

Exhibit D

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Chronology of CIA High-Value Detainee Interrogation Technique

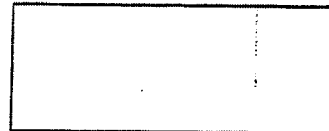
(TS/[redacted]/NF) **MARCH 2002:** Abu Zubaida was captured in March 2002 and, in the process, was severely wounded. Once stabilized, he was rendered to a blacksite and treated by Agency sponsored physicians.

- When it was determined he had recovered to a point where he could be safely exploited for actionable information, he was interrogated by both CIA and FBI officers.
- At this point there was no CIA interrogation program and the only techniques being used were sleep deprivation, dietary manipulation, and loud music/white noise.
- CIA believed AZ was withholding valuable information that would not be acquired through use of these techniques. CIA therefore sought to develop other, effective, and legal techniques to use.

(TS/[redacted]/NF) **JULY 2002:** Based on the 17 September 2001 Presidential Memorandum of Notification (MON) authorizing CIA [redacted] to undertake operations designed to capture and detain persons who pose a continuing a serious threat of violence or death to US persons and interests - CIA established its own in-house Detention and Interrogation Program to be managed by the CIA CounterTerrorism Center.

(TS/[redacted]/NF) **AUGUST 2002 TO JUNE 2004:** CIA submitted the following Enhanced Interrogation Techniques for Department of Justice (DOJ) approval. These were selected based on research conducted by the military that they do not/not produce injuries or long lasting effects when applied correctly. In an August 2002 written opinion, DOJ advised that the techniques would not constitute torture. (See Appendix A for additional details.)

- | | |
|---|-------------------|
| Attention Grasp | Sleep deprivation |
| Facial hold | Walling |
| Stress positions | Water Board |
| Cramped confinement | Wall standing |
| Use of harmless live insects (never utilized) | Facial slap |



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Less-aggressive Standard Techniques, including dietary manipulation, loud music/white noise, nudity and use of diapers were also available for CIA use, though not submitted to DOJ for review in 2002.

(TS [] /NF) JUNE 2004: An internal Senior Agency Review of the CIA Program in Response to the DCI Query (Memo NR 171-04, dated 30 June 2004), refined the CIA detention program. Changes included dropping the distinction between Standard and Enhanced Techniques after determining that many activities within the "Standard Techniques" category (such as white noise and use of shackling) were really security measures and not used for the purpose of eliciting information. CIA reclassified its available techniques into the following list of thirteen (13) techniques (See Appendix B for additional details.):

Stress Positions
Dietary Manipulation
Nudity
Facial Slap
Attention Grasp
Water Dousing

Wall Standing
Cramped Confinement
Walling
Facial Hold
Abdominal Slap
Sleep deprivation (more than 48 hours)

Water Board

(TS [] /NF) MAY 2005: DOJ provides legal opinions that the 13 interrogation techniques do not violate the torture statute nor would they violate U.S. obligations under Article 16 of the Convention Against Torture, which precludes the use of cruel, inhuman or degrading treatment or punishment, were that article to apply.

(TS [] /NF) DECEMBER 2005: DCIA (Porter Goss) suspended use of all techniques in anticipation of enactment of the Detainee Treatment Act of 2005 (aka the McCain Amendment) pending a new policy, operational and legal review. As a result of that review, CIA determined for policy and operational reasons to proceed using only seven (7) of the thirteen (13) techniques. The primary reason for proceeding with only seven (7) EIT's was a recognition that in passing the McCain Amendment, Congress had signaled its lack of support for aggressive counterterrorism programs and therefore the program should be curtailed for prudential reasons to avoid putting CIA officers in jeopardy of vexatious civil or criminal litigation. DOJ was on the verge of issuing a legal opinion that the revised program complied with U.S. law when the Supreme Court returned on the Hamdan decision, thereby providing that War of Terror detainees were entitled to the protections of Common Article 3 of the Geneva Conventions. The Hamdan Decision thus required a complete legal, policy and

