobby at our Headquarters in Langley once a month to administer the oath of office to our newest employees.



I am always struck by the quality of these women and men. Many speak several languages. Some have already had successful careers in the private sector and now want to give something back to their country. For all of them, this moment is the culmination of years of hard work, and you can see the enthusiasm in their eyes: They look focused, confident, and eager to make a difference.

As I watch them raise their right hands, I feel an extraordinary sense of obligation to these officers. They have chosen a profession that is filled with great rewards, but also steep challenges—and, sometimes, grave danger. It is my job to prepare them for it. And from day one, I want them to understand that they are joining more than an organization; they are also joining a tradition of service and sacrifice unlike any other.

For this reason, I always administer the oath of office in front of our Memorial Wall. There are 107 stars on that wall, each one representing an Agency hero who made the ultimate sacrifice on behalf of our Nation. And I emphasize that we all have a responsibility to remember the officers and the sacrifices represented by those stars, and to carry on their work in a way that would make them proud.

I am sharing this with you because it underscores a defining trait of CIA: our profound commitment to one another and to the Nation we serve.

For more than six decades, the women and men of CIA have devoted themselves to protecting our Nation and to advancing American interests around the globe. Their contributions often go unrecognized, but let there be no doubt that CIA officers are essential to the strength and security of our Republic.

Thank you, and I look forward to taking your questions.

Content Type: Item  
Created at 3/11/2014 12:52 PM by [redacted]  
Last modified at 8/1/2014 10:42 AM by (b)(3) CIAAct

Close

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(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]  
**Sent:** Tuesday, June 09, 2009 6:55 PM  
**To:** (b)(3) CIAAct  
**Subject:** RE: Fax (b)(6)

(b)(3) CIAAct

Thanks for the note. We'll get back to you as soon as we can.

**From:** (b)(3) CIAAct @ucia.gov]  
**Sent:** Tuesday, June 09, 2009 6:53 PM  
**To:** (b)(6)  
**Subject:** RE: Fax

(b)(6) - We are very very close. I have one edit and one definition. I think I am pretty safe in discussing the two issues via this venue. If you are okay with these two things, then we have an agreement.

Both pertain to the second ticked para.

We would like the first sentence of the second ticked para to read as follows: "Prior to leaving the RR with any materials containing any operational information, including that covered in..." Our feeling is this; we are not interested in your thoughts, opinions, assessments, points of view, strategies, etc. If you have notes that have only that information in them, we are not interested in seeing them. If, however, you have taken any notes based on the operational material, it is within our purview to review those notes. We will rely on the honor of each staff member to identify those notes to our officers for redaction.

Lastly in terms of "walling-off" the redactions of Committee notes from the rest of our organizations activities, we believe necessary that we define that as walling off the redaction activities of the DRG-RDI from the rest of our organizations activities. In other words, we cannot simply identify five people in RDI who will not speak with anyone else. We have to define it as RDI not speaking to anyone else. As your review gets going, hours will get long, hours will be odd, weekends will be worked. We are prepared to provide the ability for you to work those hours, but we may not have the same people within RDI doing the redactions. I may have weekend duty at times or be the only available at 8pm on a weekday...so I will do the redactions if needed. One of our younger redactors may have a question about whether he should or should not redact something. He has to have the ability to go to a manager and ask. What we can assure you is that nothing that our officers within RDI view in conjunction with the redaction effort will be discussed with anyone who is not a member of the RDI. I don't think any change in the letter you sent to us warranted; however, in the spirit of transparency I want you to understand that this is how we will define it.

If you are good with the edit and the definition, then we have an agreement.

If you are good with this and notify me tonight...I will proceed to drink enough alcohol to become comfortably numb.

(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]  
**Sent:** Tuesday, June 09, 2009 4:45 PM  
**To:** (b)(3) CIAAct  
**Subject:** Fax

(b)(3) CIAAct

We sent over a fax to encapsulate the conversations I've been having w/ (b)(3) CIAAct. It's not marked DRAFT, but once you are able to review it and (hopefully) agree, we can send over something a little more formal.

I'll be around for a while tonight, so please let me know when you have a chance to read what we sent.

(b)(6)

Senate Select Committee on Intelligence

(b)(6)

@ssci.senate.gov

~~CONFIDENTIAL~~

To: (b)(3) CIAAct

From: (b)(6)

Date: June 9, 2009

During our discussions following the exchange of letters between Chairman Feinstein and Vice Chairman Bond and Director Panetta on June 2 and June 4, we believe that, subject to the points below, there is agreement on the access by Members and staff of the Senate Select Committee on Intelligence (SSCI or "the Committee") to unredacted, sensitive CIA documents pertaining to the Committee's study of CIA detention and interrogation. In addition to, or to clarify, points in the previous two letters, we understand the agreement to be that:

- SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites; or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services.

- Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. CIA's review of Committee information for redaction or replacement purposes will be "walled-off" from all other CIA activities.

- It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations.

- The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No information resulting from the Committee's study will be publicly released prior to a determination by the CIA, or if applicable the DNI, that such information is unclassified.

- Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities.

We look forward to gaining the access to the operational documents necessary for the study and appreciate your work on reaching this agreement.

~~CONFIDENTIAL~~



~~CONFIDENTIAL~~

To: (b)(3) CIAAct

From: (b)(6)

Date: June 9, 2009

During our discussions following the exchange of letters between Chairman Feinstein and Vice Chairman Bond and Director Panetta on June 2 and June 4, we believe that, subject to the points below, there is agreement on the access by Members and staff of the Senate Select Committee on Intelligence (SSCI or "the Committee") to unredacted, sensitive CIA documents pertaining to the Committee's study of CIA detention and interrogation. In addition to, or to clarify, points in the previous two letters, we understand the agreement to be that:

- SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites; or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services.

- Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. CIA's review of Committee information for redaction or replacement purposes will be "walled-off" from all other CIA activities.

- It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations.

- The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No information resulting from the Committee's study will be publicly released prior to a determination by the CIA, or if applicable the DNI, that such information is unclassified.

- Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities.

We look forward to gaining the access to the operational documents necessary for the study and appreciate your work on reaching this agreement.

~~CONFIDENTIAL~~

(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]

**Sent:** Tuesday, June 09, 2009 6:55 PM

**To:** (b)(3) CIAAct

**Subject:** RE: (b)(6)

(b)(3) CIAAct

Thanks for the note. We'll get back to you as soon as we can.

**From:** (b)(3) CIAAct @ucia.gov]

**Sent:** Tuesday, June 09, 2009 6:53 PM

**To:** (b)(6)

**Subject:** RE: Fax

(b)(6) We are very very close. I have one edit and one definition. I think I am pretty safe in discussing the two issues via this venue. If you are okay with these two things, then we have an agreement.

Both pertain to the second ticked para.

We would like the first sentence of the second ticked para to read as follows: "Prior to leaving the RR with any materials containing any operational information, including that covered in..." Our feeling is this; we are not interested in your thoughts, opinions, assessments, points of view, strategies, etc. If you have notes that have only that information in them, we are not interested in seeing them. If, however, you have taken any notes based on the operational material, it is within our purview to review those notes. We will rely on the honor of each staff member to identify those notes to our officers for redaction.

Lastly in terms of "walling-off" the redactions of Committee notes from the rest of our organizations activities, we believe necessary that we define that as walling off the redaction activities of the DRG-RDI from the rest of our organizations activities. In other words, we cannot simply identify five people in RDI who will not speak with anyone else. We have to define it as RDI not speaking to anyone else. As your review gets going, hours will get long, hours will be odd, weekends will be worked. We are prepared to provide the ability for you to work those hours, but we may not have the same people within RDI doing the redactions. I may have weekend duty at times or be the only available at 8pm on a weekday...so I will do the redactions if needed. One of our younger redactors may have a question about whether he should or should not redact something. He has to have the ability to go to a manager and ask. What we can assure you is that nothing that our officers within RDI view in conjunction with the redaction effort will be discussed with anyone who is not a member of the RDI. I don't think any change in the letter you sent to us warranted; however, in the spirit of transparency I want you to understand that this is how we will define it.

If you are good with the edit and the definition, then we have an agreement.

If you are good with this and notify me tonight...I will proceed to drink enough alcohol to become comfortably numb.

(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]

**Sent:** Tuesday, June 09, 2009 4:45 PM

**To:** (b)(3) CIAAct

**Subject:** Fax

6/9/2009



~~(b)(3) CIAAct~~

We sent over a fax to encapsulate the conversations I've been having w/ (b)(3) CIAAct. It's not marked DRAFT, but once you are able to review it and (hopefully) agree, we can send over something a little more formal.

I'll be around for a while tonight, so please let me know when you have a chance to read what we sent.

(b)(6)

Senate Select Committee on Intelligence

(b)(6)

6/9/2009

(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]  
**Sent:** Tuesday, June 09, 2009 6:55 PM  
**To:** (b)(3) CIAAct  
**Subject:** RE: f(b)(6)

(b)(3) CIAAct

Thanks for the note. We'll get back to you as soon as we can.

**From:** (b)(3) CIAAct @ucia.gov]  
**Sent:** Tuesday, June 09, 2009 6:53 PM  
**To:** (b)(6)  
**Subject:** RE: Fax

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(b)(3) CIAAct

**From:** (b)(6) @ssci.senate.gov]  
**Sent:** Tuesday, June 09, 2009 4:45 PM  
**To:** (b)(3) CIAAct  
**Subject:** Fax

6/9/2009

(b)(3) CIAAct

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I'll be around for a while tonight, so please let me know when you have a chance to read what we sent.

(b)(6)

Senate Select Committee on Intelligence

(b)(6)

6/9/2009

~~CONFIDENTIAL~~

## MEMORANDUM

(b)(3) CIAAct

To: [REDACTED]

From: [REDACTED]

Date: June 10, 2009

(b)(6)

During our discussions following the exchange of letters between Chairman Feinstein and Vice Chairman Bond and Director Panetta on June 2 and June 4, we believe that, subject to the points below, there is agreement on the access by Members and staff of the Senate Select Committee on Intelligence (SSCI or "the Committee") to unredacted, sensitive CIA documents pertaining to the Committee's study of CIA detention and interrogation. In addition to, or to clarify, points in the previous two letters, we understand the agreement to be that:

- SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites; or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services.
- Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide the relevant portion of those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. The review of Committee notes will be solely for the purpose of redaction or replacement and CIA will not discuss or share the contents of the notes for any other purpose.
- It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations.
- The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No information resulting from the Committee's study will be publicly released prior to a determination by the CIA, or if applicable the DNI, that such information is unclassified.
- Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities.

We look forward to gaining the access to the operational documents necessary for the study and appreciate your work on reaching this agreement.

~~CONFIDENTIAL~~

UNCLASSIFIED

(b)(6)  
@ssci.senate.  
gov>

To (b)(3) CIAAct @ucia.gov>  
(b)(6) @ssci.senate.gov>  
cc (b)(3) CIAAct @ucia.gov>  
@ucia.gov>  
bcc @ucia.gov>

06/10/2009 12:34 PM

Subject [AIN] RE: Memorandum Dated 10 Jun 2009

Please respond to  
(b)(6)  
@ssci.senate.  
gov>

CLASSIFICATION: UNCLASSIFIED

(b)(3) NatSecAct

(b)(3) CIAAct

Thank you, [redacted] and to others at the Agency who helped get us to the agreement.

(b)(6)

**From:** (b)(3) CIAAct @ucia.gov]  
**Sent:** Wednesday, June 10, 2009 12:31 PM  
**To:** (b)(6)  
**Cc:** @ucia.gov @ucia.gov @ucia.gov (b)(3) CIAAct  
**Subject:** Memorandum Dated 10 Jun 2009

On behalf of the Agency, I agree to the terms as outlined in your fax to us dated 10 Jun 2009. Unredacted material will be made available to the members of your staff at your convenience. Thanks. -(b)(3) CIAAct

UNCLASSIFIED



**SECRET****STANDARD OPERATING PROCEDURES FOR SSCI REVIEW**

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1. The CIA will provide all Members of the Committee and up to 15 Committee staff (in addition to our staff director, deputy staff directors, and counsel) with access to unredacted responsive information. In addition, additional cleared staff may be given access to small portions of the unredacted information for the purpose of reviewing specific documents or conducting reviews of individual detainees. These Committee staff have or will have signed standard Sensitive Compartmented Information non-disclosure agreements for classified information in the  compartment. (Ref A)

(b)(1)  
(b)(3) NatSecAct

2. CIA will make unredacted responsive operational files, as that term is defined in Section 701(b) of the National Security Act of 1947 (50 USC 431(b)), available at a secure Agency electronic Reading Room facility which will permit Committee staff electronic search, sort, filing, and print capability. (Ref A)
3. If responsive documents other than those contained in the operational files identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms, or pseudonyms, CIA will provide unredacted copies of those documents at the Reading Room. (Ref A)
4. Responsive documents other than those contained in operational files that do not identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms or pseudonyms will be made available to the Committee in the Committee's Sensitive Compartmented Information Facility (SCIF), unless other arrangements are made. (Ref A)
5. CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter. Therefore, CIA access to the walled off network share drive will be limited to CIA information technology staff, except as authorized by the Committee or its staff. CIA would like to clarify, however, that unlike the walled-off network share drive, the stand alone network must be accessed by CIA staff assigned to this effort to perform a variety of tasks, including, for example, loading and organizing the raw responsive data requested by the Committee and review or redaction of material sought to be removed from the Reading Room. (Ref B)
6. Any documents generated on the network drive referenced in paragraph 5, as well as any other notes, documents, draft and final recommendations, reports, or other materials generated by the Committee staff or Members, are the property of the Committee and will be kept at the Reading Room solely for secure safekeeping and ease of reference. These documents remain congressional records in their entirety and disposition and control over these records, even after completion of the Committee's review, lies exclusively with the Committee. As such, these records are not CIA records under the Freedom of Information Act or any other

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law. The CIA may not integrate these records into its records filing systems, and may not disseminate or copy them, or use them for any purpose without the prior written authorization of the Committee. The CIA will return the records to the Committee immediately upon request in a manner consistent with paragraph 11. If the CIA receives any request or demand for access to these records from outside the CIA under the Freedom of Information Act or any other authority, the CIA will immediately notify the Committee and will respond to the request or demand based upon the understanding that these are Congressional, not CIA, records. (Ref A)

7. CIA will provide the Committee with lockable cabinets and safes, as required, in the Reading Room. (Ref A)
8. If Committee staff identifies CIA-generated documents or materials made available in the Reading Room that staff would like to have available in the Committee SCIF, the Committee will request redacted versions of those documents or materials in writing. Committee staff will not remove such CIA-generated documents or materials from the electronic Reading Room facility without the agreement of CIA. (Ref A)
9. CIA intent is to keep all of the operational cables at the Reading Room. If Members or staff wish to remove any of the operational cables from the Reading Room, we will consider those requests on a case by case basis, and we will work to accommodate your requirements. (Ref B)
10. SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites, or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services. (Ref C)
11. Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. CIA's review of Committee information for redaction and replacement will be "walled off" from all other CIA activities. (Ref C)
12. It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations. (Ref C)
13. The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No

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information resulting from the Committee's study will be publicly released prior to determination by the CIA, or if applicable the DNI, that such information is unclassified. (Ref C)

14. Any notes, documents, draft and final recommendations, reports or other materials prepared by Committee members or staff based on information accessed in the Reading Room will be prepared and stored on TS/SCI systems. Such materials will carry the highest classification of any of the underlying source materials. If the Committee seeks to produce a document that carries a different classification than the underlying source material, the Committee will submit that document to CIA, or if appropriate to the DNI, for classification review, and if necessary, redaction. (Ref A)
15. Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities. (Ref C)
16. The Reading Room will be available from 0700 to 1900 hours, official government business days, Monday through Friday. If Committee staff requires additional time or weekend work is required, Committee staff will make arrangements with CIA personnel with as much advance notice as possible. (Ref A)
17. The Committee will memorialize any requests for documents or information in writing and CIA will respond to the requests in writing. (Ref A)
18. All Committee staff granted access to the Reading Room shall receive and acknowledge receipt of a CIA security briefing prior to reviewing CIA documents at the Reading Room. (Ref A)

#### REFERENCES

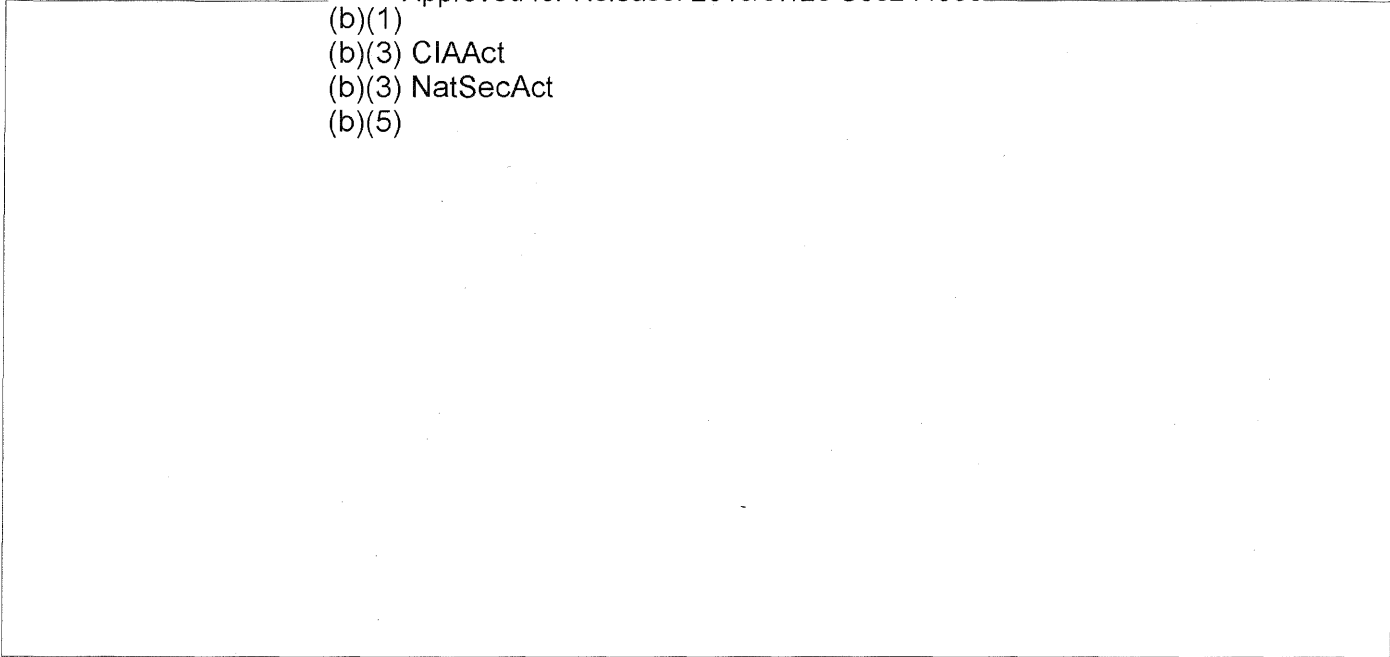
- A. Letter from Senators Feinstein and Bond to D/CIA Panetta dated 2 Jun 2009
- B. Letter from D/CIA Panetta to Senators Feinstein and Bond dated 4 Jun 2009
- C. Memo from (b)(6) and (b)(6) (b)(3) CIA Acted 9 Jun 2009

~~SECRET~~



(b)(1) Approved for Release: 2015/07/20 C06244036  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)



~~TOP SECRET//NOFORN~~



DS/(b)(3) CIAAct  
**Cyber Blue Team Executive Summary:**  
**(b)(3) CIAAct AIN S Drive Directory**



Cyber Blue Team COPS: (b)(3) CIAAct  
Cyber Blue Team Task Lead: (b)(3) CIAAct

2014-01-15

**(U) By the Numbers:**

- (U//FOUO) There are [redacted] active AIN users

(b)(3) NatSecAct

~~(TS//NF)~~ **Tasking:** In preparation for an upcoming CBT event focusing on Share Drive security, CBT member (b)(3) CIAAct conducted reconnaissance on the contents of the AIN S Drive.

**Task ID:** 86  
**CBT Status:** Complete  
**C&A Number:** N/A

**(U) Significant Findings and Recommended Mitigations:**

[redacted]  
(b)(1)  
(b)(5)  
(b)(7)(e)

**(U) Next Steps:**

[redacted]  
(b)(1)  
(b)(7)(e)

(b)(3) NatSecAct

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Template Version: 2.5

~~TOP SECRET~~ [ ] ~~NOFORN~~

(b)(3) NatSecAct

**Known Information**

- Data Ingestion

(b)(3) NatSecAct  
(b)(7)(e)

- Data Review

(b)(3) NatSecAct  
(b)(7)(e)

- How this happened

- Congressional user was able to directly navigate to shared directory and access documents prior to their review

(b)(3) CIAAct

- Review of [ ] audit data, this is first seen by 1 user (IDEN A) on 9 November 2010

(b)(1)  
(b)(7)(e)

- Congressional users copied data to another shared directory for peers to access

(b)(3) CIAAct

(b)(3) NatSecAct

(b)(7)(e)

- 4 additional congressional users accessed the copied documents

[ ]

- Identified users are: IDEN B, IDEN C, IDEN D, IDEN E

- All congressional users have the ability to print accessible documents

- Information and findings of identified users

(b)(3) NatSecAct  
(b)(7)(e)

**Next Steps & Current Activities**

(b)(3) NatSecAct

~~TOP SECRET~~ [ ] ~~NOFORN~~

(b)(3) NatSecAct

~~TOP SECRET~~ [redacted] ~~NOFORN~~

- Current Actionable Steps (b)(3) CIAAct
  - CBT investigation leveraging [redacted] audit to determine the following (b)(3) NatSecAct (b)(7)(e)
    - Timeline of events
    - List of users [redacted]
    - List of documents that were copied from the shared directory and by whom
    - List of documents that were printed

**Pending Activities**

- Recommended test cases which require RDI Support

(b)(1)  
(b)(3) NatSecAct  
(b)(5)  
(b)(7)(e)

~~TOP SECRET~~ [redacted] ~~NOFORN~~  
(b)(3) NatSecAct

**From:** (b)(3) CIAAct  
**Sent:** Thursday, January 30, 2014 6:33 PM  
**To:** (b)(3) CIAAct  
**Subject:** RE: Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

Thank you (b)(3) CIAAct

**From:** (b)(3) CIAAct [redacted]@cia.ic.gov]  
**Sent:** Thursday, January 30, 2014 6:22 PM  
**To:** (b)(3) CIAAct [redacted]  
**Subject:** Fw: Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(b)(3) CIAAct

(b)(5)

----- Forwarded by (b)(3) CIAAct [redacted] on 01/30/2014 06:21 PM -----

~~CONFIDENTIAL~~

**From:** (b)(3) CIAAct [redacted]  
**Date:** 01/30/2014 06:06 PM

**Subject:** Fw: Preservation Notice  
**To:** (b)(3) CIAAct [redacted]  
**Cc:** Meroy S. Park [redacted]

This message is digitally signed.

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(b)(3) NatSecAct

Since the EXDIR is currently out of the building, I am forwarding for your attention and compliance the Inspector General's preservation notice relating to possible inappropriate access by CIA personnel to a computer network at the CIA [redacted]. To the extent you have any documents, information, records, or other material that fall within this notice, the notice directs that you preserve and maintain

(b)(3) CIAAct



them. If you are aware of anyone else in OEXDIR who may have materials responsive to this order, please provide them a copy of this notice.

----- Forwarded by (b)(3) CIAAct on 01/30/2014 06:03 PM -----

~~CONFIDENTIAL~~

(b)(3) CIAAct

Date: 01/30/2014  
04:33 PM

Subject: Preservation Notice

To: Meroe S. Park,

(b)(3) CIAAct

This message is digitally signed.

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(C) The Office of Inspector General has become aware of allegations of potential misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at the (b)(3) CIAAct which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net). As required by Section 17 of the CIA Act, these allegations have been referred to the Department of Justice. The Department of Justice has asked the CIA to preserve certain documents, information, records, and other materials, to the extent they exist, as detailed below. Due to the sensitive nature of this matter, we are sending the following preservation notice to a limited distribution of officers. We request you ensure all officers or contractors within your organizations that may have relevant information are made aware of this notice and that they preserve any documents, information, records or other material as required. Please maintain a list of any officers or groups you make aware of this notice.

(U//FOUO) Therefore, you are directed to preserve and maintain all documents, information, records, and other material falling under the below categories. Though you are directed to *preserve and maintain* all such documents, information, records, or other material, at this time it is not requested that you *produce* them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.

- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net

(b)(3) NatSecAct

[Redacted]

(b)(5)

(b)(7)(e)

- Any and all records related to the loading or removal of information from RDI-Net

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(U//~~FOUO~~) With respect to electronic records that are the subject of this request (including emails and instant messages), if you are going to be reassigned, please contact your Information Management Officer so that appropriate arrangements can be made to preserve your records before your reassignment.

