

# **EXHIBIT 16**



West Point and served as an Army officer for five years. After leaving active duty, I graduated from Harvard Law School and then joined the law firm of Williams & Connolly in Washington, D.C. I subsequently returned to Kansas, where I ran two small businesses prior to joining Congress in 2011.

2. The purpose of this declaration is to assert, in my capacity as the Director of the CIA, a formal claim of the state secrets privilege, as well as statutory privileges discussed below, to protect the national security of the United States. The statements made herein are based on my personal knowledge, on information provided to me in my official capacity, and on my evaluation of that information. The judgments expressed in this declaration are my own.

3. As Director of the CIA, I am charged with

- (1) collecting intelligence through human sources and by other appropriate means;
- (2) correlating and evaluating intelligence related to the national security and providing appropriate dissemination of such intelligence;
- (3) providing overall direction for and coordination of the collection of national intelligence outside the United States through human sources and, in coordination with other elements of the United States Government, ensuring that the most effective use is made of authorized collection resources and that appropriate account is taken of the risks to the United States and those involved in

such collection; and (4) performing such other functions and duties related to intelligence affecting the national security as the President or the Director of National Intelligence ("DNI") may direct. See 50 U.S.C. § 3036(d)(1)-(4). A more detailed statement of Director and CIA authorities is set forth in sections 1.6 and 1.7 of Executive Order 12333, as amended.

4. The current basis for classification of national security information is found in Executive Order 13526. In accordance with section 1.3(a)(2) of the Executive Order, the President designated the Director of the CIA as an official who may classify information up to the TOP SECRET level. See 70 Fed. Reg. 21, 609 (Apr. 21, 2005). Part I of the Executive Order authorizes an Original Classification Authority to classify information owned, produced, or controlled by the United States government if it could reasonably be expected to cause damage to the national security and pertains to one or more specific categories, to include intelligence activities, intelligence sources and methods, foreign government information and foreign activities of the United States. Section 1.2 of the Executive Order permits information to be classified at one of three classification levels depending upon the reasonable likelihood of damage to the national security from unauthorized disclosure: CONFIDENTIAL for damage; SECRET for serious damage; and TOP SECRET for exceptionally grave damage.

**CIA'S FORMER DETENTION & INTERROGATION PROGRAM**

5. On 17 September 2001, President George W. Bush signed a Memorandum of Notification authorizing the CIA to undertake operations designed to capture and detain persons who posed a continuing, serious threat of violence or death to U.S. persons and interests or who were planning terrorist activities. Pursuant to that Presidential grant of authority, the CIA developed what is now referred to as the CIA's former detention and interrogation program ("the program"). The focus of the program was to collect intelligence from High Value Detainees ("HVDs"), i.e., senior al-Qaida members and other terrorists thought to have knowledge of active terrorist plots to murder American citizens.

6. Through the exercise of my official duties, I have become familiar with this civil litigation brought by two former CIA detainees and the personal representative of a deceased former CIA detainee. I understand that the two defendants in this matter, Dr. James Mitchell and Dr. Bruce Jessen, were contractors employed by the CIA to assist the CIA in interrogating CIA detainees. I further understand that this lawsuit is based on the interrogation-related work that Doctors Mitchell and Jessen performed for the CIA.

**PRIVILEGED INFORMATION**

7. State Secrets Privilege: I am submitting this declaration to formally assert the state secrets privilege in my capacity as head of the CIA after careful and personal consideration of the matter. I hereby assert the privilege to protect against the unauthorized disclosure of specific categories of classified national security information, further described below, that have been implicated in discovery in this case. I do not assert the state secrets privilege lightly, nor do I assert the privilege to conceal violations of law, inefficiency, or administrative error, or to prevent embarrassment to a person, organization, or agency, or to prevent or delay the release of information that does not require protection in the interest of the national security. Rather, I assert this privilege to protect and preserve national security information, the disclosure of which reasonably could be expected to cause serious, and in many instances, exceptionally grave damage to U.S. national security.

8. Statutory Privileges: In addition to asserting the state secrets privilege, I am also asserting statutory privileges under the National Security Act of 1947 ("The National Security Act") and the Central Intelligence Agency Act of 1949 ("the CIA Act"). Section 102A(i)(1) of the National Security Act provides that the DNI "shall protect intelligence

sources and methods from unauthorized disclosure." 50 U.S.C. § 3024(i)(1). Pursuant to this section of the National Security Act, and consistent with Section 1.6(d) of Executive Order 12333 and guidance from the DNI, the CIA is required to protect intelligence sources and methods from unauthorized disclosure. In addition, Section 6 of the CIA Act provides that the CIA shall be exempted from the provisions of any other law which requires the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the CIA. 50 U.S.C. § 3507.

9. I am asserting the state secrets and statutory privileges to prevent the unauthorized disclosure of information that would reveal, or tend to reveal, sensitive national security information related to CIA employees, intelligence sources and methods and intelligence activities, as described in the categories below. The disclosure of this information reasonably could be expected to cause serious, and in many instances, exceptionally grave damage to the national security.

10. Over time, certain information about the program has been officially declassified and publicly released, such as in the Executive Summary to the Senate Select Committee on Intelligence's report that has been declassified in part, redacted, and publicly released. For example, the enhanced interrogation techniques employed with respect to specific

detainees in the program, and their conditions of confinement, are no longer classified. Nonetheless, many details surrounding the program remain highly classified due to the damage to national security that reasonably could be expected to result from disclosure of that information. For this reason, the CIA has withheld or objected to the disclosure of certain information implicated in discovery in this case.

11. Below are categories of information<sup>1</sup> that have been implicated by discovery in this matter, whether by document production or deposition, and over which I am asserting the state secrets and statutory privileges in this case:

- Information that could identify individuals involved in the program;
- Information regarding foreign government cooperation with the CIA;
- Information pertaining to the operation or location of any clandestine overseas CIA station, base, or detention facility;
- Information regarding the capture and/or transfer of detainees;
- Intelligence information about detainees and terrorist organizations, to include intelligence obtained or discussed in debriefing or interrogation sessions;
- Information concerning CIA intelligence sources and methods, as well as specific intelligence operations;

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<sup>1</sup> The Agency has, after careful deliberation, declassified and officially acknowledged certain discrete facts within these categories, such as specific facts concerning the defendants' role in the program. My privilege assertion does not cover declassified information that is now officially acknowledged.



- Information concerning the CIA's internal structure and administration.

12. In preparation for my assertion of the state secrets and statutory privileges over the above categories of information, all of the disputed documents (172 total documents) containing privileged information were made available to me for review in unredacted form. I have personally reviewed a representative sample of these documents that contain information in each of the above categories. In addition, I have reviewed the appendix attached to my declaration -- which was prepared by individuals assisting in this case who I understand have reviewed the unredacted versions of every document produced in this case -- that explains with additional specificity the information withheld or redacted from the documents that remain in dispute. I have also discussed the details of the documents and information sought in this case with knowledgeable members of my staff and attorneys with the CIA Office of General Counsel, to ensure that the bases for the privilege assertions set forth in this declaration are appropriate.

**INFORMATION THAT COULD IDENTIFY INDIVIDUALS  
INVOLVED IN THE PROGRAM**

13. As discussed further below, the TOP SECRET information implicated in discovery in this case is generally for program-related information, and is based primarily on the need for the

CIA to keep its commitment or duty of confidentiality to its officers, agents, assets, and foreign liaison officers who assisted the CIA in program-related activities. Simply put, a clandestine intelligence service needs to maintain secrecy for much of what it does. If the Agency breaks its promises of confidentiality, the people and organizations we rely upon to accomplish our mission will be less likely to trust us, and less inclined to work with us when we need their assistance in the future. This is particularly true in the counterterrorism arena, which has higher risk operations and necessitates closer cooperation with foreign partners to protect against the loss of innocent lives from terrorist attacks world-wide.

14. Doctors Mitchell and Jessen have sought to discover the names and identifying information of individuals involved, or associated through their job duties with, the program, including current and former Agency officers who have never been officially acknowledged by the CIA as having had any role in, or association with, the program. These discovery efforts include seeking depositions of three individuals that defendants allege were involved in the program (James Cotsana, Gina Haspel, and John/Jane Doe) and document discovery that would identify individuals involved in the program.

15. The CIA does not ordinarily disclose the identity and Agency affiliation of its employees, regardless of whether or

not they are under cover. Such employees may have in the past served in sensitive positions or operations, may be doing so now, or may do so in the future. Accordingly, the CIA undertakes substantial efforts to protect its officers from exposure that could compromise their safety and the CIA's intelligence gathering mission.

16. With only a few exceptions, identifying information of individuals who worked in the program remains classified at the TOP SECRET level. Identifying information of individuals who did not work in the program, but were indirectly associated with the program through their job duties (e.g., Inspector General investigators) remains classified SECRET. This is true regardless of an individual's status: employee, contractor, or agent; overt or covert; current or former/retired. The fact of whether or not any individual worked in, or was associated with, the program, if not previously officially acknowledged by the CIA, remains classified and is covered by my privilege assertion. In the few instances where the CIA has officially acknowledged that a specific CIA staff officer was involved in the program, it has exclusively been at the officer's request (although their request is not the deciding factor) and always after careful consideration and deliberation within the Executive Branch. To reveal the names of those individuals who worked in the program, or to officially acknowledge public

speculation about which officers worked in the program, would confirm for the world which persons were, and in some cases still are, engaged in highly sensitive intelligence activities. Such official acknowledgment would likely jeopardize the safety of these officers and their families, and human intelligence sources who have met with these officers. Indeed, there have been death threats and security incidents involving officers who have been alleged to have worked in the program. We owe it to our officers to protect their identities to keep them and their families safe.

17. In addition to the safety risks associated with officially acknowledging the identities of officers who worked in, or were associated with, the program, the Agency also has a particularly heightened duty to protect the identities of those dedicated civil servants who, at great personal sacrifice and risk, accepted difficult and dangerous job assignments in the aftermath of the terrorist attacks of September 11, 2001. Their country owes it to them to, at a minimum, continue to protect their identities and, if their names somehow surface in the public domain in a manner that links them to the program and where there has been no declassification and official acknowledgement, refuse to confirm or deny the accuracy of the allegation. If the CIA as an institution cannot honor this duty to its officers, future officers may be less willing to accept

dangerous job assignments when their country needs them the most. Accordingly, the CIA cannot reveal the names of individuals that are redacted from the documents produced in this case, nor produce for deposition the officers alleged to have participated in the program.

18. I am aware that there has been public speculation about whether two of the named individuals sought to be deposed in this case (James Cotsana and Gina Haspel) were involved in the program. The CIA, however, has never officially acknowledged whether either individual was involved in the program. The concept of official acknowledgement is important to the protection of the CIA's intelligence mission and its personnel. Public speculation about the identities of persons who worked in the program - whether through media reporting, books written by former CIA officers, reports from non-governmental organizations, or unauthorized disclosures by government employees - does not equate to declassification and official acknowledgement by the CIA. When unofficial disclosures occur, the CIA typically cannot officially acknowledge that classified information was disclosed, as the absence of official confirmation from the CIA leaves an important element of doubt about the veracity of the information and, thus, carries with it an additional layer of protection and confidentiality. That protection would be lost, however, if the

government was forced to confirm or deny the accuracy of speculation or unofficial disclosures.

19. To protect the classified fact of whether or not the potential deponents had any role in the program, the Agency could not permit these individuals to answer any questions pertaining to the program. This is why my privilege assertion covers the depositions of current and former Agency officers who have never been officially acknowledged as having any affiliation with the program.

20. Although the CIA may have officially acknowledged that a specific person was a CIA officer, or even that an officer worked in the counterterrorism arena, that does not mean that the Agency has also acknowledged that the officer worked in any particular program, nor does it mean that the Agency has officially acknowledged details of that officer's work. For example, if the Agency declassified and officially acknowledged that a retired former officer worked in the counterterrorism arena, that declassification and official acknowledgement would not extend to a declassification of any specific aspect of the officer's clandestine work, to include whether or not the officer worked in the program. Counterterrorism is a broad category, and the program was but one highly-compartmented aspect of the Agency's world-wide counterterrorism operations.

21. The protection of CIA officers is among the highest priorities I have as Director. As explained above, releasing the names of CIA officers who were part of the program, or officially acknowledging the veracity of information in the public domain about whether specific CIA officers were involved in the program, would likely lead to the harms I have discussed above. To consistently protect the classified fact of whether or not a specific person worked in, or was affiliated with, the program, the Agency must refuse to confirm or deny any and all allegations or public speculation that a specific individual had a role in the program. For all these reasons, information pertaining to the identities of officers who worked in the program or became affiliated with the program remains classified at the TOP SECRET or SECRET level and is covered by my state secrets privilege assertion.

22. In addition, information concerning the identity of individuals involved in the program is also protected from disclosure under the CIA Act of 1949, which protects from disclosure not only the names of personnel employed by the Agency but also information pertaining to their functions.

**INFORMATION REGARDING FOREIGN GOVERNMENT  
COOPERATION WITH THE CIA**

23. It is equally important for the Agency to protect from disclosure information concerning the foreign countries and

foreign intelligence services that clandestinely assisted the CIA with any aspect of the program. To protect this category of TOP SECRET information from disclosure, the CIA must also protect related details, such as information pertaining to the travel of individuals who worked at the overseas facilities, and the names of foreign individuals who assisted with the facilities or with the program more broadly. As with the identities of personnel, there has been much speculation in the media about which countries and services assisted the CIA, but the CIA, as it must, has steadfastly refused to confirm or deny the accuracy of such speculation. Disclosing classified information pertaining to countries and foreign services that assisted the CIA would, among other things, increase the risk that terrorists or other bad actors would target those countries with acts of extreme violence.

24. In addition to this very tangible terrorist threat, disclosing information pertaining to foreign countries and services that provided assistance to the CIA would, as discussed above, make those countries, and any country, less likely to assist the CIA with current and future high-risk counterterrorism operations. For example, disclosing the existence of a foreign intelligence relationship or the extent to which a foreign government is cooperating with and sharing intelligence with CIA could embarrass the foreign government or



aggravate internal political dissent in that country. This could have serious negative consequences for the foreign government, negatively impacting its diplomatic relations with the United States and damaging the CIA's liaison relationship. This, in turn, could lead to less intelligence sharing and fewer joint intelligence operations.

25. Every day, across the globe, the CIA is engaged in counterterrorism operations and intelligence collection activities to keep our country and our citizens safe. Foreign liaison services are instrumental in our world-wide efforts to collect intelligence and thwart terrorist attacks. Those services serve as a force multiplier by directing their resources at common goals we share in counterterrorism operations and intelligence gathering. Because foreign intelligence services serve as a direct source of intelligence and act as partners in joint operations, such services are a critical intelligence source, and the CIA's relationship with them is an intelligence method that must be protected. For all these reasons, information pertaining to the identities of foreign countries and foreign intelligence services that assisted the CIA in any aspect of the program remains classified at the TOP SECRET level and is covered by my state secrets privilege assertion. Such information is also protected from disclosure under the National Security Act of 1947 as those

relationships constitute both intelligence sources and intelligence methods.

