

United States Senate

WASHINGTON, DC 20510

[REDACTED]

April 13, 2021

The Honorable Avril D. Haines
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

The Honorable William J. Burns
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Director Haines and Director Burns,

[REDACTED] We are writing to request an expedited declassification review of the Privacy and Civil Liberties Oversight Board's (PCLOB's) "Executive Order 12333 Central Intelligence Agency Deep Dive II." The review covers the CIA's bulk

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[REDACTED] During your confirmation processes, you expressed a commitment to greater transparency and an appreciation for how secret interpretations of law undermine democratic oversight and pose risks to the long-term credibility of the Intelligence Community. The secret nature of the CIA's activities described in the PCLOB report raise these very concerns.

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[REDACTED]

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[REDACTED]

[REDACTED] This history demonstrates Congress's clear intent, expressed over many years and through multiple pieces of legislation, to limit and, in some cases, prohibit the warrantless collection of Americans' records, as well as the public's intense interest in and support for these legislative efforts. And yet, throughout this period, the CIA has secretly conducted its own bulk program [REDACTED]

[REDACTED] It has done so entirely outside the statutory framework that Congress and the public believe govern this collection, and without any of the judicial, congressional or even executive branch oversight that comes with FISA collection. This basic fact has been kept from the public and from Congress. Until the PCLOB report was delivered last month, the nature and full extent of the CIA's collection was withheld even from the Senate Select Committee on Intelligence.

[REDACTED] Among the many details the public deserves to know are the nature of the CIA's relationship with its sources and the legal framework for the collection; the kind of records collected [REDACTED] the amount of Americans' records maintained; and the rules governing the use, storage, dissemination and queries (including U.S. person queries) of the records. Each of these matters has been the subject of extensive declassifications with regard to NSA's and FBI's FISA collection; there is no reason why CIA's activities cannot be equally transparent.

[REDACTED] This declassification is urgent. [REDACTED]

[REDACTED] it is critical that Congress not legislate without awareness of a [REDACTED] CIA program, and that the American public not be misled into believing that the reforms in any reauthorization legislation fully cover the IC's collection of their records. Third, expeditious declassification will

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demonstrate the Administration's commitment to transparency at a time when trust in government and the IC have never been more important.

(U) In addition to prioritizing the declassification of the "Deep Dive II" report for the reasons described above, we request that you conduct a declassification review of the PCLOB's two other EO 12333 reports. Finally, we request that you declassify this letter. Thank you for your attention to this important matter.

Sincerely,



Ron Wyden
U.S. Senator



Martin Heinrich
U.S. Senator

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