# Exhibit E

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4	Interrogating the Enemy
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7	The Story of the CIA's Interrogation of Top al-Qa'ida Terrorists
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10	(Working Title)
11	By James E. Mitchell, Ph.D.,
12	Architect of the CIA Interrogation Program
13	
14	With Bill Harlow
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long time ago not to be offended by this sort of posturing. It frequently went away when

you got on the ground and started working.

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4 The operational psychologist told me that our task on the way over was to rough out a

design for the cell where Zubaydah was to be held. We were told that, because of his

importance as a potential source of intelligence and the severity of his injury, the cell

needed to be lighted 24 hours a day. Closed circuit TV cameras were also required. We

wanted Zubaydah focused on the interrogators and for the cell to not be a source of dis-

tracting stimulation, so we recommended they paint it white. Speakers were needed so

music could be played, mostly as sound masking for security reasons because the

guards were located just outside the door, but also, if ordered, as an irritant to wear on

him if he chose not to cooperate. The finished product looked like a jail cell in an Amer-

ican cowboy movie, a big white jail cell with black steel bars and a steel bar cell door

across the front.

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spoken frequently and publicly about the several months he spent there.

The first few weeks

Shortly after arriving at the Black Site on the other side of the world, we met up with CIA officers who had been dealing with Abu Zubaydah since he arrived there from Pakistan and two FBI Special Agents. One was an Arabic-speaking Shia Muslim, named Ali Soufan; the other, a fit, red-haired more senior Special Agent who spoke with a New England accent. I name Soufan here only because in the ensuing dozen years he has

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1 after waterboarding they didn't believe they could protect secrets anymore. I told Jose 2 about waterboarding at a meeting the next day. 3 4 A day or so later Rodriguez asked me if I would help put together an interrogation pro-5 gram using EITs. I told him I would, thinking I would remain in the role I had occupied 6 during the first few months, pointing out resistance techniques employed by the detain-7 ees and advising on the psychological aspects of interrogation. But that's not what he 8 had in mind. Jose not only wanted me to help them craft the program, he wanted me to 9 conduct the interrogations using EITs myself. 10 11 I was surprised. And reluctant. I knew that if I agreed, my life as I knew it would be over. 12 I would never again be able to work as a psychologist. Hesitantly I said, "I can help you find somebody..." But then one of Jose's colleagues cut me off saying, "Knowing all you 13 know about the threat, if you're not willing to help, how can we ask someone else?" 14 15 My mind flashed to the victims of 9/11–to the "falling man" who chose to dive headfirst 16 17 off the Twin Towers rather than burn to death and to the passengers of United Flight 83 who bravely sacrificed their lives to save the lives of other Americans. I thought, if they 18 can sacrifice their lives, I can do this. I didn't want to, but I would ... 19 20 So I agreed. "But," I said, "I can't do it by myself. I need someone more familiar with the 21 techniques than I am." Rodriquez said, "Who do you need?" I said, "Bruce Jessen." He 22 23 was onboard by the end of the next week.

1 2 Back in my room that night I had trouble sleeping. The magnitude of what I had agreed 3 to do for Rodriguez was gnawing on me. Now in the stillness of my hotel room with 4 nothing to distract me, two things were pulling at the edge of my thoughts, keeping me 5 awake: Could I do it and should I do it? 6 7 Could I do it? I ran a mental check list of experiences that prepared me to do what they 8 were asking, and concluded I could, especially with Bruce's help. 9 10 Rodriquez wasn't asking me to do law enforcement interrogations. They had already tried that and it wasn't working. And I knew they were going to have a CIA law enforce-11 12 ment interrogation expert deployed with us. By this time, I'd watched him and the two 13 FBI agents conduct hundreds of interrogations. 14 I also knew that they were going to get rough with Abu Zubaydah whether I helped or 15 16 not. 17 18 No, the question was about my qualifications to put together a psychologically based 19 interrogation program that would condition Abu Zubaydah to cooperate and then interrogate him using it. I knew it would need to be based on what is called "Pavlovian Clas-20 sical Conditioning" (more on this later) and I was very familiar with it because my early 21 22 training was as a behavioral psychologist. I used Pavlovian conditioning many, many

1 After he observed Abu Zubaydah being waterboarded, the COS set up a video confer-

2 ence with the leadership at CTC so we could discuss the issue. Those of us at the Black

3 Site thought that those at headquarters didn't have a good idea of what waterboarding

4 was really like. They talked about it like it was some kind of sterile, impersonal proce-

5 dure. So to prepare for the conference call, the criminal investigator at the site spliced

together a video of what a typical waterboarding session looked like and then added in

multiple scenes of Abu Zubaydah clearing water from his sinuses taken from several

8 different sessions.

Jose Rodriquez chaired the video conference. My take was that he was trying to be an honest arbitrator of the issue. He seemed focused on preventing another attack inside the United States, and wanted to do it in the most straightforward way possible. He was being assailed by advocates on both side of the argument, but seemed objective and not locked in on any one approach. We showed the video tape and voiced our opinion that we didn't need to continue using EITs, especially waterboarding. Not surprisingly some in the room with Rodriquez objected. One or two, objected vigorously. They insisted we continue waterboarding Abu Zubaydah for at least 30 days. That's when it dawned on me that my answer months before to Jose Rodriguez's question about how long it would take for me to believe a person subjected to EITs "either didn't have the information or was going to take it to the grave with them" had come back to haunt us. I pointed out that comment was made before waterboarding was incorporated into the list of potential EITs and didn't apply anymore. Bruce and I told them we would not continue routinely waterboarding Abu Zubaydah. We asked them to send their "most skeptical"