(U//~~FOUO~~) If you are unsure whether certain materials should be preserved, err on the side of caution and preserve them. **Please contact Assistant Special Agent in Charge [Redacted] at [Redacted] if there is any doubt about whether any specific records are responsive to the order and before any possibly responsive records are deleted from any electronic information system.**

(b)(3) CIAAct

[Redacted]

(b)(3) CIAAct

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 Classification: ~~CONFIDENTIAL~~

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(b)(3) CIAAct  
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(b)(3) NatSecAct  
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(b)(3) NatSecAct

(b)(3) CIAAct

I was out of the office the first part of the week and I'm just picking this up now. As you know, given that I am pinch-hitting on this matter, I am doing the best I can to find records that are responsive to OIG's requests, but I'm somewhat constrained by my own lack of knowledge about how best to search for these records and my lack of access. Is it ok with you if I bring [redacted] in on this request? And may [redacted] and I sit down with you and/or [redacted] and [redacted] so we can be sure we are on the same page regarding what you are looking for and what we are able to do to try to find it? [redacted] and I are generally around the rest of this week. Given your deadline, the sooner the better.

(b)(3) CIAAct

Thanks,

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM  
**To:** (b)(3) CIAAct  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

As you are aware, we are doing an inquiry into the actions the Agency took in response to concerns that the SSCI staff may have improperly accessed certain documents. We are only looking into the Agency's actions not the conduct of the SSCI staff but obviously they are connected events. The concerns regarding the SSCI staff have

been referred to the Department of Justice.

In order to conduct our review, we are requesting any and all reports or other written reviews related to the monitoring of RDINet or any written documents relating to the Agency's reviews of suspected unauthorized activities on RDINet. We are also asking for copies of any written requests for or written guidance provided regarding such monitoring or reviews. Please provide these documents as soon as possible but preferably by 7 March 2014. Your assistance in this matter is very much appreciated. Please provide any responsive documents to either [redacted] or [redacted]. If you have any questions regarding this request, feel free to call either myself [redacted] or [redacted]. As always, thank you.

(b)(3) CIAAct

(b)(3) CIAAct

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(b)(5)

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

**Sent:** Thursday, March 06, 2014 7:52 AM  
**To:** [redacted] (b)(3) CIAAct  
**Cc:** [redacted] (b)(3) CIAAct  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

[redacted] (b)(3) NatSecAct

Good Morning

Yes, I realize that tomorrow not today is the 7<sup>th</sup>. I just wanted to remind everyone to send any document (b)(3) CIAAct and [redacted] as I will be out of the office for about a week starting at noon tomorrow. If you have a chance and could send me a note today on whether or not any responsive documents have been found and if there will be any problem getting them to us tomorrow, I would appreciate it. Again, thanks for your help with this. Hopefully it will all be sorted out in the near future once we can look through the documents.

(b)(3) CIAAct

**From:** [redacted] (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** [redacted] (b)(3) CIAAct  
**Cc:** [redacted]  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

[redacted] (b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.

(b)(3) CIAAct

**From:** [redacted] (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM  
**To:** [redacted] (b)(3) CIAAct  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

[redacted] (b)(3) NatSecAct

[redacted] (b)(3) CIAAct

As you are aware, we are doing an inquiry into the actions the Agency took in response to concerns that the SSCI staff may have improperly accessed certain documents. We are only looking into the Agency's actions not the conduct of the SSCI staff but obviously they are connected events. The concerns regarding the SSCI staff have been referred to the Department of Justice.

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(b)(3) CIAAct

(b)(3) CIAAct

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~



**From:** (b)(3) CIAAct  
**Sent:** Thursday, February 27, 2014 7:09 AM  
**To:** (b)(3) CIAAct  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry  
**Signed By:** (b)(3) CIAAct@cia.ic.gov

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

(b)(3) CIAAct

I saw [redacted] response so hopefully [redacted] will reach out to you. Just FYI, I intentionally phrased it as "preferably by" rather than "but no later than" because I likewise have no idea of how many records there may be or how challenging the searches may be. I would ask, and will let [redacted] and [redacted] know, that what folks come up with by 7 March get turned over to us then and if folks feel they have not done a complete search, they just continue with their efforts and provide anything new to us as it comes up. While I appreciate all of the folks who are trying to pull stuff together, most definitely appreciate all you have been doing since this got dumped on you and your insight into the history of RDI practices is very limited.

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Wednesday, February 26, 2014 6:00 PM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

I was out of the office the first part of the week and I'm just picking this up now. As you know, given that I am pinch-hitting on this matter, I am doing the best I can to find records that are responsive to OIG's requests, but I'm somewhat constrained by my own lack of knowledge about how best to search for these records and my lack of access. Is it ok with you if I bring [redacted] in on this request? And may [redacted] and I sit down with you and/or [redacted] and [redacted] so we can be sure we are on the same page

(b)(3) CIAAct

(b)(3) CIAAct

regarding what you are looking for and what we are able to do to try to find it? [redacted] and I are generally around the rest of this week. Given your deadline, the sooner the better.

Thanks,

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

=====  
Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.  
(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM (b)(3) CIAAct  
**To:**  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

=====  
(b)(3) CIAAct

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7 March 2014. Your assistance in this matter is very much appreciated. Please provide any responsive documents to either [redacted] or [redacted]. If you have any questions regarding this request, feel free to call either myself [redacted] or [redacted]. As always, thank you.

(b)(3) CIAAct

(b)(3) CIAAct

=====  
Classification: ~~SECRET~~

=====  
Classification: ~~SECRET~~

=====  
Classification: ~~SECRET~~

=====  
Classification: ~~SECRET~~



**From:** (b)(3) CIAAct  
**Sent:** Thursday, February 27, 2014 11:04 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

(b)(3) CIAAct

That will work for me (and likely [redacted] too). He is off-site this morning but I expect him back by 2pm. I/we will be happy to come up to [redacted] office to meet with you both.

Thank you,

(b)(3) CIAAct

**From:** (b)(3) CIAAct [redacted]@cia.ic.gov]  
**Sent:** Thursday, February 27, 2014 10:53 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

B, (b)(3) CIAAct and I are free at 2:30 p.m. this afternoon. Does that work on your end? If so, we're happy to come to you or equally happy to host the meeting in (b)(3) CIAAct office.

Best,

(b)(3) CIAAct

\*\*This email may contain attorney work product, and may be a privileged attorney-client communication.\*\*

From: (b)(3) CIAAct  
To:  
Cc:  
Date: 02/27/2014 10:33 AM  
Subject: RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Not a problem, talk to you soon.

From: (b)(3) CIAAct  
Sent: Thursday, February 27, 2014 9:24 AM  
To: (b)(3) CIAAct  
Cc:  
Subject: RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Disregard my last note. I have a meeting at 9:30am that will take 2 hours or so. I'll connect with you after that and we can find a good time today to meet.

Thanks,

(b)(3) CIAAct

From: (b)(3) CIAAct  
Sent: Thursday, February 27, 2014 7:21 AM  
To: (b)(3) CIAAct  
Cc:  
Subject: RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) NatSecAct

=====

(b)(3) CIAAct

I am happy to meet with you and [redacted] today to discuss our request and provide details that should help to limit your efforts. I am pretty free today outside of a staff meeting at 0830, so I will be available when you have time. Again, thank you and [redacted] very much for your help!

(b)(3) CIAAct

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Wednesday, February 26, 2014 6:00 PM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

=====

(b)(3) CIAAct

I was out of the office the first part of the week and I'm just picking this up now. As you know, given that I am pinch-hitting on this matter, I am doing the best I can to find records that are responsive to OIG's requests, but I'm somewhat constrained by my own lack of knowledge about how best to search for these records and my lack of access. Is it ok with you if I bring [redacted] in on this request? And may [redacted] and I sit down with you and/or [redacted] and [redacted] so we can be sure we are on the same page regarding what you are looking for and what we are able to do to try to find it? [redacted] and I are generally around the rest of this week. Given your deadline, the sooner the better.

(b)(3) CIAAct

Thanks,

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.  
(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM (b)(3) CIAAct  
**To:** [redacted]  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

As you are aware, we are doing an inquiry into the actions the Agency took in response to concerns that the SSCI staff may have improperly accessed certain documents. We are only looking into the Agency's actions not the conduct of the SSCI staff but obviously they are connected events. The concerns regarding the SSCI staff have been referred to the Department of Justice.

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(b)(3) CIAAct

(b)(3) CIAAct

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~





**From:** (b)(3) CIAAct  
**Sent:** Thursday, February 27, 2014 6:19 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry  
**Signed By:** (b)(3) CIAAct

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

**From:** (b)(3) CIAAct  
**Sent:** Wednesday, February 26, 2014 6:00 PM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

I was out of the office the first part of the week and I'm just picking this up now. As you know, given that I am pinch-hitting on this matter, I am doing the best I can to find records that are responsive to OIG's requests, but I'm somewhat constrained by my own lack of knowledge about how best to search for these records and my lack of access. Is it ok with you if I bring [redacted] in on this request? And may [redacted] and I sit down with you and/or [redacted] and [redacted] so we can be sure we are on the same page regarding what you are looking for and what we are able to do to try to find it? [redacted] and I are generally around the rest of this week. Given your deadline, the sooner the better.

Thanks, (b)(3) CIAAct

[redacted]

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM  
**To:** (b)(3) CIAAct  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

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7 March 2014. Your assistance in this matter is very much appreciated. Please provide any responsive documents to either (b)(3) CIAAct or (b)(3) CIAAct. If you have any questions regarding this request, feel free to call either my (b)(3) CIAAct or (b)(3) CIAAct. As always, thank you.

(b)(3) CIAAct

=====  
Classification: ~~SECRET~~

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Classification: ~~SECRET~~

=====  
Classification: ~~SECRET~~

=====  
Classification: ~~SECRET~~



**From:** (b)(3) CIAAct  
**Sent:** Thursday, March 06, 2014 9:59 AM  
**To:** (b)(3) CIAAct  
**Subject:** RE: FW: Request for Documents in Support of RDINet Inquiry  
**Signed By:** (b)(3) CIAAct @cia.ic.gov

Classification: ~~SECRET~~ / ~~NOFORN~~  
 ATTORNEY WORK PRODUCT (b)(3) NatSecAct

(b)(3) NatSecAct

(b)(3) CIAAct

(b)(3) CIAAct

That would be great. I will let [redacted] and [redacted] know that there may be some additional documents coming in because one individual has been out of the office. Thanks

(b)(3) CIAAct

**From:** (b)(3) CIAAct @cia.ic.gov  
**Sent:** Thursday, March 06, 2014 8:51 AM  
**To:** (b)(3) CIAAct  
**Subject:** Re: FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~ / ~~NOFORN~~ (b)(3) NatSecAct  
 ATTORNEY WORK PRODUCT

(b)(3) NatSecAct

(b)(3) CIAAct

Hi, [redacted] I have most responses from our folks already--I just need to review to ensure they are, in fact, responsive to the actual request. One of my folks has been on A/L for two weeks and has not yet even received the request to search; other than that one employee, I should have material to you by COB today, if you wish.

thx

(b)(3) CIAAct

**From:** [redacted]  
**To:** (b)(3) CIAAct  
**Cc:** [redacted]  
**Date:** 03/06/2014 07:52 AM  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Good Morning

(b)(3) CIAAct

Yes, I realize that tomorrow not today is the 7<sup>th</sup>. I just wanted to remind everyone to send any documents to [redacted] and [redacted] as I will be out of the office for about a week starting at noon tomorrow. If you have a chance and could send me a note today on whether or not any responsive documents have been found and if there will be any problem getting them to us tomorrow, I would appreciate it. Again, thanks for your help with this. Hopefully it will all be sorted out in the near future once we can look through the documents.

(b)(3) CIAAct

**From:** (b)(3) CIAAct [redacted]  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** [redacted] (b)(3) CIAAct  
**Cc:** [redacted]  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.  
(b)(3) CIAAct

**From:** (b)(3) CIAAct [redacted]  
**Sent:** Tuesday, February 25, 2014 11:24 AM (b)(3) CIAAct  
**To:** [redacted]  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

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(b)(3) CIAAct

(b)(3) CIAAct

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

(b)(3) NatSecAct

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Classification: ~~SECRET~~/ [redacted] ~~NOFORN~~

=====  
Classification: ~~SECRET~~/ [redacted] ~~NOFORN~~

(b)(3) NatSecAct





**From:** Meroe S. Park  
**Sent:** Thursday, July 31, 2014 8:47 AM  
**To:** (b)(3) CIAAct; Ronald D. Boyd; Neal Higgins; (b)(3) CIAAct; Caroline D. Krass; (b)(3) CIAAct  
**Cc:** Avril Haines  
**Subject:** RE: final apology statement  
**Signed By:** (b)(3) CIAAct@cia.ic.gov

Classification: UNCLASSIFIED

I'll get this to him soonest (once I get it to the low side!). M.

Executive Director

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Thursday, July 31, 2014 8:40 AM  
**To:** Meroe S. Park; Ronald D. Boyd; Neal Higgins; (b)(3) CIAAct; Caroline D. Krass; (b)(3) CIAAct; (b)(3) CIAAct  
**Cc:** Avril Haines  
**Subject:** final apology statement  
**Importance:** High

Classification: UNCLASSIFIED

Below is the statement DCIA just finalized. Meroe, please share with Evan Bayh ASAP.

Dean, please get to (b)(6) right away and tell him he needs to post before noon or he will likely be scooped.

"In January 2014, CIA Director Brennan informed the leadership of the Senate Select Committee on Intelligence (SSCI) about information indicating that privileged CIA documents that were the subject of a pending request from the Committee were already in the possession of Committee staff. This same information suggested that Committee staff may have improperly accessed these documents through the network (called RDINet) that CIA maintained to facilitate the Committee's access to materials associated with CIA's former Rendition, Detention, and Interrogation (RDI) program. Subsequently, SSCI Chairman Dianne Feinstein expressed concern that CIA officers acted improperly when they conducted a search of the RDINet to locate those documents.

"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 (OIG) to examine the actions of CIA personnel. He also instructed CIA offices involved in this issue to work cooperatively with the Senate's Sergeant-at-Arms, which is conducting a

separate review of the SSCI staff's activities. The CIA OIG has completed its investigation, while the Senate Sergeant-at-Arms probe remains pending. The Justice Department examined both matters and found that there was insufficient evidence to open a criminal investigation.

"Director Brennan was briefed on the CIA OIG's findings, which include a judgment that some CIA employees acted in a manner inconsistent with the common understanding reached between SSCI and the CIA in 2009 regarding access to the RDINet. The Director subsequently informed the Chairman and Vice Chairman of the findings and apologized to them for such actions by CIA officers as described in the OIG report.

"The Director is committed to correcting any shortcomings related to this matter and, to that end he is commissioning an Accountability Board at CIA, which will be chaired by former Senator and SSCI member Evan Bayh. 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."

=====  
Classification: UNCLASSIFIED

=====  
Classification: UNCLASSIFIED



(b)(3) CIAAct  
**From:** [redacted]  
**Sent:** Thursday, March 06, 2014 8:35 AM  
**To:** (b)(3) CIAAct  
**Cc:** [redacted]  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

[redacted]  
 (b)(3) NatSecAct

=====

(b)(3) CIAAct

(b)(3) CIAAct

Thank you again for continuing to assist us in the document collection. As confirmation of our earlier discussions, I just wanted to clarify that if you and [redacted] need more time to compile the information we have requested, please take it. The 7<sup>th</sup> is not a hard deadline for your team and we will continue to take any information you can provide piecemeal or otherwise. [redacted] made sure to include you on this email to keep the original addressees intact.

(b)(3) CIAAct

(b)(3) CIAAct  
**From:** [redacted]  
**Sent:** Thursday, March 06, 2014 7:52 AM  
**To:** (b)(3) CIAAct  
**Cc:** [redacted]  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

[redacted]  
 (b)(3) NatSecAct

=====

Good Morning (b)(3) CIAAct

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(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:25 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

Sorry, forgot to cc: [redacted] and [redacted] so that you would have their e-mail addresses.  
 (b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, February 25, 2014 11:24 AM (b)(3) CIAAct  
**To:**  
**Subject:** Request for Documents in Support of RDINet Inquiry

Classification: ~~SECRET~~

(b)(3) NatSecAct

(b)(3) CIAAct

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7 March 2014. Your assistance in this matter is very much appreciated. Please provide any responsive documents to either [redacted] or [redacted]. If you have any questions regarding this request, feel free to call either myself [redacted] or [redacted]. As always, thank you.

(b)(3) CIAAct

(b)(3) CIAAct

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

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Classification: ~~SECRET~~



**From:** (b)(3) CIAAct  
**Sent:** Friday, January 31, 2014 4:28 PM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice  
**Signed By:** (b)(3) CIAAct@cia.ic.gov

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(b)(3) CIAAct

Per the guidance from OIG below, please take necessary steps to preserve and maintain any and all documents, info, records or other material that relate to the issues below. If you have anything that pertains to the request please compile it and store it separately in case you are subsequently asked to produce the material. I am still awaiting additional guidance from (b)(3) CIAAct on below (had hoped to do this in one shot but don't want to delay passing this along any longer.) If I get additional guidance I will forward that separately. Thanks,

(b)(3) CIAAct

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Friday, January 31, 2014 7:30 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(b)(3) CIAAct

**From:** (b)(3) CIAAct [mailto:(b)(3) CIAAct@cia.ic.gov]  
**Sent:** Thursday, January 30, 2014 4:33 PM  
**To:** Meroe S. Park; (b)(3) CIAAct  
**Subject:** Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(C) The Office of Inspector General has become aware of allegations of potential



(b)(3) CIAAct

misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at the [redacted] building, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net).

We request you ensure all officers or contractors within your organizations that may have relevant information are made aware of this notice and that they preserve any documents, information, records or other material as required. Please maintain a list of any officers or groups you make aware of this notice.

(U//~~FOUO~~) Therefore, you are directed to preserve and maintain all documents, information, records, and other material falling under the below categories. Though you are directed to *preserve and maintain* all such documents, information, records, or other material, at this time it is not requested that you *produce* them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net

(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(7)(e)

[redacted]

- Any and all records related to the loading or removal of information from RDI-Net

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(U//~~FOUO~~) With respect to electronic records that are the subject of this request

(including emails and instant messages), if you are going to be reassigned, please contact your Information Management Officer so that appropriate arrangements can be made to preserve your records before your reassignment.

(U//~~FOUO~~) If you are unsure whether certain materials should be preserved, err on the side of caution and preserve them. **Please contact Assistant Special Agent in Charge [redacted] (b)(3) CIAAct [redacted] if there is any doubt about whether any specific records are responsive to the order and before any possibly responsive records are deleted from any electronic information system.**

[redacted] (b)(3) CIAAct [redacted]

=====  
Classification: ~~CONFIDENTIAL~~  
=====

Classification: ~~CONFIDENTIAL~~

=====  
Classification: ~~CONFIDENTIAL~~



**From:** (b)(3) CIAAct  
**Sent:** Friday, January 31, 2014 12:29 PM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

Will do. I guess consent to monitoring agreements don't apply to the SSCI?

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Friday, January 31, 2014 10:28 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** FW: Preservation Notice  
**Importance:** High

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

Folks, as you were the only people involved. Please be aware, and ensure we follow the preserve notice.

(b)(3) CIAAct

**From:** (b)(3) CIAAct [redacted]@cia.ic.gov  
**Sent:** Thursday, January 30, 2014 4:33 PM  
**To:** Meroe S. Park; (b)(3) CIAAct  
**Subject:** Preservation Notice

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

## (b)(3) CIAAct

(G) The Office of Inspector General has become aware of allegations of potential misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at the [ ] building, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net).

As required by Section 17 of the CIA Act, these allegations have been referred to the Department of Justice. The Department of Justice has asked the CIA to preserve certain documents, information, records, and other materials, to the extent they exist, as detailed below. Due to the sensitive nature of this matter, we are sending the following preservation notice to a limited distribution of officers. We request you ensure all officers or contractors within your organizations that may have relevant information are made aware of this notice and that they preserve any documents, information, records or other material as required. Please maintain a list of any officers or groups you make aware of this notice.

(U//~~FOUO~~) Therefore, you are directed to preserve and maintain all documents, information, records, and other material falling under the below categories. Though you are directed to *preserve and maintain* all such documents, information, records, or other material, at this time it is not requested that you *produce* them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net

(b)(3) CIAAct

(b)(3) NatSecAct

(b)(5)

(b)(7)(e)

- Any and all records related to the loading or removal of information from RDI-Net

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such

materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(U//~~FOUO~~) With respect to electronic records that are the subject of this request (including emails and instant messages), if you are going to be reassigned, please contact your Information Management Officer so that appropriate arrangements can be made to preserve your records before your reassignment.

(U//~~FOUO~~) If you are unsure whether certain materials should be preserved, err on the side of caution and preserve them. **Please contact Assistant Special Agent in Charge** (b)(3) CIAAct **if there is any doubt about whether any specific records are responsive to the order and before any possibly responsive records are deleted from any electronic information system.**

(b)(3) CIAAct

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Classification: ~~CONFIDENTIAL~~

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Classification: ~~CONFIDENTIAL~~

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Classification: ~~CONFIDENTIAL~~



(b)(3) CIAAct

From: [redacted]  
 Sent: Tuesday, March 11, 2014 2:53 PM  
 To: [redacted] (b)(3) CIAAct  
 Cc:  
 Subject: Docs to get you up to speed  
 Attachments: Scan 1 - Emails and Blue Team.pdf; Scan 2 - SSCI - DCIA Communication.pdf;  
 MOIA - [redacted].docx (b)(3) CIAAct

Classification: ~~TOP SECRET//NOFORN~~

[redacted]  
(b)(3) NatSecAct

=====

(b)(3) CIAAct

As discussed, please take a look at these documents to get a feel for the case initiation and a line of questioning for the interview you're going to schedule (Note the [redacted] MOIA is in draft at the moment). [redacted] let's talk when you get in tomorrow so I can explain all of this to you. I'll be forwarding a separate email with an article you should read as well.

[redacted] (b)(3) CIAAct

=====

Classification: ~~TOP SECRET//NOFORN~~



~~SECRET//NOFORN~~

**Office of Inspector General  
Investigations Staff**

**Memorandum of Investigative Activity (MOIA)**

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)  
(b)(7)(c)

~~SECRET//NOFORN~~

**Memorandum of Investigative Activity (MOIA)**

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)  
(b)(7)(c)  
(b)(7)(e)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

**Memorandum of Investigative Activity (MOIA)**

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)  
(b)(7)(c)  
(b)(7)(e)

~~SECRET//NOFORN~~

(b)(2) CIA Act  
Approved for Release: 2015/07/20 C06303376  
(U) (S) NSA/SECACI  
(b)(5)

(b) Approved for Release: 2015/07/20 C06303376  
(b)(3) NatSecAct  
(b)(5)

(D)(1) Approved for Release: 2015/07/20 C06303376  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

(b)(1) Approved for Release: 2015/07/20 C06303376  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

C06303376

(b)(1) Approved for Release: 2015/07/20 C06303376  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)



(b)(1) Approved for Release: 2015/07/20 C06303376  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

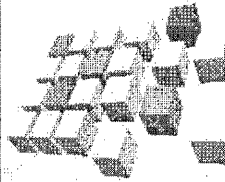




(b)(3) CIAAct

DS/OS

# Cyber Blue Team Investigation Report



**CYBER  
SECURITY  
GROUP**

(b)(3) CIAAct

2014-01-17

Template v2.5

(b)(3) NatSecAct

~~TOP SECRET//NOFORN~~

# (U) Change Log

Document Version	Modification Date	Modified By	Sections / Content Modified
1.0	2014-01-14	(b)(3) CIAAct	(U) Initial Report

# (U) Table of Contents

- 1 (TS) Test Case 1 – Audit Review ..... 3
  - 1.1 (TS) Known Information ..... 3
    - 1.1.1 (S) Data Ingestion Process Information..... 3
    - 1.1.2 (S) Data Review Process Background ..... 3
    - 1.1.3 (TS) How this Happened & Current Known Timeline..... 3
    - 1.1.4 (TS) Information and Findings of Identified Users ..... 4
  - 1.2 (S) Current & Completed Activities ..... 4
  - 1.3 (S) Pending Activities..... 5
    - 1.3.1 Recommended test cases which require RDI Support..... 5
    - 1.3.2 Recommended RDI Team Actions..... 5

(b)(3) NatSecAct (b)(7)(e)
-------------------------------

- 1.4 (TS) High Level Timeline ..... 5

~~(S)~~ Project. (b)(3) CIAAct [redacted]

Project C&A Number	N/A
Project POC(s)	(b)(3) CIAAct [redacted]
Project ISSM	N/A
CBT Task ID	N/A
Network(s)	(b)(3) CIAAct [redacted]
CBT Task Lead	(b)(3) CIAAct [redacted]
CBT Task Team	(b)(3) CIAAct [redacted]

## (U) Investigation Tasks & Approach

(b)(3) CIAAct

~~(TS//NF)~~ Cyber Blue Team was tasked to investigate the [redacted] system and execute the following tasks leveraging

(b)(3) CIAAct [redacted] audit data:

(b)(3) CIAAct

1. Identify and review accreditation, certification and protocol procedures for [redacted] transfer of RDI materials from CIA to SSCI.
2. Do a complete audit [redacted]

(b)(3) NatSecAct  
(b)(7)(e)

## (U) Tasks Pending Approval to Proceed

1. Conduct an administrative security review. (b)(3) NatSecAct  
(b)(7)(e)

[redacted]

3. Once forensic work is complete, assess the potential interview of personnel involved about what we find.
4. Cyber Security Group forensic review will require CIA auditing and forensic tools ([redacted] Blue Team). OS/OGC will advise and guide as data is reviewed in accordance with A/OGC. (b)(3) CIAAct

# 1 ~~(TS)~~ Test Case 1 - Audit Review

(b)(3) CIAAct

(b)(3) CIAAct

~~(TS//NF)~~ Cyber Blue team leveraged [redacted] resources to analyze audit data from the [redacted] facility. All findings are preliminary and based upon data available within [redacted] holdings. (b)(3) CIAAct

Date	Time	Workstation ID(s)	Workstation Type(s)	Network
2014-01-17	0800-1700	[redacted] Building	[redacted] Workstation	[redacted] Network
		(b)(3) CIAAct	(b)(3) CIAAct	(b)(3) CIAAct

## 1.1 ~~(TS)~~ Known Information

### 1.1.1 ~~(S)~~ Data Ingestion Process Information

[redacted]  
 (b)(3) NatSecAct  
 (b)(7)(e)

### 1.1.2 ~~(S)~~ Data Review Process Background

[redacted]  
 (b)(3) NatSecAct  
 (b)(7)(e)

### 1.1.3 ~~(TS)~~ How this Happened & Current Known Timeline

- o Congressional user was able to directly navigate to shared directory and access documents never intended for dissemination to congressional users.

