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~~TOP SECRET//~~ [REDACTED] ~~//NOFORN~~

# Senate Select Committee on Intelligence

*Committee Study of the CIA's Detention and Interrogation Program*

## Executive Summary

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Page 1 of 499

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Department of Defense did not believe an adequate articulation of military necessity or national security reasons warranting nondisclosure existed, that "DoD is tired of 'taking hits' for CIA 'ghost detainees,'" and that the U.S. government "should not be in the position of causing people to 'disappear.'"<sup>718</sup>

(TS// [REDACTED] //NF) Despite numerous meetings and communications within the executive branch throughout 2004, the United States did not formally respond to the January 6, 2004, ICRC letter until June 13, 2005.<sup>719</sup>

2. *CIA Leadership Calls Draft Inspector General Special Review of the Program "Imbalanced and Inaccurate," Responds with Inaccurate Information; CIA Seeks to Limit Further Review of the CIA's Detention and Interrogation Program by the Inspector General*

(TS// [REDACTED] //NF) The CIA's Office of the Inspector General (OIG) was first informed of the CIA's Detention and Interrogation Program in November 2002, nine months after Abu Zubaydah became the CIA's first detainee. As described, the information was conveyed by the DDO, who also informed the OIG of the death of Gul Rahman. In January 2003, the DDO further requested that the OIG investigate allegations of unauthorized interrogation techniques against 'Abd al-Rahim al-Nashiri. Separately, the OIG "received information that some employees were concerned that certain covert Agency activities at an overseas detention and interrogation site might involve violations of human rights," according to the OIG's Special Review.<sup>720</sup>

(TS// [REDACTED] //NF) During the course of the OIG's interviews, numerous CIA officers expressed concerns about the CIA's lack of preparedness for the detention and interrogation of Abu Zubaydah.<sup>721</sup> Other CIA officers expressed concern about the analytical assumptions driving interrogations,<sup>722</sup> as well as the lack of language and cultural background among

<sup>718</sup> Email from: [REDACTED]; to: John Rizzo, [REDACTED]; cc: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], Jose Rodriguez, John P. Mudd, [REDACTED], [REDACTED], [REDACTED]; subject: DoD's position on ICRC notification; date: September 13, 2004.

<sup>719</sup> June 13, 2005, Letter to ICRC, responding to 2004 ICRC *note verbale*.

<sup>720</sup> Special Review, Counterterrorism Detention and Interrogation Activities (September 2001 – October 2003) (2003-7123-IG), 7 May 2004, (DTS #2004-2710).

<sup>721</sup> The chief of Station in the country that hosted the CIA's first detention site told the OIG that "[t]he Reports Officers did not know what was required of them, analysts were not knowledgeable of the target, translators were not native Arab speakers, and at least one of the [chiefs of Base] had limited field experience." See Interview report of [REDACTED], Office of the Inspector General, May 20, 2003. According to [REDACTED] of CTC Legal, there was no screening procedure in place for officers assigned to DETENTION SITE GREEN. See interview of [REDACTED], by [REDACTED] and [REDACTED], Office of the Inspector General, February 14, 2003. See also interview of [REDACTED], Office of the Inspector General, March 24, 2003.

<sup>722</sup> In addition to the statements to the OIG described above, regarding the interrogation of Abu Zubaydah, CIA officers expressed more general concerns. As [REDACTED] noted, the assumptions at CIA Headquarters that Abu Zubaydah "knew everything about Al-Qa'ida, including details of the next attack" reflected how "the 'Analyst vs. Interrogator' issue ha[d] been around from 'day one.'" (See interview of [REDACTED], Office of the Inspector General, February 27, 2003.) According to Chief of Interrogations [REDACTED], subject matter experts often provided interrogation requirements that were "not valid or well thought out," providing the example of Mustafa al-Hawsawi. (See interview of [REDACTED], Office of the Inspector General, April 7, 2003.) Senior CIA

members of the interrogation teams.<sup>723</sup> Some CIA officers described pressure from CIA Headquarters to use the CIA's enhanced interrogation techniques, which they attributed to faulty analytical assumptions about what detainees should know.<sup>724</sup> As the chief of RDG, [REDACTED], stated to the OIG in a February 2003 interview:

"CTC does not know a lot about al-Qa'ida and as a result, Headquarters analysts have constructed 'models' of what al-Qa'ida represents to them. [REDACTED] noted that the Agency does not have the linguists or subject matter experts it needs. The questions sent from CTC/Usama bin Laden (UBL) to the interrogators are based on SIGINT [signals intelligence] and other intelligence that often times is incomplete or wrong. When the detainee does not respond to the question, the assumption at Headquarters is that the detainee is holding back and 'knows' more, and consequently, Headquarters recommends resumption of EITs. This difference of opinion between the interrogators and Headquarters as to whether the detainee is 'compliant' is the type of ongoing pressure the interrogation team is exposed to. [REDACTED] believes the waterboard was used 'recklessly' - 'too many times' on Abu Zubaydah at [DETENTION SITE GREEN], based in part on faulty intelligence."<sup>725</sup>

interrogator [REDACTED] told the OIG that interrogators "suffered from a lack of substantive requirements from CIA Headquarters," and that "in every case so far, Headquarters' model of what the detainee should know is flawed." [REDACTED] told the OIG that "I do not want to beat a man up based on what Headquarters says he should know," commenting that, "I want my best shot on something he (the detainee) knows, not a fishing expedition on things he should know." (See interview of [REDACTED], Office of the Inspector General, April 30, 2003.) Two interviewees told the OIG that requirements were sometimes based on inaccurate or improperly translated intercepts. See interview of interrogator [REDACTED], Office of the Inspector General, March 24, 2003; Interview of [REDACTED] [former chief of Station in the country that hosted the CIA's first detention site], Office of the Inspector General, May 29, 2003.

<sup>723</sup> One interviewee noted that several interrogators with whom he had worked insisted on conducting interrogations in English to demonstrate their dominance over the detainee. (See interview report of [REDACTED], Office of the Inspector General, March 17, 2003.) The CIA's June 2013 Response acknowledges that "[t]he program continued to face challenges in identifying sufficient, qualified staff -- particularly language-qualified personnel -- as requirements imposed by Agency involvement in Iraq increased."

<sup>724</sup> According to [REDACTED] of CTC Legal, "[t]he seventh floor [CIA leadership] can complicate the process because of the mindset that interrogations are the silver bullet [and CIA leadership is] expecting immediate results." (See interview of [REDACTED], Office of the Inspector General, February 14, 2003.) Senior Interrogator [REDACTED] provided the example of Khallad bin Attash, who, he told the OIG, was determined by the chief of Base at DETENTION SITE BLUE not to "warrant" the CIA's enhanced interrogation techniques. According to [REDACTED], debriefer [REDACTED] called ALEC Station and told them to "go to the mat" in advocating for the use of the CIA's enhanced interrogation techniques, claiming that bin Attash was holding back information. (See interview of [REDACTED], Office of the Inspector General, April 30, 2003.) [REDACTED] described the "inherent tension that occasionally exists between officers at the interrogation facilities and those at Headquarters who view the detainees are withholding information." [REDACTED] provided the example of Abu Yassir al-Jaza'iri. (See interview of [REDACTED], Office of the Inspector General, May 8, 2003.) [REDACTED] also described disagreements on whether to subject detainees to the CIA's enhanced interrogation techniques as a "field versus Headquarters issue." (See interview of [REDACTED], Office of the Inspector General, August 18, 2003.) As described, interviewees also described pressure from CIA Headquarters related to the interrogations of KSM and Abu Zubaydah.

<sup>725</sup> Interview of [REDACTED], Office of the Inspector General, February 21, 2003.

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