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July 18, 2009

Chairman Silvestre Reyes
HPSCI
HVC-304, US Capitol Building
Washington, DC 20515-6415

Chairwoman Jan Schakowsky
Subcommittee on Investigations & Oversight
2367 Rayburn House Office Bldg
Washington, DC 20515

Congressman Peter Hoekstra
2234 Rayburn House Office Bldg
Washington, D.C. 20515

Rep. C.A. Dutch Ruppersberger
2453 Rayburn House Office Bldg
Washington, DC 20515-2002

The Honorable Jeff Miller
U.S. House of Representatives
2439 Rayburn House Office Bldg
Washington, D.C. 20515-0901

Congressman John Tierney
17 Peabody Square
Peabody, MA 01960

The Honorable Pete King
U.S. House of Representatives
339 Cannon House Office Building
Washington, D.C. 20515-3203

The Honorable Mike Conaway
U.S. House of Representatives
1527 Longworth House Office Bldg
Washington, D.C. 20515-4311

Congressman Mac Thornberry
905 South Fillmore Street Ste 520
Amarillo, TX 79101

Congresswoman Anna Eshoo
698 Emerson Street
Palo Alto, CA 94301

Rep. Mike Rogers
1000 West St. Joseph Suite 300
Lansing, Michigan 48915

Congressman Roy Blunt
2740-B East Sunshine
Springfield, Missouri 65804

Congressman John Kline
101 West Burnsville Parkway #201
Burnsville, MN 55337

The Honorable Elton Gallegly
U.S. House of Representatives
2309 Rayburn House Office Bldg
Washington, D.C. 20515-0524

Dear Chairman Reyes, Chairwoman Schakowsky, House Members Hoekstra, Ruppersberger, Eshoo, King, Conaway, Thornberry, Rogers, Blunt, Gallegly, Myrick, Miller and Tierney,

I am writing to disclose information relevant to the investigation of CIA program activities and disclosure mandates led by House Intelligence Subcommittee on Investigations & Oversight Chairwoman Jan Schakowsky. I possess documents and information that I believe will be of significant value during these proceedings and I wish to make this information available to the Committee and cooperate in any manner deemed appropriate.

First, I wish to state that nobody wants to deny the intelligence community the tools which are needed to keep our nation safe. Second, right and wrong is not a partisan issue, it is one of integrity and high ideals that are core values to our nation since its inception. Third, there is growing opinion that Congress has abrogated their duty and mandate as a check and balance, has authorized programs without even knowing the full extent of the polices or scrutinizing their necessity, and this has caused innocent U.S. Citizens to suffer as a result. For all of these reasons, this investigation is necessary and information obtained during these proceedings will not only lead to a nation which is safer and more secure, but will also be invaluable moving forward in regards to authoring future legislation. There should be no further debate as to the need for such proceedings as the argument is futile when

Congress remains completely in the dark about the activities taking place under a secret program and is being lied to regarding when the program began. Most importantly, these proceedings must be pursued with a genuine desire for change and this requires disclosure. Congress cannot continue to legislate from a position of ignorance.

For informational purposes, I am an American Citizen who has never held a passport, I was confirmed by California Secretary of State Deborah Bowen as a write-in candidate during 2008 Presidential Primary election proceedings, am currently elected as Vice President of the Flamingo Heights Community Association, I am an active member of the Elks, a FCC licensed amateur radio operator KI6JJN, and have carried the Marine Corp League flag in recent Memorial Day and Veterans Day parades. I have never been convicted of a felony or drug charge and have never caused bodily harm to another person in my entire lifetime. My father served in WWII, my mother retired after 20 years in the Veteran's Administration, and these facts are verifiable public record. The information, material and documents in my possession were obtained through an informal relationship with contract personnel, my direct involvement as a research subject during early development of the intellectual property that is the basis of the secret program, and more than 10 years of research, investigation, FOIA disclosures, and correspondence with agency personnel. I am able to provide the Committee with information including when contracts were initiated, who administered the contracts, activities that took place underneath the top-cover, what resources came from other federal agencies, how portions of intellectual property have been used to deceptively within the IC itself, and most significantly, what mechanisms failed and caused intelligence personnel to jeopardize national security due to misaligned efforts to conceal their criminal acts. This information is reliable source, includes copies of contracts, grant applications (including those dated prior to September 11, 2001), mandatory progress reports provided from contractor personnel to program managers, internal e-mail communications obtained via FOIA provisions, court testimony and transcripts from civil proceedings, and other materials. Congress has no excuse to remain in the dark about these activities.

Because I am unsure of the authority and scope of the Committee's investigation, and because previous disclosures to Congress have been obstructed by CIA personnel, I will rely on direction from Chairwoman Schakowsky and her staff in determining what disclosures are appropriate and the proper procedure for submitting documents. In the absence of such direction, I proceed here with minimal information that does not directly cite sources and methods or the identities of personnel.

1. The program has been active for over a decade. Media reports including a recent New York Times article[1] have stated *"Several members of Congress said the program, begun in the immediate aftermath of the Sept. 11, 2001, terrorist attacks, involved creating a capability that was never used".* I wish to make perfectly clear that this claim is erroneous. Contract personnel whom I have communicated with have been under contract to develop "The Program" technology since 1989, it was viable in 1994 as demonstrated in a documented feasibility trial[2], and portions were mature and refined when George W. Bush was inaugurated in 2000.
2. The technology which is the basis of the secret program has been funded under carve-out contracts using appropriations allocated by Congress to the National Institutes of Health, NINDS (1989 to 1999), NICHD (2000-2003), and more recently, the NIBIB and DARPA. In March of 2000 under the Bush Administration, NIH funds appropriated by Congress for Children's Health research initiatives were being dispersed to DARPA Program Managers who were appointed full time in Arlington, and who failed to disclose any DOD affiliations on grant applications (copies upon request). In these instances, the GAO was prohibited from taking any action on submitted

1 "*C.I.A. Reviewing Its Process for Briefing Congress*" - New York Times, Scott Shane - published Online July 9, 2009 and in print on July 10, 2009 on page A16 of the New York edition.