**INFORMATION PERTAINING TO THE OPERATION OR LOCATION OF ANY  
CLANDESTINE CIA STATION, BASE OR DETENTION FACILITY**

26. My privilege assertion also applies to the location of covert Agency facilities, to include former CIA detention facilities, CIA stations, and CIA bases, as well as classified information pertaining to the functioning of these facilities. The fact that the CIA has covert overseas facilities is UNCLASSIFIED. The specific locations, however, are generally classified SECRET, and information pertaining to the locations of specific former detention facilities is TOP SECRET. The CIA's covert overseas facilities are critical to the CIA's mission as they provide a base for the CIA's foreign intelligence activities. Acknowledging the location of such covert facilities can endanger the physical safety of covert CIA officers who work at those locations by, among other things, significantly increasing the likelihood that those facilities could be targeted for terrorist attacks.

27. Such official acknowledgments are also reasonably likely to cause complications for host countries, given that official acknowledgement of CIA facilities within their borders could incite a backlash from elements of their citizenry. Public embarrassment for the host country could have negative

impact on the CIA's relationship with the host country, to include curtailed intelligence sharing and cooperation that would greatly diminish the CIA's overseas intelligence collection, which in turn would diminish the quality of Agency intelligence assessments for senior U.S. policymakers.

28. In addition to protecting the specific locations of CIA stations, bases, and former detention facilities, my privilege assertion also protects other classified information, including information concerning operational protocols for running clandestine overseas facilities, such as security measures, methods of communication, and operational duties and numbers of assigned personnel. These categories of information are classified SECRET because their unauthorized disclosure is reasonably likely to cause serious damage to national security. The likely damage includes the harm from informing our adversaries of how we conduct our day-to-day intelligence business at clandestine overseas facilities, thereby enabling our adversaries to identify our clandestine facilities, officers, and operations, and to diminish their effectiveness by implementing countermeasures.

29. All of these categories of information related to the operation and location of overseas clandestine CIA facilities are also statutorily protected from disclosure under the National Security Act of 1947 as intelligence sources and

methods, and to the extent that they pertain to CIA employees and their functions, also protected from disclosure under the CIA Act of 1949.

**INFORMATION REGARDING THE CAPTURE AND/OR TRANSFER OF DETAINEES**

30. My state secrets assertion also covers classified information regarding the capture and/or transfer of detainees in the program, other than information about their conditions of confinement or treatment. Details concerning how the CIA came to have detainees in its custody, and how it went about covertly moving detainees already in CIA custody also remains sensitive and classified SECRET or TOP SECRET. Among other things, such clandestine operations were often undertaken with the assistance of foreign partners with an understanding that those intelligence operations would remain secret. Even if conducted unilaterally, disclosing that the CIA operated within or through a foreign country without coordinating such moves in advance could upset foreign countries and needlessly result in curtailed intelligence relationships that we rely upon, particularly in the realm of counterterrorism. The operational protocols associated with capture and transfer missions also remain particularly sensitive and classified as this information would disclose aspects of the CIA's means of transportation, security measures, and targeting. The likely damage to national security from disclosure of this information includes providing foreign

adversaries with valuable insights into the CIA's clandestine operations and protocols for foreign intelligence activities, thereby enabling those adversaries to thwart the effectiveness of our efforts by implementing specific countermeasures.

31. In addition to being classified, the sensitive program-related information concerning capture and/or transfer is also protected from disclosure by the National Security Act of 1947 as protected intelligence sources and methods, and to the extent such information pertains to CIA employees and their functions, is also protected from disclosure under the CIA Act of 1949.

**INTELLIGENCE ABOUT DETAINEES AND TERRORIST ORGANIZATIONS, TO INCLUDE INTELLIGENCE OBTAINED OR DISCUSSED IN DEBRIEFING OR INTERROGATION SESSIONS**

32. My state secrets privilege assertion also covers SECRET and TOP SECRET intelligence collected by the CIA about detainees and terrorist organizations, to include information regarding debriefing or interrogation sessions of detainees in the program. Details of debriefings and interrogations show the specifics of what intelligence the CIA was trying to collect from detainees, the CIA's analysis of available intelligence about the detainees and their terrorist organizations, and, because of the nature of questioning, also often reveals intelligence that the CIA had already collected. Information about debriefing or interrogation sessions includes strategies

and actions that CIA personnel undertook (or planned to undertake) in response to information learned during debriefing or interrogation sessions. Such information remains sensitive and classified as it can help terrorist organizations piece together what we knew about them and when we knew it, which, in turn, would reveal our intelligence sources and methods. Even small details provide helpful information to our adversaries, enabling them to form a fuller picture of the CIA's sources, capabilities, and *modus operandi* that can be used to counter and diminish our intelligence collection efforts.

33. Additionally, even outside of the interrogation or debriefing context, the CIA collected a significant amount of intelligence about suspected terrorists and their organizations that is referred to and discussed in CIA documents implicated in discovery in this case. Revealing the content and sources of the CIA's intelligence collections on these individuals and organizations is reasonably likely to harm the national security by disclosing what the CIA knew, and did not know, about them at specific points in time. Disclosure of that information would likely assist our adversaries in their efforts to counter CIA's intelligence collection, and in turn, diminish the quality of Agency intelligence assessments for senior U.S. policymakers, undermining our national security.

34. Intelligence collected about detainees and terrorist organizations, including the substance of debriefings or interrogation sessions, is also protected from disclosure by the National Security Act of 1947 as disclosure of this information would reveal intelligence sources and methods, and to the extent such information pertains to CIA employees and their functions, is also protected from disclosure under the CIA Act of 1949.

**INFORMATION CONCERNING CIA INTELLIGENCE SOURCES AND METHODS AS WELL AS SPECIFIC INTELLIGENCE OPERATIONS**

35. Information withheld concerning CIA intelligence sources and methods as well as details of specific intelligence operations, is classified at least at the SECRET level and is also covered by my assertion of the state secrets privilege. To the extent such information reveals still classified program-related information, it is classified TOP SECRET.

36. To obtain intelligence, the CIA relies on a variety of types of intelligence sources, including human sources. Human sources can be expected to furnish information and provide assistance only when confident that they are protected from exposure by the absolute secrecy surrounding their relationship with CIA. In many cases, the very nature of the information or activity at issue necessarily tends to reveal the sources because of the limited number of individuals who have had access to that information or activity. The sensitive information in

this category includes intelligence pertaining to specific terrorists that was obtained from multiple human sources. If any such identifying information is disclosed, the source may be vulnerable to discovery and harm, including harassment, retaliation, imprisonment, or death. Additionally, release of source-revealing information could seriously weaken the CIA's ability to recruit potential sources, who would understandably be reluctant to cooperate with an intelligence service who may not be willing or able to protect their identity.

37. The CIA must also guard against the disclosure of the clandestine methods it uses to collect and analyze intelligence. Intelligence methods are the techniques and means by which an intelligence agency accomplishes its mission, to include how we train our officers to accomplish our mission and the classified internal regulations, approvals, and authorities that govern our conduct. This category of sensitive information must be protected from disclosure to prevent our adversaries from gaining valuable insight into the CIA's *modus operandi* and subsequently developing effective countermeasures to defeat or diminish our ability to gather intelligence.

38. Although it is widely acknowledged that the Agency undertakes clandestine operations in support of its mission, the CIA generally cannot confirm or deny the existence of specific intelligence operations. Although the existence of the former



detention and interrogation program has been declassified and officially acknowledged, numerous other counterterrorism activities and operations remain classified, and disclosing details about these activities and operations could reasonably be expected to cause serious harm to national security.

Sensitive information concerning clandestine CIA operations includes, in some instances, the specific dates and locations of operational activities. For example, providing the specific dates that CIA officers arrived in specific locations; engaged in certain actions; or captured or interrogated detainees could permit our adversaries to discover CIA overseas installations, the identities of covert CIA officers, and the identities of human sources. The result would be increased physical danger to our officers, human sources, and facilities and diminished effectiveness of our intelligence operations. As discussed above, when our intelligence collection efforts are diminished, so too is our ability to provide U.S. policymakers with intelligence assessments to assist their decision making.

39. In addition to being subject to my state secrets privilege assertion, information pertaining to intelligence sources, methods, and activities is also protected from disclosure under the National Security Act of 1947, and to the extent that such information pertains to CIA employees and their

functions, is also protected from disclosure under the CIA Act of 1949.

**INFORMATION CONCERNING THE CIA'S INTERNAL STRUCTURE  
AND ADMINISTRATION**

40. Lastly, my state secrets privilege assertion also covers other basic categories of sensitive and privileged information that pertain to the CIA's day-to-day operations. This includes information, classified at the SECRET level, about the CIA's internal structure and administration, such as human, financial, communication, and technological resources; specific code words, cryptonyms, and pseudonyms (an intelligence method used to obfuscate operations, sources, and true names of Agency officers); and classification and dissemination control markings, which are a form of intelligence method used to protect against unauthorized disclosures.

41. While not as sensitive as the other categories of information described above, this category of information remains classified because it covers a spectrum of granular details about the CIA's overseas clandestine intelligence activities. Sensitive information in this category includes specific details of how CIA Headquarters communicates with CIA covert overseas facilities; how the CIA files, stores, and retrieves information; how various components within the CIA coordinate and interact with each other; and how the CIA

compartments intelligence to protect against unauthorized disclosure. If such sensitive information were to be disclosed, our adversaries would gain knowledge about our clandestine activities that they would almost certainly use to harm our national security by reducing the effectiveness of our intelligence collections, and thereby depriving U.S. policymakers of more complete intelligence assessments to inform their decisions. Accordingly, the CIA must withhold a broad spectrum of information about how the CIA performs its mission, to include how operations are staffed, approved, and directed; how officers are trained; and how resources are allocated. The unauthorized disclosure of such information could reasonably be expected to cause serious harm to the national security by impairing the CIA's ability to collect intelligence, engage in clandestine operations, and recruit human sources.

42. In addition to my state secrets assertion, information within this category is also protected from disclosure, to the extent it pertains to intelligence sources and methods, by the National Security Act of 1947, and to the extent it pertains to Agency personnel and their functions, by the CIA Act of 1949.

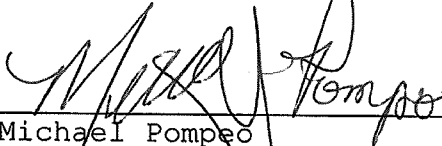
#### CONCLUSION

43. For the reasons set forth herein, I am asserting the state secrets and related statutory privileges to prevent the disclosure of sensitive national security information, described

above, that has been implicated in discovery in this case. Should the Court desire additional information concerning any aspect of my claim of privilege prior to entry of any ruling, I respectfully request an opportunity to address the matter further with the Court.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 2<sup>nd</sup> day of March, 2017.

  
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Michael Pompeo  
Director  
Central Intelligence Agency

**APPENDIX**

**UNCLASSIFIED SUMMARIES OF DISPUTED DOCUMENTS**

UNCLASSIFIED//FOR PUBLIC RELEASE

*Salim v. Mitchell*

**UNCLASSIFIED SUMMARIES OF DISPUTED DOCUMENTS**

**1. Document #22**

Redacted information at the top of the first page and end of the final page consists of non-responsive information from another document that was copied on to this page. The substance of the interview begins below "Memorandum for the Record."

Redacted information from the body of the interview consists of the names of CIA personnel, specific dates of actions, codenames for CIA detention facilities, names of foreign countries where CIA facilities are located, names of detainees other than Gul Rahman that Dr. Jessen was asked to interview, dates and route of Dr. Jessen's travel to the COBALT facility, operational duties of CIA personnel, information about the equipment in the interrogation rooms at COBALT, information about the identity of the guards at the COBALT facility, citations to page numbers in CIA documents, information about specific questions and information presented to detainees during interrogations, and specific number of personnel working at COBALT facility.

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions regarding the use of guards at the COBALT facility, including suggested alterations to the guard force to improve performance and security.

**2. Document #23**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of names of detainees other than the Plaintiffs or Abu Zubaydah and operational information about their rendition and efforts to obtain intelligence information from them; names of foreign countries where the CIA conducts operations; names of foreign intelligence services; and assessment of the intelligence information Gul Rahman likely possesses.

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions regarding optimal strategies and locations for future interrogations of detainees.

**3. Document #24**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

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Redacted information from the body of the cable consists of specific dates of operational activities; codenames for CIA detention facilities and CIA personnel.

**4. Document #25**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of names of foreign countries where the CIA conducts operations; codenames for CIA detention facilities; and discussion of specific method and strategy of interrogation (not a physical pressure) designed to elicit intelligence information from Gul Rahman.

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions regarding a specific method and strategy of interrogation (not a physical pressure) suggested by CIA personnel in the field and directed to CIA headquarters that was designed to elicit intelligence information from Gul Rahman, including discussion of the specific manner in which the strategy would be implemented.

**5. Document #26**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of codenames for CIA detention facilities, personnel, and operational components; names of foreign countries and intelligence services; dates of events and operational activities, references to specific numbers of personnel at the COBAL T facility; methods of communication utilized at the COBAL T facility.

**6. Document #27**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of names of foreign countries and intelligence services; names of detainees other than the Plaintiffs or Abu Zubaydah; operational details concerning the rendition of Gul Rahman, including information about specific route and method of travel.

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**7. Document #28**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of the name of a foreign country; codenames for Dr. Mitchell & Dr. Jessen; assessment of the intelligence information Gul Rahman likely possesses.

**8. Document #29**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of dates of operational activity; operational summary of the raid that led to the capture of Gul Rahman; names of foreign countries and intelligence services; names of detainees other than Gul Rahman and Abu Zubaydah; names of CIA personnel and components; summaries of interrogations of detainees other than Gul Rahman and Abu Zubaydah; summary of an interrogation of Gul Rahman, including questions posed to him and answers he provided, as well as an analysis of the information he provided; discussion of various intelligence gathering methods to employ in an effort to confirm Gul Rahman's identity and to obtain other intelligence information.

**9. Document #30**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of dates of operational activity; names of CIA personnel; names of foreign countries; assessment of the intelligence information Gul Rahman possessed and additional information Gul Rahman likely possessed.

**10. Document #31**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of dates of operational activity; names of CIA personnel; names of foreign countries and intelligence services; location of Gul

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Rahman's capture; questions posed to Gul Rahman during interrogations and the answers he provided.

**11. Document #32**

Redacted information at the top of the first page consists of non-responsive information from another document that was copied on to this page. The substance of the interview begins below "Memorandum for the Record."

