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POLITICS AND POLICY

Senate-CIA Dispute Erupts Into a Public Brawl

Feinstein Says CIA Spied on Congress; Brennan Rebuts

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Senate Intelligence Committee Chairwoman Dianne Feinstein, a longtime defender of U.S. intelligence efforts, sharply criticized the Central Intelligence Agency, saying its actions undermined lawmakers' ability to oversee the administration. Siobhan Gorman joins the News Hub. Photo: Getty Images.

WASHINGTON—The chairman of the Senate intelligence committee levied an extraordinary barrage of criticism against the Central Intelligence Agency, saying it may have violated the Constitution and U.S. laws by spying on a congressional review early this year.

Sen. [Dianne Feinstein](#) (D., Calif.) said in a speech from the Senate floor that the CIA had conducted improper searches of committee computers being used by staff members. The CIA director quickly rebuffed that accusation, saying a Justice Department review would show no wrongdoing.

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WSJ This Morning's Gordon Deal reports on claims the CIA spied on a congressional panel.



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Nonetheless, the harsh critique was all the more stinging because it came from a Democratic leader and pro-intelligence lawmaker who is usually an ally of the CIA.

It came as the latest blow in an expanding round of criticism of U.S. spy agencies, following last year's controversies over the CIA's drone program and a former contractor's revelations of extensive National Security Agency surveillance of Americans' phone data.

Tuesday's exchange reflects the extent to which spy agencies have found themselves on the defensive just three years after one of their greatest victories—the 2011 killing of Osama bin Laden.



Sen. Dianne Feinstein on Tuesday accused the CIA of improperly searching a stand-alone computer network established for Congress. *Associated Press*

Ms. Feinstein's lengthy speech detailed complaints related to a dispute with intelligence officials over her committee's report on the CIA's post-Sept. 11 interrogation practices. The report, which lawmakers have said amounts to more than 6,000 pages, is classified, and lawmakers and the White House have urged it be made public. The dispute with the CIA has slowed the declassification.

Ms. Feinstein charged Tuesday that the CIA, without any prior notification, had searched Senate committee computers in a secure location in northern Virginia that aides were using to review CIA documents on the agency's program to interrogate terror suspects. The CIA also searched a separate network drive containing the staffers' work and internal messages, she said.

"I have grave concerns that the CIA's search may well have violated the separation-of-powers principles embodied in the U.S. Constitution," undermining the ability of Congress to effectively oversee the administration, Ms. Feinstein said. "How this will be resolved will show whether the intelligence committee can be effective in monitoring and investigating our nation's intelligence activities, or whether our work can be thwarted by those we oversee."

CIA Director [John Brennan](#) issued a response after delivering a previously planned speech in Washington on Tuesday. Mr. Brennan rejected accusations that the CIA hacked into the Senate computers in Virginia, but he didn't directly address the question of improper searches.

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[Text of Feinstein's remarks](#)

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"When the facts come out on this, I think a lot of people who are claiming that there has been this tremendous sort of spying and monitoring and hacking will be proved

wrong," he said before an audience at the Council of Foreign Relations, where he was being interviewed by NBC's Andrea Mitchell.

Mr. Brennan expressed confidence the CIA would be absolved of any wrongdoing. Should the investigations expose any wrongdoing at the agency, Mr. Brennan said, he would take the findings to President Barack Obama and let the president decide whether to keep him on as director.

White House spokesman [Jay Carney](#) declined to address the specific allegations, but he said the president "has great confidence in John Brennan."

Ms. Feinstein later told reporters she stood by her remarks, despite Mr. Brennan's denial.

The exchange immediately ignited debate across Washington. Democrats quickly backed her allegations, seconding her concerns about Congress's ability to effectively oversee agencies and maintain a separation of powers.

"I've heard thousands of speeches on this floor," said Sen. Patrick Leahy (D., Vt.), the longest-serving current senator. "I cannot think of any speech by any member of either party as important as the one the senator from California just gave."

Many of the Republicans on the intelligence committee didn't share her position. The panel's top Republican, Sen. Saxby Chambliss of Georgia, said he and Ms. Feinstein "have some disagreements as to what the actual facts are."

Others criticized her for airing her concerns so openly. "I personally don't believe that anything that goes on in the intelligence committee should ever be discussed publicly," said Sen. Richard Burr (R., N.C.).

Ms. Feinstein said the CIA's secret detention and interrogation program began in 2002, but that the full committee wasn't briefed until 2006, hours before President [George W. Bush](#) disclosed it to the public. A full Senate investigation of the program began in 2009.

A key point of dispute in the charges and denials Tuesday was who the computers in question belonged to. Ms. Feinstein said they were committee property, while the CIA said the committee was informed the facility and the computers in it were CIA property, a U.S. official said.

When the panel's investigation started, the CIA established a dedicated network for the committee to use. The network was split between the panel and CIA, with a mechanism for the CIA to share relevant documents with the committee, the official said.

The system contained an audit capability to ensure documents weren't mishandled, the official said. CIA officers didn't search the computers, but rather audit logs, after they came to believe that an internal CIA interrogation review had been obtained by the committee, the official said.

In a letter to Ms. Feinstein, Mr. Brennan described the CIA's examination network early this year as an effort to uncover a potential security breach with "a limited review" of "audit data to determine whether anyone had accessed the files, which would have been unauthorized." The files he referred to were the internal review.

In the letter, he also said he sought Ms. Feinstein's consent before conducting a "full computer security review." He said he suspended any further review at Ms. Feinstein's request.

Senate Intelligence Committee Chairwoman Dianne Feinstein criticized the Central Intelligence Agency Tuesday, saying its members hacked into Senate computers and withheld important documents from her investigation.

Ms. Feinstein said the committee obtained the internal review in 2010 through a CIA-established search mechanism it used to obtain all its documents for its interrogation report. CIA officials believe the committee couldn't have obtained the document's contents through the regular search process and have no record of providing the internal review to the committee, the official said.

Among her charges Tuesday, Ms. Feinstein took the unusual step of laying blame on a specific individual at CIA. She said its acting general counsel, who is named more than 1,600 times in the committee's critical report, asked the Justice Department to look into whether Senate staff had obtained the internal review improperly. She called that a "potential effort to intimidate" committee staff.

Ms. Feinstein didn't name the acting general counsel, who is Robert EATINGER. Mr. EATINGER previously served as a lawyer in the CIA's counterterrorism division, which ran the interrogation program. He declined to comment through a spokesman.

Former officials said Tuesday that the fight has escalated too far. "No one should be accusing anyone here of criminal misconduct," said former CIA acting general counsel John RIZZO, who helped oversee the interrogation program and recently wrote about it in his memoir, "Company Man." "This is not a crime on either side. It's a pissing contest about committee access. This is nothing more than that."

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