- Review of [redacted] audit data, this is first seen by 1 user (IDEN A) on 9 November 2010

[redacted]  
 (b)(1)  
 (b)(7)(e)

- o Congressional user copied data to another shared directory for peers to access. Audit data suggests Subject copied at least 166 files from the initial directory to the shared location.

[redacted]  
 (b)(3) NatSecAct  
 (b)(7)(e)

(b)(3) CIAAct

[Redacted]

Congressional user opens restricted documents.

[Redacted]

- o 4 additional congressional users accessed the copied documents

[Redacted] (b)(3) NatSecAct

- Identified users are: IDEN B, IDEN C, IDEN D, IDEN E (b)(7)(e)

- o All congressional users have the ability to print accessible documents

1.1.4 (TS) Information and Findings of Identified Users

[Redacted]

(b)(3) NatSecAct  
(b)(7)(e)

1.2 (S) Current & Completed Activities

- Current Actionable Steps (b)(3) CIAAct

- o CBT investigation leveraging [Redacted] audit to determine the following

- Timeline of events (complete) (b)(3) NatSecAct
- List of users [Redacted] (b)(7)(e) (complete)

~~TOP SECRET//NOFORN~~

1.3 ~~(S)~~ Pending Activities

1.3.1 Recommended test cases which require RDI Support

(b)(3) NatSecAct  
(b)(5)  
(b)(7)(e)

1.3.2 Recommended RDI Team Actions

(b)(3) NatSecAct  
(b)(5)  
(b)(7)(e)

(b)(3) NatSecAct  
(b)(5)  
(b)(7)(e)

1.4 ~~(TS)~~ High Level Timeline

Nov. 9, 2010 -  
First access by  
IDEN A and noted  
electronic  
communications  
about documents

(b)(3) NatSecAct  
(b)(7)(e)



~~TOP SECRET//NOFORN~~



**Plan of Review for OS Investigation**

---

16 January 2014

Conduct an administrative security review.

Identify and review accreditation, certification and protocol procedures for [redacted] transfer of RDI materials from CIA to SSCI. (b)(3) CIAAct

[redacted] (b)(3) NatSecAct (b)(7)(e)

Do a complete audit on [redacted] (b)(3) NatSecAct (b)(7)(e)

Once forensic work is complete, assess the potential interview of personnel involved about what we find.

Cyber Security Group forensic review will require CIA auditing and forensic tools [redacted] Blue Team). OS/OGC will advise and guide as data is reviewed in accordance with A/OGC.

(b)(3) CIAAct

~~SECRET/NOFORN~~

DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

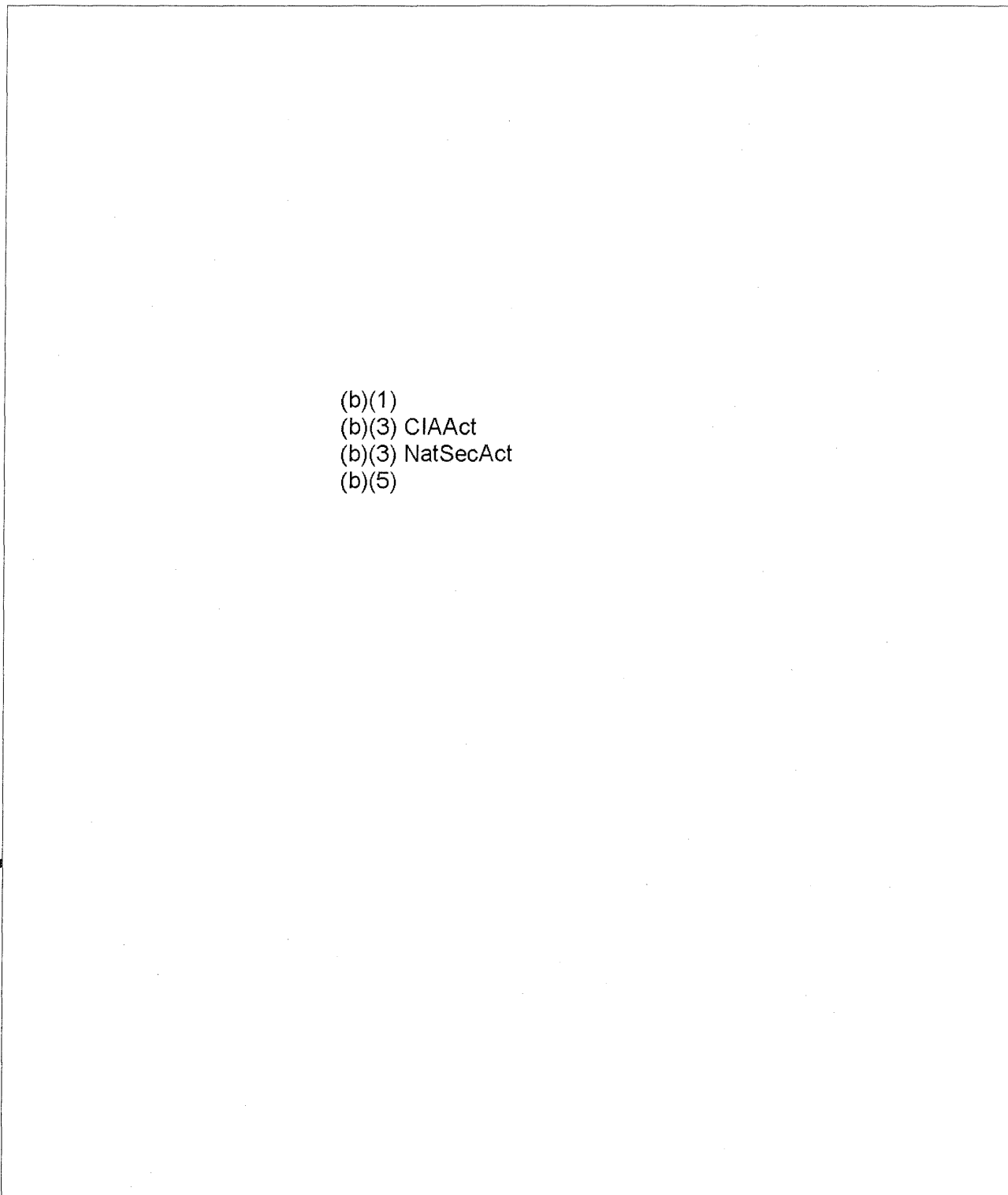
(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)

(b)(3) NatSecAct

DELIBERATIVE PROCESS PRIVILEGED DOCUMENT  
~~SECRET//NOFORN~~

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)

DELIBERATIVE PROCESS PRIVILEGED DOCUMENT  
~~SECRET//NOFORN~~

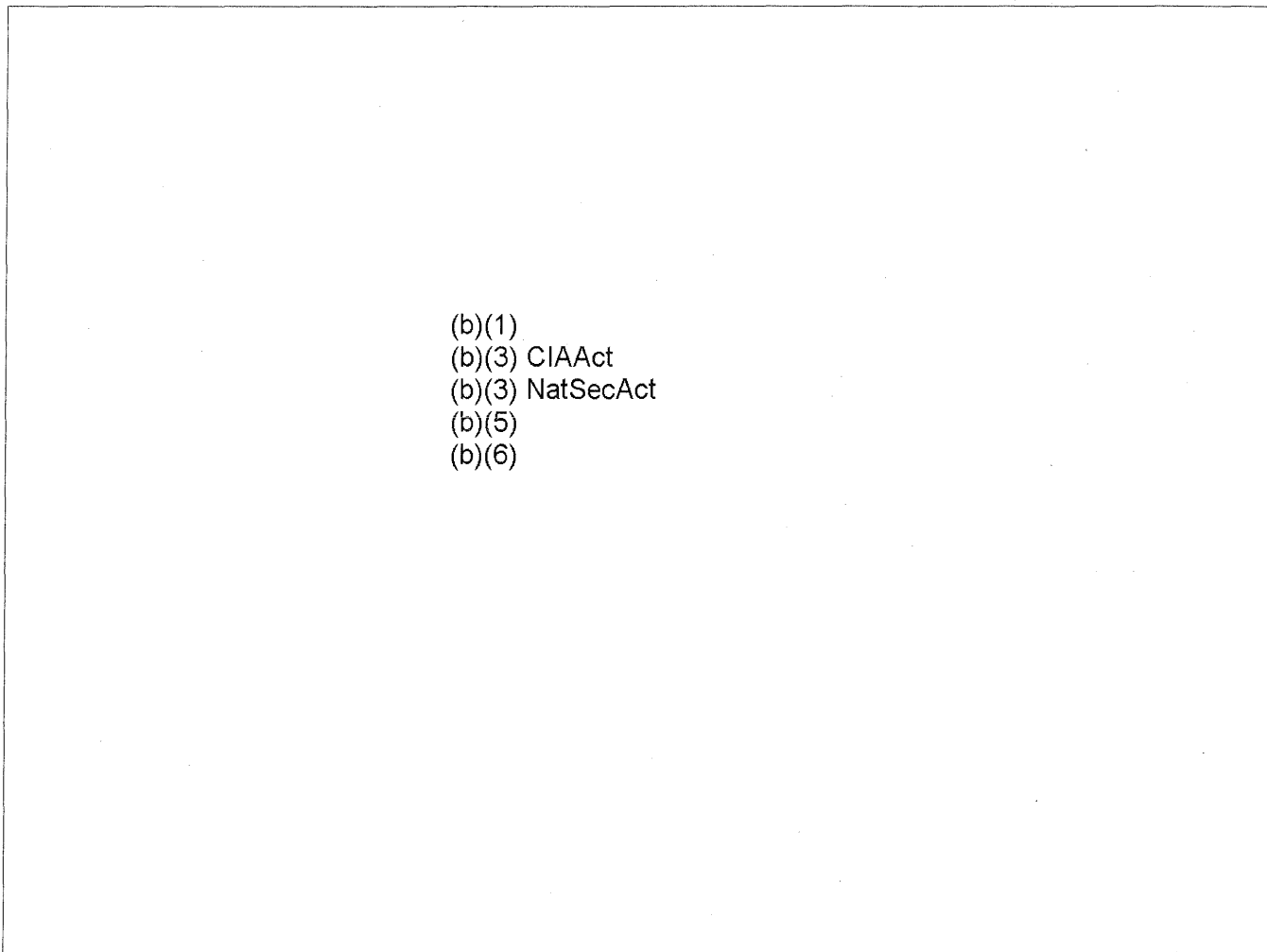


(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)

(b)(3) NatSecAct

~~SECRET~~

(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)



(b)(1)  
(b)(3) CIAAct  
(b)(3) NatSecAct  
(b)(5)  
(b)(6)

DIANNE FEHR  
SABBY CHAMBERLAIN  
Approved for Release: 2015/07/20 C06303376

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RON WYDEAL, OREGON  
BARBARA A. MURKIN, MARYLAND  
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MARK WANDER, VIRGINIA  
MARTIN HERRON, NEW MEXICO  
ANGUS KING, MAINE

RICHARD BURE, NORTH CAROLINA  
JERRIE BROWN, IOWA  
DANIEL COATS, INDIANA  
MARCUS ELLIOTT, FLORIDA  
SUSAN COLLINS, MAINE  
TOM COBURN, OKLAHOMA

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## United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510-8476

HARRY REID, NEVADA, EX OFFICIO  
MITCH MCCONNELL, KENTUCKY, EX OFFICIO  
CARL LEVIN, MICHIGAN, EX OFFICIO  
JAMES INHOFE, OKLAHOMA, EX OFFICIO

DAVID GRAHNS, STAFF DIRECTOR  
MARTHA SCOTT POWERS, MINORITY STAFF DIRECTOR  
DEBBIE THORNTON BAYLE, STAFF CLERK

January 17, 2014

The Honorable John Brennan  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Brennan:

I am writing with regard to our meeting Wednesday about the acquisition of a particular CIA document. You stated at the meeting your intent to launch a full "forensic investigation" on the computers and computer networks used by the Senate Select Committee on Intelligence (SSCI) staff at the CIA facility in question. I request that you suspend any such investigation or further access to the computers or computer networks until I can consider this matter further. I will likewise pledge that SSCI staff will not access those computers or computer networks for this same period. Until that time, you do not have my agreement for any investigative activity to take place.

As you noted in our meeting, there are significant separation of powers issues involved here, and those must be properly considered.

In addition, the Committee and the CIA entered into an agreement at the outset of this Study that should, until decided otherwise, be upheld. Specifically, on June 2, 2009, Vice Chairman Bond and I wrote to Director Panetta our understanding that "... [t]he only CIA employees or contractors with access to this computer system [the SSCI system] will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee." In response, Director Panetta wrote a letter to Senator Bond and to me on June 4, 2009 agreeing, and further stating that "... CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter [of June 2, 2009]. Therefore, CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff."

~~CONFIDENTIAL~~

The Honorable John Brennan  
January 17, 2014  
Page Two

I believe that no further action should be taken on either side until we can both consider the proper next steps to assure the protection of all relevant equities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D".

Dianne Feinstein  
Chairman

cc: Vice Chairman Saxby Chambliss

~~CONFIDENTIAL~~



ALAN B. BLOOMBERG, NEW YORK  
 BOB CROWLEY, CALIFORNIA  
 BRADLEY BENNETT, MISSISSIPPI  
 GARY BLUMENTHAL, CONNECTICUT  
 MARK BLUMENTHAL, CONNECTICUT  
 MURKIN BROWN, MISSOURI  
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 MARTIN COPPEL, POLITICAL AFFAIRS STAFF DIRECTOR  
 CATHERINE HARRISON, STAFF DIRECTOR

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# United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
 WASHINGTON, DC 20510-6476

January 23, 2014

The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Brennan:

You informed Vice Chairman Chambliss and me on January 15, 2014, that, without prior consultation or approval from the Committee, CIA personnel had conducted one or more searches of the computer network at an offsite facility that the CIA had assigned exclusively to the staff of the Senate Select Committee on Intelligence (SSCI) for use in the Committee's Study on the CIA Detention and Interrogation Program. You also told Senator Chambliss and me that the CIA took this action to determine whether a particular document or set of documents (what we have called "the internal review" or "the Panetta review") was present on the Committee computer network.

As you know, I am very concerned by these actions. First, after consultation with other Senators and with the Senate Legal Counsel, I believe that depending on the facts involved, this search may have been inconsistent with the separation of powers principles embodied in the Constitution and essential to effective congressional oversight of intelligence activities. Second, the search may have violated the Fourth Amendment, the Speech and Debate Clause of the Constitution, various statutes (including federal criminal statutes, such as the Computer Fraud and Abuse Act), and Executive Order 12333. Third, the search violates a written agreement between the CIA and the Committee that was reached at the outset of the Study in 2009 to create a "walled-off" computer network for Committee use at the offsite facility.

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~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

I understand that, following my letter to you of January 17, 2014, asking you to suspend all searches of the Committee network, you agreed that the CIA would suspend any further searches, as per our prior written agreements.

The computer network in question was, according to the written agreement between the CIA and the Committee in 2009, to be "walled-off" from CIA personnel except for narrow cases involving technical support and assistance. The network was recognized to contain SSCI work product, and was not to be accessed or affected by CIA personnel without prior approval of the Committee.

The fact that the computers and the computer network were provided to the SSCI by the CIA at a CIA-leased facility does not affect the SSCI's exclusive rights with regard to the network. In fact, the Committee's strong preference in 2009 was to have the CIA provide all information relevant to the Study to the Committee at its offices in the Hart Senate Office Building, as is standard procedure for Committee oversight work. It was only because of the written agreement between the Committee and the CIA, that assured the Committee of the protections for SSCI information and materials at the CIA facility, that we agreed to the present arrangement.

I have the following initial questions about the CIA breach of this agreement and the CIA search of the Committee network. The Committee may also seek an independent review of this action.

1. Who first suggested the search? Was it personally approved by you? If not, who approved the search?
2. For what specific purpose or purposes was the search conducted?
3. Was legal guidance sought and provided prior to the approval? Did that legal guidance take into account the written agreements with the Committee prohibiting such a search without the Committee's approval?
4. What was the legal basis for the search of the Committee computer network? Did CIA seek and obtain legal process in advance of conducting this search?
5. When did the search of the Committee network take place, where, and by whom? Did the search involve any contractors? Was the search a one-time event, or were there multiple searches of the Committee network? If the latter, when did they occur, when did they end, and why did they end?

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6. What were the directions provided to the individuals who conducted the search? How, specifically, was the search conducted?
7. What materials were searched and reviewed by CIA personnel or CIA contractors. What parts of the Committee computer network were searched? Did this search include internal communications between Committee staff or personal notes or other work-product of Committee staff? Was any process used to minimize the extent of the search of such sensitive materials? Was the search limited to the majority staff's network?
8. Did the CIA physically enter either of the two combination-locked secure rooms where the Committee computer network and the Committee's research materials and work product are located? If so, were any hard copy documents in those rooms reviewed or searched?
9. Did the CIA alter or remove any data from the Committee network? If so, what specifically was altered or removed?
10. Does the CIA have any materials reviewed during the search in its possession? If so, who has custody of these records and materials?
11. Who, if anyone, outside of the CIA was aware of the possibility or plans to search the Committee network prior to the search occurring?
12. Who, if anyone, outside of the CIA, has the CIA consulted since the search? Specifically, have CIA personnel informed the Director of National Intelligence, the Department of Justice, the Federal Bureau of Investigation, the White House, or the President's Intelligence Advisory Board and its Intelligence Oversight Board?

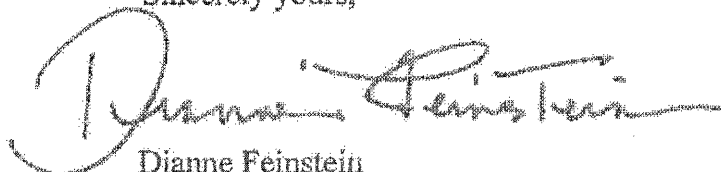
Finally, at our January 15, 2014, meeting, you raised concerns about the security of the CIA's classified computer systems, alleging the possibility that Committee staff had obtained the internal review by working to gain unauthorized access to CIA computers or databases. They did not. The internal review was provided to Committee staff at the CIA-leased facility where the Committee Study work was conducted. Due to the nature of the computer systems at the facility, the Committee has no way to determine who provided the documents and for what purpose.

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~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

As I noted before, I view the CIA's actions with significant concern. I intend to brief the full SSCI membership of this matter shortly and would appreciate your answers to my questions as soon as can possibly be provided, and no later than Monday, January 27, 2014.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Dianne Feinstein". The signature is written in dark ink and is positioned above the printed name and title.

Dianne Feinstein  
Chairman

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

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JOHN D. ROCKEFELLER IV  
WEST VIRGINIA



United States Senate  
WASHINGTON, D.C.

January 27, 2014

The Honorable John O. Brennan  
Director, Central Intelligence Agency  
Washington, DC 20505

Dear Director ~~Brennan~~ 

I cannot overstate how deeply disappointed I am to learn of the CIA's unauthorized search of the Senate Intelligence Committee's computer network at an offsite facility. Particularly in the context of the Committee's Study on Detention and Interrogation where there has long been a deficit of trust — a deficit that you and I have been working to repair - this is so damaging.

My message to you has always been that the CIA must fully and forthrightly recognize its past mistakes, and then apply the lessons learned from those mistakes as it moves forward with its critically important mission. Your letter to me in December of last year seemed like an encouraging recognition of the importance of that approach, which makes this most recent development all the more troubling.

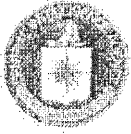
This mistake, this search without the Committee's approval, has the potential to undermine so much of our important work together - it must be addressed fully. It must be addressed in a way that repairs the breach of trust and allows the CIA and this committee to constructively move forward.

In your confirmation hearing I praised your strong leadership, patience, courtesy, and wisdom, which I said made you the right man for the job. In this challenging moment, I urge you to draw on those attributes to find a way, as the leader of the CIA, to make this right.

Sincerely,



John D. Rockefeller IV



THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

27 January 2014

The Honorable Dianne Feinstein  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

I am in receipt of your 23 January 2014 letter regarding our 15 January 2014 meeting. I wholeheartedly agree that the Executive and Legislative branches must respect the Constitution's separation of powers and that the events that led up to our meeting go not only to the heart of that respect, but also to the effectiveness and integrity of the oversight process. As I have noted in the past, I believe in and strongly support the necessity of effective Congressional oversight, while also desiring to protect the Executive branch's legitimate prerogatives. In order to give you a sense of my perspective on these developments, I have outlined them below and propose a possible path forward. In short, I believe your idea of some sort of independent review is worth exploring, as it is my hope that we can find a way to address these events in a mutually satisfactory way that respects the very separation of powers principles we both seek to uphold.

As I relayed to you and Vice Chairman Chambliss during our 15 January meeting, I recently received information suggesting that sensitive CIA documents that were the subject of a pending request from the Committee may have been improperly obtained and/or retained on the SSCI staff side of a CIA local area network, which was set up exclusively for the Committee's RDI review and which contains highly classified information. Consequently, I asked for a meeting with you and the Vice Chairman as soon as possible to share that information and to discuss the need for a review of the system in order to assess what happened. As we know, both branches have taken great care to establish an accommodation regarding the Committee's access to Executive branch information on the RDI program, and we need to ensure that what is shared is as agreed between the branches. At the same time, and most importantly, if the integrity of our network is flawed, we must address the security problem immediately.<sup>1</sup>

<sup>1</sup> To ensure we have a common understanding of the agreement governing the SSCI staff's access to and use of a portion of the relevant CIA facility's network, I will transmit under separate classified cover a copy of the agreed-upon Standard Operating Procedures, a copy of the materials used in

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The Honorable Dianne Feinstein

During our 15 January meeting, I explained how it came to our attention that these documents were on the SSCI staff side of the network. As I indicated, recent statements made by Committee staff suggested they had in their possession a document that you requested in a 26 November 2013 letter. In your correspondence, you asked for "several summary documents" from what you termed an "internal review" of the CIA RDI program initiated by Director Panetta that purportedly came to conclusions similar to those contained in the Committee's study on the RDI program. Senator Udall made a similar reference to, and a request for, these materials during the open hearing on Caroline Krass's nomination to be the CIA's General Counsel. Senator Udall repeated his request for these documents in a 6 January 2014 letter that he wrote to the President. In response, I explained to both you and Senator Udall that these requests raised significant Executive branch confidentiality interests and outlined the reasons why we could not turn over sensitive, deliberative, pre-decisional CIA material. These documents were not created as part of the program that is the subject of the Committee's oversight, but rather were written in connection with the CIA's response to the oversight inquiry. They include a banner making clear that they are privileged, deliberative, pre-decisional CIA documents, to include attorney-client and attorney work product. The Executive branch has long had substantial separation of powers concerns about congressional access to this kind of material.

CIA maintains a log of all materials provided to the Committee through established protocols, and these documents do not appear in that log, nor were they found in an audit of CIA's side of the system for all materials provided to SSCI through established protocols. Because we were concerned that there may be a breach or vulnerability in the system for housing highly classified documents, CIA conducted a limited review to determine whether these files were located on the SSCI side of the CIA network<sup>2</sup> and reviewed audit data to determine whether anyone had accessed the files, which would have been unauthorized. The technical personnel conducting the audit review were asked to undertake it only if it could be done without searching audit data relating to other files on the SSCI side of CIA's network. That review by IT personnel determined that the documents that you and Senator Udall were

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the security briefing given to all Committee staff granted access to the CIA network, and other relevant documents.