Redacted information from the body of the interview consists of the name of CIA personnel, specific dates of actions, codenames for CIA detention facilities, names and identifying information of foreign countries and foreign intelligence services; information about the identity and duties of the guards at the COBALT facility; citations to page numbers in CIA documents; references to detainees other than Plaintiffs and Abu Zubaydah.

**12. Document #35**

Redacted information consists of non-substantive classification paragraphs and header markings; Redactions in the remainder of the document consist of:

Paragraph #1 – reference to a specific CIA component office

Paragraph #2 – description of the captured Al-Qaida documents that Dr. Mitchell and Dr. Jessen reviewed in connection with writing their paper on Al-Qaida countermeasures

Paragraph #4 – identifying information about CIA personnel

**13. Document #37**

Redacted information consists of non-substantive header information and specific electronic file location; names of CIA personnel; names of specific CIA component offices; dates operational activities; code names for CIA detention facilities; foreign governments and foreign intelligence services; room numbers for CIA offices; locations where CIA conducts operations; identities of other government agencies that consult with the CIA.

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions among CIA officers regarding specific taskings for Dr. Mitchell and Dr. Jessen. These discussions include references to possible future project initiatives as well as consideration of which CIA component offices and personnel could offer resources to assist in transitioning the roles of Dr. Mitchell and Dr. Jessen.

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**14. Document #38**

Redacted information consists of non-substantive classification markings; names of CIA personnel (including job titles and contact information); and names of specific CIA component offices.

**15. Document #39**

Redacted information consists of non-substantive classification markings; names and identifying information of CIA personnel (including job titles and contact information); names of specific CIA component offices; names of foreign countries and foreign intelligence services, codenames for CIA detention facilities; dates of specific events related to the capture, detention, interrogation, and death of Gul Rahman; information about the identity of the guards at the COBALT facility; information about the location of the COBALT facility; description of the interior and exterior of the COBALT facility; the number of personnel working at the COBALT facility, including numbers associated with specific duty assignments; citations to other CIA documents; identifying information of personnel who trained the guard force; information about the identify of medical personnel at COBAT, specific medical care available to detainees at the facility, and specific medical supplies available at the facility; discussion of medical issues and suggested courses of action for detainees other than Gul Rahman; description of detention facilities other than COBALT; an assessment of the intelligence information Gul Rahman possessed and additional information Gul Rahman likely possessed; description of the operation that led to the capture of Gul Rahman; summary of interrogations of Gul Rahman, including questions posed to him and answers he provided; summary of interrogations of detainees other than Gul Rahman, including questions posed to him and answers provided; methods of intelligence gathering utilized to collect additional information about Gul Rahman; operational information about rendition of Gul Rahman;

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions among CIA officers regarding various of operational, intelligence, and security considerations relevant to final decisions from CIA headquarters concerning the interrogation and detention of Gul Rahman.

**16. Document #40:**

Redacted information consists primarily of various al-Qaida strategies for resisting interrogation, including details about how such strategies should be employed to frustrate interrogation; references to the origin of the referenced manual and to other sources of information regarding al-Qaida resistance strategies; information about CIA intelligence activities and sources and methods; analysis of Al-Qaida's counter-interrogation strategies and suggested countermeasures for overcoming such strategies.

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**17. Document #41**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of names of CIA component offices; names of CIA officers; summary of the intelligence information provided by Abu Zubaydah; dates of specific events; discussion of specific interrogation methods and approaches to utilize on Abu Zubaydah; methods of internal CIA communications.

**18. Document #42**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of codenames for CIA detention facilities.

**19. Document #43**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of names of internal CIA component offices.

**20. Document #44**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Redacted information from the body of the cable consists of codenames for CIA detention facilities; discussion of the CIA's foreign liaison relationships.

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**21. Document #45**

Redacted information from email consists of names of CIA personnel; and non-substantive footer containing electronic file path.

**22. Document #46**

This document is an 89 single-spaced page draft memorandum, expressly marked "draft," entitled "Summary and Reflections of the Chief of Medical Services on OMS Participation in the RDI Program." The document is pre-decisional and deliberative because it is a selective, draft account of one CIA officer's impressions of the detention and interrogation program. It was a working draft and was never finalized. It is not the CIA or OMS' final official history, or assessment, of the program.

The document contains names of CIA component offices; classification markings; names and identifying information of CIA officers; locations of CIA facilities; identifying information about foreign countries and intelligence services; description of the 2001 Memorandum of Notification issued by President Bush; operational protocols associated with CIA facilities; information concerning the CIA's internal structure and resources; information concerning CIA sources and methods, including counterterrorism techniques; information concerning CIA intelligence programs, projects, activities, and priorities; intelligence information about terrorist organizations and detainees; specific dates of operational activities; operational code words.

Information about Dr. Mitchell and Dr. Jessen's role in the development of the enhanced interrogation techniques used on Abu Zubaydah and the interrogation of Gul Rahman is unredacted.

The attorney-client privilege applies to this document because it contains preliminary legal advice and guidance from attorneys in the CIA's Office of General Counsel, as well as information about particular actions those attorneys took with respect to advising CIA officers in the course of the detention and interrogation program.

**23. Document #47**

Information redacted from this document consists of: classification markings, names and identifying information of CIA personnel; names of foreign countries and foreign intelligence services; codenames for detention facilities; references to internal CIA documents; dates of specific events related to the capture, detention, interrogation, and death of Gul Rahman; intelligence information about terrorist groups and detainees other than Gul Rahman; locations of CIA detention facilities; information about the identity of the guards at the COBALT facility; descriptions of duty assignments for CIA personnel; the number of personnel working at the COBALT facility, including numbers associated with specific duty assignments;; description of the operation that led to the capture of Gul Rahman; information about the location and internal and external layout of the COBALT facility; information about security protocols at the

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COBALT facility; information concerning the exact temperature at the COBALT facility on certain dates; internal CIA component offices; an assessment of the intelligence information Gul Rahman possessed and additional information Gul Rahman likely possessed; and information describing intelligence on Gul Rahman.

The document also contains pre-decisional and deliberative information on several topics, including a discussion of suggested edits to a proposed Congressional notification of Gul Rahman's death (page 45); a summary of email messages between CIA officers discussing a preliminary, non-final assessment of the cause of Gul Rahman's death (Page 51-52); and specific recommendations by the CIA Inspector General to other CIA components regarding suggested remedial measures to be taken in the future.

The attorney-client privilege is applicable to this document because it consists of descriptions of communications to and from CIA attorneys regarding the legal status of detainees, the legality of certain interrogation techniques, and the preliminary assessment of Gul Rahman's death.

#### **24. Document #48**

Information redacted from this document consists of: classification markings; names and identifying information of CIA personnel; names of CIA component offices and contact information; operational guidance on targeting and capture of detainees; codenames for CIA detention facilities; locations of CIA detention facilities; information about foreign governments and foreign liaison services; information about the identity of the guards at the COBALT facility; discussion of the 2001 Memorandum of Notification; information concerning rendition operations by the CIA; dates of specific actions in connection with the capture, detention, and interrogation of detainees; references and discussions about internal CIA documents; information about CIA counterterrorism operational activities; internal CIA guidelines regarding the monitoring of detention facilities following the death of Gul Rahman; descriptions of duty assignments of CIA personnel; information regarding detainee rendition operations; information concerning the selection, creation, and establishment of detention facilities; information about detainees other than Abu Zubaydah and the Plaintiffs; information about the internal and external layout of CIA detention facilities; information concerning CIA personnel requirements and internal organization and management structure; number of specific personnel assigned to COBALT; information about the identity of individuals who provided medical assistance to detainees at the COBALT facility; information concerning security protocols at COBALT, including security training of guard staff; numbers of detainees held at specific facilities; information about internal CIA communications and record-keeping; information about the role CIA analysts played in interrogations; sources and methods of intelligence; questions posed to detainees during interrogations and information they provided in response; description 2001 Memorandum of Notification;

The document also contains pre-decisional and deliberative information on several topics, including specific recommendations by the CIA Inspector General to other CIA components regarding suggested remedial measures to be taken in the future (pages 8-10, 106-109);

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discussions and recommendations among CIA officers concerning additional training and security protocols for the guard staff at COBALT (Pages 61-66); discussions among CIA officers concerning establishment of new detention facilities and factors to consider in that analysis (page 65-66); recommendations by CIA officers regarding improvements to the COBALT facility following Gul Rahman's death; discussion of potential options regarding the future disposition of CIA detainees (pages 97-99).

The attorney-client privilege is applicable to this document because it consists of descriptions of communications to and from CIA attorneys regarding the legality of interrogation techniques (page 12), discussions and recommendations among CIA officers concerning additional training and security protocols for the guard staff at COBALT (Pages 61-66); potential legal consequences for CIA officers participating in the detention and interrogation program (pages 94-95); and discussion of potential options regarding the future disposition of CIA detainees (pages 97-99).

**25. Document #50**

Information redacted before the body of the cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Substantive information redacted from the body of the cable consists of a description of the sources and methods of intelligence that were relied upon to create the assessment of Abd Al-Karim summarized in the cable. This description includes an analysis of the content of the intelligence information these sources provided about Al-Karim. The cable also redacts the names of CIA personnel; foreign governments and intelligence services; names of CIA component offices; dates of specific actions; references to internal CIA documents; code names; and information about the detention and interrogation of detainees other than Abd Al-Karim (and Plaintiffs and Abu Zubaydah), including specific intelligence priorities for those detainees.

**26. Document #66 (Bates 1589)**

Information redacted from this document consists of:

- Section 6.10: description of a future study and report the contract shall conduct and write
- Section: 6.13: subject matter of a future study and report
- Section 6.15: subject matter of a specific project and list of specific topic areas to be included in the study/assessment
- Section 6.16: Name of specific CIA component office

**27. Document #67 (Bates 1602-1605)**

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Information redacted from this document consists of:

- Bates 1602
  - Redaction #1: specific number of personnel
  - Redaction #2: specific number of personnel
  - Redaction #3: list of specific equipment needed for the training described in paragraph 9.A.
- Bates 1603
  - Paragraph 18: subject matter of a specific project and list of specific topics areas to be included in the study/assessment
  - Paragraph 19: Name of a specific CIA component office
  - Redactions under "Reporting Requirements"
    - Redaction #1: subject matter of a specific project
    - Redaction #2: name of a specific CIA component office
    - Redaction #3: reference to a specific type of intelligence personnel
    - Redaction #4: subject matter of a specific project
- Bates 1604
  - Redaction #1: Name of a specific CIA component office
  - Redaction #2: Subject matter of a specific project
- Bates 1605
  - Redaction #1: Subject matter of a specific project
  - Redaction #2 & 3: Name of a specific CIA component office
  - Redaction #4: Reference to a specific type of intelligence personnel

## **28. Document #91**

Information redacted from this document consists of: classification headers; names and identifying information of CIA personnel; locations of CIA detention facilities; names of CIA component offices; discussion of specific method of intelligence gathering for use in connection with interrogation of Gul Rahman; dates of specific events related to the capture, detention, interrogation, and death of Gul Rahman; identifying information about the guards at the COBALT facility.

## **29. Document #92**

Information redacted from this document consists of: classification headers; locations of CIA detention facilities; dates of specific events related to the capture, detention, interrogation, and death of Gul Rahman; identifying information about the guards at the COBALT facility; foreign governments and intelligence services.

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**30. Document #94**

Information redacted from this document consists of: names of CIA component offices; names of CIA officers; dates of Dr. Mitchell's overseas deployments; code names for CIA detention facilities; discussion of the specific actions the CIA asked Dr. Mitchell and Dr. Jessen to undertake in connection with the interrogations of Abu Zubaydah to transition Zubaydah to the "end-game" of his detention.

**31. Document #95**

This document consists of an email written by a CIA lawyer to other CIA officers concerning a CIA cable copied below the email regarding an extension of Dr. Mitchell's contract with the CIA.

The email contains the names of CIA officers, classification headings, email header information, and a message from a CIA attorney to other CIA officers recommending a suggested course of action. The attorney-client privilege and attorney work product protection is applicable because the email is a communication from a CIA attorney containing thoughts, mental impressions, and a recommended course of action regarding Dr. Mitchell's contract with the CIA.

Information redacted from the cable below the email consists of: non-substantive information before and after the body of the cable, including classification markings, CIA internal administrative information, and recipient information; names of CIA component offices; names of CIA officers; specific dates; operational code names.

**32. Document #96**

Information redacted from this memorandum consists of: classification header and markings; names of CIA personnel; names of CIA component offices and contact information for those offices; code names for CIA detention facilities; operational code names; references to specific numbers of CIA personnel.

**33. Document #99**

Information redacted from this email consists of: names of CIA officers, names of CIA component offices; reference to a specific project tasking for Dr. Mitchell and Dr. Jessen; code names for CIA detention facilities.

**34. Document #100**

Information redacted from this document consists of: classification markings, description of the authorities authorized by the 2001 Presidential Memorandum of Notification; references to

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internal CIA documents; names of internal CIA components; names of foreign intelligence services; intelligence information collected about Jafaar Al-Yayyar and Richard Reid (the shoe bomber); intelligence information collected about Abu Zubaydah and the CIA proposed interrogation strategy in response to that information.

The chart on the final page of the document lists the names of detainees who received enhanced interrogation techniques, the specific enhanced interrogation techniques they received, the names of CIA officers who conducted the interrogations, and the locations where the detainees were detained. The chart redacts all information other than the specific entries for Plaintiffs Ben Soud and Salim.

### **35. Document #101**

Redacted information at the top of the first page of the cable and the end of the final page of the cable consists of non-substantive information including classification markings, CIA internal administrative information, the codenames and location of CIA detention facilities, and recipient information. Recipients of the cable include a CIA component's legal office.

Redacted information from the body of the cable consists of codenames for CIA detention facilities; names and codenames of CIA personnel, components, and operations; information concerning operational protocols at CIA detention facilities, including information about security and communications; and information concerning locations of detention facilities.

The cable also contains pre-decisional and deliberative information consisting of recommendations and discussions regarding detention facility operations, possible locations for future detention facilities, and the transfer of detainees out of CIA custody.

The attorney-client and attorney work product privileges are applicable to this document because it is a cable written by a CIA attorney from the Counterterrorist Center Legal Staff to other CIA officers, including other CIA attorneys, titled "lessons for the future," containing various recommendations regarding future detention operations.

### **36. Document #102 (withheld in full)**

This document is a two-page memorandum dated January 10, 2003 from a senior CIA officer in the Office of Technical Services to the Chief of the CIA Counterterrorist Center Legal Staff briefly summarizing the resistance strategies used by Abu Zubaydah during interrogation sessions from April to August 2002, provided in response to a request for this information from Counterterrorist Center Legal Staff and the CIA General Counsel. The memorandum notes that it is based on analysis provided by Dr. Mitchell and Dr. Jessen. The memorandum does not discuss the use of EITs with Abu Zubaydah, only the strategies he used to resist questioning.

