



Washington, D.C. 20505

24 April 2018

The Honorable Dianne Feinstein
United States Senate
Washington, D.C. 20510

Dear Senator Feinstein:

Thank you for your letters requesting declassification of Deputy Director Haspel's background. I appreciate your willingness to work through classification and public release issues relating to a nominee who has spent 32 of her 33-year intelligence career serving our country in a clandestine role. Given the importance of oversight, the risks are merited that the entire Senate should have a chance to review important materials related to her record during this confirmation. Where material is still classified or otherwise protected from disclosure under statutory authorities, we will work with the Senate Select Committee on Intelligence to provide access to the full Senate in appropriate classified forums.

Transparency. The Central Intelligence Agency (CIA) remains committed to transparency with the full Senate by providing a complete picture of Deputy Director Haspel's 33-year career at CIA, to include her time working in the Counterterrorism Center, to help Senators fulfill their constitutional responsibility of providing advice and consent on her nomination. This transparency is especially critical in light of her serving undercover for the bulk of her career. In addition to Ms. Haspel's desire to be candid and transparent with Senators in courtesy calls, the CIA is prepared to make classified background materials available in the Office of Senate Security for review by Senators considering her nomination. CIA also recognizes that the confirmation process for a nominee to be the new Director of CIA requires increased transparency with the American public. CIA welcomes this transparency, not only to provide greater fidelity on Deputy Director Haspel's experience but also to correct inaccuracies in the public discourse. Inaccurate public conjecture clouds the discussion and makes the Senate's advice and consent responsibilities more challenging. For these reasons, CIA has made public information about Ms. Haspel's background, and is actively working towards sharing additional information with the public to the greatest extent possible consistent with our responsibility to protect information the disclosure of which reasonably could be expected to cause damage to the national security.

Classification of RDI. Executive Order 13526 authorizes a uniform system for classifying national security information. Information cannot be classified pursuant to this Executive Order unless the unauthorized disclosure of this information could reasonably be expected to cause identifiable or describable damage to the national

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security. On 28 January 2015, pursuant to this Executive Order, CIA issued updated classification guidance for information about CIA's former Rendition, Detention and Interrogation (RDI) Program. Although a large amount of information about the former RDI Program has already been publicly acknowledged, CIA still protects information regarding CIA personnel involved in the RDI Program as well as information about the operation and location of any overseas detention facilities. This includes the name of any country in which the detention facility was located.

One of the primary reasons for retaining this classification level is for the safety and security of our officers. Such official acknowledgment of these officers would significantly, and unnecessarily, jeopardize the safety of these officers, their families, and their associates. There have been death threats and security incidents involving officers who have been alleged to have worked in the former RDI Program. In addition, there are public websites that have shown a pattern and practice of identifying CIA officers with the intended purpose of exposing their identities and impairing CIA's intelligence activities. Some of these websites aggregate and assemble other publicly available information to identify and post names of family members, phone numbers, hobbies and photos and commercial imagery of homes for the intended purpose of facilitating the identification and location of individuals associated with the CIA and CIA personnel. If the CIA were unable or unwilling to protect personnel's affiliation with the CIA and activities, not only would this benefit our nation's adversaries, future personnel may be less willing to accept dangerous job assignments, thereby significantly impairing the CIA's ability to conduct its clandestine intelligence mission.

Statutory Provisions Protecting CIA Personnel and Activities. Congress has recognized the need to protect from disclosure the functions, names, and official titles of persons employed by the Agency. These statutory protections, embodied respectively in the CIA Act of 1949, as amended, and the National Security Act of 1947, as amended, represent a determination by Congress that, apart from any Executive Order classifications that might be applied by the Executive Branch, the public disclosure of such information about CIA personnel and activities is inherently damaging to the national security.

Some have suggested that when an individual rises through the ranks there should be greater consideration given to making public their past connection to CIA's covert action activities. I agree that our oversight committees should have complete insight into the background of any individual subject to confirmation. At the same time, however, CIA has made it a priority to protect the safety and security of clandestine officers as they participate in covert intelligence missions overseas. The Agency has a duty to protect the identity of all of those dedicated civil servants who, at great personal sacrifice and personal risk, accept difficult and dangerous job assignments on behalf of the country. This is especially true for our most senior officers who have the highest public profile and, therefore, could be at highest security risk, a risk that does not subside even when they leave public service.

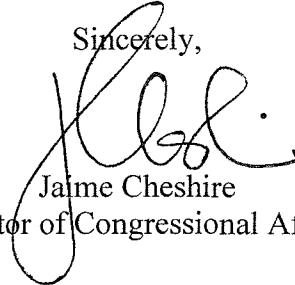
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SSCI's Unique Role. Finally, the Senate Select Committee on Intelligence was created in 1976 by the Senate with the express purpose of providing “vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.” We have benefited from the ability to have candid, transparent dialogue with the Committee within appropriate classified channels. We are confident that the Committee and the full Senate can work with us on consideration of a nominee whose career was spent serving the country in classified operational assignments.

We look forward to working closely with the Committee on this nomination.

An original of this letter is also being sent to Senator Heinrich and Senator Wyden.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cheshire', written over the printed name.

Jaime Cheshire
Director of Congressional Affairs

cc: Chairman Richard Burr
Vice Chairman Mark Warner