2 Citation available upon request. The results of the feasibility trial did appear in a medical journal, however not until 2 years later and in a redacted form that omitted selected technological achievements.

complaints. In response to questions by the minority challenging why the expansion of GAO authority contained in section 335 of the *Intelligence Authorization Act 2010 is necessary,* the answer would clearly be to prevent misappropriation of funds appropriated for sick children, which are then used to deploy secret program technology upon a candidate for Executive Office from the opposing party.

3. In addition to being deceptive about when the program was initiated, the program has not been discontinued or terminated. The Committee investigation must address the manner in which the CIA categorizes programs as "research" or "operational", as well as the ability to reimburse or modify funds for "emerging needs"(IAA 2010 sec. 361), and other loosely defined mechanisms. Just because it is labeled "research" does not prohibit it's use operationally. The 1960's era CIA MKULTRA program for example existed for over 10 years in a research phase, used secret funding mechanisms, was exempt from audit, and only surfaced years later as a result of a commission established by Congress in the wake of the Nixon Watergate scandal. This exemplifies the necessity for this commission. The current secret CIA program similarly has existed for over a decade, and is currently funding secret activities through the Department of Veterans Affairs and funds are being dispersed to CIA/OMS personnel. The committee should note that the V.A. does not appear in the *Intelligence Authorization Act 2010* as an authorized element under Section 101 for appropriations. At least one investigator funded under the contracts referenced above is currently under sub-contract to a $30.4 million dollar DARPA initiative that uses a program for wounded amputee veterans as top cover. This is now part of a larger $580 million dollar appropriation contained within the Military Construction and Veterans Affairs Appropriations Act, 2010 as authorized under U.S.C. title 38 chapter 73. Under this provision, the program activities are funded through September 30, 2011, and could allow the secret program activities to circumvent proper oversight and accountability by categorizing the activities as described in section 7303(a)(2) of title 38, chapter 73. The secret activities are already funded through Sept. 30, 2011.

4. Of paramount importance in crafting current and future legislation, the committee must possess knowledge of the most basic policies and procedures of this program. Without it, Congress will continue to legislate from a position of complete ignorance. These policies include the following:
   a) Deployment of the technology is dependent on the legal framework of a "rendition" to accommodate temporary and physical bodily access to the person, but the affected person is not transported geographically. Obama has retained the rendition policy because this tool cannot be deployed without it. This disclosure is necessary.
   b) Under the Bush Administration, anyone affected by the technology has been designated as a "ghost" detainee, however they are not in physical custody, and after deployment, are free to roam in the United States or elsewhere. This is relative to the legal language describing a detainee as "in the custody of, or otherwise under the effective control of...". The committee should also seek to define what current policy is as the Obama Administration announcement regarding closure of "overseas ghost sites" was parsed with the word "overseas", and leaves open the possibility for"domestic" use of this mechanism. This complicates statute significantly because designation as a "detainee" does not require the individual to be physically in custody, but merely "*under the effective control of*".
   c) The technology of the secret program uses FCC regulated spectrum as well as TCP/IP connectivity and is capable of both monitoring the activities of the target, but additionally, significant physical abuse and torture may also be administered remotely. Call-sign WD2XLW

Congress cannot legislate from the dark. Existing legislature contained in the *Intelligence Authorization Act 2010* clearly shows Congress is not being provided with the information necessary to legislate effectively or coherently. The failure to disclose these policies forces

Congress to legislate from a position of complete ignorance and affects volumes of statute and legislature. This is especially evident relative to warrantless surveillance, torture and detention policies in which geographic location has been exploited by the Bush Administration deceptively. For instance, I became involved in the program in March 1997 as a research subject under a contract awarded to a Los Angeles based contractor. During this time, a ISDN line was established for the purpose of research and remote terminal sessions between the co-investigator at a university in Canada, and the L.A. based headquarters of the contracted principal investigator. The co-investigator on the contract would log into the L.A. based server from Canada to conduct research upon L.A. based subjects, remotely and wirelessly. The communications link used the ISDN line from Canada to L.A., and then a wireless connection between L.A. and the research subject within proximity. Back in 1997, the wireless link was facilitated by the FCC license belonging to the Principal Investigator of the contract. This contractor now has a facility in Israel which has previously been used to circumvent U.S. Law and accountability, and this facility could continue to potentially be used in a similarly deceptive manner. This kind of deception affects significant legislature including TSP statute that indicates "when one party is outside the United States" and raises new questions relative to "where" a crime occurs if a subject is tortured, and "where" a subject is "rendered" to. Does torture of a U.S. Citizen from Israel administered remotely constitute "rendition" in the sense that the individual was "turned over" to other country? Further, as a Citizen and former candidate, I have to question the value in keeping information about who is a detainee or combatant, a secret. New legislature in the *IIA 2010* now seeks to exempt from FOIA disclosure detainee information. Why is this information being kept secret? This is not the premise of a democratic society and I am not being represented effectively in Congress due to inflated Executive secrecy and the desires of the Executive and the CIA to conduct domestic operations with absolutely no oversight or accountability. Why can't names of detainees be made known? What are we hiding?

Call-sign K6BWA

5. The program and technology has not been confined exclusively to the CIA, and due to sensitivity, was attached to specific personnel rather than an agency. In this instance, this program and technology followed General Michael V. Hayden from the NSA to the CIA. The committee, in it's search for records, should include the NSA Office of the Director and the NSA Special Access Programs Office formerly directed by Jane Seymour. The technology of "The Program" is reliant on FCC regulated wireless spectrum as well as TCP/IP data communications and as such, blended inconspicuously within the NSA SIGINT mission. The reliance on wireless, as well as broadband infrastructure remains as the basis for Bush's fanatical pursuit of immunity for telecom companies. The fact that the program has existed for over a decade is what required telecom immunity to be "retroactive". The liability incurred by AT&T and Verizon was not the result of surveillance, but the fact that these telecoms are complicit in something far more heinous and unlawful. This program has dramatically blurred the line between "surveillance", "torture", what constitutes a "detainee", complicates existing statute and jurisdictional issues when the activities cross international boundaries using telecommunications, and in determining what constitutes an "*overseas"* ghost site.