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The document contains the names of CIA officers and duty assignments; analysis of the resistance techniques utilized by Abu Zubaydah during interrogations; and classification markings.

The attorney-client privilege is applicable to this document because it contains a discussion of specific information provided by CIA officers to CIA lawyers in a response to a request for information from the CIA from Counterterrorist Center Legal Staff and the CIA General Counsel.

**37. Document #103 (withheld in full)**

Three-page document titled "Initial Draft Plan" dated March 16, 2002 written by Dr. Mitchell and Dr. Jessen summarizing, in broad terms, their thoughts on the logistical and personnel requirements for an interrogation program to elicit information from highly uncooperative detainees. Interrogation strategy itself is only briefly and generally described. The document is written in outline/bullet point format and does not contain extensive narrative discussion. No specific detainees or EITs are addressed.

The document contains information about operational protocols; resource requirements and needs for personnel and facility resources; information about CIA foreign liaison relationships; roles and responsibilities of CIA personnel.

The document also contains pre-decisional and deliberative information consisting of recommendations and an "initial draft plan" from Dr. Mitchell and Dr. Jessen to CIA personnel regarding composition and resources required for a detention and interrogation team and facility.

**38. Document #104**

The entire document is un-redacted except for a single reference to a foreign government on the last page.

**39. Document #105 (withheld in full)**

This two-page document consists of three e-mails exchanged between CIA attorneys and other CIA personnel in September 2006 discussing requests for information, including a request from DOJ, regarding the background and foundation for the CIA's enhanced interrogation techniques. The e-mails contain the names of CIA attorneys and other officers, and CIA administrative information.

The emails contain pre-decisional and deliberative information consisting of a recommended response to the inquiries from DOJ.

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The attorney-client privilege is applicable because the emails were sent to and from CIA attorneys for the purpose of collecting information about the background and foundation for the CIA's enhanced interrogation techniques in response to an inquiry from DOJ.

**40. Document #106**

Redacted information at the top of the first page of the cable, the end of page 4, and the top of page 5 consists of non-substantive information, including classification markings, CIA internal administrative information, and sender and recipient information. The cable was sent from a CIA component's legal office to employees of a CIA detention facility.

Redacted information in the body of the cable consists of a single sentence containing an analysis of how the use of diapers could enhance intelligence gathering.

The attorney-client privilege and work product protection is applicable because the emails were sent from CIA attorneys to CIA personnel in the field in order to provide background on the legal aspects of the use of enhanced interrogation techniques.

**41. Document #107**

Redacted information consists of classification markings; codenames; identifying information about CIA personnel; CIA organizational and administrative information, including information regarding CIA interrogator training, names of CIA component offices, numbers of personnel in operational positions.

**42. Document #108**

Redacted information consists of classification markings; codenames, CIA organizational and administrative information, including the number of then trained, active, and available interrogators; identifying information about CIA personnel; information about CIA internal offices

The document also contains pre-decisional and deliberative information in paragraph 1 regarding the reasons why the document was created in order to explain the CIA's continued use of contract interrogators.

**43. Document #109**

Redacted information consists of classification markings; CIA organizational and administrative information including the identification of certain CIA components; the number of interrogators

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CIA either employed or contracted; the number of Mitchell, Jessen, and Associates personnel supporting RDG's mission and a brief description of their assignments; and descriptions of a CIA component's mission; information concerning training of CIA officers and locations of training facilities; information concerning CIA resource and operational requirements; methods regarding information security.

**44. Document #110**

Redacted information consists of classification markings and codenames. Other redacted information includes: background information on the CIA's rendition missions prior to September 11, 2001; operational details regarding CIA's rendition and interrogation activities since March 2002, including the number of individuals detained in the program and the number of those individuals subjected to enhanced interrogation techniques; references to foreign liaison activities; a broad description of the circumstances giving rise to the creation of an individual Interrogation Plan; and an assessment of the success of the rendition and interrogation program.

**45. Document #114**

Information redacted before and after the body of the cable consists of non-substantive information, including CIA internal administrative information, the codenames and location of CIA detention facilities, and sender and recipient information.

Redacted information in the body of the cable consists of the names and codenames of CIA personnel, components, and detention facilities; the location of CIA detention facilities; dates and route of Dr. Mitchell's travel to a detention facility; specific dates of actions and/or proposed actions; interrogation strategies and methods to utilize during the pre- and post-isolation phase of Abu Zubaydah's detention, including strategies to utilize in order to determine if Abu Zubaydah is telling the truth; information concerning Abu Zubaydah's medical care

The cable includes pre-decisional and deliberative information consisting of discussions between CIA officers in the field and CIA Headquarters regarding the pre- and post-isolation phases of Abu Zubaydah's interrogations and detentions. These recommendations suggest the participation of specific personnel, use of certain interrogation techniques, changes to Abu Zubaydah's medical care, and analysis of interrogation methods and strategies to utilize in order to gather intelligence information

**46. Document #115**

Information redacted before and after the body of the cable consists of non-substantive information including classification markings, CIA internal administrative information, the location of a CIA detention facility, and sender and recipient information.

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Redacted information in the body of the cable consists of the codenames of CIA personnel and a CIA detention facility.

**47. Document #116**

Redacted information includes classification markings; the names and codenames of CIA personnel and components; the codename of a CIA detention facility; CIA internal administrative information; the location of a CIA facilities, reference to dates of travel for CIA personnel, and a reference to Dr. Mitchell's duties with Government entities other than the CIA.

**48. Document #117**

Redacted information from the e-mail to/from lines consists of the names of CIA personnel. The redaction in the email's subject line consists of internal CIA administrative and organizational information. The body of the e-mail consists of the text of a cable and the redacted information appearing on page 1 of the document contains non-substantive information, including classification markings, CIA internal administrative information, the codename for and location of CIA facilities, and sender and recipient information. The redacted information appearing on page 2 of the document includes codenames; the codename of a CIA detention facility; references to an interrogation contingency; and references to a foreign government and foreign liaison service.

This document includes pre-decisional and deliberative information consisting of discussion between CIA officers in the field and at CIA headquarters regarding possible contingency planning and future operations.

**49. Document #118**

Redacted information from the e-mail to/from lines consists of the names of CIA personnel. The redaction in the e-mail's subject line consists of internal CIA administrative and organization information.

The body of the e-mail consists of the text of a cable and the redacted information appearing on page 1 of the document contains non-substantive information, including classification markings, CIA internal administrative information, the codename for and location of CIA facilities, and sender and recipient information. The redacted information appearing on page 2 of the document include cryptonyms; the names of CIA personnel; the code name of a CIA detention facility; and CIA internal administrative information.

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**50. Document #119 (withheld in full)**

This three-page document consists of three e-mails exchanged between employees of the CIA Office of Inspector General in 2004 discussing comments and edits to a draft of the Inspector General's report on the CIA's RDI program, including the availability of source material for several paragraphs in the draft report. The final version of the report has been disclosed in redacted form as Document #48.

The e-mails contain classification markings, the names of CIA Office of Inspector General attorneys and other employees, internal CIA administrative information, the codenames of CIA detention facilities, references to some of the activities conducted at the CIA detention facilities, including enhanced interrogation techniques.

The emails contain pre-decisional and deliberative information consisting of discussions between CIA officers and attorneys regarding suggested comments and edits to a non-final draft report by the CIA Office of Inspector General.

The attorney-client privilege is applicable because the emails respond to an inquiry from the CIA Office of General Counsel regarding questions that office had to specific paragraphs in the draft report and the emails include a discussion among attorneys in the CIA Inspector General's office regarding who to respond to that inquiry.

The law enforcement privilege applies to this document because it contains discussions and recommendations of the CIA Inspector General's office investigative staff as to the potential conclusions of an investigative report on the detention and interrogation program, including statements made by individuals to investigators in the course of conducting their investigation.

**51. Document #120**

Redacted information from the e-mail to/from lines include the names of CIA personnel and internal CIA administrative information. The redacted information on page 1 of the document consists of specific dates of action; internal CIA administrative and organization information; the codename and location of a CIA detention facility; cryptonyms for CIA components and personnel; names of CIA personnel; and names of FBI personnel. The redacted information on pages 2-5 consists of internal CIA administrative information; cryptonyms for CIA personnel; and a reference to a type of interrogations. The redacted information on pages 6-7 consists of internal CIA administrative information; the names and cryptonyms of CIA personnel; references to operational details, including the location of a CIA facility.

The document includes pre-decisional and deliberative information as the document reflects a discussion among CIA officers regarding a proposed, non-final draft cable. The CIA officers are forwarding a draft cable to other officers for coordination and asking for comments.

**52. Document #121**

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Information redacted before the body of the cable consists of the name of a CIA employee; a reference to an intelligence method; and non-substantive information, including classification markings, CIA internal administrative information, the codenames and locations of CIA facilities, and recipient information.

Redacted information in the body of the cable includes specific dates of action; codename for a CIA detention facility; codenames for CIA personnel; information concerning arrival and departure of CIA personnel from detention facility; information and analysis of Abu Zubaydah's level of cooperation and potential intelligence information; detailed descriptions of the operational duties for personnel during the transition of Abu Zubaydah to the isolation phase of his confinement, including information to be conveyed to Abu Zubaydah during interrogation session as well as an analysis of the anticipated results of these strategies.

The cable also contains pre-decisional and deliberative information consisting of recommendations from CIA officers in the field to CIA Headquarters for a final decision regarding the proposed plans and preparations for the isolation phase of Abu Zaubaydah's interrogation. The discussion includes descriptions of the proposed methods and techniques of intelligence gathering that the interrogation team intends to utilize to transition Abu Zubaydah to the isolation phase as well as the actions and information that the team will convey to Abu Zubaydah during this transition period and analysis of the anticipated results of these strategies.

### **53. Document #122**

Information redacted before and after the body of the cable include the name of CIA personnel; CIA internal administrative information; classification markings; the codenames and locations of CIA facilities; and references to internal CIA administrative documents.

Redacted information in the body of the cable consists of names of CIA and FBI personnel; codenames of CIA personnel; information pertaining to the questions asked by interrogators and the responses provided by Abu Zubaydah; references to the interrogation tactics and methods employed; analysis of the information provided by Abu Zubaydah; and references to the time the interrogation sessions began and concluded.

### **54. Document #123**

Information redacted before and after the body of the cable include the name of CIA personnel; CIA internal administrative information; classification markings; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable include names of CIA and FBI personnel; requests for clarification regarding operational procedures; codenames for CIA components and facilities; information about the equipment in the interrogation room; references to the interrogators' strategy for the interrogation session; information regarding Abu Zubaydah's responses to questions.

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The cable also contains pre-decisional and deliberative information consisting of a communication from CIA officers in the field to CIA Headquarters requesting clarification and a decision from CIA Headquarters regarding a specific operational practice at the detention facility.

**55. Document #124**

Information redacted before and after the body of the cable include names of CIA personnel; classification markings; CIA internal administrative information; codenames of CIA facilities; and locations of CIA facilities.

Redacted information in the body of the cable consists of references to internal CIA documents; codenames for CIA components and facilities; and names of CIA and other Government personnel.

**56. Document #126 (withheld in full)**

This three-page document from July 2003 consists of two e-mails regarding the video tapes of Abu Zubaydah's interrogations. Both emails are pre-decisional and deliberative. The first e-mail was sent by Dr. Jessen to a CIA employee to aid the discussion regarding the CIA's strategy to address the videotape destruction. The e-mail includes a draft "paper" summarizing the rationale for videotaping Abu Zabaydah's interrogation and providing a timeline of key decisions and interrogation events. Information references in Dr. Jessen's draft paper include the names of CIA personnel; the codename for a CIA detention facility; references to interrogation methods, assessments of the effectiveness of those methods, and recommendations based on those assessments; the location of CIA facilities; and references to CIA operational plans regarding the video tapes. The second e-mail was sent from a CIA employee informing Dr. Jessen that the employee would discuss a future strategy to address the information Dr. Jessen provided in his e-mail.

The attorney-client privilege is applicable because the email discusses meetings where attorneys in CIA's Office of General Counsel gave legal advice to clients, and the content of their advice.

**57. Document #127**

Information redacted before and after the body of the cable include the name of CIA personnel; the codenames for CIA components, facilities, and detainees; the locations of CIA facilities; CIA internal administrative information; classification markings; and sender and recipient information. Redacted information before the body of the cable also includes email header information noting that the cable was sent separately from a CIA attorney to another CIA officer.

Redacted information in the body of the cable consists of CIA internal administrative information, recipient information; the codename of a CIA detention facility; references to the

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manner in which the information contained in the cable was disseminated; references to the composition and experience of the interrogation team; references to operational procedures for disseminating interrogation reports; recommendations regarding the next steps for Abu Zubaydah's interrogation, including suggestions of rendering him to certain foreign governments.

The cable also contains pre-decisional and deliberative information consisting of a communication from CIA officers in the field to CIA Headquarters regarding a proposal to transfer custody of Abu Zubaydah to another Government and requesting a decision from CIA Headquarters.

The attorney-client privilege is applicable because the cable routing information indicates it was sent by a CIA attorney to another CIA officer for inclusion in a collection of information the attorney was gathering.

**58. Document #130**

Information redacted before and after the body of the cable include the name of CIA personnel; the codenames for CIA components and facilities; the location of CIA facilities; classification markings; CIA internal administrative information; and sender and recipient information. Redacted information before the body of the cable also includes email header information noting that the cable was sent separately from a CIA attorney to another CIA officer.

Redacted information in the body of the cable consists of references to internal CIA administrative documents, codenames for CIA components and facilities; and recommendations regarding the equipment used during interrogations; and operational and security specifications for use of the confinement box.

The attorney-client privilege and work product doctrine is applicable because the cable routing information indicates it was sent by a CIA attorney to another CIA officer for inclusion in a collection of information that the attorney was gathering.

**59. Document #131**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: analysis of the intelligence information possessed by Abu Zubaydah; codenames for CIA detention facilities; identifying information concerning CIA personnel

The document also contains pre-decisional and deliberative information consisting of a communication sent by CIA personnel in the field to CIA headquarters requesting clarification and direction regarding future interrogations of Abu Zubaydah.

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The attorney-client privilege is applicable because the cable was sent by CIA personnel in the field to the CIA Counterterrorist Center Legal Staff, among others, and contains discussion of potential legal risk to CIA officers who conduct interrogations of Abu Zubaydah.

**60. Document #132**

The redacted information in this e-mail consists of names of CIA personnel; CIA internal administrative information; the date the meeting is scheduled to take place; codenames for CIA components; and the number of individuals invited to the meeting.

