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Senate Select Committee on Intelligence

Committee Study of the CIA's Detention and Interrogation Program

Executive Summary

Approved December 13, 2012

Updated for Release April 3, 2014

Declassification Revisions December 3, 2014

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“[a]ny data collected by them from detainees with whom they previously interacted as interrogators will always be suspect.”³²⁸ [REDACTED] OMS then informed the management of the Renditions Group that “no professional in the field would credit [SWIGERT and DUNBAR’s] later judgments as psychologists assessing the subjects of their enhanced measures.”³²⁹ At the end of their deployment, in June 2003, SWIGERT and DUNBAR provided their assessment of KSM and recommended that he should be evaluated on a monthly basis by “an experienced interrogator known to him” who would assess how forthcoming he is and “remind him that there are differing consequences for cooperating or not cooperating.”³³⁰ In his response to the draft Inspector General Special Review, [REDACTED] OMS noted that “OMS concerns about conflict of interest... were nowhere more graphic than in the setting in which the same individuals applied an EIT which only they were approved to employ, judged both its effectiveness and detainee resilience, and implicitly proposed continued use of the technique – at a daily compensation reported to be \$1800/day, or four times that of interrogators who could not use the technique.”³³¹

D. The Detention and Interrogation of ‘Abd al-Rahim al-Nashiri

1. CIA Interrogators Disagree with CIA Headquarters About Al-Nashiri’s Level of Cooperation; Interrogators Oppose Continued Use of the CIA’s Enhanced Interrogation Techniques

(TS// [REDACTED] //NF) ‘Abd al-Rahim al-Nashiri,³³² assessed by the CIA to be an al-Qa’ida “terrorist operations planner” who was “intimately involved” in planning both the USS Cole bombing and the 1998 East Africa U.S. Embassy bombings, was captured in the United Arab Emirates in mid-October 2002.³³³ He provided information while in the custody of a foreign government, including on plotting in the Persian Gulf,³³⁴ and was then rendered by the

³²⁸ The email, which expressed concern that SWIGERT and DUNBAR would interfere with on-site psychologists, stated that, “[a]lthough these guys believe that their way is the only way, there should be an effort to define roles and responsibilities before their arrogance and narcissism evolve into unproductive conflict in the field.” See email from: [REDACTED]; to: [REDACTED], [REDACTED]; subject: [REDACTED] RDG Tasking for IC Psychologists DUNBAR and SWIGERT; date: June 16, 2003, at 4:54:32 PM.

³²⁹ Email from: [REDACTED]; to: [REDACTED]; cc: [REDACTED], [REDACTED], [REDACTED]; subject: Re: [REDACTED] RDG Tasking for IC Psychologists DUNBAR and SWIGERT; date: June 20, 2003, at 2:19:53 PM.

³³⁰ [REDACTED] 12168 (301822Z JUN 03). The CIA’s June 2013 Response states: “In practice, by April 2003, [CIA] staff psychologists had taken over almost all of the provisions of support to the RDI program. As it concerned [SWIGERT] and [DUNBAR], however, the appearance of impropriety continued, albeit to a lesser degree, because they were occasionally asked to provide input to assessments on detainees whom they had *not* interrogated” (emphasis added). The CIA’s June 2013 Response is inaccurate. For example, in June 2003, SWIGERT and DUNBAR provided an assessment on KSM, a detainee whom they *had* interrogated.

³³¹ Memorandum for Inspector General, Attention: Assistant IG for Investigations, [REDACTED], from [REDACTED], M.D., [REDACTED] Medical Services [REDACTED] re Draft Special Review-Counterterrorism Detention and Interrogation Program (2003-7123-IG), at 13.

³³² For more information on al-Nashiri, see detainee review of ‘Abd al-Rahim al-Nashiri in Volume III.

³³³ ALEC [REDACTED]; [REDACTED] 11357 (021242Z DEC 02); [REDACTED] 36710 [REDACTED].

³³⁴ See [REDACTED] 36595 [REDACTED]; [REDACTED] 36726 [REDACTED]; ALEC [REDACTED]. For disseminated intelligence, see [REDACTED] CIA [REDACTED]; [REDACTED] CIA [REDACTED]. For other reporting from al-Nashiri while he was in foreign government custody, see [REDACTED].

