

CIA Fact Sheet Regarding the SSCI Study on the Former Detention and Interrogation Program

December 9, 2014

The Detention and Interrogation Program Ended in 2009 and Will Not Be Renewed at CIA:

- President Obama ended the detention and interrogation program nearly six years ago in 2009.
- The use of Enhanced Interrogation Techniques (EITs) by CIA ended in December 2007, and was subsequently prohibited by an Executive Order issued by President Obama when he took office in January 2009.
- The President also directed that CIA no longer operate detention facilities and banned the use of all interrogation techniques that are not in the Army Field Manual for those held in U.S. custody or under the effective control of the United States in any armed conflict.
- It is Director Brennan's resolute intention to ensure that Agency officers scrupulously adhere to these directives, which the Director fully supports.

History:

- The detention and interrogation program was authorized by President George W. Bush six days after the terrorist attacks of 9/11, reviewed and determined to be lawful by the Justice Department, and implemented by the CIA.
- The program was one part of a global counter-terrorism effort undertaken by CIA to dismantle al-Qa'ida and prevent another mass-casualty strike on American soil.

CIA's Response Acknowledges Serious Mistakes:

- CIA's 2013 response (found at www.cia.gov) to the Senate Select Committee on Intelligence (SSCI) Study acknowledges that the program had shortcomings and the Agency made mistakes. The most serious problems occurred early on and stemmed from the fact that the Agency was unprepared and lacked the core competencies required to undertake an unprecedented program of detaining and interrogating suspected terrorists around the world.
- In carrying out that program, CIA did not always live up to the high standards that we set for ourselves and that the American people expect of us.
- CIA has owned up to these mistakes, learned from them, and taken numerous corrective actions over the years. Further improvements to CIA practices continue to be made today as a result of our review of the SSCI Study.

The Program Produced Valuable and Unique Intelligence:

- The Agency takes no position on whether intelligence obtained from detainees who were subjected to EITs could have been obtained through other means or from other individuals. The answer to this question is, and will remain, unknowable.

- However, CIA reviews indicate that the program, including interrogations of detainees on whom EITs were used, did produce valuable and unique intelligence that helped thwart attack plans, capture terrorists and save lives. Tab C of the Agency's response addresses this issue in detail.
- CIA's position on the value of information derived from detainees is not an endorsement of the policy decision to use EITs or an "ends-justify-the-means" case for them, but merely a reflection of the historical record.
- CIA assesses that most of the 20 case studies cited in the SSCI Study and the Agency's representations about them remain valid examples of the program's effectiveness, although CIA has acknowledged some flaws in its past representations.

Bin Ladin Example:

- For instance, information that CIA obtained from detainees played a role, in combination with other streams of intelligence, in finding Usama Bin Ladin.
- Information from detainees in CIA custody relating to the involvement of courier Abu Ahmad al-Kuwaiti in delivering messages to and from Bin Ladin fundamentally changed our assessment of his potential importance to our hunt for Bin Ladin.
- As an example, Ammar al-Baluchi, after undergoing EITs, was the first detainee to reveal that Abu Ahmad al-Kuwaiti served as a courier for messages from Bin Ladin after Bin Laden had departed Afghanistan. Before that, CIA had only general information that Abu Ahmad had interacted with Bin Ladin before the group's retreat from Tora Bora in late 2001, when Bin Ladin was relatively accessible to a number of al-Qa'ida figures.
- This information prompted CIA to re-question other detainees on Abu Ahmad's role, to review previous reporting in light of this information, and to increase the focus of Abu Ahmad's role in our questioning. CIA then combined this information with reporting from other streams to build a profile of Abu Ahmad's experiences, family, and characteristics that allowed us to eventually determine his true name and location.

CIA Representations to Congress, the Executive Branch, and the Public Regarding the Program:

- CIA disagrees with the Study's inference that the CIA systematically and intentionally misrepresented the program to Congress, others in the Executive Branch, and the media.
- The Agency's record is not perfect – there were instances where representations about the program that were used or approved by Agency officers were inaccurate, imprecise, or fell short of Agency tradecraft standards -- but the factual record does not support the inference in the Study that the Agency conspired to intentionally mislead the Congress or others regarding the effectiveness of the program.
- Within the limits on access established by the White House, CIA made a good faith effort to keep Congressional oversight committee leaders fully briefed on the program.
- CIA also facilitated multiple reviews by its own Inspector General (IG), whose reports allowed Agency leaders to address a number of the same shortcomings noted in the SSCI report.
- Despite some flaws in CIA's representations of effectiveness, the overall nature and value of the program, including the manner in which interrogations were carried out and the IG's findings about the program's shortcomings, were accurately portrayed to CIA's Executive and Legislative Branch overseers, as well as the Justice Department.

CIA's Response Included Recommendations Based on a Review of the Study:

- While there are no specific recommendations for CIA improvement in the SSCI Study, CIA developed its own recommendations based a review of the concerns raised in the Study. CIA has made substantial progress implementing these recommendations, including:
 - To better plan and manage sensitive programs, CIA has codified a requirement to explicitly address at the outset lines of authority, resources, the implications of public disclosure, and an exit strategy.
 - CIA is improving how it assesses the effectiveness of its sensitive programs and has instituted a process for determining which assignments entail particularly sensitive responsibilities requiring enhanced vetting of CIA officers being considered for those assignments.
 - CIA has created a mechanism to ensure it regularly revalidates and, as necessary, updates the factual basis for the legal guidance on which it relies from the Justice Department's Office of Legal Counsel.
 - CIA has established a requirement that internal accountability boards do not focus exclusively on individual misconduct, but look more broadly at any systemic problems.

CIA's Response Takes an Introspective Look at the Past with an Eye towards the Future:

- CIA has learned many lessons over the years from this chapter in its history, and the Agency is stronger as a result. The SSCI Study is no exception.
- Nevertheless, CIA must ensure the SSCI Study doesn't undermine the confidence of officers charged with executing current or future Presidential directives and hopes that, in the future, such reports can be the result of collaborative, bi-partisan investigations.
- CIA sincerely hopes that, as a result of the Committee's work and our subsequent review and response, we can move forward in our efforts to address successfully the many national security challenges facing our nation. By learning from the past while focusing on the future, we will be best able to meet our responsibility to protect the American people.