6. Documents in my possession provide compelling factual evidence that proves the secret CIA program is primarily a domestic program, not a program initiated to target terrorists, and not initiated after 9/11. Regardless of any claimed overseas or terrorism related directives, the Bush Administration has targeted Americans with no link to terrorism, including members of the media, and in some instances, for partisan political purpose in a manner far more sinister than the Watergate scandal. The claim that the program was initiated post 9/11 and to target Bin Laden is deceptive top-cover and the committee should defund the agency until it stops being blatantly lied to. There is considerable evidence substantiating the domestic directive is primary and includes rule changes made at the Federal Communications Commission to accommodate the

secret program, a FCC license awarded to a program contractor which allows operation anywhere within the United States, anonymously, by an unlimited number of intelligence personnel, the establishment of top cover for domestic use which was obtained by manipulation of the CDC and which was used and cited by the DODIG in dismissing a complaint resultant of the CIA activities (the DODIG report cited the top cover for misdirection, but appropriately, also cited a lack of jurisdiction over “non DOD intelligence activities” as cause for DOD inaction). Domestic directives have even caused program personnel to be appointed to positions within the FDA and NIBIB. These appointments have influenced medical device regulatory approvals, radiology research efforts, the progress of radiology technology in the United States of America, and in some instances, the intelligence directives compromised public safety contrary to these agencies mandates. The program has been active since 1988 and has affected many agencies.

7. The Bush Administration has perverted the technology by developing and implementing a deceptive method of data collection and for information warfare in which the intelligence data collected via the technology originates on hidden memory addresses, but is delivered through a natural process to appear as if has been acquired from the targeted subject. The data stored on these hidden memory addresses can be active during data collection and was specifically developed to be "indistinguishable" from the data collected normally or naturally, even to other experienced investigators and analysts. This has been exploited to deceive other analysts and investigators, to justify deployment of the technology against innocent persons, and to cover up and divert suspicion of unlawful acts committed by the administration. Not only does this unjustly incriminate individuals who are innocent, the practice also causes other intelligence officers or agents who have been deceived to engage in conduct or incur liability that they would not otherwise choose to engage in. This practice also devalues the tool and threatens the ability to rely upon collected intelligence in potential prosecution of terrorists.

   The ability to manipulate the intelligence should be of significant concern to the committee, especially in light of efforts for “transformation of the intelligence capabilities of the Federal Bureau of Investigation” described in section 339 of the *Intelligence Authorization Act 2010,* and recent issues which afford the FBI increased authority to initiate investigation of U.S. Citizens without a warrant, and expanded authority to rely on polygraph data in investigations. It should be perfectly clear that to authorize the Federal Bureau of Investigation to deploy this program technology, against Americans, without a warrant, cannot be tolerated. The program technology causes irreversible bodily harm to the target which can never be corrected, and the procedure is life threatening. This program technology is volatile and requires disclosure to Congress.

   Further, the ability to manipulate this intelligence data is of concern and is strikingly similar to instances in which the CIA has previously deceived the FBI as to the Internet communications of individuals. In those instances, the CIA shared intelligence with the FBI prompting the FBI to initiate investigation at the utility pole level using the “carnivore” type tool, while the CIA secretly deployed a proprietary tool, closer to the subject to manipulate the TCP/IP traffic of the target subject's computer. This was done in order to deceive FBI Agents and cause them to believe the unlawful Internet activities came from the subject individual. If there is any inclination to transfer this program technology to the FBI, the FBI will be similarly subjected to fabricated intelligence data and tactics developed by the CIA during the last 10 years. This will likely be used for political prosecutions of innocent individuals who are not even allowed to challenge the evidence because it is “secret”. Congress cannot continue voting on issues which cause harm to Americans and then say they were not briefed. Disclosure is necessary.

8. “The Program” technology requires video surveillance for advancement of research. Of significance to Congress' oversight role is that the “research” phase of the secret program activities requires traditional audio/video surveillance of subjects to be obtained and compared to the data obtained from the secret program technology. The audio/video surveillance is required in

order to advance research efforts into an “operational” phase. Personnel have stated in research progress reports and elsewhere that 1000 research subjects would be needed in order to quantify variables and to refine parameters across a multitude of races, genders, ethnicity and ages. While this is a provable fact supported with reports and patent applications of contract personnel (available upon request), it is my allegation and well founded belief that this fact is relevant to the CIA Tapes scandal. Notably, any use of Prisoners of War as research subjects constitutes war crimes and is violative of international law. The administration has sought to assert that prisoners captured in the current war are not POW's, but rather, are "detainees" and are somehow different than POW's. Also notable is the report issued by the Red Cross which found that CIA Medical personnel are complicit and active in acts of torture, and were not used in a humanitarian role. More evidence exists and includes statements from Samuel Provance, a U.S. Army Intelligence Officer who had access to the hard-site at Abu Ghraib as a network computer technician. Provance is quoted in an interview[3] and in Congressional testimony[4]:

> *“In early October, several weeks after Major General Geoffrey D. Miller, U.S. Army commander of the Joint Task Force Guantanamo visited the prison, boxes of electronic equipment were shipped to the prison. "Computers started coming in, and they just never stopped coming," says Provance. "Brand-new, state-of-the-art desktops, laptops. But there were still no lights in the guardhouse..."'*
>
> *“In discussions I had with some of my colleagues, brutal treatment of the detainees was justified by the fact that they were “the enemy” and that they “belonged here.” But to my surprise, I learned that a large number of the detainees had no business being there at all. SSG Schuster, who worked in the outprocessing office, told me that most of the detainees had just been picked up in sweeps for no particular reason, and that some of them weren’t even being tracked or registered. She also said they were all being kept there “indefinitely.” Sometime later, I learned that a few detainees had been released...”*

