

Senator Grassley, Chairman
Questions for the Record
Sharyl Attkisson

On day two of the hearing for the United States Attorney General nominee, on January 29, 2015, Senator Whitehouse placed into the record a redacted copy of an Inspector General report of its investigation into your allegations of remote intrusion of your computers.¹ Some in the media have cited this report as disputing many of your allegations, if not disproving them outright.²

According to CBS News, however, its forensic analysis found that your work computers were accessed by an unauthorized, external, and unknown party on multiple occasions in late 2012.

1. In your April 2013 complaint to the Office of the Inspector General (OIG) and in other communications with OIG, how many of your computers did you report as intruded and which ones?

Answer:

Although the focus of original forensic analyses was the CBS computer, I reported to OIG intrusions of both my CBS work laptop and my Apple home personal desktop computer.

2. Did the Office of the Inspector General (OIG) examine all of those computers?

Answer:

No.

3. Specifically, did OIG examine any of your work computers owned by CBS?

Answer:

No. The computer that was the subject of the original forensic analyses was not inspected by OIG.

4. Did OIG examine any reports of the CBS News' forensic analysis that found evidence of intrusion?

Answer:

No.

5. Regarding the OIG's alleged "stuck backspace key" finding:

¹ U.S. Senate Committee on the Judiciary, *Attorney General Nomination*, January 29, 2015, <http://www.judiciary.senate.gov/meetings/attorney-general-nomination-part2>.

² Julian Hatttem, "Watchdog: Attkisson wasn't hacked, had 'delete' key stuck," *The Hill*, January 29, 2015, <http://thehill.com/policy/technology/231225-doj-watchdog-ex-cbs-reporter-wasnt-hacked-had-delete-key-stuck>; Erik Wemple, "Justice Department's IG report disputes Attkisson's computer-intrusion allegations," *The Washington Post*, January 29, 2015, <http://www.washingtonpost.com/blogs/erik-wemple/wp/2015/01/29/justice-departments-ig-report-disputes-attkissons-computer-intrusion-allegations/>.

- a. Did the OIG examine your personal computer to see if it could recreate the problem or detect a stuck backspace key?

Answer:

No. (The referenced computer was neither the CBS laptop nor the Apple home personal desk top, but a third computer. I had stopped using the CBS laptop the day the first forensics examination concluded there had been remote intrusions on it.)

- b. Did the OIG question you as to whether you experienced this problem in the past or afterward?

Answer:

I don't remember anyone suggesting it was a "stuck backspace key" because the "hyper" speed of the deletions shown at the beginning of the video—erasing pages in a matter of seconds—is not duplicable with a stuck key. If they had asked, or did ask, whether I had ever experienced a stuck key in the past or afterwards, I would have told them no, I did not. I informed them, however, that the abnormal computer behavior resolved only when I disconnected the computer from Wifi.

- c. Did the OIG provide you with evidence that a "stuck backspace key" can erase pages of material in a matter of few seconds, as you allege to have happened with your computer?

Answer:

No. The first I knew that OIG concluded it may be a "stuck backspace key" was when I read it in the summary provided the evening before my testimony before the Senate Judiciary Committee.

- d. Regarding the OIG's alleged "common cable" finding:

- i. Did OIG physically inspect the cable itself?

Answer:

No, at least not while OIG was at my house.

- ii. Did you ever communicate your concerns about the cable to your internet service provider? If so, what was the provider's response?

Answer:

Yes. At the time the cable was first located, I informed Verizon and requested assistance. Verizon immediately informed me that Verizon did not install the device, it did not belong to them, it did not belong on the box, and that I should contact law enforcement officials. Verizon subsequently sent a

technician to the house who also said the cable did not belong there, said he didn't know why it was there or who put it there, and removed it.

- iii. Did you communicate to OIG the provider's comments to you concerning the cable? If so, what was the OIG's response?

Answer:

Yes. They looked at photos of the cable and said that the circumstances and cable were strange, including the fact that the cable disappeared after the Verizon technician removed it.

- e. Did OIG rule out or dispute any of your allegations? If so, which ones, and what is your response?

Answer:

Although I am not a computer technician or expert, my reading of the OIG summary is that OIG did not rule out intrusions on any of the computers.

Significantly, the OIG did not examine the CBS computer. It is my understanding that CBS rejected the OIG's informal request to take possession of the computer, which is the computer that CBS News and my own forensics consultant had previously examined and verified was subject to remote intrusions traced to a USPS IP address.

Regarding the Apple personal desktop, which I asked the OIG to examine for comparison purposes, the OIG confirmed a great deal of unauthorized, suspicious behavior conducted by a skilled party who used the computer in advanced mode. Though investigators discussed the behavior at length with me to separate potentially friendly activities from potentially nefarious activities by a third party, the nature of these discussions is not reflected in the OIG report. In some cases, the unauthorized behavior is noted in the OIG summary, but not explained – yet the OIG oddly did not consider it to be possible evidence of unauthorized access.

As for the unexplained cable, I made no specific allegation as to the role of the unexplained cable, so there was nothing to dispute. In its summary, the OIG could not explain the presence of the cable and offered no theory as to why it was there, yet did not seem to view its unexplained presence and disappearance as curious despite Verizon's clear position. The OIG stated that unnamed Verizon technicians told them the cable might have been used to bring service to an apartment (but there is no apartment) or might have been an air connection later replaced by a buried line (but there never was an air connection). The OIG did not ask me, nor did it apparently ask Verizon, whether our family had ever requested a second line or had previously an air connection that was replaced by a buried line—or they would have known that was not the case.

I made no specific allegation as to the video showing hyper-speed deletions, so the OIG did not dispute it. In its summary, the OIG theorized the video showed a “stuck backspace key,” though it did not question me on this theory and did not ask to examine the key on the computer. There is no indication in the summary as to how the OIG concluded that a stuck backspace key could result in the hyper speed deletions as I had described and as shown in the beginning of the video.

f. Do you have any other comments regarding the OIG report and/or the way it is being covered by some members of the press?

Answer:

Informally, we posed questions about the scope of the investigation to the OIG, but they have not been addressed, including why the scope of the investigation changed, when it changed, and why it changed; questions about OIG interviews and email reviews that was supposed to be within the scope of the investigation, yet never mentioned as having been carried out; and questions about the names of individuals who were involved.

Formally, I still have not been provided a lawful response to my Freedom of Information request to the OIG regarding the case. I was only belatedly provided the summary, with unexplained redactions, the night before my testimony. Still outstanding are many documents, the forensics report(s), exhibits, emails, notes and more. The OIG summary does not reflect the tone and content of the conversations I had with the investigators. The summary mentions significant unauthorized activity on the Apple personal desktop computer, but for some reason concludes it is not potential evidence of unauthorized activity. The summary does not explain this contradiction. It is obviously false to say that the OIG “disputed” or “knocked down” all—or even any—of my allegations about computer intrusions, which remain substantiated by separate forensics analyses, including ones conducted by CBS News. It would be impossible for the OIG to have ruled out unauthorized intrusions, since it did not examine the primary computer involved: the CBS computer, which was the subject of the original forensics analysis. On the Apple personal desktop, the OIG summary states it was unable to substantiate intrusions on that computer, but neither was it able to rule out intrusions of that same computer, despite many false media reports to the contrary.