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operational reassessment of the program. The seven (7) Techniques under review were:

Conditioning Techniques: Dietary manipulation, Sleep deprivation, Nudity

Corrective Measures: Abdominal Slap, Attention Grasp, Facial Hold, Facial Slap

(TS/[redacted]/NF) DECEMBER 2005 TO JULY 2007: No Enhanced Interrogation Techniques were authorized for use on any detainee from December 2005 to July 2007. During that timeframe, one (1) detainee, Abdul Hadi Al-Iraqi, was captured and debriefed without the use of Enhanced Interrogation Techniques.

(TS/[redacted]/NF) JULY 2007: Mohammed Rahim detained. It was determined that Enhanced Interrogation Techniques would be required for the effective exploitation of the resistant detainee.

- On 20 July, the President signed Executive Order 13440 on Common Article 3, and DOJ issued a legal opinion finding CIA's six Enhanced Interrogation Techniques were lawful. Nudity had been removed from the program to reach unanimous policy support among the NSC Principals. The DCIA issued Guidelines on Interrogations Conducted Pursuant to Presidential Memorandum of Notification of 17 September 2001 [redacted] (See Appendix C for additional details.): The six EITs are:

Sleep Deprivation
Facial Hold

Dietary Manipulation
Facial Slap

Attention Grasp
Abdominal Slap

- The Guidelines authorizing the above techniques included language which limited Sleep Deprivation no more than 180 hours in a 30-day period, and provided a mathematical formula with which to determine the caloric requirements authorized under Dietary Manipulation. The above Enhanced Interrogation Techniques represent the current authorities under the 20 July Memorandum.
- Under the current DOJ opinion, Sleep Deprivation, lacks the efficacy of its previous application. [redacted] would like to see Sleep Deprivation returned to the standard previously determined as lawful by DOJ in 2005. The current and previous standard set the maximum allowable duration for sleep deprivation as 180 hours after which the detainee must be permitted to sleep without interruption for at least eight hours. [redacted] recommends removal of the 30 day restriction, since it allows the detainee to rebuild his resolve. [redacted] believes removal of this restriction will deny the detainee this opportunity, maintaining his sense of loss of control. It is not clear,

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however, that the law as it exists today would permit removing the 30-day restriction.

(TS [REDACTED] /NF) **RESULTS OF OCTOBER 2006 SENIOR INTERROGATOR REVIEW OF EITS**

(TS [REDACTED] /NF) In October 2006, a panel was convened of Senior Interrogators, Psychologists and RDG management to review past EITs, and to provide DCIA with a final list of EITS for use in the Rendition Detention and Interrogation Program (RDI) in light of the Military Commissions Act of 2006. The panel considered the efficacy of each EIT based on experience during past use with High Value Detainees (HVD). The panel then came to a conclusion regarding whether or not the technique was likely to add significantly to the ability to quickly induce an exploitable state of mind. Based on the experience of the senior interrogators, some of the techniques were thought to be less crucial in inducing an exploitable state of mind, given both the pros and cons of their use. In the opinion of the panel, these techniques should be dropped:

Abdominal Slap (Low-level effect. Detainees quickly acclimated to use of this EIT.)

Cramped Confinement (Effect seldom lasts past initial exposure. Most Detainees quickly come to view the confinement box as a safe place.)

Nudity (Moderate effect, but cultural sensitivities makes use of Nudity risky. If its use is perceived as deliberate humiliation, using nudity as an exploitation technique can set back the intelligence collection process.)

Waterboard. (Significant effect, highly effective, but political sensitivities rule out its use.)