The committee cannot effectively investigate anything if these activities are not known. The need to establish the nature of CIA Tapes is obviated by the above, and the fact that CIA officials destroyed 92 video tapes in defiance of written Congressional instructions to preserve them. The CIA flatly lied to Congress about the number of tapes, the purpose of their existence, and clearly, these lies were motivated by a desire to conceal what is being done to these detainees. From a research perspective, the committee should know that following the research phase and quantification upon 1000 subjects, video surveillance would no longer be required for a “operational stage” of this secret program. This is relevant because failure to disclose program activities to Congress has resulted in misaligned and futile statute as demonstrated in Section 416 of the Intelligence Authorization Act 2010 requiring all interrogations to be video recorded. While the effort to establish accountability is commendable, to do so effectively requires disclosure of why the initial tapes were created and then destroyed, and if program activities continue, why video taped interrogations are not feasible, which is a matter of geographical challenge, not a desire to conceal identity of interrogators which if was true, could easily be addressed. The Committee should insist on these disclosures. The destruction of CIA Tapes in defiance of Congress' orders is criminal and CIA officials' claims relative to the tapes are not credible nor believable, and extremely suspect in light of the above disclosure.

U.S. Patent 6,175,764

9. There is a behavior modification element of the program technology that is contrary to the interests of the United States and of questionable value either domestically or when deployed on detainees. There is no top cover for this one, and Congress cannot continue to abrogate their oversight responsibilities. Failure of the Committee to conduct oversight of this element could be catastrophic. The focal of the program's behavior modification element is the ability to provoke

3 Interview with Tara McKelvey, senior editor at the Prospect, research fellow at NYU School of Law's Center on Law and Security and the author of Monstering: Inside America's Policy on Secret Interrogations and Torture in the Terror War.

4 The 14-paged PDF file presents the unredacted report of Samuel J. Provance to the US Senate.

extreme rage and violent acts. This technology has been deployed domestically with violent results and if such technology has been deployed upon detainees previously released (or will be released) from Gitmo, it could be used to exert control over insurgent violence and explains the behavior of suicide bombers in a manner more believable than the current religious theme. The use of the technology in this manner places the lives of our enlisted in danger for no other reason than political agenda. Such an activity, while being repulsive, could support administration war policies, prolong expanded authority, could even be used secretly by the past administration, and inexplicably, is not inconsistent with the CIA's long history of hiding acts that if made known, would be found far too sickening to tolerate. I am able to provide detailed progress reports and patent applications which detail the increased rage and promiscuity resultant from deployment of the technology in a behavior modification role upon request, as I fear that enclosing it here will permit CIA personnel to compromise these communications to the committee. I have the evidence, am willing to provide it, and failure by the Committee to obtain complete disclosure of this program element needlessly places the lives of civilians and enlisted in harm's way. It should also be noted that concealing this element of the program, even from CIA personnel or contractors complicit or active in deployment of the technology, is possible and would be entirely consistent with past CIA acts of secrecy where only a minimal number of components are made aware of this element. Congress cannot permit the CIA to function or exist for the purpose of maintaining or prolonging the existence of expanded executive power, just because the CIA will lose the ability to deploy the technology domestically without such expanded power. We as a society, cannot allow intellectual property and the desire to deploy such intellectual property domestically, to dictate whether we are at war and whether Citizens are entitled to the civil rights and liberties of the U.S. Constitution, while we simultaneously pretend to be liberating Iraqi's.

10. Conducting such programs (sometimes for decades) without any disclosure to Congress, and which use innocent civilians as research subjects is not a new activity for the CIA. For example, on April 3 1953, acting Deputy Director/Plans of the CIA, Richard Helms, sent a memorandum to then DCI, Allen W. Dulles, authorizing the "MKULTRA" program in which the CIA "Technical Services Division" (TSD) pursued research and development of chemical and biological materials "capable of clandestine operations to control human behavior". In 1963, CIA Inspector General J.S. Earman conducted a review of the program activities and the resulting report[5] was not discovered until 1974, and would likely not have surfaced at all without the commissions established to investigate in the wake of the Nixon era "Watergate" scandal. The findings contained in the 1963 report include:

    a) *"...initiated a program for covert testing of materials on unwitting U.S. Citizens" (pg.7)*
    b) *"...devices for remote measurement of physiological processes" (pg.22)*
    c) *"...places the rights and interests of U.S. Citizens in jeopardy" (pg.2)*
    d) *"...reviews the rationale and risks attending this activity and recommends termination of such testing in the United States" (pg.7)*
    e) *"...In protecting the sensitive nature of the American intelligence capability to manipulate human behavior, they apply "need to know" doctrine to their professional associates (pg.6)*
    f) *"...records afforded no such approach to inspection. There are just two individuals in TSD who have full substantive knowledge of the program and most of that is unrecorded" (pg.6)*
    g) *"...Present practice is to maintain no records of the planning and approval of test programs"*
    h) *"...used 20% of the CIA/TSD total annual R&D budget during a ten year span of the programs existence" (pg.10)*
    i) *"The research and development of materials capable of producing behavioral or physiological change in humans is now performed within a highly elaborate and stabilized MKULTRA*

