

IS CIA SPYING DOMESTICALLY BY HACKING AMERICANS' COMPUTERS?

In addition to further details about CIA's quashed review showing torture didn't work and a commitment from James Clapper he would tell the American people if any of them had been back door searched, Ron Wyden and Mark Udall (along with Martin Heinrich) got one more curious set of details into the record at today's Threat Hearing.

First, Wyden asked (43:04) John Brennan whether the federal Computer Fraud and Abuse Act applied to the CIA.

Wyden: Does the federal Computer Fraud and Abuse Act apply to the CIA?

Brennan: I would have to look into what that act actually calls for and its applicability to CIA's authorities. I'll be happy to get back to you, Senator, on that.

Wyden: How long would that take?

Brennan: I'll be happy to get back to you as soon as possible but certainly no longer than—

Wyden: A week?

Brennan: I think that I could get that back to you, yes.

Minutes later, Mark Udall raised EO 12333's limits on CIA's spying domestically (48:30).

Udall: I want to be able to reassure the American people that the CIA and the Director understand the limits of its authorities. We are all aware of Executive Order 12333. That order

prohibits the CIA from engaging in domestic spying and searches of US citizens within our borders. Can you assure the Committee that the CIA does not conduct such domestic spying and searches?

Brennan: I can assure the Committee that the CIA follows the letter and spirit of the law in terms of what CIA's authorities are, in terms of its responsibilities to collect intelligence that will keep this country safe. Yes Senator, I do.

Now, it's not certain these two questions are linked. Though obviously, hacking computers is an easy way to spy on people (as the NSA knows well).

Of course, the logic of the memo authorizing the Anwar al-Awlaki killing says that, so long as CIA has a presidential finding, even laws protecting American citizens cannot limit the CIA. And we learned 6 years ago that the Executive had secretly altered the text of EO 12333 without actually changing it, a practice John Yoo rubber stamped.

So, particularly given Brennan's snitty answer about protecting this country, I'd assume it's a safe bet that the CIA is spying domestically, and I'd posit that they may be hacking computers to do so.

Oh good. NSA was getting bored being the only Agency exposed for hacking.