(TS [REDACTED] /NF) The panel considered the possibility of limiting the recommended list of EITs to only those seven (7) previously identified by CTC in December 2005, as those to retain. However, the panel thought that to do so would result in a program that was significantly less effective and required more time to produce critical, time sensitive intelligence than the previous RDI Program. The panel was unanimous in identifying Sleep Deprivation and Walling as the two (2) most important EITs for inclusion in the future CTC Exploitation and Interrogation Program. The panel recommended making available for use several of the 13 EITs determined to be lawful by DOJ in May 2005 that were subsequently dropped during the December 2005 review. At that time the panel determined that the following eight (8) EITs are critical to the effectiveness of the CTC HVD Exploitation and Interrogation Program, however [REDACTED] recommended the seven to remain as part of the program.

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- **Sleep Deprivation:** (Significant effect. Focuses the Detainee's attention on his current situation rather than ideological goals. Helps to undermine the Detainee's motivation to continue to withhold information.)
- **Walling:** (Significant effect. Very effective when combined with sleep deprivation and used as part of conditioning a program.)
- **Dietary Manipulation:** (Mild effect) Helps undermine the Detainee's motivation to continue withholding information.
- **Water Dousing:** (Moderate effect) Useful as part of a conditioning program, but not as useful as walling.)
- **Attention Grasp:** (Mild effect) Useful in the moment to disrupt or correct inattentive or contemptuous Detainee behavior.)
- **Stress Positions:** (Moderate effect) Useful as part of a conditioning program based on randomization of EITs. Should include wall standing, since it is a stress position)
- **Facial Hold:** (Mild effect) Useful in the moment to disrupt or correct inattentive or contemptuous Detainee behavior.)
- **Facial Slap:** (Moderate effect) Useful in the moment to disrupt or correct extremely inattentive, arrogant, or contemptuous Detainee behavior, but must be used judiciously since facial slaps are highly insulting to some cultures and could set back the interrogation and exploitation process.)

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Appendix A

(FS [] /NF) 2002 Original Interrogation Techniques

Standard Measures:

- Isolation
- White noise or loud music (at a decibel level that will not damage hearing)
- Continuous light or darkness
- Restricted diet (sufficient to maintain general health)
- Shackling (for security or sleep deprivation purposes)
- Sleep deprivation (up to 48 hours)
- Shaving
- Stripping
- Diapering
- Hooding (for limited periods or transport)
- Uncomfortable cool environment

Enhanced Measures*:

- Facial slap (open-handed)
- Facial hold
- Attention grasp
- Sleep deprivation over 48 hours**
- Walling
- Stress positions
 - Kneeling
 - Forehead on wall
- Cramped confinement (boxes)
- Waterboard
- Wall Standing
- Insects

* On site medical and psychological presence required

** Reduced from 72 hours to 48 hours in December 2003

***Previously termed "water dousing", and treated as a standard measure

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Appendix B

(TS/ [REDACTED] NF) 2005 Interrogation Techniques after Senior [REDACTED]
Assessment

Detention Conditions:

- Shaving
- Security Shackling
- Hooding (while in transport)
- Isolation
- White noise or loud music (Not to Exceed 79 decibels – a decibel level that will not damage hearing)
- Continuous light

Interrogation Techniques:

- Sleep deprivation
- Nudity
- Dietary Manipulation
- Facial Slap (open-handed)
- Facial hold
- Attention grasp
- Abdominal slap (back-handed)
- Walling
- Stress positions
- Wall Standing
- Cramped confinement (boxes)
- Water Dousing (including pour, flick, and toss)
- Waterboard

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Appendix C

(TS [REDACTED] /NF) Current Interrogation Techniques

- Sleep deprivation
- Dietary Manipulation
- Facial slap (open-handed)
- Facial hold
- Attention grasp
- Abdominal slap (back-handed)

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Intelligence collected after application of EITs:

