

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

January 14, 2015

The Honorable Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

It has recently come to my attention that on December 10, 2014, Senator Feinstein, in her capacity as the Chairman of the U.S. Senate Select Committee on Intelligence, provided a digital copy of the full and final report of the Committee's Study of the Central Intelligence Agency's Detention and Interrogation program (divided into three volumes and exceeding 6,700 pages) to you, the Director of National Intelligence, the Director of the Central Intelligence Agency (CIA), the Attorney General, the Secretary of Defense, the Secretary of State, the Director of the Federal Bureau of Investigation, and the CIA Inspector General. You may recall that Senator Chambliss, the Vice Chairman of the Committee at that time, was not copied on that letter. As the Chairman of the Committee, I consider that report to be a highly classified and committee sensitive document. It should not be entered into any Executive Branch system of records. For that reason, I request that all copies of the full and final report in the possession of the Executive Branch be returned immediately to the Committee. If an Executive Branch agency would like to review the full and final report, please have them contact the Committee and we will attempt to arrive at a satisfactory accommodation for such a request.

Thank you for your continued attention to this issue.

Sincerely,



Richard Burr
Chairman
Senate Select Committee on Intelligence

Cc: The Honorable Dianne Feinstein, Vice Chairman, Senate Select Committee on Intelligence
The Honorable James Clapper, Director of National Intelligence
The Honorable John Brennan, Director, Central Intelligence Agency
The Honorable Eric Holder, Attorney General
The Honorable Chuck Hagel, Secretary of Defense
The Honorable John F. Kerry, Secretary of State
The Honorable James B. Comey, Director, Federal Bureau of Investigation
The Honorable David Buckley, CIA Inspector General

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

January 16, 2015

SSCI# 2015-0374

The President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President,

I write in response to Chairman Richard Burr's letter to you dated January 14, 2015, in which he requested that the Executive Branch return all copies of the Committee's Study of the Central Intelligence Agency's Detention and Interrogation Program. I do not support this request and believe it is important for appropriately cleared individuals in the Executive Branch to have access to the Committee's full, classified report.

The full, 6,963-page classified report transmitted on December 10, 2014, is an official Senate report (S. Rep. 113-288). The report has the same legal status of any other official Senate report from this Committee or any other Senate committee. At the December 2012 vote to approve the report and the April 2014 vote to send parts of the report for declassification, among other times, it was clear that the final, updated classified version of the report was the official version of the Study and that it would be transmitted to appropriate Executive Branch agencies. There was never any objection to providing the full, official report to the Executive Branch, consistent with appropriate limitations due to classification. I therefore disagree with Chairman Burr's analysis that the report should be considered "Committee Sensitive" as that term is defined in the SSCI's Rules of Procedure.¹

As you and I have discussed and strongly agree, the purpose of the Committee's report is to ensure that nothing like the CIA's detention and interrogation program from 2002 to 2008 can ever happen again. The realization of that goal depends in part on future Executive Branch decisionmakers having and utilizing a comprehensive record of this program, in far more detail than what we were able to provide in the now declassified and released Executive Summary. In this regard, I appreciate the CIA's proposed

¹ See Rule 9.3, Rules of Procedure, available at <http://www.intelligence.senate.gov/pdfs/11214.pdf>.

reforms, first described in the CIA's response to the Committee's report in June 2013 and recently repeated by Director John Brennan in his post-release press conference.

Finally, I do want to respond to the inference in Senator Burr's letter that I somehow did not inform former Vice Chairman Saxby Chambliss or other Members of my December 10, 2014, letter. In fact, all Members of the Senate Intelligence Committee – including Senators Chambliss and Burr – received access to my December 10, 2014, transmittal letter (along with access to the full report) on the day it was sent. It is standard Committee practice to make such correspondence available to all Members and appropriately cleared staff through the Committee's internal document system. Any implication that Senator Chambliss or any other Committee Member did not have access to the December 10, 2014, letter is simply false.

Therefore, I reiterate the request from my December 10, 2014, letter and ask that you retain the full 6,963-page classified report within appropriate Executive branch systems of record, with access to appropriately cleared individuals with a need to know, so as to ensure the history of the CIA Detention and Interrogation Program is available and appropriate lessons can be learned from it.

Thank you very much for your continued attention to this issue.

Sincerely yours,



Dianne Feinstein
Vice Chairman

cc: Members, Senate Select Committee on Intelligence
The Honorable James Clapper, Director of National Intelligence
The Honorable John Brennan, Director, Central Intelligence Agency
The Honorable Eric Holder, Attorney General
The Honorable Chuck Hagel, Secretary of Defense
The Honorable John F. Kerry, Secretary of State
The Honorable James B. Comey, Director, Federal Bureau of Investigation
The Honorable David Buckley, CIA Inspector General