**61. Document #133**

Information redacted from the from/to/cc lines in this e-mail consists of the names of CIA personnel and CIA internal administrative information. The redacted information in the first two paragraphs of the body of the e-mail and the line at the bottom of each page of the document include the names of CIA personnel, the codenames of CIA personal and facilities, CIA personnel travel information; CIA internal administrative information; and recipient information.

The body of the e-mail also includes a cable. The information redacted from the cable includes the codenames for CIA facilities, the location of CIA facilities, CIA internal administrative information, specific dates of action; the names of CIA and FBI personnel; codenames for CIA personnel; and references to internal CIA documents.

The cable and email contain pre-decisional and deliberative information regarding plans and preparations for the isolation phase of Abu Zubaydah's interrogation. The emails and cable discuss a personnel staffing issue at the Abu Zubaydah detention facility and suggest proposed courses of action to ensure appropriate personnel are on site. The cable also contains a communication from CIA officers in the field to CIA headquarters explaining the future proposed strategy for the isolation phase of Abu Zubaydah's detention. The discussion includes descriptions of the proposed methods and techniques of intelligence gathering that the interrogation team intends to utilize to transition Abu Zubaydah to the isolation phase as well as the actions members of the team will take and information that the team will convey to Abu Zubaydah during this transition period and analysis of the anticipated results of these strategies.

**62. Document #134**

Redacted information consists of the codename of a CIA facility and the location of that facility; codenames for CIA components; the names and identifying information of CIA personnel; classification markings; and references to the status detainees other than the Plaintiffs or Abu Zubaydah.

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**63. Document #135**

Redacted information includes administrative heading information; classification markings and information; names of CIA personnel; travel information for government personnel; exact dates; logistical facility information including site security, communication resources, and staff housing; administrative heading information; names and locations of computer files; recommendations regarding how best to monitor Abu Zubaydah; and various recommended strategies for interrogating Abu Zubaydah. Waterboarding is not discussed. The redactions on pages 1 and 2, prior to the beginning of the cable, consist of an email exchange among CIA officers about the origins regarding the video taping of Abu Zubaydah's interrogations in response to a tasking from the CIA director. The two relevant cables discussed in this email exchange are copied below on pages 2-8. Page 9 contains part of the aforementioned email exchange, in which the incoming tasking from the CIA Director is discussed.

The document contains pre-decisional and deliberative information consisting of discussions among CIA officers regarding a proposed response to an incoming request for information from the CIA Director related to the origin of the decision to videotape Abu Zubaydah's interrogations.

**64. Document #136**

The redacted information contained in this e-mail chain discussing operational planning for future interrogations include the names and codenames of CIA personnel; background information for certain CIA personnel; CIA internal administrative information, classification markings; references to foreign liaisons; codenames for CIA facilities and intelligence methods; scheduling/travel information for certain CIA personnel; recommendations regarding future interrogations at a particular CIA facility; suggestions regarding the use/deployment of certain CIA personnel; dates of travel of CIA officers; names of detainees other than Abu Zubaydah or the Plaintiffs.

The document contains pre-decisional and deliberative information consisting of discussions among CIA officers regarding whether to deploy medical personnel to the Abu Zubaydah detention site, including discussions of what type of personnel and the timing for any such deployment. The email also contains deliberative discussions regarding the operational preparations necessary for use of enhanced interrogation techniques on future detainees other than Abu Zubaydah.

**65. Document #137 (withheld in full)**

This document is an undated twenty-three-page draft memorandum by an unidentified author. Various topics about the CIA's former detention and interrogation program are addressed, with significant discussion of government deliberations regarding what interrogation techniques to authorize for use with Abu Zubaydah. The role of Dr. Mitchell and Dr. Jessen is not a focus of

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this discussion, although they are referenced. The draft is incomplete and contains various notes and suggestions interlineated in the text regarding how the draft should be revised. Nothing on the face of the document indicates whether those suggestions were adopted.

Information included in this draft memorandum include: classification markings, names and codenames of CIA personnel; codenames for CIA detention facilities; locations of CIA detention facilities; CIA administrative and organizational information; operational duties of CIA personnel; information about the equipment in interrogation rooms and the operational procedures and protocols at CIA detention facilities; intelligence activities; foreign government and foreign liaison information; information collected as a result of intelligence activities; discussion of the 2001 Memorandum of Notification; information about internal CIA communications and security measures; and descriptions of intelligence sources and methods.

The draft memorandum is pre-decisional and deliberative as it is a non-final memorandum recounting the (unknown) author's views regarding the history and development of the former detention and interrogation program. The draft nature evidenced by references in the document consisting of suggestions for topics to include in the memorandum; identification of sources that may have been updated; identification of sources that may provide additional information on a topic; and notes reminding the author to fact check.

#### **66. Document #138**

Information redacted in this memorandum consists of the names, codenames, and identifying information of CIA personnel, components, and facilities; classification markings; locations of CIA facilities; CIA internal administrative information; specific dates of action; and references to specific intelligence activities and interests.

#### **67. Document #139**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations for CIA facilities.

Redacted information in the body of the cable consist of references to internal CIA documents; code names of CIA facilities; an assessment of the effectiveness of the confinement box technique; and operational details regarding proposed use of the confinement box.

The cable contains pre-decisional and deliberative information consisting of a communication from CIA officers in the field to CIA headquarters seeking clarification and a determination regarding the use of the confinement box on Abu Zubaydah, including information that the CIA filed officers have gathered about the use, effectiveness, and likely impact of the confinement box for CIA Headquarters to consider in reaching their decision whether to authorize use of the confinement box.

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**68. Document #140**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; names of FBI personnel; codenames of CIA components and facilities; CIA internal administrative information; and information about specific questions interrogators asked Abu Zubaydah and the detainee's responses.

**69. Document #141**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; names of FBI personnel; the codenames of CIA facilities; dates of specific actions; and information about specific questions interrogators asked Abu Zubaydah and the detainee's responses.

**70. Document #142**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; names and codenames of CIA personnel; information about specific questions interrogators asked Abu Zubaydah and the detainee's responses; and locations of CIA facilities.

**71. Document #143**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the names of FBI personnel; the codenames and location of CIA facilities; locations of CIA facilities; and information about the equipment used in interrogation rooms.

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**72. Document #144**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the names of FBI personnel; the codenames and location of CIA facilities; the codenames of CIA personnel; information about a possible line of questioning for a future interrogation; information about security procedures at the Abu Zubaydah detention facility.

**73. Document #145**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the names of CIA and FBI personnel; codenames and location of CIA facilities; CIA internal administrative information; and information about a possible line of questioning for a future interrogation.

**74. Document #146**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the codenames and location of CIA facilities; the names of FBI personnel; and information about a possible line of questioning for a future interrogation.

**75. Document #147**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the codenames and location of CIA facilities; the names of FBI personnel; and information about a possible line of questioning for a future interrogation.

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**76. Document #148**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; the codenames and locations of CIA facilities; the names of FBI personnel; and information about a possible line of questioning for a future interrogation.

**77. Document #149**

Information redacted before body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from body of cable consists of a summary of information obtained from Abu Zubaydah by interrogators, recommended strategies for additional Abu Zubaydah interrogations, and classification markings. Waterboarding is not discussed. There are no specific references to Dr. Mitchell or Jessen, although the cable discusses the views of the Abu Zubaydah "interrogation team."

The document contains pre-decisional and deliberative information consisting of discussions among CIA officers regarding proposed interrogation strategies, questions and techniques to utilize on Abu Zubaydah based on an analysis of his current resistance posture.

**78. Document #150**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and locations of CIA facilities.

Redacted information in the body of the cable includes codename of a CIA facility; references to internal CIA documents; names of CIA internal component offices; and CIA internal administrative information.

**79. Document #151:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

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Information redacted from the body of the cable consists of: names of CIA components; codenames for detention facilities and detainees; names of CIA officers; locations and identification of CIA facilities; description of efforts to obtain specific equipment for a detention facility.

**80. Document #152:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of CIA and FBI personnel; information about the timing of future CIA communications concerning Abu Zubaydah; non-physical methods of intelligence gathering during interrogations of Abu Zubaydah; locations of CIA facilities; information concerning security training for personnel at CIA detention facility; information about future personnel changes at CIA facilities.

**81. Document #153:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of FBI personnel; information about the timing of future CIA communications concerning Abu Zubaydah; non-physical methods of intelligence gathering during interrogations of Abu Zubaydah; locations of CIA facilities.

**82. Document #154:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of FBI personnel; information about the timing of future CIA communications concerning Abu Zubaydah; non-physical methods of intelligence gathering during interrogations of Abu Zubaydah; locations of CIA facilities.

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**83. Document #155:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of FBI personnel; information about the timing of future CIA communications concerning Abu Zubaydah; non-physical methods of intelligence gathering during interrogations of Abu Zubaydah; locations of CIA facilities; methods of internal CIA communications.

**84. Document #156:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of FBI personnel; information about the timing of future CIA communications concerning Abu Zubaydah; non-physical methods of intelligence gathering during interrogations of Abu Zubaydah; locations of CIA facilities.

**85. Document #157**

Information redacted before body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from body of cable consists of recommended strategies for interrogating Abu Zubaydah, including proposed use of the waterboard and contingencies if use of the waterboard is not approved. The cable's only reference to the recommendations of Dr. Mitchell and Dr. Jessen (referred to as IC SERE Psychologists) is unredacted.

The document contains pre-decisional and deliberative information consisting of a communication from CIA officers in the field to CIA headquarters requesting guidance and a decision regarding implementation of specific interrogation techniques on Abu Zubaydah. The communication contains the field officers' recommended course of action based their analysis of Abu Zubaydah's current status and a discussion of various options for CIA headquarters to consider in making a decision on the next phase of Abu Zubaydah's interrogation.

**86. Document #158**

Information redacted before body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

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Information redacted from body of cable consists of information about operational, logistical, security, communications, and medical issue related to the interrogation of Abu Zubaydah, including recommended strategies. Redacted information in the body also includes classification marking information, discussion of site security and personnel, including recommendations regarding changes in site staffing, information regarding proposed communications with a foreign government, and locations of CIA facilities.

The document contains pre-decisional and deliberative information consisting of a communication from CIA officers in the field to CIA headquarters summarizing internal discussions among the Abu Zubaydah interrogation team regarding various operational, logistical, security, communications, and medical issues for CIA headquarters to consider in making decision on the next phase of Abu Zubaydah's interrogations.

**87. Document #159:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: dates of specific events; names of CIA officers and FBI agents; methods of internal CIA communications; security protocols at detention facilities; foreign governments and foreign liaison services.

The document also contains pre-decisional and deliberative information consisting of recommendations and discussions from personnel at a CIA detention facility to CIA headquarters regarding procedures for secure communications and security at the detention facility; recommendations from interrogation team members to CIA headquarters regarding the end game plan and decision-making for Abu Zubaydah's detention; and a summary of a meeting between senior CIA personnel and a senior official with another Government agency concerning the next phase of the Abu Zubaydah interrogations.

**88. Document #160:**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: references to internal CIA documents; discussion of the specific approach and techniques that the IC SERE psychologist will use to initiate the isolation phase with Abu Zubaydah.

**89. Document #163**

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Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of FBI personnel; references to internal CIA documents; identities of CIA personnel; methods of CIA internal communication; discussion of the impact of the Department of Justice authorization regarding the legality of enhanced interrogation techniques; discussion of the manner in which the decision was made that Abu Zubaydah was withholding information.

**90. Document #164**

This document consists of an email exchange among CIA officers concerning a CIA cable copied below the email regarding the interrogation of Gul Rahman.

Information redacted from the emails consists of: names of CIA officers, classification markings, email header information; dates of specific actions; the location of CIA officers; names of CIA component offices and contact information; locations of CIA detention facilities; codenames of CIA detention facilities.

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: code names for CIA detention facilities; dates of specific actions; code names for CIA personnel; questions posted to Gul Rahman and the answers he provided during interrogations; information regarding deployment of additional CIA personnel to detention site; names of CIA officers.

**91. Document #165 (withheld in full)**

Two-page email from January 2003 consisting of an email exchange between a CIA lawyer and Dr. Jessen. Information redacted from the body of the email consists of: names of CIA personnel; email header information; information concerning the location of CIA detention facilities; and information discussed at a recent meeting of senior-level CIA officers, including the General Counsel.

The attorney-client privilege and attorney work product protection is applicable to this document because it consists of communication between a CIA lawyer and Dr. Jessen regarding information discussed at a recent meeting of senior-level CIA officers, including the General Counsel.

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**92. Document #166 (withheld in full)**

This is an email dated August 2002 slightly over one page (containing two short emails) with the subject "Re: Jim and Bruce." The emails are between a CIA Officer and CIA personnel located at the detention facility where Abu Zubaydah was being detained. In addition to discussing nonresponsive matters, the emails contain a discussion of the practical differences between using waterboarding in SERE training and using it with Abu Zubaydah; names of CIA officers; email header information; classification markings; discussion of the impact of the use of the waterboard on Abu Zubaydah.

**93. Document #167**

The information redacted on page 1 above the word "text" is non-substantive information, including classification markings, CIA internal administrative information, recipient information

The substance of the cable provides feedback from CIA Headquarters to the Abu Zubaydah interrogation team members regarding several issues. Paragraphs 1-2 discuss the timing of future cables from CIA Headquarters regarding authorizations for the use of enhanced interrogation techniques on Abu Zubaydah. Paragraph 3 discusses preparations for the use of enhanced interrogation techniques on Abu Zubaydah. Paragraph 4.A. is unredacted. Paragraphs 4.B (unredacted in part) & 4.C address medical treatment and care of Abu Zubaydah. Paragraphs 4.D and 4.E address security and communication procedures. Paragraph 4.F. discusses options for the future disposition of Abu Zubaydah. Paragraph 5 discusses a non-substantive issue related to detention facility. The information redacted at the end of the document after paragraph 5 is non-substantive, including CIA internal administrative information and recipient information. The body of the cable includes the names of CIA personnel; dates of specific activities; names of CIA office components; analysis of Abu Zubaydah's resistance posture; operational codenames; foreign liaison information.

The document also contains pre-decisional and deliberative information consisting of a communication from CIA headquarters to the Abu Zubaydah interrogation team discussing a variety of issues related to the next phase of Abu Zubaydah's interrogations, posing various questions to the interrogation team, status of internal discussions within various CIA headquarters components, and requesting information from the interrogation to assist in decision-making regarding future interrogations of Abu Zubaydah.

**94. Document #169**

Information redacted before the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: information sent from CIA headquarters to personnel at the Abu Zubaydah detention site regarding CIA headquarters assessment of the interrogations of Abu Zubaydah; instructions regarding the manner of

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monitoring Abu Zubaydah's health; references to internal CIA documents; code name for CIA detention facility; discussion of the impact of the Department of Justice authorization regarding the legality of enhanced interrogation techniques; names of CIA personnel.