Results: CIA's use of DOJ-approved enhanced interrogation techniques, as part of a comprehensive interrogation approach, has enabled CIA to disrupt terrorist plots, capture additional terrorists, and collect a high volume of critical intelligence on al-Qa'ida. We believe that intelligence acquired from these interrogations has been a key reason why al-Qa'ida has failed to launch a spectacular attack in the West since 11 September 2001. Key intelligence collected from HVD interrogations *after* applying interrogation techniques:

- **The Karachi Plot:** This plan to conduct attacks against the US Consulate and other US interests in Pakistan was uncovered during the initial interrogations of Khalid Bin Attash and Ammar al-Baluchi and later confirmed by KSM, who provided additional information on the Karachi plot and confirmed al-Qa'ida's collaboration with local Pakistani extremists. KSM provided information on the Karachi plot after we showed him "capture" photos of Ammar and Khalid, and he confirmed al-Qa'ida's collaboration with local Pakistani extremists.
- **The Heathrow Plot:** Initial interrogations of Ammar and Khalid resulted in information on this plot to hijack commercial airliners in Eastern Europe and fly them into Heathrow Airport. Using the information from Khalid and Ammar, we confronted KSM and uncovered details on the plot's evolution and the potential operatives involved. Khalid admitted that he had directed Saudi leader Hazim al-Sha'ir to begin locating pilots for the attack.
- **The "Second Wave":** This was a KSM plot to use East Asian operatives to crash a hijacked airliner into the tallest building on the US West Coast (Los Angeles) as a follow-on to 9/11. We learned this during the initial interrogation of KSM and later confirmed it through the interrogation of Hambali and Khalid.
- **The Guraba Cell:** We learned of this 17-member Jamaah Islamiyah cell from Hambali, who confirmed that some of the cell's operatives were identified as candidates to train as pilots as part of KSM's "second wave" attack against the US.
- **Issa al-Hindi:** KSM first identified Issa al-Hindi as an operative he sent to the US prior to 9/11 to case potential targets in NYC and Washington. When shown surveillance photos provided by [REDACTED] HVDs confirmed al-Hindi's identity. Al-Hindi's capture by the British resulted in the disruption of a sleeper cell and led to the arrest of other operatives.

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- Abu Talha al-Pakistani: Khalid and Ammar identified Abu Talha as the leader of the Karachi cell and the Heathrow Plot. The combined intelligence gathered from Khalid, Ammar, KSM, Hassan Ghul, and other HVDs resulted in Abu Talha's recent arrest in Pakistan and the disruption of ongoing plots to target Western interests in London.
- Hambali's Capture: During KSM's interrogation we acquired information that led to the capture of Hambali in August 2003 and to the partial dismantling of the Jemaah Islamiyah leadership in SE Asia. KSM first told us about Majid Khan's role in delivering \$50,000 to Hambali operatives for an attack KSM believed was imminent. We then confronted Khan with KSM's admission and email intercepts confirming the money transfer and Khan's travel to Bangkok. Khan admitted he delivered the money to an operative named "Zubair," whom we subsequently identified and captured. Zubair's capture led to the identification and subsequent capture of an operative named Lile who was providing forged passports to Hambali. Lile identified the house in Bangkok where Hambali was hiding. When we confronted Hambali with details of what we knew from other detainees, he admitted that he was grooming the Guraba cell for US operations at the behest of KSM.
- Jafaar al-Tayyar: Tayyar is an al-Qa'ida operative who was conducting casing in the US for KSM prior to 9/11, according to KSM and other HVDs. KSM confirmed that he recruited Tayyar—who is still at large—to conduct a major operation against US interests. KSM described Tayyar as the next Muhammad Atta. Tayyar's family is in Florida and we have identified many of his extremist contacts. Acting on this information, the FBI quickly publicized Tayyar's true name and aggressively followed up with his family and friends in the United States, causing Tayyar to flee the United States. [redacted] and we are actively pursuing his capture. [redacted]
- Dirty Bomb Plot: Abu Zubaydah provided significant information on two operatives, Jose Padilla and Binyam Mohammed, who planned to build and detonate a "dirty bomb" in the Washington DC area. Zubaydah's reporting led to the arrest of Padilla on his arrival in Chicago in May 2003 and to the identification of Mohammad, who was already in Pakistani custody under another identity.
- Shoe Bomber: We learned from KSM and Ammar that Sajid Badat was the operative slated to launch a simultaneous shoe bomb attack with Richard Reid in December 2001. [redacted]