<sup>2</sup> The system is designed to preclude looking for file names across the entire network, thus precluding a single "network wide" review. Thus, absent finding and exploiting a vulnerability, the CIA personnel working on the RDI review should not be able to access any information on the SSCI side, and the SSCI staff working on the RDI review should not be able to access any information on the CIA side of the network.

The Honorable Dianne Feinstein

requesting appeared to already be on the SSCI staff side of CIA's local area network and had been accessed by staff. Only completion of the security review will answer how SSCI staff came into possession of the documents. After sharing this information with you and explaining that I did not know how the materials would have appeared on the SSCI staff side of the network, I requested that you return any copies of these highly sensitive CIA documents located either in the Committee reading room at the CIA facility or in the Committee's own offices. You instructed your staff director to collect and provide to you any copies of the documents. I informed you that I had directed CIA staff to suspend any further inquiry into this matter until I could speak with you.

I stated that I had asked for the meeting because I wanted Committee leadership to be fully aware of what had been brought to my attention before I directed the appropriate IT personnel to begin a full computer security review. I informed you that the staff who would conduct the security review would need to conduct computer forensics on the CIA documents that appear to be on the SSCI side of the system. I further informed you that the individuals assigned to conduct this security review would be "walled off" from the CIA personnel who have been involved in reviewing the Committee's study on the RDI program in order to protect the SSCI's legitimate equities in its deliberative materials and work product.

I made clear during our meeting that I wanted to conduct this security review with your consent and, furthermore, that I welcomed the participation of the Committee's Security Director in this effort. You informed me that you were not aware that the Committee staff already had access to the materials you had requested in your letter. Soon after our meeting, you requested by letter that I suspend any investigation or further access to the computers or computer networks until you could consider the matter further. You also pledged in your letter that SSCI staff would not access those computers or computer networks for this same period. I reached you by telephone the next day to inform you that the CIA would temporarily suspend the security review in light of your request. I trust that you continue to believe that Committee staff should not access any of the computers on CIA's local area network while we work through this matter.

As I stated in our meeting, the existence of these sensitive Executive branch documents on the SSCI side of the CIA facility network--all of which were created outside the agreed time period for document production--raises significant concerns about the integrity of a highly classified CIA computer system and whether the protocols developed between the SSCI and the CIA in relation to CIA files are being followed. You indicate in your most recent



The Honorable Dianne Feinstein

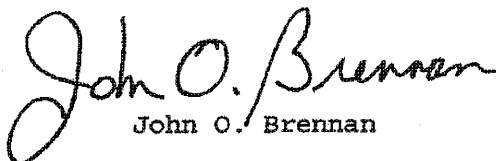
letter that these documents were provided to Committee staff at the CIA-leased facility, but, as I noted above, we have no record of having done so under the process by which we have regularly provided documents.

As I noted at our meeting, this is a very serious matter, and it is important that both the CIA and the Committee get to the bottom of what happened. We should be able to do this in a way that preserves our institutional equities.

I renew my invitation to have the Committee's security officer fully participate with CIA security professionals in a security review of the local area network dedicated to the RDI study. Your 23 January letter indicates that an independent review of these events also may be appropriate. I would welcome an independent review that explores CIA's actions and how these documents came to reside on the Committee's side of the CIA facility network. If you are amenable, I will have my Acting General Counsel reach out to the Committee's Majority and Minority Counsel to discuss options for such an independent review.

However we proceed, the security review must be completed in a timely manner. It is imperative to learn whether or not a breach or vulnerability exists on this network and was exploited. I trust that you share my concerns and that we can work together to carry out a security review that answers these important questions while respecting the important separation of powers concerns of both branches.

Sincerely,

  
John O. Brennan

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National  
Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

~~SECRET~~**STANDARD OPERATING PROCEDURES FOR SSCI REVIEW**

1. The CIA will provide all Members of the Committee and up to 15 Committee staff (in addition to our staff director, deputy staff directors, and counsel) with access to unredacted responsive information. In addition, additional cleared staff may be given access to small portions of the unredacted information for the purpose of reviewing specific documents or conducting reviews of individual detainees. These Committee staff have or will have signed standard Sensitive Compartmented Information non-disclosure agreements for classified information in the [redacted] compartment. (Ref A)
2. CIA will make unredacted responsive operational files, as that term is defined in Section 701(b) of the National Security Act of 1947 (50 USC 431(b)), available at a secure Agency electronic Reading Room facility which will permit Committee staff electronic search, sort, filing, and print capability. (Ref A)
3. If responsive documents other than those contained in the operational files identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms, or pseudonyms, CIA will provide unredacted copies of those documents at the Reading Room. (Ref A)
4. Responsive documents other than those contained in operational files that do not identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms or pseudonyms will be made available to the Committee in the Committee's Sensitive Compartmented Information Facility (SCIF), unless other arrangements are made. (Ref A)
5. CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter. Therefore, CIA access to the walled off network share drive will be limited to CIA information technology staff, except as authorized by the Committee or its staff. CIA would like to clarify, however, that unlike the walled-off network share drive, the stand alone network must be accessed by CIA staff assigned to this effort to perform a variety of tasks, including, for example, loading and organizing the raw responsive data requested by the Committee and review or redaction of material sought to be removed from the Reading Room. (Ref B)
6. Any documents generated on the network drive referenced in paragraph 5, as well as any other notes, documents, draft and final recommendations, reports, or other materials generated by the Committee staff or Members, are the property of the Committee and will be kept at the Reading Room solely for secure safekeeping and ease of reference. These documents remain congressional records in their entirety and disposition and control over these records, even after completion of the Committee's review, lies exclusively with the Committee. As such, these records are not CIA records under the Freedom of Information Act or any other

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(b)(1)  
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law. The CIA may not integrate these records into its records filing systems, and may not disseminate or copy them, or use them for any purpose without the prior written authorization of the Committee. The CIA will return the records to the Committee immediately upon request in a manner consistent with paragraph 11. If the CIA receives any request or demand for access to these records from outside the CIA under the Freedom of Information Act or any other authority, the CIA will immediately notify the Committee and will respond to the request or demand based upon the understanding that these are Congressional, not CIA, records. (Ref A)

7. CIA will provide the Committee with lockable cabinets and safes, as required, in the Reading Room. (Ref A)
8. If Committee staff identifies CIA-generated documents or materials made available in the Reading Room that staff would like to have available in the Committee SCIF, the Committee will request redacted versions of those documents or materials in writing. Committee staff will not remove such CIA-generated documents or materials from the electronic Reading Room facility without the agreement of CIA. (Ref A)
9. CIA intent is to keep all of the operational cables at the Reading Room. If Members or staff wish to remove any of the operational cables from the Reading Room, we will consider those requests on a case by case basis, and we will work to accommodate your requirements. (Ref B)
10. SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites, or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services. (Ref C)
11. Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. CIA's review of Committee information for redaction and replacement will be "walled off" from all other CIA activities. (Ref C)
12. It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations. (Ref C)
13. The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No

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information resulting from the Committee's study will be publicly released prior to determination by the CIA, or if applicable the DNI, that such information is unclassified. (Ref C)

14. Any notes, documents, draft and final recommendations, reports or other materials prepared by Committee members or staff based on information accessed in the Reading Room will be prepared and stored on TS/SCI systems. Such materials will carry the highest classification of any of the underlying source materials. If the Committee seeks to produce a document that carries a different classification than the underlying source material, the Committee will submit that document to CIA, or if appropriate to the DNI, for classification review, and if necessary, redaction. (Ref A)
15. Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities. (Ref C)
16. The Reading Room will be available from 0700 to 1900 hours, official government business days, Monday through Friday. If Committee staff requires additional time or weekend work is required, Committee staff will make arrangements with CIA personnel with as much advance notice as possible. (Ref A)
17. The Committee will memorialize any requests for documents or information in writing and CIA will respond to the requests in writing. (Ref A)
18. All Committee staff granted access to the Reading Room shall receive and acknowledge receipt of a CIA security briefing prior to reviewing CIA documents at the Reading Room. (Ref A)

#### REFERENCES

- A. Letter from Senators Feinstein and Bond to D/CIA Panetta dated 2 Jun 2009
- B. Letter from D/CIA Panetta to Senators Feinstein and Bond dated 4 Jun 2009
- C. Memo from (b)(6) and (b)(6) to [redacted] dated 9 Jun 2009  
(b)(3) CIAAct

~~SECRET~~

**From:** (b)(3) CIAAct  
**Sent:** Wednesday, February 19, 2014 5:09 PM  
**To:** David Buckley; (b)(3) CIAAct  
**Cc:** (b)(3) CIAAct  
**Subject:** RDINet Status 19 Feb 2014

Classification: ~~SECRET~~

(b)(3) NatSecAct

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Not a lot to report today.

(b)(3) CIAAct SA [redacted] arranged to interview [redacted] on Monday 24 Feb.

(b)(3) CIAAct Other individuals SA [redacted] contacted regarding interviews, including [redacted] are consulting with legal counsel before agreeing to interviews.

(b)(3) CIAAct [redacted]

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Classification: ~~SECRET~~



**From:** (b)(3) CIAAct  
**Sent:** Thursday, March 13, 2014 6:48 AM  
**To:** (b)(3) CIAAct  
**Subject:** USA Today Op Ed and Editorial Board response

Classification: UNCLASSIFIED  
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**From:** (b)(3) CIAAct  
**Sent:** Thursday, March 13, 2014 1:07 AM

(b)(3) CIAAct

David B Buckley  
**Cc:** (b)(3) CIAAct  
**Subject:** [AIN] Ops Center Update: USA Today Op Ed and Editorial Board response

CLASSIFICATION: UNCLASSIFIED

(b)(3) NatSecAct

**CIA: We believe in strong oversight**  
USA Today  
12 March 2014

Dean Boyd

The CIA believes in the necessity of effective, strong and bipartisan congressional oversight. We are a far better organization because of congressional oversight, and we will do whatever we can to be responsive to the elected representatives of the American people.

The CIA conducted a thorough review of the Senate Select Committee on Intelligence report on the Rendition, Detention and Interrogation program and presented an extensive written response to the committee in June 2013. The CIA's response agreed with a number of the findings of the report, but disagreed with others. Since that time, we have worked extensively with the committee to resolve differences and determine the best way forward on potential declassification and we will continue to do so.

In recent months, the CIA had reason to believe, based on comments and correspondence from Intelligence Committee members and staff to CIA officials, that committee staff may have improperly accessed and retained sensitive CIA documents that were stored on a CIA local area network. These documents were privileged, deliberative, pre-decisional Executive Branch material that implicated separation of powers concerns.

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.

The CIA quickly notified the committee leadership and requested that copies of these materials be returned. The CIA offered to conduct a joint security review with the committee to determine how committee staff had obtained the materials. To ensure that the actions of CIA officers were reviewed independently, we asked the CIA inspector general to look into the actions of CIA officers.

We have acknowledged and learned from the Rendition, Detention and Interrogation program's shortcomings, and we have taken corrective measures to prevent such mistakes from happening again. But we also owe it to the women and men who faithfully did their duty in executing this program to try to make sure any historical account of it is balanced and accurate. Even as we have learned from the past, we must be able to put the past behind us so that we can devote our full attention to the future.

#### **CIA has a lot of explaining to do: Our view**

USA Today  
12 March 2014

The Editorial Board, USA Today

Sen. Dianne Feinstein, chairman of the Senate Intelligence Committee, isn't one to throw bombs. Unlike congressional gadflies who abuse their oversight power to afflict their political enemies and make a name for themselves, the veteran California Democrat has been a responsible and low-key supporter of the intelligence community.

So when Feinstein takes to the Senate floor to level explosive charges against the CIA, as she did on Tuesday, attention should be paid.

Feinstein charged that the CIA had tampered with the intelligence committee's years-long investigation of the agency's brutal, post-9/11 interrogation program. Specifically, she said, the agency spied on committee staff and removed documents from committee computers that show the agency agrees with some of the committee's damning conclusions about the interrogation program.

What to make of this? If the CIA did what Feinstein alleges, its actions were an outrageous breach of law and the Constitution's separation of powers, and those involved must be held accountable.

The CIA insists the story is more complicated. Director John Brennan denies "hacking Senate computers" and insists that "nothing could be further from the truth." [In a letter to Feinstein](#), he said that the documents were "sensitive" ones that "may have been improperly obtained and/or retained" by the committee, and that the CIA was merely trying to understand how it made its way into Senate hands when the agency had not officially released it.



The CIA has referred the matter to the Justice Department to determine whether Senate staff broke any laws, a move Feinstein implies is a naked intimidation attempt. It shouldn't take a Justice investigation to sort out who's telling the truth, and at this point Feinstein would seem to deserve the benefit of the doubt. But it looks as if an inquiry is both inevitable and necessary.

The broader context for this extraordinary confrontation is that it is part of the nation's continuing effort to come to grips with what was done in the name of national security after the 9/11 attacks. From its beginning in 2002, the CIA's "rendition, detention and interrogation" of terror suspects was shrouded not just from public view but also from the members of Congress whose job it was to oversee it.

With encouragement from the Bush White House, the CIA behaved as if it were beyond accountability, save to the administration lawyers who distorted the law to make torture seem legal. The agency even had the astonishing gall to destroy videotapes of torture sessions, on the flimsy pretext that written accounts were a sufficient record.

President Obama outlawed torture after he was elected, and he picked Brennan in part to try to move the agency past its dark days — something Brennan says he badly wants to do even though he supported the interrogation program, with reservations, as a former top aide to ex-CIA chief George Tenet.

In the absence of definitive accounts, Americans have had to rely on news reports and movies such as *Zero Dark Thirty* to try to grasp what happened after 9/11, decide whether it was justified and determine under what circumstances — if any — it might be repeated.

These are difficult, morally complex questions. The Senate committee's long-delayed report on CIA actions will be an important step in answering them. The sooner it's released, the better.

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Classification: UNCLASSIFIED



**From:** (b)(3) CIAAct  
**Sent:** Thursday, July 10, 2014 8:35 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: DOJ Declination in Document Crossing Matter/SSCI  
**Attachments:** FAX fm DOJ on 8 JUL 2014 re Criminal Referral fm 7 FEB 2014.pdf  
**Signed By:** (b)(3) CIAAct/cia.ic.gov

Classification: UNCLASSIFIED  
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SAA file

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**From:** Caroline D. Krass  
**Sent:** Wednesday, July 09, 2014 5:55 PM  
**To:** (b)(3) CIAAct  
**Subject:** FW: DOJ Declination in Document Crossing Matter/SSCI

Classification: UNCLASSIFIED  
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Here is the other letter.

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**From:** Caroline D. Krass  
**Sent:** Wednesday, July 09, 2014 5:47 PM  
**To:** John O. Brennan; Avril Haines; Meroe S. Park  
**Cc:** (b)(3) CIAAct; Neal Higgins; Ronald D. Boyd; [redacted]  
**Subject:** DOJ Declination in Document Crossing Matter/SSCI

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(b)(3) CIAAct  
(b)(5)

Caroline  
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Classification: UNCLASSIFIED  
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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

# FAX

**To:** Caroline Krass **From:** (b)(6)

**Fax:** (b)(3) CIAAct **Pages:** 1, excluding coversheet

**Phone:** **Date:** 7.8.2014

**Re:** February 7, 2014 Criminal Referral **CC:**

Urgent  For Review  Please Comment  Please Reply  Please Recycle

**Comments:**

Caroline,

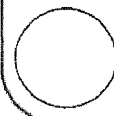
(b)(3) CIAAct

Here is an advanced copy of the Department's response to the criminal referral that [redacted] sent to us on February 7. We are mailing the hard copy today. Let us know if you have any questions. Thanks.

Sincerely,

[redacted] (b)(6)

7.8.2014





## U.S. Department of Justice

July 8, 2014

Ms. Caroline Krass  
General Counsel  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Ms. Krass:

We are writing in response to the criminal referral submitted by [redacted] (b)(3) CIAAct [redacted] to the Department of Justice on February 7, 2014, pursuant to Section 1.6(b) of Executive Order 12333, as amended, and Sections VI.B, VII.A.4, and VIII.A of the 1995 *Crimes Reporting Memorandum of Understanding between the Department of Justice and the Intelligence Community*. The criminal referral reported potential violations of federal law by individuals not employed by the Central Intelligence Agency, specifically of 18 U.S.C. § 1030(a)(2)(B) (fraud and related activity in connection with computers). Working with investigators from the Central Intelligence Agency's Office of the Inspector General, the Department has completed a preliminary inquiry into this matter and determined that, based on the information available to us at this time, there is insufficient basis to open a criminal investigation.

Please do not hesitate to contact us again if your office learns of or obtains additional information relevant to this criminal referral. Similarly, please feel free to contact us with any questions.

Sincerely,

[redacted] (b)(6)

Computer Crime and Intellectual  
Property Section  
Criminal Division

[redacted] (b)(6)

Counterespionage Section  
National Security Division



**From:** (b)(3) CIAAct  
**Sent:** Wednesday, March 12, 2014 1:02 PM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice  
**Signed By:** (b)(3) CIAAct@cia.ic.gov

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

**From:** (b)(3) CIAAct@cia.ic.gov]  
**Sent:** Wednesday, March 12, 2014 9:46 AM  
**To:** (b)(3) CIAAct  
**Subject:** Fw: Preservation Notice

Classification: CONFIDENTIAL

(b)(3) NatSecAct

----- Forwarded by (b)(3) CIAAct on 03/12/2014 09:45 AM -----

**CONFIDENTIAL**

(b)(3) CIAAct Subject: **Preservation Notice**  
 Date: 01/30/2014 To: Meroe S. Park (b)(3) CIAAct  
 04:33 PM

This message is digitally signed.

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(e) The Office of Inspector General has become aware of allegations of potential misconduct by U.S. Government employees relating to access to and review of the



(b)(3) CIAAct

computers and computer networks located at the [ ] building, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net).

As required by Section 17 of the CIA Act, these allegations have been referred to the Department of Justice. The Department of Justice has asked the CIA to preserve certain documents, information, records, and other materials, to the extent they exist, as detailed below. Due to the sensitive nature of this matter, we are sending the following preservation notice to a limited distribution of officers. We request you ensure all officers or contractors within your organizations that may have relevant information are made aware of this notice and that they preserve any documents, information, records or other material as required. Please maintain a list of any officers or groups you make aware of this notice.

(U//~~FOUO~~) Therefore, you are directed to preserve and maintain all documents, information, records, and other material falling under the below categories. Though you are directed to *preserve and maintain* all such documents, information, records, or other material, at this time it is not requested that you *produce* them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net
- [ ]  
(b)(3) CIAAct  
(b)(3) NatSecAct
- Any and a(b)(5)rds related to the loading or removal of information from RDI-Net  
(b)(7)(e)

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would**

**otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(U//~~FOUO~~) With respect to electronic records that are the subject of this request (including emails and instant messages), if you are going to be reassigned, please contact your Information Management Officer so that appropriate arrangements can be made to preserve your records before your reassignment.

(U//~~FOUO~~) If you are unsure whether certain materials should be preserved, err on the side of caution and preserve them. **Please contact Assistant Special Agent in Charge [redacted] at [redacted] if there is any doubt about whether any specific records are responsive to the order and before any possibly responsive records are deleted from any electronic information system.**

(b)(3) CIAAct

[redacted] (b)(3) CIAAct

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Classification: ~~CONFIDENTIAL~~



**From:** (b)(3) CIAAct  
**Sent:** Wednesday, March 12, 2014 7:21 PM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** RE: URGENT: USA Today Response  
**Signed By:** (b)(3) CIAAct

Classification: UNCLASSIFIED//~~FOUO~~  
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(b)(5)

CIA: WE BELIEVE IN STRONG, BI-PARTISAN OVERSIGHT

By Dean Boyd, Director of CIA Office of Public Affairs

The CIA believes in the necessity of effective, strong, and bipartisan Congressional oversight. We are a far better organization because of Congressional oversight, and we will do whatever we can to be responsive to the elected representatives of the American people.

The CIA conducted a thorough review of the Senate Select Committee on Intelligence (SSCI) report on the Rendition, Detention and Interrogation (RDI) program and presented an extensive written response to the Committee in June 2013. The CIA's response agreed with a number of the findings of the SSCI report, but disagreed with others. Since that time, we have worked extensively with the Committee to resolve differences and determine the best way forward on potential declassification and we will continue to do so.

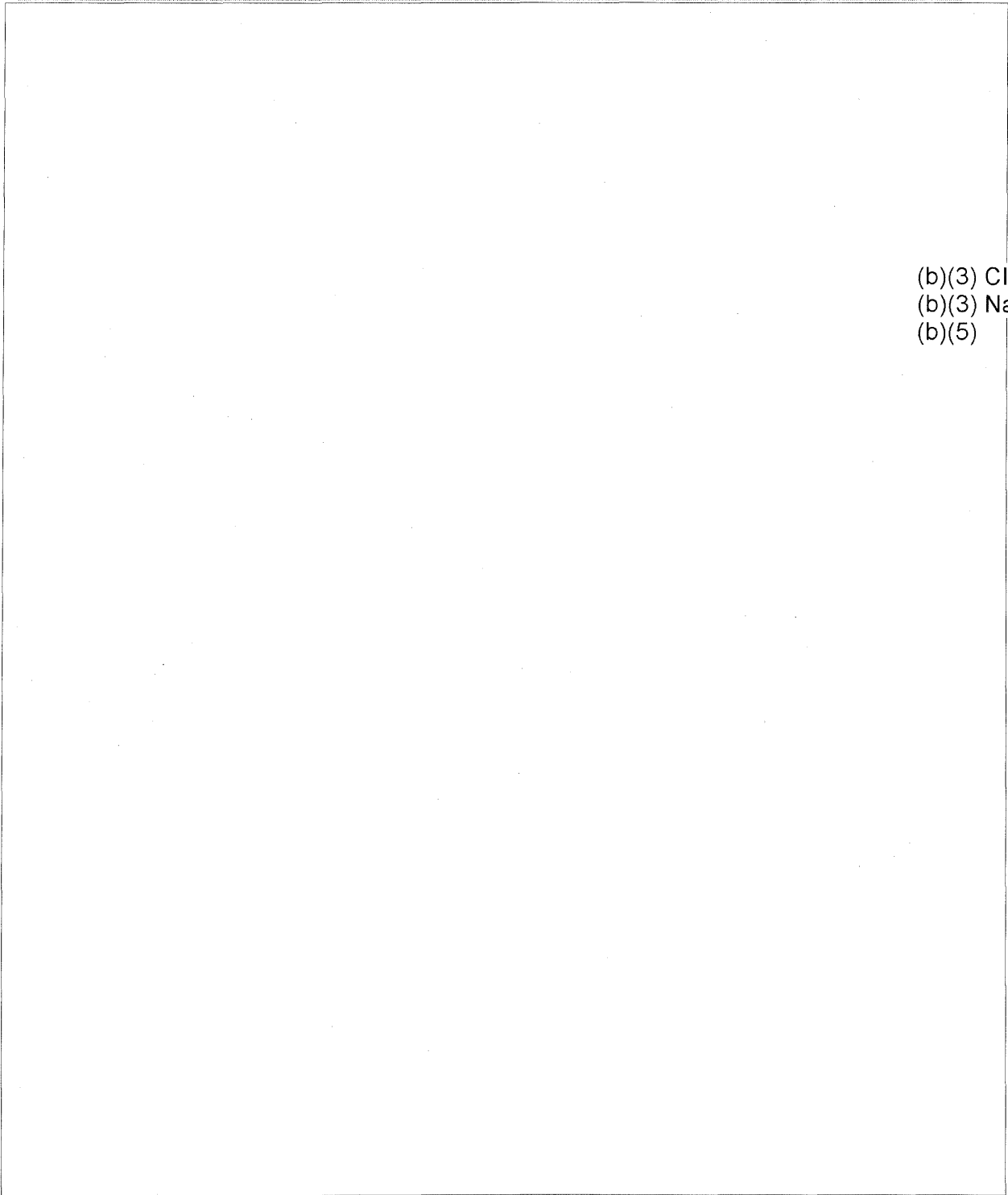
In recent months, the CIA had reason to believe, based on comments and correspondence from SSCI Members and staff to CIA officials, that SSCI staff may have improperly accessed and retained sensitive CIA documents that were stored on a CIA local area network. These documents were privileged, deliberative, pre-decisional, Executive Branch material that implicated separation of powers concerns.

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 SSCI was authorized to use. That review appeared to confirm SSCI's unauthorized access to the documents.

The CIA quickly notified the Committee leadership and requested that copies of these materials be returned. CIA offered to conduct a joint security review with the Committee to determine how Committee staff had obtained the materials. To ensure that the actions of CIA officers were reviewed independently, we asked the CIA Inspector General to look into the actions of CIA officers.

