

CIA HACKS ITS OVERSEERS

In January, Ron Wyden and Mark Udall suggested that CIA was hacking into US computers.

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 E.O. 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.

It appears the target of this hacking was the Senate Intelligence Committee itself.

The CIA Inspector General's Office has asked the Justice Department to investigate allegations of malfeasance at the spy agency in connection with a yet-to-be released Senate Intelligence Committee report into the CIA's secret detention and interrogation program, McClatchy has learned.

The criminal referral may be related to what several knowledgeable people said was CIA monitoring of computers used by Senate aides to prepare the study. The monitoring may have violated an agreement between the committee and the agency.

[snip]

The committee determined earlier this year that the CIA monitored computers – in possible violation of an agreement against doing so – that the agency had provided to intelligence committee staff in a secure room at CIA headquarters that the agency insisted they use to review millions of pages of top-secret reports, cables and other documents, according to people with knowledge.

Sen. Ron Wyden, D-Oregon, a panel member, apparently was referring to the monitoring when he asked CIA Director

John Brennan at a Jan. 9 hearing if provisions of the Federal Computer Fraud and Abuse Act “apply to the CIA? Seems to me that’s a yes or no answer.”

NYT adds that CIA started spying on SSCI after learning it had accessed documents they didn’t want them to.

The action, which Mr. Udall did not describe, took place after C.I.A. officials came to suspect that congressional staff members had gained unauthorized access to agency documents during the course of the Intelligence Committee’s years-long investigation into the detention and interrogation program.

This is effectively the same treatment the CIA extends to Gitmo lawyers and defendants, where it spies to see what they’re saying about its torture methods.

But I bet it will be treated with more seriousness.