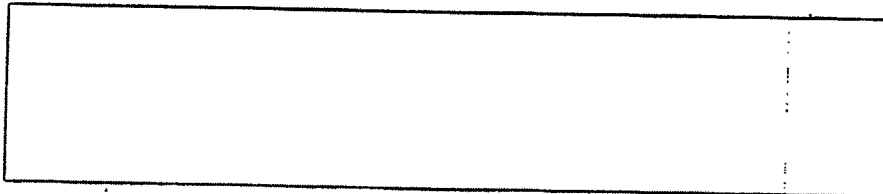
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- Shkal, Pakistan: The interrogation of Hassan Ghul provided detailed tactical intelligence showing that Shkal, Pakistan was a major Al-Qa'ida hub in the tribal

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Assessing the effectiveness of individual EITs is difficult because each interrogation is tailored to a specific detainee and combines EITs and non-coercive measures to maximize impact.

There are numerous factors that effect a detainee's ability to resist the interrogation process, such as:

- physical stamina
- psychological and emotional state
- expectations or insight on how he will be treated by USG authorities
- amount of time he has been held by liaison services or US Military prior to rendition
- treatment received while in liaison or US Military custody

An independent review conducted in 2005 on the efficacy of authorized EITs determined that EITs were generally effective in producing a state of cooperation needed to obtain intelligence.

- One report analyzed data from the RDI Program that indicated EITs—when incorporated into a broader program based on sound intelligence and analysis—did provide useful intelligence.
- Another report concluded that EITs were an integral component of a highly successful program.

Prior to the use of EITs on KSM and Abu Zubaydah, CIA's most prolific intelligence producers, they completely withheld or provided incomplete threat information on actionable targets. Both expressed the belief that the USG lacked the ability and willingness to apply psychological and physical pressures to compel them to cooperate. They subsequently commented that they had believed the USG's legal restraints would provide them opportunities to stall and obfuscate.

- Abu Zubaydah—our most "analytical" detainee—commented that the EITs offer a justification for committing the "sin" of voluntarily providing information, and noted that he probably would not have provided the amount of information he did without their use. He said the knowledge that the USG was willing and able to use EITs was an effective persuasion.

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Topic: Abu Zubaydah's EIT Process

Abu Zubaydah was captured 27 March 2002 and rendered to CIA custody on 31 March. On 1 August, CIA secured formal written approval from the DoJ's office of Legal Counsel for the EITs of waterboarding, confinement box/cramped confinement, attention grasp, walling, facial hold, facial slap, wall standing, stress positions, sleep deprivation, use of diapers, and use of harmless insects (not employed).

Approvals:

- DCIA discussed these proposed EITs with the National Security Adviser on 17 July, who advised CIA that we may proceed.
- On 13 July, CIA's acting General Counsel and Chief, CTC Legal provided a full brief to NSC Legal Adviser John Bellinger, Deputy NSC Legal Adviser Bryan Cunningham, Deputy Assistant Attorney General Michael Chertoff, Head of the Criminal Division at DoJ, and Chief of Staff to the FBI Director Dan Levin on the proposed EITs, with particular emphasis on details of waterboarding.
- In a 17 May 2002 briefing on the general interrogation plan, Assistant to the President for National Security Affairs Condoleezza Rice, Deputy Assistant to the President for National Security Affairs Stephen Hadley, NCS Legal Adviser John Bellinger, and White House Counsel Al Gonzales were informed that Abu Zubaydah was subject to interrogation methods that while lawful did not necessarily comport with methods used by traditional law enforcement personnel or military interrogators, including denial of clothing, constant illumination of his detention cell, intermittent use of loud music or white noise, and other techniques designed to maximize psychological pressure.
- The Office of Legal Counsel (OLC) at DoJ advised CIA that the legal statute applicable to criminalizing infliction of severe physical or mental pain or suffering did not prohibit the EITs. OLC found that waterboarding did not violate the statute because while it posed an imminent threat of death no prolonged mental harm attached to its use and it did not have the specific intent to inflict severe pain or suffering. The "mock burial" technique was not approved for legal and policy reasons.