We have acknowledged and learned from the RDI program's shortcomings and we have taken corrective measures to prevent such mistakes from happening again. But we also owe it to the women and men who

faithfully did their duty in executing this program to try and make sure any historical account of it is balanced and accurate. Even as we have learned from the past, we must be able to put the past behind us so that we can devote our full attention to the future.



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(b)(3) NatSecAct  
(b)(5)



**From:** Ronald D. Boyd  
**Sent:** Wednesday, July 30, 2014 4:16 PM  
**To:** [redacted] (b)(3) CIAAct  
 [redacted] Ronald D. Boyd  
**Subject:** [redacted] Final CIA Statement  
**Attachments:** FINAL CIA Office of Public Affairs Statement OIG Report.docx  
**Signed By:** [redacted]@cia.ic.gov  
 (b)(3) CIAAct  
**Importance:** High

Classification: UNCLASSIFIED

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(b)(3) CIAAct

Can one of you get this to the low side immediately and place in CIA press release format. I am awaiting a call from [redacted] who will give us the call on when we can distribute to the media. We need to get it ready ASAP. Thanks. (b)(3) CIAAct

Dean Boyd  
 Director, CIA Office of Public Affairs  
 [redacted]@ucia.gov (b)(3) CIAAct

=====  
 Classification: UNCLASSIFIED

**CIA Office of Public Affairs Statement****July 30, 2014**

“In January 2014, CIA Director Brennan informed the leadership of the Senate Select Committee on Intelligence (SSCI) about information indicating that privileged CIA documents that were the subject of a pending request from the Committee were already in the possession of Committee staff. This same information suggested that Committee staff may have improperly accessed these documents through the network (called RDINet) that CIA maintained to facilitate the Committee’s access to materials associated with CIA’s former Rendition, Detention, and Interrogation (RDI) program. Subsequently, SSCI Chairman Dianne Feinstein expressed concern that CIA officers acted improperly when they conducted a search of the RDINet to locate those documents.

“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 (OIG) to examine the actions of CIA personnel. He also instructed CIA offices involved in this issue to work cooperatively with the Senate’s Sergeant-at-Arms, which is conducting a separate review of the SSCI staff’s activities. The CIA OIG has completed its investigation, while the Senate Sergeant-at-Arms probe remains pending. The Justice Department examined both matters and recently found that there was insufficient evidence to open a criminal investigation.

“This week, Director Brennan informed SSCI leadership of the CIA OIG’s findings, which include a judgment that some CIA employees acted in a manner that was inconsistent with the common understanding reached between SSCI and the CIA in 2009 regarding access to the RDINet. The Director apologized to the SSCI Chairman and Vice Chairman for any actions by CIA officers that were inconsistent with the understanding between the Committee and the Agency on RDINet access as described in the OIG report.

“The Director is committed to correcting any shortcomings related to this matter and, to that end; he is commissioning an Accountability Board at CIA. 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.”



**From:** Ronald D. Boyd  
**Sent:** Thursday, July 31, 2014 8:56 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: final apology statement  
**Signed By:** (b)(3) CIAAct @cia.ic.gov  
**Importance:** High

Classification: UNCLASSIFIED

=====

Can you DTO pronto?

**From:** (b)(3) CIAAct  
**Sent:** Thursday, July 31, 2014 8:40 AM  
**To:** Meroe S. Park; Ronald D. Boyd; Neal Higgins; (b)(3) CIAAct Caroline D. Krass (b)(3) CIAAct  
 (b)(3) CIAAct  
**Cc:** Avril Haines  
**Subject:** final apology statement  
**Importance:** High

Classification: UNCLASSIFIED

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Below is the statement DCIA just finalized. Meroe, please share with Evan Bayh ASAP.

(b)(6)  
 Dean, please get to [redacted] right away and tell him he needs to post before noon or he will likely be scooped.

"In January 2014, CIA Director Brennan informed the leadership of the Senate Select Committee on Intelligence (SSCI) about information indicating that privileged CIA documents that were the subject of a pending request from the Committee were already in the possession of Committee staff. This same information suggested that Committee staff may have improperly accessed these documents through the network (called RDINet) that CIA maintained to facilitate the Committee's access to materials associated with CIA's former Rendition, Detention, and Interrogation (RDI) program. Subsequently, SSCI Chairman Dianne Feinstein expressed concern that CIA officers acted improperly when they conducted a search of the RDINet to locate those documents.

"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 (OIG) to examine the actions of CIA personnel. He also instructed CIA offices involved in this issue to work cooperatively with the Senate's Sergeant-at-Arms, which is conducting a separate review of the SSCI staff's activities. The CIA OIG has completed its investigation, while the Senate Sergeant-at-Arms probe remains pending. The Justice Department examined both matters and found that there was insufficient evidence to open a criminal investigation.

“Director Brennan was briefed on the CIA OIG’s findings, which include a judgment that some CIA employees acted in a manner inconsistent with the common understanding reached between SSCI and the CIA in 2009 regarding access to the RDINet. The Director subsequently informed the Chairman and Vice Chairman of the findings and apologized to them for such actions by CIA officers as described in the OIG report.

“The Director is committed to correcting any shortcomings related to this matter and, to that end he is commissioning an Accountability Board at CIA, which will be chaired by former Senator and SSCI member Evan Bayh. 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.”

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED



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Approved for Release: 2015/07/17 C06302904  
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 SUSAN COLLINS, MAINE  
 TOM COBURN, OKLAHOMA

**CONFIDENTIAL****United States Senate**

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

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January 17, 2014

The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Brennan:

I am writing with regard to our meeting Wednesday about the acquisition of a particular CIA document. You stated at the meeting your intent to launch a full "forensic investigation" on the computers and computer networks used by the Senate Select Committee on Intelligence (SSCI) staff at the CIA facility in question. I request that you suspend any such investigation or further access to the computers or computer networks until I can consider this matter further. I will likewise pledge that SSCI staff will not access those computers or computer networks for this same period. Until that time, you do not have my agreement for any investigative activity to take place.

As you noted in our meeting, there are significant separation of powers issues involved here, and those must be properly considered.

In addition, the Committee and the CIA entered into an agreement at the outset of this Study that should, until decided otherwise, be upheld. Specifically, on June 2, 2009, Vice Chairman Bond and I wrote to Director Panetta our understanding that "... [t]he only CIA employees or contractors with access to this computer system [the SSCI system] will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee." In response, Director Panetta wrote a letter to Senator Bond and to me on June 4, 2009 agreeing, and further stating that "... CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter [of June 2, 2009]. Therefore, CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff."

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The Honorable John Brennan  
January 17, 2014  
Page Two

I believe that no further action should be taken on either side until we can both consider the proper next steps to assure the protection of all relevant equities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D".

Dianne Feinstein  
Chairman

cc: Vice Chairman Saxby Chambliss

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

**FACSIMILE**

**United States Senate  
SELECT COMMITTEE ON INTELLIGENCE**

**Dianne Feinstein, California, Chairman  
Saxby Chambliss, Georgia, Vice Chairman**

**TO: CIA Director John Brennan  
Attention: Neal Higgins**

**PHONE #:** (b)(3) CIAAct  
**FAX #:** [redacted]

**FROM: Chairman Dianne Feinstein**

**PHONE #:** (b)(6)  
**FAX #:** [redacted]

**DATE: January 17, 2014**

**NUMBER OF PAGES: 3 (including cover page)**

**COMMENTS: Letter to CIA Director John Brennan from Chairman Feinstein, dated January 17, 2014, regarding a follow-up to the Wednesday, January 15, 2014, meeting about the acquisition of a particular CIA document.**

**Please provide this letter to Director Brennan and confirm receipt.**

**Please contact (b)(6) SSCI Security Director, at (b)(6) if this facsimile is not complete.**

**CONFIDENTIAL**



**From:** (b)(3) CIAAct  
**Sent:** Monday, July 28, 2014 3:12 PM  
**To:** (b)(3) CIAAct  
**Cc:** David Buckley  
**Subject:** FW: SSCI Correspondence  
**Attachments:** Scan 2 - SSCI - DCIA Communication.pdf; Reid Letter to Brennan 5.1.14.pdf; Reid Letter\_Brennan SAA Investigation.pdf  
**Signed By:** (b)(3) CIAAct

Classification: ~~SECRET~~

(b)(3) NatSecAct

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(b)(3) CIAAct

Three copies of each, stapled individually and clipped as a stack—to me.

Thanks.

(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Monday, July 28, 2014 3:02 PM  
**To:** (b)(3) CIAAct  
**Subject:** SSCI Correspondence

Classification: ~~SECRET~~

(b)(3) NatSecAct

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All of the correspondence between Feinstein/Udall/DCIA and Reid are attached.

(b)(3) CIAAct

Special Agent

Office of the Inspector General

(b)(3) CIAAct

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Classification: ~~SECRET~~

HARRY REID  
NEVADA

MAJORITY LEADER

**United States Senate**

WASHINGTON, DC 20510-7012

May 1, 2014

Director John O. Brennan  
U.S. Central Intelligence Agency  
Washington, DC 20505

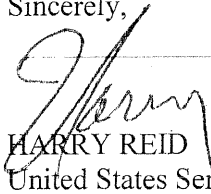
Dear Director Brennan:

Thank you for your letter. I share your desire to impartially obtain the facts in this matter and resolve any lingering questions. In that regard I understand that the Senate Sergeant at Arms, the CIA's General Counsel and the CIA's Inspector General have been discussing appropriate steps to address our respective responsibilities while coordinating with the Justice Department.

I further understand that this collaboration has led the Sergeant at Arms and the Inspector General to the belief that they should work jointly to conduct the appropriate forensic analysis to gather the facts and report back to their respective organizations, while continuing to coordinate with the Justice Department to the extent necessary to ensure the integrity of any investigation it may conduct. Consistent with the separation of powers, such joint efforts must take care to avoid compromising either Executive or Legislative Branch equities. In that regard, I understand that the CIA Inspector General's review will not investigate the activities of SSCI personnel as the Sergeant at Arms will not investigate the activities of CIA personnel. Nonetheless, I believe the CIA Inspector General and the Sergeant at Arms would be better able to reach an understanding of the relevant events by sharing facts and analysis as they move forward, and I hope you agree.

Chairman Feinstein, Vice-Chairman Chambliss and I concur that this is a reasonable way to proceed, ensuring a thorough, unbiased review of the matter. We believe this approach is consistent with our respective authorities and responsibilities. We are confident that your Inspector General and the Senate's Sergeant at Arms, in coordination with your General Counsel, can work through the particulars of the steps needed to answer remaining questions while allowing each institution to maintain its respective responsibilities.

Sincerely,



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HARRY REID  
United States Senator

# United States Senate

WASHINGTON, DC 20510-7012

March 19, 2014

The Honorable John Brennan  
Director  
United States Central Intelligence Agency  
Washington, DC 20505

Dear Director Brennan:

Given our discussions on several recent occasions, you are aware of my deep concerns regarding the CIA's actions with respect to the Senate Select Committee on Intelligence (SSCI) Study of the CIA's Detention and Interrogation Program, particularly your notification of SSCI Chairman Dianne Feinstein and Vice Chairman Saxby Chambliss that the CIA apparently, without prior authorization or consultation, searched the computers and computer networks designated for exclusive SSCI use in carrying out its oversight responsibilities. As Chairman Feinstein has noted, this incident would mark the third time since 2010 in which the CIA has acknowledged intruding into SSCI computer networks without authorization. You are no doubt aware of the grave and unprecedented concerns with regard to constitutional separation of powers this action raises.

I am aware that you have defended the CIA's actions in this case by alleging that the actions came in response to SSCI misconduct. Specifically, I understand that you have alleged that Senate committee staff illicitly accessed classified CIA networks to obtain a document – the so-called "Panetta Review" – which appears to corroborate the findings and conclusions of the Committee's Study and to contradict the CIA's own official response to the Study. To my knowledge, the CIA has produced no evidence to support its claims that Senate committee staff who have no technical training somehow hacked into the CIA's highly secure classified networks, an allegation that appears on its face to be patently absurd.

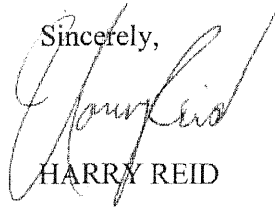
The Senate has an interest in bringing final resolution to this dispute. In coordination with the Intelligence Committee, I have instructed the Senate Sergeant-at-Arms to initiate a forensic examination of the computers and computer network assigned for exclusive SSCI use, in order to determine how the "Panetta Review" entered into the SSCI network.

In light of your statement in your January 27 letter to Senator Feinstein that you "would welcome an independent review" of this matter, I trust you will support this examination. To ensure its independence, I ask that you take whatever steps necessary to ensure that CIA personnel refrain from further interaction relating to this issue with Senate staff other than the Sergeant-at-Arms staff conducting the examination while the examination is underway. Furthermore, I ask your cooperation in ensuring that Sergeant-at-Arms staff have the access, including security clearances, necessary to complete their examination in a timely and effective manner.



Please do not hesitate to contact me with any concerns about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Reid", is written over the word "Sincerely,".

HARRY REID

CC: Attorney General Eric Holder

DIRECTOR VICE DIRECTOR DEPUTY DIRECTOR ASSISTANT DIRECTOR CHIEF OF STAFF DEPUTY CHIEF OF STAFF ASSISTANT CHIEF OF STAFF CHIEF OF BUREAU DEPUTY CHIEF OF BUREAU ASSISTANT CHIEF OF BUREAU CHIEF OF DIVISION DEPUTY CHIEF OF DIVISION ASSISTANT CHIEF OF DIVISION CHIEF OF OFFICE DEPUTY CHIEF OF OFFICE ASSISTANT CHIEF OF OFFICE CHIEF OF SECTION DEPUTY CHIEF OF SECTION ASSISTANT CHIEF OF SECTION CHIEF OF BRANCH DEPUTY CHIEF OF BRANCH ASSISTANT CHIEF OF BRANCH CHIEF OF UNIT DEPUTY CHIEF OF UNIT ASSISTANT CHIEF OF UNIT CHIEF OF POST DEPUTY CHIEF OF POST ASSISTANT CHIEF OF POST CHIEF OF STATION DEPUTY CHIEF OF STATION ASSISTANT CHIEF OF STATION CHIEF OF CONSUL DEPUTY CHIEF OF CONSUL ASSISTANT CHIEF OF CONSUL CHIEF OF LEGATION DEPUTY CHIEF OF LEGATION ASSISTANT CHIEF OF LEGATION CHIEF OF OFFICE DEPUTY CHIEF OF OFFICE ASSISTANT CHIEF OF OFFICE CHIEF OF SECTION DEPUTY CHIEF OF SECTION ASSISTANT CHIEF OF SECTION CHIEF OF BRANCH DEPUTY CHIEF OF BRANCH ASSISTANT CHIEF OF BRANCH CHIEF OF UNIT DEPUTY CHIEF OF UNIT ASSISTANT CHIEF OF UNIT CHIEF OF POST DEPUTY CHIEF OF POST ASSISTANT CHIEF OF POST CHIEF OF STATION DEPUTY CHIEF OF STATION ASSISTANT CHIEF OF STATION CHIEF OF CONSUL DEPUTY CHIEF OF CONSUL ASSISTANT CHIEF OF CONSUL CHIEF OF LEGATION DEPUTY CHIEF OF LEGATION ASSISTANT CHIEF OF LEGATION	DIRECTOR VICE DIRECTOR DEPUTY DIRECTOR ASSISTANT DIRECTOR CHIEF OF STAFF DEPUTY CHIEF OF STAFF ASSISTANT CHIEF OF STAFF CHIEF OF BUREAU DEPUTY CHIEF OF BUREAU ASSISTANT CHIEF OF BUREAU CHIEF OF DIVISION DEPUTY CHIEF OF DIVISION ASSISTANT CHIEF OF DIVISION CHIEF OF OFFICE DEPUTY CHIEF OF OFFICE ASSISTANT CHIEF OF OFFICE CHIEF OF SECTION DEPUTY CHIEF OF SECTION ASSISTANT CHIEF OF SECTION CHIEF OF BRANCH DEPUTY CHIEF OF BRANCH ASSISTANT CHIEF OF BRANCH CHIEF OF UNIT DEPUTY CHIEF OF UNIT ASSISTANT CHIEF OF UNIT CHIEF OF POST DEPUTY CHIEF OF POST ASSISTANT CHIEF OF POST CHIEF OF STATION DEPUTY CHIEF OF STATION ASSISTANT CHIEF OF STATION CHIEF OF CONSUL DEPUTY CHIEF OF CONSUL ASSISTANT CHIEF OF CONSUL CHIEF OF LEGATION DEPUTY CHIEF OF LEGATION ASSISTANT CHIEF OF LEGATION
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# United States Senate

SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510-0470

November 26, 2013

SSCI# 2013-3453

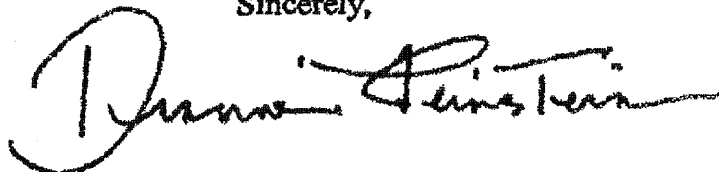
The Honorable John O. Brennan  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Brennan:

It has come to my attention that, after the Senate Select Committee on Intelligence began its review of CIA documents related to the CIA Detention and Interrogation Program in 2009, former CIA Director Panetta initiated an internal review of the records. It is my understanding that this internal review resulted in several summary documents that came to similar conclusions as those found in the December 13, 2012, Committee Study of the CIA Detention and Interrogation Program.

Given the similarities between the Committee Study of the CIA's Detention and Interrogation Program and the Director Panetta review, and the divergence of the CIA Response to the Committee Study of the CIA's Detention and Interrogation Program that you provided June 27, 2013, I am requesting a copy of the Director Panetta review and associated materials be made available to me as soon as possible. Thank you very much.

Sincerely,



Dianne Feinstein  
Chairman

MARK UDALL  
COLORADO

U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE  
WASHINGTON, DC 20510  
302-224-3841

## United States Senate

WASHINGTON, DC 20510

January 6, 2014

President Barack Obama  
The White House  
Washington, DC 20500

Dear Mr. President:

I write regarding the requests I made at the recent Senate Select Committee on Intelligence confirmation hearing for Ms. Caroline Krass, whom you have nominated to serve as General Counsel of the Central Intelligence Agency.

As I expressed to Ms. Krass at her confirmation hearing, I continue to have deep concerns about how the CIA has interacted with the Senate Intelligence Committee throughout the nearly four years that the Committee has been researching and drafting its study of the CIA's detention and interrogation program. I am also deeply concerned about the CIA's repeated public claims that the Committee's study includes "significant errors," a statement that I do not believe is factually accurate. Perhaps as a result of this misinformation, your national security spokesperson, Caitlyn Hayden, released a statement that the White House wanted the Committee and the CIA to continue working to "address issues associated with the report." As I have stated, I do not believe there are any "issues associated with the report," but I do believe there continue to be problems with the CIA's engagement with the Committee on this matter.

At last month's hearing, I explained to Ms. Krass that I need additional information and assurances specific to the Committee's study before I can support her nomination. In particular, I asked for assistance with regard to three requests:

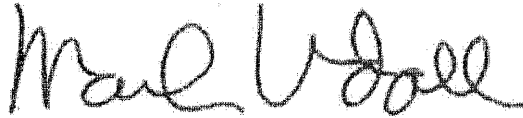
- First, I noted that the CIA has not yet responded to some outstanding requests for cables and other information that are necessary for completion of the Committee's Study. Those requests need to be addressed and fully resolved.
- I also asked that a copy of an internal CIA review of the CIA's detention and interrogation program be provided to the Committee. I believe this review is consistent with the Committee's study, acknowledging mistakes and errors during the CIA program that the CIA's June 2013 response to the Committee denies.
- Finally, I asked for a public statement from the White House committing to the fullest possible declassification of the Committee's study in the most expedient and responsible manner possible.

Mr. President, I believe these are reasonable requests. I want to underscore their importance — as well as the importance of correcting the public record. As you know, the Senate Intelligence Committee's study concludes that in the case of the CIA's detention and interrogation program, inaccurate and misleading information was conveyed by the CIA to the public, the Congress, the Department of Justice, the Department of State — and to the President of the United States. This must never happen again.

www.senate.gov

In 2009, you made it clear that the CIA's detention and interrogation program and its coercive "enhanced interrogation techniques" had no place in an Obama administration. I deeply appreciate your stand on this and similarly important issues. Further, I strongly believe that coercive interrogation techniques and abusive treatment have no place in any future U.S. administration. For this reason, I look forward to working with you and your team to responsibly declassify the Committee's study of the CIA's detention and interrogation program. Only by doing so can we ensure that the correct lessons are learned from this difficult chapter in our country's history, and the policy and management issues uncovered are corrected and never repeated.

Sincerely,

A handwritten signature in black ink that reads "Mark Udall". The signature is written in a cursive, flowing style.

Mark Udall  
U.S. Senator

Cc: John Brennan  
Director, Central Intelligence Agency

~~SECRET//NOFORN~~

DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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(b)(6)

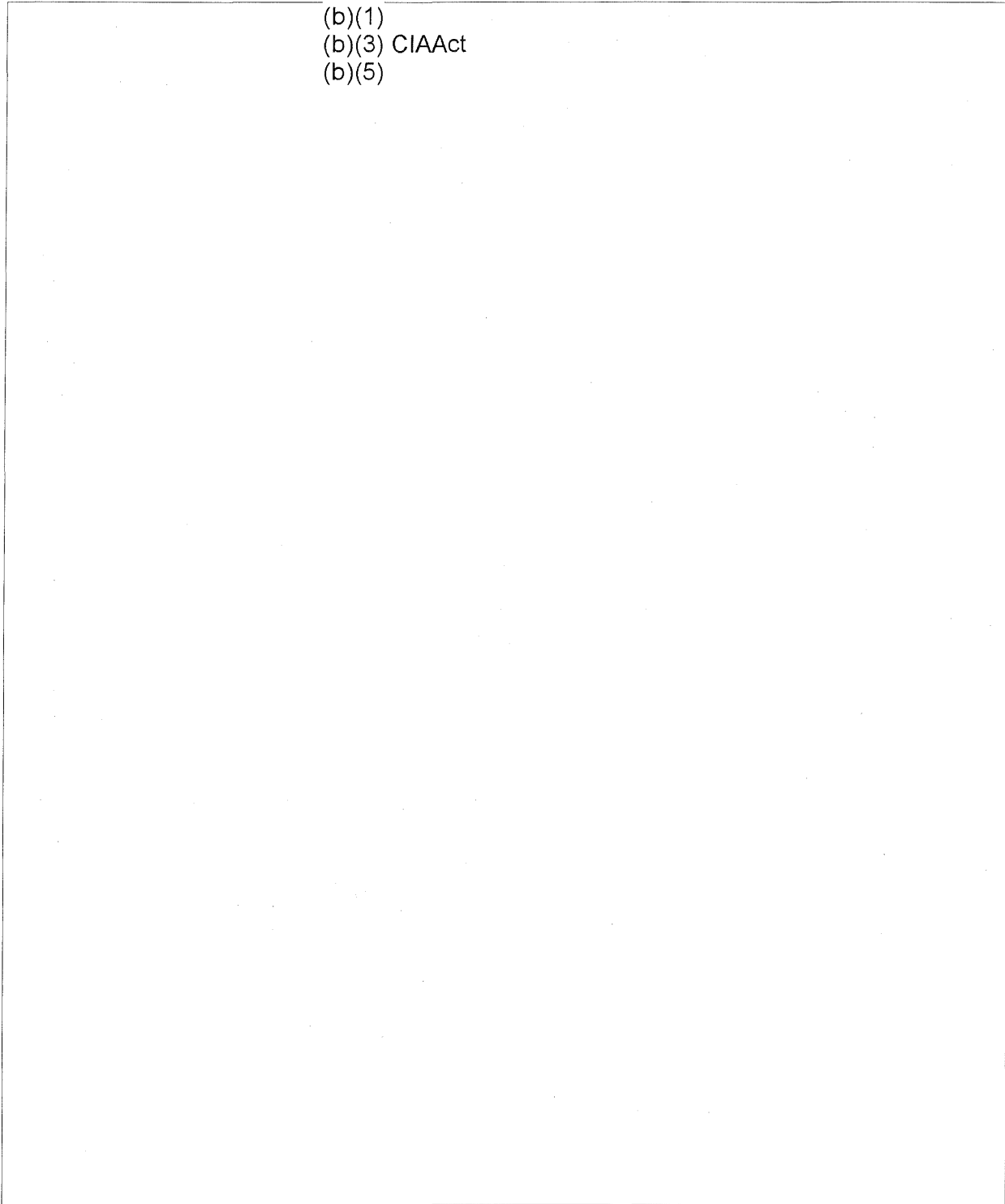
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(b)(3) CIAAct  
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 WASHINGTON, DC 20510-4475

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 DEBBIE THOMPSON KAYLE, CHIEF CLERK

January 17, 2014

The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Brennan:

I am writing with regard to our meeting Wednesday about the acquisition of a particular CIA document. You stated at the meeting your intent to launch a full "forensic investigation" on the computers and computer networks used by the Senate Select Committee on Intelligence (SSCI) staff at the CIA facility in question. I request that you suspend any such investigation or further access to the computers or computer networks until I can consider this matter further. I will likewise pledge that SSCI staff will not access those computers or computer networks for this same period. Until that time, you do not have my agreement for any investigative activity to take place.

