

Exhibit 36

February 2014 Clapper Testimony

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CIA's Drones, Barely Secret, Receive Rare Public Nod

By Siobhan Gorman



Director of National Intelligence James Clapper testifies before the Senate Intelligence Committee on Capitol Hill in Washington, Jan. 29, 2014. (AP Photo/Pablo Martinez Monsivais)

Associated Press

The worst kept secret in Washington national security circles is no more. Director of National Intelligence **James Clapper** publicly acknowledged for the first time at a Senate hearing Tuesday that the Central Intelligence Agency has a drone program.

The CIA's drone program, which operates in Pakistan and Yemen, has been the subject of news reports for years. But U.S. officials have continued to steer clear of publicly acknowledging the program, glossing over CIA's role, because it has remained officially covert. That covert status allows the CIA to operate in countries where local governments don't support the strikes.

The U.S. military also operates a drone program, which is not covert.

In this exchange with Sen. **Bill Nelson** (D., Fla.) at a Senate Armed Services Committee

hearing on global threats to the U.S., Mr. Clapper indirectly confirmed the existence of the CIA's program by saying Sen. Nelson's statement was accurate.

Sen. Nelson: It is — you tell me if this is correct — the administration's policy that they are exploring shifting the use of drones, unmanned aerial vehicle strikes, from the CIA to the DOD. Is that an accurate statement?

Mr. Clapper: Yes, sir, it is. And again, that would also be best left to a closed session.

Sen. Nelson: OK. Well, I just want to state at the outset that my opinion is that that is a mistake. And I think that what I consider to be a mistake, I will ask with this question: One of the avowed reasons, so stated, is that by it being the DOD, it would not be covert, it would be overt, and therefore, when the enemy says that we killed so many innocent civilians, which is usually not accurate by any stretch of the imagination, that we would be able to publicly state that. Is that one of the justification for the policy?

Mr. Clapper: That — yes, sir — it's awkward discussing this in public — that is, but I wouldn't characterize that as the primary reason.

Asked whether Mr. Clapper intended to publicly acknowledge the program, Mr. Clapper's spokesman **Shawn Turner** said, "He clearly said the topic should be discussed in closed session."

In May, President **Barack Obama** gave a lengthy speech outlining the legal framework and tightened standards for U.S. drone operations. But he did not specify any agency's role in the program in his remarks.

A classified policy guidance issued along with the speech outlined the administration's intention to gradually [move the CIA's drone operations over to the Pentagon](#).

The [CIA has yet to hand over the keys](#) to its Yemen program and is aiming to end the Pakistan program before handing it over to the Pentagon.

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