5 *"REPORT OF INSPECTION OF MKULTRA/TSD,"* CIA Inspector General J.S. Earman, 26 July 1963 (Declassification Review E.O. 12065 Conducted on 17 June 1981)

structure... Annual grants of funds are made under ostensible research foundation auspices to the specialists located in the public institutions" (pg. 7)

j) *"...the program is conducted through standing arrangements with specialists in universities (and) private research institutions" (pg.7)*

k) *"...the final phase of testing of materials involves their application to unwitting subjects in normal life settings.... the capabilities to produce disabling or discrediting effects cannot be established solely through testing on volunteer populations..." (pg.10)*

l) *"officials also maintain close working relationships with local police authorities... (to) protect the activity in critical situations" (pg.13)*

m) *"CIA/TSD initiated 144 projects relating to the control of human behavior during the ten years of operation of the MKULTRA program" (pg.21)*

n) *"A significant limitation on the effectiveness of such testing is the infeasibility of performing scientific observation of results" (pg.12)*

o) *"...evaluating the materials on different races, genders, ages, and nationalities was stated to be "of great significance" and included "all social levels... high and low" (pg.12)*

p) *"...it does not follow that termination of covert testing of MKULTRA materials on unwitting U.S. citizens will bring the program to a halt... Some testing on foreign nationals has been occurring under the present arrangements" (pg.15)*

q) *"No effective cover story appears to be available" (pg.14)*

r) *"A test subject may on some occasion in the future, correctly attribute the cause of his reaction and secure independent professional medical assistance in identifying the exact nature of the (materials) employed, and by whom." "An extreme reaction could lead to (a) request for cooperation from local authorities in suppressing information of the situation." "risks of compromise and resulting damage to the CIA has led the Inspector General to recommend termination of this phase... existing checks and balances do not afford senior command of CIA adequate protection against the high risks involved" (pg.16)*

Full report is Exhibit B in "Vietnam Veterans of America v. CIA, filed 01/07/2009 in U.S. District Court as case #09-cv-00037-CW , www.edgewoodtestvets.org

Like the current program, the CIA claimed it "terminated" the MKULTRA program, however in a 1977 interview, 14 year CIA veteran Victor Marchetti specifically called the CIA claim of terminating the program a "cover story". I wish to make perfectly clear to you that Congress is continuing to be flat out lied to. The program has not been abandoned by CIA Director Panetta. The technology and program activities continued this afternoon in the vicinity of China Lake Naval Air Weapons Station in California. Further, the above findings from the 1963 CIA Inspector General report clearly show that the CIA regularly engages in such acts, which include deceiving Congress, hiding programs for decades behind alternate funding mechanisms, performing biological research upon unwitting U.S. Citizens for development of behavior modification capabilities, and operates with little concern for the life and civil liberties of U.S. citizens. This report would also appear to be a prime example explaining why former DCI Hayden refused to permit any review of the detainee practices by Inspector General John Helgerson. I would like to remind the committee that this 1963 Inspector General report likely never would have surfaced were it not for the committees established to investigate in the wake of the Nixon era Watergate scandal. Lastly, the above report shows a level of foresight by IG Earman that is uncanny.

The above information raises serious concerns in how the CIA has been conducting these secret activities there should be no doubt as to the need for this committee's investigation and the need for disclosure. Further demonstrating the need for disclosure and oversight, I wish to disclose how the policies, secrecy, and war on terror provisions have affected myself as well as family members. As previously mentioned, I am an American Citizen who has never held a passport, I was confirmed by California Secretary of State Deborah Bowen as a write-in candidate during 2008 Presidential

Primary election proceedings, am currently elected as Vice President of the Flamingo Heights Community Association, I am an active member of the Elks, a FCC licensed amateur radio operator KI6JJN, and have carried the Marine Corp League flag in recent Memorial Day and Veterans Day parades. I have absolutely no connection to overseas entities or Al Queda.

I became involved in the program in March 1997 as a research subject under a contract awarded to a Los Angeles based contractor. This occurred without my consent. The technology was deployed for the sole purpose of furthering research efforts, developing intellectual property and was completely unrelated to the war on terror that did not even exist at the time. In 2000, research efforts escalated into legitimate acts of torture, the program technology was active, without interruption, while at work, while trying to sleep, and while operating motor vehicles in traffic. There were provisions in the intellectual property which allowed continued operation, even in the absence of any communications link. The research efforts continued, without my consent, against my will, in a manner that placed my life in jeopardy, and which cost me tens of thousands of dollars in damages that were incurred as a result of the abuse. In July of 2001, the escalated abuse had unforeseen results which contributed to, and directly caused the malfunction and recovery of program technology as evidence. At the time, I was not aware of the CIA involvement in the research efforts and had only recently discovered that defense components were listed as co-investigators on contracts and that funds had been misappropriated without notification to Congress. Within 2 months, George W. Bush would designate me, an innocent American, as some form of combatant or detainee in order to justify rights violations, warfare, and suppression of evidence that was just recovered prior to the war on terror. This is the sequence of events which followed:

July 2001: I sent e-mails to Department of Defense and National Institutes of Health officials disclosing criminal and scientific research misconduct, inquiring as to proper procedure for investigations, and requesting agency action be formally initiated. The FBI remained silent and had answered none of the correspondence including a hand delivered letter to Los Angeles Field Office Director Ronald Iden. The only thing existing at the point was a Los Angeles Police Dept. crime report.

July 2001: Intelligence personnel leaked classified information to me regarding records which were sealed under a Bush E.O., and relative to the programs past research efforts which had catastrophic results, and which became even more disturbing later when I learned the catastrophe was an intentional event motivated by the long-term intelligence directive which actually benefited from the messy catastrophe. I did not know the information was classified or how the information related to the Executive Order (this discovery happened after release of the “Secrecy in the Bush Administration” report by Waxman's oversight committee). Naturally, I included this information in communications I was in the midst of preparing to Congress and agency Inspector Generals requesting help.

July 2001 - September 2001: The following emails were sent and includes an email from my father, a World War II veteran:

From: Dave Larson
To: Kay Larson ; Bill Larson ; cs
Sent: Friday, September 07, 2001 1:47 AM
Subject: I have evidence.....

…removed a < ------ redacted ------- >. This could be the beginning of something big. I plan to have the thing evaluated by Caltech University and also consult an attorney.

Dave

From: Judy, Bill or David Larson
To: Dave Larson
Sent: Friday, September 07, 2001 10:39 AM
Subject: Re: I have evidence.....