As you noted in our meeting, there are significant separation of powers issues involved here, and those must be properly considered.

In addition, the Committee and the CIA entered into an agreement at the outset of this Study that should, until decided otherwise, be upheld. Specifically, on June 2, 2009, Vice Chairman Bond and I wrote to Director Panetta our understanding that "... [t]he only CIA employees or contractors with access to this computer system [the SSCI system] will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee." In response, Director Panetta wrote a letter to Senator Bond and to me on June 4, 2009 agreeing, and further stating that "... CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter [of June 2, 2009]. Therefore, CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff."

**CONFIDENTIAL**

~~CONFIDENTIAL~~

The Honorable John Brennan  
January 17, 2014  
Page Two

I believe that no further action should be taken on either side until we can both consider the proper next steps to assure the protection of all relevant equities.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Dianne Feinstein".

Dianne Feinstein  
Chairman

cc: Vice Chairman Saxby Chambliss

~~CONFIDENTIAL~~

JAMES D. BOND (R-TX)     MARK E. BISH (R-CA)     MARK E. BISH (R-CA)  
 DANIEL CLIFF (R-VA)     DANIEL CLIFF (R-VA)     DANIEL CLIFF (R-VA)  
 JAMES E. BISH (R-CA)     JAMES E. BISH (R-CA)     JAMES E. BISH (R-CA)  
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# United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6479

HARRY REID (NEVADA, SR.) (D-NV)  
 MARTIN MCCLELL (KENTUCKY) (D-KY)  
 MARK E. BISH (CALIFORNIA) (R-CA)  
 JAMES E. BISH (CALIFORNIA) (R-CA)

DAVID HUBBARD (IOWA) (D-IA)     STAFF DIRECTOR  
 JAMES E. BISH (CALIFORNIA) (R-CA)     DANIEL CLIFF (VA) (R-VA)

January 23, 2014

The Honorable John Brennan  
 Director  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Brennan:

You informed Vice Chairman Chambliss and me on January 15, 2014, that, without prior consultation or approval from the Committee, CIA personnel had conducted one or more searches of the computer network at an offsite facility that the CIA had assigned exclusively to the staff of the Senate Select Committee on Intelligence (SSCI) for use in the Committee's Study on the CIA Detention and Interrogation Program. You also told Senator Chambliss and me that the CIA took this action to determine whether a particular document or set of documents (what we have called "the internal review" or "the Panetta review") was present on the Committee computer network.

As you know, I am very concerned by these actions. First, after consultation with other Senators and with the Senate Legal Counsel, I believe that depending on the facts involved, this search may have been inconsistent with the separation of powers principles embodied in the Constitution and essential to effective congressional oversight of intelligence activities. Second, the search may have violated the Fourth Amendment, the Speech and Debate Clause of the Constitution, various statutes (including federal criminal statutes, such as the Computer Fraud and Abuse Act), and Executive Order 12333. Third, the search violates a written agreement between the CIA and the Committee that was reached at the outset of the Study in 2009 to create a "walled-off" computer network for Committee use at the offsite facility.

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I understand that, following my letter to you of January 17, 2014, asking you to suspend all searches of the Committee network, you agreed that the CIA would suspend any further searches, as per our prior written agreements.

The computer network in question was, according to the written agreement between the CIA and the Committee in 2009, to be "walled-off" from CIA personnel except for narrow cases involving technical support and assistance. The network was recognized to contain SSCI work product, and was not to be accessed or affected by CIA personnel without prior approval of the Committee.

The fact that the computers and the computer network were provided to the SSCI by the CIA at a CIA-leased facility does not affect the SSCI's exclusive rights with regard to the network. In fact, the Committee's strong preference in 2009 was to have the CIA provide all information relevant to the Study to the Committee at its offices in the Hart Senate Office Building, as is standard procedure for Committee oversight work. It was only because of the written agreement between the Committee and the CIA, that assured the Committee of the protections for SSCI information and materials at the CIA facility, that we agreed to the present arrangement.

I have the following initial questions about the CIA breach of this agreement and the CIA search of the Committee network. The Committee may also seek an independent review of this action.

1. Who first suggested the search? Was it personally approved by you? If not, who approved the search?
2. For what specific purpose or purposes was the search conducted?
3. Was legal guidance sought and provided prior to the approval? Did that legal guidance take into account the written agreements with the Committee prohibiting such a search without the Committee's approval?
4. What was the legal basis for the search of the Committee computer network? Did CIA seek and obtain legal process in advance of conducting this search?
5. When did the search of the Committee network take place, where, and by whom? Did the search involve any contractors? Was the search a one-time event, or were there multiple searches of the Committee network? If the latter, when did they occur, when did they end, and why did they end?

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6. What were the directions provided to the individuals who conducted the search? How, specifically, was the search conducted?
7. What materials were searched and reviewed by CIA personnel or CIA contractors. What parts of the Committee computer network were searched? Did this search include internal communications between Committee staff or personal notes or other work-product of Committee staff? Was any process used to minimize the extent of the search of such sensitive materials? Was the search limited to the majority staff's network?
8. Did the CIA physically enter either of the two combination-locked secure rooms where the Committee computer network and the Committee's research materials and work product are located? If so, were any hard copy documents in those rooms reviewed or searched?
9. Did the CIA alter or remove any data from the Committee network? If so, what specifically was altered or removed?
10. Does the CIA have any materials reviewed during the search in its possession? If so, who has custody of these records and materials?
11. Who, if anyone, outside of the CIA was aware of the possibility or plans to search the Committee network prior to the search occurring?
12. Who, if anyone, outside of the CIA, has the CIA consulted since the search? Specifically, have CIA personnel informed the Director of National Intelligence, the Department of Justice, the Federal Bureau of Investigation, the White House, or the President's Intelligence Advisory Board and its Intelligence Oversight Board?

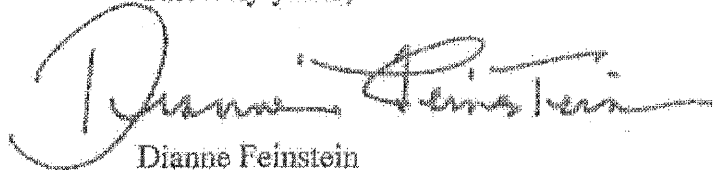
Finally, at our January 15, 2014, meeting, you raised concerns about the security of the CIA's classified computer systems, alleging the possibility that Committee staff had obtained the internal review by working to gain unauthorized access to CIA computers or databases. They did not. The internal review was provided to Committee staff at the CIA-leased facility where the Committee Study work was conducted. Due to the nature of the computer systems at the facility, the Committee has no way to determine who provided the documents and for what purpose.

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As I noted before, I view the CIA's actions with significant concern. I intend to brief the full SSCI membership of this matter shortly and would appreciate your answers to my questions as soon as can possibly be provided, and no later than Monday, January 27, 2014.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with the first name "Dianne" being larger and more prominent than the last name "Feinstein".

Dianne Feinstein  
Chairman

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

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JOHN D. ROCKEFELLER IV  
WEST VIRGINIA



United States Senate  
WASHINGTON, D.C.

January 27, 2014

The Honorable John O. Brennan  
Director, Central Intelligence Agency  
Washington, DC 20505

Dear Director Brennan,

I cannot overstate how deeply disappointed I am to learn of the CIA's unauthorized search of the Senate Intelligence Committee's computer network at an offsite facility. Particularly in the context of the Committee's Study on Detention and Interrogation where there has long been a deficit of trust-- a deficit that you and I have been working to repair - this is so damaging.

My message to you has always been that the CIA must fully and forthrightly recognize its past mistakes, and then apply the lessons learned from those mistakes as it moves forward with its critically important mission. Your letter to me in December of last year seemed like an encouraging recognition of the importance of that approach, which makes this most recent development all the more troubling.

This mistake, this search without the Committee's approval, has the potential to undermine so much of our important work together - it must be addressed fully. It must be addressed in a way that repairs the breach of trust and allows the CIA and this committee to constructively move forward.

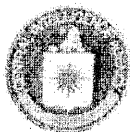
In your confirmation hearing I praised your strong leadership, patience, courtesy, and wisdom, which I said made you the right man for the job. In this challenging moment, I urge you to draw on those attributes to find a way, as the leader of the CIA, to make this right.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay", written over a faint, larger signature.

John D. Rockefeller IV



THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

27 January 2014

The Honorable Dianne Feinstein  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

I am in receipt of your 23 January 2014 letter regarding our 15 January 2014 meeting. I wholeheartedly agree that the Executive and Legislative branches must respect the Constitution's separation of powers and that the events that led up to our meeting go not only to the heart of that respect, but also to the effectiveness and integrity of the oversight process. As I have noted in the past, I believe in and strongly support the necessity of effective Congressional oversight, while also desiring to protect the Executive branch's legitimate prerogatives. In order to give you a sense of my perspective on these developments, I have outlined them below and propose a possible path forward. In short, I believe your idea of some sort of independent review is worth exploring, as it is my hope that we can find a way to address these events in a mutually satisfactory way that respects the very separation of powers principles we both seek to uphold.

As I relayed to you and Vice Chairman Chambliss during our 15 January meeting, I recently received information suggesting that sensitive CIA documents that were the subject of a pending request from the Committee may have been improperly obtained and/or retained on the SSCI staff side of a CIA local area network, which was set up exclusively for the Committee's RDI review and which contains highly classified information. Consequently, I asked for a meeting with you and the Vice Chairman as soon as possible to share that information and to discuss the need for a review of the system in order to assess what happened. As we know, both branches have taken great care to establish an accommodation regarding the Committee's access to Executive branch information on the RDI program, and we need to ensure that what is shared is as agreed between the branches. At the same time, and most importantly, if the integrity of our network is flawed, we must address the security problem immediately.<sup>1</sup>

<sup>1</sup> To ensure we have a common understanding of the agreement governing the SSCI staff's access to and use of a portion of the relevant CIA facility's network, I will transmit under separate classified cover a copy of the agreed-upon Standard Operating Procedures, a copy of the materials used in

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The Honorable Dianne Feinstein

During our 15 January meeting, I explained how it came to our attention that these documents were on the SSCI staff side of the network. As I indicated, recent statements made by Committee staff suggested they had in their possession a document that you requested in a 26 November 2013 letter. In your correspondence, you asked for "several summary documents" from what you termed an "internal review" of the CIA RDI program initiated by Director Panetta that purportedly came to conclusions similar to those contained in the Committee's study on the RDI program. Senator Udall made a similar reference to, and a request for, these materials during the open hearing on Caroline Krass's nomination to be the CIA's General Counsel. Senator Udall repeated his request for these documents in a 6 January 2014 letter that he wrote to the President. In response, I explained to both you and Senator Udall that these requests raised significant Executive branch confidentiality interests and outlined the reasons why we could not turn over sensitive, deliberative, pre-decisional CIA material. These documents were not created as part of the program that is the subject of the Committee's oversight, but rather were written in connection with the CIA's response to the oversight inquiry. They include a banner making clear that they are privileged, deliberative, pre-decisional CIA documents, to include attorney-client and attorney work product. The Executive branch has long had substantial separation of powers concerns about congressional access to this kind of material.

CIA maintains a log of all materials provided to the Committee through established protocols, and these documents do not appear in that log, nor were they found in an audit of CIA's side of the system for all materials provided to SSCI through established protocols. Because we were concerned that there may be a breach or vulnerability in the system for housing highly classified documents, CIA conducted a limited review to determine whether these files were located on the SSCI side of the CIA network<sup>2</sup> and reviewed audit data to determine whether anyone had accessed the files, which would have been unauthorized. The technical personnel conducting the audit review were asked to undertake it only if it could be done without searching audit data relating to other files on the SSCI side of CIA's network. That review by IT personnel determined that the documents that you and Senator Udall were

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the security briefing given to all Committee staff granted access to the CIA network, and other relevant documents.

<sup>2</sup> The system is designed to preclude looking for file names across the entire network, thus precluding a single "network wide" review. Thus, absent finding and exploiting a vulnerability, the CIA personnel working on the RDI review should not be able to access any information on the SSCI side, and the SSCI staff working on the RDI review should not be able to access any information on the CIA side of the network.

The Honorable Dianne Feinstein

requesting appeared to already be on the SSCI staff side of CIA's local area network and had been accessed by staff. Only completion of the security review will answer how SSCI staff came into possession of the documents. After sharing this information with you and explaining that I did not know how the materials would have appeared on the SSCI staff side of the network, I requested that you return any copies of these highly sensitive CIA documents located either in the Committee reading room at the CIA facility or in the Committee's own offices. You instructed your staff director to collect and provide to you any copies of the documents. I informed you that I had directed CIA staff to suspend any further inquiry into this matter until I could speak with you.

I stated that I had asked for the meeting because I wanted Committee leadership to be fully aware of what had been brought to my attention before I directed the appropriate IT personnel to begin a full computer security review. I informed you that the staff who would conduct the security review would need to conduct computer forensics on the CIA documents that appear to be on the SSCI side of the system. I further informed you that the individuals assigned to conduct this security review would be "walled off" from the CIA personnel who have been involved in reviewing the Committee's study on the RDI program in order to protect the SSCI's legitimate equities in its deliberative materials and work product.

I made clear during our meeting that I wanted to conduct this security review with your consent and, furthermore, that I welcomed the participation of the Committee's Security Director in this effort. You informed me that you were not aware that the Committee staff already had access to the materials you had requested in your letter. Soon after our meeting, you requested by letter that I suspend any investigation or further access to the computers or computer networks until you could consider the matter further. You also pledged in your letter that SSCI staff would not access those computers or computer networks for this same period. I reached you by telephone the next day to inform you that the CIA would temporarily suspend the security review in light of your request. I trust that you continue to believe that Committee staff should not access any of the computers on CIA's local area network while we work through this matter.

As I stated in our meeting, the existence of these sensitive Executive branch documents on the SSCI side of the CIA facility network--all of which were created outside the agreed time period for document production--raises significant concerns about the integrity of a highly classified CIA computer system and whether the protocols developed between the SSCI and the CIA in relation to CIA files are being followed. You indicate in your most recent

The Honorable Dianne Feinstein

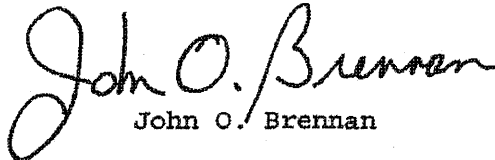
letter that these documents were provided to Committee staff at the CIA-leased facility, but, as I noted above, we have no record of having done so under the process by which we have regularly provided documents.

As I noted at our meeting, this is a very serious matter, and it is important that both the CIA and the Committee get to the bottom of what happened. We should be able to do this in a way that preserves our institutional equities.

I renew my invitation to have the Committee's security officer fully participate with CIA security professionals in a security review of the local area network dedicated to the RDI study. Your 23 January letter indicates that an independent review of these events also may be appropriate. I would welcome an independent review that explores CIA's actions and how these documents came to reside on the Committee's side of the CIA facility network. If you are amenable, I will have my Acting General Counsel reach out to the Committee's Majority and Minority Counsel to discuss options for such an independent review.

However we proceed, the security review must be completed in a timely manner. It is imperative to learn whether or not a breach or vulnerability exists on this network and was exploited. I trust that you share my concerns and that we can work together to carry out a security review that answers these important questions while respecting the important separation of powers concerns of both branches.

Sincerely,

  
John O. Brennan

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National  
Intelligence  
Ms. Kathryn Ruemmler, White House Counsel

**SECRET****STANDARD OPERATING PROCEDURES FOR SSCI REVIEW**

1. The CIA will provide all Members of the Committee and up to 15 Committee staff (in addition to our staff director, deputy staff directors, and counsel) with access to unredacted responsive information. In addition, additional cleared staff may be given access to small portions of the unredacted information for the purpose of reviewing specific documents or conducting reviews of individual detainees. These Committee staff have or will have signed standard Sensitive Compartmented Information non-disclosure agreements for classified information in the  compartment. (Ref A)
2. CIA will make unredacted responsive operational files, as that term is defined in Section 701(b) of the National Security Act of 1947 (50 USC 431(b)), available at a secure Agency electronic Reading Room facility which will permit Committee staff electronic search, sort, filing, and print capability. (Ref A)
3. If responsive documents other than those contained in the operational files identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms, or pseudonyms, CIA will provide unredacted copies of those documents at the Reading Room. (Ref A)
4. Responsive documents other than those contained in operational files that do not identify the names of non-supervisory CIA officers, liaison partners, or black site locations, or contain cryptonyms or pseudonyms will be made available to the Committee in the Committee's Sensitive Compartmented Information Facility (SCIF), unless other arrangements are made. (Ref A)
5. CIA also recognizes the Committee's need to create work product on a walled-off network share-drive as discussed in paragraph 5 of your letter. Therefore, CIA access to the walled off network share drive will be limited to CIA information technology staff, except as authorized by the Committee or its staff. CIA would like to clarify, however, that unlike the walled-off network share drive, the stand alone network must be accessed by CIA staff assigned to this effort to perform a variety of tasks, including, for example, loading and organizing the raw responsive data requested by the Committee and review or redaction of material sought to be removed from the Reading Room. (Ref B)
6. Any documents generated on the network drive referenced in paragraph 5, as well as any other notes, documents, draft and final recommendations, reports, or other materials generated by the Committee staff or Members, are the property of the Committee and will be kept at the Reading Room solely for secure safekeeping and ease of reference. These documents remain congressional records in their entirety and disposition and control over these records, even after completion of the Committee's review, lies exclusively with the Committee. As such, these records are not CIA records under the Freedom of Information Act or any other

(b)(1)  
(b)(3) NatSecAct

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law. The CIA may not integrate these records into its records filing systems, and may not disseminate or copy them, or use them for any purpose without the prior written authorization of the Committee. The CIA will return the records to the Committee immediately upon request in a manner consistent with paragraph 11. If the CIA receives any request or demand for access to these records from outside the CIA under the Freedom of Information Act or any other authority, the CIA will immediately notify the Committee and will respond to the request or demand based upon the understanding that these are Congressional, not CIA, records. (Ref A)

7. CIA will provide the Committee with lockable cabinets and safes, as required, in the Reading Room. (Ref A)
8. If Committee staff identifies CIA-generated documents or materials made available in the Reading Room that staff would like to have available in the Committee SCIF, the Committee will request redacted versions of those documents or materials in writing. Committee staff will not remove such CIA-generated documents or materials from the electronic Reading Room facility without the agreement of CIA. (Ref A)
9. CIA intent is to keep all of the operational cables at the Reading Room. If Members or staff wish to remove any of the operational cables from the Reading Room, we will consider those requests on a case by case basis, and we will work to accommodate your requirements. (Ref B)
10. SSCI Members or staff will not remove from the Reading Room any notes, work product, operational files, or other documents that contain unredacted names or pseudonyms of non-supervisory CIA personnel; locations of detention facilities or cryptonyms or information directly identifying such sites, or names of individual assets, contacts, foreign government officials, or foreign intelligence officials or services. (Ref C)
11. Prior to leaving the Reading Room with any materials containing operational information covered in the preceding paragraph or references to such information, Committee staff will provide those materials to CIA personnel for redaction or replacement with a designator or for CIA's review of the Committee staff redaction or replacement. CIA's review of Committee information for redaction and replacement will be "walled off" from all other CIA activities. (Ref C)
12. It will not be the Committee's general practice to recreate such sensitive information when writing memoranda or report materials in the Committee's office spaces or other locations. (Ref C)
13. The Committee will not provide information gained from the review of materials at the Reading Room to anyone not a Member or cleared staffer of the Committee prior to providing that information to the CIA for a classification review. No

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information resulting from the Committee's study will be publicly released prior to determination by the CIA, or if applicable the DNI, that such information is unclassified. (Ref C)

14. Any notes, documents, draft and final recommendations, reports or other materials prepared by Committee members or staff based on information accessed in the Reading Room will be prepared and stored on TS/SCI systems. Such materials will carry the highest classification of any of the underlying source materials. If the Committee seeks to produce a document that carries a different classification than the underlying source material, the Committee will submit that document to CIA, or if appropriate to the DNI, for classification review, and if necessary, redaction. (Ref A)
15. Except for materials stored at the Reading Room, notes and documents created by the Committee based on information provided at the Reading Room will be stored in the Committee's SCIF except during appropriate transit between secure facilities. (Ref C)
16. The Reading Room will be available from 0700 to 1900 hours, official government business days, Monday through Friday. If Committee staff requires additional time or weekend work is required, Committee staff will make arrangements with CIA personnel with as much advance notice as possible. (Ref A)
17. The Committee will memorialize any requests for documents or information in writing and CIA will respond to the requests in writing. (Ref A)
18. All Committee staff granted access to the Reading Room shall receive and acknowledge receipt of a CIA security briefing prior to reviewing CIA documents at the Reading Room. (Ref A)

#### REFERENCES

- A. Letter from Senators Feinstein and Bond to DCIA Panetta dated 2 Jun 2009
- B. Letter from DCIA Panetta to Senators Feinstein and Bond dated 4 Jun 2009
- C. Memo from (b)(6) and (b)(6) (b)(3) CIA Act dated 9 Jun 2009

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**From:** (b)(3) CIAAct  
**Sent:** Monday, July 28, 2014 4:32 PM  
**To:** (b)(3) CIAAct  
**Subject:** Feinstein and Chambliss Memos  
**Attachments:** 28 July 2014 FINAL\_SSCI\_IG\_Chambliss\_No Conclusions.docx; 28 July 2014 FINAL\_SSCI\_IG\_Feinstein\_No Conclusions.docx

Classification: UNCLASSIFIED//~~FOUO~~  
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Sending anyway, just in case you need it soft copy for any reason. ☺

*Thanks,*

(b)(3) CIAAct

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Classification: UNCLASSIFIED//~~FOUO~~

28 July 2014

The Honorable Saxby Chambliss  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Chairman:

(U//~~FOUO~~) I write today about the matter that arose in January regarding access to CIA documents by Committee staff. As you will recall, I came to you and Vice Chairman Chambliss to discuss information I had received indicating privileged CIA documents that were the subject of a pending request from the Committee were already in the possession of Committee staff. That same information suggested Committee staff may have improperly accessed those documents through the network that CIA operated and maintained (RDINet) to facilitate the Committee's access to materials associated with CIA's former Rendition, Detention, and Interrogation program. Subsequent to that meeting, you expressed concern that Agency staff had acted improperly when they conducted a search of the RDINet to locate those documents.

(U//~~FOUO~~) Recognizing the importance of this matter and the need to resolve it in a way that preserved the crucial equities of both the Executive and Legislative branches, I asked the Agency's Inspector General to examine the actions of CIA personnel and instructed relevant CIA offices to work cooperatively with the Senate Sergeant-at-Arms in its review of the actions of Senate staff.

(U//~~FOUO~~) The CIA's Office of the Inspector General (OIG) has completed its investigation, and I have asked the IG to brief you in full. I recently received a briefing on the IG's findings, and want to inform you that the investigation found support for your concern that CIA staff had improperly accessed the SSCI shared drive on the RDINet when conducting a limited search for CIA privileged documents. In particular, the OIG judged that Agency officers' access to the SSCI shared drive was

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The Honorable Saxby Chambliss

inconsistent with the common understanding reached in 2009 between the Committee and the Agency regarding access to RDINet. Consequently, I apologize for the actions of CIA officers.