CIA to DETENTION SITE COBALT in Country [REDACTED] on November [REDACTED], 2002, where he was held for [REDACTED] days before being transferred to DETENTION SITE GREEN on November [REDACTED], 2002.³³⁵ At DETENTION SITE GREEN, al-Nashiri was interrogated using the CIA's enhanced interrogation techniques, including being subjected to the waterboard at least three times.³³⁶ In December 2002, when DETENTION SITE GREEN was closed, al-Nashiri and Abu Zubaydah were rendered to DETENTION SITE BLUE.³³⁷

(TS// [REDACTED] //NF) In total, al-Nashiri was subjected to the CIA's enhanced interrogation techniques during at least four separate periods, with each period typically ending with an assessment from on-site interrogators that al-Nashiri was compliant and cooperative.³³⁸ Officers at CIA Headquarters disagreed with these assessments, with the deputy chief of ALEC Station, [REDACTED], commenting that DETENTION SITE BLUE interrogators should not make "sweeping statements" in cable traffic regarding al-Nashiri's compliance.³³⁹ Officers at CIA Headquarters sought to reinstate the use of the CIA's enhanced interrogation techniques based on their belief that al-Nashiri had not yet provided actionable intelligence on imminent attacks.³⁴⁰

(TS// [REDACTED] //NF) Shortly after al-Nashiri arrived at DETENTION SITE BLUE, CIA interrogators at the detention site judged al-Nashiri's cooperation and compliance by his engagement and willingness to answer questions, while CIA Headquarters personnel judged his compliance based on the specific actionable intelligence he had provided (or the lack thereof). For example, in December 2002, interrogators informed CIA Headquarters that al-Nashiri was "cooperative and truthful," and that the "consensus" at the detention site was that al-Nashiri was

[REDACTED] 70879 [REDACTED]; [REDACTED] 70866 [REDACTED]; [REDACTED] 70868 [REDACTED];
 [REDACTED] 70870 [REDACTED]. For disseminated intelligence, *see* [REDACTED]; [REDACTED];
³³⁵ [REDACTED] 29768 ([REDACTED] NOV 02); [REDACTED] 11243 ([REDACTED] NOV 02)
³³⁶ *See, for example,* [REDACTED] 11246 [REDACTED] NOV 02); [REDACTED] 11258 [REDACTED] NOV 02); [REDACTED]
 11263 [REDACTED] NOV 02); [REDACTED] 11270 [REDACTED] NOV 02); [REDACTED] 11284 [REDACTED] NOV 02);
 [REDACTED] 11294 [REDACTED] NOV 02); [REDACTED] 11293 [REDACTED] NOV 02); [REDACTED] 11322 [REDACTED] NOV
 02); [REDACTED] 11352 [REDACTED] DEC 02); [REDACTED] 11359 [REDACTED] DEC 02); [REDACTED] 11322 [REDACTED]
 NOV 02); [REDACTED] 11344 [REDACTED] NOV 02).
³³⁷ [REDACTED] 78275 ([REDACTED] DEC 02)

³³⁸ Al-Nashiri's time at DETENTION SITE COBALT is not well documented in CIA records. As described elsewhere, standard operating procedure at COBALT at the time included total light deprivation, loud continuous music, isolation, and dietary manipulation. Based on CIA records, the other four "enhanced interrogation" periods of al-Nashiri took place at DETENTION SITE BLUE on December 5-8, 2002; December 27, 2002 – January 1, 2003; January 9-10, 2003; and January 15-27, 2003. *See* [REDACTED] 10030 (111541Z DEC 02); [REDACTED] 10078 (211733Z DEC 02); [REDACTED] 10140 (031727Z JAN 03); ALEC [REDACTED] (191729Z JAN 03).

³³⁹ Email from: [REDACTED]; to: [REDACTED]; [REDACTED]; cc: [REDACTED], [REDACTED], [REDACTED], [REDACTED]; subject: [DETENTION SITE BLUE] follow-up; date: December 15, 2002.

³⁴⁰ *See, for example,* ALEC [REDACTED] (072315Z DEC 02); ALEC [REDACTED] (130352Z DEC 02); ALEC [REDACTED] (180247Z DEC 02); ALEC [REDACTED] (191729Z JAN 03); CIA Office of Inspector General, Report of Investigation: Unauthorized Interrogation Techniques at [DETENTION SITE BLUE], (2003-7123-IG), October 29, 2003. *See also* CIA Office of Inspector General report, Counterterrorism Detention And Interrogation Activities (September 2001 - October 2003) (2003-7123-IG), released on May 7, 2004.

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