1 We waterboarded Abu Zubaydah with them in the cell unmasked and on camera. It was 2 ugly and hard to do. After it was over, we washed Abu Zubaydah with warm water, cleaned him up and told him we never wanted to do that again. He cried and promised 3 4 to work for the CIA. Everyone, even those observing were tearful. 5 6 Later in the day, after Abu Zubaydah had a chance to recover, the senior officer in 7 charge of the visitors and the most skeptical person took turns questioning him. They 8 spent hours with him. They came out seemingly pleased with the information they ob-9 tained, saying he was a "treasure trove" of knowledge. They agreed we should stop 10 EITs because the information we could get without them was too important and could 11 be combined with other intelligence and used to stop attacks. They spent several more 12 days questioning Abu Zubaydah, having in-depth conversations with maps and charts 13 and photographs. Then they left. 14 15 About a week passed. Abu Zubaydah was answering questions. He was providing in-16 formation on Ramzi bin al-Shibh, one of KSM's operatives, who Abu Zubaydah said was 17 likely in Karachi, Pakistan working with KSM. Bin al-Shibh was later caught and provided information that helped capture KSM. Abu Zubaydah was providing fuller and more 18 19 complete answers to questions about terrorists who could move in and out of the United 20 States with relative ease, such as Jafar al-Tayyar, a US citizen with pilot training who had lived in Florida. During this time, Abu Zubaydah was also providing information that 21 helped led to the capture of Hassan Ghul, whose information about Usama Bin Ladin's 22 23 courier helped lead to the location and killing of Bin Ladin.

1 2 Some human rights groups have publicly accused the CIA of blinding Abu Zubaydah, 3 speculating that he now has to wear an eye patch, because of injuries incurred during 4 some brutal interrogation gone wrong. The truth is, however, Abu Zubaydah's pirate 5 look was the result of his own attempt to become a terrorist internet celebrity while hid-6 ing in plain sight. Abu Zubaydah is blind in his left eye because he wanted to be famous 7 and he came up with a comic book scheme to make it happen. He wanted to be a su-8 per villain, the face of terror on the internet, raising money to attack and kill innocent vic-9 tims while living the high life, safe, hiding in plain sight, protected by a new face. And as 10 often happens with people driven by twisted ambition, it backfired on him. 11 12 We used EITs on Abu Zubaydah for a little over two weeks. We didn't use them again. 13 After that, Bruce and I spent over seventy days questioning him using non-coercive, 14 rapport based and social influence approaches before I left the Black Site and Bruce 15 stayed to continue the mission without me. Headquarters wanted one of us to take a 16 break so we could rotate being at the Black Site. I was told to go home first because in 17 the previous seven months, I had spent less than 9 days at home. 18 19 I left feeling good about what we had accomplished. Although, I knew Abu Zubaydah 20 was continuing to hold some information back-they all did-but, he was cooperative 21 enough that headquarters seemed pleased with the information he was providing. The 22 targeters and analysts told me that his information significantly increased their under-

**CHAPTER 10 – THE WHEELS COME OFF** 1 2 3 4 It was in late 2003 when KSM told me that eventually the United States would "present 5 its neck for slaughter." Little did I know that KSM's predictions would come true so soon. 6 7 April 28, 2004. I was at home, between trips, just back from 41 days out of the country, when the Abu Ghraib photographs slammed into America's consciousness and set in 8 9 motion a cascading series of events that would eventually cause the wheels to com-10 pletely come off the CIA's interrogation program. 11 12 The photos were awful. Naked prisoners piled on top of each other with grinning U.S. military police in the back ground making a thumbs-up gesture. A soldier sitting on a de-13 14 tainee pressed between two stretchers. Naked prisoners led around on leashes. And some poor prisoner standing on a box, hooded, draped in a black blanket, arms out like 15 16 he had been crucified, with electric wires attached to his fingers. 17 18 My heart sunk as soon as I saw them. I understood what had happened. I had studied 19 the psychological mechanisms that lead to that sort of abusive drift, even so I was sur-20 prised and dismayed to see it. I was also angry. 21 22 Not only was it morally wrong to treat detainees this way, I knew the CIA's interrogation program would take a hit because of the stupid and self-indulgent criminal activities of a 23 24 few bored and poorly supervised Military Police officers.

1 In September 6, 2006, President Bush publicly acknowledged the existence of the CIA's 2 detention and interrogation program (which for some time had been one of the world's worst kept secrets). The President announced that all the existing CIA detainees had 3 4 been moved into military custody at GTMO. As a result, the CIA lost the ability to tap 5 into their al-Qa'ida knowledge base. KSM University was closed for good. I understood 6 and appreciated that it was important that high-value detainees, especially KSM, even-7 tually be tried for their crimes. Americans had a right to justice. But, I knew we would 8 miss being able to rely on their collective understanding of al-Qa'ida terror networks, 9 their knowledge of key players moving into al-Qa'ida leadership roles, and their capacity 10 to help us make sense out of coded or obscure messages. 11 12 During the last stand down, while we were waiting for Congress to act, interrogators 13 were asked to provide a bare bones list of EITs that CIA could submit to the DOJ for re-14 view and be used to seek congressional support. All the interrogators converged on 15 Langley and spend several days putting together recommendations. Almost unanimous-16 ly we all agreed that only two EITs were required for the conditioning process: walling 17 and sleep deprivation. The others, while occasionally useful, were not critical. And 18 some, like nudity, slaps, facial holds, dietary manipulation, and cramped confinement, 19 Bruce and I now believed were completely unnecessary. 20 21 We briefed our recommendations to the mid-level CIA officers who were working the 22 issue for CIA leadership. We told them we only needed walling and sleep deprivation.