What a break-through!!!! I can"t believe you were able to salvage such a small item. Please let me know the results of the analysis and what attny. says. Boy-o-boy what a find. Did it hurt? Any mental improvement? Suggest you keep a daily log on your progress with this. Also, make sure the item is very secure because of possible theft or likely attempt. Please let me know if I'm needed. Would come there if you need me - Love you --- Dad

---

From: "Dave Larson" <lars121@pacbell.net>
To: <askcmo@darpa.mil>
Subject: Research Integrity Enforcement
Date: Saturday, July 21, 2001 4:23 PM

I need to know who I should contact if I have information about the mis-appropiation of research grant monies and violation of DARPA research guidelines. I assume this would include the Comptroller General. Can you provide contact info for whom I should contact as well as the Comptroller General? Thank you.

Dave Larson
5676 Lindley Ave.
Encino, CA. 91316
(818) 486-5283

From: "Dave Larson" <lars121@pacbell.net>
To: <ohrp@osophs.dhhs.gov>
Subject: Scientific Misconduct
Date: Sunday, July 01, 2001 2:50 AM

Who can I contact if I have information regarding scientific misconduct involving illegal research using human subjects performed by university researchers?

DL

From: "Dave Larson" <lars121@pacbell.net>
To: "Stone, Sara (NIDCD)" <stones@nidcd.nih.gov>

Cc: "Combs, Jeannie (NIDCD)" <combsj@ms.nidcd.nih.gov>
Subject: Grant Approval Process?
Date: Sunday, July 01, 2001 7:17 PM

Sarah,

Can you tell me who oversees the approval of grant awards and also who would enforce compliance with regulations in funded research studies? I have information that I would like to mail regarding scientific misconduct and illegal research involving humans that the NIDCD has funded.

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Following the Terrorist Attacks of September 11, 2001, the Administration began using war on terror provisions to obstruct all my communications whether telephonic, email or U.S. Mail, even correspondence to Congress and legal counsel. Use of the program technology escalted and was life threatening. Erroneous intelligence was fabricated and manufactured to justify the rights violations and warfare I was now being subjected to.

In 2002, I received a reply to correspondence which I addressed directly to, and sent directly to Senator Dianne Feinstein citing unlawful NIH and DARPA funded research efforts and which requested assistance. The reply from Senator Feinstein's office read *"thank you for sending me a copy of your letter to the state franchise tax board regarding your tax return..."* Over the course of 8 years, I sought assistance from various members of Congress in excess of 300 times with written correspondence, emails and faxes all of which clearly identified rights violations and pleaded for help. Many of the communication were sugar coated and did not disclose sources and methods, many other communications included supporting evidence and told all. Nothing ever stopped the torture. Intelligence personnel used TSP provisions to intercept phone calls, intercepted mail, and when materials were hand delivered, the CIA was able to obstruct Congressional action. Congress failed me entirely as a check and balance and of 300 communications, I received about 15 resulted in replies, usually in a form letter about a hot button issue.

Later in 2002, I sought civil litigation against the contractor only, in state court, and did not name government entities as defendants. I found an attorney in Los Angeles who was a Latino civil rights attorney and community organizer who agreed to help me. I was present in his legal office when a National Security Letter came across the fax. I sat across the desk from him while he was forced to argue his obligation as a recipient of the National Security Letter and the efforts of intelligence personnel threatened and intimidated him with efforts to prevent him from providing representation or services. This is obviously not the stated purpose or the manner in which National Security Letters were presented to the public or intended to be used. Over the course of 8 years, National Security Letters were used repeatedly to scare, threaten and intimidate attorneys to the point they were afraid to speak to me and these activities caused attorneys to withdraw legal representation after they had agreed to render services.

The administration sought to cover up what they had done to me and other innocent civilians. In response to the evidence I have recovered and assembled, the Bush Administration designated me as to have some terrorist status and fabricated evidence to support such an action. I am an innocent American who has never held a passport and only sought to write Congress and Inspector Generals. The administration used war on terror provisions to compromise my medical care, used National Security letters to threaten and intimidate legal counsel, have falsely incarcerated me to derail a civil suit, abused Special Access to deny me a DMV occupational license despite the fact I have no felony or drug convictions (despite the fact that the DMV has awarded such licenses to individuals who have been convicted of real crimes such as child molestation). They have intercepted and terminated phone calls and e-mails, have removed evidence from my home which incriminates them including process serving documents in which Sheriff Dept process servers were obstructed, compromised, and in the case of the carved out contract, were told that the investigators named in the contract were not employees of the university. They perceive my gainful employment to be a threat due to medical insurance. I have gone 6 months at a time without being allowed to have a computer due to a proprietary exploit afforded to the IC and have had to draft communications on a typewriter. I also began to get reports that personnel were impersonating my identity to engage in detrimental behavior as part of information warfare, to discredit my allegations, and most often, to behave unlawfully or inappropriately using my identity and in order to sabotage what would otherwise be cordial communications. Once when acting as my own attorney and after I issued a subpoena for records

upon a telecommunications company, they phoned the telecommunications company posing as me and threatened employees to the extent that when I placed my first phone call to the company to inquire as to why they had not complied with a subpoena, they threatened to call the police citing previous phone calls which I did not make.

When I required medical treatment, I sought a MRI at UCLA. The UCLA Brain Research Institute had just obtained a special 3.0T Signa system from G.E. and was offering free scans as part of a clinical study. This was the only such system available to patients on the entire West Coast and the free scan was desirable as I was without insurance. Shortly after filing for such a scan, the Principal Investigator on "the program" contract filed a restraining order against me and falsely listed UCLA Brain Research Institute as his place of employment and had me prohibited from accessing this facility.

