



Feinstein blasts CIA over torture-probe documents

By Carolyn Lochhead

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Senate Intelligence Committee Chairwoman Dianne Feinstein, one of Washington's staunchest defenders of the intelligence community, accused the CIA on Tuesday of breaking the law and violating the separation of powers by secretly blocking Senate access to documents regarding alleged U.S. torture of terrorism suspects.

Feinstein, D-Calif., said the CIA intended to interfere with her committee's long investigation - the results of which are still classified - into the agency's detention and alleged torture of terrorism suspects during the George W. Bush administration.

The Intelligence Committee's report was three years in the making and runs 6,300 pages. The committee reviewed 6.2 million pages of documents from the Defense Department and the CIA - virtually everything the agencies had on the subject of detention of alleged terrorists.

Feinstein said the investigation had grown out of news reports that the CIA destroyed videotapes of interrogations. The agency said written cables about the interrogations would be "more than adequate."

Feinstein called the committee's review of those "chilling," leading to the subsequent investigation that began in March 2009. The probe initially had bipartisan approval, but congressional Republicans, supporting the Bush administration, eventually boycotted it.

The dispute that prompted Feinstein's denunciation of the CIA in a speech on the Senate floor Tuesday revolves around the Intelligence Committee's access to a draft CIA review of its interrogation program.

Feinstein said the document, drafted under former CIA Director Leon Panetta, confirmed the Intelligence Committee's still-classified conclusions about tactics the U.S. used to interrogate terrorism suspects, conclusions she said the agency now denies.

"Some of these important parts that the CIA now disputes in our committee study are clearly acknowledged in the CIA's own internal Panetta review," Feinstein said. "How can the CIA's official response to our study stand factually in conflict with its own internal review?"

At the outset of the torture investigation, Feinstein said, she and the then-top Republican on the committee, retired Missouri Sen. Kit Bond, reluctantly agreed at Panetta's request to view the 6.2 million-page "document dump," provided without any index or organizational structure, at secure CIA headquarters in Virginia. Feinstein said the CIA had formally agreed, however, to provide committee staff with a stand-alone computer system segregated from CIA networks to preclude agency interference in the investigation.

Feinstein said committee staffers discovered in May 2010 that the CIA had blocked Senate access to the electronic document. The staff nonetheless had made paper and electronic copies that are now stored in a Senate safe.

The senator said the CIA had initially denied removing the documents, then blamed outside computer technician contractors, and then finally stated that Obama administration officials had ordered the documents removed.

In blocking Senate access to the documents, Feinstein said, the CIA probably violated the Fourth Amendment ban on unreasonable searches and seizures as well as an executive order by President Obama limiting domestic surveillance and searches.

She said she had referred the matter to the Justice Department for a possible criminal inquiry.

CIA Director John Brennan denied Feinstein's accusations during a forum at the Council on Foreign Relations. "Nothing can be farther from the truth," he told NBC's Andrea Mitchell. "We wouldn't do that."

Brennan said if the CIA is found to have broken the law, he will answer to Obama. "He is the one who can ask me to stay or to go," Brennan said.

Senate Judiciary Committee Chairman Patrick Leahy, D-Vt., who in the past has gone further than Feinstein in calling for congressional oversight of intelligence agencies, called the speech among the most important of his four decades in Congress. He said he fully supports Feinstein's efforts to declassify the Intelligence Committee report in order to get "to the truth of the CIA's shameful use of torture."

Senate Majority Leader Harry Reid, D-Nev., praised Feinstein's actions as courageous.

The Constitution Project, a bipartisan watchdog group, called Feinstein's speech "a defining moment," saying in a statement that her "description of repeated efforts by the CIA to thwart critical and legitimate congressional oversight through delays, attacks, intimidation and attempts to conceal" is "not a partisan issue. Such conduct strikes at the heart of our nation's constitutional system of separation of powers.

"The White House cannot allow the CIA to drive this process any longer," and should declassify the committee report and reveal details of the CIA's interrogation program, the group said.

"The American people deserve a full accounting of what was done in our name," the group said.

"The CIA's institutional legitimacy depends on this increased transparency. So does our system of constitutional checks and balances."

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