Why did CIA employ EITs?

The time lag between Abu Zubaydah's rendition to CIA custody and employment of EITs—from late March to early August 2002—allowed Abu Zubaydah to recuperate from serious wounds suffered during his capture by Pakistani [REDACTED] to assess Abu Zubaydah's level of participation.

- Debriefings from April to May 2002 by CIA officers and FBI special agents produced preliminary intelligence on threats to the US Homeland and US interests overseas, but the exploitation team assessed that Abu Zubaydah's motivation to provide actionable threat information declined as he became

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increasingly confident in his environment and the limitations of interrogation measures.

- In early debriefings, Abu Zubaydah identified Khalid Shaykh Muhammad (KSM) and discussed some aspects of KSM's operations, and he provided a basic description that led to the identification of two individuals detained by Pakistani authorities as US-bound operatives Jose Padilla and Binyam Muhammad. The exploitation team noted that during this time frame—while still recovering from his wounds—Abu Zubaydah suffered from diminished mental efficiency and fatigue, and likely perceived himself as vulnerable and dependant upon US medical staff for survival.

As his conditions improved in May 2002, Abu Zubaydah appeared increasingly confident in testing the limits of interrogators' responses to his denial of access to operational information and senior al-Qa'ida leaders, even when confronted with implicating voice intercepts. Abu Zubaydah also indicated that he expected a near-term end to his interrogations and transfer to military custody.

- In response to Abu Zubaydah's declining participation in debriefings, the [REDACTED] initiated a period of isolation in May punctuated with periodic direct questioning on threat information to dislocate his expectations, erode his sense of control, and raise his desire for social interaction.
- The [REDACTED] noted Abu Zubaydah's high level of self-discipline, ability to remain focused under stressful and disorienting conditions, and capacity for complex thinking. As emir of Khaldan, Abu Zubaydah developed the camp's security course based on al-Qa'ida's training course that included counterinterrogation measures. Abu Zubaydah had previously acted as emir of al-Qa'ida's al-Faruq camp, and in this capacity had interrogated trainees suspected of being spies.

Results:

Prior to EITs, Abu Zubaydah often remained evasive when confronted with sensitive topics, offered vague or historical information, resorted to speculative statements on a myriad of possible methods for US attacks, feigned pain or fatigue, and altered information he had previously provided in an attempt to confuse interrogators. Upon implementation of aggressive interrogation methods—which then included the standard EITs of isolation and nudity—the exploitation team observed a marked change in Abu Zubaydah's willingness to provide relevant operational details

- The [REDACTED] noted that—for the first time—Abu Zubaydah requested to speak with interrogators to disclose additional information, began utilizing the writing material previously provided to outline threat information, and generally addressed relevant details without prompting.

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EITs USED WITH CIA DETAINEES

Detainee	Distraction	Sleep Depr	Headly	Dietary	Facial Hair	Abnormal Groom	Abnormal Eye	Facial Shape	Brown Pupils	Cramped Confinement	Water Depriva	Wasting	Water Need
[redacted]													
Sublimee Abd el-Aziz		X	X			X	X	X		X	X	X	
Al-Sharif, Omar al-Hadi		X	X	X	X	X	X	X	X	X	X	X	X

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