Almost continually since 2001, intelligence personnel have used a proprietary computer exploit to deny me access to any computer or operating system, despite the fact that I am Certified Microsoft Technician. In 2006, for months at a time, my computer data would be destroyed and systems disabled while in the middle of authoring a letter to Dianne Feinstein, Kevin McCarthy and the FBI. When a FBI Agent requested I prepare a statement and declaration in 2006, my computer was repeatedly crashed with this exploit and I was forced to buy a typewriter and/or prepare communications confined to the DOS text edit program. When I did have an operating system, Intelligence personnel exploited a POSIX compliance technique to alter contents of my email attachments. In one instance, I sent an email to Steve Morgan, a DOD employee and City Councilman who sat with me on the Lions Club Board of Directors. The email to Mr. Morgan included photos of horse drawn buggies that we were considering for use in the Christmas Parade. Intelligence personnel used the POSIX exploit to replace the buggy photos with pornography, and did this by connecting to my machine as a domain controller with a POSIX compliant computer that housed pornographic photos that were renamed with the same names initiated by the KODAK camera naming convention of the buggy photos, with the only difference being uppercase/lowercase variances. This caused the pornographic photos to be sent instead of the buggy photos. The nature of the exploit confirms this was a specific and intentional malicious act. I believe this same exploit may have been used in January 2009 to tamper with communications between myself and Senate Select Committee on Intelligence staffers. After contacting Senator Feinstein's office requesting opportunity to disclose these criminal acts, I received a response from Jennifer Cabrera who informed me that Senator Feinstein had requested I meet with David Grannis. I was given Mr. Grannis contact info and advised that he makes his own schedule and was cleared to hear any intelligence matters. I was prepared to fly to Washington at my own expense to make this important disclosure. After contacting Mr. Grannis and making initial arrangements, I was then contacted by Don Stone who told me that there would be no meeting and that I would have to e-mail my disclosure. I advised Mr. Stone that my emails were routinely compromised and reminded him that the sensitive nature warranted a disclosure in person and that I was willing to incur travel costs. I was refused and told to email the disclosure. After emailing the disclosure which had a PDF attachment, I was immediately rebuffed. When I called Don Stone and requested that the contents of my email be verified to verify that the contents matched what was sent, I was again refused. In light of past acts by the administration and IC, it is likely this disclosure was compromised, however I have no means to verify whether or not this is accurate.

When Congressional Authorization on the TSP temporarily lapsed in 2006, personnel resorted to extremely desperate tactics and began to target my family members. Abuse escalated and the focal point of the abuse was clearly directed at provoking a criminal retaliatory act of violence. When these efforts failed, personnel began efforts to coerce me into sending the program technology previously retained as evidence in the civil matter to Beijing China, suggesting that would "teach them a lesson". I refused to comply and called Special Agent Richard Tjaden at NCIS. The lapse in

authorization of TSP provisions had personnel trying desperately to manufacture evidence or circumstance that they could in turn use to justify their overzealous and unlawful acts which included deployment of the program technology against me, an American who has never held a passport. This eventually escalated into the CIA sharing intelligence with the FBI in order to prompt the FBI to initiate investigation of my TCP/IP activities. During this time, someone was tampering with the cable leading into my apartment and using my cable account for unlawful acts, which I was unaware of for 5 days until a cable company employee knocked on my door and advised me of the theft. The cable theft occurred at ground level while the FBI was monitoring traffic at the pole. This likely could have incriminated me had the cable employee not intervened. This was made more suspicious because during the 5 days, I had no online access and was told during daily phone calls to the cable company that the problem was a "local outage". Further, the local authorities attempted to defer from generating any record or report, going as far as to say "no crime was committed" despite my providing the cable company employee's I.D.#, name, and van license plate number who could confirm the theft. The employee in the data theft van who notified me of the theft assured me there was never a local outage.

Between 2007 and 2009, and in response to ongoing abuse of program technology by CIA personnel that was affecting my ability to earn an income and which placed my life in jeopardy, more than 40 communications were sent to John Helgerson, Inspector General of the CIA, via online web form, certified mail, registered mail, and via fax. The communications pleaded for oversight and repeatedly cited instances that were both unlawful and which threatened to cause loss of life. These communications had no result and did nothing to deter the continuing abuse of program technology by CIA personnel. This is the kind of abuse that caused me to fly to New York in 2007 and visit U.N. Personnel and to visit the Brooklyn office of Rep. Jerrold Nadler who later introduced H.R. 1531 which sought to limit preemptive pardons for Bush officials who engaged in domestic torture and to prosecute for these abuses. The conflict between DCI Hayden and IG Helgerson was publicized in the media and it seems evident that the IG expressed significant concerns with the detainee program, and this was valid concern because the administration was including U.S. Citizens who were affected by this technology as "detainees", in order to deny them rights afforded to them in the U.S. Constitution. DCI Hayden obstructed the fair and impartial review of the I.G., and clearly this was to avoid scrutiny of criminal acts that would not stand the light of day, and Hayden sought to avoid a scathing IG report similar to the one generated by I.G. Earman in 1963. This is yet another example why legislature has been, and continues to be insufficient. The *Intelligence Authorization Act 2010, section 411* continues to permit the DCIA to prohibit I.G. review of covert operations and programs and further, only requires review once every three years if permitted at all. If there is a question as to why this is inadequate, the answer is clearly to prevent sources and methods or sensitive information from being hand delivered to local law enforcement agencies, private laboratories, and the United Nations. The oversight is insufficient and is causing innocent American Citizens to be denied their Constitutional rights and suffer irreparable bodily harm as a result of this secret program. The failure by Congress to act as a check and balance betrays constituents and to allow this to continue in secret betrays the oath each of you are sworn to uphold.

In 2009, similar to the instance in 2006, CIA personnel began to coerce me into sending correspondence relative to program technology to foreign adversaries, only this time the request focused on Iran instead of Beijing. I refused to comply and instead phoned FBI Agent Frank Davis and disclosed the unlawful coercion. This commemorated 3 years of CIA personnel using program technology inappropriately to induce bodily harm, while simultaneously attempting to coerce me into engaging in activities that they needed in order to justify overzealous and criminal deployment of program technology against an innocent American.