The attorney-client privilege is applicable to this document because it consists of communication from CIA headquarters, that includes CIA attorneys on the distribution and also states that CIA attorneys assisted in drafting the cable, discussing the impact of the Department of Justice authorization regarding the legality of enhanced interrogation techniques.

**95. Document #170**

Information redacted from this email consists of: names of CIA personnel; email header information; classification markings; information about the availability and travel plans of a CIA officer; discussion of resource need at CIA unrelated to the detention and interrogation program.

**96. Document #171 (withheld in full)**

One-page email communication written by a CIA attorney to other CIA officers on July 23, 2002. The email contains classification markings; names of CIA officers, and email header information. The attorney-client privilege is applicable to this document because it is a communication from a CIA attorney sent to other CIA personnel responding to questions about the CIA's efforts to collect information to provide to the Department of Justice in connection with the preparation of the Department of Justice's memoranda regarding the legality of the proposed enhanced interrogation techniques.

**97. Document #172**

Information redacted from this email consists of: classification markings; CIA component offices and contact information; email header information; names and identifying information of CIA personnel, including a summary of their job titles and specific operational responsibilities as in the former detention and interrogation program; summary of steps taken by CIA officers to collect information in response to a request from the CIA inspector general; code names for CIA detention facilities; discussion of CIA communication methods and information technology capabilities; locations of CIA detention facilities and foreign operations.

**98. Document #173**

Information redacted from this document consists of: names of CIA component offices; names and contact information of CIA personnel; classification markings; line-item breakdown of specific payments to be provided to Dr. Mitchell and Dr. Jessen for specific duties and expenditures.

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**99. Document #175**

Information redacted from this email consists of: names of CIA personnel; classification markings; email header information; names of CIA component offices and contact information; dates of specific activities; codenames for CIA detention facilities; discussion regarding the manner in which two specific stress positions would be implemented.

**100. Document #176**

This document consists of an email between CIA officers discussing a draft plan for the CIA's office of technical service to assist in the CIA interrogation efforts. Attached to the email is working draft of the proposed plan.

The information redacted from the email consists of: classification markings; the names of CIA officers; email header information; names of CIA component offices; operational code names.

The information redacted from the draft plan consists of: classification headers; names of CIA component offices; operational code names; information concerning CIA resource needs and discussion of proposed solutions; names and duty assignments of CIA officers; numbers of specific personnel for duty assignments; information concerning CIA personnel requirements and internal organization and management structure; names of foreign countries where CIA conducts operations; foreign liaison services; discussion of specific estimated costs associated with the plan; description of proposed training curriculum for interrogation team members; references to CIA internal documents; discussion of communications, security, and logistics issues for the proposed program.

The draft plan also contains pre-decisional and deliberative information consisting of recommendations and discussions regarding a proposed plan for the CIA's office of technical service to contribute to the CIA's detention and interrogation efforts. The plan contains comments interlineated throughout the text suggesting edits and posing questions for consideration. The document is a working draft of proposed plan of action for other CIA decision makers. Other versions of this same document were produced in partially redacted form at log entries #184 and #231.

**101. Document #178**

Information redacted from this document consists of: classification markings; information concerning the number of intelligence reports generated in connection with the former detention and interrogation program.

The large redaction on the first page of the document is a chart that reflects an itemized breakdown of specific payments to Dr. Mitchell and Dr. Jessen and the source of the funding within the CIA for those payments.

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**102. Document #179 (withheld in full)**

This document is a 13 page training manual dated May 13, 2003 describing a training program for CIA interrogators. The manual contains detailed descriptions of the CIA's interrogator selection, training, qualification and certification process. The manual also lists names and identifying information of CIA personnel involved in detainee interrogations, including their operational duty assignments and component offices.

**103. Document #180 (withheld in full)**

This document is a 12 page training manual dated February 27, 2003 describing a training program for CIA interrogators. The manual contains detailed descriptions of the CIA's interrogator selection, training, qualification and certification process. The manual also lists names and identifying information of CIA personnel involved in detainee interrogations, including their operational duty assignments and component offices.

**104. Document #181**

The information redacted from this document consists of:

- Paragraph 1 – redactions to name of specific sub-component within the CIA's Counterterrorist Center.
- Paragraph 2 - second bullet point - redactions to name of specific sub-component within the CIA's Counterterrorist Center and description of its operational duties.
- Paragraph 2 - third bullet point – redactions to specific taskings related to obtaining intelligence information. No reference to enhanced interrogation techniques or specific detainees.
- Paragraph 2 - sixth bullet point - redactions to specific taskings related to intelligence collection and covert action. No reference to enhanced interrogation techniques or specific detainees.
- Paragraph 3 – redactions to name of specific sub-component within the CIA's Counterterrorist Center.
- Paragraph, bullet 1 – specific number.
- Paragraph 3 - bullets 2-4, 6 -- redactions to specific taskings related to intelligence collection, foreign activities, and covert action.
- Classification markings on each page

**105. Document #182**

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Information redacted from this document consists of: names and contact information of CIA officers and component offices; home address of Dr. Mitchell.

**106. Document #183**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: names of CIA officers; codenames for CIA detention facilities; message from CIA headquarters to field personnel expressing appreciation for their efforts.

**107. Document #184**

Information redacted from the memorandum consists of: classification markings; names of CIA component offices; operational codenames; specific numbers of personnel resources; foreign liaison services; information concerning CIA resource needs and discussion of proposed solutions; references to specific types of CIA officers; names of foreign countries where the CIA conducts operations; discussion of specific costs associated with the plan; references to internal CIA documents; discussion of communications, security, and logistics issues for the proposed program. Other versions of this same document were produced in partially redacted form at log entries #176 and #231.

**108. Document #185 (withheld in full)**

This document is a 70 page training manual and curriculum dated November 2002 for use in connection with a 10 day high-value target interrogator course. The document covers a wide range topics related to interrogation and intelligence gathering tactics, techniques, and procedures as well as operational protocols to follow during deployment. In addition to detailed training materials, the manual contains the names and contact information for CIA officers as well as information concerning foreign liaison relationships.

**109. Document #186 (withheld in full)**

This document is a 45 page training manual and curriculum dated December 2002 for use in connection with a multi-day high- and medium-value target interrogator course. The memo covers a wide range topics related to interrogation and intelligence gathering tactics, techniques, and procedures as well as operational protocols to follow during deployment. In addition to

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detailed training materials, the manual contains the names and contact information for CIA officers as well as information concerning foreign liaison relationships.

**110. Document #187**

The information redacted on page 1 above paragraph 1 is non-substantive information, including classification markings, CIA internal administrative information, recipient information.

Paragraph 2 redacts the names and identifying information of CIA personnel, operational duties of CIA personnel, identifying information about the locations of CIA stations, and dates of specific activities.

Paragraphs 3-4 discuss how the interrogation strategy will be formulated and options for the configuration of the detention facility.

Paragraph 6-8 discusses options, considerations, and proposed plans for the detention facility, conditions of confinement, and interrogation of Abu Zubaydah.

The information redacted at the end of the document after paragraph 8 is non-substantive, including CIA internal administrative information and recipient information.

**111. Document #188 (withheld in full)**

This document is an 8 page memorandum from the CIA's Directorate of Science and Technology to the CIA Inspector General providing comments and suggested edits to a draft Inspector General report regarding the CIA detention and interrogation program. The final version of the Inspector General report was produced in redacted form. *See* Document #48.

The memo is pre-decisional and deliberative because it contains the comments, recommendations, and suggested edits to a non-final draft version of a report authored by the CIA Inspector General.

The document also contains names and identifying information of CIA officers; references to internal CIA documents; dates of certain activities; operational codenames; names of CIA component offices; information about sources and methods; information about security protocols; classification markings; and foreign activities and relationship.

**112. Document #189**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

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Information redacted from the body of the cable consists of: references to internal CIA documents; codenames for CIA detention facilities; specific operational protocol for use of the confinement box on Abu Zubaydah; location of CIA detention facility; foreign liaison information.

**113. Document #190**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: internal CIA document references; codenames for CIA officers; analysis of Abu Zubaydah's level of cooperation and steps to be taken to avoid set backs; discussions concerning potential movement of Abu Zubaydah to another detention facility.

**114. Document #191 (withheld in full)**

This document is an undated four-page summary of Abu Zubaydah's waterboarding sessions. The document lists the specific dates of the waterboarding sessions in August 2002, the names of the CIA personnel who administered the waterboarding, and the names of other CIA officers present. The document does not contain any description of the manner in which the waterboarding technique was applied. The document contains names and identifying information of CIA personnel; classification markings; and codenames for CIA detention facilities.

**115. Document #192**

The information redacted on page 1 above paragraph 1 is non-substantive information, including classification markings, CIA internal administrative information, recipient information.

Paragraph 1 redacts names and identifying information of members of the Abu Zubaydah interrogation team who consulted on the drafting of the cable and the names of individuals who are suggested to receive a copy of the cable.

Paragraphs 2-3 redact information concerning the strategy and timeframe for the interrogation of Abu Zubaydah.

Paragraph 4 contains an assessment of Abu Zubaydah's skills and ability to resist interrogation.

Paragraph 5 contains an assessment of Abu Zubaydah's medical condition and the impact of his medical condition on the interrogation strategy.

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Paragraph 6 contains recommended adjustments to the interrogation strategy in light of Abu Zubaydah's resistance.

The information redacted at the end of the document after paragraph 8 is non-substantive, including CIA internal administrative information and recipient information.

**116. Document #193**

The redacted information above the word "subject" lists the sender and recipients of the email, all of whom are CIA officers.

The redacted information immediately below the word subject lists the date and time the email was sent.

The body of the email redacts the names of CIA officers and officials with other Government agencies.

The redacted information below the word "briefed?" on page 1 and above the word "subject" on page 2 is non-substantive information, including classification markings, CIA internal administrative information, recipient and dissemination information.

The redacted information in the subject line on page 2 contains references to classified cryptonyms and codewords for intelligence programs.

Paragraph 1 of the cable is redacted in full and discusses the travel plans and availability of a CIA officer other than Dr. Mitchell or Dr. Jessen.

Paragraph 2 redacts the name and identifying information of a CIA officers, classified cryptonyms and codewords for intelligence programs, and a specific number of "officers". This is the only paragraph of the cable that discusses Dr. Mitchell. Dr. Jessen is not referenced in the cable.

Paragraphs 3-5 discuss the travel plans and availability of a CIA officer other than Dr. Mitchell or Dr. Jessen

Paragraph 6 discusses the CIA's internal security and communication procedures

The information redacted at the end of the document after paragraph 6 is non-substantive, including CIA internal administrative information and recipient information.

**117. Document #194**

This document is an undated list of CIA officers and contractors involved in the interrogation detainees. The documents lists the names of the officer/contractor and a brief description of the officer/contractor's role in the program. The document discloses the entries for Dr. Mitchell and Dr. Jessen and redacts the entries for the other officers and contractors.

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**118. Document #195 (withheld in full)**

This document is an undated five-page summary of the interrogations of Abu Zubaydah. The summary lists the dates of interrogations from August 4 to August 24, 2002, the time and duration of the interrogation sessions, the names of the interrogators who participated in the session, and the enhanced interrogation techniques used during the interrogation. The document does not contain any description of the manner in which the waterboarding technique was applied. The summary also contains background information about Abu Zubaydah, operational codenames, classification markings, dates of specific operational activities, references to internal CIA documents.

**119. Document #196**

Information redacted the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: codenames for CIA personnel; names of CIA component offices; references to internal CIA documents; names of CIA officers.

The attorney-client privilege is applicable to this document because it is a communication prepared for a CIA office of General Counsel attorney by a CIA officer/client.

**120. Document #197 (withheld in full)**

This document is a two-page email among CIA officers dated May 2002 in which a CIA officer circulates a draft cable regarding the personnel who will participate in the interrogation of Abu Zubaydah. The email requests comments and concurrence with the proposed draft. The email is pre-decisional and deliberative because it contains a non-final draft cable, solicits comments and concurrence from other agency officers, and contains the recommendations of CIA officers regarding any edits to the draft cable. The substance of the draft cable is also deliberative as it lays out various options for staffing and management of the Abu Zubaydah detention facility, including an analysis of those options for a final decision by CIA headquarters.

The email contains the names of CIA officers and email header information.

The draft cable contains non-substantive information, including classification markings, CIA internal administrative information, and recipient information; codenames for CIA detention facilities; locations of CIA detention facilities; names of CIA officers; names of CIA component offices; discussion of CIA resources and needs; discussions related to the optimal strategy for interrogation of Abu Zubaydah; information about the state of Abu Zubaydah's injuries and discussion of his medical care.

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**121. Document #198**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of questions posed to Abu Zubaydah during interrogation, answers he provided, and an analysis of the veracity of those answers.

**122. Document #199**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: references to internal CIA documents; codenames for CIA detention facilities; questions posed to Abu Zubaydah during interrogation, answers he provided, and an analysis of the veracity of those answers.

**123. Document #200**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: internal CIA document references; names of CIA personnel; questions posed to Abu Zubaydah during interrogation, answers he provided, and an analysis of the veracity of those answers.

**124. Document #201**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents and information about questions interrogators asked Abu Zubaydah and the detainee's responses.

**125. Document #202**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and codenames and location of CIA facilities.

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Redacted information in the body of the cable includes references to internal CIA documents; information about questions interrogators asked Abu Zubaydah and the detainee's responses; and information about the equipment in the interrogation room.

**126. Document #203**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; codename for a CIA facility; and information about questions interrogators asked Abu Zubaydah and the detainee's responses.

**127. Document #204**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents and information about questions interrogators asked Abu Zubaydah and the detainee's responses.

**128. Document #205**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and codenames and location of CIA facilities.

Redacted information in the body of the cable includes references to internal CIA documents; information about questions interrogators asked Abu Zubaydah and the detainee's responses; names and codenames of CIA personnel; codenames of CIA facilities; and CIA internal administrative information.

**129. Document #206**

This is a three-page e-mail exchange between CIA employees. Redacted information consists of the names of CIA personnel; CIA internal administrative and organizational information; information about questions interrogators asked Abu Zubaydah and the detainee's responses; methods of intelligence gathering; and the codename of a CIA facility; references to internal CIA documents; information about foreign governments and foreign liaison services; information about intelligence priorities and issues to pursue.

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The e-mail exchange contains pre-decisional and deliberating information consisting of suggestions regarding particular interrogation techniques that could be employed in the future interrogations of Abu Zubaydah, including the pros and cons of these various approaches from the perspective of obtaining intelligence information from Zubaydah quickly; suggestions for addressing problems that may arise with implementing certain interrogation techniques; and an employee's assessment of Abu Zubaydah's responses of certain lines of questioning. Information concerning the input and recommendations provided by Dr. Mitchell and Dr. Jessen are unredacted.