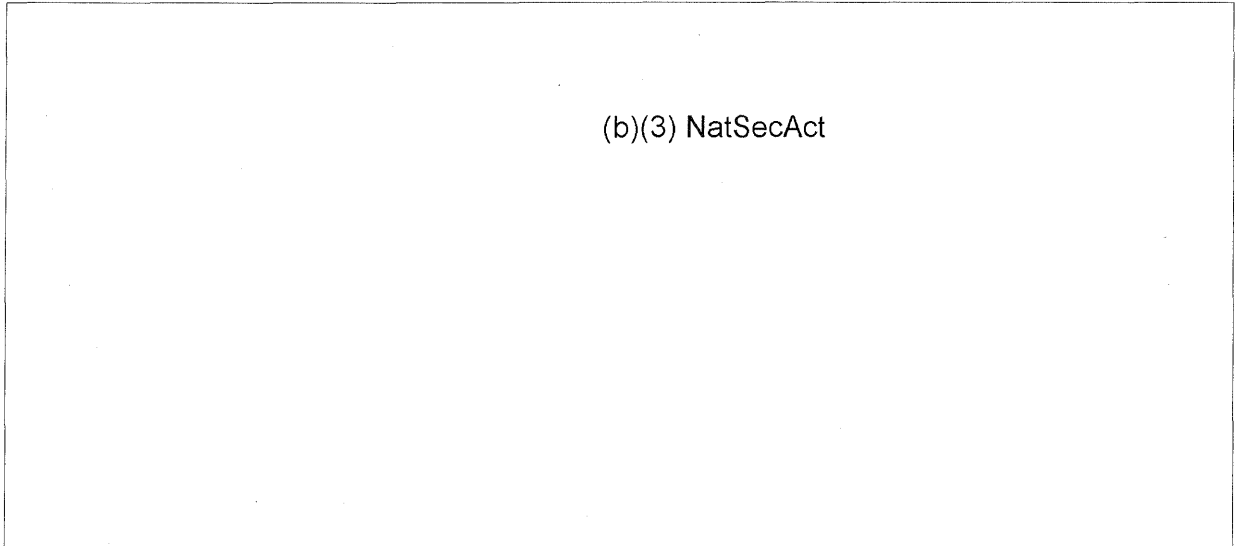
(U//~~FOUO~~) I am committed to correcting the shortcomings that this report has revealed, and I am commissioning an Accountability Board. I will ask the Board to review the OIG report, conduct interviews as needed, and provide me with recommendations regarding potential disciplinary actions, as well as on any other systemic issues that need to be addressed. I will inform you of the Board's recommendations once its final report has been provided to me and I have had an opportunity to determine appropriate actions. An original of this letter is also being sent to SSCI Chairman Feinstein.

Sincerely,

John O. Brennan

cc: Director of National Intelligence  
White House Counsel  
Inspector General, CIA

The Honorable Saxby Chambliss



28 July 2014

The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

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The Honorable Dianne Feinstein

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Sincerely,

John O. Brennan

cc: Director of National Intelligence  
White House Counsel  
Inspector General, CIA

The Honorable Dianne Feinstein

(b)(3) NatSecAct





UNCLASSIFIED//~~FOUO~~

**Office of Inspector General  
Investigations Staff**

**Memorandum of Investigative Activity (MOIA)**

Case No.:	<u>2014-11718</u>	Case Title:	<u>Network Access and Monitoring</u>
Investigator:	<u>SA (b)(3) CIAAct</u>	Activity:	<u>DoJ Interview Participation Memo</u>
Date of Activity:	<u>19 March 2014</u>	Date Prepared:	<u>21 March 2014</u>
Location:	<u>(b)(3) CIAAct</u>		
MOIA prepared by:	<u>(b)(3) CIAAct</u>		

1. (U//~~FOUO~~) The Department of Justice (DoJ) is conducting a preliminary inquiry of the CIA's Rendition, Detention, and Interrogation (RDI) Special Review Program in response to two crimes referrals made by the CIA. The first referral, made by the Office of the Inspector General (OIG), reported possible violations of 18 USC § 1030 (Fraud and related activity in connection with computers) and 18 USC § 2511 (Authorization for interception of wire, oral, or electronic (b)(3) CIAAct) by Agency employees. The second referral, made by the Acting General Counsel (b)(3) CIAAct reported possible violations of 18 USC § 1030 (a) (2) (B) (Fraud and related activity in connection with computers) by one or more individuals not employed by the CIA.

2. (U//~~FOUO~~) Pursuant to the preliminary inquiry being conducted by the DoJ, Computer Crimes and (b)(6) actual Property Division Attorney, (b)(6) and National Security Division Attorney, (b)(6) are participating in the OIG's investigative efforts. These efforts include attendance at witness interviews, and have necessitated that the attorneys question the witnesses on (b)(3) CIAAct outside of the scope of the OIG investigation. The OIG, under direction of Counsel to the OIG, (b)(3) CIAAct took notes on the entirety of the content covered in the interviews. Due to the nature of the interviews, DoJ questions were in some cases intermingled. The OIG did not and will not actively participate in the interview as it related to the investigation and line of questioning on the conduct of the SSCI staff. As a result, the OIG will draft two copies of each Memorandum of Investigative Activity for the interviews where DoJ participated: one draft will be provided to the DoJ and will include all content of the interview; the other draft will include only content relevant to the scope of the OIG investigation of CIA employee conduct. The relevant MOIAs will be annotated to document DoJ attorney presence.

INV-100  
Page 1 of 1

This document is controlled by the CIA/OIG and neither the document nor its contents should be disseminated without prior IG authorization.

UNCLASSIFIED//~~FOUO~~



**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 9:53 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice Related to Google Search Appliance  
**Signed By:** (b)(3) CIAAct@cia.ic.gov

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

I swear I will remember to cc: you one of these days. [redacted] asked if he could loop [redacted] in and I told him it was okay since she sits with [redacted] and he is bound to go to her about it. (b)(3) CIAAct

[redacted]

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 9:41 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** Preservation Notice Related to Google Search Appliance

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(b)(3) CIAAct

(C) The Office of Inspector General and the Department of Justice is conducting an inquiry into allegations of potential misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at the [redacted] building, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net). The Department of Justice has asked the CIA to preserve certain documents, information, records, and other materials. In particular, we have been notified that a Google search appliance that was previously installed on RDI-Net has been recently replaced.

(U//FOUO) Therefore, you are directed to preserve and maintain the removed Google search appliance and all system, network, database, and appliance logs related to the removed and to the replacement search appliance.

(U//FOUO) You should be aware that there is an existing preservation notice that was issued on 30 January 2014. I have set forth the content of that preservation order below to inform you of the contents of that notice.

(U//~~FOUO~~) Therefore you are directed to preserve and maintain all such documents, information, records, or other material, at this time it is not requested that you produce them.

- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net

	(b)(3) NatSecAct (b)(7)(e)
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- Any and all records related to the loading or removal of information from RDI-Net

(U) "Documents, information, records, communication and other material" are defined to include, but are not limited to, the following: cables, reports, finished intelligence, assessments, legal guidance, policy guidance, authorizations or approvals, arrangements or agreements, standard operating procedures, Memoranda of Understanding or Agreement, research, briefings or notifications, legal letters, opinions and memoranda, standard operating procedures, formal or informal Memorandums for the Record, memorialized formal or informal communications, Lotus Notes, emails, saved copies of instant messages, training manuals, handwritten notes, telephone records of any kind (including but not limited to any records that memorialize telephone calls having been made), voicemails, diary and calendar entries, and any computer, electronic, storage device or soft file documents or records of any kind.

(U//~~FOUO~~) If you determine that you possess any materials described in this Preservation Notice, please preserve and retain them. Do not destroy any such materials unless and until OIG advises otherwise. **Destruction of documents, information, records, and other material, including destruction that would otherwise take place in the normal course of the disposition of official information or records, is prohibited.**

(b)(3) CIAAct

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Classification: ~~CONFIDENTIAL~~

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Classification: ~~CONFIDENTIAL~~



**From:** Caroline D. Krass  
**Sent:** Tuesday, April 01, 2014 8:00 PM  
**To:** (b)(3) CIAAct  
**Subject:** RE: OIG Matters  
**Signed By:** (b)(3) CIAAct cia.ic.gov

Classification: ~~SECRET//NOFORN~~

[Redacted]

(b)(3) NatSecAct

Thanks very much, (b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 3:58 PM  
**To:** Caroline D. Krass  
**Subject:** OIG Matters

Classification: ~~SECRET//NOFORN~~

[Redacted]

(b)(3) NatSecAct

Caroline—

(U) Two issues for your information and awareness:

~~(S/NF)~~ Find below the names and contact data for the DOJ prosecutors supporting our investigation into allegations that Agency staff accessed SSCI's 'RDI Net'. These are the same individuals involved in DOJ's examination of the SSCI staff's activities. I am providing this to you for your information.

NR

(b)(3) CIAAct

Central Intelligence Agency

(b)(3) CIAAct

(b)(3) CIAAct

**Confidentiality Notice:** The information in this email and any attachments may be confidential or privileged under applicable law, including protection from public disclosure under the Freedom of Information Act (FOIA), 5 USC §552, or otherwise protected from disclosure to anyone other than the intended recipient(s). Any use, distribution, or copying of this email, including any of its contents or attachments by any person other than the intended recipient, or for any purpose other than its intended use, is strictly prohibited. If you believe that you received this email in error, please permanently delete it and any attachments, and do not save, copy, disclose, or rely on any part of the information. Contact the OIG at [redacted] if you have any questions or to let us know that you received this email in error.

(b)(3) CIAAct

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The DoJ pieces break down as follows:

[redacted] (b)(6)

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Classification: ~~SECRET//NOFORN~~

~~Secret//NOFORN~~**Board Meeting MFR for 21 August 2014 Meeting****Memorandum For the Record**

1. The Board held its initial meeting on the Accountability of [redacted] (b)(6) who participated in the oversight, management, and/or IT support of the CIA-operated and maintained Rendition, Detention, and Interrogation network (RDINet) that resulted in allegations that Agency personnel improperly accessed Senate Select Committee on Intelligence (SSCI) staff files and records on RDINet. The meeting started at 1020 and ended at 1420.
2. The attendees were the Board Chair Senator Bayh, the senior CIA Representative [redacted] (b)(3) CIAAct Board Member [redacted], Board Member [redacted], Legal Advisor [redacted] a(b)(6) Executive Secretary [redacted].
3. The Senior CIA representative started the meeting with Board members' introductions. Followed by the Legal Advisor describing the roles and responsibilities. (See Attachment.)
4. The Senior CIA representative reviewed tasking memo from DCIA.

I commission the Board to investigate the conduct of the five individuals referenced in the first paragraph and to provide recommendations regarding both their individual accountability and any systemic CIA failures the Board may find. I specifically direct the Board not to investigate the conduct of Senate staffers.

I authorize the Board to access all CIA information and personnel necessary to conduct its investigation. As one of its first activities, the Board shall arrange for the five referenced individuals to have access to the Report (consistent with privacy and other considerations), as well as consider granting access to the Report to any other individual referenced in the Report. The Board shall provide its findings and recommendations directly to me in writing by 31 October 2014.

5. The Senior CIA representative discussed organizational issues to include meeting quorum. The Board decided that two of the four Board members must be present to hold a meeting. However, decision meetings require three of the four Board members or if another Board member is added, then decision meetings will require 4 of the five members. The Board Chair noted that he wants to attend all in-person interviews.
6. The Board decided to hold weekly meetings, if schedules allow.
7. The Board members read Agency Regulations and the OIG Report of Investigation. The Board members were asked to assess completeness, gaps; and additional documentation and names of those for Board should consider for review.

~~Secret//NOFORN~~



~~Secret//NOFORN~~**Attachment:****AGENCY ACCOUNTABILITY BOARD****DUTIES:**

Ensure factual record is accurate and complete enough to determine individual accountability.

Write DCIA decision memo documenting findings and recommending discipline, remedial measures, recognition, or no action.

Determine whether significant management or program failure presents any systemic issues. If so, identify them and recommend remedial measures in DCIA memo.

If AAB discovers evidence of criminal conduct that has not been investigated, it will refer the matter for investigation to appropriate Agency component.

Provide SAS with record of the proceedings.

**AUTHORITY:**

Investigate the conduct of the 5 individuals named in 214-11718-IG, and provide recommendations regarding their individual accountability and any systemic failures.

AAB has access to all CIA information and personnel necessary to conduct its investigation.

AAB may request briefings from OIG or any other appropriate office, and review any interview notes.

Secretary tasks appropriate offices with AAB questions.

AAB may conduct interviews and request written statements from anyone.

**PROCESS:**

AAB notifies in writing all Subjects. Notice will –

- Inform Subject that AAB convened and may recommend disciplinary action;
- List issues the AAB expects to address. (But AAB may consider other issues that arise after deliberations begin);
- Offer chance to review portions of any investigative report or other materials relevant to his involvement, unless review would harm national security or be inappropriate.
- Give Subject **5 business days** from date of notification to comment in writing.

Upon conclusion of deliberations, Subjects will be notified in writing that they may review draft findings of fact, judgment of performance, and accountability recommendation. Subjects have **5 business days** from date of notification to submit a written response. Responses are attached to the D/CIA decision memorandum.

Subjects will be notified in writing of the D/CIA's accountability decision. Anyone disciplined will be informed of the specific actions to be taken, as well as any effect on future promotions, WIGIs, financial awards, and other forms of recognition.

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~~Secret//NOFORN~~**DISCIPLINE:**

- (1) Oral Admonition is an oral warning given to employees to point out deficiencies in conduct, performance, or security practices.
- (2) Letter of Warning (LOW) is a written memorandum that documents concerns regarding the employee's performance, conduct or security practices and that sets forth corrective measures to be taken. An LOW includes a statement to be placed in the employee's component file for a specified period of time allowed to correct the problem.
- (3) Letter of Reprimand (LOR) is a formal written reprimand by a manager to a subordinate. It describes the specific reason for which the reprimand is being issued and states any corrective measures to be taken. The letter also states the duration of the period of reprimand and the time designated to correct any deficiencies. The letter is issued with or without caveats, for example, whether the employee is precluded from receiving monetary performance awards, non-monetary performance awards, and retirement mementos during the active period of reprimand. An LOR may be issued to a former employee for conduct undertaken while an employee. SAS maintains LORs and a flag noting the issuance of an LOR will be placed in the individual's security file. An LOR issued to a former employee may include a caveat against re-employment or entering into a contractual relationship for a period of time.
- (4) Suspension is a temporary enforced absence from duty in a nonpay status.
- (5) Disciplinary Probation is a fixed period of time during which an employee's performance, conduct or security practices will be monitored and evaluated in order to decide whether continued employment is advisable.
- (6) Reduction in may be imposed as disciplinary action for prolonged or more serious misconduct or unsatisfactory job performance.
- (7) Termination of Employment. The D/CIA or designee may terminate any employee for violation of Agency regulations, continued poor performance, serious misconduct, or any of the other circumstances set forth in AR  (b)(3) CIAAct
- (8) Revocation of Security Clearances is a security determination that an individual does not meet the standards for authorized access to classified information. The decision to revoke an employee's security clearances shall be made by Deputy Director, Office of Security (DD/OS).

~~Secret//NOFORN~~



(b)(3) CIAAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 10:11 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice Related to Google Search Appliance

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 9:50 AM  
**To:** (b)(3) CIAAct  
**Subject:** FW: Preservation Notice Related to Google Search Appliance

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

The fun never stops!

**From:** (b)(3) CIAAct  
**Sent:** Tuesday, April 01, 2014 9:41 AM  
**To:** (b)(3) CIAAct  
**Cc:**  
**Subject:** Preservation Notice Related to Google Search Appliance

Classification: ~~CONFIDENTIAL~~

(b)(3) NatSecAct

(C) The Office of Inspector General and the Department of Justice is conducting an inquiry into allegations of potential misconduct by U.S. Government employees relating to access to and review of the computers and computer networks located at t(b)(3) CIAActing, which are used to facilitate the Senate Select Committee on Intelligence (SSCI) review of the CIA's Rendition, Detention, and Interrogation program (hereinafter referred to as RDI-Net). The Department of

Justice has asked the CIA to preserve certain documents, information, records, and other materials. In particular, we have been notified that a Google search appliance that was previously installed on RDI-Net has been recently replaced.

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- Any and all documents, information, records, communications, and other material related to the planning, deployment, or maintenance of RDI-Net
- Any user agreements or other documents related to the use of or obtaining of accounts on RDI-Net.
- Any and all documents, information, records, communications, and other material related to reviews, studies, investigations, or inquiries into the security of RDI-Net, users of RDI-Net, or activities conducted on RDI-Net
- (b)(3) CIAAct  
(b)(3) NatSecAct
- Any and all records related to the loading or removal of information from RDI-Net (b)(5)  
(b)(7)(e)

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(b)(3) CIAAct

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14 January 2015

MEMORANDUM FOR: Inspector General

FROM: Senator Evan Bayh  
Chair, RDINet Agency Accountability Board

SUBJECT: (U//~~FOUO~~) Outcome of the Agency Accountability Board on the Rendition, Detention, and Interrogation Network

1. (U//~~FOUO~~) This memorandum is to inform you of the findings and the recommendations of the Agency Accountability Board's (AAB) review of the CIA's access to the Senate Select Committee on Intelligence's (SSCI) shared-drive on Rendition, Detention, and Interrogation Network (RDINet), the computer system established by the CIA at the CIA-leased facility, and used, among others, by the SSCI in support of its study of the CIA's former detention and interrogation program. Among other things, the Board reviewed the conduct of the five individuals the Office of Inspector General (OIG) found to have improperly accessed the system. In late December 2014, the CIA Deputy Director, in consultation with the Director of National Intelligence, accepted the AAB's recommendations that disciplinary action not be imposed because the individuals under review acted reasonably under the circumstances. Also, in late-December 2014, the CIA Director accepted, and provided initial guidance on, the enactment of four recommendations related to the systemic issues cited by the Board that likely contributed to the matter under review. In addition, the Director concurred with the Board's recommendations to CIA leadership for internal best practices.

2. (U//~~FOUO~~) In early January 2014, based on certain statements made by SSCI Committee Members and staff, CIA suspected that privileged and deliberative draft CIA documents were located on the SSCI side of RDINet. This led to a concern that there was a breach or vulnerability in that highly classified computer network.

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SUBJECT: Outcome of Agency Accountability Board on the  
Rendition, Detention, and Interrogation Network

3. (U//~~FOUO~~) CIA personnel conducted a limited review to determine whether the privileged draft CIA documents were housed on the SSCI portion of the shared network. Upon confirmation that the privileged draft documents were, in fact, located on the SSCI side of the RDINet, CIA took additional actions to determine whether SSCI staff had accessed and printed the privileged documents. The review ultimately resulted in the CIA improperly reconstructing a small number of SSCI staff communications.

4. (U//~~FOUO~~) The matter was referred to the OIG by the CIA Director in late January 2014 to investigate potential unauthorized access by the CIA into the SSCI portion of RDINet. The OIG report, released in July 2014, concluded, among other things, that five CIA personnel had improperly accessed the SSCI shared drive on CIA's RDINet.

5. (U//~~FOUO~~) The AAB was convened by the CIA Director on 6 August 2014 to review the OIG's findings regarding potential unauthorized access to the SSCI shared drive portion of the RDINet. Former White House Counsel Robert Bauer and three senior career CIA officials served with me on the Board. The Board was specifically charged with reviewing the conduct of the five CIA officers, providing recommendations on accountability for these individuals, and identifying any systemic issues that may have contributed to the matter under review.

6. (U//~~FOUO~~) The AAB conducted its review between late August and late November 2014. The Board's first objective was to establish the relevant facts concerning the conduct of the five CIA personnel cited for improper actions by the OIG. The Board members reviewed the OIG's July 2014 report; OIG's Memoranda of Investigative Activity that summarize OIG interviews; written responses to the OIG report by the five named CIA personnel; and other related documents. The Board also interviewed the five named individuals, nine senior CIA officials, and the OIG officers who conducted the investigation.

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SUBJECT: Outcome of Agency Accountability Board on the  
Rendition, Detention, and Interrogation Network

7. (U//~~FOUO~~) In its report to the Deputy Director in mid-December 2014, the AAB recommended that no disciplinary action be taken against the five CIA personnel. The Board found that the actions of the individuals were reasonable in light of their responsibilities in managing an unprecedented computer system containing millions of highly classified documents, and that the ambiguity surrounding the agreement between CIA and SSCI for managing the system contributed to the matter under review. The Board also found that none of the five individuals under review were personally culpable for the improper reconstruction of the small number of SSCI staff communications.

8. (U//~~FOUO~~) Finally, the Board noted that CIA had operational responsibility for RDINet, operated and maintained the system on a daily basis, and was responsible for the millions of highly classified documents that resided on the network. The Board noted that there was, in fact, no signed agreement or "common understanding" between SSCI and the Agency governing what steps should be taken in the event of a suspected security incident on RDINet. Any security issues that arose were to be handled on a case-by-case basis. There was a common understanding that SSCI work product would be protected and walled off from the CIA portion of the network, but the SSCI shared drive would be accessible to CIA information technology personnel for administration purposes.

9. (U//~~FOUO~~) The AAB cited prior examples in which CIA, with the SSCI's knowledge, had routinely and without controversy accessed the SSCI side of RDINet, including on certain occasions at the request of SSCI staff, providing a reasonable working precedent for the January 2014 action. The mistake in accessing SSCI work product, which occurred during the security investigation in question, was unintentional. In fact, it resulted from miscommunications and in spite of express admonitions by the two most senior individuals in question that such material not be reviewed. According to the Board, "the current problems arose from attempts to ensure RDINet security - millions of classified documents were stored on the system - while also maintaining the sanctity of SSCI work product."

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SUBJECT: Outcome of Agency Accountability Board on the Rendition, Detention, and Interrogation Network

10. (U//~~FOUO~~) In late December 2014, the Director accepted the four AAB recommendations for mitigating systemic issues that would aid in preventing similar incidents in the future and are summarized below:

- For network connectivity involving two branches of government (or multiple lines of authority), the Director should direct that the start-up include signed and agreed-to documentation such as a terms-of-reference, network roles and responsibilities, and clear security practices;
- For network connectivity involving two branches of government (or multiple lines of authority), the Director should direct quarterly reviews for issues that may warrant clarification, policymaker awareness, notification, or further policy guidance;
- For network connectivity involving two branches of government (or multiple lines of authority), that the Office of Security address network security issues in a timely fashion and hold quarterly reviews;
- If at all possible, the Agency should avoid assigning operational control and (b)(6) oversight to one officer.

11. (U//~~FOUO~~) In addition, the Director concurred with the Board's recommendations to CIA leadership for internal best practices:

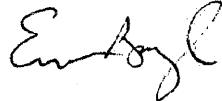
- In any future questions of this kind involving Congress, advice from the Office of Congressional Affairs should be sought;
- The OIG would better serve its investigative purposes by keeping more complete records of interviews.

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SUBJECT: Outcome of Agency Accountability Board on the  
Rendition, Detention, and Interrogation Network

12. (U) All individuals under review and the Congressional oversight committees are being notified of the personnel accountability decisions.



Evan Bayh

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## Inspector General

31 July 2014

### SUMMARY OF REPORT

*Prepared at the request of the Congressional Intelligence Committees*

On 30 January 2014, the CIA Office of Inspector General (OIG) opened an investigation into allegations that Agency personnel improperly accessed Senate Select Committee on Intelligence (SSCI) staff files and records on the CIA-operated and maintained Rendition, Detention, and Interrogation network (RDINet). Potential violations included Title 18 U.S.C. § 2511 (Wiretap Act) and 18 U.S.C. § 1030 (Computer Fraud and Abuse Act). On 30 January 2014, the matter was referred to the Department of Justice (DOJ) and, after review, on 8 July 2014, Justice declined to open a criminal investigation.

RDINet was installed at an Agency facility in June 2009, to support a SSCI review of the Agency's rendition, detention, and interrogation activities. RDINet was created to allow Agency staff to review documents for production to the SSCI, and to provide appropriate documents to the SSCI staff. Separate electronic shared drives were created on RDINet for use by several entities, including the SSCI Majority and Minority staffs and Agency personnel supporting the review and redaction of documents provided to the SSCI review teams. Following review of relevant documents by the RDI team, responsive documents were then made available to SSCI staff members on their respective shared drives.

On 18 July 2014, the OIG completed its administrative investigation and issued a classified report to the Director of the Central Intelligence Agency (D/CIA). The OIG investigation determined essentially as follows:

**Agency Access to Files on the SSCI RDINet:** Five Agency employees, two attorneys and three information technology (IT) staff members, improperly accessed or caused access to the SSCI Majority staff shared drives on the RDINet.

**Agency Crimes Report on Alleged Misconduct by SSCI Staff:** The Agency filed a crimes report with the DOJ, as required by Executive Order 12333 and the 1995 Crimes Reporting Memorandum between the DOJ and the Intelligence Community, reporting that SSCI staff members may have improperly accessed Agency information on the RDINet. However, the factual basis for the referral was not supported, as the author of the referral had been provided inaccurate information on which the letter was based. After review, the DOJ declined to open a criminal investigation of the matter alleged in the crimes report.

**Office of Security Review of SSCI Staff Activity:** Subsequent to directive by the D/CIA to halt the Agency review of SSCI staff access to the RDINet, and unaware of the D/CIA's direction, the Office of Security conducted a limited investigation of SSCI activities on the RDINet. That effort included a keyword search of all and a review of some of the emails of SSCI Majority staff members on the RDINet system.

**Lack of Candor:** The three IT staff members demonstrated a lack of candor about their activities during interviews by the OIG.

The OIG investigation was limited in scope to review the conduct of Agency officials, and did not examine the conduct of SSCI staff members.

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

6 August 2014

Dear Senator Bayh:

*Senator Bayh,*  
Pursuant to Agency Regulation 4-2, "Discipline and Accountability," I have convened an Agency Accountability Board (Board) in response to the 18 July 2014 Inspector General (IG) Report of Investigation (Report) regarding the above-referenced subject. The Report found that five individuals (two CIA attorneys and three CIA IT staff/contractors) improperly accessed SSCI Majority staff shared drives on the RDINet, a system that was installed at an Agency facility in June 2009 to support a SSCI review of the CIA's role in the former detention and interrogation program, which was authorized by the President after the events of 9/11.

