

EXHIBIT 2

Excerpt from CIA Inspector General's Special Review, Counterterrorism
Detention and Interrogation Activities, September 2001 - October 2003 (May 7, 2004)

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*Central Intelligence Agency
Inspector General*

SPECIAL REVIEW



(TS//

COUNTERTERRORISM DETENTION AND
INTERROGATION ACTIVITIES
(SEPTEMBER 2001 – OCTOBER 2003)
(2003-7123-IG)

7 May 2004

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28. (TS/ [redacted]) To assist Agency officials in understanding the scope and implications of the MON, between 17 September and 7 November 2001, OGC researched, analyzed, and wrote "draft" papers on multiple legal issues. These included discussions of the applicability of the U.S. Constitution overseas, applicability of Habeas Corpus overseas, length of detention, potential civil liability under the Federal Tort Claims Act and employee liability actions, liaison with law enforcement, interrogations, Guantanamo Bay detention facility, short-term detention facilities, and disposition of detainees. OGC shared these "draft" papers with Agency officers responsible for implementing the MON.

29. (TS/ [redacted])

[redacted] existing Agency policy guidance remained that detainees, whether in U.S. or foreign custody, would be treated humanely and that Agency personnel would not be authorized to participate in extremely demeaning indignities or exposure to inhumane treatment of any kind.¹¹

THE CAPTURE OF ABU ZUBAYDAH AND DEVELOPMENT OF EITs

30. (TS/ [redacted]) The capture of senior Al-Qa'ida operative Abu Zubaydah on 27 March 2002 presented the Agency with the opportunity to obtain actionable intelligence on future threats to the United States from the most senior Al-Qa'ida member in U.S. custody at that time. This accelerated CIA's development of an interrogation program and establishment of an interrogation site. [redacted]

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31. (TS/) To treat the severe wounds that Abu Zubaydah suffered upon his capture, the Agency provided him intensive medical care from the outset and deferred his questioning for several weeks pending his recovery. The Agency then assembled a team that interrogated Abu Zubaydah using non-aggressive, non-physical elicitation techniques. Between June and July 2002, the team and Abu Zubaydah was placed in isolation. The Agency believed that Abu Zubaydah was withholding imminent threat information.

32. (TS/) Several months earlier, in late 2001, CIA had tasked an independent contractor psychologist, who had 13 years of experience in the U.S. Air Force's Survival, Evasion, Resistance, and Escape (SERE) training program, to research and write a paper on Al-Qa'ida's resistance to interrogation techniques.¹³ This psychologist collaborated with a Department of Defense (DoD) psychologist who had 19 years of SERE experience in the U.S. Air Force and DoD to produce the paper, "Recognizing and Developing Countermeasures to Al-Qa'ida Resistance to Interrogation Techniques: A Resistance Training Perspective." Subsequently, the two psychologists developed a list of new and more aggressive EITs that they recommended for use in interrogations.

¹² (S) CTC had previously identified locations for "covert" sites but had not established facilities.

¹³ (U//FOUO) The SERE training program falls under the DoD Joint Personnel Recovery Agency (JPRA). JPRA is responsible for missions to include the training for SERE and Prisoner of War and Missing In Action operational affairs including repatriation. SERE Training is offered by the U.S. Army, Navy, and Air Force to its personnel, particularly air crews and special operations forces who are of greatest risk of being captured during military operations. SERE students are taught how to survive in various terrain, evade and endure captivity, resist interrogations, and conduct themselves to prevent harm to themselves and fellow prisoners of war.

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33. (TS/) CIA's OTS obtained data on the use of the proposed EITs and their potential long-term psychological effects on detainees. OTS input was based in part on information solicited from a number of psychologists and knowledgeable academics in the area of psychopathology.

34. (TS/) OTS also solicited input from DoD/Joint Personnel Recovery Agency (JPRA) regarding techniques used in its SERE training and any subsequent psychological effects on students. DoD/JPRA concluded no long-term psychological effects resulted from use of the EITs, including the most taxing technique, the waterboard, on SERE students.¹⁴ The OTS analysis was used by OGC in evaluating the legality of techniques.

35. (TS/) Eleven EITs were proposed for adoption in the CTC Interrogation Program. As proposed, use of EITs would be subject to a competent evaluation of the medical and psychological state of the detainee. The Agency eliminated one proposed technique—the mock burial—after learning from DoJ that this could delay the legal review. The following textbox identifies the 10 EITs the Agency described to DoJ.

¹⁴ (S) According to individuals with authoritative knowledge of the SERE program, the waterboard was used for demonstration purposes on a very small number of students in a class. Except for Navy SERE training, use of the waterboard was discontinued because of its dramatic effect on the students who were subjects.

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Enhanced Interrogation Techniques

- ◆ The **attention grasp** consists of grasping the detainee with both hands, with one hand on each side of the collar opening, in a controlled and quick motion. In the same motion as the grasp, the detainee is drawn toward the interrogator.
- ◆ During the **walling technique**, the detainee is pulled forward and then quickly and firmly pushed into a flexible false wall so that his shoulder blades hit the wall. His head and neck are supported with a rolled towel to prevent whiplash.
- ◆ The **facial hold** is used to hold the detainee's head immobile. The interrogator places an open palm on either side of the detainee's face and the interrogator's fingertips are kept well away from the detainee's eyes.
- ◆ With the **facial or insult slap**, the fingers are slightly spread apart. The interrogator's hand makes contact with the area between the tip of the detainee's chin and the bottom of the corresponding earlobe.
- ◆ In **cramped confinement**, the detainee is placed in a confined space, typically a small or large box, which is usually dark. Confinement in the smaller space lasts no more than two hours and in the larger space it can last up to 18 hours.
- ◆ **Insects placed in a confinement box** involve placing a harmless insect in the box with the detainee.
- ◆ During **wall standing**, the detainee may stand about 4 to 5 feet from a wall with his feet spread approximately to his shoulder width. His arms are stretched out in front of him and his fingers rest on the wall to support all of his body weight. The detainee is not allowed to reposition his hands or feet.
- ◆ The application of **stress positions** may include having the detainee sit on the floor with his legs extended straight out in front of him with his arms raised above his head or kneeling on the floor while leaning back at a 45 degree angle.
- ◆ **Sleep deprivation** will not exceed 11 days at a time.
- ◆ The application of the **waterboard technique** involves binding the detainee to a bench with his feet elevated above his head. The detainee's head is immobilized and an interrogator places a cloth over the detainee's mouth and nose while pouring water onto the cloth in a controlled manner. Airflow is restricted for 20 to 40 seconds and the technique produces the sensation of drowning and suffocation.

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