**130. Document #207**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codename and location of CIA facilities.

Redacted information in the body of the cable includes CIA internal administrative information and an analysis of how the use of diapers could enhance intelligence gathering.

**131. Document #208 (withheld in full)**

Fifteen-page power point presentation for the CTC/RDG Interrogation Course. The document includes classification markings; the names of CIA personnel; codenames; CIA internal administrative and organizational information; information regarding the topics and subjects to be addressed during training, including an overview of CIA's detention program, interrogation preparation, interrogation strategies, intelligence gathering techniques and methods; course schedule; and a list of reference materials.

**132. Document #209**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative information; recipient information; and the codenames and location of CIA facilities.

This cable lists the names of CIA officers working at the COBALT facility who have signed and acknowledged the Guidelines for the Operation of Detention Facilities, issued by the CIA Director in January 2003. Dr. Jessen's certification is unredacted. The certifications for other CIA officers remain redacted. Redacted information in the body of the cable includes the codenames and location of CIA facilities; the names and codenames of CIA personnel; CIA internal administrative information; and specific dates of action.

**133. Document #210 (withheld in full)**

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This four-page document authored by CIA's Office of Medical Services consists of the Office's initial notes, both typed and hand-written, on a draft of the CIA Office of Inspector General's Report on Gul Rahman provided to the Office for review and comment. Information contained within the document includes classification markings; the names and codenames of CIA personnel; the codenames and location of a CIA detention facility; CIA internal and organizational information; dates of specific actions and events; and a brief summary of the report's conclusion relevant to the Office of Medical Services.

The document also contains pre-decisional and deliberative information consisting of an assessment of the report's conclusion and the factual basis for the report's conclusion; references to facts rebutting the draft report's conclusion; and comments on the report's recommendations relevant to the Office of Medical Services.

#### **134. Document #211**

One-page e-mail dated February 2004 from a senior CIA employee to the CIA's Counterterrorist Center-Legal Office following up on a question an attorney had asked regarding difference between use of the waterboard at SERE school and use of the waterboard in the CIA program. Information in the e-mail includes the names of CIA personnel, classification markings, email header information, and CIA internal administrative and organizational information.

The attorney-client privilege applies to the email because it was sent by a CIA officer to a CIA attorney for the purpose of providing information that the attorney requested about the use of the waterboard in different operational settings for purposes of legal analysis.

The document is also pre-decisional and deliberative because it contains information provided by a CIA officer to a CIA attorney in order to inform legal decisionmaking regarding use of the waterboard by reference to comparisons between the waterboard in the SERE setting and the CIA program setting.

#### **135. Document #212**

Three-page memorandum for the Inspector General from the Director of the Counterterrorist Center ("CTC") providing CTC's coordinated response and comments to the draft CIA Office of Inspector General Report about the CIA program (Log #49). Information contained in the memorandum include classification markings, the names of CIA personnel; CIA internal administrative and organizational information; the codename and location of a CIA detention facility; CIA operational information; and references to interrogation techniques.

The document is also pre-decisional and deliberative because it provides comments and suggestions from a CIA component office to the Office of Inspector General regarding errors, omissions, and corrections to the Inspector General's non-final draft report. The memorandum identifies specific paragraphs and sections of the draft report that require correction and revision before final issuance of the report.

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The attorney-client privilege is applicable to this document because it discusses a CIA attorney's efforts to revise and correct errors in an OIG draft report, and the steps she took to do so.

**136. Document #213**

Memorandum for the CIA Inspector General from CIA's Office of Medical Services providing comments on a draft report of the Office of Inspector General's Special Review of the Counterterrorism Detention and Interrogation Program. Information contained in the memorandum include classification markings, the names of CIA personnel; CIA internal administrative and organizational information; codenames and locations of CIA detention facilities; status of detainees other than Abu Zubaydah and the Plaintiffs; dates of specific actions and events; and CIA operational information.

The document is also pre-decisional and deliberative because it provides comments and suggestions from a CIA component office to the Office of Inspector General regarding errors, omissions, and corrections to the Inspector General's non-final draft report. The memorandum identifies specific paragraphs and sections of the draft report that require correction and revision before final issuance of the report. Sections of the memorandum also contain discussion of the internal deliberations and recommendations by the Office of Medical Services during the approval process for the use of the enhanced interrogation techniques and with respect to medical guidelines for the use of EITs.

**137. Document #214**

Two emails (two pages) dated January 2003 containing an exchange between a CIA employee and a CIA attorney about the current status of the draft report on the death of Gul Rahman (final version at log #47). The first email contains a request to the report's author explaining that the CIA General Counsel wants an update about the status of the report. The second email contains a response from the report's author explaining the status of the report and a summary of the information the report will likely contain. Information contained in this e-mail exchange include classification markings; names of CIA personnel; codenames and location of CIA facilities; CIA internal administrative and organizational information; references to intelligence activities and methods.

The document is also pre-decisional and deliberative because it provides a summary of the contents of the non-final report on the death of Gul Rahman. The email summarizes the current organization, content, and recommendations of the report, which the author describes in the email as being "in very rough draft" from and about "3/4's done". The final version of the report was disclosed as Log #47.

The attorney-client privilege and work-product doctrine apply to the email because it was written in response to an inquiry from the CIA General Counsel about the status of the draft report and the email includes multiple CIA attorneys as recipients. The author is responding to a request by the CIA Office of General Counsel for an update on Gul Rahman's death and the email is then incorporated into an email chain sent to CIA Office of General Counsel attorneys.

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**138. Document #215**

Two-page memorandum described as a "preliminary note" about the status of the investigation into the death of Gul Rahman. Redacted information includes the names of CIA personnel; CIA internal administrative and organizational information; codename and location of CIA detention facility; information concerning the location of a CIA detention facility; dates of action; description of current status of Gul Rahman's then-ongoing autopsy.

The document is also pre-decisional and deliberative because it is a preliminary note sent from the field comprising the investigator's thoughts as he completed his initial investigation in the days following Gul Rahman's death. The investigation was not yet complete, the cause of death could not yet be confirmed, and he provided a preliminary non-final update regarding the status of the investigation prior to the submission of his final report.

**139. Document #216 (withheld in full)**

This document consists of a short half-page email from a CIA officer to a CIA attorney forwarding the attorney an operational cable regarding the interrogation of Gul Rahman. The operational cable is copied below the email. The operational cable has been disclosed in partially redacted form as log entry #30 and the description of the redactions are incorporated herein.

The email contains names of CIA officers, email header information (including dates), classification markings, and commentary by the sender of the email regarding the interrogation of Gul Rahman.

The attorney-client privilege applies to the email because it was sent by a CIA officer to a CIA attorney informing the attorney of specific actions undertaken during the interrogations of Gul Rahman in order for the attorney to review those actions.

**140. Document #217 (withheld in full)**

This document is a communication between CIA officers discussion the interrogation program.

**141. Document #218**

E-mail exchange between CIA officers regarding recommendations for interrogating Gul Rahman the copies below the exchange an operational cable (Log #30) about the status of Gul Rahman's interrogations. Redacted information on pages 1-2 include names and codenames of CIA personnel; CIA internal administrative and organizational information; codenames and location of CIA facilities; classification markings; and dates of action. Redacted information on pages 3 and 4 include references to intelligence activities; dates of action; codename of a CIA

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detention facility; names and codenames of CIA personnel; CIA internal administrative and organizational information; names of foreign countries;; an assessment of the intelligence information Gul Rahman possessed; and an assessment of Gul Rahman's activities prior to capture and his current intelligence value.

**142. Document #219**

Two-page memorandum with handwritten note across the top of the document discussing a draft cable, several detainees and the status of their respective interrogations. Redacted information includes names and codenames of CIA personnel; CIA internal administrative and organizational information; classification markings; the location of CIA facilities; dates of action.

The document also contains pre-decisional and deliberative information consisting of a communication between CIA officer regarding proposed language for inclusion in a future cable addressing interrogation operational procedures at a particular CIA detention facility. The document proposes specific draft language for the cable and requests that another CIA officer edit the language and build on the initial draft. The document also contains handwritten notations at the top of the document reflecting personal notes from an CIA officer.

**143. Document #220**

Undated, two-page document providing a brief overview of the CIA's interrogation program. Redacted information consists of classification markings; references to CIA's detention authority prior to September 2001; information regarding CIA's rendition and detention activities and authorities post September 2001 and issuance of the Sept. 2001 Memorandum of Notification; number of CIA detention facilities and number of detainees held and interrogated at those facilities; references to foreign liaison relationships; analysis of intelligence gaps following September 11, 2001 and operational response to those gaps.

**144. Document #221**

Three-page memorandum dated June 2004 for the Deputy Director for Operations from several senior CIA Officers regarding a Review of CIA's Detainee Program. Six documents are appended to the memorandum. Collectively, this report and its appendices contain information about, among other things, the names of CIA officers; foreign government and liaison information; internal CIA structure and organization; intelligence sources and methods; intelligence activities and priorities.

Information in the memorandum includes classification markings; names of CIA personnel; CIA internal administrative and organizational information; and a listing of six documents that were reviewed.

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The first appended document is a May 2004 memorandum for the Deputy Director for Operations from Chief of the Information Operators Center. Redacted information includes classification markings; names and codenames of CIA personnel and components; CIA internal administrative and organizational information; an assessment of managerial success of CIA's Detainee Program; references to the location of CIA facilities; recommendations regarding operational procedures for the program.

The second appended document consists of portions of a June 2004 memorandum in which CIA officers discuss the effectiveness and implementation of the guidelines on Confinement Conditions for CIA Detainees; and recommendations regarding strategies for improving the effectiveness of the guidelines, implementation of certain interrogation techniques, and administrative procedures. The document contains classification markings; CIA internal administrative and organizational information; and discussions of interrogation techniques.

The third appended document is a June 2004 paper authored by Dr. Mitchell and Dr. Jessen titled "Using Coercive Pressure In Interrogation of High Value Targets." This document was provided to Defendants and Plaintiffs via a supplemental production.

The fourth appended document is a June 2003 Memorandum for a CIA Officer from a senior Office of Medical Services employees in which the Office of Medical Services comments on the effectiveness of the Guidelines on Confinement Conditions for CIA Detainees and the Guidelines on Interrogations and the effectiveness of several interrogation techniques. The document also includes recommendations regarding monitoring detainee health. This document contains classification markings; the names and codenames of CIA personnel; and CIA internal administrative and organizational information.

The fifth appended document is a November 2003 report discussing some of the actionable intelligence obtain during detainee interrogations. This document contains classification markings; CIA internal and organizational information; sources and methods; intelligence information provided by detainees and other sources; intelligence activities and interests; and references to internal CIA administrative documents.

The sixth appended document is an undated glossary of terms concerning interrogation techniques. The document lists and describes various physical and behavioral pressures utilized during interrogations, including operational guidance regarding the use of these methods. The document contains classification markings; CIA internal administrative and organizational information; information regarding training of CIA personnel; and discussions of intelligence methods.

The report contains pre-decisional and deliberative information consisting of the various recommendations by the authors of the report regarding the operation, management, and oversight of the CIA program.

**145. Document #222**

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Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; names and codenames of CIA personnel; CIA internal administrative and organizational information; the location of CIA facilities; and recipient information.

The single redaction in the body of the cable is a date of action.

**146. Document #223**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative and organizational information; names and codenames of CIA personnel; codenames and locations of CIA facilities; and recipient information.

Redacted information in the body of the cable includes the number of intelligence reports that have been generated as a result of Abu Zubaydah's interrogations; information about questions interrogators asked Abu Zubaydah and the detainee's responses; assessment of the effectiveness of certain interrogation strategies; analysis of the information Abu Zubaydah has provided and that he continues to withhold.

The cable also contains pre-decisional and deliberative information consisting of recommendations and discussions from CIA officers in the field to CIA headquarters regarding optimal strategies for future interrogations of Abu Zubaydah. The cable proposes several specific options regarding the future course of Abu Zubaydah's interrogations for CIA Headquarters' consideration and explains the pros and cons of each approach. The focus of the options is not on specific physical pressures or methods but rather on which intelligence requirements the interrogation team should prioritize during interrogations.

**147. Document #224**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; the names and codenames of CIA personnel; CIA internal administrative and organizational information; locations of CIA facilities; and recipient information.

The body of the cable reprints in text form the report authored by Dr. Mitchell and Dr. Jessen in 2001 titled "Recognizing and Developing Countermeasures to Al-Qaida Resistance To Interrogation Techniques." The complete version of that report is logged and described at Document #40.

**148. Document #225**

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Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; the codenames and location of CIA facilities; CIA internal administrative and organizational information; and recipient information.

Redacted information in the body of the cable includes references to internal CIA administrative documents; codenames for a CIA detention facility; information regarding the questions interrogators asked Abu Zubaydah and the detainee's responses; discussion of foreign liaison activities; discussion of possible future intelligence activities; intelligence sources and methods..

The cable also contains pre-decisional and deliberative information consisting of recommendations and discussions between CIA Headquarters and CIA officers in the field regarding proposed interrogation strategies and methods to use in future interrogations of Abu Zubaydah. The cable contains a discussion of these intelligence strategies and methods, along with an analysis of the pros and cons of utilizing these tactics and techniques in an effort to procure additional intelligence information from Zubaydah.

**149. Document #226**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative and organizational information; the codenames and locations of CIA facilities; and recipient information.

The body of the cable contains a communication from CIA officers in the field to CIA Headquarters consisting of a summary the aggressive stage of Abu Zubaydah's interrogations during August 2002, and a recommended course of action for future interrogations. Redacted information in the body of the cable includes codenames and location of CIA facilities; intelligence sources and methods; foreign liaison and government information; internal CIA administrative information; dates of specific actions; questions presented Abu Zubaydah and the information he provided in response; analysis of Abu Zubaydah's intelligence information and level of cooperation.

The cable contains pre-decisional and deliberative information consisting of and assessment and summary of the current status of Abu Zubaydah's interrogation by CIA officers in the field along with a recommended plan of action for CIA Headquarters based on the information provided in the cable. The cable requests CIA Headquarters' concurrence and approval of the proposed plan.

The attorney-client privilege is applicable because the communication was sent to CIA attorneys for their legal review of the proposed course of action.

**150. Document #227**

One-page note from Dr. Mitchell dated June 2002 to a senior CIA officer with three appended documents. Redacted information in the note includes the name and codenames of CIA

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personnel; CIA internal administrative and organizational information; classification markings; date of action; handwritten notes on the right side of the documents.

The first appended document contains information regarding a recommended curriculum for the interrogator training program and largely copies the information contained in the email.

The second appended document outlines the composition of a proposed interrogation team and provides a brief description of the operational responsibilities of each team member.