Thank you for agreeing to chair the Board. I have appointed a Senior Intelligence Service (SIS) officer to serve as the Senior CIA representative to the Board and an Office of General Counsel attorney to serve as its legal advisor. I ask that you work with the Senior CIA representative to finalize Board membership by 11 August 2014.

I commission the Board to investigate the conduct of the five individuals referenced in the first paragraph and to provide recommendations regarding both their individual accountability and any systemic CIA failures the Board may find. I specifically direct the Board not to investigate the conduct of Senate staffers.

I authorize the Board to access all CIA information and personnel necessary to conduct its investigation. As one of its first activities, the Board shall arrange for the five referenced individuals to have access to the Report (consistent with privacy and other considerations), as well as consider granting access to the Report to any other individual referenced in the Report. The Board shall provide its findings and recommendations directly to me in writing by 31 October 2014.

*John O. Brennan*  
John O. Brennan

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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

8 September 2014

Dear Senator Bayh:

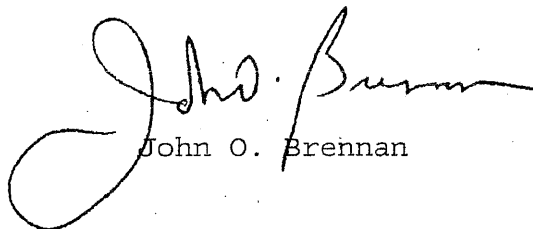
*Senator* Thank you again for agreeing to chair the Agency Accountability Board convened in early August 2014, in response to the 18 July 2014 Inspector General Report of Investigation (Report) entitled "Agency Access to the SSCI Shared Drive on RDINet." The Report found that five individuals (two CIA attorneys and three CIA IT staff/contractors) improperly accessed SSCI Majority staff shared drives on the RDINet, a system that was installed at an Agency facility in June 2009 to support a SSCI review of the CIA's role in the former detention and interrogation program, which was authorized by the President after the events of 9/11.

As you know, the Board has been commissioned to investigate the conduct of the five individuals referenced above and to provide recommendations regarding both their individual accountability and any systemic CIA failures the Board may find. On 6 August 2014, I directed the Board to provide its findings and recommendations directly to me in writing by 31 October 2014. In an effort to avoid any concern that my receipt of the findings and recommendations regarding the individual accountability of the five individuals, as well as subsequent determinations by me regarding appropriate action for those individuals, could raise an appearance of a conflict of interest, I have decided to recuse myself from that portion of the Board's work. Instead, the Board should report its findings and recommendations to the Deputy Director of the CIA, Avril Haines, who will determine any appropriate action in consultation with Jim Clapper, the Director of National Intelligence.



Senator Evan Bayh

If the Board makes findings and recommendations regarding any systemic CIA failures, those findings and recommendations should be reported to me.



John O. Brennan



DIANNE FEINSTEIN  
CALIFORNIA



SELECT COMMITTEE ON INTELLIGENCE - VICE CHAIRMAN  
COMMITTEE ON APPROPRIATIONS  
COMMITTEE ON THE JUDICIARY  
COMMITTEE ON RULES AND ADMINISTRATION

## United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

SSCI# 2015-0417

January 26, 2015

The Honorable Evan Bayh  
McGuireWoods LLP  
2001 K Street NW  
Suite 400  
Washington, DC 20006-1040

Dear Evan,

Thank you again for briefing me and my staff on the final report of the CIA Accountability Board on the CIA's improper access to the Senate Select Committee on Intelligence (SSCI) computer network.

As you'll recall from the meeting, we identified several inaccuracies in the report and areas where the CIA's accounts, repeated in the report, are false, misleading, or incomplete. I write to correct the record and to point out a number of specific instances where the Board was wrong.

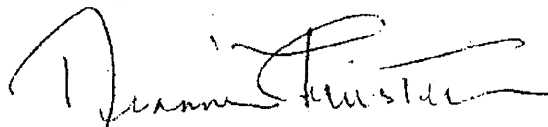
Unfortunately, the report was released publicly only a few hours after our meeting, without any corrections. As predicted, the media coverage is repeating many of these errors and making false allegations against the SSCI, its staff, and the Committee's Study.

Please find attached a list of 15 specific errors and omissions that we have identified in the report. This is not a comprehensive list but includes many of the key issues. I will be making this list public, so wanted you to have the benefit of an advanced copy.

As you know from our meeting, I continue to believe that the CIA's unauthorized access to the SSCI computer network was inappropriate and constituted a breach of our agreement with Director Panetta as well as the constitutional principle of the separation of powers. I hope that by providing this list, the public's understanding of this event will be more complete and accurate.

Thank you for your attention to this matter.

Sincerely,



Dianne Feinstein  
Vice Chairman

Enclosure: as stated

cc: Mr. Robert Bauer, Member, CIA Accountability Board  
The Honorable Jim Clapper, Director of National Intelligence  
The Honorable John Brennan, CIA Director  
The Honorable David Buckley, CIA Inspector General

### Key Errors and Omissions in the CIA Accountability Board Report

1. The CIA Accountability Board claims there was no "common understanding," between the Committee and the CIA regarding the CIA's access to the SSCI computer network or how to address potential security concerns. **This is false.**

**FACT:** The CIA and the Committee exchanged formal, signed letters in 2009 establishing limits on the CIA's access to the SSCI computer network and how to address potential security concerns. The January 2014 CIA search was the third unauthorized intrusion we know of into the Committee's network despite a clear understanding that CIA intrusions were not to occur per our signed written agreements.

- A June 2, 2009, letter from Chairman Feinstein and Vice Chairman Bond to CIA Director Panetta stated that the committee would be provided a "stand-alone computer system" that "will be segregated from CIA networks to allow access only to Committee staff and Members" and that "**the only CIA employees or contractors with access to this computer system will be CIA information technology personnel who will not be permitted to copy or otherwise share information from the system with other personnel, except as otherwise authorized by the Committee.**"
- CIA Director Leon Panetta's June 4, 2009, letter in response to Chairman Feinstein and Vice Chairman Bond agreed that "**CIA access to the walled-off network share-drive will be limited to CIA information technology staff, except as otherwise authorized by the Committee or its staff.**" The letter added that "**any remaining security or logistical concerns or other issues can be resolved through our respective staffs.**"
- **These agreements at the start of our Study were intended to clearly limit CIA access to the SSCI computer network.**
- In addition, the common practice from 2009 to 2014 was that CIA personnel would only gain access to the SSCI network at the request of, and when permission was granted from, SSCI staff. The sole exception to this—the CIA's removal of documents from SSCI's access in February and May 2010—raised strong objections from the Committee, followed by apologies and remediation from the CIA and the White House (including a meeting in May 2010 with Bob

Bauer, former White House Counsel who served on this CIA Accountability Board).

2. The CIA Accountability Board states that “May 2010 transactions in which the Agency unilaterally removed” documents from the SSCI network shows that the CIA had the authority to violate the SSCI network. **This is an absurd argument.**

**FACT: The CIA removed documents from the SSCI’s database in February and May 2010. It was not a one-time violation, as the CIA Accountability Board claims. Details of these incidents are described in the CIA IG report and have been publicly available since the March 2014 floor speech by Senator Feinstein. After these 2010 incidents, the White House Counsel (Bob Bauer) and the CIA made a commitment to Chairman Feinstein that there would be no further unauthorized access to the SSCI network or removal of CIA documents from the Committee system. Moreover, the Accountability Board cites internal CIA emails (see pp. 17-18) demonstrating that the CIA understood that a search of SSCI computers was in fact prohibited.**

3. The CIA Accountability Board claims the CIA’s “transgression” in reconstructing and reading SSCI staffers’ emails “was limited—five e-mails total, none more than fifteen words—and innocuous.” **This is false; the CIA search of Committee emails was not limited.**

**FACT: The IG concluded, and the CIA Accountability Board does not dispute, that the CIA conducted a keyword search of all SSCI staff emails, which is not a limited review of emails.**

- The fact that the CIA searched and then reviewed internal SSCI emails represents a major violation of separation of powers. The nature and length of the emails is irrelevant.
  - The CIA Accountability Board also ignored that, even before the email search, the CIA breached the SSCI’s computer network two or more times in January 2014 in an attempt to locate the Panetta Review and determine whether it was printed. The motivation for these three separate searches is irrelevant; each one was a violation of the agreement between the CIA and the SSCI, as the CIA Inspector General has found.
4. The CIA Accountability Board claims that none of the CIA individuals “under review provided inaccurate information leading to the filing of a crimes report

against SSCI staff with the DOJ," but the Board failed to find out what **inaccurate information was provided to DOJ by other CIA personnel**.

**FACT:** The CIA IG found the CIA criminal referral against SSCI staff was based on inaccurate information provided to Acting General Counsel [redacted] by personnel in CIA's Office of Security. The actions of these individuals were ignored by the CIA Accountability Board, which is shocking and unacceptable.

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- **The CIA Accountability Board does NOT dispute the finding by the CIA IG that the crimes report to DOJ making allegations against SSCI staff was based on false information.** The Accountability Board merely states that the inaccurate information was not provided by the five CIA employees he Accountability Board reviewed for accountability.
  - **In violation of a June 2013 CIA recommendation that its Accountability Boards should expand their scope, this CIA Board did not do so to uncover those at the CIA responsible for the inaccurate report to DOJ, nor did the Accountability Board review the systemic problems that again resulted in the CIA providing inaccurate information to DOJ.**
5. The CIA Accountability Board asserts that "the violation of SSCI work product that occurred resulted from communications failures, was not ordered by the individuals under review, and happened in spite of their proactive efforts." **However, the Board failed to find out which other CIA personnel did order the review of SSCI internal documents and communications.**

**FACT:** The CIA Accountability Board acknowledges that the CIA reviewed SSCI work product in violation of agreements, but the Accountability Board does NOT make any finding of who did order "the violation of SSCI work product," and instead limited itself to a review of the actions of five individuals. Keeping the scope of the Accountability Board so narrow is unacceptable.

6. The CIA Accountability Board claims that the date range for "responsive" CIA documents for the Committee was "11 September 2001 to 22 January 2009" and notes that the Panetta Review documents post-date 2009. There was no established date range for the Committee's investigation.

**FACT:** The Committee never limited its inquiry by date and did not agree to any date restrictions. In fact, the Committee Study—including the now-public executive summary—relies on CIA-provided documents dated prior to September 11, 2001, as well as documents dated after January 2009. For example, a major part of the Study focuses on the May 2011 Osama bin Laden operation. The Panetta Review documents were dated 2010.

7. The CIA Accountability Board refers to incidents that it claims were security violations by SSCI staff. It describes actions—including the possession of a camera at a CIA facility—that took place from December 2009 to December 2010 and attributes them to an “SSCI staffer” who was removed from the Committee. **This is false.**

**FACT:** The individual in question was an employee of the Office of the Director of National Intelligence (ODNI) who was detailed by the ODNI to the SSCI for the document review. Senator Bayh personally committed to correct this error in the CIA Accountability Board report before it was made public, but failed to do so.

8. The CIA Accountability Board claims that, in one instance, an SSCI staff member somehow attempted to bypass CIA restrictions on printing. **There were NO restrictions on what SSCI staff were allowed to print.**

**FACT:** There were never any restrictions to prevent SSCI staff from printing CIA documents. Any restriction on printing imposed would have violated the Committee’s agreement with the CIA. If any CIA limitations on printing were put in place in error, those restrictions were removed when brought to the attention of CIA personnel. Any attempt to discredit a Senate staffer for printing a document to read it for oversight purposes is ridiculous.

9. The CIA Accountability Board cites a specific CIA attorney as stating that “a draft SSCI report contained language remarkably similar to portions of the ‘Panetta Review.’” **This is factually incorrect.**

**FACT:** The Committee Study was in no way based on or used language from the “Panetta Review.” Director Brennan made the same inaccurate claim in his meeting with Chairman Feinstein and Vice Chairman Chambliss on January 15, 2014. When SSCI staff asked the CIA to provide information on what language was similar between the two documents, the CIA was unable to do so. In fact, the only similarities are that the CIA’s Panetta Review reached



**similar conclusions on the CIA Detention and Interrogation Program at the Committee.**

10. The CIA Accountability Board refers to the Committee's access to the Panetta Review as a "probable security breach" and frames a CIA attorney's actions as "reasonable" and intended to "verify that a security breach in fact existed." There was no reason to suspect a security breach by the Committee.

**FACT: The CIA knew of more likely explanations for how the SSCI obtained the Panetta Review other than a "security breach." In fact, the CIA Accountability Board twice notes how CIA officers highlighted internally that Committee investigators could have received the Panetta Review documents through the legitimate use of the Google search tool the CIA provided, but had misconfigured.**

- The June 4, 2009, letter from Director Panetta prohibited any unilateral search of SSCI computers and stated, "any remaining security or logistical concerns or other issues can be resolved through our respective staffs" **Yet the CIA failed to resolve, or even communicate about, this issue with the Committee staff or Members.**
- Further, the CIA Accountability Board ignored the history and good faith between the Committee and the CIA under Directors Panetta and Petraeus. **During their tenures as Directors, the CIA staff and Committee staff regularly communicated about sensitive, unrelated documents placed on the SSCI computer system. For example, the Committee staff alerted the CIA to sensitive documents on the system that the CIA likely did not intend to provide and that were unrelated to the Detention and Interrogation Program. At no time did these past alerts from Committee staff of sensitive documents result in a "security concern," rather, they were handled appropriately between SSCI and CIA personnel. Moreover, unlike the documents referenced above, the Panetta Review documents were directly related to the program under review by the Committee and were no more classified than other Study documents provided to the Committee.**
- Finally, the CIA Accountability Board did not address the fact that the CIA attorney who conducted the search of SSCI computers "before informing his superiors" was the same CIA attorney who presented the CIA's June 2013 Response to the Committee Study. Because the June

**2013 CIA response was in direct factual conflict with the Panetta Review documents, the CIA attorney had at minimum a potential conflict of interest for searching the SSCI computer network. Unfortunately, this was not examined by the Accountability Board.**

11. The CIA Accountability Board found that there was a “misunderstanding” between Director Brennan and the CIA attorney on who ordered the searches of the SSCI computers and that Director Brennan did not understand what forensic techniques were necessary to answer his questions about how the documents were provided to the SSCI. At the same time, the Board found that the CIA attorney did not understand the CIA Director’s expectations that no intrusive methods should be employed to find out how the documents were provided to the SSCI and whether they were printed.

**FACT: The CIA Accountability Board acknowledges that senior staff reporting to Director Brennan had a full understanding of the first search of the SSCI’s computers in January 2014 and agreed to the second search of the Committee’s computers. Unfortunately, the Accountability Board did not expand its scope to review the actions of these individuals.**

12. The CIA Accountability Board repeats the CIA claim that the Committee was “not entitled to access” the Panetta Review. **There is no basis for this CIA claim.**

**FACT: The Panetta Review documents were made available to the Committee, whether intentionally or not, and as Senator Feinstein stated in her March 2014 Floor statement, the Senate Legal Counsel has advised that Congress does not recognize such claims of “deliberative privilege” when it comes to documents provided to Congress for its oversight duties. The CIA Accountability Board does not acknowledge that many so-called “privileged” documents were provided to the Committee, as part of the Study, with similar information and markings as the Panetta Review.**

13. The CIA Accountability Board asserts that the “combined team” of the counterintelligence contractor employee and the CIA Office of Security’s Cyber Blue Team “concluded that someone directly navigated the file path containing the unauthorized documents and copied them to another SSCI accessible location.” **There is no basis provided for this CIA claim.**

**FACT: The CIA Accountability Review Board presents no support for this claim. The CIA IG reviewed this allegation and concluded it was inaccurate.**

14. The CIA Accountability Board quotes a senior CIA attorney stating that “throughout the SSCI review, SSCI staff knew the practical necessity of carrying out the document production required the non-IT professional CIA staff routinely access CIA-generated documents on the CIA system for the purpose of administering the document production.” **Suggesting that unauthorized CIA searches were possible because authorized document administration was necessary is ridiculous.**

**FACT: Access to the SSCI computers for the purposes of providing documents was an authorized purpose. The fact that the CIA had access to the SSCI computer network for purposes expressly authorized by the Committee does not support the CIA Accountability Board’s assertion that searches of the SSCI network were therefore “commonplace.”**

15. The CIA Accountability Board suggests that the Committee should have been aware of CIA monitoring of the SSCI network and the CIA’s ability to access the network. The Accountability Board highlights the following documents: (1) a February 2011 CIA “DRG-RDI/SSCIRG Handbook for File Reviews,” (2) an August 2013 CIA “RDINet System Security Plan,” (3) a June 2011 CIA “Statement of Work,” and (4) an unsigned Memorandum of Understanding together “capture how the Agency managed the operation of RDINet.” **The documents cited are internal CIA documents and the Committee did not agree to them nor is there any indication that the SSCI was ever provided or made aware of them.**

**FACT: The CIA Accountability Board ignores the history in the establishment of the Committee’s “stand-alone” network and the CIA’s agreement that the Committee computers would not be accessed without Committee permission. While the Accountability Board states that there may have been a sign-on screen warning users of potential audit capabilities Chairman Feinstein and Vice Chairman Bond entered into a signed agreement with CIA Director Panetta on how the CIA could access SSCI computers. The Committee and the CIA spent months negotiating these agreements that resulted in the acknowledgement that the CIA would not be able to electronically monitor the SSCI computers. No warning inserted into a computer system by CIA personnel, and indeed no SSCI staff, could alter the agreement made between the Committee and the CIA. To argue otherwise is ridiculous.**



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THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

27 January 2014

The Honorable Dianne Feinstein  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Madam Chairman:

I am in receipt of your 23 January 2014 letter regarding our 15 January 2014 meeting. I wholeheartedly agree that the Executive and Legislative branches must respect the Constitution's separation of powers and that the events that led up to our meeting go not only to the heart of that respect, but also to the effectiveness and integrity of the oversight process. As I have noted in the past, I believe in and strongly support the necessity of effective Congressional oversight, while also desiring to protect the Executive branch's legitimate prerogatives. In order to give you a sense of my perspective on these developments, I have outlined them below and propose a possible path forward. In short, I believe your idea of some sort of independent review is worth exploring, as it is my hope that we can find a way to address these events in a mutually satisfactory way that respects the very separation of powers principles we both seek to uphold.

As I relayed to you and Vice Chairman Chambliss during our 15 January meeting, I recently received information suggesting that sensitive CIA documents that were the subject of a pending request from the Committee may have been improperly obtained and/or retained on the SSCI staff side of a CIA local area network, which was set up exclusively for the Committee's RDI review and which contains highly classified information. Consequently, I asked for a meeting with you and the Vice Chairman as soon as possible to share that information and to discuss the need for a review of the system in order to assess what happened. As we know, both branches have taken great care to establish an accommodation regarding the Committee's access to Executive branch information on the RDI program, and we need to ensure that what is shared is as agreed between the branches. At the same time, and most importantly, if the integrity of our network is flawed, we must address the security problem immediately.<sup>1</sup>

<sup>1</sup> To ensure we have a common understanding of the agreement governing the SSCI staff's access to and use of a portion of the relevant CIA facility's network, I will transmit under separate classified cover a copy of the agreed-upon Standard Operating Procedures, a copy of the materials used in

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The Honorable Dianne Feinstein

During our 15 January meeting, I explained how it came to our attention that these documents were on the SSCI staff side of the network. As I indicated, recent statements made by Committee staff suggested they had in their possession a document that you requested in a 26 November 2013 letter. In your correspondence, you asked for "several summary documents" from what you termed an "internal review" of the CIA RDI program initiated by Director Panetta that purportedly came to conclusions similar to those contained in the Committee's study on the RDI program. Senator Udall made a similar reference to, and a request for, these materials during the open hearing on Caroline Krass's nomination to be the CIA's General Counsel. Senator Udall repeated his request for these documents in a 6 January 2014 letter that he wrote to the President. In response, I explained to both you and Senator Udall that these requests raised significant Executive branch confidentiality interests and outlined the reasons why we could not turn over sensitive, deliberative, pre-decisional CIA material. These documents were not created as part of the program that is the subject of the Committee's oversight, but rather were written in connection with the CIA's response to the oversight inquiry. They include a banner making clear that they are privileged, deliberative, pre-decisional CIA documents, to include attorney-client and attorney work product. The Executive branch has long had substantial separation of powers concerns about congressional access to this kind of material.

CIA maintains a log of all materials provided to the Committee through established protocols, and these documents do not appear in that log, nor were they found in an audit of CIA's side of the system for all materials provided to SSCI through established protocols. Because we were concerned that there may be a breach or vulnerability in the system for housing highly classified documents, CIA conducted a limited review to determine whether these files were located on the SSCI side of the CIA network<sup>2</sup> and reviewed audit data to determine whether anyone had accessed the files, which would have been unauthorized. The technical personnel conducting the audit review were asked to undertake it only if it could be done without searching audit data relating to other files on the SSCI side of CIA's network. That review by IT personnel determined that the documents that you and Senator Udall were

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the security briefing given to all Committee staff granted access to the CIA network, and other relevant documents.

<sup>2</sup> The system is designed to preclude looking for file names across the entire network, thus precluding a single "network wide" review. Thus, absent finding and exploiting a vulnerability, the CIA personnel working on the RDI review should not be able to access any information on the SSCI side, and the SSCI staff working on the RDI review should not be able to access any information on the CIA side of the network.

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The Honorable Dianne Feinstein

requesting appeared to already be on the SSCI staff side of CIA's local area network and had been accessed by staff. Only completion of the security review will answer how SSCI staff came into possession of the documents. After sharing this information with you and explaining that I did not know how the materials would have appeared on the SSCI staff side of the network, I requested that you return any copies of these highly sensitive CIA documents located either in the Committee reading room at the CIA facility or in the Committee's own offices. You instructed your staff director to collect and provide to you any copies of the documents. I informed you that I had directed CIA staff to suspend any further inquiry into this matter until I could speak with you.

I stated that I had asked for the meeting because I wanted Committee leadership to be fully aware of what had been brought to my attention before I directed the appropriate IT personnel to begin a full computer security review. I informed you that the staff who would conduct the security review would need to conduct computer forensics on the CIA documents that appear to be on the SSCI side of the system. I further informed you that the individuals assigned to conduct this security review would be "walled off" from the CIA personnel who have been involved in reviewing the Committee's study on the RDI program in order to protect the SSCI's legitimate equities in its deliberative materials and work product.

I made clear during our meeting that I wanted to conduct this security review with your consent and, furthermore, that I welcomed the participation of the Committee's Security Director in this effort. You informed me that you were not aware that the Committee staff already had access to the materials you had requested in your letter. Soon after our meeting, you requested by letter that I suspend any investigation or further access to the computers or computer networks until you could consider the matter further. You also pledged in your letter that SSCI staff would not access those computers or computer networks for this same period. I reached you by telephone the next day to inform you that the CIA would temporarily suspend the security review in light of your request. I trust that you continue to believe that Committee staff should not access any of the computers on CIA's local area network while we work through this matter.

As I stated in our meeting, the existence of these sensitive Executive branch documents on the SSCI side of the CIA facility network--all of which were created outside the agreed time period for document production--raises significant concerns about the integrity of a highly classified CIA computer system and whether the protocols developed between the SSCI and the CIA in relation to CIA files are being followed. You indicate in your most recent

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The Honorable Dianne Feinstein

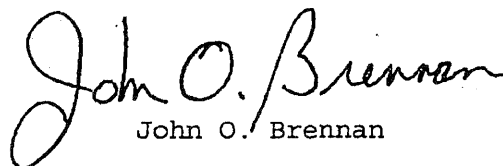
letter that these documents were provided to Committee staff at the CIA-leased facility, but, as I noted above, we have no record of having done so under the process by which we have regularly provided documents.

As I noted at our meeting, this is a very serious matter, and it is important that both the CIA and the Committee get to the bottom of what happened. We should be able to do this in a way that preserves our institutional equities.

I renew my invitation to have the Committee's security officer fully participate with CIA security professionals in a security review of the local area network dedicated to the RDI study. Your 23 January letter indicates that an independent review of these events also may be appropriate. I would welcome an independent review that explores CIA's actions and how these documents came to reside on the Committee's side of the CIA facility network. If you are amenable, I will have my Acting General Counsel reach out to the Committee's Majority and Minority Counsel to discuss options for such an independent review.

However we proceed, the security review must be completed in a timely manner. It is imperative to learn whether or not a breach or vulnerability exists on this network and was exploited. I trust that you share my concerns and that we can work together to carry out a security review that answers these important questions while respecting the important separation of powers concerns of both branches.

Sincerely,



John O. Brennan

cc: Members, Senate Select Committee on Intelligence  
The Honorable Jim Clapper, Director of National  
Intelligence  
Ms. Kathryn Ruemmler, White House Counsel