

Congress of the United States
Washington, DC 20515

March 4, 2014

The Honorable Barack Obama
President of the United States
The White House
Washington, DC 20500

Dear Mr. President:

I write to follow up on my letter to you dated January 6, 2014, in which I outlined a number of requests related to the nomination of Caroline Krass to serve as General Counsel of the Central Intelligence Agency. Those requests pertain to the 6,300-page Senate Intelligence Committee Study of the CIA's Detention and Interrogation Program and the need to declassify as much information as possible for the American people. This letter serves to renew my previous requests and further highlight my concerns.

In my January letter, I applauded your leadership early in your Presidency when you issued an executive order to end the use of coercive interrogation techniques by the U.S. government, and I requested a public statement from the White House confirming that you are committed to the fullest possible declassification of the Committee's Study in the most expedient and responsible manner possible. The only public statements from the White House on this topic have come from your national security spokesperson, who said last year that "some version of the findings of the report should be made public." Considering the importance of this matter, I do not believe this statement goes far enough.

I know we share the assessment that the use of coercive interrogation techniques by our country was a grave mistake that ran counter to our values and founding principles, as well as counter to our national security interests. I know we also share a commitment to transparency and the rule of law. It is my belief that the declassification of the Committee Study is of paramount importance and that decisions about what should or should not be declassified regarding this issue should not be delegated to the CIA, but directly handled by the White House. I strongly believe there should be a public and unequivocal commitment from the White House to the fullest and most expedited possible declassification of

the Committee's Study. Such a commitment is especially vital in light of the fact that the significant amount of information on the CIA's detention and interrogation program that has been declassified and released to the American public is misleading and inaccurate.

While I believe the declassification efforts on the part of the former and current Administrations were made in good faith, much of what has been declassified and released about the operation, management, and effectiveness of the CIA's Detention and Interrogation Program is simply wrong. These inaccuracies are detailed in the 6,300-page Committee Study – and corroborated in part by the CIA's own internal review of the CIA's program. I have included a classified attachment to this letter with just a small sample of the information that has been declassified by the U.S. government, including under your Administration, that contains inaccurate characterizations of the CIA program.

In addition to my request for a public commitment to the fullest possible declassification of the Committee Study, I also requested a *final version* of the internal CIA review on the detention and interrogation program. The Committee has not yet been provided with the final internal review. I wrote in my January 6, 2014, letter that I believe this internal CIA review corroborates some of the important findings of the Committee Study and acknowledges significant mistakes and errors made during the course of the CIA program—mistakes and errors that the CIA's official June 27, 2013, response to the Committee Study denies or minimizes. I believe it is vital that we understand how and why the content of the CIA's internal review contradicts the CIA's official June 27, 2013, response to the Committee. I would like to know more about the origins of the review, its authorship, the context of its creation, and why its findings were ignored in the development of the CIA's June 2013 response. I have included a classified attachment to this letter detailing some of the troubling discrepancies, as I understand them, between the CIA's internal review and the CIA's June 2012 response to the Committee.

As you are aware, the CIA has recently taken unprecedented action against the Committee in relation to the internal CIA review, and I find these actions to be incredibly troubling for the Committee's oversight responsibilities and for our democracy. It is essential that the Committee be able to do its oversight work – consistent with our constitutional principle of the separation of powers – without the CIA posing impediments or obstacles as it is today. It is for this reason that I am renewing my requests for a public statement from the White House on declassification of the Committee study and for the final version of the internal

CIA review of the program. I am unable to support the advancement of Ms. Krass' nomination until significant progress is made toward meeting my requests and removing these obstacles.

I remain convinced of the need for transparency and a correction of the record, for a statement of support from the White House on declassification of the Committee Study, and for the Committee to hear from the CIA on why its own internal review varies so much from its current representations to Congress. I believe these requests are reasonable and ask again for you to consider them favorably. The American people deserve a proper and accurate accounting of the history, management, operation, and effectiveness of the CIA's Detention and Interrogation Program. As President, you can ensure that this happens responsibly and expediently.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Mark Udall". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Mark Udall
U.S. Senator

Cc: John Brennan, Director, Central Intelligence Agency
Encl.: Classified attachments