The third appended document is draft memorandum suggesting ways that the CIA's Office of Technical Services can assist in developing the CIA's interrogation capability. This document is an earlier version of the documents logged at document and disclosed #176, 184, 231, and 235. The same redacted information described in the other log entries appear in this version of the document.

The email and attachments are pre-decisional and deliberative because they contain Dr. Mitchell's personal recommendations to CIA Headquarters for the content and curriculum of a future program to train CIA interrogators.

**151. Document #229 (withheld in full)**

This document is a one-page email dated June 21, 2002, written by a CIA officer to other CIA officer providing comments and suggestions on a draft document proposing a general interrogation plan and strategy for use by the CIA in the war against Al-Qaida. The email attaches a copy the proposed plan (seven pages) containing the author's comments. The plan does not contain any references to enhanced interrogation techniques. Another draft of the same plan is logged at #235. The final version of the plan is logged at #231.

The email contains classification markings, names of CIA officers, email header information, and operational codenames.

The draft plan contains the names of CIA component offices, operational codenames, information concerning criteria for CIA officers to work on the program and other CIA personnel resources; numbers of specific CIA personnel for specific operational positions; security protocols; foreign liaison and foreign country information; information concerning the CIA's internal management structure and personnel organization; names of specific CIA operational positions; information concerning CIA financial and budget resources; information concerning training of CIA officers; names of CIA personnel; classification markings; information concerning security, communications, and logistics of CIA operations and personnel.

This document is pre-decisional and deliberative because it contains comments and suggestions on a draft document proposing a future strategy and plan for the CIA to implement in the war against Al-Qaida. The draft plan contains comments interlineated within the text suggesting revisions and posing questions for decisionmakers to consider in connection with authorizing the proposed plan.

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**152. Document #230 (withheld in full)**

Eleven-page paper marked "draft" prepared by CIA's Office of Technical Service entitled "Psychological Terms Employed in the Statutory Prohibition of Torture." The draft paper was transmitted by a CIA attorney to attorneys in DOJ's Office of Legal Counsel in July 2002. The draft paper contains an analysis of the psychological perspective of the terms employed in the federal torture statute. The report also includes an assessment from Dr. Mitchell and Dr. Jessen regarding use of enhanced interrogation techniques on Abu Zubaydah and the possible psychological impact of such use. Information in the draft paper and transmittal sheet also includes the names of CIA and DOJ personnel and CIA internal administrative and organizational information.

The attorney-client privilege and work product protection applies to this document because it states that it was prepared in response to a request by CIA Office of General Counsel and CIA Counterterrorist Center for information about the interpretation of the terms used in the federal torture statute from the perspective of psychologists and medical professionals. CIA lawyers then provided the report to attorneys at the Department of Justice for their consideration in assessing the legality of the proposed interrogation techniques on Abu Zubaydah.

This document is pre-decisional and deliberative because it is marked "draft" and contains analysis of legal terminology from the perspective of psychological and medical professionals in the CIA's Office of Technical Services for the purposes of assisting future CIA decision making regarding the use of enhanced interrogation techniques on Abu Zubaydah.

**153. Document #231**

This document is the final version of the draft memorandum logged as #235. The draft memorandum provides suggestions for ways that the CIA's Office of Technical Services can assist in developing the CIA's interrogation capability. It contains recommendations for staffing, budget, organization, training, and project initiatives. Other versions of this same document were disclosed in partially redacted form at log entries #176 and 184.

The information redacted from the draft plan consists of: classification headers; names of CIA component offices; operational code names; names of CIA personnel; information concerning CIA resource and intelligence needs and discussion of proposed solutions; names and duty assignments of CIA officers and descriptions of operational functions; numbers of specific personnel for duty assignments; information concerning CIA personnel requirements and internal organization and management structure; information concerning training of interrogation teams; information about CIA financial resources and budgets.

This document is pre-decisional and deliberative, as it contains recommendations for ways in which the CIA Office of Technical Services can assist in developing the CIA's interrogation

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capability. The memo contains recommendations regarding staffing, budget, organization, training, and project initiatives.

**154. Document #232**

Information redacted before and after the body of the cable consists of non-substantive information, including classification markings; CIA internal administrative and organizational information; codenames and locations of CIA facilities; and recipient information.

Redacted information in the body of the cable includes references to internal CIA administrative documents; names of CIA and FBI personnel; CIA operational and administrative information; information regarding equipment for future use in interrogations; intelligence requirements; locations of CIA facilities; security protocols at detention facilities; and information regarding CIA communication protocols.

**155. Document #233 (withheld in full)**

This document is a 38 page draft training manual and curriculum dated November 2002 describing the efforts to establish a high value target interrogator training program, to include the content of the training program. The document covers a wide range topics related to interrogation and intelligence gathering, tactics, techniques, and procedures as well as operational protocols to follow during deployment. In addition to detailed training materials, the manual contains the names and contact information for CIA officers as well as information concerning foreign liaison relationships.

The document is marked "DRAFT" on every page and therefore contains pre-decisional and deliberative information regarding the content of the interrogation training program prior to adoption of the final manual and curriculum.

**156. Document #234**

Information redacted from this email consists of: classification markings; names and job descriptions of CIA personnel; names of CIA component offices; email header information; references to specific numbers of personnel; codenames for CIA detention facilities.

**157. Document #235 (withheld in full)**

This document consists of a four page draft memorandum written by the CIA's office of technical service regarding a proposed plan for that office to contribute to the CIA's detention and interrogation efforts.

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The draft plan contains pre-decisional and deliberative information consisting of recommendations and discussions regarding a proposed plan for the CIA's office of technical service to contribute to the CIA's detention and interrogation efforts. The document is a working draft of proposed plan of action for other CIA decision makers.

The information redacted from the draft plan consists of: classification headers; names of CIA component offices; operational code names; information concerning CIA resource needs and discussion of proposed solutions; names and duty assignments of CIA officers; numbers of specific personnel for duty assignments and descriptions of operational functions; information concerning CIA personnel requirements and internal organization and management structure; intelligence information provided by detainees.

Other versions of this same document were disclosed in log entries #176, 184, and #231.

**158. Document #236**

This document is a six-page undated draft document titled "memorandum of understanding." The document summarizes the roles and responsibilities for psychologists in the CIA's Office of Technical Service who are serving as members of the CIA Counter-Terrorist Center interrogation team.

The document is pre-decisional and deliberative because it contains recommendations and discussions regarding a proposed agreement among CIA component officers regarding the roles and responsibilities of psychologists in the CIA's Office of Technical Service who serve as members of the CIA Counter-Terrorist Center interrogation team. The document contains handwritten comments in the margins of the document suggesting alterations to the draft.

The information redacted from the draft plan consists of: classification markings; names of CIA component offices and discussions of their duties and management structure; names of CIA officers; references to internal CIA documents and communications procedures; descriptions of operational duties of CIA personnel; discussion of information contained in captured Al-Qaida documents; analysis of intelligence information obtained from detainees; discussion of CIA resources and resource needs, both personnel and financial, and suggested solutions for those needs.

**159. Document #237 (withheld in full)**

This document is a six-page draft memorandum dated 2002 from a senior CIA officer in the CIA Office of Technical Services to another senior CIA officer in the Office of Technical Services. The draft memorandum proposes the establishment of a new office within the Office of Technical Services to handle counterterrorism and interrogation matters. The draft document contains handwritten comments in the margins and on the typewritten text of the document. The document references the use of SERE psychologists generally, but does not specifically reference Dr. Mitchell or Dr. Jessen. The draft also includes a two page attachment to the

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memorandum titled "legal and policy guidance" that contains legal analysis of the proposed office's legal authorities.

The draft document is pre-decisional and deliberative because it contains recommendations and discussions regarding the creation of a new office within the CIA's Office of Technical Services to handle counterterrorism and interrogation matters, including an analysis of the proposed office's legal and policy guidelines. The deliberative nature of the document is also evidenced by the handwritten comments throughout the draft suggesting edits to the document.

The information redacted from the draft plan consists of: classification markings; names of CIA component offices and discussions of their duties and management structure; names of CIA officers; discussion of CIA resources and resource needs, both personnel and financial, and suggested solutions for those needs; discussion of the CIA's internal information management structure and capability.

The attorney-client privilege applies to this document because it contains draft legal guidance issued by attorneys in the CIA's Office of General Counsel to CIA officers regarding the establishment of the new office to handle counterterrorism and interrogation matters.

**160. Document #238 (withheld in full)**

This document is an 8-page memorandum from the Chief of the CIA's Office of Medical services to the CIA Inspector General providing comments and suggested edits to the Inspector General's draft report regarding the death of Gul Rahman. A final version of that report was produced in redacted form. *See* Document #47.

The memo is pre-decisional and deliberative because it contains the comments, recommendations, and suggested edits by a CIA component office regarding a non-final draft version of a report authored by the CIA Inspector General.

The memorandum contains classification markings; names of CIA personnel; locations of CIA facilities; foreign countries and foreign liaison relationships; references to internal CIA documents; codenames for CIA detention facilities; dates of specific events; and discussion of intelligence and operational activities.

**161. Document #239**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: codenames for CIA detention facilities; locations of CIA detention facilities; references to internal CIA documents; operational and security protocols related to transfer of detainees to other facilities; names and duty assignments of CIA personnel.

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The document is pre-decisional and deliberative because it contains preliminary recommendations for the staffing of operational activity and the conduct of future renditions.

**162. Document #240**

This document provides summaries of the names, duty assignments, and work history for three CIA officers who worked in the former detention and interrogation program. The entry for Dr. Mitchell is unredacted. The entries for the other two personnel are redacted. The document also redacts email header information.

**163. Document #241**

This document is an email among CIA officers discussing the agenda for an interrogator training class. The email attaches a three page draft synopsis of the training class.

Information redacted from the email consists of: classification markings; names of CIA officers; email header information; locations of CIA officers; information regarding specific dates and locations for the training class; references to specific topics that will be covered in the training class.

The draft synopsis consists of a one-page summary of the purpose and goals of the training case and two-page schedule for the training class, including dates, times, and subjects to be covered. The synopsis is pre-decisional and deliberative because it is a non-final draft version of training materials to be distributed at a later date. The cover email describes the document as "draft" and states that it is pending final approval from CIA management.

**164. Document #242**

This document is a compilation of comments and critiques written by individual who attended a CIA interrogator training course of the individuals who served as instructors during the training course. The document has not redacted the comments pertaining to Dr. Mitchell and Dr. Jessen, but does redacted the comments related to other instructors. The document also redacts the names of CIA officers; classification markings; numbers of specific students in the class; locations of CIA facilities; and information about the tactics, techniques, procedures, and subjects taught in the training class.

The redacted comments are pre-decisional and deliberative because they reflect comments, suggestions, and critiques of the CIA training course obtained for future use by CIA officers charged with operating the training class in order to assist them in making future adjustments and improvements to the course.

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**165. Document #243**

This document is an email sent to CIA officers selected to attend an interrogator training course in 2003. The email contains a variety of logistical and administrative information related to the course and lists the course instructors. Dr. Mitchell and Dr. Jessen's names are unredacted in the list of instructions. Redacted information consists of: names of CIA officers (other than Dr. Mitchell and Jesse); location and dates of the training course; summary of the topics and instruction to be provided in the course; information about the CIA's internal system of communication.

**166. Document#244**

The information redacted on page 1 above paragraph 1 is non-substantive information, including classification markings, CIA internal administrative information, recipient information.

Paragraph 2 redacts references to codenames for CIA detention facilities and names of CIA officers.

The remaining paragraphs of the cable consist of Dr. Jessen's recommendations for a proposed handbook governing detainee interrogation and management. There are no references to the Plaintiffs, Abu Zubaydah, or any other detainee. The recommendations are general and not detainee specific. The recommendations discuss interrogation strategies, detainee management concepts, and intelligence gathering techniques.

The recommendations set forth in paragraph 3 until the end of the document are pre-decisional and deliberative because they reflect Dr. Jessen's personal recommendations of topics and areas to cover in a future CIA operational handbook for detainee management. The recommendations were sent by Dr. Jessen to CIA officers for their consideration and deliberation in connection with a future decision by CIA headquarters.

**167. Document #245 (withheld in full)**

This document is a 13-page training manual dated January 14, 2003 describing a training program for CIA interrogators. The manual contains detailed descriptions of the CIA's interrogator selection, training, qualification and certification process. The manual also lists names and identifying information of CIA personnel involved in detainee interrogations, including their operational duty assignments and component offices.

**168. Document #246**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

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Information redacted from the body of the cable consists of: codenames for CIA detention facilities; references to internal CIA documents; description of the internal layout of the detention facility and the equipment within the facility; information regarding security protocols at the detention facility; analysis of the impact of interrogations on Abu Zubaydah, including his level of cooperation and discussion of the information he has provided; discussions regarding the benefits of utilizing specific interrogation techniques on Abu Zubaydah.

**169. Document #247 (withheld in full)**

This document consists of two separate email chains from July 2002. The first email chain is dated July 26, 2002, and contains communications between CIA attorneys and other CIA officers regarding information they are collecting about the interrogation techniques used in the Department of Defense SERE program. This document contains handwritten notes at the top of the document. The second email consists of communications to and from CIA officers regarding information they are collecting about interrogation techniques used in the Department of Defense SERE program.

The emails contain: names and contact information of CIA personnel; names of CIA component offices; classification markings; dates of specific activities.

The emails are pre-decisional and deliberative because they reflect the discussion of CIA officers regarding efforts to collect specific information about interrogation techniques used in the Department of Defense SERE program for potential use in the future CIA detention and interrogation program. These discussions reflect the priorities and focus of the then-ongoing effort to collect information about SERE techniques in order for senior CIA officials to make a decision regarding whether to authorize these techniques. The first email also has specific handwritten notations at the top of the document reflecting its deliberative status.

The attorney-client privilege applies to the first email because it was sent by a CIA officer to a CIA attorney for the purpose of providing information about the SERE techniques as relevant to the then-pending legal analysis regarding the proposed interrogation techniques.

**170. Document #249**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: operational codenames; references to internal CIA documents; names and identifying information of CIA officers;

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**171. Document #250**

Information redacted before and after the body of cable consists of non-substantive information, including classification markings, CIA internal administrative information, and recipient information.

Information redacted from the body of the cable consists of: operational codenames; references to internal CIA documents; names and identifying information of CIA officers; dates of specific actions; locations of CIA detention facilities; information about transfer of detainees to other detention facilities; references to information considered by Dr. Mitchell & Dr. Jessen in their psychological assessment of Abu Zubaydah; analysis of Abu Zubadah's level of cooperation during interrogation; specific analysis actions to be taken during future interrogations and detention of Abu Zubaydah, including ways structure interrogations and detention to maximize cooperation.

**172. DOJ Document #33**

The information redacted from this document consists of classification header information and a description of the intelligence information and rationale for the continued use of enhanced interrogation techniques on Abu Zubaydah.

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