In January of 2008, I received confirmation from California Secretary of State Deborah Bowen of my eligibility as a write-in candidate for the 2008 Presidential Primary Election proceedings[6]. The Bush Administration and the CIA continued the abuse administered via the program technology. This resulted in more than a dozen emergency 911 phone calls being placed during campaign season and resulted in sensitive program details being disclosed to local law enforcement personnel. The CIA contacted the local agency to establish a standing agreement that obstructed the creation or generation of any crime report. Now, with the cooperation of the local agency, CIA personnel escalated the abuse. Instead of being used as a mechanism to control release of sensitive information, the CIA personnel used the protection as an excuse to elevate efforts and this caused even more disclosures of program details to the mayor, the county supervisor, another local agency in another county who generated a crime report, and to CID Agent Chad Getz at the Twentynine Palms MCAGCC. After this, the local agency agreed to generate a report, a Deputy came to my home, and I submitted a declaration naming the co-investigator of the contract who deployed the technology, and submitted as evidence a copy of the contractors FCC license, medical records and a copy of a Dept. of Navy SPAWAR contract. When the report was generated, under suspect it said "none", and also indicated that "no evidence was provided to support the allegations". This again was a concession to the CIA which made the crime report ineligible for action by the District Attorney. Had it listed the contractor and the evidence that was rightly provided, it would have allowed prosecution.

During the course of 8 years, more than 75 communications to the FBI resulted in no action that deterred the torture. The communications were made in person, by fax, certified mail, registered mail, and email. I was eventually placed on the FBI "spam" list to block my emails all of which politely disclosed violations of law and which pleaded for help. Letters to the Dept. of Justice which clearly listed violations of law, and which are unlawful by any standards except those constructed at Abu Ghraib, were responded to with letters informing me that "no identifiable violations of law" were found to exist and that the USDOJ or FBI would "take no action". The CIA personnel were now using the program technology unabated and in an extremely cruel manner and the focal was to provoke rage, death and efforts continued to provoke and coerce me into distributing program technology to foreign adversaries as part of efforts to justify why the CIA was deploying the program technology against an innocent American, and now, an opposing party candidate for President of the United States who received votes from several counties and demographic regions in the 2008 Presidential Primary election. The abuse significantly affected my campaign, caused me to complain to the FEC and disclose program details, caused me to miss work and caused me to seek medical attention that resulted in more generated medical records. This is why oversight is insufficient and this is why the "stay the course" mentality has jeopardized national security for the sole purpose of concealing the unlawful criminal acts of a few individuals in power. This is not the premise of a democratic society and why I will continue to campaign in upcoming elections.

In October 2008, I exhausted my savings of $1500 for a paralegal to draft a federal complaint, however as of February 2009, I had not filed it because I was hoping the abuse and rights violations would cease with the new Administration. Instead, it escalated with a specific intent of coercing me into filing the litigation prior to the March 1st reporting deadline for Special programs. The abuse administered via the program technology can be significant and caused me to relent to the coercive tactics I filed suit February 24, 2009 and the case was randomly assigned a Jimmy Carter appointee, Judge Consuelo B. Marshall. On March 2, 2009, the case was "randomly" reassigned to a Bush appointee, Judge Percy Anderson who dismissed the entire action with prejudice and without leave to amend. The dismissal reeks of "Special" provisions, and deviated severely from common judicial standards in that the claim was based on recent abuses exclusively and was well within statute of limitations. Pleadings specifically stated that my complaint was sugar coated and crafted in a manner

6 "Certified List of Presidential Write-In Candidates" - released 01/18/2008 by California Secretary of State Deborah Bowen

respectful of the governments interests, and thus, there were many unexhausted claims that could be relied upon in the event that the court found defects which required amendment, and further, pleadings stated that little to no discovery was necessary and included a letter from the Dept of Navy FOIA office confirming that the SPAWAR contract upon which much of the case subject matter was based upon, was not classified. A subsequent pleading requested that if I was subject to designation by the government as a terrorist or enemy, that I be allowed to contest such a designation as constructed recently under the Supreme Court ruling of Boumedine v. Bush. The dismissal without opportunity to amend is a result of willful abuse of National Security provisions crafted exclusively to deny me due process and allow the CIA to continue circumventing the rule of law. The “random” judge reassignment is not random, and instead, permits the government to hand select a judge favorable to their side, or in my case, a judge hand selected and appointed by the Defendant (a motion was filed adding George W. Bush as a defendant but the motion was rejected).. Similar reassignments occurred in 2002 when I filed against the contractor in state court, again in 2006 when I sought only a protective order and no monetary damages, again in 2009. This mechanism was also abused when former FBI Agent Sibel Edmonds sought judicial review of grievances. The outcome in each instance has been a deviation from judicial process or has resulted in dismissal under suspicious circumstances. This mechanism, while I find to be in violation of the Constitution, probably exists to aid national security however if the administration continues to trample the constitutional rights while simultaneously torturing innocent Americans with this program technology in absolute secrecy, it will result in more acts detrimental to national security and cause affected individuals to seek judicial review through the United Nations, the International Criminal Court in the Hague and is contrary to the administrations interests considering the war crimes implications.

In closing, the facts above clearly demonstrate the need for the committee to demand complete disclosure and this includes “sources and methods'. Allowing the CIA to continue hiding criminal acts behind “sources and methods” is what has caused inadequate oversight and legislation, has caused details regarding sources and methods to be distributed widely, and has been detrimental to protecting these resources, not beneficial. The CIA cannot be allowed to continue operating in absolute secrecy when it is apparent that the secret operations are affecting candidates for Executive Office, are causing loss of innocent life, are a threat to our enlisted men and women, and are being conducted in a manner that is keeping our nation at war and prolonging the expanded power afforded to the Executive. There is considerable evidence suggesting the activities being conducted at CIA detention facilities is not consistent with what has been told to Congress or the public, and defies American high ideals and worse, constitutes international war crimes. Further, the domestic CIA activities are a threat to democracy and have already caused irreparable harm not only to Americans, including myself while a candidate for Executive Office, but also have caused irreparable harm to national security through misaligned efforts to conceal the criminal acts of CIA personnel. I believe the CIA must consent to Congressional review with complete transparency or alternatively, be defunded. Further, failure to prosecute CIA officials will continue to cause individuals to seek redress globally from human rights organizations and international courts. Congress cannot continue to legislate from the dark, or worse, approve programs which cause death to innocent Americans and then claim they were not briefed.

/s/ Dave Larson
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